

S-722

Connecticut
Gen.Assembly
Senate

Proceedings
2019

Vol. 62
Part 5
3337-4093

CONNECTICUT GENERAL ASSEMBLY

SENATE

Friday, May 31, 2019

The Senate was called to order at 3:43 o'clock p.m.,
Senator Looney of the 11th District in the Chair.

ACTING CHAPLAIN BENITA TOUSSAINT:

This is the beginning of a new day. We have been
given this day to use as we will. When tomorrow
comes, this day will be gone forever; in its place,
something that we have left behind-let it be
something good. Amen

SENATOR SLAP (5TH):

(ALL) I pledge allegiance to the flag of the United
States of America and to the Republic for which it
stands, one Nation under God, indivisible, with
liberty and justice for all.

THE CHAIR:

Good afternoon, Senator Abrams.

SENATOR ABRAMS (13TH):

Thank you, Madam President. As the co-chair of
Public Health I am thrilled to have this bill called
today, but I would like to yield my colleague,

Senator Flexer, because of the great respect I have for her advocacy for this bill.

THE CHAIR:

Thank you, Senator Abrams. Do you accept the yield, Senator Flexer?

SENATOR FLEXER (29TH):

Good afternoon, Madam President, yes, I do.

THE CHAIR:

Good afternoon. Please proceed.

SENATOR FLEXER (29TH):

HB 7200

Thank you, Madam President. Madam President, the bill before us today is a critical initiative for the State of Connecticut to protect our young people from the incredible and difficult addiction to nicotine and tobacco products. I am thrilled that we are debating this bill in the Senate today. This bill that is before us passed the House of Representatives by a huge bipartisan margin and that's because this has been a bipartisan issue. For many years, this legislature has been looking towards the policies that are included in this bill, the most important being the increase of the age of purchasing tobacco products from 18 to 21. This bill has been worked on for several years and this year, there were members of the House of Representatives, members of the Senate, Democrats and Republicans who worked diligently to make this bill happen and I'm grateful that today, we are debating this proposal.

The bill before us, as I mentioned, raises the legal age to purchase all tobacco products including electronic cigarettes and various vaping products from 18 to 21. It also has several new regulations with regard to dealers and sellers of these products, making sure that they are licensed and that if they are not abiding by the law, if they are in fact selling these products to people who are under this new legal age, that there is enforcement and penalties to make sure that this law is being adhered to. Right now, our law is very strict with regard to traditional tobacco products, those combustible smoking type products. The bill that's before us today modernizes our statutes and makes sure that we are including vaping products, electronic nicotine delivery systems in our laws to make sure that those sellers are licensed and that there are compliance checks and there is enforcement by state agencies to make sure that those products are being monitored as carefully as the traditional smoking combustible tobacco products have been monitored. Under our current law, that isn't happening.

It also makes sure that we're not criminalizing minors who are attempting to buy these products, but instead, focuses on penalizing the people who choose to ignore the law and sell these products to people under the age of 21. It makes various other changes to our state law regarding the sale of these products. It bans smoking and the use of electronic nicotine delivery systems, vaping products, electronic cigarettes if you will on the grounds of childcare centers and schools. It has new restrictions with regard to the advertisement of these kinds of products. This is a comprehensive

bill and Madam President, there are a number of people who worked diligently on this bill and I wanna thank first and foremost our Governor, Ned Lamont, who started this session by introducing this policy as a key initiative of his administration and because of him, the various state agencies who deal with these issues were at the table working diligently to make sure that this legislation was not just before us, but that we were putting a regulatory system in place that could achieve the goals of making sure that when we increase this age from 18 to 21, that it's actually enforceable and that we are actually ensuring that these products are staying out of the hands of our young people so we are very grateful to Governor Lamont for his leadership and the various people in the state agencies who worked diligently on this bill. Without them, we wouldn't have been able to achieve this measure that's before us today.

Madam President, I just want to speak broadly about why this bill is so important. We know that close to 90 percent of people who begin a nicotine addiction, whether it's a traditional cigarette addiction or these new and very dangerous vaping products, we know that most people who begin this kind of addiction do so before the age of 21 and so this policy will ensure that in the future, fewer and fewer people are addicted to tobacco products. In recent years, while we had seen declining use of traditional cigarettes among young people and among our population overall, what we have seen is a skyrocketing level of use of electronic cigarettes among our young people. Nationwide and in Connecticut, electronic cigarette use among middle school and high school students is higher than traditional cigarettes, and it's increasing in

alarming rates. Between 2015 and 2017, the current use of electronic cigarettes more than doubled from 7.2 percent to 14.7 percent and everything we've heard in the time we've been working on this legislation shows that that number is just continuing to increase.

We've heard stories in the Committee when we were debating, when the Public Health Committee was debating this bill, that schools are now having to set policies that most of the bathrooms in a school building will be closed because the vaping in middle and high schools is so rampant. So many young people are choosing to engage in this and they're choosing to engage this because frankly, it's been marketed to them and because there is a belief among some young people that this vaping product, these electronic cigarettes are safer and the fact is we just we know that's not true and we don't know the full totality of the health effects of the use of these products so Madam President, this bill before us is a real effort to get at an increasing public health crisis that's facing young people in our state and so many of us have been working on this legislation. I'm so grateful to the leadership of the Public Health Committee for their work on this legislation and I'm hopeful that many of my colleagues this afternoon will choose to support this bill. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Flexer. Will you remark further on the bill that is before the Chamber? Senator Somers, good afternoon.

SENATOR SOMERS (18TH):

Yes, good afternoon, Madam President. I rise in support of this bill. Coming from Public Health, this is something that we have been working on for years and it has now become critical because of the epidemic that we face, not only in Connecticut but in our country vaping and how so many young people, even starting in middle schools have inadvertently become addicted to nicotine because of the way that the product is delivered. There are cases where a young person can get up to 169 times the amount of nicotine that they can from a cigarette so we as a Public Health Committee felt very strongly that we need to help protect the youth in our state, protect them not only in their current age group, but going forward because every puff that you take on a cigarette takes seconds off of your life. You can actually measure it in the lab, somebody who's a nonsmoker versus a smoker and all of the data that has been collected on those who suffer from addiction to nicotine, even now, it's clear from the evidence and you can find it on the NIH and other healthcare sources, all these folks started young. And I dare anyone in this circle to meet somebody who is having trouble breathing in their later years to say geez, do you wish you started smoking. Everyone that you talk to will say no because of the health consequences and the cost to the State of Connecticut also in the care for these individuals. So I fully support this bill. I want to thank all of those who worked on this. It was not easy, I know, that Senator Flexer and Senator Abrams along with other members of the Public Health Committee worked tirelessly on this bill. It encompassed many different departments to come together and on board and I want to thank this circle for having the fortitude to bring this forward because this is the

one thing we can do in this legislature. We all talk about changing peoples' lives and impacting them in a positive way. This is the one thing that we can do that will be measurably, which we can measure in a short time period. We will be able to measure the difference that we're making by passing this bill and I fully support it. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Somers. Will you remark further on the bill that is before us? Senator Abrams.

SENATOR ABRAMS (13TH):

Thank you, Madam President. I rise in support of this bill. Throughout this process I've heard many peoples' stories, very moving testimony from young and old about the devastation of a tobacco addiction on their families and loved ones. It was very difficult to hear because most of us have also experienced that ourselves and we know what it can do and many of these addictions are developed at a very young age. Ninety-five percent of people who have tobacco addiction in their adult life began when they were young so I don't think that we can ignore that fact.

As an administrator, a high school administrator, I saw the vaping phenomenon explode, just become exponential over the past few years and I hear from my old colleagues about the struggles that they're facing in helping students understand what this could mean to them long-term in their health and to take some control over it. Young people, parents, educators, they have all reached out to people in

this body to say that they needed legislative help and that's what this bill will do. It will hold people responsible to keeping our children away from what should be an adult product and I ask my fellow senators not to pass up this opportunity to positively impact the lives of our children and for generations to come. So I strongly support this bill and I ask my fellow senators to do the same.

THE CHAIR:

Thank you, Senator Abrams? Will you remark further? Good afternoon, Senator Sampson.

SENATOR SAMPSON (16TH):

Good afternoon, Madam President. I rise in opposition to the bill before us, but I want to start by saying that I'm certainly not an advocate for cigarette smoking. For me, this issue has virtually nothing to do with smoking at all. Much like the gun control bills that find their way to this Chamber periodically, I feel that this bill in some ways is a triumph of emotion over reason and in some ways, it symbolizes everything that is wrong with our state government. Our job, as I repeat often in this Chamber, is to make good public policy. It should be consistent and it should be based on reason and not just feelings.

This bill suggests that the people in this building are smarter than the people outside and based on the State's finances, that is more than suspect. It also presumes that we have the position of deciding for others, and those others are our bosses. In fact, they are adults. I heard the word children mentioned several times by the other speakers, but

this bill has nothing to do with children. It has to do with adults. And since we're on the subject of changing the age to purchase cigarettes from 18 to 21, I wonder why 21. It seems rather arbitrary to me. And in fact, I might say that if we were changing the age of adulthood in all of our policies to determine that the majority age in our State would be 21, I could find my way to supporting this bill, but that's not what we're doing. The majority age is 18 in the State of Connecticut. So why 21? I actually had this idea, Madam President, that I was gonna come in today and I was gonna offer a series of amendments. The first one would be to raise the age to 22. Just out of curiosity, how many people in the room would support that? After all, if we're saying that this is to protect people from smoking, why would we not want to protect 22-year-old's as well as 21-year-old's? And then if that passed, why wouldn't we do another amendment to make it 23 and then 24 and then 25 and so on?

The point is that we have already made this determination. The majority age in Connecticut is 18 and because of that, this bill before us actually violates the rights of peoples who are adults between the ages of 18 to 21. It's not a joke to even say that this bill is age discrimination. We wouldn't go out and pick out another three-year period in someone's age range. We wouldn't say people 67 to 70 are restricted from doing something all other adults aren't, but that's precisely what this bill does.

I want to keep making this very, very important point; 18 is the age of majority. We consider the age of 18 appropriate for voting. That's very important. The significance of that is that we

trust people who are 18 years old to cast a vote in elections and to make important decisions. Trusting someone with the right to vote basically says we trust you to make good decisions so why would we say we trust you to make a good decision when you're gonna vote and I know there's some people in here who have advocated for making the right to vote begin at age 16, but I ask why are we saying that you're smart enough, you can make your own decisions on who you're gonna vote for at 18, but this decision cannot be made. You're just not smart enough yet. You need to be protected by the people in this building. Those people get to vote and in essence, get to influence every decision we make in this building based on the votes that they cast during elections. If that's the case, then why can't we trust them to make their own decision outside this building on whether they're going to smoke or not, since no one's forcing them against their will?

I know that there's a lot of people that are in favor of this bill. I know it passed out of the House by large margins. I know that there are towns across the State that have passed various ordinances on the subject, but I don't think people have really thought this through. First off, it's not gonna prevent smoking. I started smoking when I was 13 years of age. I don't even know what the lawful age to purchase cigarettes at the time. It might've have been 18. It might even have been 16. I don't know if it ever was but it certainly didn't stop me from getting cigarettes. I had complete and utter access to cigarettes and I'm quite certain that no matter what we change the age to, that will not change.

I want to also point out that I agree; minors should be restricted from purchasing cigarettes, but the term is minors. I don't want to blur what we consider to be an adult and a minor in the policies we pass in this legislature. It is dangerous to do so and arbitrary. So I started smoking at 13 and it was certainly a bad decision, but it goes to show that even if the age was 18 at the time, it didn't stop me and if we change the age to 21 I don't think it's going to make any difference and I've heard people say over and over again that the reason why we're raising it all the way to 21 is because we want the 15-year-olds to stop. If that's how we have resorted to making policy, it's just madness. Maybe it's just the extreme hypocrisy of this legislation that bothers me the most. This bill supposes that smoking is such an extreme health risk that we need to restrict the sale of cigarettes. I don't even know that I would disagree with that, but for now, cigarettes are a legal product and this body taxes cigarettes and when I say this body taxes cigarettes, that is an understatement. I don't know that there is a product that we tax more than cigarettes and the argument is always, well we're taxing cigarettes because we want to restrict people from being able to get them. That makes absolutely no sense, Madam President. The money that comes in from those taxes presumably is spent on government programs that everyone in here things are important so people that support taxes on cigarettes must support the purchase of cigarettes necessarily because they want that money for the programs they believe in. That includes anti-smoking and cessation programs by the way. What blatant hypocrisy. There are plenty of other health risks in our society, bad foods. What about driving? People may die from ailments from smoking, but many,

many more people die in automobile accidents and we provide driver's licenses to people who are as young as age 16.

But I guess the ultimate question is why carry on this hypocrisy. If everyone in this room is so passionate and so caring for the youth in our State that they don't want people to smoke, then why is there not a bill before us to ban smoking? Why not? I don't see that bill. I see well, we care about 18 to 21-year-olds, but 22-year-olds can fend for themselves. And what about marijuana? Are we serious? Really! This body is poised to pass laws legalizing marijuana in our State at the same time, and I've seen it on the same day in the same committee, the discussion, legalize marijuana, raise the age for cigarettes to 21. I don't even have to get into it. Anyone listening understands the hypocrisy.

Madam President, what is our job here? We are the Representatives of our constituents. We should never forget that. They elect us and give us the trust to represent their interests and presumably, adults over 18 who have the right to vote are able to make decisions for themselves. They can be sent to prison. They can get a tattoo. People far younger than 21 can have an abortion. That's ironic. I hear all the time, my body, my choice. I don't disagree but in this case, somebody's who's 21 years old, who is a majority age, an adult in our State, they're not getting that choice in this case. We are deciding for them. And maybe most importantly, Madam President, they have the right to serve in our military and potentially die for our country. I printed out something off the internet just before we started today and it is from the

United States Selective Service System. It is the law in our country that men, interestingly enough, must register with Selective Service, within 30 days of their 18th birthday. It goes on to say that in a crisis, men would be called in a sequence determined by random lottery and year of birth and they could be inducted into service in our armed forces and potentially serve on a battlefield somewhere and die for this country. I don't know if there is a greater measure of adulthood than that.

If this bill passes, Madam President, it will send several messages to our constituents. First, that this body, the people in this building believe that we have the right to regulate the personal health choices of our adult citizens, that the State essentially has rights over your body and that it can choose which adult citizens are allowed certain rights based on their age, even though they're adults and where does that stop ladies and gentlemen? Will we be next regulating the purchase of sugary drinks, candy bars? I'm sorry, Senator Sampson, you've had your allotment of red meat this month. Will there be a law we pass someday that says you must put a hat on before you go outside on a chilly day. I didn't mention it, but in the substance of the bill, I will note that there's a lot more going on here than just raising the age from 18-21 for the purchase of cigarettes. There's also the concept of vaping which I promised myself I wasn't gonna get into during this conversation, but that's a worthwhile conversation also since many people take up vaping in an effort to stop smoking. And there are fee increases in here too on businesses in this State that are already struggling. We are doubling the fees for them to be able to distribute cigarettes. I'm awaiting an

amendment, Madam President. I don't have it yet. I hope it will be drafted before this debate is over so I can offer it, but since I don't have it in my possession, I'm just going to close my remarks and look for the opportunity to get that amendment in my hands and offer it.

The bottom line, Madam President, is that I will not take the rights of my constituents away from them. I just won't do it. Even if some of them ask me, there are plenty others who believe that they are adult citizens who can make their own choices and I think if we actually thought hard about it individually, none of us would decide that we have the right to decide for other adults either. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Sampson. Will you remark further on the bill that is before us? Senator Cohen.

SENATOR COHEN (12TH):

Thank you, Madam President. I rise in support of this bill and want to thank my colleagues, Senator Flexer for all of her hard work on this bill over the years and Senator Daugherty Abrams as well. I started smoking at 14 so my friends and I had just entered high school and I thought hey, wouldn't it be cool if we tried this. We see some other kids doing this around school, another friend easily purchased a package of cigarettes. We went outside, lit up the cigarettes and a couple of us enjoyed our first puffs and some of us didn't like it. Unfortunately, I loved it and there began my long addiction and battle and struggle to overcome an

addiction to nicotine. Fifteen years later I became pregnant with my son and knew that I had to quit smoking and it was the hardest thing I've ever had to do. And to this day, I still miss smoking. I liked, I can feel it, I know anybody who's had a cigarette knows exactly what I'm talking about, but it's very hard to overcome that feeling. Every time I walk by somebody who smokes I think, oh, I could easily get right back there and start smoking again and so I'm telling this story because I think we have a responsibility. I think we have a responsibility to our youth. I'm hard-pressed to think of another product on the market that has the known detrimental health risks and addictive qualities that tobacco has.

Ten years ago I watched my father pass away of lung cancer. He started smoking when he was 12 and certainly didn't know at that time the health risks associated with smoking. Many, many years went by of my father smoking his non-filtered Camel cigarettes and there were times where he wanted to quit smoking when he found out about these health risks associated with it but just simply couldn't quit and as somebody who, as I've said, struggled with that addiction myself, I know how hard it is to do and how hard it was for him to try and overcome. It wasn't until he got that diagnosis that he put out his last cigarette, but unfortunately, it was too late and I watched him struggle with this disease and I can't help but think had this law been in effect for him or for me, that neither one of us would've picked up the cigarettes as early as we had and become addicted. I think having the age set at 21 makes a significant difference and will most definitely, I wholeheartedly believe that this will most definitely save lives because we all know that

teenagers have lapses in judgement from time to time.

I just served recently on the Board of Education in Guilford and watching now these vaping products becoming such an issue amongst our youth is really quite frightening. I sat down with a group of teenagers from the high school about a year and a half ago and asked them what some of their biggest concerns were and they told me they couldn't enter the bathroom at the school without somebody using a vaping product and asking them if they wanted a hit off of these vaping products. So I think this is the responsible to do. I think we are protecting our youth and now as the mother of a teen and a pre-teen and another 9-year-old little girl, I want to do everything that I can possibly can to protect them from harm. So again, I rise in support of this legislation and thank you so much, Senator Flexer and my colleague, Mary Abrams, for bringing this legislation forward and I hope to see its passage today. Thank you.

THE CHAIR:

Thank you, Senator Cohen. Will you remark further? Senator Bizzarro to be followed by Senator Haskell. Senator Bizzarro.

SENATOR BIZZARRO (6TH):

Thank you, good afternoon, Madam President. Madam President, I rise in opposition to this bill and in particular, I rise simply to set the record straight regarding why I intend to vote no. Just to be clear, I abhor cigarette smoking. I hate it in every way imaginable and I do believe that it poses

a significant health risk to smokers and nonsmokers alike and I quite frankly wouldn't mind if cigarette smoking were banned in its entirety, but that's the point, Madam President. Not to belabor everything that my good friend, the Senator from the 16th said, but he's got it all right. I mean if at the age of 18 we can ask young men and women to serve in the military and put their lives on the line so that they can defend our freedom and our liberties, our freedom to sit around this circle and debate things that are or aren't good for them to do to their bodies, and if at the age of 18 we can lock some of them up in prison and in solitary confinement, and if at the age of 18 we can ask them to contribute to our campaigns and vote for us and give them a driver's license and tell them they have to pay tolls, etc, etc, then at the age of 18 they ought to be allowed to make the decision to smoke as well. So for those reasons, I'll be voting no, Madam President, and I just wanted all of that on the record. Thank you.

THE CHAIR:

Thank you, Senator Bizzarro. Senator Haskell.

SENATOR HASKELL (26TH):

Thank you very much, Madam President. I rise in support of the legislation and I just wanted to briefly thank Senator Flexer as well as Senator Daugherty Abrams for their hard work on this legislation, as well as Representative Steinberg, who I have the honor of representing Westport alongside who's been a fierce advocate for this bill for many years and led its passage, its bipartisan passage in the House.

I just want to share briefly, Madam President, that the job that I had before this one was at a convenience store in a state with the highest tobacco tax in the country. Connecticut, I believe is the second highest and I was in the District of Columbia. I'm sorry, not a state yet, but perhaps one day. Anyways, at that convenience, I worked there for four years and in my senior year, we began to sell Juul products which for those who aren't familiar, perhaps the most popular vaping product. It was unbelievably discouraging to see how many of my peers would come in not just once a week, but once a day spending an inordinate amount of money on products that are quite blatantly marketed towards young gener-, uh, young citizens, towards the next generation. They're lured into this deadly habit under the guise of fruity flavors and it's incredibly disheartening to see how the vaping epidemic has not just spread to college campuses, but as I began campaigning, as I came home to Westport, as I went to high schools and middle schools talking to students about my new job as a State Senator, how I hear from them to echo the comments from Senator Cohen that in bathrooms, in high school and middle school bathrooms, students are taking time out of class because they're so addicted to vaping that they can't go the full 45, 50 minutes of a class period. I knew in college, Madam President, so many of my friends who would have to step out of their lecture, their 50-minute lecture so that they could vape in the hallway or in the bathroom. This is an epidemic and I'm incredibly proud that today, in this Chamber, we're thinking about the next generation, we're taking action because we know that 95 percent of adult smokers become addicted before the age of 21. I

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think that this bill is long overdue and I'm grateful to work in a Chamber where there are so many fierce advocates for this legislation on both sides of the aisle. Thank you, Madam President.

THE CHAIR:

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

SENATOR SLAP (5TH):

Thank you Madam President. I rise in support of the legislation just to talk very briefly. I heard one of my good colleagues refer to this process as State government at its worst and I respectfully could not disagree more. If you look at how State government and how we are supposed to operate as public servants and when we come to craft legislation, it starts I think with listening to our constituents and hearing what they're concerned about and this winter, I held a community conversation with parents at Hall High School in West Hartford and it was a frigid evening, I remember it and we had dozens and dozens of parents who came out to Hall High School and talked about how scared they were for their children and how concerned they were that there was gonna be a new generation of teens who were gonna be addicted to nicotine and they asked what could we do? What could State government do to help protect not only their children but children all across the State of Connecticut?

Well it wasn't too many weeks later that I attended and spoke at another community forum, this one at Conard High School on the other side of town in West Hartford and we have very much similar type of

conversation where parents not only were asking what can State government do, they were demanding action because they know what their teenagers and what their middle schoolers are telling them when they get home from school about how they're afraid to go to the bathroom because of all the smoke and what all their friends are doing and the dangers of withdrawal. We heard from public health experts talk about how these young teenagers are already going through these incredible health challenges because they're addicted to tobacco and they're vaping as well so all sorts of problems and they're demanding that we take action.

We also heard that this is an emotional response but this is rooted in science and rooted in fact. The former head of the FDA says that it points to evaluation that this is a public health crisis, an epidemic and we're gonna stand by and do nothing and we see what is at risk, an entire generation being addicted to nicotine. So we're listening to our constituents, we're doing our research, the solutions are based in science and fact, and then the last part I would point to in terms of process, in terms of state government at its best is that we're working together, bipartisan, collaborating, listening to each other and finding solutions together and not just talking past each other. I think that is state government at its best and I am so proud to vote for this legislation. I wanna thank Senator Flexer, Representative Steinberg, Representative or Senator Abrams I should say and all the folks. You know when I got to the Senate just a few months ago and I was listening to you know the folks at the public forums in West Hartford and I said oh my gosh we have to do something and I arrived here and I realized that there were already

so many dedicated public servants on both sides of the aisle already working far ahead of where I was on a solution so I'm just so pleased to be able to vote for this legislation and I hope that it does pass among strong bipartisan support very soon. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Slap. Will you remark further on the legislation? Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. I rise to offer an amendment. It is LCO 10392. I ask that the Clerk call it and that I be allowed to summarize.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO No. 10392, Senate Schedule A.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. This is a very straight forward amendment. It adds after the last section of the underlying bill, notwithstanding sections of the bill, a member of the Armed Forces who is under 21 years of age, may, without liability to any

person, etc obtain cigarettes, purchase and be sold a cigarette, tobacco product, electronic nicotine delivery systems, vapor products, etc. I move adoption and I ask that when the vote is taken, it be taken by roll.

THE CHAIR:

Thank you, Senator Sampson. Roll call vote on the amendment will be ordered. Will you remark further on the amendment before the Chamber? Senator Flexer.

SENATOR FLEXER (29TH):

Thank you, Madam President. Madam President --

SENATOR SAMPSON (16TH):

Excuse me, I still have the floor, Madam President.

THE CHAIR:

Senator Sampson, I apologize. I thought you were done. Please proceed, sir.

SENATOR SAMPSON (16TH):

Thank you, Madam President. This amendment before us carves out those who serve in our United States Military and treats them as the adults that they are. I think it is unfortunate that this bill is likely to pass and to deprive the rights of adult citizens in our State the same rights that other adults have purely because of their age, but I think it is only appropriate, Madam President, that we take special consideration for people who are

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actually signed up to risk their lives for our country.

I'll just make another brief point too. I am also listening to my constituents and that is why I am here. I've had a number of people contact me on both sides of this issue, but I want to just make an additional point that listening to our constituents is only half of our job. The other half of our job is to remember that our primary responsibility is to respect the constitutionally protected rights of every individual that we represent. That is what separates America from everywhere else. That is why we are not a pure democracy; we are a representative Republic because we recognize in this country that adult citizens have individual liberties and we don't just say willy-nilly the majority of people want this so your rights are taken away. We say you are adult, you get to keep your rights and to me that's a lot of what this bill is about, Madam President. I hope my colleagues support the amendment before us. It's the right thing to do. Thank you.

THE CHAIR:

Thank you, Senator Flexer. Will you remark further on the amendment that is before us? Senator Flexer.

SENATOR FLEXER (29TH):

Thank you, Madam President. Madam President, I rise in strong opposition to this amendment. As has been discussed here during the debate on the underlying bill today, this bill has been worked on for quite some time with a variety of stakeholders, a bipartisan working group of legislators who have

been working on this, this year and for several years and we have looked carefully at the issue of exempting the Military but, Madam President, the fact of the matter is, is that the Department of Defense, the Army, the Navy the Air Force and the Marines are all looking towards become tobacco-free organizations because they recognize the damage that tobacco does to the young men and women who are so bravely serving in our Military. It prevents those members of the Military who are addicted to nicotine from being as ready to defend our country as they could be. They recognize the damage that it does to their health during their service.

Madam President, according to the Centers for Disease Control, tobacco use by military veterans is nearly double the national average and that's because at one point in our Nation's history, and I've learned this from my dad who's a Marine Corp veteran who served in Vietnam, the Military when they gave out what they called their C rations, the meals ready to eat, oftentimes cigarettes were included in those meals, in those packages, those care packages that were given to our veterans and created a large portion of our Military that was addicted to nicotine. Now our Military has clearly come a long way from that and that's why they are looking at new policies to make sure that the members of the Military do not become addicted to tobacco like was the case 40, 50, 60, 70 years ago when the Military gave out free cigarettes to the brave men and women who were serving in our Military at that time. And Madam President, I feel like frequently when I stand up here to discuss the important issues that are debated in this Chamber, I have the great privilege of talking about my father and I'd like to also point out that there was a time

like the time when my father served this country bravely in Vietnam when he was 18, 19 years old, the age to vote was 21 so he didn't have a say in the people who were choosing to send him to war and luckily, that law was changed. This bill before us is good for all of the young people that we will prevent from being addicted to nicotine products and I'm hopeful that my colleagues will see fit to reject this amendment and preserve the good policy of the underlying bill. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Flexer. Will you remark further on the amendment that is before the Chamber? Will you remark further? If not, a roll call vote has been requested so Mr. Clerk, if you would call the vote and the machine will be opened.

CLERK:

An immediate roll call vote has been ordered in the Senate. An immediate roll call vote has been ordered in the Senate on House Bill 7200, Amendment A, LCO No. 10392. An immediate roll call vote has been ordered in the Senate Senator Amendment A, LCO No. 10392. Immediate roll call vote in the Senate.

THE CHAIR:

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

CLERK:

House Bill No. 7200, Senate Amendment A, LCO No.
10392.

Total number voting	36
Necessary for adoption	19
Those voting Yea	11
Those voting Nay	25
Absent and not voting	0

THE CHAIR:

[Gavel] The amendment fails. Will you remark further on the bill that is before the Chamber? Will you remark further on the bill that is before the Chamber? Senator Kissel, good afternoon, sir.

SENATOR KISSEL (7TH):

Thank you very much, Madam President, great to see you. You know, I'm going to end up voting not but this is not an easy vote. A lot of folks know that historically, probably had that libertarian streak and similar to the issues raised by Senator Sampson, but I also, and I want to commend the proponents, Senator Flexer, Senator Abrams, I told Senator Slap that I thought that was an outstanding articulate set of statements that he made, I was gonna say speech, but, but I have a 15-year-old and he's in his, two weeks from finishing his Freshman year at Enfield High School and I said, Tris, advocates have come to me and they say that there's vaping going on in the bathrooms and stuff like that and I go, is this going on in your high school? Oh yeah, dad, this is what happens. And I said they just renovated the high school and I said is part of the reason why there's no doors on any of the bathrooms in the new facilities that, which I though was

unusual when we went to the opening ceremonies for the school cause they consolidated Fermi which you know exists in name only now with a building but is no longer a high school, but in Enfield we consolidated the schools. And so this is an insidious problem and with this whole Juul issue to which Senator Haskell spoke of, this company's gonna wanna maximize its growth and other vaping companies as well and just we saw with Joe Camel, they're going to try to broaden their base and appeal to as many young people and get them hooked, and when I hear numbers about the nicotine levels in vaping versus cigarettes, that's just huge. That's crazy huge so this is not an easy no vote for me. I do feel that at this point in time, I'm not comfortable enough with raising fees and raising the age to 21 and a big part of that is having men and women enlist to go fight for our country as Senator Bizzarro had pointed out, but I want to say the advocates here in the circle made a strong case and if this doesn't work, we may have to visit this issue more specifically regarding the vaping issue precisely because just as Senator Flexer said, throwing cigarettes into the C rations, hey if I'm big tobacco, I'm happy to do that for Uncle Sam cause I'm building a market for the rest of these men and women's lives so it's an investment. And on the vaping situation, we might just be seeing the tip of the iceberg, the very beginning salvos and if they can get their hooks into our young people, this could just be the beginning of a long war that we're gonna have to fight so to the advocates and folks that spoke in favor of the bill, you have certainly made me think. Not enough to switch my position this afternoon, but there's definitely storm clouds on the horizon and it would not surprise me in the least if we don't have to revisit this issue next

year and maybe rechart a course to go directly, directly at the vaping issue. Forget about the cigarettes and the tobacco. I understand the rationale of moving that away so we don't have that initial hook but this is a product that seems to me is just beginning to realize the vast profits and I'm happy to learn more as the weeks and months progress. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Kissel. Will you remark further on this bill that is before the Chamber? Will you remark further? Senator Flexer.

SENATOR FLEXER (29TH):

Thank you, Madam President. Madam President, I want to thank my colleagues for the robust discussion here this afternoon. I just wanna reemphasize how important this legislation before us is. Despite some of the conversation that's happened here today, the fact of the matter is that tobacco use in this country remains the leading cause of preventable death. Tobacco use kills more people in Connecticut each year than alcohol, AIDS, car crashes, illegal drugs, accidents, murders, and suicide combined. It is the leading cause of preventable death and we were on track ten years ago to be having a chance at a tobacco free generation and as we've discussed here this afternoon, that has changed. We had strong policies that were leading us in that direction and then new products have come on the market, and this legislation goes directly at that dramatic increase in the use of electronic cigarettes among our youth. This legislation will put us back on track to potentially have the first

tobacco-free generation and so I'm hopeful that my colleagues will choose to support this legislation and I'm so grateful and Madam President, this has been a long-term effort and there are a lot of people who worked on this legislation so I just want to go through some quick thank you's.

As I mentioned earlier in the discussion, Governor Lamont, incredibly grateful to him for initiating this conversation and putting this in his key policy proposals for the legislative session. From the Office of Policy and Management and fully from the Department of Revenue Services, we want to thank Sue Sherman, Bruce Adams and Ernie Adamo. From the Department of Consumer Protection, Leslie O'Brien. From the Department of Mental health and Addiction Services, Mary Kate Mason. They all worked so hard to create a strong bill with strong enforcement and we also want to thank the dedicated attorneys in the legislative commissioner's office. This bill is incredibly complicated and all of those agencies and the legislative commissioner's office worked really hard to make sure that what's in front of us is a really strong bill and we're very grateful to them. I wanna also thank the leadership in the Senate, first Senator Looney and Senator Duff. They have both been committed to this policy for quite some time and they've made it a priority and I'm incredibly grateful to have had the opportunity to work with them and to work on this legislation knowing that they were going to make this policy a priority.

I also wanna thank Senator Abrams for her great leadership on the Public Health Committee. As I said earlier this afternoon, her zest and her excitement and her dedication for this issue and her

commitment for this policy and ensuring that we move forward with this, breathe new life into this issue this year and I'm so grateful to her for her work and I also wanna thank the vice-chair of the Public Health Committee, Dr. and Senator Anwar who also was a leader as the Mayor of South Windsor on creating a local ordinance to this same effect in his community when he was mayor so we're grateful to him. I want to thank Senator Fonfara and Representative Rojas and the Finance Committee for their work on this. I want to thank Senator Fasano and his staff for their continued efforts on this legislation and making sure that we were moving forward with this in a bipartisan fashion and I thank him for his commitment to this issue as well and his leadership in this Senate circle and Senator Somers who's worked on this issue for a number of years. We're very grateful to the good work that she did in the Public Health Committee and getting us to this point and my neighbor, Senator Tony Hwang who has made this issue a priority for several years. And this bill is a House Bill and the House of Representatives did a tremendous job convening all of the stakeholders to move this legislation forward this year and that started with House Majority Leader, Matt Ritter. We're very grateful to him, Representative Steinberg, the co-chair of the Public Health Committee and the members of the working group that was developed by the Majority Leader. Representative O'Dea, Representative Kokoruda, Representative Lavielle, Representative Linehan, Senators Abrams and Somers, Senator Slap, Representative Borer, Representative Kupchick and Representative Gibson and all of the members of the Public Health Committee and the Public Health Committee Staff who worked on this legislation.

I also want to thank the advocates and stakeholders who've worked on this. From the American Heart Association, Jim Williams, from the American Lung Association, Ruth Kanovie, the educators, the school principals across the state and the kids who've come up here and talked about this bill. I personally wanna thank the students at Scotland Elementary School who in previous years had come and testified before the Public Health Committee and talked about why this legislation was important to them and it has really been a youth movement in many ways that's gotten us to this point of debating this bill today. Young people from all over our state have advocated for local ordinances and we now have local ordinances in the towns of Hartford, Southington, Wallingford, Meriden, South Windsor, Trumbull, Bridgeport, Milford and New London and we're grateful to the leaders in those communities who advanced the idea of raising the age for tobacco products from 18 to 21. You know, students, we all have the opportunity to greet students both when they come here on field trips and I know that I spend a lot of time with students in the schools back in my district and they talk with us very frequently about tobacco use, about vaping, about moving forward with the policy that is in this bill and they have just been tremendous advocates in fighting for their peers and making sure that their peers don't develop the addiction that these products cause and young people clearly led the way on this and it's an exciting moment to see something like this pass when you know that the people who are most affected by this policy were the ones creating the change so I'm so grateful to them.

And finally, Madam President, I wanna thank the two people who've put their heart and soul into this

legislation, Bryte Johnson from the American Cancer Society who didn't believe me when I said oh don't worry, it'll be Friday, it'll be fine. He was very stressed but here we are at this moment. We've been working on this legislation together for, I believe five years and I am so grateful to him for his dedication, his deep knowledge of the subject and understanding the regulatory scheme that needed to be constructed to make sure that we weren't just saying we were moving the age from 18 to 21, but making sure that could in fact be enforced and be strict all across the State. Bryte, this legislation will truly impact the health of so many people in our State and it's because of your tireless work and finally, Madam President, I wanna thank Representative Cristin McCarthy Vahey who worked incredibly hard on this legislation, bringing together all of the stakeholders that I just outlined in the thank you's that I've mentioned here this afternoon. She too put her heart and soul into this legislation. We had many a late night phone call worrying how are we gonna do this piece, how are we gonna do that piece, how are we gonna get this one and she worked so incredibly hard and has just a great grace and style to how she's able to bring people together and that's why this legislation is here before us today and hopefully, we're going to have a strong bipartisan vote in a few minutes. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Flexer. Will you remark further on the legislation that is before us? Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I rise to support this legislation and I think it's a long time coming and I want to thank Senator Flexer, Senator Abrams, and the whole host of everyone and just associate my comments with Senator Flexer cause I think she thanked everybody and I could never possibly go through that list again but suffice it to say that I thank everybody that she thanked because it was certainly a team effort and I certainly do want to point out Senator Abrams, Senator Flexer, Senator Looney for their hard work and their stalwart efforts and Senator Fasano of course for his work on this. Again, it makes a stronger bill since it's bipartisan and we want to thank everybody who has worked so diligently on this legislation.

The reason for me to rise briefly is just because of the fact as a dad I wanted to talk about why I think this is so important, not only just for the raising the age of tobacco to 21, but the vaping piece of the legislation. We see more and more kids who are vaping and they are doing so without really any knowledge of the fact that this, these products are dangerous. We did not know how dangerous cigarettes were probably when cigarettes were first marketed all over the place when doctors used to market them and say they, and endorse products saying these were the cigarettes that they smoked. Today we would look at that and laugh and say I can't believe that that actually happened. We see with vaping products where students and high school kids and middle school kids, students are older than that who are vaping and not understanding or knowing the dangerous effects of that as well and we see that in school after school where now high schools have to

put in not only smoke detectors, but vaping detectors as well.

At the high school my son goes to, students have had to literally walk out of school many times this year because students are vaping in bathrooms. Students are vaping in hallways when they're passing from class to class. Some are even vaping in the classroom because the products are so small, teachers don't even know what they're doing and so the more we can help raise awareness on these dangerous health effects, the more that we can help people never even get started on this and then get addicted to it so I think this is important public policy today that we're undertaking because I do believe that this is an epidemic right now. And I don't use that word very lightly; it is an epidemic and one which we take strong action on and that is impacting the health and wellbeing of our residents, particularly our young people.

So as somebody who has seen the effects of this as a member of School Governance Council where my son goes to school and we've spoken about this as a council a number of times and how to deal with this in one school, in one community in the State of Connecticut. This is an issue that has impacted probably the entire country as well so in our small state, we can a step in the right direction on this, I'm glad we are and I'm glad to support this legislation, glad that it's bipartisan and I urge everyone around the circle to support it as well. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Duff. Will you remark further on the legislation before us? Senator Looney, good evening, afternoon, we're right on the cusp.

SENATOR LOONEY (11TH):

Good late afternoon, Madam President. I rise in support of the legislation. I'm really gratified to see that it is before us today in the State Senate for final action, having already been approved in such a substantial vote by the House of Representatives. It is a long time coming. Together with Senator Flexer and others, I proposed legislation of this kind either individually or as a co-sponsor several times over the years and it's very welcome to see it now on the cusp of final passage because it has become, as Senator Flexer and others said and Senator Duff said, it's not just the conventional smoking that is the problem, the vaping issue is what has now become a crisis among young people with the absence of a recognition that that is so dangerous. They think they're doing something that's safe and relatively entertaining without the long-term consequences of what might have happened to their parents or grandparents through smoking. They think they're gonna be free from that. That's the grave danger of this because they are now in the same mindset regarding vaping that previous generations were regarding smoking and that is a terrible danger and as we've seen, there has also been deliberate marketing toward young people so that the FDA has placed limits on the sale of flavored vaping products to those under 18 because we know they are targeting just those young people in a really concentrated and cynical way. From 2011 to 2018, the use of E-cigarettes by high school students has increased by about 80 percent so it is

just a growing problem in every single high school in every single part of this state and this country. So it is, it is something that not only should we do it today, ideally we should have done this sooner but it is important that we are doing this today.

In regard to some of the arguments and objections made earlier, government is certainly within its constitutional power to adopt regulations regarding public health and safety and the right to determine appropriate age level for certain activities is entirely within the scope of that right and it is not, it is not the universal age of adulthood that at the age of 18 for as we know the purchase of alcohol is only available for those who are 21 or older which we will be going to with this regarding tobacco products. Of course, in terms of relative harm, we know that alcohol is harmful in many circumstances, but beneficial in some. For instance, there've been many reports documenting that moderate amounts of red wine, for instance, can be beneficial. Yet, we set 21 as the legal threshold for that product but tobacco, however, is never beneficial in any circumstances and in any amount and the current legal age for that, of course, is 18 which would be changed by this bill.

There was another comment earlier in the debate about well if we're so concerned, why not ban tobacco? Well raising that question in itself I think ignores history and human nature and it's the history of the social experiment of prohibition. Unfortunately, what we saw is that social advocates had in fact identified a real societal problem, that alcohol was causing a significant amount of disruption in homes and work places and criminal activities and the like, but unfortunately, while a

problem was identified, the wrong remedy was chosen because the reality is that people did intend to find ways to drink legally and did so with the creation of a criminal empire outside of the normal system of commerce and that 13-year history of prohibition until its repeal pointed out that in 1933, people did not think that alcohol was any less harmful than they did in 1920, but realized that the remedy had not had its effect, so boot-legging, organized crime, corruption of public officials and police, all of these things had happened and then of course, the resources of those criminal enterprises were turned to other purposes after the end of prohibition. So we know why we have not banned tobacco; for the same reason that it was found to be a mistake in the absolute ban of alcohol. While it certainly would have been a beneficial thing for society if society had been able to make it stick, but they could not which is also the reason why legislators and governments in general have to be, have to be cautious and have to be prudent and have to be circumspect about trying to create by law something that does not have broad and overwhelming community support. If you're looking to regulate behavior in a way that is gonna carry criminal punishments, for instance as an absolute ban would in many cases, the situation also is one that you can't pass something like that if you have a 51 to 49 majority. I mean you can, but you will pass a law that will not be observed. There has to be overwhelming support for something of a nature of that, of that kind which is why as a law professor said once, even murderers and robbers want to be protected themselves by the law against murder and robbery so there is a broad based support of the law even by those who break it in those cases.

But in this case, we are undertaking a reasonable regulation, a reasonable extension of the legal age for purchase of tobacco products to match what we already do for alcohol and as of March of last year, at least five states, California, New Jersey, Oregon, Hawaii, and Maine have already raised the legal age to 21 for tobacco products, and also separately, nearly 300 localities around the country including New York City, Chicago, and Boston have already raised the age so it is a growing phenomenon. We are not at the cusp of this but we are certainly joining something that is the responsible for state governments to do. Again, I want to thank Senator Flexer for her leadership on this over several years and her determination to bring us to this day, Senator Daugherty Abrams and her leadership in the Public Health Committee this year, Senator Duff who has been a strong support, and also the House leadership that has gotten behind this and pushed and brought it to us today with such a strong bipartisan vote so, Madam President, I think this is something we really should celebrate because this is one of the most important things for the public health that we will be able to do in this session. Thank you.

THE CHAIR:

Thank you, Senator Looney. Will you remark further? Will you remark further? If not, the machine will be opened and Mr. Clerk, would you announce the vote, please?

CLERK:

Immediate roll call vote has been ordered in the Senate on House Bill 7200. Immediate roll call vote

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Senate

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has been ordered in the Senate on House Bill 7200. Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate on House Bill 7200. Immediate roll call vote has been ordered in the Senate on House Bill 7200. Immediate roll call vote in the Senate on 7200.

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 No. 7200.

Total number voting	36
Necessary for adoption	19
Those voting Yea	33
Those voting Nay	3
Absent and not voting	0

THE CHAIR:

[Gavel] The motion is -- the legislation is adopted. Mr. Clerk. Uh, Senator Duff, Senator Duff, I do apologize. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Can we get order in the Chamber, please?

THE CHAIR:

[Gavel] Could we please have some quiet so that we can hear the next item of business? Senator Duff, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, another item to mark go, one more resolution. Calendar page 65, Calendar 630, Senate Resolution 34, mark go and that'll be the last one of the go's for now. Thank you, Madam President.

THE CHAIR:

Thank you. Mr. Clerk.

CLERK:

Page 65, Calendar number 561, Senate Resolution No. 29, RESOLUTION PROPOSING APPROVAL OF A MEMORANDUM OF AGREEMENT BETWEEN THE STATE OF CONNECTICUT JUDICIAL BRANCH AND THE STATE OF CONNECTICUT JUDICIAL EMPLOYEES, LOCAL 749, AFSCME, AFL-CIO.

THE CHAIR:

Good evening, Senator Osten.

SENATOR OSTEN (19TH):

Good evening. I was kind of counting on diabetes mellitus, Madam President, but uh, Madam President, I move acceptance of Resolution No. 29 and seek leave to summarize.

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Thank you and before you begin, I just want to welcome our guests in the gallery to the Chamber and let everyone know that our rules prohibit the taking of photographs so we would please ask that you respect our rules. Please do proceed, Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. Madam President, just a question for the Clerk. Is Senate Resolution No. 28 on his list to be brought before the Chamber also?

THE CHAIR:

Yes.

CLERK:

Yes, it's next.

SENATOR OSTEN (19TH):

Thank you very much. So to the point of Senate Resolution No. 29, this is an agreement between various employee classifications in the judicial branch and the judicial professional employee union. It's a five fiscal year contract. It is a contract that has 122 employees in it. The reserve for salary adjustment account which is where in the budget the funding for this contract would be found in will have enough money in it to do so. This five-year contract covering the Fiscal Year 19, Fiscal Year 20, and Fiscal Year 21 would count for \$359,165 dollars in year one, \$930,035 dollars in year two, and \$1,706,104 dollars in year three with

annualized amount of \$1,848,991 dollars. I urge my colleagues to support this Resolution. Through you, Madam President.

THE CHAIR:

Thank you, Senator Osten. Will you remark further on the Resolution that is before us? Good evening, Senator Formica.

SENATOR FORMICA (20TH):

Good afternoon, Madam President. I rise for some comments and then some questions to the proponent.

THE CHAIR:

Please proceed, sir.

SENATOR FORMICA (20TH):

Thank you very much, Madam President. Good evening, Senator. I had again raised some concerns the last time we were in front of the circle talking about the contracts that we had previously done. There were six of those that we had one previously and some of the concerns that were raised at that time I think are still germane to the conversation today. The expansion of the roles of the public sector employees with regard to job security, which I think is as problematic as everything else in this particular process and I'll get into that in a minute, but it was during the, one of the initial conversations on the contracts that was negotiated by the previous administration that then Secretary Barnes made some comments in his testimony as he presented it to the arbiter, and some of the

testimony that was raised I think, I think is germane to all, all of the contracts that we're talking about or we're about to talk about today. And the former Secretary said that Connecticut's credit rating has been downgraded nine times in the last eight years and has the third worst rating of all the states and that a poor credit rating impacts the State's ability to access capital at reasonable rates. The Secretary went on to say that Connecticut has a high tax burden as of 2014, the fourth highest per capita tax burden in the State, and then a rating that does not reflect the more recent increase in taxes.

As a percentage of personal income, Connecticut residents pay the second highest rate in the country. In addition, the State's debt burden per capita, Madam President, is the second highest in the Nation. Secretary Barnes went on to say in his testimony that long-term obligations total \$80 billion dollars and most of these obligations are related to State Employee Pension and Health Benefits and State subsidized municipal benefits including the Teachers Retirement. The Secretary continued by saying that this increase would have a significant detrimental effect on the State's financial situation.

Another indicator emphasized by under Secretary Barnes is Connecticut's weak economic recovery and again, he talked about an important trend as the outmigration of millionaires, which has increased while the migration of millionaires into the state has decreased. Madam President, I bring this conversation from the former Secretary speaking to one of the previous contracts just to have that on the record and kind of set the table as to where we

are with regard to again, these number of contracts, I know five, six or seven that we're going to be talking about today and in every case, in every case that we have talked about in previous contracts and that we will today talk about in contracts, it does not reflect the good work of the people who perform the work in these bargaining units.

As a long-time employer, somebody who has employed a lot of people over the course of my adult lifetime, I understand the importance of frontline employees. Employees are the greatest asset that we have and I don't have a problem with recognizing that. I do in the fiscal environment that we're in and that's my only issue at this point in time. This contract as the good Senator has talked about has an individual contract total over the years of nearly \$3 million dollars. When I was a young boy, and I think I've said this before here in the Chamber, my grandfather who immigrated from Sicily, he used to tell us if you watch the pennies, the dollars will follow and I'm afraid sight of the incremental increases that just keep happening and keep happening and keep happening and as we're gonna go on with these other contracts that we're gonna be talking about today, Madam President, we're looking at nearly \$91 million dollars in extra cost putting on the budget here in the State of Connecticut and I think that there are other things, other more pressing things that we can be talking about.

I think, Madam President, that as we move forward, there are a lot of small businesses out on Main Street Connecticut who do not see any of these or the extent of these benefits that are being realized here by the public sector employees, the least of which is the double digit percent in raises over the

contract period, the \$2000-dollar cash bonuses that will be paid as part of these contracts. And then job security. There are a lot of people on Main Street who would love to have three-year job security, but that just doesn't happen on Main Street.

So, Madam President, I would argue that that job security is gonna hamstring us moving forward. There has been some talk potentially of a recession on the cusp coming up in the next year or two. I have no idea whether that's going to be true or not, but in the event that it is true and we have to downsize, we will be hamstrung by the fact that we will not have the opportunity to reorganize agencies to privatize group homes or to do things that we need to do because we have a certain number of public sector employees that we would have to maintain, unlike in the private sector. And no one likes to provide layoffs, but sometimes it is a necessary, it is a necessary opportunity.

Madam President, the good Senator talked about the Reserve for Salary Account and if I may, through you, ask a question or two of Senator Osten, please?

THE CHAIR:
Please proceed.

SENATOR FORMICA (20TH):

Thank you, Madam President. The Reserve for Salary Account, Senator, as we both know is an account that's designed to put aside dollars in the event wage increases are incurred. At the time when money is put in those accounts, no one really has an idea because contracts are supposedly negotiated. So

through you, Madam President, what is the level in the, in the RSA, the Reserve for Salary Account at this time? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President, and first, let me correct the record on my colleague. When he is talking about what the former Secretary Barnes put in an arbitration is not relative to this particular contract. In addition to that, the good Senator has agreed to set the table for increased bonding, creating additional debt three times that amount when we talk about the differences in our Department of Transportation funding moving forward so it appears to me that the good Senator is already on board for laying the table for additional debt for the State of Connecticut and in regard to each and every one of these contracts, many of these employees have gone without raises for ten years, and you cannot minimize their raises by calling out just three years of an employee's wage history, saying that these are expensive contracts.

In regard to the Reserve for Salary Account, at the end of the day, when we finish discussing these contracts and all of the contracts are paid out, there will still be \$44 million dollars in the Reserve for Salary Accounts which allows us, which has been put away for years while these contracts were being negotiated. This is a negotiated settlement between the employer and the employees recognizing that the employees after a decade should

receive salary increases as the State has been doing significant work bringing under control both healthcare and pension benefits and in regard to that, these employees while getting no salary increases, have been seeing significant increases in those costs so when you look at an employee and you say I expect you to pay more for your healthcare, I expect you to pay more for your pensions and I expect you to give more back, these people have.

Now my colleague has also indicated that there is not going to be an ability to lay off workers and that's just an inaccurate statement. The fact is, anybody hired after July 1 can get laid off and reorganizations can happen and the State has done significant decreases in moving services into the private sector, and the private sector has said we can do it for far cheaper, but the private sector is also asking for additional dollars to be moved over there. Now, I agree that they should see additional dollars in the private sector also and we did do a contract last year to forward under the personal care attendants and in the DDS group home, some additional dollars were put into that and later on today, we will be talking about childcare workers and forwarding raises to them, so this is a simple contract for a group of employees who has not seen a significant increase in a decade. There are 122 state employees working for the judicial department to see a raise for the work they've done and it's a nice thing to say I believe you should have one, but eventually we've gotta walk the walk and not just talk about it. Through you, Madam President.

THE CHAIR:

Thank you, Senator Osten. Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. Thank you, Senator for that answer. In terms of moving forward for the State of Connecticut, walking the walk and talking the talk is about affordability, it's about accountability, it's about measurability, and it's about the opportunity that we have to move our state in a direction that will be fiscally responsible and not realize budget after budget deficit. So that was point on that. My point also was that you know the insulation of the public sector over the private sector which do not have the opportunity to enjoy some of these, some of these benefits that are being put forth.

With regard to the Reserve for Salary Account, we have some pressures that are being put on other portions of the, of the budget here because of these agreements that we've agreed to and we have a Financial Advisory Committee meeting scheduled for next week that seeks to rebalance some shortfalls, \$12 million dollars in the Social Security tax, for example, this has a deficiency as a result of the SEBAC settlement payments of \$2000 dollars in related lump sum payments and the extra longevity payments in 2019. OPEB, post-employment benefit accounts is deficient \$2.8 million dollars so again, talking about the opportunity to move our State forward in a fiscally prudent manner without creating shortfalls as we move forward which I think is due in part by chipping away a little bit at a time, \$3 million, \$4 million, \$5 million dollars at a time, \$10 million dollars at a time, increasing our costs to over almost \$91 million dollars as a

result of these contracts that I expect will most likely pass on a party line vote today.

With regard to this contract today that we're talking about, No. 29, these employees will see an increase over the duration of their contract of 20.3 percent; 20.3 percent, Madam President, is not something that's happening to the rest of the Connecticut State employees and the private sector so that is my, that is my argument against this. Again, my argument is not that people have not seen raises and therefore are deserving. Everyone is deserving of raises, but the financial reality is that sometimes, we just can't afford to do so. In the private sector, there are many small businesses out there that are struggling that are watching us closely, that are reading the papers and listening to the radios and watching the evening news and they're saying, all I hear about are new costs that are going to come down on Main Street from this gold dome. And they're waiting. They're waiting to see what happens with the budget, which I understand is close and is coming out shortly and will provide a lot of those answers, but for this moment in time, for this contract that we're talking about, I just find that at this point, it's rich and I don't think that we can afford it and I would urge my colleagues to reject this contract. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Formica. Will you remark further on the resolution that is before us? Senator Fasano, good evening.

SENATOR FASANO (34TH):

If I could to the Chairperson of Appropriations, Senator Osten, just ask a couple of general questions if I may?

THE CHAIR:

Please proceed.

SENATOR FASANO (34TH):

Thank you. The purpose of COLA's, yearly COLA's that are written into these contracts that we are seeing now (coughs) excuse me, and we have seen in the past, what's the purpose of having COLA's in a contract generally? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. They are generally cost of living adjustments. Through you.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

And why would one want to put in a cost of living adjustment into contracts? Through you, Madam President.

THE CHAIR:

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Senator Osten.

SENATOR OSTEN (19TH):

They are put in to adjust it for cost of living.
Through you, Madam President.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

So in other words, you'd put the cost of living in there because it is conceivable that from year to year, generally, the cost of living is higher. It's not stagnant, it goes up and to keep the contract at the value when you approve it, you need to add this cost of living so that the contract, the money that they're getting is not depleted, as the cost of living goes up, that the salary stays the same. Is that the general theory? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

That's the general concept and in this case, cost of living is also not necessarily a given in all of these contracts on the cost of living it's dependent upon the evaluation of the employee. The cost analysis in all of these contracts are what it would be if every person in the bargaining unit received a

cost of living, that may not necessarily be true.
Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Fasano.

SENATOR FASANO (34TH):

Thank you and I think if I heard the good lady, she was indicating that the reason why we put this in there is because of the cost of living goes up and they would get an increase. I guess the question, what is the cost of living increase in this contract before us? Is it based upon a definition? In other words, is it based upon looking at the CPI index or is it a set rate and if there is a set rate, what is that set rate per year if the Senator knows? Thank you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. The total dollar amount of the cost of the annual increment in FY 21 is \$121,347 dollars. The annual increment in FY 20 is \$136,229 dollars. I don't have it broken down by employee, but should all the employees receive a favorable eval, they would get a portion of those. It would that amount divided by 122.
Through you.

THE CHAIR:

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Thank you, Senator Osten. Senator Fasano.

SENATOR FASANO (34TH):

So through you, Madam President, that value, is that based upon the expectation of what the COLA would be or is that a set value? In other words, is it like 2.2 percent, 3.5 percent, 3.0 percent, or is it what they believe the cost of living adjustment would be based upon theoretical CPI index, for example? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President and through you, it is not based on the cost, the CPI. The Consumer Price Index is not this. This is a negotiated rate between the parties and each cost of living, should the employee receive that, would be 3.5 percent. Through you.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

I thank Senator Osten for her answers and I appreciate it. Thank you so much, Senator. Madam President, we have six or seven, I've lost track, contracts we're going to be doing tonight. We've done approximately six or seven contracts before this. At the end of the day, and I will circle back

to this, these contracts in total since the very first one are going to add about \$91 million dollars to our budget. That would be for Fiscal Year 19, 20, and 21. \$91 million dollars for these contracts. Almost \$100 million dollars more to this budget and the next budgets that pass the two years. Madam President, when we talk about the cost of living adjustment, the reason why I asked those questions is because in many of the contracts that we have out there for social services, we talk about cost of living adjustment, CPI, etc. and I'm gonna get to that in a second. I do want to hit upon the fact that I think there was argument that there are no raises given to this group of people. Let's talk about that a little bit.

We as a legislature decided not to give managers those raises. Why? Because we could not afford those raises and I've said this before; we just couldn't afford them. But that doesn't mean they didn't get raises. They have step-ups. So in their category for which they work, they get a certain level, they get a step-up, and they get a step-up and now there are some who have reached that peak of that step-up, there are some that have peaked out, but clearly that's not the majority of the folks so to say they haven't gotten raises perhaps may be too inclusive cause that's not accurate. People have gotten raises. It's just that we decided not to give the top step an increase because we couldn't afford it. And when we say we can't afford it, we're saying we believe as a public policy in this Chamber that we need to provide money to mental health, drug addiction, disabled adults, fill in the rest of it, social services, and we can't do that and give out raises. We can't do both so we choose and in this case, we said managers are getting a

pretty good salary, I think top salary of one of the things I saw was \$109,000 dollars, that perhaps the money would be better spent some place else. We made that conscious decision based upon our budget needs. And, Madam President, just the other day walking through this hallway, a non-profit organization that deals with people with disabilities went on to say they haven't received a raise, working with disabled folks in 12 years; 12 years. These are the folks, by the way, union are included in these employees so we're not just talking about nonunion, we're talking about private sector nonunion employees, haven't received a raise in 12 years because we won't fund them. These are the very people that we ask to take care of our loved ones, we haven't given them a raise in 12 years. Forget about a 3.5 percent automatic increase when you work for the State. These are hardworking good people taking care of disabled folks. We have not given them a dime more in 12 years, although minimum wage is going up, we don't give them money. So what do they have to do? They have to cut programs. Without a doubt, there is no doubt to this fact, the Program Review Investigation Committee which no longer exists, the Committee is split between Republicans and Democrats 50/50, came out with a report that said the private sector takes care of our needs better in terms of medical needs, disability, group homes, better than non, better than the State. Quality, cost and programs and we're starving them out of the business. We're starving them out of the business and yet we sit here today with a series of contracts at 3.5 percent for \$90 million dollars, \$91 million dollars are budgeted, and we won't give these people a raise that we haven't them given them in 12 years and they do the most work out of the non-profits. How does

that make sense in this circle? How does that make sense in this building?

Let me tell you this. We're about to do a budget. Now, whether it's gonna be Saturday, Monday, Tuesday, I don't know when it's gonna be. In that budget, if we took programs like TANF, SAGA, boarding home rates, and we don't even give them a CPI Index increase and freeze them, we should be embarrassed. We should be embarrassed if that budget doesn't give some commensurate increase to TANF, SAGA, boarding homes and other nursing homes and other folks. If we don't do that and yet we can sit here in good conscience, turn and give 3.5 percent increase to State employees on all these contracts, we've got these folks on SAGA, the cost of living goes up and we say we're gonna freeze them a year or two so we can balance our budget, let's just take a timeout and really, really be intellectually honest with what we're saying. And let me tell you what we're saying. We're saying if you work for State government, guaranteed raises but if you are not with the elite in this building, if you are low income, if you are disabled, if you have needs and wants, you don't rise to the level of compassion and necessity as someone making \$109,000 dollars in the State of Connecticut, we need to give them 3.5 percent more, and oh, by the way, a \$2000-dollar signing bonus off the bat.

Someone once said, someone who we all know in this circle as a whirlwind on the budget once said to me a lesson that I've listened to. A budget is about your priorities. That's what the budget is and every time we do one, we set out what the priorities are and if we're not gonna give raises of at least CPI to residential care facilities, we have made a

statement in our budget as a policy that they're not as important to us as these contracts. I've been a member of this circle for 15 years or so and every one of us has stood with a disabled adult, nursing home facilities, union or not, care workers, and talked our hearts out on how we feel about them all. That's what we've done. The budget coming up is going to tell you whether that was lip service or you really do care about these folks. Now, I don't know what's in the budget because I got a 30,000-foot level packet and I do know we are going up on increasing taxes, not for rates, but broadening the taxes. I do know we're going up on restaurant meals. I do know we're going up on corporate filings although we take some off the record books. We're going up on dry cleaning and a whole bunch of other things. We're nickeling and diming every place we can nickel and dime and someone could argue that's a good thing because we're gonna use that money to help our core services. Fair argument. I'm with you. Reasonable minds can differ whether the policy is good or bad, but legitimately you can take the position of raising the taxes because we're gonna fund our core services. I'm not sure that argument gets to the endgame when you say we're raising this taxes not for SAGA, not for TANF, not for boarding home, not for residential care facilities, not for companion issues, we're raising these taxes because we've got \$100 million dollars more in contract obligations to people who are here, work hard, who have a good pension and the best healthcare policy and insurance I would argue in the country. In the country. That's why we're raising it. This is not a budget about Main Street. This is not a budget about the working people.

Now, if I'm wrong and TANF and SAGA and all the rest of them are going to get a 2 percent COLA increase across the board, everybody, all those special social needs, then a mea culpa on me. I don't think I am. We'll find out in 24 or 48 hours from now. At some point we'll find out as everyone else will where we are, but understand, this is about priorities. This is about priorities. Madam President, I'm actually challenged by how many times can I say the same thing with the six contracts coming up and that is a challenge, but the overall bottom rule is that budgets are priorities and if you're gonna make this commitment on this contract, you need to make a pledge to yourself that you're gonna make the same commitment to those folks who depend upon our system to survive. We need to help people who are difficult places and they need to know that they can rely on us as the construction of these facilities being social services that they're gonna get the help and oh, by the way, if the whole purpose of the cost of living increase is to make sure if you're getting a dollar today, and the cost of living increase goes up, you're gonna get \$1.05 tomorrow, otherwise, I'm only giving you 95 cents, that's the purpose of cost of living for which I understand, and apparently that's the purpose that's written into these contracts at 3.5 percent which is well above any cost of living that I know of. In fact, when you look at the cost of living which I have some place on the desk here, if you look at the cost of living, I think nationally it's barely 2 percent, and in the northeast it's below 2 percent, it's 1.8, but we're giving 3.5 percent. Let's be clear, let's be clear, these contracts have a cost of living which is almost double the national average. So we're giving a cost of living double the national average 'cause it's not index, and

we're gonna give no cost of living to the social services that people need to live on day to day who've got families and obligations.

I don't know why and maybe it's me, but it seems a little backwards. It seems a little disconnected with reality. It seems to send this message, it seems to send this message; if you want a guaranteed income and you want a guaranteed raise and you want a great pension and you want great healthcare, start looking through the state websites for a job here in the Capitol because Capitol Avenue is what we as legislators need to protect. The not-for-profits that all of us say do God's work are somewhere last in our budget priorities, somewhere below not even 1 percent, not even half a percent, we're gonna hold them steady and maybe the second year we'll give them a little money, give them a couple pennies but by that time wages in this building, pretty much everybody, have come up 7 percent.

Madam President, I just feel if you remove COLA's for the aged, the blind, and the disabled, so you're removing COLA's for old age assistance, you are making a cut of \$680,000 dollars. Understand if that budget doesn't give that increase, you've taken \$680,000 dollars out of the pocket. Aid to the blind \$9000 dollars, aid to the disabled \$1.47 million dollars. Those are cuts. I talked about TANF. TANF, a program for the poorest of the poor. We are making a cut of \$4 million dollars. \$4 million dollars. There isn't anybody in this circle that would say I want to cut TANF \$4 million dollars, but when you don't give those raises, CPI index increase, you are cutting it \$4 million dollars. SAGA, a million-dollar cut. That's a

total of those alone of \$7.4 million dollars to the neediest of needy and the helplessness of helpless.

If we are going to cut those programs, how in good conscience can we give these raises? How can that happen? Madam President, we have more contracts to go so I guess I'll save part two and I'm sure, if the budget is as I believe it to be, although I don't know those parts of the details of the budget, I'll probably have to save this portion of the video so I can remember and replay it. So, Madam President, I certainly cannot support this contract, not until and maybe not even if I understand the direction we're going in the state with respect to social services. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Fasano. Will you remark further on the resolution that is before the Chamber? Will you remark further on the resolution before the Chamber? Senator Champagne, good evening.

SENATOR CHAMPAGNE (35TH):

I just have a question, maybe a couple of questions for the proponent of the bill?

THE CHAIR:

Please proceed, sir.

SENATOR CHAMPAGNE (35TH):

Through you, Madam President, the step system for this group, can you tell me how many steps that they have? Through you, Madam President.

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THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. No.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam Secretary, uh, President, sorry.

THE CHAIR:

I had that job for quite some time, thank you, no offense. [laughs]

SENATOR CHAMPAGNE (35TH):

I'm looking at this and I see step 9 but I also see 27 groups so I'm just trying to figure out if you move from one group to the next, which make this a never-ending step increase, do you know if that, anything about that? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. If you could repeat the question?

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you. Through you, Madam President. I'm looking at the steps that we have for this group and there are nine steps and then there's 27 groups and as you go through the steps and you go through the groups, you start at \$32,594 and you end at \$113,524 dollars so I'm wondering, do you know how you work through the steps and through the groups?

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. Thank you for the question. The groups are different job classifications and to move from job classification to job classification it would depend on your level of education or level of expertise in a certain area so you may never move through the groups at all, you may always remain in one of those groups or you may always remain in another group and often what happens is the steps indicate an entry level and you may not start at that entry level and you may never reach the top level. It all depends on if steps are in a collective bargaining agreement and sometimes they are and sometimes they're not so it may take you 20 years to get to the top step and it would

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take you no less than a year in between the steps if that is what awarded in the contract, but it would depend on the negotiated agreement between the employer, in this case the Judicial Department, and the employee. Through you, Madam President.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. Did they have these steps prior to becoming a union? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

This is a current union. The steps have always been in this union. These workers are accreting into this bargaining unit. Through you, Madam President.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. Through you, so if somebody receives a step, they receive a raise; is that correct?

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Depending on whatever that annual increment is, then they would receive an agreed upon increase in pay.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. And through you, again, Madam President. I guess I ask you this because you stated that they did not get a raise in ten years and did they not get a raise because they were not union?

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Through you, Madam President. They did not get a raise as a result of their being a part of the NP Pay Plan. Through you, Madam President.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. Can you, can you, through you, Madam President, can you describe the pay plan you just talked about?

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

It is a pay plan that is for nonpartisan staff or those who don't fit in with the collective bargaining agreements that stand before us today. Through you.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President and through you, have other non-union or strike that -- when was the last time somebody who was not in a union got a raise in the State of Connecticut? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Over the last decade, I think it was about five, ten years ago. I don't have that in front of me. Through you, Madam President.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President and through you for one more question, can you just describe why they didn't get a raise?

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. Because it did not get put into the budget. Through you.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. I guess I have one more question. We're fighting for the unions to get quite a bit of money and in some of these cases, a considerable amount of money and then we talk about the fact that they haven't gotten raises and yet, they didn't get raises because they weren't part of the union and we didn't give them raises just like everybody else who wasn't. So basically, what we could say is that when they became a union is when we actually paid attention and gave them that raise, correct?

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THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

So, through you, Madam President, I'm unsure what my colleague is referencing when he says that they became a union. Are you considering them the overall embodiment of a union? Through you, Madam President.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President and through you, no, what I'm saying is you know we have a lot of non-union people and we actually have a lot of non-union people in this building and I noticed that some of them haven't gotten raises in ten years and I'm trying to figure out why we give out in some cases 9 percent raises, in other cases 3.5 percent raises and I know you say it's not in the budget, but why haven't we paid attention to the non-union and given them something?

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. Through you, that decision was made by the General Assembly not

to afford raises and if the General Assembly had afforded them raises, the Executive Branch has the ability to not give those out unless there's an agreement between the parties. Through you, Madam President.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. That's my final question. I guess when I look at this and I hear that some government workers haven't gotten raises in ten years, not even a small 1 percent, and I know insurance costs have gone up and then we come before us and we argue for other state workers and we're giving them 9 percent a year and we give them better benefits, better time off, it doesn't sound fair to me and it just makes me wonder, I guess why? I guess I know the answer but I'll keep that to myself. Thank you, madam President.

THE CHAIR:

Thank you, Senator Champagne. Will you remark further on the resolution that is before us? Will you remark further on the resolution that is before us? If not, Mr. Clerk, please call the vote. The machine will be opened.

CLERK:

Immediate roll call vote has been ordered in the Senate. An immediate roll call vote has been ordered in the Senate on Senate Resolution 29. An

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immediate roll call has been ordered in the Senate on Senate Resolution 29. Immediate roll call vote has been ordered in the Senate on Senate Resolution 29. Immediate roll call vote in the Senate. Immediate roll call vote in the Senate, Senator Resolution 29. Immediate roll call vote in the Senate.

THE CHAIR:

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

CLERK:

Senate Resolution No. 29.

Total number voting	35
Necessary for adoption	18
Those voting Yea	18
Those voting Nay	17
Absent and not voting	1

THE CHAIR:

[Gavel] The Resolution is adopted. Mr. Clerk.

CLERK:

Page 66, Calendar number 562, Senate Resolution No. 28, RESOLUTION PROPOSING APPROVAL OF A MEMORANDUM OF AGREEMENT BETWEEN THE STATE OF CONNECTICUT JUDICIAL BRANCH AND THE UNION OF PROFESSIONAL JUDICIAL EMPLOYEES, AFT/AFT-CT, CONCERNING INFORMATION TECHNOLOGY AND OTHER EMPLOYEES.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Good afternoon, Madam President. Madam President, I move Favorable Report from Senate Resolution 28 and seek leave to summarize.

THE CHAIR:

Please proceed.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. Madam President, this Resolution approves an agreement between the Judicial Branch information technology employees and the Judicial Professional Employee Union. This agreement establishes wage increases in accordance with the 2017 SEBAC agreement. There are 165 employees covered by this agreement. In Fiscal Year 19 there is \$430,038 dollars in total, in Fiscal Year 20, \$1,256,904 dollars, in Fiscal Year \$2,512,971 dollars, in Fiscal Year 22, \$3,170,558 dollars, and this, these dollars will come from the Reserve for Salary Accounts and while there was some conversation in an earlier Resolution that we talked about, there is out of the Reserve for Salary Account which started in fiscal year, in May 15, 2019 had a balance of \$71,732,726 dollars of which the next two years of the biennium will have \$18,226,900 dollars appropriated for the Reserve for Salary Account and in Fiscal Year 21, \$23,893,500 dollars in Fiscal Year with collective bargaining agreements removing \$13,616,973 dollars, and in

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Fiscal Year 20, \$22,574,814 dollars and in Fiscal Year 21, uh, \$33,313,401 dollars and those dollar amounts would come out of the Reserve for Salary Accounts if the agencies do not have additional dollars left in their personal services line items leaving a total of \$44,347,938 dollars. That total is 13 and 22 and 33 for 35, \$68 million dollars not the \$91 million dollars purported by some of my colleagues earlier, and there was some talk about some of the not-for-profit. Last year, we increased dollars going into the not-for-profit community. I would agree with my colleagues that we need to address the issues, but last year we did start that process to raise awareness that our not-for-profit communities where we have transferred many former state service, some 3000 jobs, that they should receive equal treatment. Through you, Madam President.

THE CHAIR:

Thank you, Senator Osten. Will you remark further on the bill? Senator Formica.

SENATOR FORMICA (20TH):

Good evening, Madam President. I rise for a few comments on the Resolution.

THE CHAIR:

Please proceed.

SENATOR FORMICA (20TH):

Thank you very much. Thank you, Senator. Again, here we are discussing yet another \$7 million plus

dollars in liabilities to the State of Connecticut at a time when we're facing huge deficits and again we'll be talking about this a few more times. Again, these employees are good employees for the State of Connecticut, it's just time and it's just the priorities that we're choosing that I think, Madam President, we need to think about.

With regard to the comments that I made in the last segment regarding the former Secretary, I used those comments just to preface the fact that they were based on the State's ability to pay and that was the argument that the good Secretary was making back in the discussion with that arbiter and his or her award with that last contract. And I submit that would be a germane argument to move forward now, the State's ability to pay because none of those things have really changed. Connecticut's credit rating has been downgraded nine times. Now the outlook perhaps looked better based on the bipartisan budget that is in existence right now and some of the structural changes we made, but with regard to moving forward, Madam President, I would just submit to you that we are at the same place except we're talking about twice as much money for this group that we did in the past, again, over the life of the contract an 18.5 percent increase and job protection which means no layoffs for the next three years which again, I outlined previously the concerns that I have.

Madam President, the FAC, the Financial Advisory Committee that is going to be convening next week to talk about shortfalls again speaks to the fact that the \$12 million dollars short in Social Security Tax Account is in deficiency because of specifically the payments as a result of these contracts and I just

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put that on the record. I'm happy to leave it on the record, Madam President. Again, I don't know that we need to continue to talk about this each time as we move forward contract after contract after contract after contract, but I would submit that we need to look at what the RSA account is for and if the RSA account is not funding some of these other dollars, then I'm just wondering where they're going to be coming from so with that, Madam President, I just urge my colleagues to reject this contract and I thank you for the opportunity to speak on it.

THE CHAIR:

Thank you, Senator Formica. Will you remark further on the Resolution that is before us? Good evening, Senator Kelly.

SENATOR KELLY (21ST):

Good evening, Madam President. A few moments ago when I was standing in the Republican caucus room, we looked out and I'm going to say a large group of individuals who were all gathering on the north side of the Capitol to have prom pictures taken and I started thinking about you know high school prom. The high school that my son goes today has graduate and this is the time of year when most people have things like engagement parties and other type of family events. But particularly what struck me is you look at the youth that were out on the north lawn of the Capitol. They were so excited, so happy, so energetic because what they want is opportunity and they want a future that is bright and hopeful. And then you think about what we're doing here tonight under the dome and you say to

yourself it's all about choices. Choices. What choices are we going to make? Are we going to make those types of choices that give our children and the people of Connecticut that hopeful optimism that is so alive this time of year? You see it on the face of students and our children. It's Spring. It's a great time of year and then you come under here and you look at it and you're like what are we doing? Are we doing the same type of business in here that the people throughout Connecticut are enjoying out there?

I can relate to Senator Fasano's comments before that it's gonna be hard to make this argument seven times so I'm not going to do that. I'm going to comment now on this contract with regards to all the contracts, but what we're looking at spending in these seven contracts is \$75 million dollars; \$75 million dollars more than we have in the past. Connecticut is in a fiscal deficit and it's a structural deficit which means that we're spending more on an annual basis than the State takes in. If we go to our constituents, the middle class household, when they're confronted with the same type of circumstances, doesn't have a taxpayer that they can go to and say give me a raise. They don't have an employer that they can just walk into and say give me a raise. No, the people that put us in these seats, they live life differently. They live in a situation where you live within your means. If the revenue drops, then the expenditures need to drop to balance the budget. Otherwise, the house would be in foreclosure, they'd be in bankruptcy and the car would be repossessed. But that doesn't happen here under the dome. We act in a different manner. We spend money we don't have and that's because it's not our money or at least it's not

viewed as our money because I think if every legislator looked at it that way, we might have a different outcome. But when we put an extra \$75 million dollars in contractual agreements onto the budget, that means it's a perpetual issue. It's not just gonna happen this budget and next budget. It's gonna continue into the future because all future contracts are gonna be based off the contract you already have and look at growth from there. So think about that. When we brought out Prioritized Progress Plan, which created an identifiable and sustainable transportation plan that could create and start projects this July, we were criticized because that put obligation and debt on future generations. So does this. So does this. It's these types of initiatives that takes the smiles off those kids having fun going to their prom. That is what it is and what we have to start looking at is if we were going to spend an extra \$75 million dollars, is this the buy? In our daily lives we look at things and if I lost revenue, you make the decisions. Do we buy a new car? Do we buy a used car? Do I fix the car I have? Do we buy Cheerios or Oat-E-O's? How do we make the budget work in our own personal lives? Well it's all based on choice, the choices we wanna make.

As ranking member on Insurance, the big issue that we've been trying to grapple with and deal with has been trying to deliver the promise of the Affordable Care Act to the people of Connecticut because that promise has been broken because while the Congress under the Obama Administration promised lower premiums, it never happened. Quite the contrary. Premiums actually went up and went up in significant increases, double digit increases because Congress didn't fund the promise that was made, but as a

State, we have the ability and quite frankly I think the responsibility to deliver on that promise. We've just learned that Access Health commissioned a study and that study looked at reinsurance and the study came back and said yes, reinsurance is the way to go. Reinsurance can provide premium relief to the people we serve and can do so from anywhere from 5 percent to 20 percent reductions. But that's gonna cost. It's gonna cost the State anywhere from \$20 to \$77 million dollars. So here's the choice. We could give that extra \$75 million dollars we're gonna spend on these contracts to government employees, or we could fulfill the promise of the Affordable Care Act to citizens across the State of Connecticut. We could give them a 20 percent premium reduction with this amount of money. You could do a 10 percent at \$38 million dollars. So just think, you could still give 10 percent to the people we serve in premium relief and half the amount in these contracts, split the baby if you will. Salt two pots rather than one. That's not the choice we're gonna make either. We could 5 percent reduction for \$20 million dollars and still do contracts at \$55 million dollars; \$55 million dollars, but that's not what we're gonna do either. No, with these contracts and with this money, we are gonna make the choice if you vote affirmatively for this contract to reward government. The ruling class. And there's nothing for the people of Connecticut with regards to their healthcare premiums and fulfilling that promise on the Affordable Care Act and that's what I see all too often at the Capitol is that many times, it's not the people we serve who come first, but government itself comes first.

When I got out of college, I served in public service. Our family has always been committed to public service because public service in my definition is to give back. It's a noble calling to contribute to your community, to make it better than when you found it and that has rung through to this day in my service in the Senate. But when we see that we're going to be making a choice of government employees versus the people who are struggling for healthcare, these are people that are losing their homes, these are people that aren't getting the care that they need, and that rings hollow. That aspect rings hollow. We're making the wrong choices. We're choosing government over the middle class, as Senator Fasano said, Capitol Avenue versus Main Street. And the same thing rings true when you're gonna start to cut social services, people who actually depend on government to make ends meet. No cost of living there. Nope. Nothing for the people we serve. A cost of living increase for people who work in the government? Absolutely. That's not my choice 'cause the choice in the Kelly household is to put people first and to make sure that the people we serve, that their voice is heard under this dome. That it's not only the interests that thrive and profit and advance under this dome that actually get the reward. I think the choice is easy. We're gonna take care of our neighbor and as I said, there's a way to do so. You don't have to go a whole \$75 million dollars on the contract. You could go less than that and give something to everyone. But, no, nope. The AABD clientele, people on fixed incomes, aged, blind, and disabled, they're not heard cause they're not in the room right now. So when you think about these choices, I come back to what I was witnessing looking out the window, where are we going with the State of

Connecticut? We're four or five days from the end of session and can we actually look and say Connecticut is on the right road? It's a road of opportunity, it's a road of prosperity, it's a road of hope and that the kids that are sitting and enjoying prom pictures outside are thinking to themselves, this is the place that I want to stay, this is the place where I'm gonna raise my family. And have we done that and are we hearing that when we walk the streets of our districts? I'm not so sure we do because I certainly don't. I hear frustration. I hear disappointment. I hear rage and anger because I know the middle class family is at a financial breaking point and they don't feel that they're heard and when we make choices like this, it's clear that they're not.

Madam President, I believe that the choice is easy. I believe the choice is clear. Are we going to look for human decency, human dignity and give the people that need help with healthcare the opportunity to participate in the human right that many in this circle believe healthcare is? This is an opportunity to make that choice and make it real but many of the propositions I hear surrounding that whole issue of healthcare wants to put a tax, whether it's on a carrier, whether it's on a policy, on the exercise of that human right and I don't believe that that's the appropriate way to do it. You shouldn't have to have a tax paid in order to participate in that human right, but we're gonna spend \$75 million dollars on contracts that could go to healthcare for people across the state and deliver the promise of the Affordable Care Act, but we're not gonna choose that today and enable individuals their human right without a tax. To that end, I would urge my colleagues to think about

the contracts, to look at the contracts and to make the choice to put our neighbors, our constituents first and to put this money into the human services and healthcare that so many people in Connecticut need, deserve, and are entitled to. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Kelly. Will you remark further on the resolution that is before us? Good evening, Senator Miner.

SENATOR MINER (30TH):

Good evening, Madam President. Madam President, I rise I guess to make a couple points about the increase in general, but more importantly, some of the things we've talked about in the last couple of weeks that to my knowledge, we've not taken action on yet. Probably the most simple of those and easy to understand had to do with the personal needs allowance. I remember when we were debating the personal needs allowance, I think it was a couple of weeks ago, and we talked about the fact that under the Malloy administration, that allowance had been reduced from \$72 dollars a month to \$60 dollars a month, and in fact, I think it was Senator Kelly that pointed out that the average life expectancy in a nursing home is something just north of two years, and to qualify for this type of a stipend for personal needs, Madam President, you had to have lost everything you own or thereabouts. No car, no house, no residence. You are on the State's good effort to maintain any of a roof and a meal and heat.

Madam President, when I across the line for SR 28, I see \$430,000 dollars in the first year, \$1.2 million dollars in the second year, that's 2020 and oddly enough, that's the number that it cost to fund the personal needs allowance. The personal needs allowance for people that are relegated to the last something less than three years on average of their life. And so it's not about whether we want to support State employees. It is, as Senator Fasano said earlier, about the choices that we make. Now, I heard a lot of people around this circle say we will revisit that issue, there will be another opportunity and tonight, tonight yet again we're taking up another series of labor agreements collectively and this time at the end of their agreement cycle of 2022, will total almost \$91 million dollars, and yet we've not yet found the time to take up the personal needs allowance.

It really is amazing. When I heard Senator Fasano talk about Main Street and Capitol Avenue, it really is true. Every day that we put one of those other issues in the rearview mirror, we begin to focus on what's immediately before us and today, what is immediately before us is these union contracts. These are the choices that we have to make and when we continue to add millions, tens of millions, almost a hundred million over the next two years, these senior citizens are gonna be still in the rearview mirror for the last two and a half years of their lives.

Madam President, I don't think whether it's this agreement or any of the other agreements, we want any of the State employees to think we don't appreciate the fact that they work on behalf of all the residents of Connecticut. As Senator Kelly

spoke about and I think others, many of our constituents have gone without a raise, any raise whatsoever for years and maybe the minimum wage will have an effect on some of them, but I can assure you it's not gonna change life for many of them.

So, Madam President, I can't support this agreement. I can't support it because I believe we can't afford it. I can't support it because I believe it is gonna become a further basis for tax increases or reneging on other tax credits that we have previously built into the budget. I think under the Governor's proposal already this year, there was a retraction of the tax credit, very small amounts of Social Security and for other reasonable tax credits for elder people. Now, whether they find their way into the budget or not, I do not know, but it's clear that after the passage of these agreements, they will find their way into the budget and again, I think it is a balancing act. I think it's unfortunate that we continuously put off those other issues I think that are just as important. In fact, maybe even more important than some of the agreed to increases here which seem based on my read to be 3.5 percent plus steps plus other language, in some cases signing agreements in the \$2000-dollar range, I can't remember whether this one has or not. So for tonight, Madam President, I am opposed to this agreement. Thank you.

THE CHAIR:

Thank you, Senator Miner. Will you remark further on the Resolution that is before us? Will you remark further? Will you remark further? If not, Mr. Clerk, kindly call the vote and the machine will be opened.

CLERK:

Immediate roll call vote has been ordered in the Senate on Senate Resolution No. 28. An immediate roll call vote has been ordered in the Senate on Senate Resolution No. 28. An immediate roll call vote in the Senate SR 28. 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.

THE CHAIR:

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

CLERK:

On Senate Resolution No. 28.

Total number voting	36
Necessary for adoption	19
Those voting Yea	19
Those voting Nay	17
Absent and not voting	0

THE CHAIR:

[Gavel] The Resolution is adopted. Mr. Clerk.

CLERK:

Page 66, Calendar number 563, Senate Resolution No. 30, RESOLUTION PROPOSING APPROVAL OF AN INTEREST

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ARBITRATION AWARD BETWEEN THE STATE OF CONNECTICUT
AND THE CONNECTICUT STATE POLICE UNION (NP-1).

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. Madam President, I move the Committee's Favorable Report on this Resolution and I urge passage of the bill and seek, uh, urge passage of the Resolution and seek leave to summarize.

THE CHAIR:

Please proceed.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. Madam President, unlike the other contracts that have been negotiated agreements between the parties, this is an arbitration award between the State of Connecticut and the Connecticut State Police Union NP1. The Connecticut State Police negotiated a contract and there are items that within that negotiation that they did not agree as a party. It went to arbitration and the arbitrator awarded the bargaining unit wages and other benefits. There are 913 employees covered by this arbitration award. This is fully 335 less than what had been required in the past to have a fully staffed State Police Department. Right now, in Fiscal Year 19, the contract total is \$1,232,719 dollars. In Fiscal Year 20, \$11,370,913 dollars, in Fiscal Year 21,

\$16,363,958 dollars, in Fiscal Year 22 which is beyond the, this biennium budget, \$21,018,182 dollars for an annualized amount of \$23,379,836 dollars and I urge my colleagues to support those and we had a large discussion yesterday about the need to support our first responders and I would urge my colleagues to support our first responders, those who run in when others are running out, those who we call on the worst days of our lives, and those who have been willing to put their live on the line for us. the dollars of this contract will come from the Reserve for Salary adjustments. In the cases where there is additional money that is in the personal services line item of the Department of Energy, the Department of Emergency Services and Public Protection, some of those dollars will come through that mechanism. Thank you very much, Madam President.

THE CHAIR:

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

SENATOR FORMICA:

Thank you, Madam President. Good evening. I rise for a question and then some comments on the Resolution.

THE CHAIR:

Please proceed.

SENATOR FORMICA:

Thank you, Madam President. Through you to the good Senator, thank you for the summarizing the dollars that will be expended if this is passed, which by the way, represents a 24.8 percent increase over the next few years of this contract, significantly more than I believe PD's on a local level are getting. First responders on the local level are not seeing double digit percent raises over a period of the next few years, but Senator Osten had mentioned that this was \$300 and I believe she said \$15 or \$35 short of the full complement of troopers that would be required. My question, through you, Madam President, would be the dollars that are here anticipated in cost, would that rise, would those dollars rise if the full complement of troopers are awarded? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President and just to go back to a couple of comments made by my colleague, quite frankly, there are municipal police officers who are not going into the ranks of State Police because they're making more at the municipal level than they would as State Police Officers. In regard to if there were more members of this bargaining unit, would there be additional dollars needed for this contract, that would be a yes but there are fully a third of the State Police Force that are ready to retire in the next four years so we could see a drop in State Troopers of 300 give or take should they choose to retire. Through you, Madam President.

THE CHAIR:

Thank you, Senator Osten. Senator Formica.

SENATOR FORMICA:

Thank you, Madam President. Thank you, Senator. I appreciate the answers. So this number as verified by Senator Osten is for those in the count currently or when the contract was finalized or the arbiter finalized the award. There are a number, as I understand, or maybe I should ask, in the budget next year, I believe there were to be two new training opportunities to try to repopulate the ranks of the troopers. Would that be correct? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President and there could be one or two classes depending on the number of people that qualify over to even be included in the State Police rank depending on whether they pass the rather arduous training program and those dollars are included in the cost of this contract. Through you, Madam President.

THE CHAIR:

Thank you. Senator Formica.

SENATOR FORMICA:

Thank you, Madam President and thank you, Senator. I appreciate, I appreciate that clarification. So, Madam President, I would just again remark that this is the third of the contracts that we're gonna be discussing this evening. This is the third substantial raise. This particular contract is significantly more money than the others for the numbers, but the difficulty with this is we all know how hard and what a commitment and what the sacrifice is for these troopers, that they go out each and every day to put their lives on the line to protect us here in the State of Connecticut, and as a former first selectman of a resident trooper town, a resident trooper town that grew from just having two resident troopers decades ago to when I left having 23 peace officers working under the leadership of a really great trooper sergeant. I saw firsthand each and every day what these folks do so it's not that they're not deserving and again, let's just bring it back to where we believe or I certainly believe that it's a question of affordability. It's a question of can we give a 24.8 percent raise over the next few years when so many other sectors, so many other places in our budget can be, not perhaps better served, but served that aren't getting served at all. So, Madam President, I stand in opposition of the dollars represented in this contract. I certainly stand in support of the men and women who serve in this bargaining unit, but I find it very difficult to keep adding dollar after dollar after dollar with these collective bargaining agreements when we and many on Main Street are finding it very difficult to keep their employees moving, to keep business coming in through the door, to recognize and adhere to the pressures that are coming down from this building to

Main Street and people are having to struggle, businesses, residents. So, Madam President, for the third time I'm going to stand in opposition of the contract this evening. For the third time, I'm going to ask my colleagues to reject this contract just based on the fact that we heard from Secretary Barnes when he talked about ability to pay, all the reasons he thought we couldn't in a previous contract, but I submit that still as an argument, the fact that we have a Financial Advisory Committee meeting next week where we're transferring shortfalls into the Social Security tax account because we can't, they can't afford it, \$12 million dollars plus \$2.8 million dollars. So, Madam President, thank you for the time. Again, I urge my colleagues to reject.

THE CHAIR:

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

SENATOR WINFIELD (10TH):

Thank you, Madam President. I rise for a couple of questions to the proponent of the resolution.

THE CHAIR:

Senator Osten, prepare yourself. Senator Winfield, please proceed.

SENATOR WINFIELD (10TH):

Yes, Thank you, Madam President. In discussion about this contract, there's been some concern about freedom of information and files associated with the

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contract so I just want to ask a couple of questions for clarification. So in Article 9 of the contract, I believe there's a provision that concerns the access to the employee's personnel file that is part of this larger discussion and I guess the question is, is the intent therein to restrict access to the entirety of the file? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. The answer to that would be no.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

And so I guess a followup to that, Madam President, and through you, Madam President is then what does the restriction actually do? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. In the tentative agreement on personnel files, an employee's officer personnel file and internal

investigations with only a disposition of exonerated, unfounded or not sustained shall not be subject to the Connecticut Freedom of Information Act in order to not have an employee judged when he or she has not been found to be held culpable. Through you, Madam President.

THE CHAIR:

Thank you. Senator Winfield.

SENATOR WINFIELD (10TH):

Thank you, Madam President. And through you, just for clarity, I think that means that everything else is still subject and for slightly further clarity, does that mean if a portion is substantiated and another portion isn't, the portion that isn't substantiated is also potentially disclosable? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Through you, Madam President. If a portion of an investigation is found to have held an employee culpable of an action, that would be FIO able. If a portion of an investigation is found to be exonerated, unfounded or not sustained, that would not be subject to the Connecticut Freedom of Information Act. Through you, Madam President.

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Thank you, Senator Osten. Senator Winfield.

SENATOR WINFIELD (10TH):

Thank you, Madam President. I think there are concerns that many people have hearing what we've learned about these police contracts. I also know that these kind of provisions exist in other contracts and I just wanted to pull out a little bit of the discussion about what we're actually doing here so I thank the good Senator for her answers. Thank you, Madam President.

THE CHAIR:

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

SENATOR FASANO (34TH):

Thank you, Madam President. I kind of felt left out not being involved in the last contract and I'm not gonna talk about the fact that CPI may be frozen with respect to TANF and the others, I'm not gonna talk about the fact that this contract once again crowds out social services, I'm not gonna talk about the fact that we are cutting aid to those who need it most when we approve these contracts. But I do want to talk about a few things in this bill that raises concerns with this resolution. Madam President, there are items in this contract that I think were best left to the legislature and let me just say what those are. In this contract under the State Police Union deal, certain personnel, official personnel folders will not be subject to FOI. That raises some concern as to the ability to look at

these files. FOI to me should not be subject to collective bargaining. That's a public policy issue and even if exonerated or unfounded or not sustained, they're not subject to FOI so those people who talk about transparency have to be concerned that the legislature's not weighing in on this issue. This has been raised by a number of organizations. I know folks down in the House, particularly on the other side of the aisle were very concerned over this issue. In addition, remove from an officer's file is any investigation when it's completed. Once again, transparency which we hear so much about in this building, particularly on the police side has been through collective bargaining taken out and people seem not to care. This is a public policy issue which is left up to us as legislators. Madam President, I would also point out for those who may not be all that familiar with this contract that a new Worker's Comp Committee has been created and this Worker's Comp Committee is made up of the State Police Union President or the designee, DESPP Director of Human Services, and the State Police Colonel. So now we've taken Worker's Comp and moved it to a whole different group of people. I would argue not totally objective from the issue for which they're gonna be a fact finder. Madam President, I believe that issue is in the domain and the control of the legislature, not one for collective bargaining.

Madam President, I underscore what Senator Formica talked about which is the men and women in our uniforms who protect us and I think Senator Osten also gave proper credit to those folks, but we have FOI concerns that truly are a balance of public interest, and we've taken those concerns and we've moved them out of our domain and into collective

bargaining. Now, I cannot profess whether this is the first time or not, but I can tell you, it's the first time I've seen it in a union contract that's come before us that FOI is now subject matter of collective bargaining. I don't think this goes to any of the criteria that I know of in statute so why would you do this? Why would you silence transparency? I don't know the answer to the question but what I do know is it doesn't seem to follow through what I hear in this Chamber. It doesn't seem to follow through in the judiciary bills that have come before us and the debate up here and downstairs, that we don't transparency and that we don't want information that should be revealed held in secret.

As I said, Madam President, at this point I'm not going to repeat all the issues relative to the finances because in this contract, there's something new and different, something that raises a red flag for a few in this circle who talked about transparency of the police. This is something that when you vote for it and if you vote for it, it would be difficult to reconcile that vote with past votes and perhaps even future votes. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Fasano. Will you remark further on the contact, excuse me, on the resolution that is before us? Will you remark further on the resolution that is before the Chamber? If not, Mr. Clerk, please call for the vote and the machine will be opened.

CLERK:

An immediate roll call vote has been ordered in the Senate. An immediate roll call vote has been ordered in the Senate on Senate Resolution No 30. An immediate roll call vote has been ordered in the Senate on Senate Resolution No. 30. An immediate roll call vote has been ordered in the Senate on Senate Resolution No. 30. Immediate roll call vote in the Senate. An immediate roll call vote has been ordered in the Senate on Senate Resolution No. 30. An immediate roll call vote has been ordered in the Senate on Senate Resolution No. 30. An immediate roll call vote has been ordered in the Senate.

THE CHAIR:

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

CLERK:

Senate Resolution No. 30.

Total number voting	36
Necessary for adoption	19
Those voting Yea	20
Those voting Nay	16
Absent and not voting	0

THE CHAIR:

[Gavel] The Resolution is adopted. Mr. Clerk.

CLERK:

Page 66, Calendar number 564, Senate Resolution No. 31, RESOLUTION PROPOSING APPROVAL OF A MEMORANDUM OF AGREEMENT BETWEEN THE STATE OF CONNECTICUT JUDICIAL BRANCH AND THE UNION OF PROFESSIONAL JUDICIAL EMPLOYEES, AFT/AFT-CT, CONCERNING THE COUNSEL, LEGAL SERVICES JOB CLASSIFICATION.

THE CHAIR:

The distinguished Chair of the Appropriations Committee, Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Mr. President. Mr. President, I move acceptance of the Committee's Favorable Resolution and seek leave to summarize.

THE CHAIR:

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

SENATOR OSTEN (19TH):

Thank you very much, Mr. President. Mr. President, this is an agreement between the Judicial Branch and the Judicial professional employees. This is a contract of seven employees. It has a Fiscal Year 19 cost of \$20,374 dollars, \$62,042 dollars, \$119,601 dollars, \$157,632 dollars in Fiscal year 22, and I urge my colleagues to support this resolution in order to provide wages for these workers and the dollar amounts from these wage increases will come from the Reserve for Salary Account. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Osten. Will you remark further on the resolution? Will you remark further on the resolution? Senator Formica.

SENATOR FORMICA (20TH):

Good evening, good afternoon or good evening. Good evening, Mr. President, how are you?

THE CHAIR:

Evening, I think, yes, sir.

SENATOR FORMICA (20TH):

Thank you. I rise for a few comments.

THE CHAIR:

Please proceed, sir.

SENATOR FORMICA (20TH):

Thank you, Mr. President. Mr. President, I rise just once again to reiterate the financial impact of seven employees on the State of Connecticut is \$360,000 dollars over a period of three years. The increase of that contract represents a 20 percent increase, increases that I believe aren't seen on Main Street, Connecticut, dollars that we're adding to our budget, dollars that we're adding to our liability, dollars we're adding to our pension liability, dollars we're adding to our fringe benefit liability of which we seek next week to meet next week in the Financial Advisory Committee to try

to switch money and rectify the shortfall that's coming as a result of these contracts. Job security, Mr. President, that could prohibit us from seeking to be more efficient as an operation and again, for the, I believe this is the fourth time that we're up here talking about double digit increases, benefits and increases that aren't seen on Main Street, Connecticut, benefits and increases that while they're to good people just don't come at a good time so, Mr. President, I urge rejection.

THE CHAIR:

Thank you, sir. Will you remark further? Will you remark further on the resolution? Will you remark further? If not, the Clerk will call the roll on Senate Resolution 31.

CLERK:

An immediate roll call vote has been ordered in the Senate. An immediate roll call has been ordered in the Senate on Senate Resolution 31. An immediate roll call has been ordered in the Senate on Senate Resolution No. 31. An immediate roll call has been ordered in the Senate on Senate Resolution No. 31. Immediate roll call vote in the Senate. An immediate roll call has been ordered in the Senate on Senate Resolution No. 31. An immediate roll call has been ordered in the Senate.

THE CHAIR:

Have all the members voted? If all the members have voted, would you please check the machine to make sure your votes are properly cast? If so, Mr. Clerk, will you call the tally.

CLERK:

Senate Resolution No. 31.

Total number voting	36
Necessary for adoption	19
Those voting Yea	19
Those voting Nay	17
Absent and not voting	0

THE CHAIR:

The Resolution is adopted. [Gavel] Mr. Clerk.

CLERK:

Page 66, Calendar number 565, Senate Resolution No. 32, RESOLUTION PROPOSING APPROVAL OF A MEMORANDUM OF AGREEMENT BETWEEN THE STATE OF CONNECTICUT AND THE CONNECTICUT EMPLOYEES UNION INDEPENDENT, SEIU, LOCAL 511.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Mr. President. Mr. President, I move acceptance of this resolution and seek leave to summarize.

THE CHAIR:

Please proceed, Senator.

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SENATOR OSTEN (19TH):

Thank you very much, Mr. President. Mr. President, this is a collective bargaining agreement. This resolution is a collective bargaining agreement between employees in the Plants Facility Engineer 1 classification, in the Connecticut Employees Union Independent NP2 bargaining unit. This agreement covers five fiscal years from July 1, 2017 through 2021. There are nine employees covered by this agreement. In Fiscal Year 19, a total of \$21,097 dollars are associated with the cost for our current fiscal year. In Fiscal Year 20, \$65,137 dollars are associated with the agreement. In Fiscal Year 21, \$153,204 dollars are associated with the agreement. It's an annualized contract of \$160,612 dollars and I urge my colleagues to support the men and women of this bargaining unit and the work that they do with wage increases. Thank you very much, Mr. President.

THE CHAIR:

Yes, thank you, Senator Osten. I think if you just once again, make sure we have it on the record to move the resolution.

SENATOR OSTEN (19TH):

I'm sorry, I'm just getting ahead of myself and I think this one will actually make it onto consent so just saying and I would move the resolution. Thank you very much, Mr. President. Keep me in line please.

THE CHAIR:

[laughs] Thank you, Senator. Will you remark further on the resolution? Will you remark further? Senator Formica.

SENATOR FORMICA (20TH):

Good evening, Mr. President. I rise for a few comments.

THE CHAIR:

Please proceed, sir.

SENATOR FORMICA (20TH):

Thank you, sir. Again, for the fifth time this evening, I will be standing up in opposition to the contract again, not against the good people of the unit but of the time that is just not a good time to be adding nearly a 17 percent increase to these workers over the next few years. Part of the MOA, memorandum of understanding in this contract calls for a lump sum payment of \$2000 thousand dollars per hour, job security which again means difficulty in terms of gaining efficiency in some of these departments and then, in FY 20, a 3.5 percent wage increase plus an annual increment or a top step increment which could be equivalent to 3.1 percent and then in FY 21, a 3.5 percent general wage increase with another annual increment or top step payment on top of the wages from the previous year. So the multiplication continues. Each and every year it gets more expensive. These employees overall will gain in three years an additional \$26,000 dollars and change as a result of this contract.

So Mr. President, for the reasons that I talked about, the shortages that we're gonna address in the Financial Advisory Committee, the conversation about our ability to pay from former Secretary Barnes who spoke at a previous contract, certainly not this one, I don't want to misrepresent, but a previous contract that we talked about earlier, but I still think his arguments are germane to the situation that we have at hand. I would just stand here and say the time is not right for this and that there are opportunities to go to work, there are opportunities for the state to move forward and these two just don't blend together so we've been here. This is the fifth time this evening. I imagine we've got a couple more to go. I imagine that we're going to probably talk about those a little bit in the vein and perhaps end up passing them. I'm not sure that we would pass them on consent in spite of the good Senator's wishes. However, I do think that these things do need to be talked about because they do cost the State of Connecticut. Our taxpayers who fund these, our taxpayers who work hard on Main Street who I would submit, Mr. President, equally deserve double digit raises but unfortunately, are not able to sustain them given the economic conditions that we have, given the, given some of the policies that we're talking about this year that are going to be trickled down to Main Street, Connecticut that will only increase cost to do business and decrease available cash to be spent for residents here in the State of Connecticut and it's due in no small part to some of these contracts that we're seeing this evening that are just costing the taxpayer more. And again, just as a reiteration for the record, nearly \$91 million dollars in new costs that we're going to be talking about; \$91 million dollars that

I'm sure we could make the argument could be spent elsewhere. So thank you, Mr. President, for the opportunity to comment and I urge rejection of the resolution.

THE CHAIR:

Thank you, Senator. Will you remark further on the resolution? Will you remark further on the resolution? Seeing none, Mr. Clerk, if you would please call the roll on Senate Resolution No. 32.

CLERK:

An immediate roll call vote has been ordered in the Senate. An immediate roll call has been ordered in the Senate on Senate Resolution 32. An immediate roll call has been ordered in the Senate on Senate Resolution No. 32. An immediate roll call in the Senate on Senate Resolution No. 32. An immediate roll call has been ordered in the Senate on Senate Resolution No. 32. An immediate roll call has been ordered in the Senate.

THE CHAIR:

Have all the members voted? If all the members have voted, would you please check the machine to make sure your vote is properly cast and Mr. Clerk, if you would take the tally?

CLERK:

Senate Resolution No. 32.

Total number voting	36
Necessary for adoption	19

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Those voting Yea	19
Those voting Nay	17
Absent and not voting	0

THE CHAIR:

The Resolution is adopted. [Gavel] Mr. Clerk, if you would call the next item.

CLERK:

Page 67, Calendar number 566, Senate Resolution No. 33, RESOLUTION PROPOSING APPROVAL OF A TENTATIVE AGREEMENT BETWEEN THE STATE OF CONNECTICUT AND THE ADMINISTRATIVE AND RESIDUAL (P-5) BARGAINING UNIT. There is an amendment.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Mr. President. Mr. President, I move acceptance of the resolution and passage of said resolution and seek leave to summarize.

THE CHAIR:

Please proceed, Senator.

SENATOR OSTEN (19TH):

Thank you very much. This is an agreement between certain employees and various agencies in the administrative residual bargaining unit. It contains 64 employees covered by this agreement. It

has a cost estimate of \$318,494 dollars in current fiscal year, in Fiscal Year 20, \$471,922 dollars, in Fiscal Year 21, \$981,610 dollars, annualized \$1,046,052 dollars and I urge my colleagues to support this resolution. In addition, in reviewing the Financial Advisory Committee Agenda which is scheduled for June 6, while I certainly appreciate my colleague talking about the Financial Advisory Committee, I believe he left out certain things that explain what we're doing. Now the Financial Advisory Committee moves money from line items that have positive balances to line items that have negative balances and my colleague forgot to tell the circle that the Retiree Healthcare line item has a surplus because the Fiscal Year 19 budget was initially developing assuming a higher retiree population growth throughout the fiscal year than has been experienced. Additionally, the 2017 SEBAC agreement includes a higher retiree share for new retirees meaning that in our endeavor to look at what we're doing with state employees, we are looking at ways to lower the state share of the expense and that left a \$16-million-dollar surplus in that line item to cover the deficiencies in the other line items. I point that out because that is true over each one of the agenda line items that are on our Financial Advisory Committee and I think that if you talk about one side of the ledger, you should talk about the other side of the ledger so the work that has been done through the State Employee Bargaining Agent Coalition and state employees there has been a significant decrease of state employee costs. In addition, we have talked a little bit about, we talk a little bit about the managerial pay plan and in talking with the Office of Fiscal Analysis I asked how many people are involved in the managerial pay plan now. Over the last few years

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under the former governors, Governor Daniel Malloy, his administration, we saw a significant drop in the number of state employees that are in each department. That would include in the managerial pay plan and that right now today, there are 1484 managers in all of the Executive Branch and Legislative Branch funds. I think that's important to note, and Judicial, and I think that's important to know because we have significantly slimmed down state government.

In addition to that, in the Appropriations Committee budget that passed the Appropriations Committee, unfortunately, on a party line vote, and I'm looking forward to my colleagues, in particular my colleague to the right, voting for the budget that comes out because it holds significantly true what we had in the bipartisan budget. And one of those things that we had in the bipartisan budget was a look at, was a look at the number of positions that we had and this year, we've been able to decrease the number of positions for state employees in the budget by about, by over 1000 positions and that has been done in order to show people that we are actually looking at ways to decrease state employee costs. Our state employees, right now the number of state employees are at the level of the 1960's so that shows a significant decrease in the number of state employees throughout state employment. That's certainly why our resident, our state troopers at around 900, I think it was 913 when the OFA analysis was done on the arbitrated award that we recently voted on. I want people to understand that we as a group working bipartisanly across the aisles, bicamerally between the House and the Senate have been looking at significant ways for us to decrease costs of state employees and I think that needs to

be said out loud. And I think that we also have to pay our employees. A decision has been made for us to have employees and we need to pay them. We have removed many of our services into the private sector and we have done that working together both again, bipartisanly and bicamerally and I think that the characterization that have happened on state employees today are a misnomer and are not showing people what good work these state employees do. The calls that I get now about state employees are, did you know I called the Department of Social Services and no one answered the phone in a timely fashion? That's because there's less people there, not because they don't want to talk to you. When they go to the Department of Motor Vehicles, and there's always a joke or two about the Department of Motor Vehicles, I think they're hard-working people that try to protect us each and every day and they're very busy. And they're very busy because there's less people there. They're about half of the number of employees over the last decade so as we look at this, I think we need to understand that and not mischaracterize these people as sort of scoundrels that are not doing good work and we shouldn't pay them for the work that they do. I think these are hardworking men and women who serve our state well. We have asked them to do more with less each and every year and they have stepped up to the plate to do that so now our managerial staff are down to 1484 and our line workers are now down to the level of the 1960's in state employment. I urge my colleagues to allow me to put this one contract on consent and work together to get this done and let's not play the, I don't wanna disrespect anybody's personal opinion on this, but I'm just gonna ask you to support the contract. Let's get this done. Let's work together and let's honor the people that

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we ask to work for us. Thank you very much, Mr. President.

THE CHAIR:

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

SENATOR FORMICA (20TH):

Good evening, Mr. President. Yes, I rise for a few remarks.

THE CHAIR:

Please proceed, sir.

SENATOR FORMICA (20TH):

Thank you, Mr. President. I first off would like to agree with the good Senator who indicated that the Senator to her right would be looking forward to vote for the contract and I think she forgot to say maybe two to her right, [laughter] but in all seriousness, Mr. President, again, I have no doubt that these employees work hard for the State of Connecticut. I have no doubt that we need to pay them. I have, as a member sitting around the circle here in small business, created jobs over the last three decades here in the State of Connecticut. We worked hard to get people on Main Street, to get themselves involved in the economic opportunities here in the State of Connecticut. Small business is the job creator of the economy in the entire United States of America. Specifically, we deal with Connecticut and small businesses, 80 percent of the jobs created are created by small business, not big

business. And the pressures that are being put on Main Street Connecticut by some of the policies that are coming out, some of the expenditures that are coming out of this assembly over the last period of time has put significant pressures on Main Street Connecticut. So I appreciate good employees and as I said during the first contract, the assets, the biggest asset that any small business has is its frontline employees and I'm sure that the people that work for the State of Connecticut provide a similar service. So that's not what this is about. This is about \$27,687 dollars, which is the increase of 12 percent in this contract, that each employee would gain as a result of the next three years of working under this contract. And I would just simply argue that's not what people on Main Street Connecticut are getting; I'd probably argue they're not getting half of that and it's not because they're any better or worse of an employee for whomever they work for, it's just that they don't have this opportunity to sit around here and get voted on, nearly \$91 million dollars in new costs to the State of Connecticut.

And while we may have less employees, certainly technology has offered us that opportunity, we should. While we have less employees, we should be looking at how we can create efficiency and effectiveness here in our government. We put pressure on our municipalities all the time. We put pressure each and every day on them and they are the ones who are efficient. They are the ones who work hard to try to keep their costs at a minimum and they are the ones that have had to find efficiencies certainly to do with personnel and I would argue that they're not seeing these types of double digit increases in government so while I appreciate the

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good Senator's passion, I don't think I share her enthusiasm in voting for this contract and I would urge my colleagues to vote against this and if so, I would ask that when we vote, we vote by roll. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator. A roll call vote will be ordered at the appropriate time. Will you remark further? Will you remark further on Senate Resolution 33? Seeing none, Mr. Clerk, if you would call the roll on Senate Resolution No. 33.

CLERK:

An immediate roll call vote has been ordered in the Senate. An immediate roll call has been ordered in the Senate on Senate Resolution No. 33. An immediate roll call has been ordered in the Senate on Senate Resolution No. 33. An immediate roll call in the Senate on Senate Resolution No. 33. Immediate roll call vote in the Senate. Immediate roll call vote has been ordered in the Senate on Senate Resolution 33. Immediate roll call vote in the Senate on Senate Resolution 33. Immediate roll call vote in the Senate. Immediate roll call vote has been ordered in the Senate on Senate Resolution 33. Immediate roll call vote in the Senate on Senate Resolution 33. Immediate roll call vote in the Senate.

THE CHAIR:

Have all the members voted? If all the members have voted, would you please check the machine to make

sure your vote is properly cast and Mr. Clerk, if we will close the machine and take the tally?

CLERK:

Senate Resolution No. 33.

Total number voting	36
Necessary for adoption	19
Those voting Yea	19
Those voting Nay	17
Absent and not voting	0

THE CHAIR:

The Resolution is adopted. [Gavel] Mr. Clerk, if you would call the next item.

CLERK:

Page 65, Calendar number 630, Senate Resolution No. 34, RESOLUTION PROPOSING APPROVAL OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE STATE OF CONNECTICUT OFFICE OF EARLY CHILDHOOD AND THE CONNECTICUT STATE EMPLOYEES ASSOCIATION (CSEA-SEIU LOCAL 2001).

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Mr. President. Mr. President, I move acceptance of the Committee's Favorable Report on the resolution and passage of the resolution and seek leave to summarize.

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THE CHAIR:

Please proceed, Senator.

SENATOR OSTEN (19TH):

Thank you very much. This is a memorandum of understanding, different than what we have been dealing with tonight. It is akin to the personal care attendant agreement that was passed in this body last year. It covers the period of July 1, 2017 through June 30, 2022 and applies to family childcare providers both licensed and unlicensed. It covers, the wages from this agreement will come out of the Care 4 Kids line item. There are 563 licensed and 640 unlicensed workers. In Fiscal Year 19 there is a dollar amount of \$638,263 dollars, in Fiscal Year 20, \$2,608,348 dollars, in Fiscal Year 21, \$5,089,176 dollars, and in Fiscal Year 22, \$8,037,824 dollars. This is out of the Care 4 Kids line item out of the Office of Early Childhood. This agreement has several components in it. There are 18,000 children that are provided childcare through family childcare providers. This is not referring to daycare facilities. This is, uh, the Care 4 Kids Program supports cost associated and in this all of these dollars are already appropriated and supported by both federal and state dollars. In total, the budget bill net appropriated \$54.6 million dollars in FY 20 and \$55.9 million dollars in FY 21. The federal share is anticipated, the total approximately \$94.3 million dollars in FY 20 and FY 21 in the childcare development account. In addition, general funds in excess of \$15 million dollars are expected to be carried forward into Fiscal Year 20. It is anticipated that sufficient funds will be available to support the costs

associated with the agreement from Fiscal Year 19 through 22 and I just need to correct for the record, as of April there are approximately 2914 members of the bargaining unit, 722 of whom are licensed and 2192 are unlicensed. There is a bonus incorporated into this contract. If a childcare provider gets national accreditation and if they have an associate's degree, there's an increase in pay and I urge my colleagues to support this agreement providing an increase for family childcare providers who take care of our children and much akin to the personal care attendants, allows us to make sure that children are placed in safe environments. Through you, Madam President.

THE CHAIR:

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

SENATOR FORMICA (20TH):

Thank you, Madam President. Good evening.

THE CHAIR:

Good evening.

SENATOR FORMICA (20TH):

Thank you. I rise for a question and a few comments on the proposal at hand.

THE CHAIR:

Please proceed, sir.

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SENATOR FORMICA (20TH):

Thank you, Madam President. Through you, to the good Senator, the numbers that she read with regard to the amount of people in the bargaining unit called, I have it in front of me, 700 and something to, but they were licensed and unlicensed, 722 licensed and almost 200 unlicensed. Through you, Madam President, what is the difference between those two groups?

THE CHAIR:

Thank you. Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. It's 2192 are unlicensed and those are, those are childcare providers that are helping out with relatives in order to be subjected to the, so 2192 are unlicensed, those are taking care of relative's children in order to get those people back into the job market or go to college to increase their marketability. 722 are licensed providers and they take care of children with whom they are not related to and they require a license. Through you, Madam President.

THE CHAIR:

Thank you. Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. Thank you, Senator for that answer. The licensed providers under this

contract get a little bit more than the unlicensed providers and that's because they work either freelance on their own or through an agency or organization. Would that be correct? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. They don't work through an agency. Through you, Madam President.

THE CHAIR:

Thank you. Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. So if they don't work through an agency, is it a small business that may have an opportunity to have a building or a room or something where people bring the children to like a daycare or something? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

This is not a daycare facility. This is family childcare providers. They take care of children within their home. They may segregate a section of

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their home which is subjected to if they are licensed to unannounced reviews of the conditions within the home. Through you, Madam President.

THE CHAIR:

Thank you, Senator Osten. Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. I think I just got confused but are the unlicensed, was that what you were just referring to or were you referring to the other group?

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. The licensed childcare providers also take care of children within their homes up to 3. Their homes are subjected to review by staff from the Office of Early Childhood. Those that take care of children of relatives, could be a grandmother, could be a cousin, they're also taking care of children in their homes, but they're unlicensed. They can be subjected to review also but they're in a different category than the licensed and a daycare facility is different than that, having a separate structure, not someone's home and take care of, those are not considered in this particular contract. Through you.

THE CHAIR:

Thank you. Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. Through you, Senator. So both licensed and unlicensed work in the homes and get paid the same way, they just get paid separate rates. I'm trying to understand the difference between the two groups and why the difference in rate. Through you, Madam President.

THE CHAIR:

Thank you. Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. The different rates are as a result of a higher level of care. The Office of Early Childhood is actually encouraging more people to get involved in licensure as they believe that children should be taken care of by licensed providers; however, the unlicensed provide a network of people to care for people of whom they may be related to and allowing those to get care and allow their family members to get back into the workforce, to be taking additional training, to upgrade their skills through a variety of methodologies and gives us another pool of people to work with. Through you, Madam President.

THE CHAIR:

Thank you, Senator Osten. Senator Formica.

SENATOR FORMICA (20TH):

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Thank you, Madam President. Thank you, Senator. So Office of Early Childhood provides the funding through their budget to pay for these, this bargaining unit. This bargaining unit is made up of family members of these children for whom they care and they, whether they're licensed or unlicensed, work sometimes out of their home or perhaps the parents of the people for whom they're caring for, maybe they go to their home and in that, in both cases, the licensed and unlicensed, those homes are inspected and in both cases, through you, Madam President, these are family members taking care of family members? Through you.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. They're not, only the unlicensed are related to the children, not the licensed workers. Through you, Madam President.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. Thank you, Senator. That was kind of where I was hoping we were gonna go and that seemed to be the difference but I didn't, I didn't get that. This contract also provides for home repair and that home repair would be for what purpose? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President, and through you, the home repair would be to enhance the environment that the children are in. Through you, Madam President.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. So this bargaining unit is made up of grandparents, siblings, aunts, uncles that are, that are collective bargaining to take care of young children that they're related to, that they're trying to get to and the purpose of that through the Office of Early Childhood would be to make sure that their parents can get to work and otherwise, they would not. Would that be correct? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. Through you, these, this memorandum of understanding different than the collective bargaining agreements that we

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have had before us all night tonight and the arbitrated aware, is an agreement with the Office of Early Childhood under the Care 4 Kids Program to provide parents with an opportunity to get back into the work environment and allow them to be able to pay for or have the Care 4 Kids Program, a federal program, to allow them offset the cost of their child's care in a licensed or unlicensed provider and what that does, it's not just for work, it's also to allow someone to go a training program and get, and upgrade their skills. It allows someone to go to a college, a community college and allow them to move forward in life. It gives them a lot of opportunity and allows them stability and allows them to bring money home and if they were working at a local food establishment, they might not make enough money to work there and pay for daycare and this is allowing a safe environment for those children to be in and the parents to make some money to bring home and offset the cost of that childcare and gives them an ability to actually feel proud of where they are and what they're doing in life and make sure that their children are in safe environments. Through you, Madam President.

THE CHAIR:

Thank you, Senator Osten. Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. Thank you, Senator. I appreciate that. My last question for the good Senator would be the Office of Early Childhood, I believe, was mentioned as the funding source. Is that funded through the Reserve for Salary Accounts or grants or the budget here in the State of

Connecticut that funds the Office of Early Childhood? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. As I said earlier this evening and I really appreciate working my colleague, the budget bill net appropriates \$54.6 million dollars in Fiscal Year 20, \$59.5 million dollars in Fiscal Year 21, under the Care 4 Kids, TANF, CCDF General Fund line item. This line item is in the Office of Early Childcare. It is not the Office of Early Childhood that is paying for that. There is a state portion and a federal portion. The federal portion is the climate change development fund and in addition, there are general funds in excess of \$15 million dollars expected to be carried forward into Fiscal Year 20. It is anticipated that there are sufficient funds available to support the costs associated with this agreement from Fiscal Year 19 through Fiscal Year 20 in the appropriations that were made the Appropriations Committee budget that came out just about a month ago and it shows that line item. It's a combination of state and federal dollars. Through you.

THE CHAIR:

Thank you. Senator Formica.

SENATOR FORMICA (20TH):

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Thank you, Madam President. Thank you, Senator for that, showing an additional \$16,373,611-dollar cost over the next few years of this contract and I just wanted to make sure on the record that was indeed in the agency budget. The good Senator did mention that it was in the Appropriations budget, but I haven't seen the next budget. We'll see where we come out with that, but I want to again thank you, Senator, for your answers. If I may just back up for a minute, Madam President. This is a federal program so there are multiple states throughout the country that handle this childcare in this way? Through you, Madam President.

THE CHAIR:

Thank you, Senator Formica. Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. Yes.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. Thank you, Senator. Thank you for the opportunity to speak on this. Again, \$16 million dollars, it would be nice if we saw what the offset was for the folks that are able to go to work and how that balances and whether that's a cost positive or a cost negative, but at this point, I thank you for the opportunity to speak and I urge rejection.

THE CHAIR:

Thank you, Senator Formica. Will you remark further on the resolution that is before the Chamber? Good evening, Senator Fasano.

SENATOR FASANO (34TH):

Good evening, Madam President. Madam President, I haven't talked about the contracts since you left, but since you've come back, let me refer my attention back to the contracts. [laughter]

THE CHAIR:

So delighted, Senator. [laughter]

SENATOR FASANO (34TH):

Thank you, Madam President. You know, Madam President, as we go through these contracts, I keep hearing with every one that adds to the budget, that we have money for these contracts. I'm just wondering where that all is. I keep hearing we got plenty of money to do this and we got plenty of money to do that. I have to imagine that the budget that we're about to embark on maybe early next week probably won't have a tax increase at all, and no new revenue because we apparently have enough money to cover these contracts, and we certainly wouldn't be adding to our budget if we needed more money so it seems to me, I'd be shocked if the budget that comes forward requires more revenue to balance since we're adding \$100 million dollars, a little less than that, to our bottom line.

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Madam President, we have now reached the \$91-million-dollar level of new money to be added to the contract. We have now set a standard that in 2021, I'd say less than two years and the reason I say that is you have to start negotiations at least a year before, we have already set the precedent, we've already set the rail or the bar rather. Every contract is gonna mirror these contracts, 3.5 percent increase, step up when you sign, being paid while you're having lunch, changing policies, get rid of FOI for a number of these union issues so that employees' behavior now is not gonna be FOI able because apparently, that is all now collective bargaining. That has never been part of collective bargaining. Madam President, I still remain firm on the notion that if we are gonna do a budget in this Chamber that is not gonna have a CPI index for SAGA, it's not gonna have a CPI index for people on disability, it's not gonna have increase for CPI on social services, then I have to ask again, why do we continue down a path that puts the priority of peoples' health second? Puts the priority of those who need social help second? Why does it place those who are making good money, getting a strong pension, and the best healthcare in the country before those who can barely survive, literally, day to day? Madam President, as I mentioned as a precursor, we're talking about a cut of \$9000 dollars to the blind, 1.5 to the disabled, \$4 million dollars to TANF, \$1 million dollars to SAGA. All this is coming at the expense of these contracts, make no mistake about it.

Madam President, I have shown this graft before that shows fringe going up at a greater rate than us putting money into social programs. Say that again. Our input and increase to social programs is dwarfed

by our fringe benefit increases over the same period of time. That speaks volumes for priority in this building, in this Chamber. Madam President, I haven't voted for any of these contracts and irrespective of Senator Osten's recent plea a few minutes ago, I probably will not support this contract as well and it's because we can't sit by and watch our not-for-profits go into disarray, bankruptcy, close up and close programs which is what they're doing. In fact, I believe ten group homes and day programs have closed in the last five years. Ten have closed in the last five years cause they can't afford it. That's not my Connecticut. That's not my vision. So, Madam President, I won't belabor this any longer than I already have. I'll just say I will not be supporting these contracts or this contract because we cannot substitute these contracts for the social welfare needs of our State of Connecticut. We cannot continue to raise the fixed costs and crowd out the social service costs. It's not right. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Fasano. Will you remark further on the resolution that is before the Chamber? Will you remark further? Mr. Clerk, if you would kindly call the vote and the machine will be opened?

CLERK:

An immediate roll call vote has been ordered in the Senate on Senate Resolution No. 34. An immediate roll call vote has been ordered in the Senate. An immediate roll call vote in the Senate on Senate Resolution No. 34. Immediate roll call vote has been ordered in the Senate on Senate Resolution 34.

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Immediate roll call vote in the Senate on Senate Resolution 34. Immediate roll call vote in the Senate. Immediate roll call vote has been ordered in the Senate on Senate Resolution 34. Immediate roll call vote in the Senate on Senate Resolution 34.

THE CHAIR:

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

CLERK:

Senate Resolution No. 34.

Total number voting	36
Necessary for adoption	19
Those voting Yea	20
Those voting Nay	16
Absent and not voting	0

THE CHAIR:

The Senate will stand at ease for a moment and I do want to announce the tally and the Resolution did become adopted. Thank you. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, for the purpose of markings?

THE CHAIR:

Please proceed.

SENATOR DUFF (25TH):

Thank you, Madam President. On Calendar page 9, Calendar 188, Senate Bill 960, go. On Calendar page 45, Calendar 551, Senate Bill 1130, go. On Calendar page 18, Calendar 320, Senate Bill 1062, go. On Calendar page 60, Calendar 151, Senate Bill 936, go. On Calendar page 63, Calendar 299, Senate Bill 957, go. On Calendar page 31, Calendar 440, Senate Bill 939, go. On Calendar page 21, Calendar 357, Senate Bill 1082, go. On Calendar page 15, Calendar 268, Senate Bill 869, go. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Duff. Mr. Clerk.

CLERK:

Page 9, Calendar 188, Substitute for Senate Bill No. 960, AN ACT CONCERNING THE PUBLIC UTILITIES REGULATORY AUTHORITY'S REVIEW OF CLAIMS ARISING FROM CONTRACTS PREVIOUSLY APPROVED BY THE AUTHORITY, PERSONS INVOLVED IN THE TRANSPORTATION OF NATURAL GAS AND REQUIREMENTS FOR OPERATOR QUALIFICATION OF INDIVIDUALS PERFORMING COVERED TASKS ON A PIPELINE FACILITY, CALL BEFORE YOU DIG PROGRAM VIOLATIONS AND FINES AND THE PUBLIC UTILITIES REGULATORY POLICIES ACT. There are amendments.

THE CHAIR:

I think that wins the longest legislative title of the session. Senator Witkos.

SENATOR WITKOS (8TH):

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Good evening, Madam President. Pursuant to rule 15, I ask to be recused from the Chamber due to a potential conflict of interest and I would like to yield to Senator Kissel.

THE CHAIR:

Thank you, Senator Witkos. The record will so note. Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. Good to see you this evening. Also pursuant to rule 15, I'd like to recuse myself to avoid any appearance of conflict of interest.

THE CHAIR:

Thank you, Senator Kissel. The record will so note.

SENATOR NEEDLEMAN (33RD):

I think there might be one more, but Through you, Madam President.

THE CHAIR:

Good evening, Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Lovely to see you up there tonight. 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. Sir, will you remark?

SENATOR NEEDLEMAN (33RD):

Madam President, the Clerk is in possession of an amendment, LCO 10278. I would ask that the Clerk please call the amendment?

THE CHAIR:

Mr. Clerk.

CLERK:

LCO 10278, Senate Schedule A.

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Thank you, Madam President. I move adoption of the amendment, waive it's reading although I was gonna ask to have this large bill read, but I think I'll avoid that tonight, and seek leave to summarize.

THE CHAIR:

Thank you. Please proceed to summarize, sir.

SENATOR NEEDLEMAN (33RD):

Thank you, Madam President. Before I begin, I just want to speak the Energy Committee this year cause I didn't have a chance to say this earlier. Working with my co-chair, Representative Arconti, ranking member Senators Formica and Ferraro, I think we have worked together extremely well to come out with a bunch of bipartisan bills in the spirit of the Energy Committee, making them large and comprehensive so we have fewer bills, and this is one of those. This is a regulatory agency bill in several parts, there are five parts specifically. The first four parts relate to PURA, the Public Utilities Regulatory Agency and I'm going to go through them in much as detail as people want, to whatever extent I actually understand them.

The first part revolves around contract dispute. Apparently, there are certain situations where based on bids and requisitions of energy where there are minor changes to contracts, PURA is looking for an opportunity to resolve those disputes prior to going to superior court. This would allow that. The other section allows certain changes to their regulatory environment over natural gas and over large distributors and users of propane, not home propane or small propane, but most propane generators where they have large quantities.

The third part revolves around changing some of the call before you dig statutes. Currently, a lot of the generators sub out call before you dig services to third parties and in those cases, third parties tend to be liable, not the generators who call them out and this seeks to clarify that the generation company or the utility itself is responsible for those third-party providers that do call before you dig. The fourth part is changing and eliminating

the PURA regulations which were regulations that preceded all of the local programs, the in-state programs that we had that were enabled into the federal government. This is an attempt to eliminate that and clarify any confusion that our regulatory frame work is what oversees the sale of electrical requisitions. And the last part involves the Connecticut Green Bank, that part allows for the Connecticut Green Bank to work in conjunction with the US Department of Agriculture. They have a rural electrification program where they have funding for agencies just like the Green Bank so this changes some of the enabling statutes to that, to their bylaws so I think that's a short summary of it. I'm sure there are going to be some questions, but I'm waiting for anybody to ask them. Thank you.

THE CHAIR:

Thank you so much, Senator Needleman. Will you remark further on the bill before us? Senator Formica.

SENATOR FORMICA (20TH):

Good afternoon, good evening, Madam President. I rise for a few question and a comment for the proponent.

THE CHAIR:

Please proceed.

SENATOR FORMICA (20TH):

Thank you, Madam President. First, I want to say that I couldn't agree more with the good chairman of

the Energy Committee for his statement regarding the way that we all were able to work together and I credit him and chairman Arconti for their leadership in facilitating that great bipartisan conversation. As we all know, energy is not a partisan issue. It is an issue that affects each and every one of us. This is a technical bill in nature and does not elicit a lot of excitement but there are some questions that I have in regard to the PURA portion of the bill. One of the changes that PURA has been asking for and advocating for is the contract relook portion of this bill. So through you to Senator Needleman, Madam President, if a situation is ruled on and it comes back to PURA for a second look, does that in any way limit the opportunity to go to court should that be required? Through you, Madam President.

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you, Madam President. No, it does not. It just gives, it's one attempt to resolve the dispute prior to going to court, but it in no way impinges on the complainant's right to go to court.

THE CHAIR:

Thank you, Senator Needleman. Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. Thank you, Senator. I appreciate getting that on the record. Then in

section 10, line 343 of this bill, it talks about a new section that has to do with propane gas. Most of the rest of this deals with natural but propane, and it talks about on or before October 1, 2019, and every 1st of October thereafter, a person shall submit to the authority on a form prescribed information that the authority deems relevant about such person's propane distribution system that are subject so the distribution system that I know in my mind to be a propane distribution system is basically a truck. They would have to deliver propane so I know that in your opening statement you mentioned specific to larger you know propane distributors, but this doesn't speak to size so through you, Madam President, to Senator Needleman, could you help me understand that a little better?

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you, Madam President. Having just spoken to the attorney for PURA a few moments ago, my understanding is this only has to do with large distribution facilities like big shopping center installations, not individual trucks that deliver propane, and it's a reporting requirement on a very small segment of the market, not homeowner distribution, small business distribution, just those large users and large distributors within the market.

THE CHAIR:

Senator Formica.

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SENATOR FORMICA (20TH):

Thank you, Madam President. Thank you, Senator. It's just, and I appreciate that answer and I was hopeful that that was the answer that we were gonna get because the rest of the bill does talk about pipeline safety and I think to what you're referring is pipeline safety from large propane tanks situated in shopping centers that may serve multiple locations and PURA just wants to have the opportunity to look at that pipeline system there. Hopefully maybe next year we can talk a little bit about identifying the tank size that may be required for that so we can kind of make sure that it's separate from a small or large, or what is small or large but thank you for that answer. I don't know if you want to, you look like you want to add something to that but if not, we're good? We can go onto the next item. Through you, Madam President.

THE CHAIR:

Thank you. Senator Needleman.

SENATOR NEEDLEMAN (33RD):

No.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Okay. All right. Great. Thank you very much for that, Senator Needleman and Thank you, Madam

President. At this time, I think this is some clarifications that PURA has been looking for, some clarifications that I think may be necessary and then with regard to the Green Bank, gives them an additional opportunity to provide what they need to provide for us so I urge support of this legislation. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Formica. Will you remark further on the amendment that is before the Chamber? Will you remark further on the amendment that is before the Chamber? If not, let me try your minds. All those in favor of the amendment that is before the Chamber, please signify by saying aye.

SENATORS:

Aye.

THE CHAIR:

Opposed? The amendment is adopted. Will you remark further on the bill as amended? Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I just rise briefly in support of the legislation and the reason I rise is not because of all the contents in the bill necessarily or the long title, but because

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of the fact that as a former member of the committee myself and I know the Senator from the 1st district was also a long-time chair of the committee, that these are complicated issues and so I appreciate the work of Senator Needleman, Senator Formica, working together on these things in a bipartisan way. With Senator Needleman, being his first year taking on these complicated issues, he's really done a superb job with that and I know that they worked very, very well together in tackling some of these very difficult issues. When I first came in the legislature on the Energy Committee, I knew how to turn on and off a light and plug something in; that was about as much as I knew about energy policy and these are tough issues so I commend the chairs and the ranking members and the committee members for putting together a good bill along with others who have interest in to move our state forward. Thank you, Madam President.

THE CHAIR:

Senator Duff, thank you. Will you remark further on the bill as amended? Will you remark further on the bill as amended? Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Thank you, Madam President. If there's no objection, I'd ask that this be placed on a consent calendar. Never mind, we can't do that. There are two people out.

THE CHAIR:

Yes, our council are in agreement on that so with that, Mr. Clerk, if you would kindly call the vote and the machine will be opened?

CLERK:

An immediate roll call vote has been ordered in the Senate. An immediate roll call vote has been ordered in the Senate on Senate Bill 960 as amended by Senate A. An immediate roll call vote has been ordered in the Senate on Senate Bill 960 as amended by Senate A. An immediate roll call vote in the Senate on Senate Bill 960 as amended by Senate A. Immediate roll call vote in the Senate. An immediate roll call vote has been ordered in the Senate on Senate Bill 960 as amended by Senate A. An immediate roll call vote has been ordered in the Senate, Senate Bill 960 as amended by Senate A. An immediate roll call vote in the Senate.

THE CHAIR:

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

CLERK:

Senate Bill 960 as amended by Senate A.

Total number voting	33
Necessary for adoption	17
Those voting Yea	33
Those voting Nay	0
Absent and not voting	3

THE CHAIR:

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The legislation is adopted. [Gavel] Mr. Clerk.

CLERK:

Page 45, Calendar number 551, Substitute for Senate Bill No. 1130, AN ACT CONCERNING VARIOUS INITIATIVES AT THE UNIVERSITY OF CONNECTICUT. There are amendments.

THE CHAIR:

Good evening, Senator Fonfara.

SENATOR FONFARA (1ST):

Good evening, Madam President. It's good to see you. It's not that bad yet compared to the last few nights. Madam President, I move for acceptance of the Joint Committee's Favorable Report and passage of the bill.

THE CHAIR:

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

SENATOR FONFARA (1ST):

I will, Madam President, thank you. Madam President, over the last few years, this institution has passed several initiatives which seek to strengthen Connecticut's ability to compete in the new economy, the knowledge economy. We passed approximately three years ago Innovation and Entrepreneurship legislation. Senator Hartley and the Commerce Committee has led the effort regarding

continuing to grow bioscience in Connecticut and has been very successful in that regard. We passed earlier this year a bill on coding and computer science and we've also indicated our support to continue the Angel Investor tax credit. Those are just a few of the things that we've done here in Connecticut to support and build Connecticut's foothold in the world of innovation and entrepreneurship. Madam President, the knowledge economy, the technology economy, that's our future. Engineering, data analytics, machine learning, artificial intelligence, just a few of the areas that we hear about that have become part of our daily lexicon and in fact, right here in our Capital city that flowed from the innovation and entrepreneurship initiative that this body passed into law has come in insurance accelerator which is an initiative to take the ideas of startups, of people with ideas to support the insurance industry and build on those as the title of the organization implies, to accelerate those ideas into businesses that will support Hartford's and Connecticut's insurance industry. Prior to that, in fact Connecticut insurance companies right here in the city of Hartford would support accelerators, insurance accelerators in Silicon Valley in California would put executives on a plane to fly them out to Silicon Valley to hear pitches from startups in California. So imagine that. Here we are, insurance capital of the world, we still we think we are anyway and I believe we are, that our executives would have to fly to California to listen to pitches from these young companies and seeing if they could support those individual companies and the industry. Today we have an accelerator here in Hartford where it belongs so those executives don't have to go to those startups. Those startups come

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to the executives. And in fact, just last week I had the honor to participate in unveiling the announcement to the Connecticut Children's Hospital Innovation Center which the president and the chief technology officer of Connecticut Children's, dynamic people coming from Colorado to Connecticut, leading the effort at that institution, and now they're setting up an innovation center, not only the employees, but doctors, nurses and others and technicians and clinicians at Connecticut Children's but to attract others from around the country, around the world to come to the Connecticut Children's facility to innovate for all, all for the betterment of children, children's diseases, birth defects. It is an amazing undertaking by Connecticut Children's. It will advance children's health. We're very proud that they're here.

Madam President, the Clerk is in possession of LCO 10215. May he please call and I be permitted to summarize?

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 10215, Senate Schedule A.

THE CHAIR:

Senator Fonfara, please proceed to summarize.

SENATOR FONFARA (1ST):

Thank you, Madam President. I move adoption, Madam President.

THE CHAIR:

Thank you. The question is on adoption. Will you remark further?

SENATOR FONFARA (1ST):

I will. Thank you, Madam President. Madam President, around the country wherever you see innovation and entrepreneurship flourishing, taking a foothold, turning economies around, you invariably see in the midst of that a research university. That is where activity is engendered. That is where activity is leading to the development of new companies and in fact, as I've said before, is a misnomer about small businesses are the job creators in this country. It's partially true. It's young companies that are the true job creators, who just happen to be small. It's young companies because as you understand the trajectory of a company's evolution, when they start they do the hiring, most hiring in the very beginning and then they plateau.

Connecticut has unfortunately some of the oldest companies chronologically in the northeast. Think about that for a moment. Some of the oldest companies when those companies are no longer hiring to the degree that they did at one time. We have the fewest startups as a percentage of our size in the northeast but around the country, whether it be in Boston, in New York, in San Francisco, in Denver, in Austin, Texas, in Nashville, Tennessee, in Pittsburgh, Pennsylvania, there is one or more

research universities at the center of their revival.

The amendment before us seeks to support the University of Connecticut's growing efforts with respect to innovation and entrepreneurship. This amendment and ultimately the bill was developed and written in collaboration with the University of Connecticut and they are fully supportive of the contents of this amendment. I'd like to thank President Susan Herbst, Gail Garber, Joanne Lombardo, Dave Stauber and Liz Keyes who all were an integral part of making this amendment come before us today. I'm also looking forward greatly to the incoming President Katsouleas who's a longtime advocate and participant in innovation and entrepreneurship himself and higher education.

Madam President, this amendment will support and encourage and the University of Connecticut will develop and maintain a program for faculty recruitment with an interest in innovation and entrepreneurship and in so doing, will promote economic development in key sectors in Connecticut. It will provide open source patents for those patents that may not be active today, but after ten years and after giving first right of refusal to the inventor to make those patents available to anyone who feels that they could utilize it to grow a company and hire here in Connecticut. The University will compare itself to leading universities around the country in innovation and entrepreneurship, developing a process to track that. It will develop an alumni mentor network, critical. Whenever you talk to universities around the country, those that have a strong alumni network to support innovation and entrepreneurship, this is

at center of their success and UConn will develop recommendations on how to strengthen their alumni network. They'll develop a central space on campus for students and faculty to go and identify with as to where entrepreneurs are, either are or would be entrepreneurs can learn from others and they will assist other universities. UConn will make recommendations on how it can assist other higher ed institutions in Connecticut to promote innovation and entrepreneurship. I think that is a critical part of growing this as part of our culture in this state.

Madam President, there are many more pieces to this amendment. The hour is late. I will limit my remarks at this point, but I hope the Chamber will support this amendment and ultimately the bill strongly to send the message and thank the University of Connecticut for embracing this and welcome our new president and advance and continuing to grow the presence of entrepreneurship on campus at the various campuses around the state and make UConn the leader of rebuilding our economy that I believe that institution needs to be and I hope it will assume that role in short order. Thank you very much, Madam President.

THE CHAIR:

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

SENATOR WITKOS (8TH):

Thank you, Madam President. I rise in support of the amendment as presented the good chairman of the Finance Committee and I want to thank him for

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working with the stakeholders that he outlined in his remarks. The original bill met with some resistance in the Finance Committee from our side of the aisle mainly because of a fiscal, I'd say fiscal heavyweight that was part of the bill and some dictatorial things which we didn't believe were necessary, but I think with Senator Fonfara working with all of the stakeholders in clearing it up, this is certainly something that we could support so I urge the Chamber's adoption of the amendment. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Witkos. Will you remark further on the amendment that is before the Chamber? Will you remark further on the amendment? Senator Haskell.

SENATOR HASKELL (26TH):

Thank you very much, Madam President. I just want to rise briefly in support of the bill as amended, uh, in support of the amendment as presented by Senator Fonfara and thank him for his work on this. Obviously, UConn is our flagship institution. It is an incredible investment for the State of Connecticut. The University of California at Berkley recently conducted a study in which they concluded every dollar that's invested in higher education, specifically public sector higher education results in \$3 dollars to \$4 dollars in return, somewhere between \$3 dollars and \$4 dollars in a return on that \$1 dollar of investment so this is something that we are doing tonight I believe to strengthen our flagship university, not just at its main campus in Storrs but also, of course, the

Stamford campus which has an integral part of Fairfield's county economy and developing a 21st century work force.

I'm particularly thrilled, Madam President, that this amendment includes physical space on campus. UConn specifically will conduct a review of current and future spaces on its multiple campuses to serve as gathering places for student entrepreneurs. It's very important. It sends a signal what a university decides in its limited space to dedicate its rooms, its gathering spaces, where students are actually going to see and walk by when they're touring a campus, what professors and what campus visitors will notice as they make that visit to Storrs or Stamford or the many other UConn locations. So I thank Senator Fonfara and I urge my colleagues to support the amendment.

THE CHAIR:

Thank you, Senator Haskell. Will you remark further on the amendment that is before us? Senator Flexer.

SENATOR FLEXER (29TH):

Good evening, Madam President. Madam President, I rise in strong support of the amendment and like the good chair of the Higher Education Committee, Senator Haskell, I would like to compliment our colleague, Senator Fonfara, for his good work on this legislation and the recognition that this bill and this amendment has of how critical the University of Connecticut is to the economic development in our state. UConn has been a tremendous partner in so many ways on economic development in our state. It's a critical resource.

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It is what is giving us some of the most highly educated, best graduates here in the State of Connecticut.

THE CHAIR:

[Gavel] Senator Flexer, let me just stop you. I'm glad that the Chamber has quieted down so that we can better hear the debate. Please proceed.

SENATOR FLEXER (29TH):

Thank you, Madam President. Madam President, I believe that this legislation recognizes the role that UConn has in the economic future of our state. UConn has been a critical partner with so many companies in our state and obviously producing tremendous graduates in every area of study, and those graduates stay here in our state and they are starting new businesses. They are the innovators that are coming up and this legislation that's in front of us embraces that role and strengthens it and again, I'm so grateful to the leaders of the Finance Committee for working so diligently on this and I hope that my colleagues will support this legislation that will only bolster our great University. Thank you very much.

THE CHAIR:

Thank you, Senator Flexer. Will you remark further on the amendment that is before the Chamber? Will you remark further on the amendment before the Chamber? If not, let me try your minds. All those

in favor, please signify by saying aye.

SENATORS:

Aye.

THE CHAIR:

Opposed? The amendment is adopted. Will you remark further on the bill as amended? Will you remark further on the bill as amended? Senator Fonfara.

SENATOR FONFARA (1ST):

Thank you, Madam President. Madam President, unless there is objection, I would ask that this bill be placed on the consent calendar.

THE CHAIR:

Seeing no objection, ah, Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. Nice try, Senator Fonfara. [laughter] Madam President, I do not have an issue with the underlying bill, but perhaps to make the underlying bill better, I would ask that the Clerk call LCO 10416.

THE CHAIR:

Mr. Clerk.

CLERK:

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LCO No. 10416, Senate Schedule B.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Madam President, I move the amendment and I request permission to summarize.

THE CHAIR:

Please proceed to summarize, sir.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, I have and many people have indicated that the salaries in UConn have grown considerably over the years and have really without any review by the legislative branch, these salaries continue to increase and that this does is very, very simple. It just says that when the salaries get over \$200,000 dollars, that a notice before enacting that be sent to the Committee of Higher Ed so that the Higher Ed Committee can take notice of this and then proceed in any manner they wish to do it. Right now, it's not done that way before we give bulk money to UConn and the divide it up. In this way, with respect to the salaries, there's some notification to at least Higher Ed which is not really all that much a difficulty, to indicate that we've gone over \$200,000 dollars and then Higher Ed can determine if they want to pull people in to get a handle of why it is that, what's going on because eventually, we are accountable to the State of Connecticut

constituency every time we fund UConn for the various things that they do. It's not that they need Higher Ed's approval, it's not that there's a public hearing on it. Whatever Higher Ed deems to do with it, it doesn't stop it from going in, it's just a matter of notice to the Higher Ed. Madam President, I don't think this is much of a push on the institution. I think it's clearly a transparent concept here and it keeps Higher Ed in the loop. Madam President, I look forward to adoption.

THE CHAIR:

Thank you, Senator Fasano. Will you remark further on the amendment before the Chamber? Senator Fonfara.

SENATOR FONFARA (1ST):

Thank you, Madam President. I rise reluctantly to speak in opposition to the amendment offered by good friend, Senator Fasano. As well intentioned as I believe virtually all of his offerings are, the fact is that UConn like almost any business, even though it's an educational institution, is in a very competitive environment and attracting the best and brightest professors and faculty to the University requires that those salaries be commensurate with those that are in the range of a top 20 public university, which the University of Connecticut is and I've had conversations frankly with President Herbst in the past, with Gail Garber and others from the University regarding efforts to attract top flight professors to the University. It's very competitive. They're constantly stealing from each other because they don't just come to teach. They

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bring with them resources, their ability to attract research dollars and the team that they put together, this is very important in terms of not only research dollars which is critical to the mission of the University, but it also leads to attracting students to the University because when they know that those professors are here, they understand what work those professors are doing. It makes a difference in recruitment and enrollment of not only top flight faculty but students as well. That has made a big difference for the University in recent years and so for that, I would say, Madam President, I'd ask the Chamber to not accept this amendment, to allow the University to continue its mission to attract the best and brightest in faculty and in terms of students who come to our state and with respect to the underlying bill, to keep many of those folks here in the state, those students once they graduate. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Fonfara. Will you remark further on the amendment? Senator Fonfara.

SENATOR FONFARA (1ST):

Yes, Madam President. When the vote is taken, I'd ask that it be taken by roll.

THE CHAIR:

Thank you, Senator. Will you remark further on the amendment that is before the Chamber? Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. I rise for a bit of discussion and a question for the proponent of the amendment. Through you, Madam President.

THE CHAIR:

Yes, please proceed, sir. Senator Fonfara, prepare yourself. Oh, I apologize. It is to the proponent of the amendment, Senator Fasano. Senator Fasano, prepare yourself. Please proceed, Senator Formica.

SENATOR FORMICA (20TH):

All due respect to Senator Fonfara, I could have some questions for him as well but that'll come after. Thank you, Senator. In reading this amendment that you put forth, I think it to me, recognizes that you recognize the quality that Senator Fonfara talked about with regard to the educational system in the University of Connecticut. Through you, Madam President, this does not limit the dollars, but simply requests a report of those dollars? Through you, Madam President, would that be correct?

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. Senator Formica is correct. This does not limit or curtail any of the activity. Senator Fonfara makes an excellent point to have a competitive higher ed institution perhaps we have to reach those thresholds. It just says to

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let us know when and if we do so that we can understand the reason for it and better understand it. Through you, Madam President.

THE CHAIR:

Thank you, Senator Fasano. Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. Thank you, Senator for that answer and further down in lines 7 and 8, you talk about a report that would have to come back to the committee, the General Assembly having cognizance. The report would not go to the expenditure committee because of any concerns that may be to the level, but to the committee regarding higher education which would say to me that you're looking to quantify that the people that are coming in are serving an educational purpose at the University, not so much a dollar amount. Through you, Madam President.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. That would be correct, Senator. Thank you, Madam President.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you very much, Madam President. Thank you, Senator for your answers. I think that this is a reasonable addition to the bill and would allow for the opportunity just to give this Assembly a chance to take a look at what's happening one, at the cost of the personal services line with regard to the University of Connecticut who pretty much operate that personal services line through a block grant provided by the Committee on Appropriations and Finance and through the votes of this Assembly and so I think this is a reasonable amendment and would urge my colleagues' adoption.

THE CHAIR:

Thank you, Senator Formica. Will you remark on the amendment that is before Chamber? Will you remark on the amendment that is before Chamber? If not, a roll call vote has been requested. Mr. Clerk, please call the vote. The machine will be opened.

CLERK:

An immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate on Senate Amendment B, LCO No. 10416. Immediate roll call vote has been ordered in the Senate on Senate Amendment B, LCO No. 10416. Immediate roll call vote in the Senate, Senate Bill 1130, Senate Amendment B, LCO No. 10416. Immediate roll call vote in the Senate. Immediate roll call vote in the Senate, Senate Bill 1130, Senate Amendment B, LCO No. 10416. Immediate roll call vote in the Senate on Senate Amendment B, LCO No. 10416. Immediate roll call vote in the Senate.

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THE CHAIR:

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

CLERK:

Senate Bill 1130, Senate Amendment B, LCO NO. 10416.

Total number voting	35	
Necessary for adoption		18
Those voting Yea		12
Those voting Nay		23
Absent and not voting		1

THE CHAIR:

[Gavel] Amendment fails. Will you remark further on the bill as amended? Will you remark further on the bill as amended? Senator Fasano.

SENATOR FASANO (34th):

Thank you, Madam President. I have one more amendment before Senator Fonfara can make his motion which I would support. I would ask the Clerk to call LCO 10369.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 10369, Senate Schedule C.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, I would request the adoption of the amendment and request permission to summarize.

THE CHAIR:

Please proceed.

SENATOR FASANO (34TH):

Thank you, Madam President. Senator Fonfara is correct. We want to have top people there and although giving notice to higher ed made sense just in terms of notice, what this says is if, because we give bulk money to UConn, UConn determines how they wanna spend it. Madam President, if they gonna go up on the wages, we are responsible for the fringe, and I should say they are responsible for the fringe so they should know within the bulk money that they give them, just like everyone else, they should say here's our salaries plus our fringe. As I mention in here every time we do these union contracts, for which we did a whole bunch, fringe is about 96 percent of every dollar, 96 percent of every dollar. No business in the country has 96 percent of every dollar. That's the reason why we've been kind of harsh on the contracts and what this says is that in no event shall the state appropriate money for the general fund for the comptroller to pay the fringe. In other words, UConn, if you wanna pay these salaries and you wanna pay these increases, well

then UConn, you need to pay the fringe. And frankly, that's the way it should go. It should not come out of the general fund. If we want to get it out of the general fund, then let UConn out of the contract for SEBAC. What we're doing is we're saying UConn, you stay in the SEBAC agreement and we'll pick up the fringe and you make the salaries. So what we're doing is allowing UConn to use our credit card and we're the payer. That's not right, that's not fair. It's not fair to the constituency of the State of Connecticut so what this says is you do it the other way, and that would make UConn pay for the fringe. And there is a fiscal note on this I might add and usually we talk about fiscal notes, we talk about cost. This fiscal note is a saving of \$53 million dollars annually so what we're talking about is a savings to the State of Connecticut from our general fund. Think of what we could with that money. We could choose charities. You could use that money for social services. You could use that money for education. You could use that money for municipalities. You could use that money for TANF. You could use that money for group homes. You could use that money for IDD folks. There's so many ways you could use that money and all we're saying to UConn pay the fringe that you promise in the contract and we should support this amendment. If you're not, then you support the notion that SEBAC should not apply to UConn cause you can't get it both ways cause we're paying that cost. Madam President, I look forward to adoption.

THE CHAIR:

Thank you, Senator Fasano. Will you remark further on the amendment that is before the Chamber?
Senator Fonfara.

SENATOR FONFARA (1ST):

Thank you, Madam President. Again, I rise in opposition to the amendment. Madam President, currently the State of Connecticut covers 100 percent of the salary and fringe of most other state agencies' employees, but with respect to higher education, the constituent units have to fully fund the salaries and fringe cost for most of the employees through student tuition fees, clinical research to patients and federal research dollars. UConn's state appropriation covers 57 percent of its employees leaving the university to have to pay the additional burden of 43 percent of salaries and fringes. If this amendment were adopted, I believe it would put about a \$200-million-dollar cost onto students and their tuition which is already rising and difficult to meet as well as requiring the university to cut back severely on just about every aspect of operating that institution. I just think that this institution and the state in general understands the value of the University of Connecticut, not only to our economy but to so many families that send their children there, but in so many other ways that the university is a part of our fabric. I don't think that this amendment, as well intended as it might be, would be wise to adopt given the impact it would have on the university and on the State of Connecticut as a whole. Thank you, Madam President and when the vote is taken, I would ask that it be taken by roll call.

THE CHAIR:

Thank you, Senator Fonfara. Roll call vote on the amendment has been requested. Will you remark

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further on the amendment that is before the Chamber?
Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, I just wanted to point out and I don't think it will change Senator Fonfara's mind, but I think it's a \$20-million-dollar cost to UConn but maybe that will have some influence on his vote. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Fasano. Will you remark further on the amendment that is before the Chamber. Will you remark further? If not, Mr. Clerk, would you kindly call the vote and the machine will be opened.

CLERK:

An immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate on Senate Amendment C, LCO No. 10369, Senate Bill 1130. Immediate roll call vote has been ordered in the Senate, Senate Bill 1130, Senate Amendment C, LCO No. 10369. Immediate roll call vote has been ordered in the Senate, Senate Amendment C, LCO No. 10369. Immediate roll call vote has been ordered in the Senate on Senate Amendment C, LCO No. 10369. Immediate roll call vote in the Senate.

THE CHAIR:

Have all the Senators voted? Have all the Senators voted? Mr. Clerk, the machine has been closed. Would you please announce the tally?

CLERK:

Senate Bill 1130, Senate Amendment C, LCO NO. 10369.

Total number voting	35
Necessary for adoption	18
Those voting Yea	9
Those voting Nay	26
Absent and not voting	1

THE CHAIR:

[Gavel] The amendment fails. Will you remark further on the bill as amended? Will you remark further on the bill as amended? Senator Fonfara.

SENATOR FONFARA (1ST):

Yes, Madam President, thank you and unless there is objection, I would ask that this bill be placed on the consent calendar.

THE CHAIR:

Seeing no objection, so ordered. Mr. Clerk.

CLERK:

Page 18, Calendar numb Substitute for S.B. No. 1062, AN ACT AUTHORIZING MUNICIPAL CLIMATE CHANGE AND COASTAL RESILIENCY RESERVE FUNDS. There are amendments.

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THE CHAIR:

Good evening, Senator Cohen.

SENATOR COHEN (12TH):

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

THE CHAIR:

And the question is on passage. Will you remark?

SENATOR COHEN (12TH):

Yes, thank you, Madam President. The Clerk is in possession of a strike all amendment, LCO No. 7978. I would ask the Clerk to please call the amendment.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 7978, Senate Schedule A.

THE CHAIR:

Senator Cohen.

SENATOR COHEN (12TH):

Thank you. I move adoption of the amendment, waive its reading, and seek leave of the Chamber to summarize.

THE CHAIR:

Please proceed.

SENATOR COHEN (12TH):

Thank you, Madam President. With changes in sea level, storm patterns and weather, coastal communities have been working on resiliency plans. Certainly we all remember the effects of Hurricane Irene and Super Storm Sandy and the effects and the impacts that those storms have had on Connecticut communities. Certainly the damage around our coastline and shoreline communities was very significant and as a result, a lot of those coastal communities have been coming up with coastal resiliency plans. As towns seek to protect themselves financially, it really becomes vital that they have the security in place to respond in case of disaster. So this bill creates encouragement if you will for towns to establish a coastal resiliency reserve fund. It allows for investment flexibility of the fund and helps to address vulnerabilities, you know just another tool in the tool box if you will.

THE CHAIR:

Thank you, Senator Cohen. Will you remark further on the amendment that is before the Chamber? Will you remark further on the amendment that is before the Chamber? If not, let me try your minds. All those in favor, please signify by saying aye.

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SENATORS:

Aye.

THE CHAIR:

Opposed? The amendment is adopted. Will you remark further on the bill as amended? Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. I won that flip with Senator Miner. Madam President, I think with respect to the underlying bill, I think there's a lot of logic to it in allowing a town to place certain monies and sort of self-insure, given the nature of Hurricane Irene, given the nature of Sandy, given the nature of the storm we had in October of last year. I think there's a lot of logic in that and I support the underlying bill. But in an effort perhaps, at least in my way of thinking, to make the bill a little bit better, I would ask to call an Amendment LCO 10434, Mr. Clerk.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 10434, Senate Schedule B.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, and why I say that the underlying bill before us talks about the resiliency fund and allowing towns to have it I think that is good. I had some other amendments that discuss whether or not that should be part of the bonding for grading purposes and I believe it should be part of the town finances so I won't be calling that one, but what this does is say I think we should put that money away, but that money should not be used to calculate the municipalities' ability to pay in collection with any collective bargaining labor agreement. In other words, we do allow a certain amount of reserve fund, not to be included as ability to pay. I think because this resiliency money is put away for a particular purpose, not to run government, but to self-ensure government against a storm of a degree of which would destroy the infrastructure, to allow it to be used for labor agreements would seem contrary to the process that we have and it would seem contrary to the real intent of this bill which as I suggest is well intended, and therefore I ask that it be excluded so that we can use it as constituents would want it to be used for, not for the ability to gain certain advantages in some contracts, but to be used for the purpose of restoring damage done to public facilities. So, Madam President, I put that forth to the circle. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Fasano. Will you remark further on the amendment that is before the Chamber?
Senator Cohen.

SENATOR COHEN (12TH):

Thank you, Madam President and I thank my good colleague for his comments. Given that this is a new fund and we've certainly outlined the parameters by which this fund would be used within the bill, and should the governing body of a city or town choose to implement such a fund, I really believe at this point we shouldn't be micromanaging how the funds should be used or analyzed at this point, as we're discovering how these funds will really grow and change over time so with that, I would urge my colleagues to vote against this amendment.

THE CHAIR:

Thank you, Senator Cohen. Will you remark further on the amendment that is before us? Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. Madam President, I rise in support of the amendment. I would ask the Chamber to consider the fact that it does look, it does appear to me that a lot of thought has gone into the underlying language. Section 1 actually lays out a very distinct process by which a town can make a decision to even develop the coastal climate change resiliency reserve fund. It's a mouthful. Madam President, it also goes into the process of how it makes a determination of how those funds can be invested. It can't be done by one person. It has to be agreed by the budget-making authority, the chief elected official, town treasurer I think is in here, so clearly there's been a lot of thought that has gone into the underlying language, but the last

section of the bill actually says that these dollars, at the very end, if the town decides to stop doing this, must be reserved for the purpose of retirement bonded indebtedness of such municipality and so I think what Senator Fasano's amendment is trying to point out, that in addition to those other important thoughts, we shouldn't be allowing a negotiation process and arbitration process to siphon some of the value of that fund for purpose of paying wages and benefits.

When this bill was before the committee, I had some concerns about the level of investment that's instructed in the bill. It appears to me that the more I read it, there are a number of precautions in here with regard to risk because it says shall, but it also say shall up to and so I would ask the Chamber to support the amendment, not because I think it attempts to try and divert any of the hard work and decisions that might be made by any town in developing this fund, but I think clearly this anticipates a significant amount of cash, taxpayer paid cash possibly bonding that would be accumulated in an effort to try and prepare a community for I think the issues that we heard during the hearing process and that the co-chair, Senator Cohen, points out tonight and so I, I've grown to accept what's in this bill and accept the intent for which it's been proposed. I would ask the Chamber to consider that this small amendment really does seek to preserve what I think the community is trying to do here and not run the risk of double counting the money. Thank you, Madam President.

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Thank you, Senator Miner. Will you remark further on the amendment? Senator Cohen.

SENATOR COHEN (12TH):

Madam President, I'd like to have a roll call vote on this amendment.

THE CHAIR:

A roll call vote will be ordered on the amendment. Will you remark further on the amendment that is before the Chamber? Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President, for a second time on the amendment. I would just add that the reason why, if you were to take action to remove this from the purpose of being used for money available for labor agreements is a municipality cannot do that on their own so unless we put it into statute, visa vie this bill, you are not able as a town to make that decision. I would argue that's not micromanaging because micromanaging is for us to do something that a town could normally do. Unless we say by statute it is excluded, it is included irrespective of what a town feels and given the nature of the bill, which I think is spot on particularly for shoreline communities, that it's a novel idea for which I know a town in Senator's Cohen of representation are the ones who are pressing this forward, I think it's a great idea and I hope other towns follow, but I think to use it for the purpose of labor agreements is not accurate way of doing the funds, but more importantly, unless we intercede, we lose that opportunity. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Fasano. Will you remark further on the amendment that is before the Chamber? Will you remark further on the amendment? If not, Mr. Clerk, please call the vote and the machine will be opened.

CLERK:

An immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate, Senate Bill 1062, Senate Amendment B, LCO No. 10434. Immediate roll call vote has been ordered in the Senate, Senate Amendment B, LCO No. 10434. Immediate roll call vote has been ordered in the Senate on Senate Bill 1062, Senate Amendment B, LCO No. 10434. Immediate roll call vote in the Senate. Immediate roll call vote in the Senate.

THE CHAIR:

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

CLERK:

Senate Bill 1062, Senate Amendment B, LCO NO. 10434.

Total number voting	35
Necessary for adoption	18
Those voting Yea	14
Those voting Nay	21
Absent and not voting	1

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THE CHAIR:

[Gavel] The amendment fails. Will you remark further on the bill that is before us. Senator Miner.

SENATOR MINER (30TH):

So close, Madam President. Madam President, I do rise to support the legislation that's before us. It does appear to me that this would be available to any community in the State of Connecticut. While the title clearly says coastal resiliency, I would argue that it also says climate change and reserve fund and it seems to me that there are communities throughout the state that may have for a long period of time identified areas that could be buffer zones, could be areas that maybe hold water for a certain period of time after very large rain events and it seems to me again, unless someone can correct me, things like land acquisition are clearly within the definition of this legislation and so for communities that may wanna use this as an opportunity to move money that has already been raised as I understand it, not specifically budgeted in a line item, then it seems to me that this could be another capital project, capital reserve fund that might accomplish those goals of trying to minimize damage perhaps both public and private by acquiring real estate, making capital improvements, that sort of thing. So I do rise in support of the bill. I thank the gentle lady for bringing it to us. Thank you.

THE CHAIR:

Thank you, Senator Miner. Will you remark further on the bill as amended? Will you remark further on the bill as amended? Senator Cohen.

SENATOR COHEN (12TH):

Thank you, Madam President. I want to thank my good ranking member for his comments in support of the bill. I also just want to mention I certainly have summarized the bill through the amendment that was brought forth, but I do wanna comment on something that Senator Fasano had mentioned in that a community within the 12th district was really the leader that brought about this legislation and that is the community of Branford with first selectman Jamie Cosgrove at the helm. It was because of their good planning and their own coastal resiliency efforts that the thought of this reserve fund came about and their RTN there in Branford did in fact vote to establish this fund. This legislation will give them some investment flexibility and hopefully encourage others not only on the coastline but as the good Senator mentioned, across the State of Connecticut become a little bit more prepared when it comes to climate change and resilience from storm surges and the like. So I commend Branford's efforts and hope that others will take that same path forward across the State of Connecticut so I urge my colleagues in the circle to vote in favor of this legislation tonight.

THE CHAIR:

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

SENATOR HWANG (28TH):

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Thank you, Madam President. Some questions for the proponent of the bill, please?

THE CHAIR:

Please proceed, sir. Senator Cohen, prepare yourself.

SENATOR HWANG (28TH):

Thank you very much. For legislative intent, I just wanted to be sure that this language was permissive. Through you, Madam President.

THE CHAIR:

Senator Cohen.

SENATOR COHEN (12TH):

Through you, Madam President, yes.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you. And I'm reading that obviously it's with direction of the chief executive, but would it also require approval by the governing legislative body of the respective town? Through you, Madam President.

THE CHAIR:

Senator Cohen.

SENATOR COHEN (12TH):

Through you, Madam President, yes, it would be.
Thank you.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

THE CHAIR:

Senator Cohen.

SENATOR COHEN (12TH):

Through you, Madam President, yes, it would be.
Thank you.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you. Now, the issuance of bond and reserve fund to be allocated in there, is there any direction of a preference of which way to go for each of these respective towns to utilize these funds to put into this resiliency and climate change fund? Through you, Madam President.

THE CHAIR:

Senator Cohen.

SENATOR COHEN (12TH):

Through you, Madam President, if we are talking about investments in this fund as far as the percentage, if I understand my good colleague correctly, through this legislation up to 50 percent of the reserve can be invested in equities so it raises the cap slightly. There are safeguards in place, reporting mechanisms to ensure that the risk is well accounted for and the return is in fact there. I do know that a recent study revealed that, and I will just read from the Vanguard Group here, revealed that a 50/50 stock bond allocation resulted in an 8.4 percent average annual return as opposed to the 30 percent stock/70 percent bond allocation which resulted in an annual average return of 7.3 percent so it is a bit more aggressive, but obviously the annual return payoff is there and again, I would just reiterate that certainly the safeguards are in place and reporting mechanisms so that should the equity investments be failing at any point in time, they can reallocate those funds accordingly. Through you, Madam President.

THE CHAIR:

Thank you, Senator Cohen. Senator Hwang.

SENATOR HWANG (28TH):

Thank you. I want to thank the proponent for the explanation and it does raise an additional question for me in regard to obviously it's permissive to allow the authorizing legislative bodies to make that funding determination, but it is a risk investment in any equities or even bond. What would

ever happen if there was a significant loss in this investment? Is the municipal required to meet a certain threshold level or do we allow it to be sitting at the dollar amount in case there is a catastrophic loss? Through you. Does it need to be made whole? Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Cohen.

SENATOR COHEN (12TH):

Thank you, Madam President and through you, while there's no specific dollar amount placed on this reserve fund so that would be up to the governing body of how much they wanted to place as a minimum, but certainly there is a cap on the investment and equities at 50 percent through this legislation. Through you, Madam President.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President, but the question specifically is, if the fund and the investment suffered a catastrophic loss, would we leave it as is or is there a minimum threshold to meet to ensure the fund is viable? Through you, Madam President. Do we leave it alone?

THE CHAIR:

Senator Cohen.

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SENATOR COHEN (12TH):

Thank you, Madam President. Through you, again, there is no specific threshold that's called out in the bill, but because there is a 50/50 presumably, there wouldn't be a complete crash and so that the stock allocation, rather the bond allocation would still be in there at 50 percent which tend to be less risky and more stable.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President. So it would be safe to say there is no minimum of dollar volume for this fund regardless of whatever the return may be? Through you, Madam President.

THE CHAIR:

Senator Cohen.

SENATOR COHEN (12TH):

Thank you, Madam President, and through you, yes.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you. I want to thank the good Senator for this proposal and I do represent a coastal community and this is an innovative idea to allow us to be able to implement programs that will take care of our community and be less dependent on some of the FEMA funds as well as federal funding that may be short in coming and delayed in coming so I applaud this initiative and I urge support. Thank you, Madam President.

THE CHAIR:

Thank you, sir Hwang. Will you remark further on the bill as amended? Will you remark further on the bill as amended? If not, Mr. Clerk, would you kindly call the vote and the machine will be opened?

CLERK:

An immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate on Senate Bill 1062 as amended by Senate A. Immediate roll call vote has been ordered in the Senate on Senate Bill 1062 as amended by Senate A. Immediate roll call vote in the Senate on Senate Bill 1062 as amended by Senate A.

THE CHAIR:

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

CLERK:

Senate Bill 1062 as amended by Senate A.

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Total number voting	35	
Necessary for adoption		18
Those voting Yea		35
Those voting Nay		0
Absent and not voting		1

THE CHAIR:

[Gavel] The measure is adopted. Mr. Clerk.

CLERK:

Page 60, Calendar number 151, Substitute for Senate Bill No. 936, AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE OFFICE OF EARLY CHILDHOOD. There are amendments.

THE CHAIR:

Good evening, Senator McCrory.

SENATOR MCCRORY (2ND):

Good evening, Madam President. It's getting very late in the evening. I'll be brief. This is our aircraft carrier bill for early childhood. Madam President, I move acceptance of the Joint Committee's Favorable Report and passage of the bill.

THE CHAIR:

Question is on passage. Will you remark?

SENATOR MCCRORY (2ND):

Yes, Madam President. The Clerk is in possession of an amendment, LCO 9948. I would ask that the Clerk please call amendment.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 9948, Senate Schedule A.

THE CHAIR:

Senator McCrory.

SENATOR MCCRORY (2ND):

Thank you, Madam President. Madam President, this amendment makes the following changes this bill: One, in sections 2 and 3 which under the bill allows foster children to have a 45-day grace period to comply with vaccines and the physical exam requirements to attend a daycare. The amendment adds to the definition of a foster child, a child which is placed by DCF with a relative or a caregiver. Part two amends section 4 of the bill which under the bill lists specific individuals must undergo comprehensive background check to provide childcare services. This amendment excludes from the requirement Care 4 Kids, provides who exclusively provides childcare to relatives that are not licensed by OEC. Section 3, I mean part 3, section 501 requires any applicants for position as head teacher or education consultant in a licensed childcare center or group childcare home to meet requirements and state regulations. This basically

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aligns with current practices and keeps us in compliance and allows the OAC Commissioner to suspend or revoke approval for failure to follow state regulations. I move adoption.

THE CHAIR:

Thank you, Senator McCrory. The question is on adoption of the amendment. Will you remark further on the amendment that's before the Chamber? Senator Berthel.

SENATOR BERTHEL (32ND):

Good evening, Madam President. Madam President, I rise in support of the amendment. I do have just a couple of statements to make and then a question for the good Chair. The amendment does in fact make some good improvements to protecting the, protecting the children that are ultimately served by the educators that will be interacting with our children and I think this is a good, a good piece of legislation to be brought before us to address concerns that had come out of, come out of the Office of Early Childhood. Madam President, through you to the good Chair, on line 76 of the amendment, there is reference to change in the number of months that it takes to qualify to be 3 years old and I'm just hoping that the good Chair might be able to explain that just for the purpose of legislative intent. Through you.

THE CHAIR:

Thank you. Senator McCrory.

SENATOR MCCRORY (2ND):

Oh, absolutely, Madam President. Madam President, section 502 allows any licensed childcare center or group childcare home to enroll a child who is up to four months younger than 3 years old, i.e. a child that's 32 months per support or suggestion by the parent or guardian and in agreement with the program director. Through you, Madam President.

THE CHAIR:

Thank you, Senator McCrory. Senator Berthel.

SENATOR BERTHEL (32ND):

Thank you, Madam President, and I thank the Senator for his answer. So just for clarification, we're allowing a child who is not quite 3 years old yet to be considered a 3-year-old for the purpose of being enrolled in programs for a 3-year-old? Through you, Madam President.

THE CHAIR:

Thank you. Senator McCrory.

SENATOR MCCRORY (2ND):

Yes, Through you, Madam President. Absolutely.

SENATOR BERTHEL (32ND):

Thank you very much, Madam President. that's all the questions I have. I urge adoption.

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Thank you, Senator Berthel. Will you remark further on the amendment that is before the Chamber. Will you remark further on the amendment? If not, let me try your minds. All in favor of the amendment's adoption, please signify by saying aye.

SENATORS:

Aye.

THE CHAIR:

Opposed? The amendment is adopted. Will you remark further on the legislation as amended? Senator McCrory.

SENATOR MCCRORY (2ND):

Absolutely. Well just a couple more things. Let's talk about what's in the underlying bill. It allows OEC to fine childcare centers and group childcare homes up to \$5000 dollars for not giving 30-day notice prior to closing. It shortens the eligibility of the competitive school ratings program for grants from every five years to every three years. It removes the requirement that OEC conduct a true analysis of certain bachelor degree programs of early childhood education. I move acceptance of the Joint Committee's Favorable Report and passage of the bill.

THE CHAIR:

Thank you, Senator McCrory. Will you remark further on the bill as amended? Will you remark further on the bill as amended? Senator McCrory.

SENATOR MCCRORY (2ND):

Madam President, if there is no objection, I would ask that this bill be placed on the consent calendar.

THE CHAIR:

Seeing no objection, so ordered. Mr. Clerk.

CLERK:

Page 63, Calendar number 299, Substitute for Senate Bill No. 967, AN ACT CONCERNING RECOMMENDATIONS OF THE DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES REGARDING EMERGENCY MEDICATION. There is an amendment.

THE CHAIR:

Good evening, Senator Abrams.

SENATOR ABRAMS (13TH):

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

THE CHAIR:

The question is on passage. Will you remark?

SENATOR ABRAMS (13TH):

Thank you, Madam President. Currently, there is no clear reference in the Connecticut General Statutes

related to the issue of administration of emergency psychiatric medications to criminal defendants committed to the facility of the Department of Mental health and Addicted Services. This bill would address this oversight by codifying existing practice of the administration of emergency medications when a patient engages in behavior that places himself or herself or others in immediate risk of harm which would constitute the psychiatric emergency.

THE CHAIR:

Thank you, Senator Abrams. Will you remark further on the bill that is before the Chamber? Good evening, Senator Somers.

SENATOR SOMERS (18TH):

Good evening, Madam President. I rise in support of this bill. We heard directly from the Department of Public Health and DMHAS how important this bill is for both the people within our care and for the workers who are caring for the people that are in this particular position. Most of the time, these patients are being brought to a facility to have a psychiatric evaluation and at times, they become agitated and they a risk to themselves and to the people who are caring for them. If anything is necessary to be provided to the patient without consent, it is short-term, short-acting, less than four hours, but they go through a whole process of trying to deescalate the patient. They have specific techniques that they use. They try to get consent. Some of these patients, again, are in an evaluation stage for competency to stand trial so there's always an issue as to whether you can

actually really provide consent. This is used very rarely, but it is something that will add an added measure of safety for both the patient or the person in care and the person who is responsible for that care.

This is used only after all other efforts are exhausted. This is not something that is done commonplace and it has been something that has come to us. We've talked about this in the past, but it is something that would really help situations that can become quite frankly violent and have very unfortunate outcomes so I support this legislation fully. Thank you.

THE CHAIR:

Thank you, Senator Somers. Will you remark further on the legislation that is before us? Will you remark further? Senator Abrams.

SENATOR ABRAMS (13TH):

Madam President, if there is no objection, I would ask that the bill be placed on the consent calendar.

THE CHAIR:

Seeing no objection, so ordered. Mr. Clerk.

CLERK:

Page 31, Calendar number 440, Substitute for Senate Bill No. 939, AN ACT CONCERNING PSYCHIATRIC COMMITMENT EVALUATIONS.

THE CHAIR:

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Good evening, Senator Winfield.

SENATOR WINFIELD (10TH):

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

THE CHAIR:

And the question is on passage. Will you remark?

SENATOR WINFIELD (10TH):

Thank you, Madam President. This is a bill that came to the Judiciary Committee trying to deal with what is put forward as a shortage of psychiatrists in our state. The psychiatrists are in shortage because there are not enough who are willing to accept appointments to evaluate patients who are committed to hospitals so currently under the law, the evaluation necessary to make the commitments we're talking about require two evaluations from physicians. What this bill would do is reduce it in number to one and that would allow for these commitments to be made without making any significant change in the ability of the patient should they have an issue with the commitment to also avail themselves of a process that would allow them to challenge that commitment. It's a good bill and I urge passage.

THE CHAIR:

Thank you, Senator Winfield. Will you remark further on the bill before us? Good evening, Senator Kissel.

SENATOR KISSEL (7TH):

Good evening, Madam President. Again, once again, great to see you albeit that it's 25 past 10:00 and I thought we would be home by now but I stand in support of the bill. I had some concerns regarding it when it was before us in Committee. I spoke to some folks from DMHAS, also had a chance this afternoon to have a very good conversation with Paul Kinerim, the chief probate court administrator. There is a cost associated with the second physician. It's also been explained to me that there needs to be some arm's length regarding this so it can't be someone associated within the network and as the networks grow larger, it's harder to find physicians that are not in immediate association to make this objective evaluation so with the constraints that are brought to bear in trying to get two, and it was also my understanding that it was only one person that has to be a psychologist, that the other one could be a general practitioner. I've heard that that second physician really doesn't really aid in the analysis and is somewhat superfluous, probably was made original part of the law sort of as a belt and suspenders kind of notion, but the concerns that I had originally have been assuaged and I would urge my colleagues to support this bill and move it along. Thank you very much, Madam President. At this time, I'd like to yield to Senator Somers.

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Thank you, Senator Kissel. Senator Somers, do you accept the yield?

SENATOR SOMERS (18TH):

Yes, thank you, I accept the yield. I would like to speak in favor of this bill. I know that there were some questions concerning why are we going from two evaluations to one and I just would like to reiterate what Senator Kissel and Senator Winfield had said which was originally we had an evaluation done by a psychiatrist and another attending physician, but that attending physician did not have the background in doing the psychiatric evaluation. Therefore, it is not only cost saving but it's more empowering for a probate court and as was so eloquently stated, our networks here in Connecticut are becoming larger and larger so find a psychiatrist for which we are very, have a large shortage of anyhow, it's becoming increasingly more difficult so having one person be able to evaluate a patient, who is clinically trained and takes this job very seriously, I would like to make sure that everyone in the circle understands that when someone does a psychiatric evaluation on a patient like this, it is you know to the tee, that take this very seriously. Making a commitment is something that is not done frequently and is done with the utmost care and concern when that decision is made. It provides an opportunity going forward for that patient to have a second evaluation at a later time by someone outside of the network and perhaps a different psychiatrist going forward so I fully support this legislation. Thank you.

THE CHAIR:

Thank you, Senator Somers. Will you remark further on the bill that is before us? Will you remark further? Senator Kelly.

SENATOR KELLY (21ST):

Thank you, madam President and I have just a few comments with regard to this bill. My real concern is focusing on the individual who is being involuntarily committed. I can understand how we endeavor to streamline processes in the endless pursuit to save money and there is a positive fiscal note here where we're gonna save \$260,000 dollars with this initiative. I also understand why the medical profession and hospitals may also look at this as beneficial because there might not be psychiatrists or physicians who are available to undertake this process, but that's not what an involuntary commitment is about.

An involuntary commitment is about allowing an individual, in most cases having either a mental or addictive issue, to be involuntarily committed to such care against their will. So this is a liberty issue. A liberty issue which under our frame of government must be protected at all costs because our rights cannot be abridged unless due process is afforded the individual. This bill has due process, or let me restate that. Current law has due process because you don't need just one physician or psychiatrist, but you need two and what we're gonna do is change that from two to one so there's an erosion of the due process that is afforded to individuals and I think that's very risky in a situation where a person is being involuntarily committed.

There's also a segment of this where we're going to then indemnify where we're not going to hold the psychiatrist liable if the decision was wrongfully done, the commitment so I see a process being put in place for all good reasons and I can understand how individuals would look at this bill and say that it's important to save the \$260,000 dollars or there might be situations where we can't find someone, but to me, before government takes somebody's liberty away, government needs to do a little extra homework to endeavor a little harder to make sure that they dot all their I's, cross all their T's and if that costs a little extra money to preserve and protect an individual's rights and liberties then so be it. Our government shouldn't use economic efficiency to abridge our rights and while good intentioned, I don't think this bill adequately protects those due process rights both in the area of limiting the amount of physicians, you're not gonna have a concurrence between two, we're gonna streamline it to one, and the second part is with regards to the liability, absolving that liability in the event that one doctor doesn't do their due diligence and does abridge due process, you're not going to allow the person who's rights were taken away any recourse and I just think that that's a significant and substantial departure from the due process that is now afforded to individuals in an involuntary commitment and for that reason, Madam President, I would urge my colleagues to join me in voting down this bill. Thank you.

THE CHAIR:

Thank you, Senator Kelly. Will you remark further on the bill that is before us? Will you remark

further on the bill that is before us? Senator Somers.

SENATOR SOMERS (18TH):

Yes. Thank you, Madam President. I would just like to clarify a few points here. So if a client comes in and is evaluated by a psychiatrist, they have an attorney present with them throughout the process. If the client feels that the outcome is not appropriate, they have an ability to appeal it to the superior court and I think it's important to recognize that a psychiatrist who is doing this type of evaluation, as I said previously, they take this very seriously and they are qualified. Right now the current system is you have a psychiatrist, but you don't necessarily have a qualified M.D. to back up so they're not doing a clinical evaluation so I think that's very different. Really in reality what we're having now is just one psychiatrist doing a clinical evaluation and they the ability to have an attorney present with them at all times. A decision can be appealed to the superior court should the attorney feel that the client was not provided adequate liberty, and the indemnity clause is actually deleted in the amendment, in the amended version so that has been taken out so I just wanted to make sure that that was clear. Thank you very much.

THE CHAIR:

Thank you, Senator Somers. Will you remark further on the bill that is before us? Will you remark further? Senator Kelly.

SENATOR KELLY (21ST):

Madam President, for the second time, with regard to appeals to superior court, it's not like the superior court will resolve that issue in a day or two. You're gonna have to file that if you've lost your liberty interest because the probate court made that determination and then you go to superior court and the court upholds that and you have further appellate rights. It's not uncommon that this could happen and last years before the issue is resolved, all the while the issue of liberty has been denied the individual through due process, through time because if they've been committed to the facility, that's where they are and so while these rights may be available, the liberty interest has already been taken away so that has to happen at the outset, it has to happen at the first hearing, and that's why I think you need the two medical providers to be present to make sure that the reports are proper and accurate. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Kelly. Will you remark further on the bill that is before us? Will you remark further? If not, Mr. Clerk, if you would call the vote. the machine will be opened.

CLERK:

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate on Senate Bill 939. Immediate roll call vote has been ordered in the Senate, Senate Bill 939. Immediate roll call vote has been ordered in the Senate on Senate Bill 939. Immediate roll call vote in the Senate. Immediate roll call vote

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has been ordered in the Senate, Senate Bill 939.

THE CHAIR:

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

CLERK:

Senate Bill 939.

Total number voting	35
Necessary for adoption	18
Those voting Yea	26
Those voting Nay	9
Absent and not voting	1

THE CHAIR:

[Gavel] The measure is adopted. Mr. Clerk.

CLERK:

Page 21, Calendar number 357, Senate Bill No. 1082,
AN ACT CONCERNING THE CONSOLIDATION OF PUBLIC SAFETY
ANSWERING POINTS. There are amendments.

SENATOR CASSANO (4TH):

Good evening, Madam President.

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Good evening, Senator Cassano.

SENATOR CASSANO (4TH):

I move acceptance of the Joint Committee's Favorable Report and passage of the bill and waive its reading.

THE CHAIR:

Thank you, Senator Cassano. The question is on passage. Will you remark?

SENATOR CASSANO (4TH):

Yes, thank you, Madam Chairwoman. Last night I made a comment to Senator Witkos and Senator Fonfara that I was pleased with the bill they put together which is a 21st century. The bill I'm about to present is probably the 16th or 17th century and that's what is and hopefully tonight will be the beginning of the process of changing that history of Connecticut. This is the PSAP bill, public safety answering points. Connecticut has about 100 still. Houston, Texas has one for the Houston region. Southern California has two for the California region. Some rural states have one for the state. We have towns that have several, 8, 10, 12. That means that's 12 dispatchers depending on how they fund it and so on.

The program is funded well. When you make a phone call, a penny or two of that goes into the fund and that's how the PSAP's are funded which is a good idea, but it's gotten out of whack and we have a very unusual situation in the Waterbury area. I'd like to defer to my colleague, Senator Hartley, to

briefly describe the situation in Waterbury.
Senator, through you, please.

THE CHAIR:

Senator Hartley, do you accept the yield?

SENATOR HARTLEY (15TH):

Yes, good evening, Madam President and indeed I do and thank you to Senator Cassano. If it's appropriate, I would like to, Madam President, ask the Clerk who is in possession of an amendment that is LCO 10368, if he might call it and I be granted leave to summarize, madam.

THE CHAIR:

Yes, Mr. Clerk.

CLERK:

LCO No. 10368, Senate Schedule A.

THE CHAIR:

Senator Hartley, please proceed to summarize.

SENATOR HARTLEY (15TH):

Yes, thank you, Madam President. I move adoption.

THE CHAIR:

Thank you. Will you remark?

SENATOR HARTLEY (15TH):

Yes, indeed. I first of all want to start off by thanking Senator Cassano for the yield, but more importantly thanking and recognizing his leadership which brought us to this point tonight and if it were not for his patience and persistence, quite frankly, we would not be at this point and as he may have mentioned, it is quite frankly a critical point with regard to the underlying amendment. So it was only a couple of days ago colleagues that we had some very compelling testimony on the floor regarding our first responders and recognizing the imminent dangers that they perform for us every day and so this particular proposal that's before us speaks to the conduit and how we reach those first responders and that is through, as Senator Cassano mentioned, our PSAP's, our public service answering points of which Connecticut has 105 and there are six that are regional. The regional model is something that's been recognized in its value in achieving efficiencies and consolidation and so the formula that deals with supplementing those regionals actually historically has been weighted by virtue of the number of towns and to Senator Cassano's point, we now have before us a model which now includes one of the largest cities in the State of Connecticut that does happen to be Waterbury that has joined in a consolidated effort with the northwestern regional PSAP bringing in over 100,000 residents into that regional PSAP district. The results of the formula which never really recognized this kind of a construct is that this particular PSAP is now in some grave financial situation and so the underlying amendment seeks to recognize that and to within a very time certain identify and deal with that. So, Madam President, simply what it does is to identify a very narrow PSAP that is a regional

one that has a population over 100,000 and to identify a change in the waiting which would recognize the population and the number of calls. However, it is very prescriptive recognizing the fact that this should not in any way affect the funding of any of the other PSAP's and so there is hold harmless language in there and it also talks about a date certain, that this change in the formula exists until May 1, 2020 or at such time that regulations are promulgated, whichever is sooner and that, Madam President, is the proposal that is before us. I wholeheartedly support it and once again, am grateful for Senator Cassano's leadership on this and with your indulgence, Madam President, I would request to yield to Senator Berthel.

THE CHAIR:

Thank you, Senator Hartley. Senator Berthel, will you remark?

SENATOR BERTHEL (32ND):

Yes, Madam President, I accept the yield. Thank you, Senator Hartley. Madam President, I rise in support of the amendment. I would also like to express my gratitude to Senator Cassano for the work that went in to putting this together. I think that what we're doing here tonight is the beginning of some very important evaluation and the opportunity to reexamine the manner in which as we continue to consolidate our services for the answering of 911 calls throughout Connecticut, that this will be the beginning of a very important discussion. It is addressing a fix as Senator Hartley has spoken to, but I think it does open dialogue up for a

communication throughout Connecticut to continue to improve what we're doing with respect to a very important part of the public safety, safety net because this is where the action actually begins so to speak. So again, I think Senator Cassano for your help and your support with this and I urge adoption. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further on the amendment that is now before the Chamber? Will you remark further on the amendment that is now before the Chamber? If not, oh, Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. To the Senator, through you, Madam President, I want to make sure that all other PSAP's in the state are secure in their funding including the small towns, to Senator Hartley, through you, Madam President.

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY (15TH):

Thank you, Madam President, and thank you for your question, Senator Champagne. Yes, indeed, because I do want it to be recorded on the record. This in no way jeopardizes any of the funding for the regionals or the PSAP's right now. We have as you may be aware of had discussions with DSET and they have attested to that and there is further, Senator, language specifically indicating a hold harmless

that no PSAP should be decreased with regard to their calculated formula. Thank you. Through you, Madam President.

THE CHAIR:

Thank you, Senator Hartley. Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. I just wanted to, I heard you say that originally and we're having a lot of PSAP's are concerned about losing money throughout the districts, especially the small towns. When this came to us in Planning and Development, I did like the point that you know instead of forcing this to regionalize, this gives incentives to regionalize so I am for the bill and even though I'm still nervous about the amendment, as long as the other PSAP's funds are not going to be touched, then I will support it. Thank you.

THE CHAIR:

Thank you, Senator Champagne. Will you remark further on the amendment that is now before the Chamber? Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Thank you, Madam President. Just a couple points here. As a first selectman, I was the first non-fire chief, ambulance chief that was ever allowed on the regional PSAP down in our area called Valley Shore, an extremely well run, fiscally prudently managed PSAP and we have been fighting the funding issue for the last ten years. The funding formula,

without going into much detail to bore my colleagues to death, included the number of towns, population, and the number of calls. There was a study done in 2014 that made very specific recommendations basically saying that the number of towns was not a relevant factor and the conclusion that was drawn was we should be basing this on population and number of calls with the idea of holding harmless some of the PSAP's that had a lot of towns that had very small populations. That bounced back and forth between DSET and OPM and DSET and OPM. The formula change never got enacted and in the interim period, a city merged into a small regional which really kind of blew up the holding funding formula. I support this amendment because I understand that northwest is in trouble and they need a solution today for a problem that's been created as the result of funding formula that no longer works for the PSAP's as they are organized so I rise in support but I also want to encourage my colleagues and the state and DSET to come up with a final fix for this formula that makes sure everybody's treated fairly. The result of our being underfunded for as many years as we were unfunded was a lack of capital because the state has an incentive grant that they give the PSAP's, there's an additional 12 percent grant that the PSAP can match for capital improvements. So the more money the state gives you, the more money you give you for capital. Over 35 years of being underfunded, we were shortchanged on capital by a significant amount. That needs to be fixed because to maintain a PSAP that serves ten towns, we have to continually invest in our infrastructure. We have no backup staff, we have infrastructure that's aging and thanks to the good graces of this body and the legislature and the Governor, we received bond money to improve the

infrastructure, but if the formula's not fixed ten years from now, we're gonna be back right in the same position so I encourage my colleagues to make sure. Senator Cassano, thank you for the hard work, but we need to make sure that this gets fixed once and for all. We are the perfect example of towns working collaboratively together on a voluntary basis and we should all be rewarded the same way to make sure that we provide the emergency service necessary. We don't have police departments, we have resident troopers so as such, these are PSAP's for not police, they're fire and EMS and they provide vital service. They don't work promptly; people don't get there on time and people die so I encourage my colleagues to make sure that we get this fixed once and for all. Thank you.

THE CHAIR:

Thank you, Senator Needleman. Will you remark further on the amendment that is now before the Chamber? Senator Anwar.

SENATOR ANWAR (3RD):

Thank you, Madam President. I stand in support of the amendment. I just want, and I've served as a mayor, and this is a step in the right direction to our efforts to have shared services within towns, between towns. Again, it's no secret we are essentially not sharing enough that we can. This is non-educational sharing that I'm talking about. There's truly opportunity within communities to be able to share some of the services and reduce their costs without compromising the quality. This has been shown, other states have done this and the data is pretty sound with respect to saving money and

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also not compromising the quality so with that, the only word of caution is that if we are going to provide some of these incentives, we have to continue to remain committed as a state to be part of that, literally the critical nerve centers that are going to be part of saving lives. So if we move in this direction, the state cannot come back in a few years and say we don't have the money and let's cut the resources from this aspect so we have to make sure that we, and I want to put this on the record by stating that we have to remain committed to this effort. It is pretty clear that we will save money in the towns and the municipalities will benefit from this so bills like this which have a track record in other parts of the country, do save money by shared services and are something that we should start to talk about more within the circle and so I support this amendment and hopefully the bill. Thank you.

THE CHAIR:

Thank you, Senator Anwar. Will you remark further on the amendment? Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. I just rise for a comment or two. As it relates to being a first selectman of the town of East Lyme and a resident trooper program and the importance of what we tried to do for a number of years regionalizing our dispatch with a number of surrounding towns and we found that some of the opportunities that held us back I don't see addressed in this bill and I hope that Senator Needleman has got us on the right track and that we really need to come up with a solution

so I look to Senator Cassano and the leaders of the Public Safety and Planning and Development Committee to come up with something that really addresses those situations that stop these things from happening and in a lot of ways, that has to do with labor contracts and there has to be a way where they come to the table and each town can talk about the best way to move forward in combining labor contracts, whether it's the best of the best and put it forward and move it, move it down the road. I think that would be helpful. The rest of this stuff that may be specific to a certain PSAP, but regionalization is not gonna occur in Connecticut until we face that reality and we have to come forward and deal with it. It's an easy fix. Nobody loses, but it just has been stopping and that's what stymied the efforts that I led during the seven years I was first selectman. We had everything else lined up, but we couldn't get that one over the line and so Senator Needleman talks about Valley, there are a number of opportunities, we should've regionalized 24 towns in southeastern Connecticut and it should've been the low-hanging fruit so I will support this amendment which will become the bill, but I really think that if we're gonna solve this problem, one, we can't mandate what small towns do but we have to open doors to allow opportunities so that we can create solutions that will make it work. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Formica. Will you remark further on the bill, on the amendment? Senator Cassano.

SENATOR CASSANO (4TH):

Thank you, Madam President and I thank each of the Senators for their comments, particularly Senator Formica for your comments which lead to my final comments. We have recognized that there is a lot of work to do. As I said earlier, we do have a mess and so we put in a cutoff date of May 1 and we did that for a reason. I'm asking through our committee which has cognizance, the committee will after this session is over begin a process of reviewing this entire situation. There are national leaders that are good at organizing some of these PSAP's. There are many right in our state that know how to do this and will be glad to do this. There are obstacles to overcome. Every fire station, every fire department, police department, volunteer department wants to have "their own." We can't afford to fund that and we need to look at those kind of changes and so planning and development will take on the charge of trying to find a feasible economically sensible doable PSAP system for the State of Connecticut and so that's a goal and we will start shortly and move forward in this area because it must be done. I can tell you I never thought it could happen in a place like Manchester, Connecticut. I have a -- in Manchester we have a paid fire department. We also have an Ace Utilities Fire Department. We have an ambulance system with its own system. We have the police department. I forgot the fifth one but they are all now at Manchester Police Station. One dispatch that works well. It worked out both with union and non-union and so it can work and we've seen across the country where it does work so I would urge support of the amendment. If the amendment passes, then, Madam Chair, that would be the bill so I would urge passage of the amendment.

THE CHAIR:

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

SENATORS:

Aye.

THE CHAIR:

Opposed? The amendment is adopted. Will you remark further on the bill as amended? Senator Cassano.

SENATOR CASSANO (4TH):

Consent calendar.

THE CHAIR:

Seeing no objection, so ordered. Mr. Clerk.

CLERK:

Page 15, Calendar number 268, Substitute for Senate Bill No. 869, AN ACT CONCERNING RECOMMENDATIONS BY THE CONNECTICUT AIRPORT AUTHORITY REGARDING NONBUDGETED EXPENDITURES, THE CONNECTICUT AIRPORT AND AVIATION ACCOUNT AND THE SECURITY EXEMPTION UNDER THE FREEDOM OF INFORMATION ACT. There are amendments.

THE CHAIR:

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Good evening, Senator Leone.

SENATOR LEONE (27TH):

Good evening, Madam President. It's good to be here and a pleasure to see you tonight. Thank you. I move acceptance of the Joint Committee's Favorable Report and passage of the bill.

THE CHAIR:

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

SENATOR LEONE (27TH):

Yes, thank you, Madam President. What we have before us here today is the Connecticut Airport Authority Agency's requests for changes for this year. They are a few things that we talked about in the Transportation Committee and as a result, we've made a few changes ourselves and I do have an amendment so Madam President, the Clerk is in possession of LCO amendment 10231. I would ask that he call the amendment, please.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 10231, Senate Schedule A.

THE CHAIR:

Senator Leone.

SENATOR LEONE (27TH):

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

THE CHAIR:

Please proceed, sir.

SENATOR LEONE (27TH):

Thank you, Madam President. What we have here, this is a strike all amendment which will then become the bill. It has three sections. Again, this is the agency's request. Section 1 is to make a change for making authorizations by the executive director for non-budgeted expenditures from a change of \$500,000 dollars to \$1 million dollars and that would be if such airport or equipment of the airport is damaged as the result of a natural disaster or incurs a substantial casualty loss. So it's really for an emergency situation that could happen at a moment's notice and as many people know, running an airport where a calamity could happen, the cost could be quite significant and that is the reason for that request.

Section 2 of the amendment makes a change from any expenditures from the Connecticut Airport and Aviation account, that monies in the account should be expended by the executive director of the Connecticut Airport Authority instead of the Commissioner of Transportation for the purpose of airport and aviation related sections. And then finally, section 3 has a change to a section in regard to FOI. Currently, respondents to any

requests for proposals or bid solicitation are issued by a public agency, but at the same time, we wanted to make sure that responses by a public agency to any request for proposal or bid solicitation issued by a private entity also be included and that means, Madam President, is if the agency, CAA, were to respond to a bid with a private entity, that they wouldn't want to disclose information that could put them at a competitive disadvantage until such time the negotiation is complete and based on that, that was something that the committee felt we were comfortable with and those are the three main sections of the bill that again lays out the reason for these changes and the amendment would then become the bill so I would urge support. And I also want to thank the members of the Transportation Committee and my ranking member, Senator Martin, for assisting along with the co-chairs and ranking down in the House. This has been a good team effort and I just want to say thank you to them. With that, I would urge adoption.

THE CHAIR:

Through you, Senator Leone. Will you remark further? Good evening, Senator Martin.

SENATOR MARTIN (31ST):

Good evening, Madam President. I just rise to support the amendment and the underlying bill. I had a good conversation with the Connecticut Airport Authority representative and these changes are good for everyone so thank you.

THE CHAIR:

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

SENATORS:

Aye.

THE CHAIR:

Opposed? The amendment is adopted. Will you remark further on the bill that is before us as amended? Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, I do appreciate and concur with the bill that's before us but I would ask the Clerk to call LCO 7731.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 7331, Senate Schedule B.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

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Madam President, I would move the amendment and request permission to summarize.

THE CHAIR:

Please proceed.

SENATOR FASANO (34TH):

Madam President, basically all this does is talk about that the director who may serve under Connecticut general statutes 15120bb cannot be one who is serving on the Chamber of Commerce at the same time. There is sort of in our view a conflict of crisis to serve on the CAA and serve as a Chamber of Commerce individual. Certainly there's a lot of people that want to serve on this board and holding that double duty one could argue could end up being a conflict. Madam President, I think there's currently perhaps with this amendment if it passes is an issue that has been raised. It is a concern and what this amendment would to assure that from this point forward that would never be the case again with respect to the CAA. It is an issue that I think makes sense given the fact that in transportation and business, you really don't want somebody having two hats at the same time and arguably not looking at things as objectively as they should. So, Madam President, this would be going forward, not going past, and I think this would make a stronger more effective board and I hopefully can see this get passed.

THE CHAIR:

Thank you, Senator Fasano. Will you remark further on the amendment before the Chamber? Senator Leone. Senator Cassano.

SENATOR CASSANO (4TH):

Sorry, Madam President, very quick question for Senator Fasano.

THE CHAIR:

Please proceed.

SENATOR CASSANO (4TH):

When you say the Chamber of Commerce, are we talking about the Chamber within the region of the airport or a statewide chamber or can you be a member of the local Chamber.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. It would be for the local Chambers.

THE CHAIR:

Thank you, Senator Fasano. Will you remark further? Senate Leone.

SENATOR LEONE (27TH):

Thank you, Madam President and I want to thank Senator Fasano for his questions or the amendment and the point of view, but at this time, Madam President, I would ask that we do not support this amendment from the standpoint that currently, anyone who is serving on the board, current law states that any directors that may engage in private employment or in a profession or business subject to any applicable laws, rules or regulations of the state or federal government regarding official ethics or conflict of interest already exist so if there is any kind of conflict, if someone is acting in bad faith, I believe current legislation covers that situation. If there's anything more than that, then I'm sure it would come to light either through that process or when the state auditors do their annual audit of the agency and then that also would come to light.

I guess a second comment would be that maybe serving on the Chamber of Commerce where some may think it's a conflict, at the same time, it's also something that could help the Chamber because airports are very critical to the business success and the economic vitality of the state, and so that goes hand-in-hand with promoting what the Chambers are all about, providing business and economic opportunity so as long as it's done in an ethical and lawful way, I believe there does exist symbiotic relationship that could be a positive one and so it's for those reasons that I would, I would ask for not passing of the proposed amendment.

THE CHAIR:

Thank you, Senator Leone. Will you remark further?
Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. Many of my amendments are met with some gratitude and then a but not liking them at the end so I'm getting used to the pattern, but with that in mind, I would ask for roll call vote when it is ordered. Thank you, Madam President.

THE CHAIR:

Thank you. A roll call has been requested and that will occur. Will you remark further on the amendment that is before the Chamber? Will you remark further? If not, Mr. Clerk, kindly call the roll.

CLERK:

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate on Senate Amendment B, LCO No. 7731. Senate Bill 869, Senate Amendment B, LCO No. 7731. Immediate roll call vote has been ordered in the Senate on Senate Amendment B, LCO No. 7731, Senate Bill 869. Immediate roll call vote has been ordered in the Senate on Senate Bill 869, Senate Amendment B, LCO No. 7731. Immediate roll call vote in the Senate.

THE CHAIR:

Have all the Senators voted? Have all the Senators voted? Would the Clerk please announce the tally and I would encourage the Senators to please stay close to the Chamber because we will have a vote on

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this legislation and then on the Consent Calendar.
Mr. Clerk.

CLERK:

Senate Bill 869, Senate Amendment B, LCO No. 7731.

Total number voting	36
Necessary for adoption	19
Those voting Yea	11
Those voting Nay	25
Absent and not voting	0

THE CHAIR:

[Gavel] The amendment fails. Will you remark further on the legislation as amended? Senator Leone.

SENATOR LEONE (27TH):

Thank you, Madam President. As such, now that this is the bill, I would ask with no further objections it be placed on the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, if the Clerk can now call the items on our first Consent Calendar followed by a vote, please?

THE CHAIR:

Mr. Clerk.

CLERK:

Consent Calendar No. 1: Page 15, Calendar No. 268, Senate Bill 869, page 21, Calendar 357, Senate Bill 1082, page 45, Calendar 551, Senate Bill 1130, page 60, Calendar 151, Senate Bill 936, and page 63, Calendar 299, Senate Bill 967. Immediate roll call vote has been ordered in the Senate on Consent Calendar No. 1. Immediate roll call vote has been ordered in the Senate on Consent Calendar No. 1. Immediate roll call vote has been ordered in the Senate on Consent Calendar No. 1.

THE CHAIR:

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

CLERK:

Consent Calendar No. 1.

Total number voting	36
Necessary for adoption	19
Those voting Yea	36
Those voting Nay	0
Absent and not voting	0

THE CHAIR:

[Gavel] The Consent Calendar is adopted. The Senate will stand at ease for a moment before we have points of personal privilege. Senator Duff.

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SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, that concludes our business for today. There will be an immediate Senate Democratic caucus following adjournment in our caucus room. We would ask all members to please very quickly come to the caucus room. Also we will not be meeting tomorrow for session and we will be meeting at 10 o'clock for a Senate Democratic caucus on Monday and 11:30 session on Monday as well. We wish everybody a good weekend. I'd like to yield to Senator Witkos.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. Senate Republicans will have an immediate caucus upon adjournment and for journal notation, Senator Logan missed votes today due to legislative business back in the district.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Once again, just reiterating, an immediate Senate Democratic caucus in the caucus room and with that, Madam President, I move that we adjourn subject to the Call of the Chair.

THE CHAIR:

We are adjourned. Go forth and govern.

On motion of Senator Duff of the 25th, the Senate at 11:18 o'clock p.m. adjourned subject to the Call of the Chair.

There is no testimony for page 3551. The next page is 3552.

CONNECTICUT GENERAL ASSEMBLY

SENATE

Saturday, June 1, 2019

The Senate was called to order at 12:14 a.m. in accordance with the provisions of Senate Rule 9(f), and under the authority of the President Pro Tempore and the Senate Republican Leader.

THE CHAIR:

The Senate will please come to order. Please give your attention to Acting Chaplain, Marty Dunleavy of New Haven, Connecticut.

ACTING CHAPLAIN MARTY DUNLEAVY:

May the work that we do benefit all those we serve.

THE CHAIR:

Pursuant to Senate Rule 9(f) the Senate is called into Session, by the Office of the Senate Clerk's under the authority of the President Pro Tempore and the Senate Republican Leader.

It is hereby moved that Senate Agenda Number 1, dated Saturday, June 1, 2019, is adopted, the items on said Agenda shall be acted upon as indicated and that the Agenda shall be incorporated into the Senate Journal and Senate Transcript.

BUSINESS FROM THE HOUSE

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

EDUCATION COMMITTEE

GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE
HB NO. 7212 AN ACT CONCERNING PRIMARY PETITIONS FOR
CANDIDATES FOR STATE LEGISLATIVE OFFICES.

The Senate at 12:08 a.m. adjourned under provisions
of Senate Rule 9(f) subject to the call of the
chair.

CONNECTICUT GENERAL ASSEMBLY

SENATE

Monday, June 3, 2019

The Senate was called to order at 4:20 o'clock p.m.,
the President in the Chair.

THE CHAIR:

Good afternoon. Would the Senate please come to
order? Members and guests, please rise, and direct
your attention to our very distinguished chaplain,
Rabbi Lazowski.

CHAPLAIN LAZOWSKI:

Our thought for today is from the book of Isaiah,
chapter 61, verse 9. "All who see them shall
acknowledge that they are a people whom the Lord has
blessed."

Let us pray. Oh Lord our God, we thank You for Your
blessings to our senators in the past and ask for
your continued blessing and grace in the days to
come. Grant them a sense of purpose, shine upon
them and lead them to work together for the good of
our beloved State of Connecticut. Look in kindness
upon our nation, our president, governor, our
lieutenant governor, our state and all our leaders.
Protect our defenders of freedom and keep them safe

in your care. Oh Lord, hear our voices as we pray
and let us all say Amen.

THE CHAIR:

Thank you, Rabbi Lazowski. And it is now my honor
to ask Senator James Maroney to come forward to lead
us in the Pledge of Allegiance.

SENATOR MARONEY (14TH) AND ALL:

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

THE CHAIR:

Thank you, Senator Maroney. Good afternoon, Senator
Duff.

SENATOR DUFF (25TH):

Good afternoon, Madam President. Madam President,
does the Clerk Senate Agenda No. 1 on his desk?

THE CHAIR:

Mr. Clerk.

CLERK:

The Clerk is in possession of Senate Agenda, No. 1,
dated Monday, June 3, 2019.

THE CHAIR:

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Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I move all items on Senate Agenda No. 1, dated Monday, June 3, 2019, be acted upon as indicated and that the Agenda be incorporated by reference into the Senate Journal and Senate transcripts.

THE CHAIR:

So noted and so ordered.

SENATOR DUFF (25TH):

Thank you, Madam President. I have a few markings.

THE CHAIR:

Please proceed.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I'd like -- on Calendar page 66, Calendar 432, Senate Bill, 653, go. On Calendar page 15, Calendar 269, Senate Bill, 924, go. On Calendar page 63, Calendar 138, Senate Bill, 70, go. On Calendar page 24, Calendar 399, Senate Bill, 1111, go. And on Calendar page 5 -- I'm sorry. And on Calendar page 20, Calendar 364, Senate Bill, 641, go.

Thank you, Madam President.

THE CHAIR:

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

CLERK:

Page 66, Calendar No. 432, Senate Bill, No. 653 - AN ACT CONCERNING OPEN FILE DISCLOSURE IN CRIMINAL CASES. There is an amendment.

THE CHAIR:

Good afternoon, Senator Winfield.

SENATOR WINFIELD (10TH):

Good afternoon, Madam President. I move acceptance of the Joint Committee's favorable report and passage of the bill.

THE CHAIR:

And the question is on passage. Will you remark?

SENATOR WINFIELD (10TH):

Yes. Thank you, Madam President. There's an LCO which is a strike-all. I'd ask that it be called and I be granted leave of the Chamber to summarize. It's LCO 10470.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO, No. 10470, Senate Schedule "A".

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Thank you, Madam President. Madam President, what the LCO before us does is it causes the bill that we had to be a study, studying general statutes in the Connecticut Practice Book concerning a disclosure of evidence, and it also causes a report back not later than January 31st of 2020. I urge adoption.

THE CHAIR:

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

SENATOR KISSEL (7TH):

Good afternoon, Madam President. Great to see you this afternoon. Just a couple of questions for clarification, through you, to the proponent of the amendment, which becomes the bill?

THE CHAIR:

Please -- please proceed, sir.

SENATOR KISSEL (7TH):

Thank you very much. I just want to make -- I have the amendment here before me and just to clarify, though, the last iteration that we had discussed would have three groups working to -- on this study, the State's Attorney's Office, public defenders and

representatives of the judicial branch. Is that what's in this amendment?

Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

That would be correct.

Through you, Madam President.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much. I just want to thank Senator Winfield for working with me regarding concerns that were expressed to me by folks in the Chief State's Attorney's Office. Senator Looney as well. I think these three groups of individuals have plenty of ability and has plenty of time to work this out. The date the report has to be delivered to the Judiciary Committee will be before we begin the short session in February. And I think this is a very beneficial and productive way to go about looking at when and how issues regarding evidence and court matters and the open file policies here in the State of Connecticut can be pursued. And again, many thanks for the good Chair of Judiciary as well as President of the Senate, Pro tem Senator Looney, for working in a collaborative way on this amendment

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which becomes the bill. I urge my colleagues to support it as well.

Thank you very much.

THE CHAIR:

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

SENATORS:

Aye.

THE CHAIR:

Opposed? The amendment is adopted. Will you remark further on the bill as amended? Will you remark further on the bill as amended? Senator Winfield.

SENATOR WINFIELD (10TH):

Uh, yes. Thank you, Madam President. Just before I ask this be placed on consent, I want to thank Senator Kissel. This was a bill attempted to do what I think was something good, but hadn't quite gotten there, and then he brought language to me that made the bill before us, and I really want to thank him for helping us to get this done. And if there's no further comment or question, I'd ask this be placed on consent.

THE CHAIR:

Without objection, so ordered. Mr. Clerk.

CLERK:

Page 15, Calendar No. 269, substitute for Senate Bill, No. 924 - AN ACT IMPLEMENTING THE DEPARTMENT OF MOTOR VEHICLES' RECOMMENDATIONS REGARDING MOTOR VEHICLE REGISTRATION NOTICE. THE INTERNATIONAL REGISTRATION PLAN, CARRIERS, THE MEDICAL ADVISORY BOARD AND OTHER MOTOR VEHICLE STATUTES. There are amendments.

THE CHAIR:

Good afternoon, Senator Leone.

SENATOR LEONE (27TH):

Good afternoon, Madam President. Good to see you there today. 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 LEONE (27TH):

Thank you, Madam President. The bill before us is the annual agency bill for the Department of Motor Vehicles. It has a number of items in the bill, which I'll go through just a moment. But as such, I do have an amendment that will become a strike-all. So, if -- Madam President, if you will, the Clerk is

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in possession of LCO Amendment, No. 10174. I would ask that he call the amendment.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 10174, Senate Schedule "A".

THE CHAIR:

Senator Leone.

SENATOR LEONE (27TH):

Thank you, Madam President. Again, as I mentioned, this is a strike-all amendment. I would move the amendment and seek leave to summarize?

THE CHAIR:

Thank you, sir. Please proceed to summarize.

SENATOR LEONE (27TH):

Thank you. Again, as we're working on these multiple agency bills, the other night, we passed the Connecticut Airport Authority Bill. This is the Department of Motor Vehicles. In a short while, we'll hopefully have the Department of Transportation Bill in front of us as well. but this being the Department of Motor Vehicle Bill, this has been a work and effort which has been collaborative with our Ranking Members, so I want to extend my thanks to Senator Martin for his

leadership on this as well as the Ranking down in the House, Representative Devlin, as well as my Co-Chair, Representative Lemar.

And what this bill does has a number of items. I'll just read through them briefly. One of the bullets, it is will permit DMV to send a compliance notice instead of a registration renewal application to individuals who cannot renew without resolving compliance issues, so they'll basically get a notice in the mail. It will make technical changes related to dual plates. It will add conforming language which is a national change on the International Registration Plan. It also aligns physical qualifications standards for public passenger license endorsements and school bus and student transportation vehicles with federal law.

It also makes conforming technical changes regarding the physical qualification standards for operating commercial vehicles and eliminates and obsoletes school transportation safety training requirement. It also eliminates the requirement that DMV ensure that school districts and school bus companies are reviewing suspended and revoke driver's license instead of requirement to register with DMV the name of the employer or agent reviewing the list. It sort of expedites the process.

It also provides existing penalties for operating a motor vehicle not equipped with required ignition interlock devices. So, this just is an update to our statutes there. It eliminates requirements that the DMV commissioner select members with a motor vehicle operator's license, Medical Advisory Board from certain nominees' list. And this, again, is also to streamline the process. There was a

requirement that members of the Medical Advisory Board must be on the list, but not all of them that could be there. So, this is a change that would give a little bit more flexibility, so if someone can be there, they will.

It limits the use of crosshatches next to parking reserved for people with disabilities to authorized vehicles. It increases the underlying fines. So, basically, if you park in a handicap area, the fines have increased. It prohibits people from crossing railroad tracks when warned of the approach of equipment on such tracks, and again, safety is paramount when it comes to railroad tracks and anyone crossing them. It establishes a task force to study ways to prevent improper registration of vehicles of out of state. This has been an ongoing issue with us in the state to how we need to correctly enforce it. It has been very complicated. We haven't had the bandwidth to really flush it out, which is the reason why we're coming up with the task force to help us.

It does permit school bus drivers to use electronic devices in the same manner as a two-way radio so that emergency communication can happen immediately, especially in this day and age with issues with our schools and our kids' safety. It requires DMV and DES to jointly study the current system for evaluating motor carriers that seek to provide commercial motor vehicle service to the state or municipality, and this is a way to see if the regulations that we put in place after the Avon crash have become too stringent and we want to make sure -- we'll take a look at it, but we don't want to recall anything unnecessarily. So, again, this

gives us a chance to study it to see where we are in this day and age.

It changes the definition of an operator under the AV Pilot Program; and AV is autonomous vehicles, so that someone who is physically inside the AV rather than a person seated in the driver's seat and delays the program's initial reporting deadline. And that's in anticipation of autonomous vehicles coming online. It also allows the Autonomous Vehicle Task Force to elect its own chair so that the task force can continue on with an operation. So, that is the bulk of the bill, Madam President. Again, this is the Department of Motor Vehicles Agency Bill that incorporates quite a bit of things that we all agree on. It is my hope that we will pass this overwhelmingly in unanimous support and I would urge adoption. Thank you.

THE CHAIR:

Thank you, Senator Leone. Will you remark further on the amendment that is before us? Good afternoon, Senator Martin.

SENATOR MARTIN (31ST):

Good afternoon, Madam President. Madam President, I rise in support of this bill. I want to thank Senator Leone and our Ranking Members as well, our - - Representative Devlin and Co-Chair Lemar for putting up a pretty good bill here together, and as well as our Clerk, Phil Mannanrino (Phonetic), and Heather and Katrina as well for doing a great job of getting us some language here that we all agreed to. But simply, just to summarize, just in brief here as well.

You know, it does allow -- the bill allows the DMV to change its way it processes its renewal, specifically for those that have not paid a tax or paid a fine. So, now, instead of getting a renewal application, they are going to be receiving a compliance notice that they need to fill out first. There are various technical changes in this as well. It aligns the physical qualification standards for public passenger license as well as school bus and student transportation vehicles with the federal law. It also requires that school districts and school bus compliance to register with the DMV the name of the employees or agent reviewing suspended or revoked drivers' list.

In addition, it provides that the existing penalties for operating a motor vehicle not equipped with the required ignition interlock device, the IID, extend to everyone who first completes the terms of the license suspension and who is eligible to -- for a license reinstatement, but does not install the IDD and chooses to drive. So, it addresses that. In addition, it allows the DMV commissioner to select medical professionals to the Motor Vehicle Operations Licensed Medical Advisory Board. That was a mouthful. And then in addition to that, it prohibits people from the crossing -- crossing railroad tracks when a -- when they're being warned of an approaching track equipment.

Also, it includes a study for the ways to prevent improper registration of vehicles. So, Madam President, I urge adoption of this bill. Thank you.

THE CHAIR:

Thank you, Senator Martin. Will you remark further on the amendment that is before the Chamber? Will you remark further on the bill as amended? Will you remark further on the amendment that is before the Chamber? If not, let me try your minds. All in favor of the amendment, please signify by saying aye.

SENATORS:

Aye.

THE CHAIR:

Opposed? The motion is adopted. Will you remark further on the bill that is -- as amended? Good afternoon, Senator Sampson.

SENATOR SAMPSON (80TH):

Good afternoon, Madam President. I rise for the purpose of offering an amendment. The Clerk has LCO 10630. I ask that it be called and I be allowed to summarize.

THE CHAIR:

Thank you. Mr. Clerk.

CLERK:

LCO No. 10630, Senate Schedule "B".

THE CHAIR:

Senator Sampson.

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SENATOR SAMPSON (80TH):

Thank you, Madam President. This is a very simple amendment. It inserts after the last section of the bill, as amended, a statement that says that motor vehicles, the department, will provide interpreter services to non-English-speaking persons who request such services and they must post notices of the availability of those services. I move adoption and I ask that when the vote is taken it be taken by roll.

THE CHAIR:

A roll call vote will be taken on the amendment. Will you remark further? Senator Sampson.

SENATOR SAMPSON (80TH):

Thank you very much, Madam President. I'm kind of disappointed that I am standing here before the Chamber today to offer this amendment. I was approached by a constituent of mine from Waterbury, who lives within the Vietnamese community, and she approached me to tell me of a problem that we have with our Department of Motor Vehicles. And that is that our motor vehicle operator's examination is only available in certain languages and Vietnamese is not among them. It was -- in the past, I believe it was, but I do believe during the last revision of the software it was removed.

The concern I have, because I understood that we would only offer the test to certain language speakers once they reach a certain threshold within our state's population. But when I heard her story, she explained to me that people from Waterbury who

live in the Vietnamese community who happen to be American citizens, U.S. citizens, who live here in our state, in the City of Waterbury, because of their difficulty and ability of taking the driver's exam in a Connecticut Motor Vehicle Department, they are actually travelling to Massachusetts to get a driver's license.

I didn't believe it at first, but she actually took me for a trip into the community and I met with a number of constituents, and sure enough, people that live right there in Waterbury, they've got to lie about their address and use a friend's address in Massachusetts because they're just simply not able to take the test in Connecticut. And when I heard this story, I went to the liaison for the Department of Motor Vehicles and I spoke with some very nice folks there who seemed like they wanted to help. But at the end of the day, nothing's been done, Madam President. They have offered every possible solution up to the solution that would make the most sense, which would be to add Vietnamese back onto the list of languages that the software allows. But everything up and including paying out of their own pocket for an interpreter to be allowed to take the test, and at every turn they have been told no, we are just not gonna accommodate this population.

I've got to tell you, Madam President, I have a huge problem with this. These people are U.S. citizens. They are minorities in our state and, apparently, because they are such significant minorities, they are willing to be overlooked by our state government. I think it is shameful that our state government gives driver's licenses to illegal aliens, but yet we cannot accommodate U.S. citizens who speak certain languages. Once I started down

this path, Madam President, I started speaking with other people, particularly folks in Waterbury who live in the Albanian community, and I found out the same exact thing happens to them.

So, as I said, Madam President, I'm disappointed that we are here today. I'm disappointed that I have to bring it to the attention of the State Senate something that I think should've been accommodated by officials at the Department of Motor Vehicles simply because I asked. To be offering an amendment on the floor today to point out that we have U.S. citizens who are minorities, who live in our state, that deserve the same right to take the test in their language as anyone else we offer it to. I urge my colleagues to support this amendment. We can fix this right here. It's a simple couple of lines added to this DMV Bill. They could do it within their appropriations. The Department of Motor Vehicles already schedules these exams in advance. Even if they accommodated these folks one day a month at one location, that would satisfy them and it would satisfy me. I urge adoption of the amendment, Madam President. Thank you.

THE CHAIR:

Thank you, Senator Sampson. Will you remark further on the amendment that is before the Chamber?
Senator Leone.

SENATOR LEONE (27TH):

Thank you, Madam President. I rise in opposition to this amendment and I'll lay out some of the reasons why. It's not for the reasons that my good colleague, Senator Sampson, mentioned as he's

advocating for his constituents, which I believe is laudable. We probably all have members in our communities that speak various languages. And for the state to all of a sudden make room for each and every language that is possibly out there, is a huge, significant cost to the state and it's not within the appropriations of the Department of Motor Vehicles' budget. Each language will roughly cost about \$35 to \$40 thousand dollars for an interpreter going forward. So, obviously, for the Albanian and the Vietnamese, that's an \$80 thousand dollar hit at the moment that we do not have, unless the good Senator is willing to work with us to find the revenues for these languages and many, many more.

So, the significant fiscal hit could be quite significant as we contemplate each and every language that is potentially out there. The state in its wisdom made a one-percent threshold for these languages so that they could absorb the cost. And unfortunately, those languages have not quite hit that, but the DMV has always been willing to work on a case-by-case basis and help out people that need to come forward and find an ability to get their license renewed or even enabled. So, I've spoken with the DMV commissioner. They have extended that courtesy many, many times before. They continue to extend that courtesy. I would be more than happy to find funding for this particular issue down the road, but at this point and time, with our fiscal constraints as we're trying to balance our budget, I would respectfully urge not to adopt this. And again, as mentioned, when the roll is called, I would ask for a roll call vote.

THE CHAIR:

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Thank you, Senator Leone. Will you remark further on the amendment that is before the Chamber? Will you remark further on the amendment that is before the Chamber? Good afternoon, Senator Witkos.

SENATOR WITKOS (8TH):

Good afternoon, Madam President. I stand in support of the amendment. you know, I don't think, if we're talking about good public policy in the state, we should look for an escape clause to say, well, we haven't hit the one-percent mark as far as a population goes, so we're exempt from trying to find interpretation services for that segment of our society. You know, that opens up a wide, a wide, wide argument in a lens on the melting pot of America and who dominates and who is the true minority in this case, and what services shall we provide at the state level.

And I'm aware, Madam President, that the State of Connecticut provides telephonic interpretative services through the Department of Social Services from -- you name the language, they provide it. Also, through the Judiciary Department, the same thing. I think it's troubling that -- you know, we heard the story in caucus that the DMV didn't want to allow the constituents of Senator Sampson's to take the test because they didn't trust the interpreter. I mean, give me a break. These people are professional. They go by a code of ethics. They have contracts with the State of Connecticut already.

And to say that we don't want to allow your constituents who speak a specific language to use the interpretative services that we allow folks that

are appearing before our judicial system to use because we don't trust that they're gonna give them the answer. Come on. If there's a will there's a way. We should be doing everything we can to help these folks out. And if we can't get into the state agency to say, well, let's look at it; then it's our job in this Circle to make sure that this is the pulse and we want to make sure we try to find accommodations for everyone. And if it's a simple phone call, it's already utilized by many of our state agencies, I'm sure that if there's a cost involved, it will be minimal.

And I would urge those agency heads that are responsible for signing onto these contracts that they reach out to all state agencies to say there may be a need for interpretation services at the Department of Motor Vehicles, so going forward, when you sign up for the contractor, you open up for an RFP it should include all state agencies. And I'm not even sure that the contract with those two agencies doesn't include other state agencies. I mean, I would hope somebody would have the opportunity to look into that going forward, but we may not need to if the amendment gets adopted today.

So, Madam President, I'd urge the members to support the amendment before you. Thank you.

THE CHAIR:

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

SENATOR MINER (30TH):

Thank you, Madam President. Good afternoon to you. Madam President, I rise in supporting the amendment. I think I've told the story before. It might not have been in the Chamber here. But when I, in an earlier life, owned a gas station with a repair facility, I had a family of Koreans that I hired the father. He did not speak one word of English. In fact, I think the only thing I heard him mutter one day was MacGyver, and that was because back then MacGyver would make things out of almost nothing. Couldn't have asked for a nicer family. Couldn't have asked for a harder working employee. And I couldn't imagine coming to this country and not being able to speak English. I, today, can't imagine after all these years that we have an agency who for some reason believes that a one-percent threshold is the status, the percentage that we're gonna hang our hat on and say we just don't have to provide these services.

I can tell you that in certain parts of our district, that percentage is much higher than one percent. It may be a one-percent statewide number, but as Senator Witkos said, we have other agencies that actually have these services available. Why is it that we're not just reaching out to them when you end up with one of these smaller numbers? Why is it that we wouldn't be thinking having that individual have a Connecticut license, be properly licensed here in the state, and feeling like they are a part of this community has some value? I'm sure it's a fluke. I'm sure somebody overlooked it. I'm sure it was probably could've been handled had it been done in a different way. But it hasn't been done in a different way.

Today, I think we could very easily have said let's include this option with this large, we'll call it aircraft carrier DMV Bill. It would send the right message here in the State of Connecticut. I don't think it's a lot to ask. I would think that we would not be in the marketplace for two or three or four interpreters. We've required hospitals to have a relationship with interpreters. Could you imagine, Mr. President, that you have someone presenting themselves in an -- into an emergency room and no one knows what they're talking about? We wouldn't allow that to happen. The health care system wouldn't allow that to happen. We shouldn't allow it to happen at Motor Vehicle. I think there's a way. I think we should find a way and today is the day we could do it.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Miner. Will you remark further on the amendment, on Senate Amendment Schedule "B", LCO 10630? Senator. Yes, Senator Berthel.

SENATOR BERTHEL (32ND):

Good afternoon, Mr. President. Thank you. I also rise in support of the amendment for many of the same reasons stated by Senator Miner. I represent arguably, as does Senator Sampson, one of the largest Albanian communities in Connecticut, a burgeoning part of our population. And what I see is we have -- we have many people who are business owners in this community, that are homeowners. They are looking to obtain a Connecticut driver's license legally, to do things the right way.

And we have an opportunity with the amendment to remove the obstacle for those who are not fluent in English, which, let's face it, many of our ancestors came to this country at one point and time and they weren't fluent in English and we made accommodations for them. And I think this is an easily resolved issue for us to do as a state that, certainly, through this legislative session and in prior sessions has taken up legislation to make access to services and to make accommodations for those that are living amongst us available.

And for that reason, I think we should give this a serious thought today and make a simple accommodation to allow certain people who are not fluent in English that we know are a growing population in Connecticut since that last census was taken nearly ten years ago, and to help them to obtain a Connecticut driver's license legally.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator. Will you remark further on the amendment, on Senate Amendment Schedule "B"? Will you remark further? We will -- a roll call vote has been requested. The Clerk will please proceed to a roll call vote on Senate Amendment Schedule "B".

CLERK:

Immediate roll call vote has been ordered in the Senate. An immediate roll call vote has been ordered in the Senate. Senate Bill 924, Senate Amendment "B," LCO, No. 10630. An immediate roll

call vote has been ordered in the Senate. Senate Amendment "B," LCO, No. 10630. Immediate roll call vote has been ordered in the Senate.

THE CHAIR:

Have all the members voted? Have all the members voted? Please check the machine to make sure that your votes are properly cast. And, Mr. Clerk, if you would take the tally.

CLERK:

Senate Bill 924, Senate Amendment "B", LCO, No. 10630,

Total number voting	36
Those voting Yea	14
Those voting Nay	22
Those absent and not voting	0

THE CHAIR:

The amendment fails. Will you remark further on the bill? Will you remark further on the bill? Senator Fasano, the distinguished Republican Leader of the Senate.

SENATOR FASANO (34TH):

Thank you, Mr. President. I appreciate that compliment. Mr. President, we have had a number of car thefts in and about the State of Connecticut. We've talked about them before on other bills with respect to juvenile justice and things of that nature and we did some really good stuff. But

perhaps one way of curtailing the theft of cars is by making sure that the parts are traceable. And one way of doing that is by this thing called "etching," which isn't scratching in, but it is actually stamping car parts where an invisible light picks up on the stencil. If you remove it, you've damaged the car part.

It's a very interesting, new, sophisticated way of doing it. The information's in a database. The database is shared with other auto body shops as well as police. It is not an extra cost to the consumer. Mr. President, this is something that has started to evolve. We do have on our books that you must put etching in certain areas. We've talked about that years ago I think with, Mr. President, your bill with respect to new cars. This is something a little different. So, I'd like the Clerk to call LCO 9466.

THE CHAIR:

Mr. Clerk, if you would please call the amendment.

CLERK:

LCO, No. 9466, Senate Schedule "C".

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Mr. President. Mr. President, I'd request to adopt the amendment and permission to summarize.

THE CHAIR:

Please proceed, sir.

SENATOR FASANO (34TH):

Thank you. So, what this amendment does is it allows or affirmatively states that car parts will be etched with this invisible ink. It remains invisible during the entire time until it is shone by a light. It would be on the major parts of the components of the car as so listed and, once again, it would be part of a database. Mr. President, what this does is curtail, one would argue, the ability of one to take a car, chop-shop it, and then sell the parts. What was really interesting, just in East Haven, they were using this. This is going back a couple of years ago. And five Lexuses were stolen one night and two days later they showed up at some place, and but for this light, they never would've found these cars. So, there is a certain use that I think we could get in our system that would curtail theft.

Mr. President, I hope the Circle will join me in adopting this amendment. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Fasano. Will you remark further on the amendment? Will you remark further on Senate Amendment Schedule "C", LCO 9466? Senator Leone, the distinguished Chair of the Transportation Committee.

SENATOR LEONE (27TH):

Thank you, Mr. President. It's a pleasure to see you up there as well. I rise to respectfully not be in support of this amendment, and again, I'll mention the reasons why. And I want to thank the good Minority Leader, Senator Fasano, for bringing this forward because it does -- it could easily have a place in our policy with how we label our vehicles with this etching, this vehicle identification number.

But at this point and time, it's a new policy that does raise a lot of questions. More questions than we have time to probably answer. I know Senator Fasano mentioned it doesn't have a cost to the consumer, but it would have a cost to the dealer. And as I'm reading the section, the dealer would specify the charge for such service separately on the order for the sale, so it could easily be passed on to the consumer, and we're not sure what those charges are. I'm not sure if there's a flat rate or if the rates could be different, either per the vehicle, or per the dealer, for that matter.

And Mr. Speaker -- I mean, Mr. President, we've had these kind of issues before where we want to see what we can do, but because it's so wide ranging -- and I bring up an example such as the conveyance tax on motor vehicles for the sale. Different dealers have different conveyance taxes. And a number of years ago we passed legislation that the conveyance fee would be above the line and could be negotiated. That -- I don't see that in here either. So, I believe this idea has some merit. I spoke with Senator Fasano and I believe we might have a chance to look at this in the next session, possibly do a study to really dive into it to see what we can do

and how much we can do so that we can actually make this an option for people going forward. As long as they know what it's gonna cost, how much it's gonna cost, and would it be negotiated, as well as many other questions that would need to be answered.

So, based on those comments, even though the idea has merit, at this point and time I would urge for not adoption and so that we can study this next year in the upcoming session. I commit to the Senator to doing just that. With that, when the roll is taken, I would ask for a roll call.

THE CHAIR:

Thank you, Senator. A roll call vote will be ordered at the appropriate time. Will you remark further? Will you remark further on Senate Amendment Schedule "C"? Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Mr. President. Mr. President, I do appreciate the comments of the distinguished Chairman of the Transportation Committee. I thank him for his generous comments and I appreciate that we can work on that next year, with the assumption it is going to fail on this vote going around the Circle now. So, with that assumption, I'll take him up on that offer and still put it forward.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Fasano. Will you remark further? Will you remark further on Senate Amendment Schedule

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"C"? If not, the Clerk will please call the roll on Senate Amendment Schedule "C", LCO 9466.

CLERK:

Immediate roll call vote has been ordered in the Senate. An immediate roll call vote has been ordered in the Senate on Senate Amendment "C", LCO, No. 9466, Senate Bill 924. An immediate roll call vote has been ordered in the Senate, Senate Amendment "B", LCO, No. 9466. Immediate roll call vote in the Senate.

THE CHAIR:

Have all the members voted? Have all the members voted? Please check the machine to make sure your votes are properly cast. Mr. Clerk, if you would take the tally.

CLERK:

Senate Bill 924, Senate Amendment "C", LCO, No. 9466,

Total number voting	36
Those voting Yea	14
Those voting Nay	22
Those absent and not voting	0

THE CHAIR:

The amendment fails. Will you remark further on the bill? Will you remark further on the bill? Senator Miner.

SENATOR MINER (30TH):

Thank you, Mr. President. If I might, through you, a couple of questions to the proponent of the bill as amended?

THE CHAIR:

Senator Miner. Senator Leone, if you would prepare yourself for the questions.

SENATOR MINER (30TH):

Thank you, Mr. President. So, in section 15, there seems to be an expansion of when a handheld mobile telephone or other electronic device can be used by a school bus operator. And through you, in the case of an accident, if a driver were found to be speaking to someone other than the list that's identified in the statute as being acceptable exceptions, what would the charge be?

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Miner. Senator Leone, would you care to respond?

SENATOR LEONE (27TH):

Yes. Thank you, Mr. President. As I'm looking at the bill, just give me one moment. I believe it would fall under the normal sections of the cell phone regulations. So, if there were to be determined a situation where they were acting not

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according to the statute or the proposed statute, then all fees and fines would fall under that same category.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Leone. Senator Miner, you have the floor.

SENATOR MINER (30TH):

Thank you, Mr. President. I thank the gentleman for his explanation. And then if I can now turn to the area between the line 354 and 362, which deal with the interlock system on a motor vehicle. It seems that this section is attempting to compel an individual that may be outside the term of time when the individual is not supposed to be driving, may even go to a point and time when a vehicle -- the individual no longer owns the vehicle. And if I read this correctly, it seems to me to be almost a catch 22.

So, I'm thinking of a situation where one of our constituents certainly committed a series of these crimes and then found themselves in a situation where they could not drive, even upon release from prison, without an interlock system. I am aware in some cases my constituents have sold their vehicle. They couldn't insure it. They couldn't keep it. They no longer have it. So, the reason for why they were not driving, even during that grace period, with the ignition system might make sense. Is this prospective, through you, Mr. President, so it would be from the effective date forward if someone were released and this was the obligation they had?

Through you.

THE CHAIR:

Thank you, Senator Miner. Senator Leone.

SENATOR LEONE (27TH):

Thank you, Mr. President, through you. As I'm reading this language, this is new language so I would take it that this is prospective going forward. But again, this is for someone who did have a license suspension and because of the interlock ignition device there has been many, many work-arounds to not actually incorporate it, and this is the reason for this language. And basically what it says is if you do -- if you do lose your license due to a DUI or a DWI, where you will need an interlock ignition device, you must go through providing an interlock ignition device in your vehicle. Just because you sold your vehicle or not doesn't mean -- you still must follow the law. Because then a person could at any time purchase a new car and you don't want that new purchase then to not be part of the rule.

So, it's not to punish. It's to more to make sure that anyone who is suspended for these reasons must go through this process. They must institute an ignition device. It is a national model. It is through all 50 states and that is the reason for this language.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Leone. Senator Miner, you have the floor.

SENATOR MINER (30TH):

Thank you, Mr. President. So, now, I'm a little bit confused. If an individual was incarcerated and as part of the release the individual accepted the obligation to install an interlock device in a vehicle should they operate it within two years, once you're outside that two-year period of time, it would seem to me that the driver had satisfied his obligation to the court. And so, I'm not aware that there is another circumstance where the court, once it's been satisfied, could then come in and say, well, by the way, you bought a new vehicle or a used vehicle four or five years later, we want you to put an interlock device on that.

I don't -- I don't like the fact that the system could be scammed, so to speak, and someone could be doing a work-around, as the gentleman suggests, but the real life implications of enough DUIs is that you can't get insurance, you can't -- you can't finance an automobile. In many cases, the only way you can get to work is to get a ride. And in this case, I just want to be clear that it's prospective. So, if someone's released, now, after the effective date, these would be the rules. Rather than someone who's already been released, already almost completing the two-year term, and that somehow because we've passed this legislation now, even outside the window of when they'd be required to have an interlock device, we would be saying, oh, by the way, you've got to put one in at any time in which you buy a vehicle or use a vehicle even if

it's after the date at which you would have completed your service to the court, so to speak.

Through you, Mr. President. So, the question is, is it really prospective or is it retrospective?

THE CHAIR:

Thank you, Senator Miner. Senator Leone.

SENATOR LEONE (27TH):

Thank you, Mr. President, through you. I have a question myself, through you. I'm wondering where the good Senator is looking that this is a two-year program. I don't see that here in the language.

Through you, Mr. President.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

Thank you, Mr. President. I was referring to some earlier language here where the court may decide that it could be for a period of time, such as if the court said you could -- you're ready for release. You would otherwise remain in jail. You would otherwise not be able to drive. But because you're being released, if you choose to do that, if you choose to get a job and you choose to get a work-related opportunity to go back to driving, whatever the time period might be, one year, two years, three years, that the court would have made that decision and not have it be an administrative

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procedure. So, it would've been something that already occurred, not something that might occur after today.

THE CHAIR:

Senator Leone, would you care to reply?

SENATOR LEONE (27TH):

Yes. Thank you, Mr. President, and through you. Whatever the court may decide. I would allow the court to use its authority as they see fit and relevant. But as I look at this language, this is simply all about someone who loses their license, in order to get it reinstated they will have to go through the interlock ignition device at when such time they will have a vehicle in their possession. So, it would be, as I read it, going prospective, that they still have to follow the law because at any such time you want to make sure that there's not a loophole for getting out from this. Not that having a prison sentence is a way to get away from it, but it's still to make sure that someone has had their license suspended still follows the rules and that is the incentive not to do it in the first place. So, that would be my response.

Through you, Mr. President.

THE CHAIR:

Senator Miner, you have the floor.

SENATOR MINER (30TH):

Thank you, Mr. President. I do thank the gentleman for his answer. I am thinking that this may not be as prospective as it might be thought, only because the administrative process probably runs separate from the court process. And even though the court may have been the one to make the decision that for a period of time it has to be in your vehicle, at least until you come out from underneath the -- any of the oversight of the court, this looks like it might be retrospective with regard to an administrative proceeding because after this date, Motor Vehicle, by my read, might be able to say it doesn't really matter what the court said. We're not gonna give you a license until you buy one of these things and put it in a vehicle, even if you've been able to demonstrate through some other mechanism that you are sober, have had no indication of operating a motor vehicle under the influence since you actually were incarcerated.

But thank you, Mr. President, and I thank the gentleman for his response.

THE CHAIR:

Thank you, Senator Miner. Thank you, Senator Leone. Will you remark further? Will you remark further on the bill? Would you remark? Senator Leone.

SENATOR LEONE (27TH):

Thank you, Mr. President. If there's no further comments or objection, I would ask that this be placed on the Consent Calendar.

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There's objection to placing it on the Consent Calendar. I would call for a roll call -- Senator Sampson.

SENATOR SAMPSON (80TH):

Thank you, Mr. President. I would just like -- ask for a roll call vote on this bill.

THE CHAIR:

Yes, a roll call vote will be ordered. Will you remark further on the bill? Would you remark further on the bill? Will you remark further on the bill? If not, the Clerk will please call for a roll call vote on Senate Bill 924.

CLERK:

Immediate roll call vote has been ordered in the Senate. An immediate roll call vote has been ordered in the Senate on Senate Bill 924 as amended by Senate "A". An immediate roll call vote has been ordered in the Senate on Senate Bill 924 as amended by Senate "A". Immediate roll call vote in the Senate. Senate Bill 924 as amended by Senate "A". Immediate roll call vote in the Senate.

THE CHAIR:

Have all the members voted? Have all the members voted? Please check the machine to make sure that your vote is properly cast, and the Clerk will take a tally.

CLERK:

Senate Bill 924 as amended by Senate "A",

Total number voting	36
Those voting Yea	32
Those voting Nay	4
Those absent and not voting	0

THE CHAIR:

The bill passes. (Gavel) Mr. Clerk.

CLERK:

Page 63, Calendar No. 138, substitute for Senate Bill, No. 70 - AN ACT ESTABLISHING THE CONNECTICUT INFRASTRUCTURE BANK, as amended by Senate Amendment Schedule "A", LCO No. 8724. There are amendments.

THE CHAIR:

Senator Bergstein, good afternoon.

SENATOR BERGSTEIN (36TH):

Good afternoon, Mr. President. Thank you. Mr. President, I move acceptance of the Joint Committee's favorable report and passage of the bill. The Clerk is in possession of an amendment, LCO 8724. I would ask the Clerk to please call the amendment and may I have leave to summarize?

THE CHAIR:

Mr. Clerk. Yes, Senator Bergstein, that amendment I believe has already been adopted.

SENATOR BERGSTEIN (36TH):

It's already amended. Yes, right.

THE CHAIR:

So if you could move the bill as amended.

SENATOR BERGSTEIN (36TH):

Okay. Mr. President, I move acceptance of the Joint Committee's favorable report and passage of the bill as amended.

THE CHAIR:

Thank you, Senator. Will you proceed?

SENATOR BERGSTEIN (36TH):

Thank you, Mr. President. This would be an act that establishes the Connecticut Infrastructure Bank which would be a quasi-public agency, with the mission of marrying the public interest in modernizing and upgrading our infrastructure to meet 21st century standards, to promote economic development and active economic growth to draw businesses to our state, to improve real estate values, all of the myriad benefits that come with a modern infrastructure, which we unfortunately in Connecticut do not have. I think everybody has agreed, after multiple sessions on various topics related to transportation and infrastructure, that ours is suffering and it is having a direct impact on our economy.

In order to galvanize economic growth, we need to galvanize investment in our infrastructure. And the

way to do that is with a prove model called an *infrastructure bank*. More than twenty states have an infrastructure bank. Many of these are active and they have demonstrable results over the past few decades. This is also a model that has been tested and proven incredibly effective in Europe and Asia. They've had infrastructure banks for 30 to 40 years and mobilized billions of dollars in investment, which is why they have such a modern infrastructure. It's a way to multiply public funds with private investment, limiting the risk, and achieving high-efficiency, low-cost, scaled projects. That is what the public expects.

So, that is my summary. I'm happy to continue, but I'm sure there'll be questions.

THE CHAIR:

Thank you, Senator. Will you remark further on the bill as amended by Senate Amendment Schedule "A"? Will you remark further? Senator Berthel.

SENATOR BERTHEL (32ND):

Thank you. Good afternoon, again, Mr. President.

THE CHAIR:

Good afternoon, sir.

SENATOR BERTHEL (32ND):

Mr. President, I actually rise in opposition to the bill today. And I have a few comments that I'd like to make and then I will have a few questions for the proponent. You know --

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THE CHAIR:

Please proceed, sir.

SENATOR BERTHEL (32ND):

Thank you, Mr. President. While I understand that infrastructure banks have a purpose at some time in Connecticut's future, I'm not sure that today this bill is the mechanism by which to get there. You know, we enjoyed some very good discussion within the Banks Committee and it's a pleasure to serve with Senator Bergstein on the Banks Committee. And we also had a robust public hearing with a lot of comments with respect to what is proposed before us.

But I'm just not sure that today, at this moment and time, that this is the right direction for us to be going in. And, you know, my research actually shows that there are in some form actually 39 other states that have infrastructure banks in the United States. And as the Senator spoke to, some of them have been existing -- in existence for more than a couple of decades. Some were formed very recently in the last couple of years.

But the research that I did on this shows that in virtually every other state where there is an infrastructure bank, the process by which they formed their bank was very different from what is prescribed here today. Most of them came to be through their legislative process with a study. And I know we study a lot of things in here and I know that there's an amendment filed for a study. But it came with an understanding of the true need. And I think that while it's absolutely true that we have -

- we have an infrastructure problem in Connecticut, certainly with respect to transportation, and we have different views on how we get to fixing that and addressing that within this body and down in the House as well.

But I think we have a responsibility to really understand the need for this type of financial instrument, if you will. I think we have to further understand the process by which other states got to an infrastructure bank. I think we have a -- an inherent responsibility to understand completely the risk that comes with creating this type of financial instrument. And I think we also have a responsibility to understand the benefit of doing that. And what I see in the bill, as amended, is a tremendous amount of authority that the State of Connecticut gives away in one sweep, and I'm concerned about that, and I think we should all be concerned about that.

The bill, as proposed, creates another layer of government in Connecticut, when some would argue we already have a pretty supersized government. The bill requires a pretty significant investment. If I'm reading things correctly, we're look at a -- about a \$25 million dollar investment of \$20 million dollars in fiscal year '20 and another \$5 million dollars in '21. The bill makes the employees of the infrastructure bank not state employees except with regard to health and insurance benefits, which I have some concerns with because of what we know is the ever expanding costs of providing those services to all of us as state employees and everyone else who is a state employee.

And then, the bill allows for what seems to be, because it states one or more in the language of the bill, an endless number of subsidiary infrastructure banks to be formed. And one of the things that was kind of confusing to me, and maybe we'll have a chance to address it, but with respect to the board of directors. The board of directors of the infrastructure bank is very -- the main bank is very clearly defined in the legislation. It's comprised of appointees of the various executive and executive branch and legislative branch leaders and very clearly defines who is in the board of directors for the main bank.

The subsidiaries; however, only require six of the members of their twelve-member board to be part of the subsidiary bank board. And it raises questions for me as to where those other members will come from, who decides the membership, and I think it leaves a -- and unless I missed it, and the bill is 30-some-odd pages long, as amended, maybe there's some detail that I missed there. And then, the other part that I find a little disconcerting, I guess I would say, is a statement about funding sources for the infrastructure bank. And again, this is funding sources that include charitable gifts, grants, investments and contributions, as well as loans from individuals, corporations, other banks, institutional or other investors, university endowments and philanthropic foundations. And I don't know if the influence of those -- the quality of those types of investments possibly has some influence on the actions that the bank takes. And I don't know if other financial institutions accept these types of funding sources or whether this is a commonly-accepted process.

And again, I go back to some of my opening comments a moment ago, that perhaps we need to take some time to look at what other states have done, what type of investments they have allowed, and how they got to that decision, as opposed to the amended bill before us, which, if it passes, becomes passed in this Chamber and on its way to the House. I am glad to see; however, in the language of the amendment the inclusion of the requirement of a Connecticut Infrastructure Bank to make all records and accounts available to the Auditors of Public Accounts.

We have seen, certainly, in recent times, that the Auditors of Public Accounts have demonstrated very clearly that we need to be auditing state agencies. They have uncovered some questionable behaviors and practices within our government that ultimately result in saving taxpayer money and hopefully provide a more efficient performance and operation of the agency they have audited and they also provide a certain level of transparency that should be important to us at all times.

I am concerned, though, with whether or not the Connecticut Infrastructure Bank is required to comply with the findings and recommendations of the Auditors of Public Accounts, because that's an important part of the process for what the auditors do. They audit things, they release their findings, and they make recommendations and findings -- present their findings back to the agency.

So, Mr. President, through you, I do have a few questions for the good Chair of the Bank Committee.

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Please proceed, Senator, and Senator Bergstein, be prepared for the questions.

SENATOR BERTHEL (32ND):

Thank you, Mr. President.

THE CHAIR:

Yes, Senator Berthel, you have the floor.

SENATOR BERTHEL (32ND):

Thank you, sir. Through you, Mr. President. The bill speaks to infrastructure improvements and essentially defines all transportation services as well as the delivery and distribution of energy. That's in the very beginning of the bill. And my question to the good Chair is why were these specific items included in the definition of infrastructure improvement?

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Berthel. Senator Bergstein, would you respond?

SENATOR BERGSTEIN (36TH): Yes. Thank you, Mr. President. Yes, the definition of infrastructure improvement was intentionally broad because as we see our economy and technology evolving, we understand that there are synergies between various services that we need to provide as a government to our public so that our economy can operate smoothly, people can be transported, goods and services can be

transported efficiently. So, the inclusion of energy transmission and distribution is intended to allow for the possibility of synergies between mobility infrastructure and energy infrastructure.

For instance, there is an emerging technology. It hasn't been fully developed yet, but there's an emerging technology that I have been told is -- uses cables or some sort of underground transmission lines underneath highways that actually charge electric vehicles as they're driving along. So, we want to be open and flexible for new technology and innovation as it emerges.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Berthel.

SENATOR BERTHEL (32ND):

Thank you, Mr. President. I thank the Senator for the answer. And I guess I would ask, since I did -- I did put a couple of questions out in my opening remarks. Do we know -- Through you, Mr. President. Do we know what -- if other states have included specifically the distribution of energy in their infrastructure banks?

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Berthel. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Mr. President. I have an extensive list of the infrastructure projects that the Florida Department of Transportation has financed with the state infrastructure bank, which they have had for over 20 years. And I would just like to remark that while they have spent a billion dollars in public funds, they've been able to do \$9 billion dollars of investment in their infrastructure because they used a state infrastructure bank.

In terms of actual energy-specific projects, I do not have that much detail about each project, but I can tell you they include things like adding lanes and terminals and ports and bridges and transit facilities and airport runways. So, I am sure that in the details of those projects there is some form of energy conveyance. Thank you.

Through you, Mr. Chair.

THE CHAIR:

Thank you, Senator Bergstein. Senator Berthel, you have the floor.

SENATOR BERTHEL (32ND):

Thank you, Mr. President. Thank you, Senator, for the explanation. And since we're talking essentially about transportation, the bill does speak to, I believe, around line 21, the collection of tolls. And the language reads that unless the implementation of such tolls is approved by the General Assembly, and then goes on to define a little bit more of that process. So, my question, Mr. President, through you to the Senator, is if the General Assembly approves tolls, as prescribed at

line 21, can the infrastructure bank collect revenue from those tolls?

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Berthel. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Mr. President. And thank you for that question. This language was specifically added at the request of your colleagues. Because I do want to make it clear that should the General Assembly pass an implementation of tolls, that -- those toll -- revenues would not be directed towards an infrastructure bank. They are, as we all know, directed towards a lockbox, and from that point on it has not been determined at this point how they would be spent. So, the toll revenue from a future potential tolling system for our highways is -- has not been determined.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Berthel.

SENATOR BERTHEL (32ND):

Okay. Thank you, Mr. President. Mr. President, through you, just for clarification. So, the question was if the General Assembly approves tolls, can the infrastructure bank collect revenue from

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those tolls. So, I'm just wondering if I might ask for a yes or a no answer.

Through you, Mr. President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Through you, Mr. President. The answer is no, they will not collect toll revenue. The infrastructure bank must comply with all federal and state laws. And as we all know, revenues from tolls are mandated by a federal law to be used for highway construction only, highway improvements only. And as we have determined in this body, revenues from tolls would go to a lockbox into the Special Transportation Fund and there is a specific carve-out here for special transportation funds.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Berthel.

SENATOR BERTHEL (32ND):

Thank you, Mr. President. And I thank the Senator for the clarification. That is a piece that had been, as the Senator spoke to, had been discussed on a kind of a bipartisan basis with respect to the legislation. And I think it's important that that is very clear in the minds of all of us as we're

listening to the debate on the bill today, as amended.

Since we are speaking, obviously, about transportation infrastructure, the amendment does address the creation of a comprehensive plan by the state treasurer and the commissioner of Transportation to expedite infrastructure improvements. Under the current bonding process, which we essentially use for transportation infrastructure improvements, approval for funding of projects is subject to the review of a subcommittee of the Finance Committee with bipartisan participation and representation of the executive branch and the legislature, the Bonding Committee. So, through you, Mr. President, to the good Senator, my question is this. Does the approval of the infrastructure improvement projects, as outlined in the bill, include participation of the legislative branch?

Through you, Mr. President.

THE CHAIR:

Senator Bergstein.

SENATOR BERTHEL (32ND):

I apologize. Madam President, I did not look up. My apologies, ma'am.

THE CHAIR:

I am back. Thank you, sir. Go ahead, Senator Bergstein. Thank you.

Thank you, Madam President. Yes, to the good Senator. These -- I'm sorry. Would you mind repeating the question?

SENATOR BERTHEL (32ND):

Not at all. I apologize. And it was all the confusion of the changing of the guard and the Chair, so. Yes, I'm happy to repeat the question. Madam President, through you, my question to the good Senator. The bill speaks to the creation of a comprehensive plan by the state treasurer and the commissioner of Transportation to expedite infrastructure improvements. And under the current bonding process, approval for funding of projects is subject to the review of the Bonding Committee within the Finance Committee. My question is this, through you, Madam President. Does the approval of the infrastructure improvement projects, as defined in the amendment, include participation of the legislative branch?

Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. And the answer is a clear yes. The infrastructure bank reports to six legislative bodies, six legislative committees including Banking, Commerce, Energy, Environment, Finance and Transportation. So, there is significant exchange between the agency, quasi-agency, and the legislature. They do not work --

they do not work on their own. They do not work unilaterally. They have to work in collaboration with all of the agencies that want to finance projects as well as the legislative committees that oversee those agencies.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Berthel.

SENATOR BERTHEL (32ND):

Thank you, Madam President. Through you, to the good Senator. Could you identify in the amendment what lines? Because I have read this a number of times, as I'm sure you have, and I did not see that in the amendment.

THE CHAIR:

Senator Bergstein.

Senator BERTHEL (32ND): Through you.

SENATOR BERGSTEIN (36TH):

Through you, Madam President. Yes, lines 348 to 354.

THE CHAIR:

Senator Berthel.

SENATOR BERTHEL (32ND):

Thank you, Madam President. If -- just take a moment, if I could just take a look at that. Okay, I see that now in the amendment. And I thank the Senator again for the answer and for the clarification to the language in the amendment. Madam President, I know there are others that wish to speak on the proposal, on the amendment before us, and again, I -- you know, I -- while I applaud the effort here and I -- through my own research, I believe that there is a time and place for Connecticut to have an infrastructure bank. Again, I just -- I'm just not sure that we can dive kind of feet first on this one in terms of going right from not having an opportunity to, again, look at all of the risks and the benefits and the need and the process that have been played out in so many other states that have gotten them to a point where they have implemented this type of financing structure for infrastructure improvement.

So, again, I thank the Senator for the answers to my questions, and unfortunately, I'm not able to support the bill today.

Thank you very much.

THE CHAIR:

Thank you, Senator Berthel. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. I appreciate my colleague's concern that perhaps this is not the time and place for an infrastructure bank. But I believe it actually is overdue. This is a proven model that's been used successfully throughout the

world, in other states. I've spoken to people who run the Connecticut -- the -- sorry -- New Jersey Infrastructure Bank, the Rhode Island Infrastructure Bank, the Florida Infrastructure Bank. This is a highly successful model of achieving what we all want, which is lower costs, higher quality, faster-delivery infrastructure projects. We all want our roads and our rails and our ports and every other aspect of our infrastructure to be modern, to be fast, to be safe, to be reliable, and to be delivered in a timely fashion with efficiency.

So, this is not an additional layer of government. This is actually a way to marry private-sector investment and private-sector expertise which we do not have in-house. We do not have an in-house project finance team that just specializes in infrastructure. This would give us that. This would give us our own consultants, project finance experts, who do this all the time, who negotiate deals and figure out the best financing that gives taxpayers the best return on our dollars. Essentially, this is a way, this is a mechanism to deliver the accountability and the cost efficiency that the public expects, which we, frankly, have not been able to deliver over the past few decades.

It's a way to save taxpayer money, incentivize efficiency, bring private-sector talent, technology and financing and harness it for the public good. It also is a way to promote transparency, because we have -- as I described before, we have created a dynamic between this quasi, which has the private-sector talent, with the legislature and with DOT. So, they work to enhance the performance and improvement of DOT and, frankly, any other agency that wants to engage in infrastructure projects.

So, they're there to help enhance lower costs and be our marketer, essentially, in the public -- in the private capital markets, which, again, is expertise that we do not yet have.

So, it's not an additional layer of government. It creates the accountability that we all expect from government and we aren't actually getting.

Through you, Madam President.

THE CHAIR:

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

SENATOR SAMPSON (80TH):

Good evening, Madam President. Just listening to the conversation thus far, I will say that I'm very much in sympathy with the comments made by the good Senator regarding the need for engaging private contractors, employers, private ingenuity, innovation and investment in the future of our state. I can agree with her on that completely. My issue, really, with this bill is the way that it's written. The conversation that the two senators just had before us really illustrates what my concerns are from the very beginning, which is whether or not we're actually building that partnership as described, or we're creating a separate autonomous body that has a lot of authority.

And I'm gonna go through the bill in some detail to try and get to the bottom of what this policy actually does by the letter of the document and not

necessarily what we hope it would do. So, the first thing I will ask is. I know this bill has been through several committees. It's been through the Banking Committee. It's been through the Government Administration and Elections Committee, and it's even been through the Finance Committee. And certainly it was relevant in all cases because this certainly does touch on all of those areas. But I noticed that its primary focus is really the development of transportation infrastructure, at least if you read the first paragraph in section one. And yet, the bill was not through the Transportation Committee. And that's the first question I have.

Through you, Madam President, I'd like to ask the Senator if she would let me know why the bill did not go to the Transportation Committee.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. It's my understanding that it was at our discretion whether it should be referred to the Transportation Committee and that was -- that decision was not made. It did go -- went through three committees, which is fairly extensive process. And I recall that one of the original bills put out by the Transportation Committee included a Connecticut Infrastructure Bank. So, I had it on good faith that at least the Chairs of that committee were supportive of this in concept.

Through you, Madam.

THE CHAIR:

Thank you, Senator Bergstein. Senator Sampson.

SENATOR SAMPSON (80TH):

Thank you, Madam President. And I appreciate the answer. I'll just note that the first paragraph talks about infrastructure improvement and mentions construction, equipping, reconstruction, repair, rehabilitation, improvement of and acquisition of easements and rights of a with respect to roadways, highways, bridges, commuter and freight railways, transit and intermodal systems, airports, aeronautic facilities, ports, harbors as a navigable water base. All of those are transportation infrastructure items. Every last one of those, until we get to energy transmission and distribution resources. And we just heard a few moments ago that the nexus between energy transmission and distribution resources might be this new technology that helps electric cars be charged while travelling down the highways.

So, I'll just state for the record that I believe that this is a transportation bill more than anything else and I find it odd that it didn't go through Transportation. I also noticed that in a previous version of this bill there was a -- the term, *tele-networks*, was included in this definition and I'm curious to know why that was removed.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Sampson. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Thank you for noticing that. We originally did include telecommunications and we removed it because we were told on good authority that the private sector already provides over 97 percent of our telecommunications and they do it well and they own the cables. And perhaps at some future date, that partnership will be revisited, but for the moment we did not want to disrupt what the private sector was already doing quite well on its own.

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Sampson.

SENATOR SAMPSON (80TH):

Thank you, Madam President. And I appreciate that answer. Would you read that to mean that this language, not including tele-networks, would be a prohibition on the Connecticut Infrastructure Bank being involved in those technologies?

Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Their involvement with telecommunications is not contemplated at this time.

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Sampson.

SENATOR SAMPSON (80TH):

Thank you, Madam President. That was a diplomatic answer and I appreciate it. Moving on to a section that was already mentioned by a previous Senator during the questions that he asked. Lines 18-23 seem pretty specific. It says the funds shall not receive any amount received or collected by the state or any officer thereof on account of or derived from an electronic toll collection system implemented on the highways of the state unless the implementation of such toll collection systems is specifically approved by an affirmative vote of the General Assembly.

Now, when I read that, my reaction was this language is here to tell everyone in this room that this is not a toll bill. **This is not a toll bill.** That's what it says. I don't know why we need to mention that explicitly since we have a lot of bills that come through here that are not toll bills and we don't need to put that in there. I guess my question is, is there any additional reason beyond trying to make it abundantly clear that this is a not intended to be a mechanism or to be funded by our potential implementation of highway tolls in this state?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Sampson. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. It is intended to make it abundantly clear that that is not -- even if passed, that is not to be considered the primary source of funding for an infrastructure bank. That's why we intentionally carved it out. It was at the suggestion of your colleagues that we did that. So, we also carved out special transportation funds, funds from the Connecticut Port Authority, funds from the Connecticut Airport Authority. The intention of the infrastructure bank should be eminently clear. It is not to step on the toes of existing funding streams. It is actually to enhance existing funding streams and to find novel and innovative sources of revenue.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Sampson.

SENATOR SAMPSON (80TH):

Thank you, Madam President. And I appreciate the answer. So, similar to my previous question, I will ask, does this statement create a prohibition for the Connecticut Infrastructure Bank from receiving toll revenue, period?

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Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. This states -- it says exactly what it says, which is that no toll revenue is contemplated to be a funding source of the infrastructure bank.

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Sampson.

SENATOR SAMPSON (80TH):

Thank you, Madam President. I understand the language that's written there is quite clear and it essentially says that, notwithstanding anything else that might happen, the legislature passing another law and changing this policy, we can certainly do that. This proposal does not allow for tolls on our highways. But I am -- I will ask if I am correct in stating that this bill would allow the infrastructure bank to in fact place tolls in other places around this state. Is that correct?

Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. No, not correct. This does not contemplate creating a tolling system of any kind. It also specifically carves out special transportation funds. And we know that if tolls are enacted by the General Assembly that they would go into the Special Transportation Fund. So, by virtue of that connection, we know that even if tolls are enacted, they will not come to the infrastructure bank.

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Sampson.

SENATOR SAMPSON (80TH):

Thank you, Madam President. I was gonna go through this bill kind of line by line, but we've got to, just based on the last conversation, jump ahead to line 210. Line 210 is very simple. It says, "Funding sources may include but are not limited to," and the next paragraph tells us where money can come from. And the very first thing listed on line 211 is, "funds received by the state from transportation-related fees," and it says, "included but not limited to fees for bus, rail or ferry service, parking, electronic vehicle charging and so forth." It does say, "provided such funds are not required to be deposited into the SDF."

But it does not say that tolls are not a potential. In fact, I don't know what else you might consider a fee for the use of, you know, transportation-related

infrastructure created in section one, even a ferry service, in some ways, I think could be considered a toll by many. I'm just trying to get to the bottom of the bill. I'm not trying to imply that somehow this is a mechanism to create tolls in our state. I just want to make sure that, for the record, we are going to make it clear that, a) we are not allowing highway tolls with this legislation, and what we are in fact allowing and does that include, for instance, the infrastructure bank to partner with a private entity to maybe make a highway onramp and then use a toll at that onramp to fund the infrastructure bank and repay the project. Is that possible?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Sampson. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. No, that is not possible. And that is why the language is so specific and limited to fees for bus, rail, ferry service, parking, electric vehicle charging, etcetera. So, those types of fees are not called tolls. They're called tickets, ticket prices. So, when someone goes on a bus or a rail or a ferry service, they pay a ticket price and that price can fluctuate depending on service provided, and that is a source of revenue that an infrastructure bank could use eventually, some day, if they provide better service. It could also be coupled with an increase in a fare charge for that improved service.

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Sampson.

SENATOR SAMPSON (80TH):

Thank you, Madam President. And I appreciate the answer. I don't want to be cute, but it does say, "Funds received by the state from transportation-related fees including but not limited to," which, to me, tells me any way you want to derive funds. And I think that trying to make the point that a toll could be called something else. You know, I have a joke among my friends. We call tolls road taxes. (Chuckles) But whether you call it a ticket or a fee for the onramp that I described, it would still be a toll. If you are not calling it a toll, through you, Madam President, would it be allowed to charge a fee under the circumstance I described if the infrastructure bank partnered with a private entity for the use of a bridge or for an onramp that they constructed?

Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. I'm sorry if my previous answer was unclear, but I thought I said very clearly that, no, a toll on an onramp is not a

permissible source of funding for this. We are not contemplating tolling of any kind.

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Sampson.

SENATOR SAMPSON (80TH):

Thank you, Madam President. And I appreciate the answer. I don't doubt the sincerity of your response. But I don't see in the language where it precludes that. I only see language that enables it. But I will move on since we've discussed it enough for the record and I'm confident that I'm gonna get the same answer again. In lines 42 through 46, it describes the infrastructure bank being created as a body politic incorporate, constituting a public instrumentality and political subdivision of the State of Connecticut, established and created for the performance of an essential public and government function. That's very, very straightforward. That's typical language you might see in a quasi or a public-private partnership.

But then it says, "The Connecticut Infrastructure Bank shall not be construed to be a department, institution or agency of the state." I think that's also acceptable language if you're trying to make it quite clear that this is a private entity. I'm bringing it up only because as we go through this bill I think it's going to be clear that this Connecticut Infrastructure Bank, as written in this bill, attempts to be both things. Right in lines 48 through 55, it talks about how the Connecticut

Infrastructure Bank shall develop a plan to expedite development and the structuring of high-quality infrastructure improvement projects and it's supposed to consult with the state treasurer and the commissioner of Transportation.

Consult with, to me, is a question mark. But let me ask the question. Is there a list of infrastructure projects that they'll be working from or will they be developing their own list? And where in the bill do I understand that that list exists that they have to work from?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Sampson. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam Chair. Thank you for that question and I'm happy to eliminate the process. So, the process would originate with the Department of Transportation or any other agency that wanted to fund infrastructure projects. And as I understand currently, the system is that the Department of Transportation creates its own list of priority projects and then they confer with the legislature to determine if it meets their standards and then they proceed with their projects. This quasi-public agency would simply intervene in that process in order to enable better performance and better financing. So, they would simply look at the list of priority projects and assess it based on these criteria here, which are high quality, cost efficiency, and, this is very important because we

don't really have a metric for this yet, whether or not the projects would stimulate and encourage economic growth and development.

So, we don't have a mechanism to date that assesses the economic impact of various transportation infrastructure projects. And I think it's really important for taxpayers to know what they're gonna get from the money that we are investing on their behalf. So, the economic impact of each of those projects is really vital information and analyzing that before we decide to fund, before we decide how to fund individual projects is an essential element to responsible public finance.

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Sampson.

SENATOR SAMPSON (80TH):

Thank you, Madam President. And I appreciate that answer. If you go back to my very first opening comment, I said that the things contemplated in this bill are things I am very much in favor of, including everything the good Senator just mentioned. I want to see exactly that happen. My question and I'll repeat the end of the first question. I know it was a multipart question. Is where is the list contemplated in this legislation before us that they will be choosing the projects from? Because I see nothing on this -- in this language that says that they must contemplate the list that the Department of Transportation has of infrastructure projects. To me, it looks like the

Connecticut Infrastructure Bank can choose whatever projects they want because there's nothing in here that says that they have to use that list.

And the second part of that question is, while I appreciate what's happening here, where is the legislative oversight? Where is the legislature in that decision-making process to make sure that this is in fact an infrastructure project that will stimulate and encourage economic growth? The reason why we're all here, Madam President, is because we represent our constituents and our job is to write policy that is best for them and look out for their interests. To me, this is a dangerous part of this bill that transfers a lot of that responsibility to an outside group of people that are not responsible to us. So, that's the reason why I ask the question. I appreciate the desire for these goals. I think these are great goals. But where is the list and where is the oversight?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Sampson. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. I would just like to characterize the infrastructure bank not as an outside group with possible, you know, nefarious interests. This is actually a group. The board is entirely accountable to the legislature and the government -- the Governor, sorry, because it's appointed by the legislature and the Governor. So, it's a body of twelve board members, eleven of whom

are voting. They are appointed by treasurer, the Department of Transportation commissioner, DECD commissioner, House Minority Leader, Senate President, Senate Minority Leader, House Speaker, for -- from the Governor. And they have to have specific expertise in infrastructure financing, project finance, environment, and other types of expertise which are really critical to have on a board which is going to make some sophisticated analysis and decisions.

But again, they are not working unilaterally. They are not coming up with their own projects out of the ether. They are there to provide support and expertise to our existing state agencies which want to accomplish a public mission of providing 21st century infrastructure so that we can have a growth economy. So, this is not a rogue entity that has its own agenda. It has public mission as its agenda and that public mission is stated quite clearly in lines 50 through 55.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Sampson.

SENATOR SAMPSON (80TH):

Thank you, Madam President. And I appreciate the answer. I want to just state for the record I never said anything about a nefarious purpose. I don't believe that that is the intent of the language. I completely understand that the goal here is to improve the infrastructure in our state and come up with a better, more progressive way to achieve that.

I completely understand that and it's something that I share in. But the concerns I've laid out so far and will continue to do discussing this bill are legitimate concerns and I just want to make sure that we're not attempting to change the argument into whether or not I think the idea is good. The idea is good. It's the implementation that I have a concern with.

I'll just point out, by the way, that the board, while it does include certain appointments from the legislative chambers, that Minority Leader, Majority Leader, and so forth, the Speaker, and like a lot of different, you know, studies that we produce and a lot of different task force, those members are on there. But generally speaking, they don't produce a final work product. They bring their work product back to the legislature for final review and approval. And in this case, that doesn't happen. What's happening is we are giving them the autonomy to act on their own. And just since we're on the subject of the members of that board, I will point out that even though this is the Connecticut Infrastructure Bank, the Banking commissioner does not serve on this board.

The comptroller, who would play a distinct role in something like this, I believe, should have a role, and he is not. But there are labor representatives and environmental representatives on the board. I don't think that's a problem, but I think it's worth pointing out that those positions were chosen over having someone with some banking background that is responsible to our state government.

So, just continuing on, lines 65 through 69 talk about the Connecticut Infrastructure Bank's powers.

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It says it may assume or take title to any real property and that also may mortgage, convey or dispose of its assets, etcetera. It goes on and gives it some authority. I'm curious to know if these assets that will be purchased by the Connecticut Infrastructure Bank will be assets of the taxpayers of the State of Connecticut.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Sampson. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. I first want to address the good Senator's concern about whether the infrastructure bank can make independent financing decisions. And there is a mechanism whereby the treasurer must approve any bonds or financing issued by the infrastructure bank. So, no, they cannot act independently.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Sampson.

SENATOR SAMPSON (80TH):

Forgive me, Madam President, I don't know if the answer to my question was in there. I was distracted by someone for a moment. But I had asked whether these assets that are discussed in line 65 through 69 would be owned by the taxpayers. Is that

correct? And I'm sorry if you did answer the question.

Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Oh. Thank you, Madam President. Anything purchased by the Connecticut Infrastructure Bank is owned, in essence, by the taxpayers of Connecticut. The purpose of the infrastructure bank is to advance the interests of the taxpayers of Connecticut.

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Sampson.

SENATOR SAMPSON (80TH):

Thank you, Madam President. So, just following in that theme, lines 93 and 94 speak to the power to invest in, acquire, lease, purchase, own, manage, hold, sell and dispose of real or personal property or any interest therein. So, normally when any other state agency or even quasi-governmental agency in our state attempts to do any of those things, they are required to go through several processes. And number one of those things is through the Department of Administrative Services. I'm curious to know if there's any oversight through DAS on the purchase of land and whether or not there is a

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competitive bidding process, or this Connecticut Infrastructure Bank simply gets to make the decision on their own whether it's a good investment.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Sampson. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. There is no specific language about a review by the Department of Administrative Services because, again, the underlying intention of the Connecticut Infrastructure Bank is to streamline the process and to allow for the public interest to be advanced with a private sector expertise and financing. There is -- I don't believe there's any risk to the taxpayers. In fact, the risk of any of these projects only reverts back to the infrastructure bank and not to the state itself.

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Sampson.

SENATOR SAMPSON (80TH):

Well, thank you, Madam President. That's a very important point. I would -- I hesitate to -- I want to be agreeable on the subject, but I do see a risk to the citizens of the state and that is because there's a purpose for oversight. I could hardly be

accused of someone in this Chamber of someone wanting to see more government. But there's a reason why we have government. I think the first two priorities are public safety and consumer protection. And in this particular case, I think creating a somewhat autonomous group of people who can make this decision on their own without a competitive bidding process, without the oversight of the Department of Administrative Services to make a purchase of property because they feel it is a good investment, should be a concern of this body.

It says in line 95, "they also have the authority to borrow money or guarantee a return to investors or lenders." I'm curious to know what happens if they fail to live up to the return that they have promised. Is there any chance, through you, Madam President, that the taxpayers of the State of Connecticut might be responsible or held accountable for that lack of achievement of their goals by the Connecticut Infrastructure Bank and require the taxpayers to pay that return?

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. I'd like to refer the good Senator to line 77 of the bill, which says that "the indebtedness shall be payable solely from the assets, revenues and other resources of the bank." So, there is no liability to the state beyond what

the assets and revenues are in the infrastructure bank.

As to the competitive bidding process that the good Senator referred to, this actually enables a competitive bidding process so that we can invite private developers and other providers into the process of developing plans for designing, engineering and executing our infrastructure projects. And like any investment, it will be judged on its merits. It will be judged on its performance. So, another advantage of the infrastructure bank is it allows for performance metrics, so that we actually can ensure that we get good P3s and not bad P3s, and again, that we get cost-efficient projects that do not become a liability for the state and its taxpayers.

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Sampson.

SENATOR SAMPSON (80TH):

Thank you, Madam President. I appreciate that answer. It does make me wonder. I don't know under this bill what would become assets or the Connecticut Infrastructure Bank and whether or not those assets could be construed to be assets of the State of Connecticut, and whether or not -- if the only thing that is subject to protecting that guaranteed return that the infrastructure bank is assets that they own. Would that be sufficient to satisfy investors? Or is the infrastructure bank relying on its quasi-public relationship with the

State of Connecticut to encourage investors to work with us because we are backed by the state and its taxpayers?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Sampson. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Again, just to emphasize that there is no liability to the state, simply to the infrastructure bank itself for the projects that it finances. And those projects are not backed solely by the assets of the bank, but by the revenue generated from those projects. That is the source of the funding and actually what happens is that as more projects are done and more revenue is generated and a portion of those revenues come back to the infrastructure bank, the infrastructure bank becomes self-sustaining. So, it no longer needs any input from the state, any equity from the state. So, it becomes a revolving fund and it's called a development fund in other parts of the world, and it just keeps growing and growing and doing more projects for the benefit of the public.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Sampson.

SENATOR SAMPSON (80TH):

Thank you, Madam President. I -- again, all of the answers I'm hearing are great except I don't see that in the bill anywhere. What I see is that this infrastructure bank is going to be funded by the taxpayers of the state to the tune of \$50 million dollars over three years; \$5 million dollars upfront, \$25 million dollars in year two, and \$20 million dollars in year three. Those, I believe, would be assets of the Connecticut Infrastructure Bank. And if the only thing that is potentially at risk because of a failure to meet a guaranteed return are assets of the Connecticut Infrastructure Bank, I think we've just shown that that \$50 million dollars, and potentially more, are taxpayer funds that are at risk.

I'm just gonna move on. Line 117 mentions the operation of a northeast regional infrastructure bank. Through you, Madam President, what is this and why is it in the bill before us?

THE CHAIR:

Thank you, Senator Sampson. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. And I'm so glad that you raised that question because, ideally, we would be part of a regional infrastructure bank once all of our neighboring states have infrastructure banks, and they are in the process of putting them in place. New York and Massachusetts are in the process. New Jersey already has one. Then, with a regional infrastructure bank, if we participate in that, we can do major infrastructure projects that cross state lines. Rails, highways, bridges,

tunnels, all sorts of things that, as we know, infrastructure does not stop at our state border. So, we need to be able to partner with other states to do major projects that truly transform all of our state's infrastructure and that can be a way of developing our regional economy.

We have such potential in this region for really stupendous economic growth if we take advantage of innovative processes and efficiencies between state governments to achieve our collective goals.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Sampson.

SENATOR SAMPSON (80TH):

Thank you, Madam President. Again, it sounds like a loft goal and one that I am very sympathetic to. But I come back to the question that I've asked repeatedly, and that is where is the oversight, where are the people of the State of Connecticut when it comes to the decision-making power here, especially when we are giving this Connecticut Infrastructure Bank and its very limited in scope board of directors the power to engage another state in potentially a, you know, billion dollar investment project. I'm just gonna move on from that, though. I mean, it's -- the theme of this bill for me is I like the idea, where are the taxpayers' investments looked after, where is the oversight.

Lines 128 through 132 speak of the potential of an MOU with the Connecticut Green Bank regarding the sharing of space, office systems or staff administrative support. And I'm just curious to know how that works. I mean, the Connecticut Green Bank is its own entity. Are they prepared to share their resources with the Connecticut Infrastructure Bank? Is there a plan in place? Have they agreed to work with the Connecticut Infrastructure Bank as far as providing that space, office systems and administrative support?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Sampson. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Yes, the Connecticut Green Bank has agreed to work with the shared services agreement and in fact they are most supportive of this concept, and they testified in favor of the infrastructure bank.

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Sampson.

SENATOR SAMPSON (80TH):

Thank you, Madam President. The next session, 135 through 144, which is section E of the authority granted to the infrastructure bank, essentially says

it can create its own subsidiaries. I know Senator Berthel touched on this also and I won't even ask a question. But I will ask one rhetorically. And that is, again, who is exercising oversight over this subsidiary other than the infrastructure bank itself? I notice it in lines 195 and 196, it says, "The infrastructure bank may seek to qualify for community developed financial institution under a U.S. Code." I'm guessing, without looking that up, that those are federal grants. Are those federal grants available to private entities or government entities, or, in this case, what is construed to be a quasi-public?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Sampson. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. First, let me just address your question about subsidiaries. The purpose of allowing the infrastructure bank to create subsidiaries, as is one in the private sector, is to limit the risk of a project simply to the assets of that project. So, that is a customary way for banks or any other finance entity to do business.

In terms of your question about the community development financial institution, yes, those are federal funds. And if the infrastructure bank qualifies, they would be entitled to it. But as it stated elsewhere in the bill, the infrastructure bank must comply with all federal and state laws,

and again, there is no intention to divert federal funds that might be going to another agency to the infrastructure bank. It simply -- this paragraph enables them to apply for such funds, which I believe are for distressed, low-income areas.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Sampson.

SENATOR SAMPSON (80TH):

Thank you, Madam President. So, we're in agreement, then, that this essentially is giving the infrastructure bank the ability to qualify for certain types of federal grants that would normally be issued to government entities for the purpose of developing these, I think, they're distressed communities, as was just stated. My concern here is whether or not we are going to put the infrastructure bank in direct competition with our other state agencies and how is that resolved in a case where both the Connecticut Infrastructure Bank or maybe another state agency, housing authority or other entity, are competing for the same funds. Do we have a mechanism to resolve that anywhere in this language?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Sampson. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. And I appreciate the good Senator's concern about interagency competition. But again, that is not the purpose of the infrastructure bank. It is not to divert federal funds to itself over the better interest of another agency. The purpose of the infrastructure bank is to enhance the capabilities of existing agencies. So for instance, if the housing authority wanted to apply to funds, they might consult with the infrastructure bank and determine, based on that consultation, who is in the better position to apply. Perhaps there's some efficiency that could be gained from the infrastructure bank conducting that process on behalf of the housing authority.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Sampson.

SENATOR SAMPSON (80TH):

Thank you, Madam President. I know I sound like a broken record up here. I appreciate the answer very much. I like the answer very much. But I don't see it in the bill. If we're going to say that there is a mechanism to prevent this interagency competition, as it was described, I think it needs to show up in the bill, and it's not here. All it says is that they can apply for these federal grants, which I presume our other state agencies are applying for. To me, that creates a problem that should be addressed. I'll just reiterate in lines 210 through 216 give broad authority to the infrastructure bank for funding sources and it makes it quite clear that

it can receive state funds, funds received by the state, from transportation-related fees, included but not limited to a plethora of items. This goes to the discussion we had earlier about what the assets of the infrastructure bank are and whether they are taxpayer dollars or not.

Lines 238 -- I'm sorry, 239 and 240, say, "the Connecticut Infrastructure Bank can enter into contracts," but it also says, "The average rate of return on such debt or equity shall be set by the board of directors." And then on lines 249 and 250, it says, "the bank may assess reasonable fees on its financing activities." So, a question, through you, Madam President, is the Connecticut Infrastructure Bank subject to the banking regulations that would apply to any other entity looking to conduct either of these acts, setting the return on investments or charging reasonable fees on its financing activities?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Sampson. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Yes, the Connecticut Infrastructure Bank is subject to all state and federal law and whatever banking policies may apply. But I'd like to address the Senator's previous statement, his concern about competition between the infrastructure bank and state agencies. And I guess I would posit that this is really a question of perspective. If someone believes that our state

agencies are operating at full capacity and full efficiency and delivering the best possible results for our constituents, then, correct, they would not need any oversight or any support.

If you don't believe that, if you're somewhat disappointed by the results of some of our state agencies, including the Department of Transportation, then actually this provides the type of oversight and intervention that is actually constructive. So, the infrastructure bank can receive state funds. Again, it is not there to compete with the state agencies. It's there to enhance their productivity and efficiency so we can deliver the results the public expects.

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Sampson.

SENATOR SAMPSON (80TH):

Thank you, Madam President. What the gentle lady has just described sounds like a private entity to me, which is the thing I keep going back and forth to. In some ways, this is a state agency that's eligible for state privileges, for lack of a better term, and in other ways it is a completely autonomous body. I thought that when I had asked the previous question about whether or not there would be any prohibition on competing with other state agencies that I would be pointed to the next section I'll bring up, which is 264 through 269, which basically says exactly that. It says, "The

infrastructure bank shall not apply directly or through a subsidiary for federal grants."

But it only specifies a few state agencies and this illustrates my concern. We bothered to write this bill in this way to address the problem that I already pointed out, but we only did it in the case of the Department of Transportation, the airport authority and the port authority. We did not do it to protect the Department of Housing, for instance. And I'm certain there are other state agencies that will end up in direct competition with the infrastructure bank, which I would argue, under this language, has no obligation to consult with them whatsoever. And I know that we're going to talk about the oversight of the legislative committees that's coming up in a few short sections and I cannot wait to discuss that also.

Through you, Madam President, I guess, I will just ask, why are there not other agencies? Why does it only list these three agencies, I guess? Why only DOT, the port authority and the airport authority? Why not Housing or any of the other state agencies that might be involved in similar projects?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Sampson. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. I would just like to correct the previous statement because these lines say that, "the Connecticut Infrastructure Bank shall

not apply unless they have the approval of the state treasurer and the commissioner of Transportation." So, there is a process by which they can apply. If everybody at the table agrees it's in the best interest of the implementation and financing of the project.

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Sampson.

SENATOR SAMPSON (80TH):

Thank you, Madam President. And I thank you for the answer, but it's not the answer to the question I asked. It says that the infrastructure bank shall not apply for federal grants. Two of those three agencies I mentioned without the approval of the state treasurer or the commissioner of Transportation. It says nothing about the Department of Housing or any other state agency.

THE CHAIR:

Thank you, Senator Sampson. Is there a question?

SENATOR SAMPSON (80TH):

I wasn't asking a question. I'm just making a statement there. Lines 270 through 272 also give me some pause. It says, "No director, officer, employee or agency of the Connecticut Infrastructure Bank, while acting within the scope of his or her authority, shall be subject to any personal liability." This -- I just mentioned that in some

ways we are giving the folks on this board within the infrastructure bank all of the authority of a private entity to act independently. But on the other side, we're also giving them the benefit of this protection from liability that you would only get from a state agency. And it's of great concern to me.

And it's just one of the list of things that I would point to that give me great pause in a bill that I want to support, Madam President. I don't know if I made that clear from the very beginning, that I like the idea of public-private partnerships when they are done properly, when there is proper oversight from the citizens of this state to make sure that their investments are looked out for in their entirety.

The next session is all about the board of directors, which we already talked about. Going on to line 335. Here's another thing. It says -- this is actually the only real oversight I see in the bill, which says, "no member of the board shall be a trustee, director or partner or officer of any person, firm or corporation that has a financial interest in the investment part of the projects." And I think that's good. But I'm curious to know why we have just this limited amount of language rather than what would be expected of any other state agency that's operating with the taxpayers' money, potentially. For instance, we had a bill recently, discussing the Office of State Ethics, review of the spouses of members of organizations just like this. Are they covered by this?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Sampson. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. I first want to address your previous statements about board members not being subject to personal liability. That is a customary practice in the private sector that board members are not subject to personal liability and, in fact, are insured against it. And that is how we recruit top talent to the infrastructure bank and it's also why it's so critical that board members not have any financial interest in any of the projects. So, again, as I stated previously, the performance of board members, the performance of the infrastructure bank overall is judged by the success of their projects and by the return on investment and the growth of the fund. And if you're concerned about transparency and accountability, as am I, there are specific requirements in the bill stating that the infrastructure bank and all of the terms of their deals are subject to FOIA disclosure, ethics, every other form of accountability and transparency that we have in our toolbox.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Sampson.

SENATOR SAMPSON (80TH):

Thank you, Madam President. I'll just reiterate. I asked a very straightforward question, which was,

are the spouses of the boards of directors covered under this language.

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. I'm sorry I neglected to answer that. I do not see a specific mention of spouses of board members, but it is my legislative intent that, yes, spouses should also not have a financial interest in any of the projects conducted by the infrastructure bank.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Sampson.

SENATOR SAMPSON (80TH):

Thank you, Madam President. I want to move on, but I do want to just go back to one thing that we just touched on and that is the personal liability language, 270 to 272. I don't believe that there is anyone as a private citizen involved in a private enterprise that is protected from personal liability. I don't know if the good Senator misstated. I'm quite certain that a board of directors might write a contract to have the company assume liability. But you cannot be held immune from the accusation or a lawsuit from another party.

And in fact, the conclusion of the language in here, to me, is concerning because it seems that we are trying to extend the state's sovereign immunity to this entity and their board of directors, at the same time giving them a lot of independent ability to act.

And case in point, lines 393 through 90 -- 395, I wrote next to in my notes, "scary sentence," because it is a scary sentence. It says, "the powers enumerated in this section shall be interpreted broadly to effectuate the purposes established in this section and shall not be construed as a limitation of powers." It basically says that this board of directors of this infrastructure bank is going to have complete autonomy on how to handle all of the things that we've already discussed, the purchase of assets, the guarantee of a rate of return, the charging of fees, and the -- essentially, the entire act of a private investment firm, essentially, that is in some ways guaranteed by the State of Connecticut.

To the extent that the provisions of this section are inconsistent with the provisions of any general statute or special act or parts thereof, like any other law that we make, the provisions of this section shall be deemed controlling. That should give everyone pause in this room, that we would include language like that ever in any legislation. That this bill supersedes anything else we have to say on the subject. The next few sections are all about bonding. I know the Finance Committee had an opportunity to look at that. It's not my area of expertise, so I'm just gonna kind of skip over that.

I do think it's interesting that we are granting even that authority to this organization. I hesitate to call it a quasi-public. If I really believed it was a quasi-public, I might be much more in support of the legislation. I just don't think that it's structured in that way to the letter of this bill. Lines 590 through 592, again, the Connecticut Infrastructure Bank is authorized to fix, revise, charge and collect rates, rents and fees and charges for the use of and for services furnished or to be furnished by each project and to contract with any individual partnership, corporation or association. A tremendous amount of authority granted to this agency, and again, no mention of legislative oversight.

And I will just point out that I've been speaking over and over about the lack of oversight in this bill and that is because I really want to drive this point home. And nothing drives it home more than line 605 through line 608 of this bill. This is the biggest line in the entire bill as far as I'm concerned. It says, "Such rates, rents, fees and charges shall not be subject to supervision or regulation by any department, commission, board, body, bureau or agency of this state other than said bank." Wow. That is a lot of authority to be granting a -- even a quasi-public, which I don't believe this is because of that lack of oversight.

I guess I'll just end right there. I've made my points pretty thoroughly. My concern is that the Connecticut Infrastructure Bank, despite the talking points that I think are lofty and admirable and something I would get behind, in practice, the language of this bill does not follow in form and function. This creates really an autonomous body

that has little to no legislative oversight, who has the ability to spend, to bond, to tax, to assess fees without any of the regulation that we would impose upon anybody else conducting any of those things.

I share the concerns that Senator Berthel mentioned -- Berthel mentioned out of the gate, that great idea, but the bill needs to be tightened up in a way that we can hold these folks accountable so that they truly, truly are responsive to the needs of our Connecticut residents and do provide a brighter future for our state.

Thank you, Madam President.

THE CHAIR:

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

SENATOR MARTIN (31ST):

Good evening, Madam President. I rise for a few questions to the proponent of the bill?

THE CHAIR:

Please proceed, sir.

SENATOR MARTIN (31ST):

So, we're creating a new bank which will be called Connecticut Infrastructure Bank and it seems to take -- or it looks to improve the infrastructure here in the State of Connecticut as well as create an infrastructure improvement bank. Is that correct?

Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. It creates a Connecticut Infrastructure Improvement Fund as part of the infrastructure bank.

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam President. I meant to say funds instead of bank. And the purpose of that, from what I understand here, is to acquire, to remove, to construct and it says equipping, reconstruction, repair, rehabilitation, improvement of easements, right of ways, highways, bridges, rails, airports, harbors, etcetera. Can you provide a few examples of how this bank infrastructure -- the infrastructure bank would be involved in these projects?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Martin. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Yes, I'd be delighted to provide some examples. For instance, in Florida, which is also a coastal state, they have ports. They wanted to be able accommodate new vessels into their ports but they didn't have the appropriate docks. So, they funded the construction of new docking facilities for different vessels with the future revenue stream from the dockage fees of those vessels. They were able to build the appropriate docks by financing it with the future revenues from the vessels that would be docking there. So, that's a perfect example of what a revenue-producing project; that is not tolls, and is, frankly, nothing to do with tolls, that can create the sort of infrastructure we need to grow our ports, grow our cities and develop into a thriving economy.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Martin.

SENATOR MARTIN (31ST):

Thank you. Thank you for that answer. So, it sounds like that was a new harbor or a new port that was developed there? Or was that something they were refurbishing or renovating?

Through you, Madam Chair -- Mr. President. We had a switch.

THE CHAIR:

Thank you, Senator Martin. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Mr. President. This was an enhancement of an existing port, just like any other infrastructure project. Everything needs to be updated and modernized and adapt to current technology. So, the vessels -- they either didn't have enough space to accommodate the vessels that wanted to dock there or the spaces they had were not adequate for the vessels that wanted to dock there. So, in order to create the appropriate docking, they needed to finance the construction of that and they did that by using the revenue stream of the dockage fees that would come in once they had built it. So, it's a way to leverage revenues, a future revenue stream, to derive the present value of that so they can -- so we can construct the facilities that we need to grow our economy.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. (Laughs)

SENATOR BERGSTEIN (36TH):

I apologize.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Thank you. So, if we did that here in the state and we do charge fees for the use of the harbors and the ports, and the revenues, perhaps, some of those go to the STF fund. So, would be taking those funds that we currently use, and you said that -- it sounded like they used the future revenue streams to use as a -- their equity in order to leverage for the funds needed to construct. So, if we use -- well, would we be transferring STF funds to this infrastructure bank should we do something similar to what you just used as an example?

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Martin. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Mr. President. No, we would not be diverting funds from the Special Transportation Fund.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Martin.

SENATOR MARTIN (31ST):

Thank you. The bill talks about a comprehensive plan. Can you explain to me what that looks like?

THE CHAIR:

Thank you, Senator Martin. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Mr. President. Yes. Comprehensive plan, which is on -- described in more detail on lines 50 through 55, is very concrete in its objectives. The objectives of the plan are to expedite the development, structuring, execution of high-quality, cost-efficient infrastructure projects that also encourage and stimulate economic growth and development in our state. And as I said previously, we do not currently have an assessment tool to determine which infrastructure projects are going to deliver the maximum economic benefit for our state.

And I just want to address some of the comments that the good Senator made previously, Senator Sampson, about his concern about lack of legislative oversight for this bank, and to say that I think we may have had too much legislative oversight in our process to date. And that actually the problem isn't the availability of funds, because there is over a trillion dollars in the capital markets that we have not accessed. There is plenty of money available for infrastructure projects. The problem is really politics and the fact that the process is so political. So, this is a way -- the infrastructure bank is a way to depoliticize the project and use objective metrics, performance metrics, to determine the viability of infrastructure projects.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Mr. President. I beg to differ slightly here because I think if you speak with the department, the Transportation Department, they would provide you with a list of priority projects that they have and they've assessed and they know where we have to invest for our -- invest our funds for a better infrastructure here in the state. The problem has always been that we don't have enough funds or allocated and prioritized the funding that we do have to take care of those transportation needs.

So, you mentioned that the reporting requirements of different agencies earlier with one of the other good Senators here, and that there would be a report submitted to various agencies and commissions. I guess the question that I have is -- it's just a report. It didn't look like there was room in there for suggestions or any authority that the agencies or the various commissions have over this quasi, I guess, board that would be assembled. So, I guess the question is. Who would be overseeing this board?

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Martin. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Mr. President. First, let me address your first statement, that we simply don't have enough funds for infrastructure projects. That is accurate, but it's because we have never accessed private investment funds. So, that's what I meant when I said there is a trillion dollars in capital market funding out there that we have never been able to access. This would allow us access to that so we could leverage our public funds with private funds to the tune of five to ten times. So, this is how Florida has taken a billion dollars of its public funds over ten, fifteen years, and multiplied it into \$9 billion dollars. That is an incredible multiplier effect. That is exactly what the infrastructure bank would do, so.

And as to your concern about the infrastructure bank reporting to agencies and the board interface with agencies, again, the infrastructure bank is there to enhance the performance of agencies and to help them deliver the projects that they want to deliver to the public. So, it is -- it doesn't act unilaterally. It's not entirely independent. It provides expertise, support, analysis, and again, unlocks private-sector capital that we've never been able to access before.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Mr. President. Two comments. First is, it's -- with the leveraging of funds through the

private sector, it's actually bonding. So, we'd be borrowing for these projects. Second, regarding the oversight, where in the bill does it say that there is someone overseeing the board or the infrastructure bank?

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Martin. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Mr. President. The board is appointed by the legislature and the Governor with staggering times, so the board is responsible to the legislature and to the public. But again, their primary responsibility is to the public. And I'm in favor of that. I would much prefer to see people with actual project finance expertise developing projects and designing the financing of those projects that are accountable to the public and not necessarily to the political process.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Martin.

SENATOR MARTIN (31ST):

So, it sounds like there is no oversight other than the appointments made by the legislature and that there is no cognizant -- committee of cognizance where they would report to.

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Through you, Mr. President.

THE CHAIR:

Thank you, Senator Martin. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Mr. President. Oh, I'm sorry. I did state earlier an answer in response to a previous question that the infrastructure bank reports to six committees of cognizance.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Mr. President. How different or how will this bank be different than what the DOT or how the DOT operates today?

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Martin. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Mr. President. There are several differences, but generally speaking, one; this is a board that has expertise in project finance. So,

that is all they do, all the time. The DOT does not have that in-house expertise. And furthermore, the most significant way they differ is that they can go out to the private markets and they can determine -- they can do requests for proposals and have a competitive bidding process so we can actually take advantage of the best technology and the lowest-cost provider of whatever it is we want built for our state. And I'll give you a concrete example.

In Miami, they determined that they needed to build the Port of Miami Tunnel and it was gonna be a major, major project. Their DOT priced it out at \$1.2 billion dollars. They were able to open the bidding process up to the private sector and they got a bid for \$600 million dollars because that company had better technology for delivering the tunnel. And so they were able to get the project done at a higher quality, faster, and at half the price.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Mr. President. I'd -- I have not looked into that project. I'd like to see the -- that project in itself. I guess I look at the cost of money and relative to what the state could borrow money at. It would be interesting to see how much -- what impact that had on that project. But along those lines, slightly, so what are the startup costs should we decide to do this?

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Senate

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Through you, Mr. President.

THE CHAIR:

Thank you, Senator Martin. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Mr. President. The startup costs would really be de minimis because of the shared services agreement with the Green Bank. They would share space. They would share staff. The Green Bank has done preliminary modeling and it would be really modest in terms of actual costs. And what we would like to do is enable the infrastructure bank, not only to set up in parallel with the Green Bank, but also to collaborate across sectors. Because as we all know, infrastructure is not built in isolation and there could be a lot of synergy between environmental infrastructure and transportation infrastructure. For instance, if we had -- if it made sense to have solar panels along our highways or some sort of energy generation mechanism, these two entities could work in collaboration.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Mr. President. So, I go to Maine, not frequently, but periodically, and I have to travel across the Kittery Bridge and there's a toll gantry

that catches and charges, you know, that gives us a -- charges us for crossing the Kittery Bridge. So, knowing that, you know, what's being proposed by the Governor regarding his toll bill, you know, we're talking about 95, 91, 84, parts of 15. So, I can see that through this bill that there's a possibility of us doing some reconstruction of various bridges and I -- you used a harbor as an example. Which is it fair to say that a bridge reconstruction would be another example of what this infrastructure bank could tap into or fund?

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Martin. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Mr. President. Yes, bridge reconstructions are contemplated, but not tolls on bridges.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Mr. President. So, basically we're just changing the word from "tolling" to "fees." Is that correct, Mr. President?

Through you.

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THE CHAIR:

Thank you, Senator Martin. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Mr. President. No, we're not changing the word, "tolls," to "fees." Fees are entirely separate from tolls. So, for instance, in your hypothetical about how would we improve bridges, there are several failing bridges underneath our trains, our Metro-North Trains. I certainly hope that we could use the infrastructure bank to finance a complete rehabilitation of that line, which would include rehabilitating at least four structurally-deficient bridges.

And the way we could do that is by using an increased fee on a portion of the train service for express trains or a business class, anything that we can -- that the infrastructure bank could generate, where there is demand, where there's public demand for a higher level of service, would generate a higher fee. That fee -- so I'm not talking about increasing fares, general fares, but creating a premium service for which a higher fee could be charged. That revenue stream could then fund the improvement of the entire rail line.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Mr. President, through you. So, can you tell me what train line or rail line that was -- that you just used as an example for the bridges?

Through you, Mr. Chair.

THE CHAIR:

Thank you, Senator Martin. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Mr. President. Sure, I'd be happy to elaborate. So, first of all, I just want to mention that the Regional Plan Association, which is a hundred-year-old nonprofit that specializes in assessing infrastructure needs in the metropolitan area and determining what the priority projects are for maximum economic growth and development and also figuring out how to finance them, has made the infrastructure bank one of their top priorities. So -- because they recognize that by doing exactly what I just said, capturing the revenue from an increased benefit, we can -- which is a future revenue stream, we can finance today major infrastructure improvements that we have not been able to finance with public funds alone.

So, again, in the example of the trains, and I'm actually referencing the 30-30-30 plan that the Governor mentioned in his opening address to the General Assembly. If we want that to be a reality, as I do, 30-minute trains between New Haven and Stamford, and Stamford and New York, which would have tremendous impact on our economic growth, would draw businesses here, would make real estate values go up. We can achieve that. We can actually

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achieve that with this mechanism for, again, leveraging public funds with private investments, through revenue-generating projects such as what I just described.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Mr. President. The question that I asked was -- you gave me an example of where you would use this infrastructure bank in order to do the enhancements needed to improve the railway and bridges, and I asked you what rail line were you thinking of.

Through you, Mr. Chair.

THE CHAIR:

Thank you, Senator Martin. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Mr. President. Metro-North Rail Line.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Martin.

SENATOR MARTIN (31ST):

So, Metro-North, there's the Danbury line that's called that. There is the New Canaan line, New Haven line, excuse me. So, it's subsidized and to the tune of -- for example, the Danbury line, it's \$17.58. So, did I understand you that we would use this infrastructure bank to finance that project? And we currently subsidize it to a little more than \$17.50. So, would we be using the -- and charging more than that for the fee? How is that -- how would that work? So, you know, the fees are one thing, but we're subsidizing it through the state. How are we going to pay for that subsidy if we are going to be leveraging and borrowing money? How does that work with the entity that's funding this project?

Through you, Mr. Chair.

THE CHAIR:

Thank you, Senator Martin. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Mr. President. So, we would not, again, be raising the ticket price or increasing the subsidy for existing rail service. We -- the infrastructure bank would devise a way to offer enhanced service, something that does not currently exist, and charging for that enhanced service for -- only for those who choose to consume it. So, this is a fair market solution, you're offering something new. And those who want it, you know, supply and demand would pay for it and the projected revenue from that new service would be the source of revenue for the bonded project.

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Through you, Mr. President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Martin.

SENATOR MARTIN (31ST):

I guess I'm -- I need to be educated in this and I'm sure it won't take place tonight. But if currently the State of Connecticut is subsidizing the railway and we're going to do improvements on that railway, using the infrastructure bank, there are gonna be funds that we are going to be borrowing or the bank, the infrastructure bank, will be borrowing with investors. There will be a fee to that to some extent. Well, there will be a fee to it. And I'm just curious to see how does that work, how does the -- how does the impact to the riders -- what's the impact to the riders and how does the subsidy that we used to provide funding for, how does that come into play? How does -- do we not have to worry about it anymore or is there going to be additional costs to the State of Connecticut?

Through you, Mr. Chair.

THE CHAIR:

Thank you, Senator Martin. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Mr. President. No additional subsidies by the state are contemplated. In fact, the subsidies may go away all together because the infrastructure could potentially derive more revenue

than it does now. And I would -- I would actually suggest that the impact to riders would be highly beneficial because they would be able to get to their destinations faster. So, this is a way to deliver what riders want, which is faster, safer, modern transportation, mass transit with Wi-Fi so that they could work, while driving to work or whatever it is they're going. And we would actually probably see an increase in ridership.

And since you mentioned New Canaan, I will just -- which I represent. I'll just offer that the train ride from New Canaan to New York is actually about twelve minutes slower now than it was 20 years ago and I find that to be an example of how the agencies, the legislature, our process in general, has failed to provide what our public deserves, which is a constantly improving infrastructure and not a crumbling infrastructure that only gets worse over time.

So, if we keep doing the same thing and using the same mechanisms and relying on the agencies exclusively, we really can't expect different results. But if we -- if we have actual expertise that has a private expertise with a public mission and we can access private capital for the first time, we can, not only create accountability and efficiency, but greatly improve results for our public.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Martin.

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SENATOR MARTIN (31ST):

Well, I believe that if I was a rider in that area and it sounded like some of the subsidies might need to be, I guess, taken over sort of by the private entity, I'm pretty sure that they're not going -- they're not in the business to lose money or to subsidize the rail service. So, I would be awfully cautious if I was a rider in that area, knowing that, gee, the state subsidizes \$17.50 for the Danbury line, that I might have to pay for, or even the Shore Line East, where the state subsidizes \$44.91 a rider. So, I would be very cautious about that.

But, going on. You have a section in here that talks about powers and authorities. Section one, lines 393 to 398. The bill specifies the bank's powers. Could you explain what those lines mean?

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Martin. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Mr. President. Thank you for drawing those sections to our attention. Those sections are not intended to be scary or to create any powers that would not be consistent with the mission of the infrastructure bank. They're simply there to call out that if there is some minor inconsistency, an unintended inconsistency that would prevent the infrastructure bank from fulfilling its public purpose, that the terms of this bill would prevail.

Of course, if there is any sort of true conflict; that would be resolved simply because it says elsewhere in the statute that state law prevails.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Mr. President. I've signed contracts before, but I'd like to know specifically what I am signing when I do sign a contract. And when I read language like this, "that it shall be interpreted broadly to effectuate the purposes established in this section and shall not be construed as a limited of powers," I do raise questions and concerns regarding that. Another section that I'd like to have put -- ask a question is line 605 through 608. So, we're given very -- a lot of authority to this board here. And the way that I read this, it could affect various fees that we charge throughout our state, one of which is the parks and feels for the rails.

Would the bank's board be able to raise park fees or rail fees without legislative oversight?

Through you, Mr. Chair.

THE CHAIR:

Thank you, Senator Martin. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

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Thank you, Mr. President. No. Again, they would not be able to act unilaterally. They're disclosing all of their terms of their projects. They report annually. They have to work with the legislature and the agencies. So, no, they could not unilaterally decide to raise fees on public property.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Martin.

SENATOR MARTIN (31ST):

Well, the -- from those lines that I just read in addition to from 590 to 608, it says, "such rates, rent, fees and charges shall not be subject to supervision or regulation by any department, commission, board, body, bureau or agency of this state other than said bank." So, how can we not be interpreting this by this document and these lines to say, gee, they have the authority to raise rail fees or park fees?

Through you, Mr. Chair.

THE CHAIR:

Thank you, Senator Martin. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Mr. President. The intent of these lines, which says the fees and charges shall not be

subject to supervision or regulation, simply means that we can outsource the operation of revenue-generating projects.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Mr. Chair. Mr. Chair, I've asked a lot of questions. I want to thank the good Senator for her answers and tolerating me. But nonetheless, I think there's just a lot of vagueness and a lot of broad powers, specifically, and I think it needs -- it doesn't have my support and I just want to say that it needs -- in my reading of this document, it just needs to be tweaked some more and the overall concept, as well, needs to have a further debate.

So, through you, I am done and thank you for your time.

THE CHAIR:

Thank you, Senator Martin. Would you like to comment? Senator Hwang, you have the floor.

SENATOR HWANG (28TH):

Thank you, Mr. President. It's good to see you up there.

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Thank you.

SENATOR HWANG (28TH):

Good evening. Through you, some questions. First, I rise to speak on this because the infrastructure and transportation is obviously a critical issue in our state and I do applaud the good Senator for raising these considerations and having a dialog on this. But I am concerned. I am concerned by what I've read and some of the questions that entailed in this conversation. So, through you, Mr. President, some questions of the proponent of this bill.

THE CHAIR:

Sure, Senator Hwang. Senator Bergstein, would you be ready? Thank you.

SENATOR HWANG (28TH):

Thank you.

THE CHAIR:

Go ahead, Senator Hwang.

SENATOR HWANG (28TH):

Thank you very much. The establishment of a quasi-public is not ever to be taken lightly and it's critical to define its role, its authority, and its legislative oversight in that. Through you, could you share with me the dynamic in which this current proposed bank would be placed onto the Green Bank for administrative purposes? What does that mean? And I know it was asked earlier, but I don't think I

got a clear answer to that, and that is a real -- that's a critical question for me is the oversight of a quasi-public. Again, I'll rephrase the question. It is being placed -- the infrastructure bank is being placed into the Green Bank, but for administrative purposes. But there is no explanation or no real clearly-defined role and expectations of it.

Through you.

THE CHAIR:

Thank you, Senator Hwang. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Mr. President. Thank you for allowing me to clarify. The Connecticut Infrastructure Bank is not placed within the Connecticut Green Bank. It simply has a memorandum of agreement for shared services. And some of those shared services in the beginning would include establishing a governing structure, setting up accounting systems, setting up operations, and other initial startup services.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Hwang.

SENATOR HWANG (28TH):

Through you. I'm a little bit confused because what I just heard is it's not part of the Green Bank, but these administrative services that were just

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outlined, do they sit in the Green Bank or do they sit outside of it? Because if they do sit within the Green Bank, in essence, they are part of that structure and that has been the big question. And, in fact, if I could refer to the OLR bill analysis that's provided on the bottom of page one, which quotes that, "the bill places the infrastructure bank within the Connecticut Bank for administrative purposes only," which the bill does not define. It also makes it a successor to the Green Bank with respect to the infrastructure improvement funds. "It's unclear how the bank may be a successor to the newly created fund." How does the good proponent explain that in the term of saying it's not part of the Green Bank, but it is?

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Hwang. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Mr. President. The intention is for the Connecticut Infrastructure Bank to be a parallel entity to the Connecticut Green Bank. Actually, the enabling statute for the Green Bank was used as a template for this legislation. In terms of sitting within the Green Bank, it does not sit within the Green Bank. It shares space and services with the Green Bank, just like other startups might share a co-working space. They might interface. They might share knowledge and network and expertise, but they are not necessarily the same business and they operate independently, ultimately.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Mr. President. And that's the key point. As I mentioned earlier, this is going to be a quasi-public agency. It is going to use state funds in its administration. It is not a private company. And that is the point of concern. And I think what was said earlier by the proponent was it's not in the Green Bank, but it runs parallel to it. But then I would refer to page 7 of the same OLR report that says, in the last line, has a relationship to the Green Bank. Because the infrastructure improvement fund is a new fund established by the bill, it was never administered by or related to the Green Bank, and the legal effect of these provisions are unclear. Again, as the good proponent mentioned earlier, it runs on a parallel path, but there is no clearly delineated legislative track to this. It causes concern for me that we are creating a quasi-public, without any basis for a new fund, with no oversight.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Hwang. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

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Thank you, Mr. President. I believe the good Senator is referring to the OLR report that analyzes the initial bill. But the bill has been amended, and so that language has been taken out. And if you -- if you have the amended bill, I refer you to lines 128 to 132, which states that the infrastructure bank would enter into a memorandum of understanding with the Connecticut Green Bank for shared space, office systems, staff support.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Hwang.

SENATOR HWANG (28TH):

Thank you. And I appreciate the good Senator's clarification on that. It does get a little confusing with amendment "A's" and updates to that. So, what I'm hearing is that it does not utilize and it runs on a parallel path and it has a memorandum of understanding. So, in essence, we are setting up a new fund, a new quasi-public, without any correlative background. It's kind of running on its own right off the get go should this bill be passed. Would that be correct?

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Hwang. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Mr. President. Yes. It is intended to be independent and it actually has a different area of expertise than the Connecticut Green Bank, although it's modeled on the same principle, which is a revolving fund. So, it would be sharing space, sharing some initial startup services so that we don't have to go out and rent new office space and find new accountants or whoever it is that will do the initial startup work. But again, the cost of that startup work is de minimis. The infrastructure bank does have its own fund because it's addressing transportation infrastructure, not environment infrastructure, and it would have a board that would represent the expertise that we currently do not have in-house, project finance expertise, infrastructure finance expertise, so that we can do the kinds of public-private partnerships that we all say we want.

Thanks, Mr. President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Hwang.

SENATOR HWANG (28TH):

Thank you. And I appreciate the good proponent's clarification. But I do believe that in our state we have an existing structure. It's called the Department of Transportation. And however, we may agree or disagree with the way it functions; it has all the components that the good Senator has cited in regards to finance, infrastructure analysis. Ultimately, it could be a good complement to private entities. But I am very concerned, as I mentioned earlier.

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The establishment of a new quasi-public sends a new structure, a new oversight that has been unproven. So, I will reserve my time to hear more of the dialog and debate. But I'd like to finish component here by saying we have an existing structure. The Connecticut Department of Transportation has the ability and the experience and the expertise. However we may agree or disagree with it, we can make it better, but the current structure exists. And what I see in this possible bill is creating another governmental entity without really proven oversight. That adds another layer and another cost liability to the taxpayers of Connecticut. So, with that, I am extremely cautious and concerned about this bill's intentions.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Hwang. Senator Bergstein, you can respond and go ahead.

SENATOR BERGSTEIN (36TH):

Thank you, Mr. President. I guess I'm a bit surprised to hear the good Senator say that we have an existing structure that is performing to the expectations of the State of Connecticut. The Department of Transportation, although it is certainly well intentioned and has excellent people within it, does not have project finance expertise in-house. And furthermore, it has one of the highest administrative costs in the country. And I know I have heard my colleagues on the other side of the aisle talk about that many, many times.

So, again, if we're going to defend the existing structure of the DOT as being adequate or even acceptable, then I guess that's the same as defending the results that the Department of Transportation has delivered over the past 20 or 30 years. But I have yet to meet anybody on either side of the aisle who thinks that the results that we've gotten from our existing structure are excellent or even adequate. And I would just like to counter the second point the good Senator made, that the model has not been proven. This model of an infrastructure bank has been proven for over 40 years. We are just late to the game.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Good evening, Senator Hwang.

SENATOR HWANG (28TH):

Welcome, Madam President. Welcome back. I wanted to follow up to the good proponent. And I said earlier, the idea and the intent is well-meaning. And I do want to clarify the words that were said. I had offered that our Connecticut Department of Transportation; whether we agree or disagree with them in regards of policy, is an established department with all the areas of skills, expertise that we talked about. Could it be better? Absolutely. Everything we do in this building could be better. That being said, we have an existing structure and format and a organization that is focused on that area. Should we work closer with

them to impart some of the private-public initiatives? Absolutely.

But I caution for us to go into a quasi-public with unclear delineation of roles and scope and reach is dangerous. But I would encourage that we focus and work much more collaboratively, much more intently, with the current structure. I offer that it is important for us as a legislative body through the Department of Transportation, through our committee leadership in Transportation, of which the proponent is an active partner in, to work to make it better. To bring the complements that the individual as proposed to work within an existing agency. We do not need to create another layer of government with unclear guidelines, with a quasi-public role, that could run uncontrolled, unproven, and unpredictable.

So, again, I want to clarify. I do support my Connecticut Department of Transportation for what they try to do. Could they do better? Sure. Again, we all could do better. But the structure is in place. It doesn't need to reinvent the wheel. So, let's focus on what we can do right now in concert on infrastructure with the Department of Transportation, such as prioritizing our projects, be able to address the critical issues that we all know. We have the expertise. We have the technology. We can do it right now with the Connecticut Department of Transportation.

Thank you, Madam President.

THE CHAIR:

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

SENATOR LEONE (27TH):

Thank you, Madam President. I just rise for a couple of questions to really just to clarify intent to the proponent of the bill.

THE CHAIR:

Certainly, Senator Leone. And we'll go to Senator Anwar after you conclude. Please proceed, sir.

SENATOR LEONE (27TH):

Thank you, Madam President. And forgive me if some of these questions may have been asked earlier as I was in and out of the Chamber. I did try to listen to much of the testimony. And I know it's been a good back and forth on trying to understand this innovative, new way of thinking, a new, innovative way of trying to do business with our infrastructure. And at the same time, we're hearing how the Department of Transportation has so much on its plate and so possibly this could be a way to bridge that gap. But at the same time, as I'm reading the bill, I just wanted to be sure to clarify that if tolls were to be passed and toll revenues go into our lockbox, there is no language in the bill that would divert any of those monies to the infrastructure bank.

Through you, Madam President.

THE CHAIR:

Senator Bergstein.

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SENATOR BERGSTEIN (36TH):

Thank you, Madam President. That is correct.

SENATOR LEONE (27TH):

Thank --

THE CHAIR:

Senator Leone.

SENATOR LEONE (27TH):

Thank you, Madam President. I thank the gentle lady for her answer and clarification. Also, this is about trying to leverage private dollars so that we can get more funding for the really large-scale projects that's possible that are not on an immediate list. It doesn't mean they couldn't be on a list down the road. But given the scope and how many projects are outstanding, this could be another tool. So, I understand that the infrastructure bank shall work in consultation with the Department of Transportation as well as the Treasurer's Office, and that is to compile a list of what to work on in terms of potential projects.

But at the same time, the Department of Transportation has its own list outstanding that we must fund going forward, whether it's in the Special Transportation Fund or whether even toll revenues come down the road. So, I just wanted to be clear. If the Department of Transportation is not working in consultation with the infrastructure bank, then they are not beholden to the infrastructure bank. Is that correct?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Leone. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. That is correct.

THE CHAIR:

Senator Leone.

SENATOR LEONE (27TH):

Thank you, Madam President. Again, I offer thanks to our good Chair of the Banking Committee. So, I just wanted to make sure that as we're trying to find all the possible tools to get our state going, to make sure that we have what is necessary for the infrastructure of the future, it'd be great if we could fund everything ourselves. But the case is that might not always be possible or possible when we want it to happen. So, this may be a potential tool. But I just wanted to make sure that the good work that the Department of Transportation does do is not hindered. And from what I'm hearing, that is not the case, and so there is a clearly-defined role between the infrastructure bank and the Department of Transportation. And so, I thank the good gentle lady for her answers.

Thank you, Madam President.

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Thank you, Senator Leone. Will you remark further?
Senator Anwar, good evening.

SENATOR ANWAR (3RD):

Good evening, Madam President. I rise in support of the amended bill. I have some comments. I want to leave everybody with some thoughts with some specific words. One is reality, vision and balance. Reality means what -- we have to recognize what's going on our State of Connecticut. If our state is to remain competitive, if our state is to provide the most basic and up-to-speed, 21st century infrastructure, we have a lot of work to do. It does not take a rocket scientist to figure out if you're just driving around Hartford or literally any part of our state that our infrastructure is not in good shape. I think that's something that's important.

If you look at the number of millions of hours that are spent on our roads because of the traffic-related challenges and these are increasing exponentially. It is no surprise that some of the businesses that want to come, some of the larger businesses that want to come to the State of Connecticut, they are hesitant to look at that option. The reason is the infrastructure allows people to come and invest in our state. And if we don't invest in our state, we are not going to be able to achieve success. So, that is the reality.

The other reality is that we do not have the resources. You'll probably hear tonight, again, from various members of our Senate about the limitation of resources and how we need to use our resources in a wise and efficient and effective

manner, which is fair. Now, with those limited resources, we have a big task ahead of us and we have a responsibility ahead of us in how are we going to be able to achieve the new reality that we need to have. And that's where the second word comes in, the vision.

If we want our state to be competitive, just not only in our neighborhood, but beyond, we will have to actually have an effort to try and extend our dollars. And extending our dollars will require us to have a plan of action where we actually can look at the mechanisms that -- we are not the first ones to do this. Actually, many other states have done this with success. So, we are not necessarily coming up with something that is very new and nobody has ever done this. This has been a proven mechanism and a proven system which has shown results in our country, in various parts of the country.

Some of the most complex projects that are out there for trains and train stations, rail systems, they have actually used this mechanism and tool to be able to fix this. So, this is what the conversation is about, about the vision. Are we going to stay the course of where we are and be satisfied with it or do we have a vision of a future where we will be able to make a larger investment in our state without putting our own tax dollars at risk? That's the ultimate issue. We will be able to achieve this without putting the tax dollars of our community at risk, to maximize the potential and be able to invest and get the results for the infrastructure so that we will be at the top level.

Now, look at the infrastructure for other parts of the world. Everybody talks about these bullet trains. Where are the bullet trains? We are the ones who started some of the best work, but we have stopped. We do not have fast trains anymore to the level that other parts of the world have. And then we have a responsibility to actually show the vision for the next generation and we have to try and achieve a sustainable goal. And the sustainability would come from the fact that if you partner with private entities. Because when we are looking at the projects, we are looking for the public good, but when a private entity comes in, they are looking at financial sustainability. And when they do the financial sustainability, that allows them to actually look at the projects in a very critical manner because they want their money back. And they will get their money back if those projects are going to show us the results.

And that's where the private -- public-private partnership require a balance to be able to be created. And that's my third word - the balance. And the balance would require a tool which allows us to be able to achieve the success, but create a mechanism where the public and the private can work together through a tool like a infrastructure bank. And that will require language which would have opportunity for the private to be able to prosper without compromising the public and at the same time this symbiotic relationship is going to achieve success.

This is the conversation today. This is what we are here today. We are talking about something that is going to have an impact for the next many, many years. And I want us to think hard. This is

something that's very critical. If there is something in the language, we need to look at the fact that this language or this kind of language has allowed all the other states to be -- or many of the other states to be as successful. So, why is it that this language is going to become a hurdle for people to actually achieve what needs to be achieved for our state? The state has an expectation that from us to be able to make policies for the next many, many years and put the tools in place for the next many, many years. And this is going to be that tool that will allow us one more opportunity to be able to do this.

So, I urge people to look at it, look at the broader picture, look at the need for the balance. And keep in mind, now, many of the people who are speaking may be smart businessmen. A business person from a private entity is going to want their money back, but we are creating a mechanism that they will get their money back, but so will the entity. And that is where the sustainability would come in. So, Madam President, I would urge my colleagues to move forward and let's do this and then be proud of the fact that we, together, in 2019, passed the Connecticut Infrastructure Bank and that would actually hopefully build on the infrastructure of our state going forward.

Thank you for your time.

THE CHAIR:

Thank you, Senator Anwar. Will you remark further on the legislation that is before us? Will you remark further? Senator Fasano, good evening, sir.

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SENATOR FASANO (34TH):

Good evening, Madam President. Thank you. (Pause)
Sorry, Madam President. Madam President, I rise
with respect to this bill in a number of regards.
First, if I could just ask the good Senator just a
few questions so I could better understand part of
this bill. So, through you, Madam President. It
says that for the purposes of infrastructure
improvement, the word -- when it says,
"acquisition," in general terms, that means taking
over, that sort of thing. And so, this would give
the enabling legislation to allow this
infrastructure bank to have acquisition, taking
over, whether it's by purchasing or just simply by
transferring assets. That would be the general
term, acquisition. Is that accurate?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Fasano. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Yes, that is accurate.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

And when it says removal, are we talking about
obstacles, buildings? Are we talking about removing
maybe something that they took over, they'd be able

to remove it out? Can -- what does the word, "removal," mean in there?

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Removal in this context refers simply to removal of an obstruction or perhaps a failing piece of infrastructure that might need to be removed so that a new and better infrastructure piece could replace it. So, for instance, down on the southern of I-95 right now, there is a new bridge that is being constructed, or has been constructed, on the side of the road. The old portion of the bridge has to be removed so that the new piece can replace it.

Through you, Madam Chair.

THE CHAIR:

Thank you, Senator. Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. And with respect to the items for which -- or criteria for which the infrastructure bank would operate, it would include -- it would include roadways, highways, bridges, commuter and freight railway systems, transit, and intermodal systems, airports, aeronautics facilities, ports, harbors, navigable waters, energy transmission, and distribution resources and

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transit-oriented development. Is that the list that this would include?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Fasano. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Yes, that is the list.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. In energy transmission and distribution, are we actually talking about -- as you know, way back when, this legislature broke up between distribution and transmission, whether that was a mistake or not. We argue about it all the time in this Chamber. But there's a difference between the two. This would allow this infrastructure bank to own the distribution and transmission at the same time?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Fasano. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. The infrastructure bank has no intention of stepping on the toes of the utility companies. That is not the legislative intent. This language is simply included so that if there is synergy between some sort of transmission of energy and an infrastructure project, as I described before, possibly having cables that charge electric vehicles underneath our roads, which is an emerging technology, that the infrastructure bank would be able to finance such an innovative project.

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, when I look at line 396 through 398 and also 393 through 395, probably should've said that first. It says, "The powers enumerated in this section shall be interpreted broadly to effectuate the purpose -- purposes established in this section." And number two, it says, "if there is an inconsistency with respect to the powers within this bill with existing state law that this bill would supersede its powers. So, in light of the fact that the powers are very broad and in light of the fact that it supersedes other statutes, going back to that energy transmission and distribution, irrespective of what the intent is, and that may be you sitting here, one could very well argue that the broadness of their powers coupled with their powers supersede their rights under the statute, supersedes another statute when there's a conflict, could they not take over

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transmission and distribution by the language within this statute?

Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. That is not the intent of this bill.

Through you, Madam President.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, I'm wondering if the Senator could give me the language that demonstrates that they will not -- the intent of this is not to take over the transmission and distribution. If there's something in here that says notwithstanding anything contained herein, they shall not own both or operate both.

Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. There is no specific language in the bill, but the legislative intent is that it is not intended to take over the energy distribution system. There would be no reason for it to take over the energy distribution system, which is functioning quite well through the utilities.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Fasano.

SENATOR FASANO (34TH):

Well, just with respect to that, Madam President, the reason why I raised the issue is, although legislative intent is helpful when there's an ambiguity within the statute, the plain language of the statute supersedes that. In other words, the court would look at the plain language of the statute unless there's ambiguity. To me, there's no ambiguity here.

Madam President, also, may I ask the Senator. I'm looking at lines 18 through I'm gonna say 23. "The fund shall not receive any amount received or collected by state or officer thereof on account of or derived from electronic tolling collection system implemented unless the implementation of such toll collection system was approved." The way I read that sentence -- and going back to Senator Sampson. The way I read that sentence is to say that the implementation of tolls. This bill cannot implement tolls and I think that's clear and I thank the author of the bill for making that abundantly clear.

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And clearly this bill doesn't give the authority of the legislature or the infrastructure bank the ability to implement tolls. However, as I read that, if the legislature does implement tolls, once upon implementation, the infrastructure bank can be entitled to the toll under this language because it says, "they shall not receive the amount collected from this implementation unless the implementation of the tolls were initiated by the legislature." So, it seems to me that toll money could be used vis-à-vis that sentence and I'm wondering whether I have misread this sentence perhaps.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Fasano. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. I refer the good Senator to the previous line which begins on line 15, which says, "Provided such federal funds are not required by law to be deposited into the Special Transportation Fund." So, as we know, tolls, if they are implemented by the General Assembly, would be required to be deposited in the Special Transportation Fund, thereby, they would not be a permissible source of funding for the infrastructure bank.

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Fasano.

SENATOR FASANO (34TH):

Madam President, with no tolling bill in front of me, thankfully, I do not know whether or not the tolling money would go to the STF. The only requirement under federal law is not that the tolling money goes to the STF. The only requirement to toll in Connecticut's highway system is the money is supposed to be used for infrastructure. The infrastructure bank, no doubt in my mind, if developed under this theory, would use that money for the roads. So, it's compatible with the federal law and absent the state law that says it goes into the STF, which may or may not occur, that's the reason why I raised the issue.

If I can also go through -- I'm wondering, when it talks about the amount of any said fund; this is line 23 through 27, is for the expenditure and the promotion to promote the investment in infrastructure accordance with the plan, etcetera. And it talks about this plan in consulting with DOT. In consulting with DOT, the words, "consult," does not -- that wouldn't carry the weight -- would you agree with me with this? That consulting does not necessarily mean -- it does not mean at the direction of DOT.

Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

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Thank you, Madam President. That is correct. They are not acting at the direction of DOT, but in consultation and collaboration with the agency.

Through you, Madam President.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

So, in collaboration and consultation, which I do agree with the good Senator. In the collaboration and consultation with DOT, should the bank -- infrastructure bank say, you know what? I hear DOT. I have -- I think they're wrong. I think this infrastructure shouldn't number one. I think this infrastructure that they say is number ten should be number one. And they wanted to do that, is there anything in this bill that would prohibit them from, after consultation, disagreeing with DOT and then advancing what they believed to be the best infrastructure?

Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Again, they would not act unilaterally. What they would provide is an additional layer of information and analysis so that the list of priorities that DOT provides to the

legislature could be viewed through a wider lens. So, for instance, now, the list of prioritized projects may only consider certain criteria. Once that list has been evaluated by the experts in the infrastructure bank, they will add additional layers of criteria, such as the actual economic benefit projected to be derived from the individual projects. And that additional information, I would think, would be very -- would be well received by the legislature because it's out duty to provide infrastructure that generates economic growth for the entire state and understanding what the individual impacts from various projects is would help us make more informed decisions.

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. And I appreciate the answer, but if I can go back to my original question. If they disagreed with DOT and after all the experts weighed in on the infrastructure bank that this plan is better than that plan or this project should go first, not last, they could unilaterally decide, if they wanted to, under this -- under the words of this bill, to say, forget DOT, this is what we're doing. We thank you. We consulted with you. We collaborated with you. But we're gonna follow what our expert says, not yours, and fund that. They could if they wanted to.

Through you, Madam President.

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THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. While that is theoretically possible, that is not the intent of the infrastructure bank.

Through you, Madam President.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

So, is there any language -- through you, Madam President. Thank you. Is there language in here that says that they can't ignore DOT and they must follow DOT? All right. Let me strike that and rephrase the question. Is there any -- is there any sentence in this bill that says they cannot -- they must follow the direction of DOT?

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. No, there is no such language because that would just be rubberstamping whatever the DOT has already determined and that wouldn't really provide the additional layer of

oversight and accountability and expertise that the infrastructure bank can offer. And if they were just told what to do by DOT, then we could expect exactly the same results that we've gotten over the past many decades, which is the 41st worst infrastructure in the nation, over 300 failing bridges, etcetera. So, no, they do not act at the direction of DOT. They act in collaboration with DOT to enhance the performance of DOT.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. So, if I were to sum up the last five or eight minutes, I would say I believe the way this bill is written is that they must consult with, collaborate with DOT, but at the end of the day, the infrastructure bank, based upon their experts and their plans, could do what they wanted to do, which I think is a fair reading of the bill. I didn't see this. I don't think it exists, but I want to be clear. I didn't see any rights directly or indirectly for condemnation. Would that -- condemnation of property. Would that be accurate?

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Bergstein.

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SENATOR BERGSTEIN (36TH):

Thank you, Madam President. That is correct.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Thank you. And on line 96, 97, "should the infrastructure bank hold copyrights, patents, trademarks, marketing rights," that would all be property right to the infrastructure bank and not to the State of Connecticut, but to the infrastructure bank.

Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Yes. Those would be held by the infrastructure bank. Again, the infrastructure bank is representing the interest of the people of Connecticut, so they would derive the benefit from these assets.

Through you, Madam President.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. And I listened to some of the remarks by my fellow colleagues, Senator Sampson and Senator Berthel, with respect to subsidiaries. And it's my understanding that these subsidiaries would be created and they could create one or more. They can't have employees, but they could hold property, which would be transferred, money, which could be transferred to them. And they also would, as I understand lines -- line 179, be indemnified much like whatever the Green -- not Green Bank. The infrastructure bank was indemnified. These subsidiaries would also have a certain amount of indemnification under section 1-125 of the Connecticut General Statutes. Is that accurate?

Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. The subsidiaries would be governed or self-governed by the Connecticut Infrastructure Bank Board, although some of the subsidiary board members could be from the private sector. And the reason for that is to entice investors from the private sector to do projects that are in our interest, in the public interest. So, to the extent that they are indemnified, it is only to serve the public good.

Through you, Madam President.

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THE CHAIR:

Thank you, Senator. Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, through you. Line 195 through 197 talks about the community development and financial institution, a federal organization under 12-USC 4702, that the infrastructure bank may qualify as. And that would open up to federal possibilities and programs and grants and other monies if they qualified, and other powers also if they qualified through that. Is that your understanding?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Fasano. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Yes.

Through you.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, with respect to the earlier question regarding tolls, I

think the good Senator had indicated that on -- that it talked about on line 13 and 14, "the fund may receive amounts required by law to deposit in the fund and any federal funds that become available to the state for infrastructure improvements that were not required to be put in the Transportation Fund." And then, if you take that line and you add in that on line 211 through 214, "funds received by the state from transportation-related fees including but not limited fees for buses, rails, ferry service, parking, electronical vehicle charging, provided the funds are not required to be deposited in the Special Transportation Fund." If you had a fee for buses and this legislature decided to add fifty cents to bus fares and did not direct that into the Special Transportation Fund, under those -- under those sentences, could that fund be allocable to the infrastructure bank?

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Any funding sources that may be derived in the future that the legislature does not designate towards the Special Transportation Fund could be a subject for a discussion, but again, the infrastructure bank is not going to sweep other funds or capture other funds without extensive discussion and process to finance future projects.

Through you, Madam President.

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THE CHAIR:

Thank you, Senator Bergstein. Senator Fasano.

SENATOR FASANO (34TH):

My impressions. And if I may, I believe in this as well, the infrastructure has the ability to charge certain fees and rent payments, etcetera. So, do you believe that this authority given by this bill would allow the infrastructure bank to, for instance, put a fee on train tickets or buses or chargings -- electronic charging stations or gasoline? Do you believe that the power to assess fees would include such powers?

Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. To a limited extent. So, when the infrastructure bank is contemplating how to finance a project, they have to determine that there will be a guaranteed future revenue stream. So, they would not haphazardly just assess an increased fee on an existing bus or rail service. To the contrary, only in a case where they are providing an increased service, an increased benefit to the public, then they might project that there would be increased demand for that service. And in that case, they would model out what increased fare the public demand would support. Because again, they have to do very sophisticated financial

modeling to ensure that they would actually have a revenue stream that could support the project.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. I'm wondering if the Senator can point to that paragraph about modeling it out and the thought box and process before they assess a fee and where and how they can assess a fee. I'm wondering if the good Senator could give me that paragraph. I don't think I have found that, but I -- maybe I might've missed it.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. There is no specific language about how to model a project. But that's because that's the expertise of the board which will be recruited. And again, their performance and the performance of the infrastructure bank is tied directly to the success of the project. So, we're recruiting talented project finance experts who have been doing this for years and they know how to do project finance modeling. That is beyond the scope of this particular statute. We're not gonna legislate how they model. We just want to make sure that they have the expertise to deliver the kind of

results that the public expects, which is, frankly, much better infrastructure than our current system has delivered to date, at lower costs, and with higher quality.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Fasano.

SENATOR FASANO (34TH):

So, Madam President, when I look at the lines that talk about the authorizations, which are lines 590 on down, it says, "the infrastructure bank is authorized to fix, revise, charge and collect rates, rents, fees and charges for the use of and for services furnished or to be furnished by the project." And let me ask the -- so, what we talked about, you said that language is not in the bill. And the argument I would indicate, without that language in the bill, irrespective of the good intention that I think the Senator has for this bill, and I think the Senator does, one could get a group of folks in there who can view it as broadly as the other section says and do it without doing any of the backup information because it's not required in the language. But I would ask this. If they decide, the infrastructure bank, to assess fees, charges, rents, would they have to seek approval from the legislature before doing that?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Fasano. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. So, the process for transparency in these projects is quite extensive. The infrastructure bank would not only put together its comprehensive plan of projects, it would also disclose the terms of any projects that it's contemplating, that it's negotiated. So, those terms would be disclosed to the legislature, at which point the legislature has the opportunity to comment.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Fasano.

SENATOR FASANO (34TH):

And, Madam President, I see the portion that talks about the legislature getting a report, but that's after the deal's done. Before the deal is done, before the fees are assessed, the question I've asked, is would they have to request permission of the legislature before assessing those fees? Question one. And question two is, would they have to receive the authority to collect those fees before they collect them? Not after the fact. All before.

Through you, Madam President.

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Thank you, Senator Fasano. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. No. The infrastructure bank would not have to get approval from the legislature for assessing fees on a project that it has determined will be a revenue-generating project that will be financed by increased demand because of increased service, better service, provided to the public for which they are willing to pay. And again, that -- the present value of that future revenue stream would enable us to build, rehabilitate, and construct the kind of fast, reliable, 21st century infrastructure that we need to galvanize our economy.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, there are some amendments that I would request to call. And what I'd like to do, perhaps, is start off with the amendment, LCO 10631.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO 10631, Senate Schedule "D".

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

I would move the amendment and request permission to summarize.

THE CHAIR:

Thank you, sir. Please proceed to summarize.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, can we just take a moment for a second?

THE CHAIR:

The Senate will stand at ease.

CLERK:

LCO 10631, Senate Schedule "B".

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, Senator Bergstein and I have had conversations prior to the proceeding this evening and we have talked about this amendment. And we were gonna do a

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friendly amendment in terms of having both names on them; however, given the fact that the LCO is really jammed up and probably can't get it to us in a while, the people tonight are working long tonight. And therefore, I would just say that it has my name on it, but I believe this to be a friendly amendment. with that, Madam President, there's a section of the bill that talks about ignoring the UCC code, that is to say if you -- if the infrastructure bank were to loan some money, they don't have to take out a notice on the Secretary of State's Office that they have a lien against these assets.

And it seems unfair that they could have a business that they have a loan on and then a bank comes in or an individual comes in, and then without even any notice, they would be second to that encumbrance. So, this kind of corrects that language and says that they will do the proper filings, if you would, to ensure notice to the public. So, Madam President, I would move the amendment and yield to Senator Bergstein.

THE CHAIR:

Thank you, Senator Fasano. Senator Bergstein, do you accept the yield?

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. I do. And this is a friendly amendment and I urge my colleagues to support it.

THE CHAIR:

Thank you. Will you remark further on the amendment which is before the Chamber? (Pause) Will you remark further on the amendment that is before the Chamber? Will you remark further? If not, let me try your minds. All in favor of adopting the amendment, please signify by saying aye.

SENATORS:

Aye.

THE CHAIR:

Opposed? The amendment is adopted. Will you remark further on the bill as amended? Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, there's another section of the bill that talks about FOI, freedom of information, and generally what we do with quasis as well as other agencies is it goes through the Department of Administrative Services for FOI requests. If we get them in the legislature, it goes through Legislative Management. In the bill, there's a section 8 that talks about the FOI being determined by the infrastructure bank chairman whether or not that should -- information should be given out. I would ask the Clerk to call LCO 10625.

THE CHAIR:

Mr. Clerk.

CLERK:

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LCO, No. 10625, Senate Schedule "C".

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, what this does is strike section 8 and say relative to the new additional language. I believe what it does is say that the FOI would still go through DAS. It would not go through the infrastructure chairman. It would go through DAS, a more objective voice, if you would, on the issue. I would seek support for the amendment.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Fasano. Will you remark further on the amendment that is before the Chamber?
Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Could we stand at ease for a moment?

THE CHAIR:

Yes. The Senate will stand at ease.

The Senate will come back to order. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. I respectfully -- I respectfully urge my colleagues to oppose the amendment simply because we want to preserve the rights of the infrastructure bank to help protect investors when that is appropriate in the structuring of these deals.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Fasano.

SENATOR FASANO (34TH):

I'd ask for a roll call vote, please, Madam President. A roll call, a roll call.

THE CHAIR:

Yes. And when we vote on this amendment, we will vote by roll. Will you remark further on the amendment that is before the Chamber? Will you remark further? If not, Mr. Clerk, kindly call the roll, please, and the machine will be opened.

CLERK:

Immediate roll call vote has been ordered in the Senate. An immediate roll call vote has been ordered in the Senate. Senate Bill 70, Senate Amendment "C", LCO, No. 10625. An immediate roll call vote has been ordered in the Senate on Senate Amendment Senate "C", LCO, No. 10625. Immediate roll call vote in the Senate. Senate Amendment "C", LCO, No. 10625. Immediate roll call vote in the Senate.

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THE CHAIR:

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

CLERK:

Senate Bill 70, Senate Amendment "C", LCO 10625,

Total number voting	36
Those voting Yea	14
Those voting Nay	22
Those absent and not voting	0

THE CHAIR:

(Gavel) And the amendment fails. Will you remark further on the bill before the Chamber? Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, within this bill it talks about the need for audits and accountants and checking the books. And I have an amendment which I believe to be friendly, and I would ask the Clerk to call LCO 10621.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO, No. 10621, Senate Schedule "D".

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Madam President, I move the amendment and request permission to summarize.

THE CHAIR:

Please proceed, sir.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, what this does, it says that the audit shall be conducted with generally accepted auditing standards by a certified public accountant. Basically, it's a third party looking at the books just to ensure they're up to speed. And as I said, I will yield to Senator Bergstein.

THE CHAIR:

Senator Bergstein, do you accept the yield?

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Yes, I do accept the yield. And I encourage my colleagues to support this amendment because it also requires that the accountants that are assessing the infrastructure bank will have no interest in the infrastructure bank. And I believe that objectivity is absolutely critical to have a transparent process and the best outcome.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Will you remark further on the bill -- the amendment that is before the Chamber? Will you remark further? If not, let me try your minds. All in favor of the amendment please signify by saying aye.

SENATORS:

Aye.

THE CHAIR:

Opposed? The amendment is adopted. Will you remark further on the bill as amended? Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. I was hoping for a more enthusiastic aye, but I'll take what I can get at this point.

THE CHAIR:

The hour is late, sir.

SENATOR FASANO (34TH):

Yes, it is. Madam President, first and foremost, before I begin my remarks on this, I do want to thank the Senator for a bunch of things. One, early on, she reached out to me to talk about it. She knew I had some issues with it. Some changes were made in the amendment that eventually got filed and

I thank her for being open-minded on the issue. Number two, the few of the amendments that did go through tonight I think makes the bill a better bill. I cannot support it. And the reasons why I can't was I believe that this bill is good intentioned. I really do. I think that there is a need for public-private partnerships. I think the Governor submitted a bill to GAE which did not have the success which the administration thought it would have. And I think this bill certainly goes well beyond that bill in quite a degree, but the intent of it is where I think we should be going. I think we should be opening up to the world of finance and I think we should be opening up to the world that could get trillions of dollars at play.

That being said, we also have to be very cautious. Now, Madam President, what I mean by that is as follows. We have not tested this theory any place in Connecticut. And in -- the reason why I went on through section, lines 3 through 11, is if you look at what New York did and you look at what New Jersey did, New Jersey's infrastructure bank started in 1987 and it included a transportation finance component and an environmental infrastructure trust. It also -- it was narrowly focused on the private-public partnerships that it was doing. And Rhode Island and New Jersey revenues are derived from business loans, but they were extraordinarily limited. The New Jersey Bank is a state agency, so it's afforded over the oversight that normally we give a state agency, but we open up the investment to the public. And that's quite different than what we have here.

In Rhode Island, it's been around since 1989. It used to be the Clean Water Finance Agency. In 2015,

the name was changed and expanded to include energy and brownfields. The reason why that's important is because when it began in 1989, it was narrow and it built its reputation up and there was a record. And after less than 30 years, the legislature said this concept needs to be expanded. Now, the Rhode Island does the brownfield, the water, commercial property, clean energy, community septic, drinking water, efficient building fund, and the list goes on. But those banks have been around for 30 years. There's a track record. There's an understanding of how it works. There's a balance of power. There's the corralling of power.

In this bill before us, and I understand the enthusiasm, for which you can hear in the Senator's voice because she sees the avenues before us and I appreciate that, but I also have great fear that this Chamber has heard me say time and time again with respect to our quasis. And whether it is the quasis that we deal with on the lottery, DECD, CHFA, the list goes on and on and on, if you've been here for a relatively decent amount of time, you've encountered situations where they haven't acted in our best interest. You've encountered situations where they play hide the ball. In fact, most recently, Kevin Lembo tried to get a couple of these agencies to do that open checkbook thing and where they can check their accounts, we all can go on and see how these checks are written. And a number of these quasis said, no, we're not gonna do it. He had no power to force them.

But that's the transparency that we need. So, Madam President, when we talk about something this big this quick, this fast, with the only oversight being post-execution of documents, and post-contracts or

fees, etcetera, you have to stop and wonder, with the history that we have, does that make a lot of sense to unleash them on so many different areas untested. There has not been a relationship borne between all of us here and this group because it's new. So, when you look at it, those of us who have been here for a while must be timid. This is still ultimately a constituent and taxpayer issues. I don't care if the investment comes in from wherever. The construction, the ability to make sure the money is being used correctly is important.

I don't think the Senator would disagree with the notion that all private-public partnerships -- that's essentially what this is. Private-public partnerships have turned out well. I mean, even an organization talked about why public partnerships don't work, and although I may disagree with the hard notion, I agree that the world organization has indicated -- the World Bank, I should've said, have indicated that public-private partnerships need to be evaluated more closely and very least watched more closely. You're talking about a lot of money. The ability to have corruption is there. Not that it will happen, but it could happen. And our obligation as a state is to do whatever hoops we can and avenues we can to ensure that doesn't happen.

Madam President, this building, I think, a year ago, maybe a little longer now, had several issues with the Lottery Commission. We had issues with a couple of drawings. We had issues with a couple employees. We had issues with money. We had issues with a lottery that the results of the quick-picks were known to the lottery machine guy as they were coming out, so he could take the quick-pick out that was a winning ticket and give them a fake quick-pick from

a -- you know, holding a bunch of bad quick-picks down here, even though that's a winner quick-pick, he would take that out, put a bad one in, and give them the tickets. We've had that happen. We've had it happen where that agency knew about it and did nothing for six to eight months, but for a whistleblower.

Those are the things we have to be careful of. And in the lottery, I don't think there are people that even know how they're budgeted. I don't think there are people in this building who know. You don't see a hefty line item for the lottery in our budget because they take the money in and they take off the top and give us the balance. Who's watching that? Who's watching that? And when you argue with them, they said, hey, we're making you money, why you yelling at us? We give you more money than the casinos, so we get to do what we want to do. No, you don't. You better be making money. We rigged the game so that we make the money, but that's the whole idea of the game, is that we -- we're the house; we gotta make money, so your odds go down. So, don't tell me you're making money.

With the way you do the games in terms of statistics, of course you're gonna win. But no one's watching them. It doesn't come as a line item that they're in a deficit, so we're, like, yeah, whatever. You've give \$300 and something million dollars. Thank you very much. But we should care more, but we're all too busy about -- not that we're neglectful on it, it just doesn't come across our radar screen until there's a whistleblower, until someone says, hey, you know what's happening at the lottery. And that's what happened with the lottery. What happened with the lottery, I mean, my office,

we got a call that there was a problem after the cash five was the next issue, that there's a problem, by an anonymous phone call.

And when we started looking into it, this is what was uncovered. And that's a quasi. We had the CAA, which I know looked -- everyone loves them. I get it. There was a payout of -- a bonus of \$50,000 thousand dollars. Why? Why? And the Green Bank, look, I know it's taboo to go after the Green Bank because green is the magic word, and if you go after green, you gotta be anti-green, I guess. I don't know. So -- but if you look at them, their salaries are extraordinarily high and we give them more power. And they want to get into more things. We had a bill floating around here that talked about getting into more things. But they're totally unchecked.

None of us in this room know exactly what those salaries are, how much they go up, when they go up, what is the -- no, I bet you half of us in this room don't even know that part of the Green Bank people get a commission if they get the money that comes in off the Green Bank locked in. So, like, a banker, if you close a number of loans, you get a kicker. I don't think any of us really know about how much those kickers are. I looked into it and I still don't know how much those kickers are. So, where are we going with something this big, this fast, this huge, this quick? Well intentioned, but I think we have to walk first. Let's do it for something. Find that something and let's do it. You want to try two things, I'm with you. But when you want to do A-Z, which would include highways, bridges, freight, rail, transit, intermodal systems, airports, harbors, ports, navigable waters, there's

nothing left in our state that they don't want to get their hands in, right or wrong, good or bad, but without any legislative authority. Sure, they have to consult with DOT, but the language there says, "consult, collaborate," but ultimately they decide.

Could we do better on infrastructure? Absolutely. Toll argument aside, could we do better? But let's look how we got here. It wasn't for a lack of this state doing the right thing. We got a decent gas tax. We got an excise tax that most people don't even know, the public. We raised a decent amount of money. But budgets in the past, that money was diverted from getting into the Transportation Fund. And in one year, five or seven years ago, it was swept out of the Transportation Fund. That's why our infrastructure is failing. We haven't made a commitment.

Tonight or tomorrow, whatever, we're gonna get a budget and that budget is going to say that for transportation infrastructure, we are going to put less money of new cars sales tax into the Transportation Fund, not as much as we did in the past, and we're gonna not do the \$250 million dollars that came out of the prioritized progress that this group bipartisanly accepted two years ago and that DOT said I need a billion dollars. I need \$750 million dollars of X and I need \$250 million dollars of Y, \$250 million dollars of Y. I need a billion dollars, and if you give me less, LOSEF is gonna get hurt. Repairs are not gonna get done. In the budget that's gonna come before us, we put less money in to the Transportation Fund because the new car sales tax doesn't always -- doesn't all go to the Transportation Fund.

We take out more money to the tune of \$850 million dollars for transportation and then we're gonna wonder why our infrastructure is failing. DOT told you. If I don't get a billion dollars, we're done, we can't keep up. And this budget is not gonna have that money.

Madam President, as I said, I think this is very well intended, and I think that public-private partnerships are a thing for the future, and I think we have to look at them. We need the help of the private sector. And GAE rejected the notion the Governor was right, and we need to do more. So, Madam President, as well intentioned as this bill is, it's too much, too quick and too broad.

Therefore, Madam President, with all due respect, I'm gonna vote no. Not because the notion is not worth pursuing, but in the form currently before us, it's too much for this state to swallow, to control, and to comprehend. I think Senator Berthel and Senator Sampson hit a lot of the issues with respect to the oversight, so I'm not necessarily gonna run through those. But I will say that we should look into this more deeply. I think it's a good idea, but we need to narrow the scope.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Fasano. Will you remark further on the bill as amended? Good evening, Senator Duff.

SENATOR DUFF (25TH):

Good evening, Madam President. Madam President, I rise to support the legislation before us. I want to take a moment to thank Senator Bergstein and all the members of the Banking Committee who have worked so hard on this bill, but particular Senator Bergstein, who really has taken this from a concept to a bill and worked extremely hard, especially as a first-year legislator, on what is a very, very complex and difficult subject. But knowing her, this has been something that she can work through very, very well and easily.

Madam President, I rise as a former Chair of that same committee, when many years ago, I had thought of starting something like this as well and I did not nearly get as far as we are here tonight on a concept that would have looked, maybe, similar to something like this. I -- you know, for us, here in the State of Connecticut, having an infrastructure bank, almost like we have a Green Bank, that leverages private money with public funds is something that is extremely important to us. We know that we have a number of areas where we need to address in our infrastructure, not only here in the State of Connecticut, but also, really, nationally. Nationally, we should be looking at an infrastructure bank as well.

And for us here, in the State of Connecticut, to look at an infrastructure bank that, especially as it relates to transportation or other types of infrastructure here in the state that is, really, some of the oldest in the country, we should figure out ways in which we can improve things that will help grow our economy, that will help move our commerce, that will help get people in a reliable and consistent way places. So, I think that this is

all extremely important for us, that we have this debate; that we look at this in the most broad sense that we possibly can, so that we are prepared for the future.

This is -- the infrastructure bank is not about today. It's really about tomorrow, next month, next year, and, really, planning out ten, twenty, fifty years ahead of us. Something that, you know, when many of us -- people outside this building think that because we have two-year terms we don't always plan as well as we could. We don't look into the future. We don't look long-term. And having an infrastructure bank, almost like our Green Bank does, looks long-term for us, that helps to create those jobs, private-sector job, helps to leverage private capital with some public money and invest in areas that need investing in.

So, Madam President, again, I want to thank Senator Bergstein for her work on this, for tackling a very complex and tough issue, for bringing this to the Circle, for all of her hard work from day one, and I urge my colleagues to support the legislation.

Thank you, Madam President.

THE CHAIR:

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

SENATOR LOONEY (11TH):

Good evening, Madam President. Speaking in support of the legislation before us. I wanted to commend

Senator Bergstein for all of her creative work in this and all of her experience from the private sector that has been brought to bear on this legislation. Because I think this kind of creative concept really is the wave of the future, trying to find ways to enhance government and private partnerships, to look for new paths of fund raising for public projects of great expense and great burden to government were they to be undertaken exclusively with government funds.

I really think that many other states have found a way to do this creatively and have been able to find a way to fund a number of very ambitious development projects through their infrastructure banks. And I think his bill is so important in helping us to catch up with the policies that have already been adopted in other states, and would urge the Chamber to adopt this bill this evening.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Looney. Will you remark further on the legislation that is before the Chamber? Will you remark further? If not, Mr. Clerk, please call the vote. The machine will be opened.

CLERK:

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate on Senate Bill 70 as amended by Senate "A", "B" and "D". An immediate roll call vote has been ordered in the Senate on Senate Bill 70 as amended by Senate "A", "B" and "D". Immediate roll

call vote in the Senate. Senate Bill 70 as amended by Senate "A", "B" and "D". Immediate roll call vote in the Senate.

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote in the Senate on Senate Bill, 70, as amended by Senate "A", "B" and "D". 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 call the tally.

CLERK:

Senate Bill, 70, as amended by "A", "B" and "D",

Total number voting	36
Those voting Yea	22
Those voting Nay	14
Those absent and not voting	0

THE CHAIR:

(Gavel) The measure is adopted. Mr. -- Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, can we stand at ease, please?

THE CHAIR:

The Senate will stand at ease.

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The Senate will please come to order. The Senate will please come to order. And everyone please give your attention to our Majority Leader, Senator Duff. Thank you, Mr. President. Mr. President, for -- a few items for our Go List, please?

THE CHAIR:

Please proceed.

SENATOR DUFF (25TH):

On Calendar page 63, Calendar 179, Senate Bill 570, go. On Calendar page 29, Calendar 436, Senate Bill 833, go. On Calendar page 17, Calendar 312, Senate Bill 1009, go. On Calendar page 20, Calendar 361, Senate Bill 1101, go. On Calendar page 65 -- oh, I'm sorry. Yeah. On Calendar page 65, Calendar 226, Senate Bill 424, go.

THE CHAIR:

Thank you, Mr. Majority Leader.

SENATOR DUFF (25TH):

Hold on. Mr. President?

THE CHAIR:

Yes, sir.

SENATOR DUFF (25TH):

On Calendar page 5, Calendar 137, Senate Bill 968, go. And if we can start with that last item first?

She'll give the -- we'll give the Clerk the order to go in. Thank you, Mr. President.

THE CHAIR:

Mr. Clerk.

CLERK:

Page 5, Calendar 137, substitute for Senate Bill, No. 968 - AN ACT ESTABLISHING A MILITARY TO MACHINISTS PROGRAM FOR VETERANS.

THE CHAIR:

Good evening, Senator Maroney.

SENATOR MARONEY (14TH):

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, sir?

SENATOR MARONEY (14TH):

Madam President, the Clerk is in possession of LCO Amendment 7246. I move the amendment and seek leave to summarize.

THE CHAIR:

Mr. Clerk.

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CLERK:

LCO, No. 7246, Senate Schedule "A".

THE CHAIR:

Senator Maroney, please proceed to summarize, sir.

SENATOR MARONEY (14TH):

I withdraw the amendment.

THE CHAIR:

The amendment is so withdrawn.

SENATOR MARONEY (14TH):

Could we -- can we stand at ease --

THE CHAIR:

And the Senate will stand at ease.

Senator Maroney.

SENATOR MARONEY (14TH):

Madam President, the Clerk is in possession of LCO Amendment, No. 8681. I move the amendment and seek leave to summarize.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO, No. 8681, Senate Schedule "B".

THE CHAIR:

Please proceed to summarize, sir.

SENATOR MARONEY (14TH):

Thank you, Madam President. In this bill, we create a Military to Machinist program to help qualified veterans get into advanced manufacturing. As many may know, there is a shortage -- currently a shortage in the state of CNC machine operators. Some estimate there are over -- almost 13,000 open jobs. So, we will be working with qualified veterans to help them get the training necessary to fulfill those positions. We will be assigning a point person and will be running this as a pilot program with the workplace, and they will have one person who will assist the veterans in locating training programs and then also working with the companies to help the companies apply for any potential tax benefits or tax credits.

In section -- okay. Section 2 will create a Platform to Employment program. And then in section 3, will work with the Department of Labor, where if a -- if there is a workforce board with a veteran's unit that is closer, we will instruct them to call that to guide the veteran towards the closer veteran's unit, veteran's labor unit.

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Thank you, Senator Maroney. Will you remark further on the amendment that is before us? Good evening, Senator Logan.

SENATOR LOGAN (17TH):

Thank you, Madam President. I rise in support of the amendment. I think it's an excellent opportunity to use an existing workforce group that already exists to help our veterans, particularly those that show an interest in advanced manufacturing.

Thank you, Madam President.

THE CHAIR:

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

SENATORS:

Aye.

THE CHAIR:

Opposed? The amendment is adopted. Will you remark further on the legislation as amended?

SENATOR MARONEY (14TH):

Madam President, if there's no objection, I move to place this item on the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered. Mr. Clerk.

CLERK:

Page 63, Calendar 179, Senate Bill, No. 570 - AN ACT CONCERNING OPPORTUNITY ZONES. There is an amendment.

THE CHAIR:

Good evening, Senator Hartley.

SENATOR HARTLEY (15TH):

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

THE CHAIR:

And the question is on passage. Will you remark?

SENATOR HARTLEY (15TH):

Yes. Thank you, Madam President. Madam President, there are amendments. The Clerk is in possession of LCO 9888. I ask that the Clerk please call and I be granted leave, Madam, to summarize.

THE CHAIR:

Mr. Clerk.

SENATOR HARTLEY (15TH):

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Madam President, I have --

THE CHAIR:

Before -- oh, go ahead. Go ahead, Senator Hartley.

SENATOR HARTLEY (15TH):

My apologies. We have adopted LCO 9888 and -- so, there is a new LCO that I would like to call, please, Madam.

THE CHAIR:

Please -- please do. What number would that be?

SENATOR HARTLEY (15TH):

And that would be LCO 10444.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO, No. 10444, Senate Schedule "A".

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY (15TH):

Yes, thank you, Madam President. Madam President, essentially, this amendment strikes section 5 and section 9. After conversations with the Governor's

Office, in recognition of appropriations, we have come to terms that those two sections should be deleted. I move adoption, Madam.

THE CHAIR:

Thank you, Senator Hartley. Will you remark further on the amendment that is before the Chamber? Will you remark further on the amendment that is before the Chamber? If not, let me try your minds. All in favor of adopting the amendment please signify by saying aye.

SENATORS:

Aye.

THE CHAIR:

Opposed? The amendment is adopted. Will you remark further on the bill as amended? Senator Harley.

SENATOR HARTLEY (15TH):

Thank you, Madam President. Madam President, as we had spoken earlier, that this underlining amendment is to support the federal legislation known as the *Tax Cut and Job Act*, which has established opportunity zones through the State of Connecticut, of which we have 72 in 27 towns throughout the state and we are basically coupling our state incentive packages through the Department of Economic and Community Development with the federal enterprise zones to increase the opportunity for investors and enhance them to come in and make investments in our underserved communities.

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And I would like to defer -- yield, please, to Senator Maroney.

THE CHAIR:

Senator Maroney, do you accept the yield? Senator Maroney.

SENATOR MARONEY (14TH):

Thank you, Madam President. I would move if there is no objection that we place this item on the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered. Mr. Clerk.

CLERK:

Page 29, Calendar No. 436, substitute for Senate Bill, No. 833 - AN ACT CONCERNING VALIDATION OF CONVEYANCE DEFECTS ASSOCIATED WITH AN INSTRUMENT THAT WAS EXECUTED PURSUANT TO A POWER OF ATTORNEY.

THE CHAIR:

Good evening, Senator Winfield.

SENATOR WINFIELD (10TH):

Thank you, Madam President. I move acceptance of the Joint Committee's favorable report and passage of the bill.

THE CHAIR:

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

SENATOR WINFIELD (10TH):

Yes. Thank you, Madam President. This is a bill that comes to us unanimous through the Judiciary Committee. It's a bill that if the land record is - - does not show the attorney recorded, it allows for it unless there's an action commenced to suggest otherwise and notice of the pending action would have to be made as well. It's a good bill. It should pass.

THE CHAIR:

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

SENATOR KISSEL (7TH):

Thank you very much, Madam President. Good evening to you as well. I would like to associate myself with the remarks of Senator Winfield. This allows for the curing of a defect of a real estate form that was executed pursuant to a power of attorney that has met the test of time, in particular, ten years. That time has elapsed. The odds that there being untoward in the execution are probably de minimis, and therefore, one can rightfully rely on that title instrument even though there may have been some defect in the underlying power of attorney. And again, I would urge my colleagues to support the bill.

Thank you.

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THE CHAIR:

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

SENATOR WINFIELD (10TH):

Yes. Thank you, Madam President. Just a quick clarification and then I'll make a request to put this on Consent. Just a clarification. I may have said ten years. It's fifteen years under the bill. If there's no further comment or question, I'd ask this be placed on Consent.

THE CHAIR:

Seeing no objection, so ordered. Mr. Clerk.

CLERK:

Page 17, Calendar No. 312, substitute for Senate Bill, No. 1009 - AN ACT CONCERNING MINOR AND TECHNICAL CHANGES TO THE OFFICE OF POLICY AND MANAGEMENT RELATED STATUTES.

THE CHAIR:

Good evening, Senator Cassano.

SENATOR CASSANO (4TH):

Good evening, Madam President. I rise to ask for passage of the bill and permission to summarize.

THE CHAIR:

Please proceed, sir.

SENATOR CASSANO (4TH):

This is a very technical bill. It's from the Office of OPM annual reports. Most of these are reports that involve municipalities, districts as well. Many of these reports have been reduced or eliminated for efficiencies to take a burden off of the district. It includes reducing the financial burden of reporting processes for the municipalities. Reporting requirements will not affect the additional veterans' benefits program. There is altered requirements for the special services taxing districts. And that's pretty much a summary of the changes. These are routine changes that come to us in the main bill of the office. I move to adopt.

THE CHAIR:

Thank you, Senator Cassano. Will you remark further on the legislation that is before us? Will you remark further?

SENATOR CASSANO (4TH):

Seeing none, I would ask this item be placed on Consent. Thank you.

THE CHAIR:

Thank you, Senator Cassano. Seeing no objection, so ordered. Mr. Clerk.

CLERK:

Page 20, Calendar 361, Senate Bill, No. 1101 - AN ACT CONCERNING AN EVALUATION OF HOSPITALS OPERATED BY THE DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES. There is an amendment.

THE CHAIR:

Good evening, Senator Abrams.

SENATOR 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 DUFF (25TH):

Madam President?

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. I'd like to make this item PT, please?

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, stand at ease, please?

THE CHAIR:

We'll stand at ease.

SENATOR DUFF (25TH):

Madam President, I'd like to now call this bill back as a go.

(Laughter)

THE CHAIR:

Senator Abrams, that was a test.

(Laughter)

SENATOR ABRAMS (13TH):

I hope I passed it, Madam President.

THE CHAIR:

Thank you. The --

SENATOR ABRAMS (13TH):

It woke me up.

THE CHAIR:

The question is on passage. Will you remark?

SENATOR ABRAMS (13TH):

Thank you. This bill is very important. It brings several changes to a task force that's been established to evaluate the Connecticut Valley Hospital and Whiting Forensic Hospital. Currently, the task force is -- was created to review the hospital's operations, conditions, culture and finances. This bill would also require that it review whether these matters have improved since Whiting's separation from Connecticut Valley Hospital and its licensure and regulation by the Department of Public Health.

This bill also allows that while in working on the task force, if there are any Connecticut Valley Hospital or Whiting employees that would like to offer testimony before the task force, they can do so at their request without the presence of any task force member that works for either Connecticut Valley Hospital or Whiting. Lastly, the bill extends for one year the current deadline for the task force to submit its report and turns the deadline to January 1st, 2020, and January 1st, 2022, respectively.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Abrams. Will you remark further?
Senator Somers, good evening.

SENATOR SOMERS (18TH):

Yes, thank you. I rise in support of the bill and I ask if there's no discussion, if we could put it on the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Would the Clerk please call the items on the Consent Calendar, followed by the Consent Calendar vote?

THE CHAIR:

Mr. Clerk. Mr. Clerk. The Chamber will please come to order and listen to.

The Chamber will stand at ease, and I would encourage the Senators to stay by their chairs, as we will shortly have a vote on the Consent Calendar.

Mr. Clerk.

CLERK:

Page 5, Calendar 137, Senate Bill 968; page 17, Calendar 312, Senate Bill 1009; page 20, Calendar 361, Senate Bill 1101; page 29, Calendar 436, Senate Bill 833; page 63, Calendar 179, Senate Bill 570; and page 66, Calendar 432, Senate Bill 653.

THE CHAIR:

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Thank you. Mr. Clerk, if you would kindly call a vote. The machine will be opened.

CLERK:

An immediate roll call vote has been ordered in the Senate on Consent Calendar, No. 1. An immediate roll call vote has been ordered in the Senate on Consent Calendar, No. 1. Consent Calendar, No. 1. Immediate roll call vote has been ordered in the Senate on Consent Calendar, No. 1. Immediate roll call vote in the Senate.

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate. Immediate roll call vote in the Senate.

THE CHAIR:

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

CLERK:

Consent Calendar, No. 1,

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

THE CHAIR:

Thank you, sir. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, pursuant to Joint Rule 17, I move to immediately transmit all items needing further action to the House of Representatives.

THE CHAIR:

So ordered, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. And additionally, I'd like to all items on Senate Agenda, No. 1, on the Calendar immediately on the Calendar.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

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

THE CHAIR:

Good evening, Senator Looney. I understand we have a very distinguished guest in the Chamber that you would like to introduce, sir.

SENATOR LOONEY (11TH):

Yes, that's right, Madam President. For a point of personal privilege for purposes of an introduction?

THE CHAIR:

Please proceed, sir.

SENATOR LOONEY (11TH):

Thank you. Thank you, Madam President. Madam President, we are blessed this evening to have in the Chamber one of our most beloved former colleagues, a former senator, and now a superior court judge, Eric Coleman. Judge Coleman and I served in the General Assembly together for 34 years and he was, of course, for many years, the very distinguished and erudite chairman of the Judiciary Committee, and now serving with great distinction as a superior court judge. So, let's give our great traditional welcome to our colleague.

(Applause)

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Looney. Let me just say to Judge Coleman, it's so nice to see you and clearly you become more beloved when you leave this Chamber. So, thank you so much for your service, sir. So, with that, Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. I'd also like to welcome Judge Coleman to -- back to the Chamber and we do miss him terribly and well loved inside and outside the Chamber, for sure, is Eric Coleman.

Madam President, it is our intention to come in tomorrow at 10 o'clock for session. And with that, I move that we adjourn, subject to the Call of the Chair.

THE CHAIR:

Thank you. We are adjourned. Go forth.

(On motion of Senator Duff of the 25th, the Senate at 10:08 p.m. adjourned, subject to the Call of the Chair.)

CONNECTICUT GENERAL ASSEMBLY

SENATE

June 4, 2019

The Senate was called to order at 12:16 o'clock p.m., President in the Chair.

DEPUTY CHAPLAIN BONITA GRUBBS:

All wise God, all who gather in this Chamber, though tired, must take many consequential actions today.

The daunting and pressing tasks ahead are to address remaining legislative matters, including approval of the biennial budget. They are complicated, time is limited and much is at stake.

Therefore, seeking Your divine guidance, I ask You to make this moment of decision-making and achieving results as visionary, justice-seeking and history-making as happened a century ago on this date.

In 1912, Massachusetts passed the first minimum wage law and in 1919, the US Congress passed the Women's Suffrage Bill (or the 19th amendment).

Different issues than these face the Senate today but comparable trailblazing and bold achievements are still within reach. May Your peace and joy abound as they do so in this process of securing a positive and history-making future. AMEN.

THE CHAIR:

Thank you, Reverend Grubbs and I would ask Senator Witkos to come forward to lead us in the Pledge.

SENATOR WITKOS (8TH):

(ALL) I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

THE CHAIR:

Thank you, Senator and good afternoon, Senator Flexer. Senator Berthel, good afternoon.

SENATOR BERTHEL (32ND):

Good afternoon, Madam President. How are you today?

THE CHAIR:

Very well. Thank you, sir.

SENATOR BERTHEL (32ND):

Thank you, madam. Ma'am, I rise for the purpose of point of personal privilege.

THE CHAIR:

Please proceed.

SENATOR BERTHEL (32ND):

Thank you. As the Reverend just spoke to, today is actually a historic day for the Senate Chamber. On

this date in 1969, House Bill 7331 which had been introduced by Representative Neiditz of the 12th House district established the State Legislative Internship Program. Fifty years ago today that bill passed here in this very room and the program began actually in 1967 on a pilot basis where we brought seven Trinity College Students in as a part-time assistance to the members of the House of Representatives. In 1969, after the successful pilot program, Public Act 769 was actually enacted into law by the Governor in July of that year so since that time, we have seen hundreds of interns come through the legislature, all with some really terrific experiences. We have legislators in this circle today who are former interns. We have an abundant number of staff who were also part of the internship program.

Just very quickly, this year statistics because I think it's important, we had 63 legislators that participates in the legislative internship program with 53 in the House, 10 in the Senate and we actually had 102 applicants from 29 different schools in and out of the State that applied this year and we accepted 63 of those 102 from 20 different schools so I think it's important for us to remember that we established this program 50 years ago and it is arguably one of the best legislative internship programs in the country. We hear that all the time and we owe a great amount of recognition and a debt of gratitude to Lisa Roy, who has run that program now for the last four years and has taken it from what it was 50 years ago and really developed it into a tremendous program today so I think we should, I don't know how we would celebrate an anniversary, but perhaps we should just rise and give the program a round of applause in

recognition of its 50th Anniversary. Thank you, Madam President. [Applause]

THE CHAIR:

Thank you. Thank you, Senator Berthel for that. Our interns are invaluable. Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, I rise for point of personal privilege.

THE CHAIR:

Please proceed.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, my hometown is North Haven, obviously a town that I'm proud to represent and I have with me a guest that I brought to the Senate Chamber, Paul Ciccarelli. He is someone who's starting to get more involved in politics and getting on the town committee and doing things and it's good to have someone like Paul with a lot of energy and he came up here to observe how sausage is made. I don't know if that's a good thing or a bad thing, but he's here to see that so I'd like the Senate to give him a welcoming tradition as we do with all guests. Thank you, Madam President. [Applause]

THE CHAIR:

Good afternoon, Senator Haskell.

SENATOR HASKELL (26TH):

Good afternoon, Madam President. Madam President, I rise for a point of personal privilege.

THE CHAIR:

Please proceed.

SENATOR HASKELL (26TH):

Thank you very much, Madam President. In the gallery we have here today a good friend of mine and that's Leslie Holmes and her mother who have joined us to watch a little bit of the Senate proceedings this afternoon. Leslie was an integral part of my campaign, she's very involved in the town of Wilton in municipal government. She's been an active and unbelievably dedicated member of the Democratic Town Committee and I'm really grateful that she's decided to make the trip up to Hartford along with her mother and her mother's friend to pay us a visit so I hope that the Chamber will join me in giving them a warm welcome. Thank you, Madam President.
[Applause]

THE CHAIR:

And good afternoon, Senator Duff.

SENATOR DUFF (25TH):

Good afternoon, Madam President. Good to see you. Madam President, for the purposes of our marking. Well actually, is the Senate in possession of Senate Agenda No. 1?

THE CHAIR:

Mr. Clerk.

CLERK:

The Clerk is in possession of Senate Agenda No. 1 dated Tuesday, June 4, 2019.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. I move all items on Senate Agenda No. 1 dated Tuesday, June 4, 2019, be acted upon as indicated and that the agenda be incorporated by reference to the Senate Journal, in the Senate transcript and placed immediately on our calendar.

THE CHAIR:

So noted and so ordered.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, the first bill to go will be Calendar page 23, Calendar 399, Senate Bill 1111. I'd like to mark that go followed by House Bill 7424, emergency certified bill on Senate Agenda No. 1. I'd like to place that on our go list as well. Thank you, Madam President.

THE CHAIR:

Thank you, sir. Mr. Clerk.

CLERK:

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Page 23, Calendar number 399, Senate Bill No. 1111,
AN ACT CONCERNING A STUDY OF CRIMINAL LAWS OF THIS
STATE. There is an amendment.

THE CHAIR:

Good afternoon, Senator Winfield.

SENATOR WINFIELD (10TH):

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

THE CHAIR:

The question is on passage. Will you remark?

SENATOR WINFIELD (10TH):

Thank you, Madam President. Madam President, at
this time, if she'd accept it, I'd yield to Senator
Flexer.

THE CHAIR:

Good afternoon, Senator Flexer. Do you accept the
yield?

SENATOR FLEXER (29TH):

Good afternoon, Madam President. Yes, I do.

THE CHAIR:

Please proceed.

SENATOR FLEXER (29TH):

Thank you, Madam President. Madam President, the Clerk is in possession of an amendment, LCO No. 10699. I ask that the Clerk call the amendment and I be granted leave of the Chamber to summarize.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 10699, Senate Schedule A.

THE CHAIR:

Please proceed to summarize, Senator Flexer.

SENATOR FLEXER (29TH):

Thank you, Madam President. I move adoption of the amendment.

THE CHAIR:

And the question is on adoption. Will you remark?

SENATOR FLEXER (29TH):

Yes, Thank you, Madam President. Madam President, the amendment before us is a strike all amendment that makes some modifications to Senate Bill 3 which passed both this Chamber and the House Chamber overwhelmingly in recent weeks. The amendment that is before us represents the good work of all four caucuses in both Chambers coming together on the underlying issues in Senate Bill 3. This amendment makes some small changes in Senate Bill 3 and again, represents a consensus among the Democrat and

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Republican Senator and House members. I encourage my colleagues to support this amendment. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Flexer. Will you remark further on the amendment that is before the Chamber? Good afternoon, Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. Great to see you on this lovely Tuesday afternoon. Through you, Madam President, just some questions to the proponent of the amendment?

THE CHAIR:

Please proceed, sir.

SENATOR KISSEL (7TH):

And this is to create a legislative history at least on the record here in our Chamber. Does the amendment remove from discriminatory practice the failure to post a notice? Is that more in line of something that someone would get a fine for?

Through you, Madam President.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President, yes. Section 1 of the amendment that is before us changes that signage requirement.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much and through you, Madam President, does the amendment now change that to find harassment before the commission that there must be a finding of clear and convincing evidence? Through you, Madam President.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President, yes. In section 2 of the bill, or the amendment, excuse me, in lines 52 through 54, that language is used.

THE CHAIR:

Thank you, Senator Flexer. Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President and through you, Madam President, if the Commission on Human Rights and Opportunities has more than 100 public hearings and has available funds, they can hire a magistrate to hear cases from the chief court administrator from their list of magistrates. Is that correct?

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Through you, Madam President.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President, section 4 of the bill talks about the use of magistrates, but through you, Madam President, I don't know that it uses the number 100 as the good Senator suggested.

THE CHAIR:

Thank you. Senator Kissel.

SENATOR KISSEL (7TH):

Thank you, Madam President. That's what I have in my notes. Could we just stand at ease and just double check on that? If that's incorrect, I stand corrected.

THE CHAIR:

The Senate will stand at ease.

SENATOR KISSEL (7TH):

And again, Madam President, there's no mention of 100 public hearings?

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President, in line 94, it does talk about the referee requesting an appointment when the public hearings exceed 100.

THE CHAIR:

Thank you, Senator. Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much. So I believe that was in there. Further through you, Madam President, does the amendment which becomes the bill reduce fines from \$1000 dollars to \$750 dollars for failure to post notice?

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President, the amendment that is before us allows a fine of up to \$750 dollars. The fine can be set at any amount between \$1 dollar I suppose and \$750 dollars so the fine is not set at \$750 dollars, but it cannot be more than \$750 dollars.

THE CHAIR:

Thank you, Senator Flexer. Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Senator Flexer for that clarification. Does it reduce the ability to

inspect the premises to only within 12 months upon filing of a complaint and if the premise such as a daycare is at a residence, you would the need permission of the owner of the residence to enter those premises? Through you, Madam President.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President, section 5 of the amendment before us details a 12-month period when a complaint has been filed that the commission can go in and investigate, but it also talks about the executive director of the commission having a reasonable belief that the employer is in violation and allowing, that would make it permissible for the commission to enter the place of business, and in that same section at the end, it does have restrictions on a place of business that is a residential home. This is to ensure that the commission cannot just simply enter a residential home because it is also the location of a business that may be in violation or that the commission may have a reasonable belief is in violation.

THE CHAIR:

Thank you, Senator. Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Senator Flexer and through you, Madam President, is the awarding of damages by the Commission on Human Rights and Opportunities by this

amendment now discretionary? Through you, Madam President.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President, I believe that both in this amendment and the original bill that the Commission has the ability to determine the amount of damages. I believe the good Senator may be referring to the change in line 151 of the amendment before us. In the original bill, that same section used the word "shall" and in 151, it changes the wording to "may" so the Commission "may" award damages.

THE CHAIR:

Thank you, Senator Flexer. Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Senator Flexer, for that point of clarification. Would it also require the reporting to the Judiciary Committee regarding the Commission on Human Rights and Opportunities awarding of damages? Through you, Madam President.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Yes. Through you, Madam President, section 6 of the bill, lines 165, excuse me, the amendment, lines 165

through 180 detail the report that the Commission will prepare for the Joint Standing Committee on Judiciary.

THE CHAIR:

Thank you, Senator Flexer. Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much and through you, Madam President, it's my understanding that both the underlying bill and now the amendment which would become, both Senate Bill 3 and now this amendment which would be a complement to Senate Bill 3, that there is a task force and that originally that a member would be from the Connecticut Trial Lawyers Association, that now is no longer the case, but there would be as a member of the task force someone who has represented a victim as a plaintiff. Through you, Madam President.

THE CHAIR:

Thank you, Senator Kissel. Senator Flexer.

SENATOR FLEXER (29TH):

Yes, Thank you, Madam President. Through you, Madam President, the good Senator is correct. In lines 209 through 210 of the amendment that we are currently debating, it removes the language in Senate Bill 3 concerning an appointment from the Connecticut Trial Lawyers Association and instead, in this amendment, in lines 186 to 189, it details that there is an appointment of an attorney who has represented two or more plaintiffs in a civil action

concerning sexual abuse, sexual exploitation or sexual assault. Through you.

THE CHAIR:

Thank you, Senator Flexer. Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. I thank the good Senator for that response and elaboration. Just two more to go. If there's corrective action taken by an employer that may be in writing, that it could still be acceptable if it was perceived as reasonable by an objective viewer. In other words, let's say the employer says to the employee, male or female, we can move you from the location. The employee says no, I'd like to be in this location and the employer says okay, if that's your desire then that's what we're going to do. Through you, Madam President.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President, I appreciate the good Senator's question and because I think this conversation is particularly important, could I just ask that the good Senator repeat that scenario one more time?

THE CHAIR:

Thank you, Senator Flexer. Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. So, it's my understanding that this amendment makes it clear that corrective action need not be in writing, but still has to be viewed as reasonable so if there's an employee in let's say a work environment that's having an issue with another employee and the employer says to the victimized employee, we can move your location to another part of the building and that individual says I appreciate your intervention, but I'd actually like to stay where I am, the employer might want that in writing, might not, but if that's the desire of the victim in the matter, allowing that to proceed as the victim so desired, could be perceived and my guess would be would be perceived as a reasonable accommodation in light of the totality of all the things that had taken place? Through you, Madam President.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Thank you, Madam President and I thank the good ranking member of the Judiciary Committee for repeating that scenario again because I do think this conversation is very important. In the scenario that the Senator described, yes. So that conversation would be able to happen between the victim or the complainant and the employer and the language that is here before us would enable the commission to make a determination about whether whatever corrective action was taken was reasonable and not of the detriment to the complainant. Through you, Madam President.

THE CHAIR:

Thank you, Senator Flexer. Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much and through you, to the good Senator, one last item. Is it clear in this amendment that sexual contact with someone who is impaired because of mental disability or disease would be considered now third-degree sexual assault? Through you, Madam President.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President, yes, it would.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

Madam President, I thank the good Senator for her patience in going through those items. Now, I believe the legislative history and record is clear. I think this amendment does make some minor modifications to Senate Bill 3. If anything, it tightens it up and makes it clear for both the claimants and the employers. Hopefully, this law doesn't get utilized very much at all so this contact, these issues of assault and harassment do not take place, but I commend Senator Flexer and Senator Winfield and all the other advocates for working on this, all the Chambers and both sides of

the aisle, and I would commend my colleagues here in the circle to strongly support this amendment which would then become the bill. Thank you very much, Madam President.

THE CHAIR:

Thank you Senator Kissel. Will you remark further on the amendment that is before the Chamber?
Senator Miner, good afternoon.

SENATOR MINER (30TH):

Good day, Madam President. I wanted to just try and make sure that I understood a couple of the sections that are in this amendment because I do agree with Senator Kissel, I think this is to some degree an improvement on the language that we already supported and so if I might, a few questions through you to the proponent of the bill, please.

THE CHAIR:

Senator Miner, please proceed.

SENATOR MINER (30TH):

Thank you, Madam President. Madam President, with regard to training and education, I had an occasion a couple of months ago to visit a summer camp and there are a series of events that they put on during the course of the year. Some are what I would call off-season, some are more involved during the summer season. Is the language clear as to who would be required to be trained within that setting under the amended language? Through you, Madam President.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. Madam President, the language that is in front of us does not change the definition of an employee, so the definition that is in the amendment before us and on the previously-debated bill, what, whoever qualifies as an employee would be covered under the provisions of this legislation.

THE CHAIR:

Thank you, Senator Flexer. Senator Miner.

SENATOR MINER (30TH):

And so through you, Madam President, those individuals that would be covered, I see there's an adjustment in the fine on lines 116 and 117 and if there was a circumstance where a single individual out of 120 employees was missed somehow in the process, is it each employee that potentially has carrying with that not being trained, that fine of \$750 dollars? Through you, Madam President.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President, first, just a clarification. The fine is not more than \$750 dollars. This legislation does not prescribe that the fine is \$750 dollars, but it can be up to and

not more than \$750 dollars. That's what this amendment does and also, the language that is in front of us makes it clear that the fine would be for the employer to fail to provide training in general. It would not be per employee. Through you, Madam President.

THE CHAIR:

Thank you, Senator Flexer. Senator Miner.

SENATOR MINER (30TH):

Thank you and so it's once someone has been determined to have failed to do the appropriate training and education, that company then is considered for the fine even if it's more than one individual that they have failed to educate? That may go to how much of the \$750 dollars is actually levied in the fine if I understand the gentle lady's response? Through you.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. The Commission would have discretion to determine the amount of the fine but the requirement here would be if there was an opportunity to be provided by the employer, if the training was not provided and there was evidence of that, then the Commission could move forward with the fine of up to \$750 dollars. Now, if there was more than one opportunity to provide training and this particular employer proved to continually not be providing this training, that may lead to more

than one fine but again, the fine would not be per employee necessarily, but perhaps per opportunity to not provide the training.

THE CHAIR:

Thank you, Senator Flexer. Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President and I thank the gentle lady for her response. So it sounds more like an inspection opportunity. If the records bear out that the appropriate amount of training and individuals were trained appropriately during 2019 and then again nothing had occurred 2020, 2021, it seems that that would all be contributing evidence that an employer had understood the law, had made good faith effort and then if for some reason 2023 somebody got missed or a date got missed, the whole book of evidence would be evaluated so that it's not just one circumstance and again, if there was no issue, no one had made a claim, it was just the state doing its due diligence to be sure that the action that we're taking here today has resonated in the State of Connecticut, that we think that this is an important enough matter where we need to have these kind of safeguards in place, that even if there was one then, it would be kind of a book of evidence rather than just one incident? Through you, Madam President.

THE CHAIR:

Thank you, Senator Miner. Senator Flexer.

SENATOR MINER (30TH):

I think that was more of a statement, Thank you, Madam President.

THE CHAIR:

Okay.

SENATOR MINER (30TH):

That I kind of understood that she was saying. And lastly, it seems like the amendment has, there's an attempt here to deal with the fact that many small businesses do operate out of their home. I can think of a situation where there's an electrician up the street or a plumber down the street where they have a group of employees that may start their day every morning perhaps in a garage or in this person's home and that when we spoke about this bill originally, I think we were contemplating that it would really be circumstances that someone had made a claim and then the state would come in and do an inspection, but in fact it looked like it may have been more of an opportunity for us as a state to just kind of verify that training was being done or postings were being done. And so in the cases where there is a residential home and people start their day there, am I correct in the language that's drafted in the amendment, that the poster needs only to be in one location on that parcel of property? Through you, Madam President.

THE CHAIR:

Thank you, Senator Miner. Senator Flexer.

SENATOR MINER (30TH):

I think I've got to try that again, Madam President. So my question is, so if my neighbor down the street has a residence and a garage and there are accumulated plumbing parts in the garage and that's where the employees start their day every day, if the posting was in one location either in the home where they may all gather for a cup of coffee or out in the garage where the parts are, would that be determined to be a satisfactory posting for purposes of this statute? Through you, Madam President.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President, I believe that it would as long as the residential home that the good Senator is describing is in fact the registered place of business for that employer.

THE CHAIR:

Thank you, Senator Flexer. Senator Miner.

SENATOR MINER (30TH):

Thank you and so in the case where the registered place of business, it wouldn't be a post office box so in those cases, it's wherever it's legally registered on the Secretary of State's Office? Through you, Madam President.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President, yes, it would have to be the actual place of business, not a post office box.

THE CHAIR:

Thank you, Senator Flexer. Senator Miner.

SENATOR MINER (30TH):

I was just imaging a posting in the post office box. Well Thank you, Madam President. I thank the gentle lady for her responses as well. I do think that from time to time we debate legislation here and it's only through that passage through the second Chamber I guess that somebody takes another look at something and says well it didn't seem that the record was clear on this or it didn't seem like the record was clear on that. I'd like the record to be clear that my questions in no way are reflective of my disinterest in this subject or my concern that we can do a better job as employers and employees when it comes to issues such as sexual harassment. I'm reminded of when I was a first selectman and something that I thought was rather trivial wasn't thought to be so trivial by an adjacent employee in a rather small office and so I continue to look back on that occasion and continue to remember that even as this was a very early conversation about sexual harassment and workplace protections, that even back then I'm not sure, certainly not sure that we all understood how everyone feels in every single circumstance so I am appreciative that we've had a second look at this. I am appreciative of the effort that's gone into to try and make the language that we previously supported even better, and today

I plan on supporting this amendment as well. Thank you, Madam President.

THE CHAIR:

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

SENATORS:

Aye.

THE CHAIR:

Opposed? The amendment is adopted. Will you remark further on the legislation as amended? Will you remark further on the legislation as amended? Senator Winfield.

SENATOR WINFIELD (10TH):

I'd ask it be placed on consent. Okay, never mind. Forget what I just said.

THE CHAIR:

Thank you. In that case, Mr. Clerk if you would please call the vote, the machine will be opened.

CLERK:

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate on Senate Bill 1111 as amended by Senate A. Immediate roll call vote has been ordered

in the Senate on Senate Bill 1111 as amended by Senate A. Immediate roll call vote in the Senate on Senate Bill 1111 as amended by Senate A. Immediate roll call vote in the Senate on Senate Bill 1111 as amended by Senate A. Immediate roll call vote in the Senate on Senate Bill 1111 as amended by Senate A. Immediate roll call vote in the Senate.

THE CHAIR:

Have all the members voted? Have all the members voted? Please check the machine to make sure that your vote is properly cast and the Clerk will please take the tally.

CLERK:

Senate Bill 1111 as amended by Senate A.

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

THE CHAIR:

[Gavel] The bill passes. The Senate will stand at ease. Oh, Senator Duff, our distinguished majority leader.

SENATOR DUFF (25TH):

Thank you, Mr. President. Mr. President, I move for immediate transmittal of the previous bill down to the House of Representatives for final action.

THE CHAIR:

Without objection, so ordered.

SENATOR DUFF (25TH):

Thank you, Mr. --

THE CHAIR:

Mr. Majority Leader.

SENATOR DUFF (25TH):

Thank you, Mr. President. Mr. President, with that I move that we stand at ease for a moment.

THE CHAIR:

The Senate will stand at ease. Good afternoon Senator Duff.

SENATOR DUFF (25TH):

Good afternoon, Madam President. Madam President, will the Clerk now please call emergency certified bill, House Bill No. 7424, please?

THE CHAIR:

Mr. Clerk.

CLERK:

House Bill No. 7424, AN ACT CONCERNING THE STATE BUDGET FOR THE BIENNIUM ENDING JUNE THIRTIETH, 2021, AND MAKING APPROPRIATIONS THEREFORE, AND IMPLEMENTING PROVISIONS OF THE BUDGET (As amended by House Amendment Schedule "A" LCO No. 10 --

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SENATOR DUFF (25TH):

Madam President, could we stand at ease for a moment, please?

THE CHAIR:

The Senate will stand at ease. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. I didn't mean to stop the Clerk in mid-sentence there, mid-word, please continue Mr. Clerk.

THE CHAIR:

Mr. Clerk.

CLERK:

As I was. Let's see, as amended by House Amendment Schedule "A" LCO No. 10581 and House Amendment Schedule "B", LCO No. 10681.

THE CHAIR:

Good afternoon, Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. I move acceptance of the Joint Committee's Favorable Report and passage of the bill in accordance with the House of Representatives and seek leave to summarize.

THE CHAIR:

Senator Osten, pardon me, we're going to go to Senator Fasano. Good afternoon.

SENATOR FASANO (34TH):

Good afternoon, Madam President. Thank you very much. Madam President, I rise to raise a point relative to jurisdiction of going forward, Madam President. Madam President, it's clear in our laws of the State of Connecticut that the general budget expenditures authorized shall not exceed the estimated amount of revenue. Madam President, what is happening in this budget is there is a certain amount of savings which I think is about \$163 million dollars the first year and \$200 and some odd million dollars in the second year, relative to a savings from an agreement with SEBAC relative to pension, that is to say a refinance of pension. Madam President, I have noticed that we have not in this Chamber approved the resolution which changes the contract between the State of Connecticut and the union and in fact, I don't believe that the union is even on board with that change and I reflect a memo that I got from the Governor's office a few minutes ago saying that the union has said, we have indicated a willingness to consider a win-win change. That clearly makes it sound an awful lot like there is not a deal. Therefore, if it's not a deal there cannot be a savings and if this is not a savings, then this budget is out of balance and for us to approve it a final action to send it to a Governor to have him sign it, he can't sign a budget that's clearly out of balance. So I would like to raise this Madam President and ask that we do not go forward, it is not properly before this body or this Chamber. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Fasano. Senator Looney, good afternoon.

SENATOR LOONEY (11TH):

Yes, good afternoon, Madam President. Regarding the point of order, Madam President, the requirement that our state budget be balanced is a constitutional one that's contained in Article 18 of the Amendments to our State Constitution and we believe that the budget is, in fact, balanced, but because it is a constitutional requirement, Masons Manual of Legislative Procedure clearly states that this is an issue that cannot be resolved through a Point of Order. Section 242 of Masons states that "it is not the presiding officers right to rule upon the constitutionality or legal effect or expediency of a proposed bill since that authority belongs to the House." So therefore, Madam President, I would urge you to rule that the Point of Order is not well taken. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Looney and I agree with your points and would also add that a Point of Order according to Section 240, Section 2 of Masons is a device used to require that a body observe its own rules and observe parliamentary procedure and what Senator Fasano has raised is a matter of substance and a constitutional question and I agree with you that under Section 242-1 of Masons, is not the duty of a presiding officer to rule upon the constitutionality of legislation. Senator Fasano.

SENATOR FASANO (34TH):

Madam President, I appreciate that ruling. It is not my intention based upon the numbers of this Chamber to appeal that ruling and I respect the ruling. Thank you, Madam President.

THE CHAIR:

Thank you, sir. Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President and I'm happy to stand in front of you one more time and bring out a budget that I think has clear ways forward in moving Connecticut in the right direction. So I'm just going to go through some items in the budget, talk about things a little bit and then I will yield to my colleague from the Finance side. I imagine this will take some amount of time but I hope to enlighten people about pieces of this budget that are clearly moving Connecticut, again, in the right direction.

And so I point out today this is a budget that has been worked on with everyone that sits on the Appropriations Committee. We started in February when the Governor presented us with a budget by having presentation by the Governor and a presentation by Secretary McCaw and then we heard from commissioners of each agency. Then we had subcommittee meetings, we had public hearings on all of the issues and then we had reports out from the Chairs in which all parties, Republican and Democrat, House and Senate participated in the process. As a matter of fact, both Democrats and Republicans testified at the public hearings revolving around the budget to extend their points

of view on things they liked or disliked about the Governor's budget.

So one of the things that we did in this budget was eliminate some thousand unfunded vacancies to truly and accurately report on the number of positions that we have in state government, and our state government is leaner than it's been since the 1960's. There are five tiers of state employees. Tier one has about 731 people and ended in 1984. There has been a lot of talk about the prior SEBAC agreement and why do we talk about the SEBAC agreement? Because it is falsely stated often that there are no employees that can be laid off if a Governor should need to address the issues of financial concerns in the state and that is just not true. Any employee, per the SEBAC agreement, that was hired after July 1, 2018 is eligible to be laid off. There are 2303 workers that fit this, fully 5 percent of the state's workforce. Now, I'm not suggesting that we should lay them off. They actually do important work and I think we should keep them working, but to answer the question on whether or not people are eligible to be laid off, they are.

We did a lot of good work together in the last biennium and one of those things that we did was work on the ECS formula, the Education Cost Sharing formula because over the last couple of years we had not operated within a formula to accurately help out our municipalities. We have fully \$2 billion dollars plus in both Fiscal Year 20 and Fiscal Year 21. In Fiscal Year 20, we have \$37.5 million dollars above the Governor's recommendations of his budget. In year two, we have \$75.3 million dollars. This makes us comport with the bipartisan ESC formula and the recommendation in the biennium from

last year on a bipartisan basis, both in the House and the Senate, bicameral and bipartisan, that we roll out the formula through a decade. Now we've done two years. We're working on year three and year four and that allows us to get into a formula that will properly fund our municipalities. Today, there are 90 towns that are above the ECS formula. We want to give them time to react to that, to properly have the ability to fund their schools. There are 70 towns that are below the ECS formula and we want to give them to get to the level and plan for an expansion of the ECS formula to them.

We did a lot of work and many people talk about alliance districts. Many people think that that's an extra pot of money for people who have schools that might have a little bit of a problem. That is not true. Alliance districts have money that is segregated right out of the ECS formula and what they do with that money is address the issue of failing schools, and it allows the state to target different areas in that school to have it comply with a good school system. I was really happy to work with my colleagues on both sides of the aisle on the ECS formula to get us where we needed to be, and I was really proud to do this on a bipartisan basis. That is one of the first things that I will take about that happened on a bipartisan, bicameral basis. In this budget, there is a section that requires municipalities or actually schools on the number of impact, the amount of Impact Aid that they get from the federal government, and what do schools get for Impact Aid? Well, the city of Groton gets about \$4 million dollars in Impact Aid to help it teach students from the military population and in Groton last year, they had 1,092 military dependents, fully 20 percent of the student population. And the reason why that's important is

because we need to know where aid is coming into a school system so that we can accurately assess what the state needs to do to bolster that school.

It's also important to understand that in Eastern Connecticut, we will see an increase in military dependents, as we are expecting some 500 military families to come into the area to help support our great sub-making building, manufacturing at Electric Boat. And we know that we're going to need more military men and women and their families so that is an important piece for us to plan for and an important piece for us to understand.

Last year, or two years ago, on a bipartisan, bicameral basis we increased the amount of money that we were paying for our voag students and we did that together to recognize the fact that our farming community is very important not just to the character of the State of Connecticut, but also to our financial welfare because, for example, dairy farms provide some \$3 billion dollars to the state's economy, an important thing for us to know. We also did some work with charters and magnets. Now often, there's a debate on whether or not we should have charters or magnets, but we have them and many students in the State of Connecticut choose to go to charter schools or magnet schools. As a matter of fact, my own grandchildren go to a charter school in Norwich, an excellent school system I might say and we in this budget provided some vertical growth and horizontal growth to charter schools and we also provided magnet school growth that is scattered throughout the school system based on available seats. I think it's important, very important for us to recognize the different school systems we have and provide them with the support that is necessary

to keep them successful and to provide our children with many ways to learn.

We also did a lot of work in the last couple of years on again, a bipartisan, bicameral basis and my colleague who sits to my right was by my side through all of those discussions. Sometimes we might have had a difference of opinion or two, I know, hard to believe, but we have increased in our community colleges this year to help fund the unfunded liability, \$8.2 million dollars in Fiscal Year 1 and \$20.3 million dollars in Fiscal Year 2. Now, why do we want to help out with the unfunded liability? Well what that does is it provides us with an ability to help out the Community Colleges Be Successful. It was not the only thing that we did to help out our Community Colleges Be Successful. One of the problems that our community colleges have had lately is the fact that they are losing or not having enough students head into the community college world, and that is a clear way for young people to get a taste of college, and our community colleges right now give us a taste of certification programs. I always point to Three Rivers Community College and the amount of certification programs they have for machinists and welders and draftsmen, and then there's that great, absolutely great Nuclear Engineering Program that helps get young people into Dominion so not only are we supporting at our community colleges programs for Dominion and Electric Boat and our 4000 manufacturers that are here in the State of Connecticut to give the good paying jobs, something I'm a true fan of is the blue collar trades jobs that get young people into work, getting paid a true living wage, having them be successful and quite frankly, letting them move out of their parents' homes.

We also did a little bit of work revolving around debt-free college this year and we did this because we recognized a couple of different things. We want more students in our community colleges and by providing a revenue diversion, we were able to afford debt-free college in year two of this budget. It makes good sense. It makes good sense for a lot of reasons but it makes really good sense because it brings more people into our community colleges, bringing more federal dollars into our community colleges. That allows young people to come in, make a decision on where they want to go and gives them opportunities that they might not have had. It increases the number of students, increases the amount of Pell grants that our young people can take advantage of, it increases the number of young people that have a chance to decide on their future. It's important to us. It's important to grow our state and those young people will get jobs and what do they do when they have those jobs? Well, they stay here, they work here. You provide them with an education, it allows them to stay here, work here, move out of their parents' homes and have a great life.

We also did a lot of work revolving around helping out people with disabilities. The Governor made a recommendation on the American School of the Deaf. While we agreed with a lot of what the Governor did, we recognize that the American School of the Deaf is an important institution for us to train people that are hard of hearing or deaf and so we put an additional \$500,000 dollars per year to help support that. About four or five years ago, this body made a decision to not have interpreters for people who are deaf and hard of hearing and I've been going around Connecticut meeting with people in the disabilities network, in particular of Eastern

Connecticut and meeting with people who are deaf or hard of hearing and asking them what would make it easier for them to be successful here in the State of Connecticut and found that we often did not have interpreters that would be here at the legislature to allow people to testify on important bills that matter to them and so this year, to my great astonishment and my great pleasure, we added in five interpreters that will be at the Institute of Living around the state, posted around the state and one at doors so that we would have interpreters available to help people when they need to. When they have to have someone who can interpret so that they can get their point of view across and understand what is being said. I'm very pleased to have worked on that this year, very pleased to work together with people to get that done.

We also put some money into funding CRIS radio. Now, many people don't even know about CRIS radio. You know what? If you happen to have a hard time seeing, how do you read the local newspaper? How do you get information on a day-to-day basis because no one is going to make a newspaper in Braille, but CRIS radio reads to people and they work with seniors, they work with schools? As a matter of fact, 86 school systems in the State of Connecticut work with CRIS radio to provide programming for young people. They also work with hospitals to help people out who are in hospitals because you know, when you go into the hospital, the first thing you do as you're getting better is turn on the TV to have a little bit of noise around. Well if you can't see then you don't know what is going on and so CRIS radio provides hospitals with a methodology of getting information to those patients. And where is CRIS radio? Well they broadcast of Windsor, but they're around the state. They're in Danbury, in

Norwich, in Norwalk, in Trumbull and in West Haven. And so this system works well around the State of Connecticut and I encourage people to find out more about the Disabilities Network and CRIS radio and the American School for the Deaf to know that we are helping people when they most need it and it's important for us to provide ways for people to find out what's going on, not only in the State Capital but around the state.

We did a lot of work around our private providers this year. There's been talk about this, but last year, we did increase wages for employees of the IDDD community and provided a 1 percent COLA for other social service private providers. This year, we expanded the work that we're doing to help out our private providers and what we did with nursing home workers was provide funding of \$11 million dollars in Fiscal Year 20, and \$18.5 million dollars in Fiscal Year 21. This allows us to stop not only a strike that might have happened in our nursing homes, some 20 of our nursing homes were considering that, but it provided wages for those people so that they could be able to be successful themselves. We passed a contract that helped out childcare workers. This put \$2.6 million dollars in Fiscal Year 20 and \$5 million dollars in Fiscal Year 21 for wage increases to help out our private providers of family childcare workers. Two thousand, nine hundred fourteen providers care for some of our youngest residents, providing a nurturing and safe environment for children while allowing their parents to remain in the workforce. That keeps people in jobs, that keeps people in their homes, and it helps people out. Sometimes a hand up, a little hand up is what someone needs to be successful.

The OPM budget which we adopted contains funding of \$3 million dollars in Fiscal Year 20 and \$6 million dollars in Fiscal Year 21 for this purpose. Not later than June 1, 2020 and June 1, 2021, the private providers shall provide documentation to the Secretary that such funds shall only be used for increasing the minimum wage of workers. There's still more work to be done in this arena. We did not provide cost of living adjustments to those in the state supplement, TANF or SAGA but I point this out because last year, on a bipartisan basis, that's what we did, the same thing, working with our colleagues across the aisle and in the House. The last time out of the last 15 years that a COLA has been applied to a state supplement was in Fiscal Year 2015 and Fiscal Year 2014. COLA's have been provided to TANF and SAGA only four times in the past 15 years, 2008, 2009, 2014, and 2015.

In addition, there's much talk about the personal needs allowance. We did raise the personal needs allowance in 2012 from \$50 dollars to \$60 dollars. Now, is it true that all of these benefits should see an increase? Sure, but let's talk a little bit about SAGA. So SAGA is a cash assistance program and everyone who applies for SAGA must also apply for federal support under SSDI or SSI meaning that it is not intended for people to stay on SAGA. That's true of TANF and that's true of any state system like this so that we can see people be successful because quite frankly, neither TANF nor SAGA provide us with enough resources for someone to be successful and how many people are on TANF? Ten thousand and how many people are on SAGA? Seven thousand. Both of those programs are trending down in numbers and they're trending down because we're able to secure funding for folks in a way that keeps them successful. We're also able to provide them

with support and when necessary, we're able to get them on federal programs which help them out so this is not intended as a living wage for anybody. It's intended as a stop-gap so someone doesn't fall through the cracks.

Now my colleague to my right and I have talked for years about how we can appropriately help small rural towns who have resident state troopers. This also is because of the unfunded liability that the state has. And why do we want to help out people in rural towns with the unfunded liability that is associated with workers in the state? Well we actually want our small rural towns to have public safety mechanisms that allow them to be safe, allows the community to have a good relationship with someone in uniform, allow them to develop programs like DARE and be able to take advantage of those programs. It's important. We were able to decrease the cost of the unfunded liability by 50 percent for the 53 towns and 95 troopers that are associated the residential treatment program for which those towns pay for and now will be able to retain those residential troopers, again, providing a public safety mechanism for small rural towns that do not have the ability to have a full-fledged police force.

There was another program that we funded this year and the Governor asked us to do an asset test on it and we chose not to do so. We chose not to do so because in the first year of the biennium, much to my chagrin, on a bipartisan, bicameral basis we had cut the Medicare Savings Program. It was not something I was happy about. Well we came back less than three months later to change this, to fully fund the Medicaid Savings Program. And what does the Medicaid Savings Program do? It covers payments

for Medicare Part B. It helps out low-income individuals in need of assistance in the cost of premiums, deductibles and prescription drugs. It provides assistance in covering the 20 percent cost through Medicaid that Medicare does not cover. And I heard about the Medicaid Savings Program when I was at church because I had several of my church-going friends who were on the Medicaid Savings Program and needed it to be successful. So in a bipartisan, bicameral basis we fixed that and we maintained the Medicaid Savings Program as it always has been here in Connecticut above the federal requirement, and we worked together hand-in-hand to make sure that we were helping out seniors and disabled that were on the Medicaid Savings Program. I'm happy to say we continue that effort and I look forward to my colleagues here today on the opposite side of the aisle to say that they will join us because this budget is truly a bipartisan, bicameral budget that covers many of the things that were in our budget from last year and I can't see any reason why they would not want to work with us on this budget.

The Medicare Advocacy Program was also funded this year and this helps us to ensure that we are properly recording and affecting the dollars that come in from the federal government and we wanted to make sure that the proper payer was reflected. It brings real dollars into our state. It helps us out. It's important for us to do this and I think it's necessary. We put some \$300,000 dollars into helping that.

We also did a lot of work around reamortizing the debt. And I hear from people all the time, when do you have a plan to help take care of this? Well on the state employee side we've done an awful lot of

work revolving the debt of state employees. We have an actual plan and in the budgets that have been forth, although not this year, the Republicans have taken advantage of the savings that were in the plans that we had. I look forward to working with them as we develop a plan that we can afford and that's what we have done this year. On the state employees side, you can actually see a plan that pays off our unfunded liability and what we did this year was to separate it out, to show what that unfunded liability was on both the state employees and teachers retirement side so that we can recognize it, see it for what it is, look at it. Now, we also did on the state employees side, we're there. We see a direct correlation with separating it out, seeing what our normal cost is for employees in the state and when you look at that, these employees are not expensive. They do great work for us. They are here for us. They are here for the residents of the State of Connecticut. It's important for us to know that we are taking care of this and we're not paying the debt off of today, we're paying the debt off of 70 years of non-payment of pension plans for both state employees and teachers' retirement.

Let's talk a little bit about teachers' retirement. This year we will reamortize this debt and we will take the return on investment, often noticed as the ROI from 8 percent down to 6.99 percent so that we can achieve what is there. Immediately that would like we owe \$3 billion dollars more, but that's not true. What it is, is it's accurately reflecting what we do owe because we've never gotten the 8 percent so we need to accurately record what we get to make sure that everybody knows where we are, what we're doing and how we're doing it. We do spread this out over 30 years. It does add onto our debt,

\$1.9 billion dollars as a matter of fact, but it gives us a plan. It's no longer a guess. It gives us an opportunity to address the issues that we have. We are to do this plan, we are putting some of the surplus funds off to the side, some \$381 million dollars to backstop the teachers' retirement plan, properly record it, properly fund it and make sure that we're living up to our obligations. Again, I look forward to working with my colleagues on a bipartisan, bicameral basis to get the State of Connecticut moving forward with a plan. That's what we need to do, move forward with a plan, show our residents because people need to know that we hear them, that we hear what they have to say and we can show them a change that works toward a good resolution to our issues.

The Governor also did a change that we did not accept. It was with the Committee Investment Act. On a bipartisan, bicameral basis last year in the biennium we supported our dairy farmers with some additional funds, and we did that again this year. Now, why do we wanna support dairy? Well again, I point out they're a \$3-billion-dollar industry and I know that my residents like to have fresh milk, good ice cream, good cheese, that's what they want and we need to make sure our dairy farmers are supported. This budget does support our dairy farmers while still supporting the Department of Agriculture and farmland preservation, the Department of Housing and Homeless Supports, DECD in historical preservation, and DEEP in open space. That's what this does. The CIA is a fund that has been around for a long time now and it's something that we need to continue to keep segregated out of the General Fund and those funds are secure.

Last year or two years ago, we started a program called the Passport Account and last year, that fund started with a \$10-dollar payment from residents' uh, vehicles. It's continuing move forward. It supports our conservation districts. It supports the Council on Environmental Quality. It supports our water and soil councils. It supports our environmental teams and why is it important to do those things? It's important to do those things because we have an environment that we want to take care of. We have parks we want to keep open. We have beaches that need lifeguards at them and this fund does that. Early in the Appropriations Committee budget there was some money designed to pay off programs that fit into the Passport Program. We've decided to have those programs paid out of other expenses in the Department of Energy and Environmental Protection. That's important for people to note in the bipartisan, bicameral budget. There had been two other programs that will be paid out this year out of the Passport Programs that had been included in the Passport Program last year and were not paid out this year, and we will be doing that. As part of this budget we have allowed that to happen. Again, they had been included in the budget from last year.

I'm happy to talk to each and every one of you about the different line items that are in this budget that shows a bipartisan, bicameral budget, honoring the budget of last year, grows non-fixed costs by 0.3 percent. Our growth in this budget is less than the growth of the bipartisan budget. It honors what our residents have asked us to do. It supports people with disabilities. It supports our workforce training programs. It actually increases our workforce training programs. It's important for us to make sure Connecticut is moving forward. So I've

talked a bit about the different components of this State Budget. It's a fiscally responsible, actually I could say it's the most fiscally responsible in Connecticut history. It continues the progress of the bipartisan budget that we crafted together and I look forward to this budget going on consent as I think there's no reason why we cannot support this together and shock everyone in the state that we know how to do this together and I would yield to the Senator from Hartford, Senator John Fonfara for his good work on the revenue side of the budget.

THE CHAIR:

Thank you, Senator Osten. Do you accept the yield, Senator Fonfara?

SENATOR FONFARA (1ST):

I do, Madam President. Thank you very much and before I begin, I'd like to thank my colleague in terms of the money committee, Senator Osten as, if you were paying attention, this was just a fraction of the word that she puts in. She's tireless, she's dedicated and she cares about the people of Connecticut. I won't mention how much she cares about the people of Eastern Connecticut, that goes without saying but thank you, Senator Osten, for all you do.

I'd like to begin by thanking a few other people as well and that includes my co-chair, Jason Rojas, who stood for many hours yesterday in the debate in the House, ranking member Senator Witkos and my dear friend who I work with closely on this committee as well as in general law, and also ranking member Chris Davis in the House. As I often describe as my right hand, Dave Steuber, Vinnie Moro, Courtney

Cullinan, Liz Keyes. In OFA, Michael Murphy, Chris Wetzel, Neil Ayers and LOR Rubin Pinho. Madam President, in addition to the specifics of the revenue package which I will get to in a moment, I'd like to just pick up where Senator Osten left off in terms of describing the overall impact of the work we're doing there and have begun doing for the last few years.

This tax package in the budget provides for the largest budget reserve fund in the state's history. Previous budget reserve record was \$1.38 billion dollars reached in Fiscal Year 07 prior to the great recession. We have now rebuilt our reserve to a record-breaking level projecting \$2.9 billion dollars by the end of this biennium; \$2.9 billion dollars. Moreover, this budget includes built in surpluses of \$97.3 million dollars in the first year and \$151 million dollars in the second to handle any unexpected shortfalls in the biennium ahead. So in addition to, I don't think many people outside of this building know this, but in addition to the coveted driven volatility cap that is driving so much of our budget reserve fund, we also passed in the legislature and it is covered by the covenant a requirement that we set aside a fund every year which will grow over the next several years to ensure that any miscalculations, any reductions in revenues that were not, or increase in expenses that were not contemplated within the biennium that we have a piggybank if you will, an additional reserve fund to capture and address those issues and again, that's \$97 million dollars in this particular year and \$151 million dollars in the second. These built-in structural budget cushions will increase in FY 22 to \$185 million dollars and in FY 23 to \$235 million dollars.

This budget fully funds our pension contributions as we have for a decade now and as past generations have failed to do, passing the growing expenses onto us. Despite these structural efforts, our fixed costs continue to climb. Even in last year's bipartisan budget, the state was forced to raise more than \$1.5 billion dollars in new revenue in both years of the biennium including \$956 million dollars and \$913 million in new taxes and this year, we have very similar numbers. We're still climbing the hill of those fixed costs today. We've had to absorb those costs in this budget and had to find the revenues necessary to address those. We have a surplus in the current Fiscal Year, an operating surplus of \$574 million dollars. We are spending this to make some important further structural changes and reforms to capitalize the reserve for the teachers' pension bonds and to settle the multi-billion-dollar potential liability with the state's hospitals. But we will also be making an \$886-million-dollar deposit in our budget reserve fund this year thanks to the volatility cap.

In addition, Madam President, by refinancing our rapidly climbing teachers' pension payments, our obligations in the out years will become steadier, more predictable and easier to meet. We have achieved all of this without any change in the state's major tax rates. There is no income tax increase in this budget. There is no change in our general sales tax rate. Last year's bipartisan budget did not raise these rates and neither does this budget. Overall, on taxes, we raised approximately the same amount in this budget in two years under the bipartisan budget. We are not breaking any of the fiscal reforms adopted two years ago. This budget is under the spending cap, it's

under the revenue cap, and honors our volatility cap.

Now, Madam President, I'd like to provide the Chamber with an overview of the revenue package. Here's what we are continuing from the bipartisan budget over the last two years. With respect to the hospital tax, half of what we have raised here in this revenue package, \$560 million dollars, \$16 million dollars in both years, extending the surcharge on the corporate income tax and with respect to MRSA, certain fees and transfers from various agencies, we also continue in this tax package. We are honoring our commitment to exempt more seniors' retirement income from the income tax helping them keep more of their Social Security and pension checks. We are also continuing to phase in the federal exemption levels for the estate tax and we are continuing to honor the reduction in the cap on the estate and gift tax. Effective the first of this year, the cap is down to \$15 million dollars from \$20 million dollars.

With respect to some specific policy decisions, Madam President, we are adjusting the diversion to the motor vehicle tax from the General Fund to the special transportation fund. We are adjusting the sales tax on digital downloads. We are adjusting the tax on prepared foods. We are extending the sales tax to include parking, dry cleaning and laundry services, interior design service. We are lowering the threshold for collection on online retail sales tax. We're implementing a certified service provider to enhance sales tax collections of online sales. We are maintaining the personal income tax exemption cap for teachers' pensions. We are reducing the personal income tax credit for pass-through entity taxes paid. We maintain the

eligibility limits on property tax credits. We are exempting properties with crumbling foundations from the real estate conveyance tax. We begin the phase out of the capital stock tax which is a significant effort to support startups in Connecticut. We are repealing the business entity tax while correspondingly adjusting the annual filing for LLC's and LLP's with the Secretary of State. We're maintaining the corporate surcharge. We are extending and expanding the Angel Investor tax credit from three years to five years. We're reducing the cap on RND and URA tax credits. We are providing funding for the first time in some years now to PEGPETIA which will support local access stations in their capital investments.

We are taxing E-cigarettes and we're recognizing the increase in the sales tax due to the tax on E-cigarettes. We are adjusting the excise tax on alcohol. We are adjusting the sales admission tax on certain venues. We are establishing a surcharge of 10 cents on certain bags. We are, as I indicated earlier, maintaining the hospital user fee. We reflected enhanced OTB enforcement to support Connecticut companies and employees. We are increasing the ride-sharing services from 25 cents to 30 cents. We are adjusting the vehicle trade-in fee as well as adjusting fees for various occupations. We shift revenue from the broker dealers to investment advisor's fee to the General Fund. We are also repealing the income tax on STEM graduates and extending the sales tax to safety apparel.

Madam President, that is in general the revenue adjustments that we are making in the biennium. I believe this is a more than a fair package in terms of raising the revenue necessary, identifying the

funding necessary to meet the needs of the State of Connecticut as outlined in the priorities by Senator Osten earlier and I urge passage of this bill.
Thank you, Madam President.

THE CHAIR:

Thank you, Senator Fonfara. Will you remark further on the legislation that is before us? Good afternoon, Senator Formica.

SENATOR FORMICA (20TH):

Good afternoon, Madam President. Good to see you this afternoon. I rise for some comments on the budget.

THE CHAIR:

Please proceed, sir.

SENATOR FORMICA (20TH):

Thank you very much. I appreciate the opportunity to stand here and talk about some of the ideas that we have for our budget and kind of talk a little bit about some of the comments that I've heard made from my colleagues this afternoon. When you talk about adjustments, I believe we're talking about increases in taxes for the most part. When you talk about, and I heard my good colleague to my left mention over 15 times bipartisan, bicameral and those comments are true. They were true of the last two years more so than they are true of this year. This is an effort to try to move this budget and sell this budget today. But in reality, we weren't involved in the crafting of this budget. Oh sure we were involved in committee hearing, we were involved

in committee meetings. We talked about and listened to agencies as they came to talk to us as a committee. We listened, we asked questions, but all of that is a process that we are here and elected to do as part of the committee and this year, a minority part of the committee. Last year I too was proud to sit as co-chair of the Appropriations Committee, to see across the table from my good colleague to my left and work on a bipartisan, bicameral budget for the last two years. And we did in fact have a successful budget. We're looking at a \$574-million-dollar, to use Senator Fonfara's number, surplus that we're looking for at the end of this month and that's something that hasn't happened here in a long time so while I appreciate the opportunities to hear about our bipartisanship and our bicameral work, it's important to note that that was in last session and not this session. And it's important to note that a lot of the good ideas that were in that budget last year were the result of sitting and talking to each other. That's what the people of the State of Connecticut want, that's what we wanted, that's what we offered this time, but that didn't occur in the crafting of this budget.

So I'm just going to go over a few items and I will yield to my good colleague, Senator Witkos, on the Finance Committee to share his thoughts and then I imagine we'll have some questions directly for either of the Senator co-chairs of the money committees. Following along, I have the Office of Fiscal Analysis document that relates to this budget. Section 11 talks about, Madam President, recommended reductions from OPM and executive branch expenditures. Those reductions of \$29 million dollars in year one and \$26.2 million dollars in year two are listed as recommended reductions. There is no detail to that, but they're recommended

reductions. As you move down the document, again it talks about OPM making expenditure reductions, \$163.2 million dollars and \$256 million dollars to reduce pension and healthcare expenditures. We know from hearing and listening to the Governor over the last number of months and we know the intent of the Governor as candidate Lamont talking about coming to the table with our great state employees and bringing them to agreement to achieve savings in these areas. And I know that as Governor Lamont he tried to do that. Whether or not he's successful to achieve these dollars I'm not sure, I haven't heard, but I know I did hear through the press that the COLA's were unachievable, the COLA compromises were unachievable and those represent a little over \$18 million dollars and a little over \$20 million dollars of these numbers that I just read off.

If you go to line 15, section 15 of the OFA document, it talks about another expenditure reduction in the Special Transportation Fund of \$18.3 million dollars and \$19.7 million dollars, again, with no detail. With regard to other items in this budget, the Office of Fiscal Analysis talks about increases in COG which is \$4.1 million dollars but it doesn't speak to any of the opportunities that may be required of COG and what they would need to do to get that money so I'm a little concerned with that new policy. It goes on to speak about a new policy of the Secretary of State's office, \$150,000 dollars to support voter registration at higher education institutions. There is no detail on how that is going to go. The new policy which looks to appropriate \$33.2 million dollars in Fiscal Year 20 the Office of State Comptroller to fund the State Employees Retirement System fringe recovery and then University of Connecticut Health Center is funded out of non-General Fund resources, \$8.2

million dollars and \$20.3 million dollars. It goes on to talk about the employees of the community colleges. With regard to UConn Health, UConn Health came before our committee and presented their budget which was about \$70 to \$80 million dollars short and they presented that as a shortfall budget. In the previous bipartisan budget from last session, there was a requirement for UConn Health to proceed toward a merger or a sale or an opportunity to stop the bleeding that's occurred there financially over the last number of years. I'm not sure that's addressed in this budget.

Line 48 talks about a number of funding of \$3.41 million dollars in each of the next two years through youth service prevention grants but it goes on to list a variety of different earmarks and looks like special interest opportunities to fund in this budget. Section 51 of the Office of Fiscal Analysis talks about reductions in executive branch expenditures associated with contract savings initiatives, \$5 million dollars in Fiscal Year 20, \$15 million dollars in Fiscal Year 21 and I know from sitting and listening at those Appropriation Committee meetings that this is the new contract standard board, contracting standard boards potential for savings. But this is a new program that for the first time is giving a start to the contracting standard boards. They've been around in a very small opportunity for a number of years and to say that we're gonna get \$5 million dollars and \$15 million dollars for \$20 million dollars in savings seems difficult to me to be able to achieve, Madam President.

Continuing on, another new policy talks about services provided by a new ombudsman for the Department of Correction to provide services for

inmates 18 years and younger. It could very well be a good program and I'm wondering what those services are going to be, how the inmates are going to be housed and trained for reentry, treated now that we closed CGATS. Madam President, moving on section 71, distributions annually from the municipal gaming account to West Hartford and Windsor from the proposed tribal casino located in East Windsor. That seems to be outside of the Pequot Fund. There are currently opportunities that we are missing from those last two items that I think we can include and you'll probably hear more about those later, Madam President.

Sections 76 and 77 talk about local and district Department of Health, departments being reduced 10 percent in each of the Fiscal Year of the biennium. That would seem to be a transfer of cost to municipalities who are already struggling. Section 78 talks about delaying the implementation in the use of bond premiums for future issuances. I think we're gonna probably have some questions regarding the current policy because in the bipartisan budget last year, this policy I thought was changed. I thought we were not using bond premiums to fund and use as a revenue for our budget. This seems to be back and I'm wondering what the debt service impact would be with regard to that.

Madam President, we heard talk of the teachers' retirement fund and bolstering that up with about \$381 million dollars out of the budget speaks to out of the Reserve Fund of \$574 million dollars so we're whittling away a little more. We're gonna backstop it by lottery, lottery proceeds but I'm wondering how that's going to be done. Is there going to be a systematic savings account from the lottery that's going to be put aside in the event three years from

now, ten years from now we need that backstop, or is it just going to come out of operating expenditures at the time it's potentially needed?

The various changes to the teachers' retirement fund methodology for the actuarial measurements, the savings indicated in this budget are \$183.4 million dollars and \$189.4 million dollars in 2022, which the good Senator mentioned, but didn't mention the cost of moving that out for an additional \$15.6 billion dollars over the next 15 years, 17 years. Didn't mention the fact that this has become a habit of shifting money out into the future. There was an opportunity to produce a Biennium Tax Incident Report in the bipartisan budget of last session. We're not doing that in this budget. We didn't do it and implement in the last budget. It's too bad because that would be a necessary tool to examine and evaluate our tax policy and the effectiveness of tax rates.

I think I'm sure like many people around the circle on both sides of the aisle that we need to change our tax policy here in the State of Connecticut. We need to adjust it and having that report would go a long way to helping us establish that.

Another new policy in this budget establishes a Connecticut Hydrogen and Electric Automobile Purchase Rebate Board which is designed to provide rebates to purchasers of certain motor vehicles. I imagine those would be electric vehicles, perhaps they're hydrogen, because my understanding is the federal rebate program runs out at the end of this year. And to do that, another fee is added of \$5 dollars on various motor vehicle registration fees which will raise \$8 million dollars, \$3 million dollars of which will go to fund the program, \$5

million dollars will go, according to this document, to the General Fund. We seem to be using that vehicle I guess as a way to fund.

Madam President, I heard the good Senator talk about the change in the Passport to Parks sweeps and moving those over to operating expenses of DEEP and I'm grateful to hear that. We did the Passport to Parks together in a bipartisan way last session because Governor Malloy made the change in the management of our parks, he called it passive management which really meant they weren't gonna staff the place and we came together in a bipartisan way last session to come up with a fix for that because we knew it wasn't safe for our kids to walk the parks without adequate supervision and we knew that we needed to fund the restoration and the creation of our new parks so that they would remain in the great shape that they need to be because the people in the State of Connecticut through this Passport to Parks Program get an opportunity to go in by having a Connecticut registration and paying \$10 dollars on their registration. They get to park at the parks for free and that's a great program. That's a win-win program we were able to do in a bipartisan manner last session.

Madam President, we talked about a number of things so far. Section 144 refers to a state or elected official being able to not accept its compensation or benefit and I know that refers to a couple of people in this new administration who have foregone their salary which I think is noble and it's a good thing if that's what they want to do but as a former first selectman, having faced something like this before, I'm aware that it creates a hole in future budgets because not everybody elected in that position is going to have that opportunity so I just

caution moving forward on something like that while remaining appreciative to those generous people who have decided to do that.

We have some questions with regard to establishing the Partnership for Connecticut Program. The Connecticut Program was the new contributions by the Dalio Family. It's a five-year commitment, \$100 million dollars matched by \$100 million dollars. We have some questions about how those are distributed. Is the new policy going to report to the money committees with regard to how that money was spent, how it was distributed, the effectiveness of the program and to whom, any of the results?

Another new policy is establishing the municipal redevelopment authority. It's a quasi-public agency to do bonds and I have some concerns. Some years ago there was talk about the Transit-Oriented Development and the talk of eminent domain from some communities being used as a way to increase train and transit opportunities in towns which did not make the cut, but I'm concerned that this might be an opportunity to revisit a policy, a poor policy like that.

Sections 232 and 235 talk about S.B. 1. S.B. 1 is a priority for many people here with regard to the Paid Family and Medical Leave Program. I'm wondering whether in the way this is put whether this allows that funding to be outside of the spending cap. The \$5.1 million dollars that was in the budget for the labor agencies installation or initiation of that program, there's no talk of the capital cost necessary to implement that program nor have we heard or talked about I believe any bond bill that I didn't see associated with this budget so it's hard to tell what those capital costs are.

Madam President, in sections 291 and 292 it talks about freezing the rates for TANF and SAGA and I listened intently to the good Senator to my left talk about the need for temporary programs there, but we were able to provide in section 48 \$6 million dollars for specific little programs, but we're freezing the money, any increases for these programs. Section 305 is a new policy. It provides prohibition of covenants not to compete and I think it's earmarked for a specific childcare program, but that would have huge fiscal impacts for businesses around the state if they can't protect their proprietary rights. That policy doesn't establish whether it's just for the one program or whether it's for every business.

So, Madam President, we have some concerns. You're going to hear some other concerns from our side of the aisle. We were hopeful at the beginning of this session; we were hopeful with the new administration. I was glad that both the Governor and the Lieutenant Governor chose New London to come out as one of the first stops they had and we had a wonderful bipartisan conversation and we talked about the needs of moving things in Southeastern Connecticut forward and I would certainly agree with Senator Fonfara that my good colleague to my left does in fact love Eastern and Southeastern Connecticut. But while those ideas were offered to come and sit, they seldom were taken advantage of. So, Madam President, in closing, I would just like to say that small business is the job creator of this country. It always has been and I say that as a job creator in the country and here in the great State of Connecticut. Job creators create. It's what they do. They create jobs, jobs that pay taxes. They invest in capital infrastructure, infrastructure that pays property taxes. They

create cash flows through payrolls and other opportunities that stimulate and grow the economy, funding and paying sales and use taxes. My question, Madam President, is what have we done this session to help those job creators? What have we done? How have we set the table of prosperity for job creators? How are we making Connecticut more business friendly? People around this circle and people in committees that I serve on here me talk about prime costs. As a business owner and a job creator, prime cost is a tool that I use to manage my business. Prime costs are made up of only two costs; product cost and labor cost and they're a benchmark that I use to measure the effectiveness and the profitability of my business moving forward cause it's important for me to manage our business and manage the profitability because it's in that profitability that we're able to create job, build capital infrastructure, help stimulate the economy and move our economy forward. And I'm seeing those prime costs, I'm concerned from some of the things we've done this session and some of the things that are in this budget. We've had a minimum wage increase which we've talked about as being an entry level wage and it's increased and there's many arguments whether that's a good thing. That is going to be a pressure on small business, especially the smallest of small business and other businesses are gonna feel the compression in that minimum wage which means if you raise somebody to \$12 dollars an hour, then the people at \$12 go to \$14 and the people at \$14 have to go to \$16, etc, etc and it goes up. So that will put pressure on my prime costs or on businesses' prime costs. Paid Family and Medical Leave, while it's a noble idea, the unemployment exemption which was presented as part of the bill, the unemployment exemption is this. It says that if you're hiring a temporary worker for

the 12 weeks that your employee is off on Paid Medical Family Leave qualifying event, they would not be eligible to collect unemployment after those 12 weeks. That was in the bill that we listened to. In this budget, that exemption seems to be stricken and so that would put pressure on my labor costs because the more people that collect unemployment, the higher the modification rate is on your business and the higher your percentage of unemployment compensation begins as a result of that. Training costs and administrative costs go with that program that are unrecognized.

The expansion of the dozen or so contracts that we've increased our personal services line by \$92 million dollars, increasing our budget is going to drive up our state's personal service cost and that's gonna end up as a trickledown effect on small business here on Main Street in Connecticut. Job security, as an employer and as a job creator I can say firsthand that employees and frontline employees are our greatest asset and reasonable wage increases are reasonable. The second part of prime cost is our product pressures. New taxes, I happen to work in the hospitality industry, my business is there and we have a new tax. We're not like all the other taxes in the State of Connecticut, all the other businesses that are going to get taxed at 6.35 percent. We have the opportunity for, I don't know why, just as a restaurant or a food preparer, to be taxed at 7.35 percent. I don't know why we were chosen but that certainly is going to put pressure as people begin to think about the increased cost to come into any hospitality industry, any food preparation industry, any place where they can get a drink out of a soda machine or a candy bar or any type of other bar and that 1 percent as part of the conversation, Madam President, was supposed to go to

help fund cities and towns. That was the conversation and I don't see that in this budget. That 1 percent seems to go to the General Fund so I'm a little concerned about that.

We have many talks of potential tolls. We're up and down on that, everybody's tired of talking about tolls. I don't know if we'll see tolls or we won't see tolls but if we do, any product that is moved through this state on a truck is gonna cost more to get delivered cause those costs are gonna get passed along to the people who use those products and that will further drive up the product portion of mine and other businesses small prime costs.

Tax expansions. Well the rates, as pointed out, have not been raised. The sales tax and other taxes have been expanded to include many, many more opportunities that are going to cost the people in the State of Connecticut more money. More money out of their pocket. So, Madam President, I submit that these policy changes combined with really the limited positive impact on small business that's happened here at this circle as we enter the last two days of session, and actually the General Assembly, is going to make it more difficult for people that operate small businesses, for the families that populate the State of Connecticut and support small businesses to have money in their pocket while other programs will see increases and I have no doubt that the good Senator on my left worked very hard. I have known Senator Osten for many, many years. We worked together as first selectmen on the Council of Governments in Southeastern Connecticut. Her work ethic is legendary. I just disagree with some of the policies that we're putting out here today.

Now there are positive signs and I think they're worthy of recognition, the tourism support that we worked on last session in a bipartisan way. The Passport to Parks that we worked on in a bipartisan opportunity in last session, support for the deaf, the blind, the ECS Policy that we put together in a bipartisan way last session, the Social Security exemption and pension reduction over time that we put together in a bipartisan way last session. Those are good things to continue. But in closing, Madam President, I ask how much better would this budget have been if we were able to be at the table for all of the items in this budget? How much better would this budget have been for the people in the State of Connecticut if we had the opportunity to sit across the table as we did last session and debate this policy changes and understand our differing perspectives.

As I said, I was proud to serve last session as a co-chair of the Appropriations Committee and I'm proud to serve in this circle and I'm proud to serve as ranking member, but once those committee meetings were over, we didn't have a screening meeting, we didn't have a meeting where we sat down and talked about budgets. We didn't have a meeting where we sat down and went over these numbers or new policies that pepper this budget. We had occasional conversations about occasional issues and again, I don't disrespect the work that's done by all of the people involved here but I think that this final document, this final document that we have in front of us that uses up a lot of the \$560 million dollar expected surplus by the end of this month from the bipartisan budget we did last session is gonna create more challenges for us. So, Madam President, I'm unable to support this budget today because this document, I believe swallows up a lot of the good

things that have happened and it includes tax increases of nearly \$900 million dollars in each of the next two years. So I want to thank you, Madam President for the opportunity to stand and discuss this as always and I'd like to yield to my good friend and Senator and ranking member on the Finance Committee, Senator Witkos.

THE CHAIR:

Thank you, Senator Formica. Good afternoon, Senator Witkos.

SENATOR WITKOS (8TH):

Good afternoon, Madam President, I accept the yield. So we've heard three well-distinguished Senators speak on the budget and I just hope that I can add to the conversation as one of the newest members of the Budget Committee and I'm honored to serve with Senator Fonfara on the Finance Review and Bonding Committee. He and I have worked, as he said earlier in his comments very well together whether it was on the Energy and Technology Committee, on the General Law Committee and I believe on the Finance Review and Bonding Committee and when we work together, we can accomplish a great many things and I'd like to ask a few questions before I give my remarks. So, Madam President, through you to Senator Fonfara, a few questions that are relative to the finance side of the package. We are instituting what I believe is a new tax on plastic bags; is that correct? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

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SENATOR FONFARA (1ST):

Through you, Madam President, that is correct.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you and through you, Madam President, what is the cost of the individual bag?

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President, Senator Witkos could you expand on that? Is it the tax you're referring to or the cost of the bag itself?

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

The tax that is placed on the bag. Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President, 10 cents.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you and through you, Madam President, I watched the debate in the House on this particular portion and I'm to understand that the retail outlet will remit to the Department of Revenue Services in a separate line item those taxes collected through a tax on a bag; is that correct? Through you, Madam President, did I hear that correctly?

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

I did not hear that part of the debate, Senator Witkos, but I understand that will be the process.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. The reason why I stated that and why I think we are both correct is that you also will not be charged the 6.35 percent on top of the 10 cents on the bag so that would be able, for accounting purposes to be separated. And there's also some exemptions from the plastic bag tax and could the Senator, good Senator go over what those exemptions are? Through you, Madam President.

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THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Yes, Madam President, if we could stand at ease for a moment as I find that.

THE CHAIR:

The Senate will stand at ease.

SENATOR WITKOS (8TH):

Thank you. Madam President, if I may make it a little bit easier on the Senator, I think I know the three items, I just would ask for a concurrence if you agree with these items.

THE CHAIR:

Senator Witkos, go ahead.

SENATOR WITKOS (8TH):

Thank you, Madam President. Through you, I believe laundry bags would be exempt, unwrapped food container bags exempt and compostable bags; is that correct? Through you, and those would be the only exempt items?

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President, that is correct.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you. Am I limited to the number of unwrapped food bags that I can use in a store without being taxed? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President, yes.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

And what would that limit be? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President. I understood you to mean unlimited but you did not ask that.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

I asked if I was limited so I'm not limited. It's unlimited I can use. I can use an unlimited number of unwrapped food bags without being taxed; is that correct? Through you, Madam President.

SENATOR FONFARA (1ST):

That is correct.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

And is the good Senator aware of -- is there a move towards stores, retail outlets making compostable bags available? Through you, Madam President. Has that been discussed through the industry?

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President, I've heard talk of that but I can't say whether or not that will eventually become the manner in which people will be using to bring out their purchases.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you and in the bill, it says specifically that a retail outlet cannot sell a paper bag to the retailer for use. Am I correct in my understanding? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President, that is correct.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

And is there -- if a person hypothetical went through the cashier lines and said I, you know they had all their groceries and the clerk says paper or plastic and they may not be aware of the law and they say well I'll just use plastic and the clerk says to them well there's a 10-cent charge on each plastic bag and the person says paper, irrespective of the number of bags I use or the customer uses, there's no tax on that bag. Is that correct? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

I'm sorry, Madam President. If the gentleman could repeat the question.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

If you use multiple paper bags, there's no charge on the number of paper bags that you would use at retail; is that correct? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

That is correct.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

And, Madam President, how did we differentiate between a tax on a plastic bag and why no tax, and actually mandate that no tax can be applied on a paper bag? Through you.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President. I believe that there is general appreciation for the desire to reduce the number of plastic bags over the next couple of years and then eliminate them entirely for sale, but because there are folks who, whether they don't have a travel by vehicle of their own, they might not have the ability to have with them if they're going to the grocery store or other store and we believe they're oughta be the availability of some packaging to take their food out or other items out without -- if a person doesn't have something of their own and not everybody does. Not everyone can store their reasonable bags in their trunk, if they don't have a vehicle or they're traveling by bus or other means and we felt that it would be important that those folks have the availability without charge to have the means in which to carry their food items or otherwise. Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Witkos.

SENATOR WITKOS (8TH):

Thank you and through you, Madam President, what if the store requires a plastic bag to be used to carry out a specific product? Are you still charged for that tax?

THE CHAIR:

Senator Fonfara.

SENATOR WITKOS (8TH):

If the good Senator would like, I'll give an example. So a couple of days ago I went down to Ocean State Job Lot and I was buying some pool shock for my pool and I told the cashier, I don't need a bag and she goes our store policy requires us to double bag with plastic bags that product in case there's a spill so even though the customer didn't want the plastic bag, the store mandated that it be taken and that's how it is delivered. Would tax be applicable to that? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President. It's an unusual circumstance, not one I've heard of before but I believe if in the case of once we've begun to tax the item it would no longer be mandated.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you and through you, Madam President, last question on carry out bag items. When a, and I'll use a grocery store, when a grocery store purchases bags available for their customers to utilize to carry products home in, whether it be plastic or paper, they purchase that which means they own that. Are there any other products that the good Senator knows of where a store that owns it is not allowed to charge for a product that they're required to

sell in one instance to the customer, but it's mandated that they cannot sell to the customer in the other instance? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President, not off the top of my head.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Okay. Moving -- thank you, Senator. Moving on, Madam President, a few years ago this legislature passed this credit program for the pass-through entity. Could you refresh my memory the reason we moved forward with this piece of legislation?

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President. Yes. It was the policy of the State of Connecticut to move for pass-through entities to be taxed at the personal level. The policy of the state changed to that of tax requiring, mandating that those who are members of multi-member pass-through entities such as limited liability companies, limited liability partnerships

or S corps, that they would then, any personal income would be, that is taxable would be done so through the entity as opposed to personally. A policy decision of the State of Connecticut.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you. Through you, Madam President, was this as a result of legislation that potentially was passed at the federal level? Through you.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

I can't say that it was a result of that other than that happened roughly the same time, that may be a coincidence but in terms of the decision of the State of Connecticut and this legislature, it was to change the policy with respect to how personal income for those in organizations I mentioned earlier and how they would therefore file.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you and I was trying to go through some of the past debate when the pass-through entity tax was first created and what I could find was a lot of

reference to the tax reform done at the federal level and that this would provide an avenue for our residents to receive the credit as they run their personal income through their business. Could the good Senator say what the rate it was established at? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President. I believe it was 93.5, could be a little off on that, but roughly that percent.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

And what did we do in this budget bill?

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

We've reduced that to 87.5 percent.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

So the net effect of that would be a less tax credit to the individual and a larger increase to the State of Connecticut; is that correct? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

That is correct.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you. There's also an alcohol excise tax increase of 10 percent in the budget. Could the good Senator describe why that is before us?

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Essentially to, there has not been an increase in that tax for several years, I believe going back to 2011. Through you, Madam President.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. I concur. In 2011, this body increased that excise tax by 20 percent and now we're adding on an additional 10 percent. Alcohol excise taxes are generally applied to what types of alcohol? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

It is generally applied to, although not in this case, to beer, still wines, sparkling and fortified wines, alcohol more than 100 proof, liquor and liquor coolers.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you and we've had a history of picking winners and losers in this Chamber and I'm just curious if the good Senator could explain why beer was excluded from the increase in the excise tax. Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President. Through you, Madam President, my understanding is it's to help a

growing industry in Connecticut, the brewing industry.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. We've added an additional increase to our ride-share provisions in our bill and that went from 25 cents to 30 cents per ride. Is that correct? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

That is correct. Through you, Madam President.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

And how does that compare to other states or what was the policy reason for the increase? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President. I believe that is consistent with what we're seeing in other states.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. There was a lot of discussion and we passed a bill in this Chamber by wide margins for raising the age for purchasing tobacco products to age 21 and above and with that, there was a lot of discussion about keeping tobacco products, specifically vaping products, out of the hands of our youth and I understand we had not had on our books before, but we are proposing to do that now, a tax on vaping products. Could the good Senator describe what those taxes would be?

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President. Yes. With respect to, and I'm not familiar with this kind of activity, but with respect to for nicotine only it's a 10 percent tax at the wholesale level on the open systems, and a 0.4 mL excise tax on the closed system.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President and do we believe that those taxes are exorbitant or are they in line with other states or where do we fall, since this is a brand new tax for us here in Connecticut, how did we arrive at those numbers? Through you.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

They are consistent with what is happening nationally. Through you, Madam President.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

And have the other states that we've compared our taxing policies with seen a reduction in youth utilizing these products? Through you, Madam President, if the Senator is aware.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Anecdotally I had heard that there has been a reduction in other states, but I can't speak to a specific state. Through you, Madam President.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President and there's a line item, albeit small, it mandates that an occupancy tax be collected and remitted by online platforms, and what would an online platform consist of? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President. That would be Air B&B, I have a number of them listed here if the gentleman would indulge me for a second. Through you, Madam President. VROB would be another one. Through you, Madam President.

THE CHAIR:

Thank you, Senator Fonfara. Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. I may not be familiar with those are. What is an Air B&B and a VRBO? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

To my understanding, they are online platforms in which individuals can be connected to whether it be a rental vacation home or a similar kind of lodging that folks can connect with through this platform.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you. And are these already operational in the State of Connecticut, these platforms? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President. My understanding, yes.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

And have they been exempt from the tax prior to this date? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President. My understanding is that Air B&B we've had an arrangement with but this would extend to others as well.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. I won't delve deeper into that one because it's confusing but if we do it already for Air B&B what else? I read the description as mandating it be collected and that leads me to believe that the Department of Revenue Services is having a difficult time in collecting it from these types of entities so I'm surprised I didn't see a fiscal note for additional assistance in that. There's a transfer from the Banking Fund of \$5.2 million dollars each year in the biennium to the General Fund and how does the Banking Fund receive its dollars and why are those funds being diverted to the General Fund? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President. This is with respect to the increase in the broker dealer fee and investment adviser's fee. Through you.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you and I understand, Madam President, that the banks themselves pay 100 percent of these fees into the Banking Fund that runs the Banking Department; is that correct? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President. That is my understanding.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Do we know what the, I couldn't tell from the notes in the budget what the Banking Fund is on an annual basis and if we remove the \$5.2 million dollars sweep each year of the budget, wouldn't that be just a tax or a charge to the banks to make up that difference? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President. Again, this is with respect to a fee increase that was established in the 2018-2019 budget. Through you.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you. We're also looking at a sales and use tax including that are specific to, I saw three industries. One is dry cleaning and laundry, parking and the creation of a new licensure requirement which I'd like you to speak of as well and that's the aestheticians and nail technicians. So first of all, how did we address the parking issues as a sales and use? Why did we go down that road especially when we speak of specifically meters when I recall that this body had tried to tax car washes and we had to come back and fix it the following year because coin-operated car washes posed a problem for collecting the tax, yet here with parking meters we impose the tax and specifically to meters, is there new technology that enables us to collect the tax for parking meters? Through you, Madam President. And please also address the dry cleaning and laundry, how those two particular services were decided upon to be taxed.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President. More broadly, as the good Senator knows, our economy has increasingly

focused on services rather than production-oriented goods and this is a step in that direction, not a significant one, certainly nothing compared to what the Governor had proposed, but it does begin to look at services as a way to make it fair in terms of the revenue that we generate from the sales tax. As our economy evolves, so should our structure to recognize that evolution. With respect to parking, currently we do tax parking lots or garages, etc, those with greater than 30 spots. This would extend that to those with less than 30 spots. With respect to interior design services and dry cleaning, we felt to a large extent those are discretionary services and therefore, we do propose extending the tax to those activities as well. Through you, Madam President.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you. Were there any other discretionary services that were discussed and eliminated through those discussions to land on just those three specific discretionary services? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President. There was extensive discussion regarding the Governor's proposal which again, was widespread in terms of different services

to be, the sales tax being extended to. I don't recall the extent that they were discretionary or otherwise at this moment. Through you, Madam President.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. There's a section in the bill that speaks about the expanded sales tax nexus and that goes, I'm assuming that's the Wayfair decision as it's commonly referred to, which reduces from \$250,000-dollar sales number to \$100,000-dollar sales number keeping the transactions the same at \$200; is that correct? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President, it is.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you. And the purpose of reducing the \$250,000-dollar threshold down to \$100,000-dollar threshold is what?

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President. To be consistent with a number of states in the country in terms of what their level of taxation begins at for this activity. Through you, Madam President.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. So if we're using a fairness of what other states tax at, in this particular example, have we compared our income tax rates or our sales tax rates with other states to see, for comparative purposes as well cause I can certainly point to any number of states that have lower sales tax rates and income tax rates if we want to do a fairness comparison? I don't expect the Senator to answer that. That's a rhetorical question. There's a tax called a mansion tax I guess if you will and that increases the conveyance fee for estates over \$2.5 million dollars and how much of an increase is that? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President, 1 percent.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. So that brings that rate to 2.25 percent; is that correct? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President, yes.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

And the goal of that increase, I believe, is twofold in my opinion, but I'd like to ask the good Senator what his opinion is, the reason for the increase to the 2.25 percent. through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President. This would be on homes as the good Senator indicated, values above \$2.5 million dollars. Those values below \$2.5 million dollars would continue to be taxed at the original rate or the current rate of 1.25. It would be on homes for individuals that are moving out of state. Those that remain in state, if they purchase a home and stay in the state or continue to live in the state and pay income tax, beginning in the third year, they would begin to have a credit that would eliminate that additional 1 percent tax from their income tax. Through you, Madam President.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. Is there any precedence that the Senator would refer me to for further research down the road where we're allowed to tax the same group of people but for different circumstances differently? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President. To the extent that we have graduated taxes in our tax policy, that certainly is the case for income tax, for corporate income tax. Through you.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. I'm speaking specifically to the 1 percent where if you move out of the State of Connecticut, you're gonna get taxed that 1 percent, but if you stay in the State of Connecticut, you can apply that 1 percent as credit to your income and basically be made whole for that additional 1 percent. So we're taxing the people, same set of circumstances, same house, if one stays in Connecticut, they're basically exempt from the increase, if you move out of state you're getting the 1 percent increase and that's kind of where I was looking for research purposes. Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President, I am not.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

And, Madam President, we -- I guess I only have a couple more questions. There's a section in the bill that speaks to the First Five Plus Program extension for four years and personally, I was never a supporter of the First Five Plus and I'd like to

ask the good Senator, what is the purpose of the extension? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President. The purpose is to enable the recipient of the tax credits who have not been able to access those fully for a couple of reasons, one is a lack of corporate income tax within the prescribed period and secondly because we reduced the percentage of the credit from 100 percent to 70 which would slow the ability of the recipient to recover through the tax credit. Through you.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President and that certainly makes sense to me that on one hand, the state is doing one thing and on the other hand is doing something exactly opposite so we are creating policies that negatively affect the businesses that we propped up in a program that they asked to be a part of whether it's economic development, job creation, workforce development. Out of this, I understand your explanation, but have all of these companies in the First Five Program met the requirements of you know job creation, etc prior to the extension? The extension is basically just, if I understand you correctly, is to allow these companies to utilize

the tax credits they earned because they fulfilled all their requirements of the First Five Plus Program; is that correct? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President. I believe the provision before us is specific to one company and that company has met both its hiring responsibilities, has actually exceeded its hiring obligations under the agreement as well as exceeded its responsibilities in respect to capital investment in its facilities. Through you, Madam President.

THE CHAIR:

Thank you, Senator Fonfara. Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. My last question of Senator Fonfara and then I'll just make some comments, there's a fee study in the bill that directs all agency heads to collect information on what they can charge for fees and that total has to meet \$50 million dollars and report back to, I believe our committee, Finance Review and Bonding, on opening day of the next session. Was the good Senator present for that discussion and did he have any conversation with agency heads? I know they've been tasked over the past several years to weed out any fat within their budgets and all we've heard

from commissioners on the appropriations side was that they basically are running bare bones budget now and we've heard from some folks that fees have already increased, double a few years ago, so what is the anticipated thought that some of the agency heads will be able to come back and do they believe it's realistic to find \$50 million dollars without negatively impacting those persons that will have to pay those fees? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President. I was briefly part of some of the discussion regarding this and it is believed that there are some areas that have not seen fee increases in some years and maybe those fee increases were minimal. This is an examination of those fees to determine whether or not there is the ability to bring them up to, based on inflation or otherwise, the \$50-million-dollar objective that is being sought in our tax package. Through you, Madam President.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. But if the examination and the ability doesn't reach the \$50-million-dollar mark, it's built into the budget, how, what does, what does, what is the remedy to rectify that

imbalance then at that point? Through you, Madam President, if those discussions took place.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President. The extent that there is a question and it was part of the discussion, there was confidence on the part of the administration that they could find this level of revenue from this exercise. Through you.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. I thank Senator Fonfara for answering those questions. I don't have any more questions of Senator Fonfara, I'll just wrap up my comments. You know, I think -- I was asked by a reporter the other day about what do I think about the budget and I said well it's not as bad as budgets have been before us in the past. And I was sharing with my wife last night when I woke her up when I got home that this budget is not an arterial bleed, it's a venous bleed. It's slow, it's death by a thousand cuts and I don't mean cuts as in we're cutting spending. I mean cuts as in we're bleeding the people of Connecticut dry. You know we talked about a study that says go back out and if you can examine where you are, if you haven't had massive fee hikes, then we'll probably jack those fees up but that price tag is \$50 million dollars. We

talked about our Banking Fund transferring money to the General Fund to the tune of \$10.4 million dollars over the biennium and everybody complains about their banking fees, well this could be directly attributable to that cause the state's looking for money.

The poor folks trying to make a little extra cash by renting out a room for Air B&B or VRBO, one of those online platforms, I don't know how they're gonna be mandated. If they're already supposed to be paying the tax and they're not paying it, how can we count on that revenue? Are we gonna send DRS agents to knock on their doors? Are we gonna go to the towns and hit them with cease and desist orders? There's a tax on vaping products. We're differentiating between the two products and I think that may be confusing for some if their POS system doesn't allow that change to happen, that's additional cost to our businesses. I'm not so sure that the tax that we've imposed is the right level. I guess we'll see. I understand that one is specific to one specific industry and that would be the closed vaping system because it already comes preassembled and doesn't allow for any change from what I've heard through the building, but by bifurcating our tax system we've closed the possibility of new technology that may come out and maybe there's a different way to smoke that's not covered by these two different taxing purposes. The alcohol excise tax.

Listen, I think we should have learned through the boating industry that when we reduce our taxes, we make more money and we did that, I give the folks credit, by reducing the motor fuel diesel tax to 2.99 percent. I think that's good. I think during the compromised budget two years ago when we reduced the sales tax from 6.35 percent to 2.99 percent on

the boating industry, we heard from the marine and trade association. They said this is great. We're hiring more people. We're selling more boats. They're actually coming to Connecticut now for winter storage, for services and that's the lesson we should learn from that. If we reduce our taxes, they'll come.

A lot of the districts I represent border the state of Massachusetts and I can't tell you the number of Connecticut cars that I see over the border filling up with gasoline, going to the package stores because it's cheaper. Our prices in the package stores are very competitive. What puts us over the top are the excise taxes that we must pay and, in this case,, we're adding another 10 percent arbitrary, because we only picked two of the three industries in our state to add the tax to. We just had a huge, huge liquor reform bill in our state which was to bring us up to the 21st century. I think that alcohol excise tax puts us back a little bit. In fact, it was the wine trail that started us here in Connecticut before the beer trail, before our distilleries started doing their thing and yet we whack them with a 10 percent additional tax.

The plastic bags, that's gonna be a problem. How we can tell a person that owns a product, that says you must charge for this particular product but the other one you've gotta give away for free. Why is state government mandating that a business give something away for free? We put in a law that says you can't charge for a brown paper bag. Then we're gonna hear from environmentalists soon well you're deforesting everything if everyone moves away from plastic bags. What happens if they double bag something, paper or plastic? Get one charged for one but not for the other?

The ride-share's just a money grab. We talked about fairness in comparison to other states when we talked about the expanded sales tax nexus to drop it down. I think this is the same thing. Just we've got a certain target we have to meet on the spending side so let's just figure out where we're gonna tax to get to that level. If you talk to anybody about their own budgets at home, we always look at how much money do we have? What's our income coming in and we'll adjust our spending accordingly. We don't do that here at the state level. We decide how much do we want to spend, now let's match it. Prime example, the fee study. Find \$50 million dollars. We cannot argue that.

Senator Formica mentioned the meal tax. How onerous is that to our restaurants and that group especially coupled with all the other bills that we've considered here and some have passed this General Assembly already. They are a cash register for the State of Connecticut plain and simple. That's all that does. When the bill first came out, my understanding is the restaurant association was supportive of it because they thought the 1 percent tax as Senator Formica was going to go back to the towns in which it was collected and maybe would hold the line on the property tax cause every single person in this Chamber talks about how regressive the property tax system is in Connecticut and how can we work to adjust that and fix that. It was a good thought, but not the State of Connecticut. We thought well we've gotta feed the beast. We need more money in the General Fund so we're taking 1 percent. You finally get a little bit of extra money in your pocket, you've gotta pay an extra 1 percent to go into a restaurant, 1 percent to go buy the rotisserie chicken at the supermarket, anything

that's prepared. I was going through the grocery store the other day and I was looking at all the prepared meals and these are sometimes for folks who can't cook, don't know how to cook so it's a lot easier to go in there and buy the prepared meals and they're good quality ones prepared right there in the kitchens at the facility. They're gonna be paying more for their product.

One of the questions I had and I'm going to throw out there since Senator Fonfara can think about it since I told him I wasn't going to ask any more questions, somebody else can ask him, is we had a discussion in our caucus room if schools would be required to pay the 1 percent or school children when they buy their school lunches if they'd have to pay that 1 percent tax. I think it fits into the definition but I wasn't sure, and also students that are on free and reduced lunch, how does that impact them so somebody else will be asking that question later on, Senator. I'll give you a chance to research that or review that.

So those are concerns. Also the concerns of digital downloads. Those of us who have teenage kids who have phones that are constantly, especially if they know what your password is even if you change it every week, are downloading apps or a movie, that is a considerable increase and that industry, it's going to harm them. I in fact am a member of a book club and I used to get audio books on line and I had it set up so I get one a month. As soon as I saw this budget, I discontinued that. I said hope, I'm not gonna have that automatically once a month. Why do I want mine to go up from 1 percent to 6.35 percent and I'll only do it if need be? I'd rather go the library and borrow a book now than pay an additional tax on that.

We didn't talk about the motor vehicle diversion, but here's a cut to the Special Transportation Fund. You know we had a long argument about how to pay for our roads and our infrastructure and here we go reducing the amount of money that is going into the Special Transportation Fund. You know, we had this long discussion, I heard the House debate and the House minority leader say the lockbox was a joke. The people of Connecticut voted for the lockbox cause they said all the money that's collected that should go into the lockbox should only be used for transportation purposes, but again, this is a diversion before it gets there. We only have ourselves to blame. We don't need a lockbox for anything as long as we have an agreement that we're not gonna touch that money. It's not going anywhere. It takes an affirmative action by this body to make it happen, but unfortunately, this body can't help itself. That's been done year after year after year.

The mansion tax, to me I believe that's unconstitutional. I think that's gonna be challenged by the first person who sells their home and moves out to the State of Connecticut and is required to pay a 1 percent tax while their neighbor, same valued house, stays in the State of Connecticut and they are credited with that. We broke a promise to our teachers. We delayed the teachers' income tax exemption for another two years. Again, we did that by affirmative action of this body. People don't trust their state government. They can't believe the things that we tell them and this is evidence as to why. I'm glad to see that the majority party pushed back on Governor Lamont in making sure that the pension annuities and the Social Security exemption stayed

in the budget because people were counting on that when they formulated their family budget, but our teachers did too and they were shut out. Like so many, they maybe didn't have a seat at the table and that's sad.

We eliminate some things that we thought we should be moving forward in our state, the STEM credit for students that graduate with a science, technology, engineering, mathematics degree. If we're trying to prepare and we're so proud of our well-educated youth, we talk about trying to hold the line on tuition increases and we're hearing from the president of the Board of Regents and the Board of Trustees at UConn that they've gotta do these increases, 4, 6, 8 percent increases, but yet the first year into it, we eliminate the ability for these students that are signed up and enrolled in the type of curriculum that we encouraged, we're pulling that safety net right out from underneath them.

We eliminated in the compromised budget the 7/7 Program. You know I'm very disappointed, extremely disappointed that that program was eliminated. In fact, I can't tell you how many people I spoke to that weren't even aware of what the 7/7 Program is. There's people around this circle today that don't know what the 7/7 Program is so let me remind you what that is. It's an economic development, workforce development brownfield remediation program. This is the kind of stuff we should be doing in Connecticut. This is the kind of stuff we should be getting behind. All three of those pieces of the stool would lay a great foundation for Connecticut. We're cleaning stuff up, we're educating our workforce and we're getting them ready for employers to hire them. Why would we eliminate

that out of the budget? We didn't do enough to promote it in the State of Connecticut, sad to say. I talked to too many economic developers that never heard of it and it was a great program; it just didn't get enough time.

If you buy a motor vehicle in the State of Connecticut it's gonna cost you more, especially on the trade-ins and this is where I say we're nickeling and diming our residents to death. The trade-in fee used to be \$35 dollars for a used car; it goes up to \$100 dollars. But now, when you register that car, you're gonna pay a \$10-dollar Passports to Parks additional fee, you're gonna pay an additional \$10-dollar registration that goes into the CHEAPR Program. Oftentimes I say the people that can't buy new cars because of their economic situation often buy used and we're taking the money out of the middle class and the poor people for programs for the rich cause the CHEAPR Program talks about buying electric cars. If people are buying used cars, they don't have the extra money to buy \$40,000 or \$50,000-dollar cars. In fact, the registration money for the CHEAPR Program used to only be on new cars, but we said nope, now we're gonna put it on used cars as well.

So while I'll align my comments with those of Senator Formica, I think it's been a long path that we've traveled together in this Chamber sitting through public hearings, sitting through screenings, having a lot of laughs and some serious discussions, but unfortunately we came to a fork in the road and this budget reflects a well-worn traveled road of tax and spend and we would've chosen to go another road of fiscal responsibility and personal responsibility and I think that's where this budget's lacking. So with that, Madam President,

I'll be voting no on the budget. Thank you very much.

THE CHAIR:

Thank you, Senator Witkos. Will you remark further on the legislation that is before the Chamber? Good afternoon, Senator Sampson.

SENATOR SAMPSON (16TH):

Good afternoon, Madam President. Over the years I've heard our state budget described in many different ways. Some have called it a blueprint, even a vision of the party in power's plan for the future and I don't disagree with that. It's definitely true that a budget is a symbol of our priorities and properly crafted, it should have a vision for the future and it should have a plan. I got my first look at this state budget that's before us to be voted on yesterday morning and thankfully, the House of Representatives spent a full day into the evening debating it so I actually had more chance to look at this state budget than I think any other one that I've ever had the opportunity to vote on and here it is, 572 pages, this is printed double sided.

Madam President, there are a lot of concerned and angry people in our state and I took that to heart when I read this state budget and based on my review, I would submit that the priorities that are contained therein are at best questionable priorities and I mean no disrespect to the people that have worked on it, but plainly speaking I don't sense any plan whatsoever. Only a cobbled together collection of new revenue and increased taxes designed to plug holes left by the decreasing

revenue streams and increased debt we have been facing and also designed to continue to grow government even further, creating more and more dependents on our state government while adding more and more burdens on those working harder than ever to make ends meet.

The choice Connecticut must face before long is whether we will continue to operate this way, growing government and its monstrous appetite or instead growing our economy and the freedom and wealth that will result from doing so. For me, this budget vote, the question that really matters is, do the people of Connecticut benefit from this policy? Will businesses see this budget as a change in the direction of this state that is sorely needed to make Connecticut more attractive. In sections 232 through 235, the Paid Family Medical Leave Act language is finalized and I don't want to rehash the entire debate since it was a lengthy discussion in both Chambers, but this mandate on small businesses with as little as one employee to accommodate someone leaving and having to replace them in the short term and then have to account for them when they return including getting rid of the employee that replaced them. The burden on that small business from managing that situation and then ultimately likely having to pay for additional unemployment claims is something that is sending a message to the businesses in our state.

The previous speakers have already discussed the 1 percent prepared food tax that will apply to everything that is food or drink related. You name it. You buy prepared food anywhere, in a restaurant, in a grocery store, from a vending machine, you will have to pay. In section 368, the Office of Policy and Management which is the

Governor's Office, it's the executive branch. We are giving them, I saw we but I don't mean we, I mean the people that are putting this budget forward and who will vote for it, are giving authority to the Governor to find \$50 million dollars in new fees on mostly business people across our state; \$50 million dollars and an abdication of our responsibility in this Chamber in my opinion.

Sections 338 through 339, this is a great section, something I've advocated for since I've been here, the elimination of the business entity tax, something that basically is an anti-business signal. It says if you want to start a business, well we're gonna start you off with this fee and that's great except that at the same time that this fee is being eliminated, there's another section 334 through 346 where we raise the recording fees for the same people. Ha-ha! Gotcha anyway. Once again, the corporate surcharge is extended. This is something that was supposed to sunset. We only need this money temporarily, this legislature told the businesses in our state and yet, it's extended once again.

Then there is section 305 which seems designed to put a specific company in this state out of business. I won't spend a lot of time on it but what this does is it eliminates the ability for companies that provide services for the elderly in our community by finding them qualified help that have been background checked and are capable of doing the job properly, by changing the law so those companies can no longer put a non-compete agreement on those homecare workers. Basically you're putting them out of business when you do this. The non-compete agreement that they have is incredibly simple. It just says look, we're gonna hire you to

go out there to meet these people and take care of them and have this contract. We don't care if you work for someone else. We don't care what you do, but that customer belongs to us at least for six months. I don't think that's a lot for them to ask in their contract. I also believe we have a right to be sticking our nose in that contract in a state budget. What about millennials? The first reaction when I see this budget is the mountains of debt that we are creating for people that will have to pay it in the future. Is that a reason for anyone to want to stay here in Connecticut? To know that we have the highest per capita debt in the whole country and it's only gonna go up based on this. Newsflash, when you graduate from college, if you stay in Connecticut, you're gonna owe us more than any other state you might move to. Great reason to stay here. And then I think what about jobs? For all the reasons I mentioned above and plenty more, do we think that there's going to be more job opportunities in Connecticut as a result of this budget? Those opportunities are certainly going to shrink. Taxes on digital downloads increasing from 1 percent to 6.35 percent already mentioned. That's just a money grab. That's looking between the seat cushions for more revenue.

Sections 86 through 90 are very concerning. This is very similar to something that happened a few years ago where we refinanced some of our pension liabilities in the state and you know why they were refinanced? To reduce only the short-term payments so that it would be easier to balance the budget, but you know what the problem with that is? It adds mountains and millions of dollars more debt onto the citizens of this state in the future. In this case, it's reducing the payments a certain amount, but it's adding \$15.6 billion more dollars on future

taxpayers in this state. What about everyone else? Seniors, the many, many people that I talk to all the time that are considering leaving this state. I don't know about the rest of the members in this Chamber, but not a day goes by where someone doesn't mention to me that they are considering moving to another place. There are social media pages dedicated to people leaving Connecticut. I work in real estate. I've been a realtor you know since shortly after I graduated high school and when I first started no one ever said to me Rob, I want to talk to you about selling my house because I want to move to another state, once every few years maybe. Now, it is the majority of people I speak with. Clearly this is a problem and we can't sustain this and we certainly can't sustain the monstrous appetite of this government without people here working and paying taxes.

So the question is will this budget make any changes that might cause someone to reconsider moving out of the state? Aside from all the things I've already mentioned that are sure to damage businesses and eliminate opportunities, all the taxes are going to raise the cost of everything. Every product and service will cost more as a result of this budget. The pass-through entity tax was already mentioned. It was invented presumably in a response to fixing you know that terrible Trump tax cut that exposed the fact that the people in this state are paying too much in taxes and the result is, Connecticut is gonna get in on the game and we're gonna collect more taxes too.

In section 15, we're continuing the terrible, I keep saying we, I should stop saying we. There is no we. I'm not going to vote for this but this budget in section 15 continues the process of diverting money

away from the Special Transportation Fund. I could go on for hours just regarding everything that has happened regarding transportation funding in this state since I've been here. Make no mistake. There's also going to be increased property taxes resulting from the additional burdens placed on towns in this budget and every cut in aid to towns, education or otherwise is going to mean higher property taxes. There's a new sales tax on things. Even safety items like car seats. In fact, in Connecticut it would be a lot easier to list the things that are not taxed than the things that are. E-cigarettes, alcohol increased taxes. I guess they're easy targets like they were in previous budgets, but I will remind everyone of the hypocrisy of that. Every time those taxes are raised, the argument that is made by the people proposing it is oh we're trying to cut down on those people, the use of cigarettes and tax those. Those are bad for you. But this budget relies on the income from those taxes. It's blatant hypocrisy.

Line 335 is the implementation of an actual exit tax. I heard it described as a mansion tax. Yes, it only applies to very, very expensive homes today, but just wait. This is a bad sign ladies and gentleman of what's coming. People in this Chamber are realizing that folks are moving out of this state and this is the reaction? Let's tax them? You know this is not just a penalty for people leaving the state. It also says to anyone that would think about moving here, don't you dare. They're gonna get you.

The used car trade-in fee, you know this was created in the last cycle because again, what haven't we taxed already. Oh, I got an idea, let's tax used cars. What is the policy behind that except we need

the money? There is no policy and now because it's low-hanging fruit, let's make it \$100 dollars instead of \$35 dollars. Is that gonna help promote the businesses that are in the sales of automobiles in our state? Of course, it's not. Certainly, ones on the border are going to be especially at risk. There are loads of new policies in this budget, some things that were never debated before, some things that didn't get a public hearing. There's changes to other policies that were not discussed. Sections 99 through 102 have to do with the retirement security account which I'm just waiting for the people in the state to get wind of when it actually happens but this is a program where you're going to be forced into having a savings account. There's changes being made to that here.

Sections 258 through 260, they put more money for school readiness and daycare programs. That sounds like a reasonable thing except the money is tagged in the budget only to go to the employees, but that's not what this money is for. The money is to create more slots for more children. Think about that for a second. Who's really benefiting from this budget? There's the framework for the public option is in this budget. There's also five pages of earmarks, 120 of them in total, \$3,311,000 dollars' worth of earmarks. My dear friend and successor in the House, Representative Mastrofrancesco did a great job on the House floor last night discussing some of these earmarks and she was made to feel terrible because she dared to ask, what are these things in here? What is access educational? What is the artist collective? What is Hartford's proud? What is citadel of love? What are these things? Where is this money going? Are they legitimate places for money to go? Yesterday I brought an amendment to this Chamber for a real

problem and that was, and I will take just a second because I know it's not a budget-related item, but I wanted to help out people who are U.S. citizens that live our state because they can't the driver's license test in their own native language, Vietnamese and Albanian in particular and I was told there's not enough money for that. These people are going to Massachusetts to get driver's licenses because they can't do it in Connecticut. I heard the good Senator and Chair of the Appropriations Committee say that we hired five interpreters in this budget, but those people I guess they're out because we got \$3 million dollars plus in earmarks here for God knows what. And I'm sure some of those things are good, but it makes me wonder what our priorities are. Are those items more legitimate, more important than the thing that I brought to this Chamber's attention yesterday? I don't think so.

The question is what is wrong with this state? What is the problem? Why do we have a deficit? Why are we losing population? Why are residents moving away? Why is Connecticut known to be notoriously hostile to businesses? There are loads of reasons. Many of them are contained in this budget and previous budgets. This is just more of the same bringing us down the same tired path and it's likely to result in another huge deficit which will be addressed with guess what? More new taxes and it's not hard to figure out the answers. If I had to pick one phrase to boil it down, what's wrong with Connecticut? We are simply not competitive. If you ask your constituents what's wrong, they will tell you. It's not a secret, everybody knows, it's too expensive to live here. There are too many taxes. Energy cost too much. Many of our friends and neighbors are asking themselves, can they afford to live here any longer? Businesses say it's too

expensive. We hear it every day, that's not a secret either. So why does this budget make it even harder to do business? I have even had business owners approach me in confidence and say that they fear us. Can you imagine? And who can blame them when they have to be concerned about the next thing this state government will put upon them.

College graduates, same thing. Ask them why they are not staying. It's too expensive, there's not enough opportunities. No matter who you are, no matter how much you love this state, you cannot help but recognize that we are not competitive. So let's talk about that. If the problem is that it's just too expensive to be here and there are too many taxes and regulations, then the answer must be to work on those problems. How do we do that? It's simple. You can ask just about anyone and they will tell you. We need to start by making it clear that you are not better off in South Carolina or Texas or Florida or even Massachusetts or New York. Whether you're a single person or a growing family or a retiree or a small business or a large corporation, we need to let everyone know that we are going to make the Connecticut the smart decision. Everyone here knows what the problems are and how to fix them. It only requires the will to do so. We need to address our long-term obligations. Yes, that means reigning in our public sector employee unions and the pension debt that is threatening the financial future of our state.

I was hopeful, Madam President, that the change that we made that required affirmative votes on the union contracts that become before this Chamber would give my colleagues in the majority pause, and that those contracts would receive even more scrutiny than they have in the past. By my count, Madam President,

this body has passed something like a dozen more of those contracts and that itself has increased state spending by \$100 million dollars. It also means \$100 million dollars in more taxes and more reasons for people to not want to stay in our state. How is it possible that we just spent \$100 million dollars on those contracts given the clarify of our financial situation? That's not what my constituents are asking for.

More than anything, if you ask people in my district what do you do, they will say the same thing. Cut spending and taxes. That's what they ask every day. Cut spending and taxes. Where is the cut spending and taxes in this giant 500-plus page document? This budget does the exact opposite. It spends close to a billion dollars more each year in new spending and every dollar that's spent has gotta be paid for by some mechanism of revenue, taxes. So there you go, Connecticut, another billion dollars each year in taxes. I don't know need to know another thing about this budget. That's no right there. Not voting for it. I've made the same comment every year that I've been here. I will never vote for a budget that raises taxes or cuts aid to the towns that I represent because those cuts simply translate into increased property taxes on a local level. This state spent and taxed too much when I was first elected the first time back in 2010, coincidentally, the same exact year that Governor Malloy was elected and I have watched and I have voted no on every budget since then except for one and that was the Republican budget that was offered in 2017 that passed two years ago and it's because it did those things. No tax hikes and no cuts to town aid.

Unfortunately, Government Malloy vetoed that budget and it's too bad because it was a tremendous start down the correct path and I wonder what things would be like if we were living under that budget now. But sadly, every budget that's passed since 2011 has raised spending and taxes substantially and they were also all, every one of them out of balance on the day they passed. Everyone knew that there was gonna be a deficit the day they were voting for that budget and yet they did it anyway. I've heard some mention that there are policy reasons for these taxes and I'll repeat, what's the reason? We need the money? That's not a good enough reason. The only way forward for our state is economic growth. That's it. It is the only way we're going to create jobs and opportunities, it's the only way to encourage businesses and it's the only way to get people to choose Connecticut. It's also the only way we are going to manage to pay off the long-term obligations that haunt us. And that growth is only going to come with public policy that makes our state more competitive, more attractive for people to live, to work, to retire, to start a business, run a business. That comes from reducing spending and taxes, cutting regulations, lowering the cost of living, the exact opposite of everything that has been done over the last nine years that I've been here. For me, I don't believe that there's more than one way to fix this problem. There are only the ways I just listed.

Last session, as was mentioned, with bipartisan support, this body passed the compromised budget as it's called. Now I didn't vote for that budget, but I don't want to get down on my friends and colleagues who supported it. I couldn't vote it but I completely understand the reasons why they did. Times seemed desperate. The Governor was

threatening massive cuts to education and town aid and it was an opportunity to have some Republican initiatives included in a budget document that otherwise would've just been more tax and spend as Governor Malloy had a history of. That budget did some good things and it did some bad things. The good things were really good; a spending cap, a bonding cap, we vote on contracts now. Those good things, particularly the spending cap, are sadly being circumvented in this document and the bad things continue to haunt us. The bailout of Hartford for \$500 million dollars, money for the XL Center, the elimination of the \$200-dollar property tax credit, a tax on basically everyone who owns a home across the state.

Think of all the houses and count the \$200 bucks every time. That was the burden that that budget placed on the citizens of this state and sadly, even though Governor Lamont promised during the campaign that he would get rid of that, it's not. It's still the policy in Connecticut, it has not been restored. And yes, I have it in me to compromise. All of our constituents want us to work together, but I don't know that means that they want me to vote for bad policy. I'm willing to listen, I'm willing to find the common ground, but what I won't bend on are the principals that I believe in or the responsibility I have to my constituents. In this case, there is no viable compromise, not on this document. Compromising would only mean moving away from the correct solution as this budget does.

I wish I had taken the time over the last nine years to write down the comments that were made each time the budgets were passed. Which one of these budgets over the last nine years, or is it this one that's gonna be the one that actually fixes the problem?

No, Madam President, this budget will not be the one that solves our problems. We will be back here in no time addressing the same issues with more deficits and passing more Band-Aids, more corporate welfare, more taxes. What we need to fix this mess that we are in as a state is a much harder thing to accomplish and sadly, our ability to actually pass meaningful reforms in a budget were dramatically reduced when the labor deal was passed in early 2017. This budget is in direct contradiction, Madam President, to the message we need to send as a signal to businesses and citizens that Connecticut has a bright future. I have said in here several times just this session that every bill that we pass needs to be measured against whether it makes us more attractive and competitive as a state and if the answer is no, then the vote should be no.

This budget is also in direct contraindication to my beliefs in Republican and American principals. It just feeds the monster that has become our state government and I cannot vote for it. Thank you, Madam President.

THE CHAIR:

Thank you, sir. Will you remark further on the legislation that is before the Chamber? Will you remark further? Good afternoon, Senator Somers.

SENATOR SOMERS (18TH):

Good afternoon, Madam President. I rise with a few comments on the budget before us and in trying to review the document, obviously it's quite lengthy, I did have a few questions that I would like to ask of the proponent of the bill, please? Through you.

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THE CHAIR:

And would that be our, would that be Senator Osten or Senator Fonfara?

SENATOR SOMERS (18TH):

I would choose either one, probably Senator Fonfara. It has to do with the taxing of prepared foods. I just had a quick question for the record.

THE CHAIR:

I think that would be within his bailiwick. Senator Fonfara, prepare yourself. Please proceed.

SENATOR SOMERS (18TH):

Thank you. So through you, Madam President, I wanted to just for the record get clarity on the 1 percent tax on the prepared food and the way that it reads, it says that cafeteria food would be taxed and I wanted to see if that includes school lunches which would be prepared food. There's, I'd like to get that out on the record. I would assume it's not, but I wanted to make sure, that's all, if you could.

THE CHAIR:

Thank you, Senator Somers. Senator Fonfara.

SENATOR FONFARA (1ST):

Yes, thank you, Madam President. Through you, thank you, Senator Somers. School foods are not taxed under current law. Through you, Madam President.

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Thank you. I just, thank you for that answer. I wanted to get that for the record because it wasn't clear in the text language because it says cafeteria so I want to make sure that people who are watching this understand that their child's lunch will not be taxed if they buy prepared food at school. Moving on from that, my concerns on this budget are again, we are now for x year in a row giving an \$800-million-dollar tax increase to the citizens of Connecticut that have already overwhelmingly shared with I'm sure each one of us that they are feeling absolutely overburdened, and then another \$900-million-dollar tax increase in the following year. This is something that we continue to do year after year in the State of Connecticut and you can see the results with the decrease in business and whether we want to believe it or not, if you look at the census, people leaving, there was just another article about people leaving Connecticut and the average salary is \$250,000 dollars and they're not just going south, they're going to Massachusetts, they're going to New York. If we have a replacement job, it's coming in at less than a third of the people that are leaving. That concerns me and I feel that the policies that we are instituting and the budgets that we're passing are adding to that.

My concerns also about this budget are the process in which this budget was developed. There are many, many items in this budget that never had a full public hearing. There are bills that never came in front of a committee. People did not have an opportunity to weigh in. There was no input from

those affected, there was no input from the public and I think that's bad policy. That is not what we're set up to do here. That's not what this Chamber represents and there is quite a bit of that in this budget. There is the framework for a public option which never had a public hearing, maybe the bill titled public option did, but what was in that bill and what is set up here did not have a public hearing.

There was discussion on what types of bags to exclude as far as plastic bags are concerned. The alternatives were never given an opportunity to be heard, they were never given an opportunity for a hearing and within this budget they're carved out.

We've added \$100 million dollars in state spending. We are reamortizing debt that will cost our future generation \$15 billion dollars and the list goes on and on. So this budget for me is exactly what we've seen for the past eight years here in Connecticut and look where we are. We're at the bottom of all the economic indicators. This is history repeating itself again and again. There's no relief, there's no hope for working people in the state. There's no plan to fundamentally change government or reform the government that we have here and there's no courage to change or to lift the burdens that have been placed on the working people of Connecticut over and over for the past eight years. There's been a lot of noise and a lot of talk made about negotiations, about some negotiations being done you know behind prying eyes. There's been talk about a bipartisan effort, but in reality, this was done by people that are in the majority, this budget. And maybe it would've been easier to stomach if the result had been really an honest accounting of really where we are and an honest explanation to our

citizens about our expenses, our liabilities, our true revenues and our long-term obligations. But that's not what I see. If there had been a hint of an open-door conversation that was focused on growth, that was focused on prosperity and fairness for all, not just those who are in the majority here, I think we would be having a different outcome of this budget today. But instead, I feel that we've been given really a closed-door process that has shut out regular citizens because there's things in here that nobody got to have any input on. It has shut out small businesses or they have not been listened to, we're putting a \$50-million-dollar tax increase on them, and it endorses a bigger approach to government when we are not doing a good job as government. And what we've seen in this budget now is government touching every aspect of your life. I think that people are better off controlling their own life than having government control it for them.

We also have left out many legislators in this process as far as the budget's concerned and I do believe that being an effective government is not passing bills that sound great in the title or that have you know good intentions so to speak, but that good government is one that's able to provide for its most vulnerable troubled residents, its employers, and it needs to learn to prioritize, it learns from its mistakes, and it changes its approach when that approach is going in the wrong direction. We have not seemed to do that here in the State of Connecticut. So I believe that we need to really take a different approach. We need to dive down hard; we need to look at the areas of our weaknesses here in Connecticut. We need to look at the areas of weaknesses within our Connecticut agencies, the problems that they have, the challenges that they face, and I think we need to

address them clearly and head-on with the citizens intentionally in order to transform them and transform the future of Connecticut. I think we should all demand high standards, high accountability and opportunity for all of us to prosper, for our children, for our employers, and that's what our citizens deserve here in Connecticut. And I think that we need leaders that are willing to see the big picture, not just an agenda for the next two years and I think that's lacking in this budget.

This budget, you see those who are vulnerable not getting a cost of living adjustment, but you are seeing others who are already pretty entitled get massive, what I would consider massive pay increases. You see new positions being created for those who are connected and I say that government is not the solution, that people are the solution, and that government here in Connecticut has really been the problem and we're adding layers and layers of government to this budget. I feel that if we continue down this path, we will continue to be our own problem. It's almost as if we can't get out of our own way. So I am someone who is not going to support this budget for a variety of reasons, but primarily because of the process, the massive tax increase, and I do believe that this is a budget that is status quo. We are just allowing Connecticut to vacillate as it has in its current state of affairs and it is the wrong message and the wrong direction, I believe for the citizens of Connecticut.

That being said, there are certain areas of this budget that are really alarming to me personally and to many who have called me about this. There is one section I will actually say that, Madam President,

the Clerk is in possession of an amendment. It is LCO No. 10782 and I ask that he call the amendment please?

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 10782, Senate Schedule A.

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Yes, I ask to waive the reading and seek to summarize.

THE CHAIR:

Please proceed.

SENATOR SOMERS (18TH):

Thank you. This section of the budget really struck home. It's section 71 and it has to do with those towns that are entitled to funding from the non-lapsing Mashantucket, Pequot and Mohegan Fund and there are two new towns listed that will be towns that will be getting \$750,000 dollars that have not been listed before. Those are West Hartford and Windsor and this amendment seeks to reduce the amount of funding that those two towns get by \$250,000 dollars each and set it aside for the Eastern Pequot Tribal Nation which is one of the oldest tribes we have here in the State of

Connecticut, located in North Stonington. They were not privy to any of this funding originally, but they are intimately impacted by what happens to the casino. They were originally federally recognized and then that was stripped for a long battle with the State of Connecticut and this is a tribe which I believe has the oldest reservation in the State of Connecticut and they are headed by a lovely woman who has been asking for help for years from the State of Connecticut and how can we designate money to two towns that have no connection, but we are leaving a tribe that has great connection with zero funding. They would like to use this money to develop a community well so they have clean water and for infrastructure for roads. I know that my good Senator Osten has been trying to help with funding for them for years and when I saw this in the budget, it made me pause and I wasn't going to put an amendment on, but when I noticed this it was something that I couldn't just let go so I ask my fellow colleagues to support this amendment. Thank you.

THE CHAIR:

Thank you, Senator Somers. Will you remark on the amendment that is before the Chamber? Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President, and while I appreciate my colleague's intent here, I asked my colleague to sign on a million-dollar bond which would take care of the community well and the needed septic system there that is currently in a request to the Governor for bonding for the Eastern Pequot's. This would not resolve their issue as the

Municipal Gaming Account will not be populated with any funds until after East Windsor is built and I think that you know during the upcoming summer months, I have asked my colleague, Representative Walker, to look at the Mohegan/Pequot Fund to detail what we should be doing and how we should be handling the Mohegan/Pequot Fund which is more appropriate for the Eastern Pequot's than the Municipal Gaming Account which will not have any benefit for these people.

So I look forward to Senator Somers signing onto my bill for the million dollars. I have talked with the Department of Energy and Environmental Protection. I've gotten the support of Representative Rotella and we did have subsequent to my filing that bill a meeting with the Eastern Pequot's and what they need is a standard dollar amount and they can't wait until there is real money available so as this would have no accounting for the Eastern Pequot's, would not provide them with any resources and does not deal with the structural issues with our three state-recognized tribes, not only the Eastern Pequot's, but also the Schaghticoke's and the Golden Paugussett's, so I think we should look at this more globally and address our issues in providing them with help on their reservations and I look forward to working with all of my colleagues on this issue and recognizing some of what we have done to our Native American tribes in not helping them out and I urge my colleagues to vote no, as this does not provide any resources for any of our Native American state-recognized tribes. Thank you very much, Madam President.

THE CHAIR:

Thank you. Will you remark further on the amendment that is before us? Senator Formica.

SENATOR FORMICA (20TH):

Good afternoon still, Madam President.

THE CHAIR:

Good afternoon still.

SENATOR FORMICA (20TH):

I rise for a brief comment on the amendment.

THE CHAIR:

Please proceed.

SENATOR FORMICA (20TH):

Thank you, Madam President. This is certainly a population that needs support. The intent of this amendment is to provide that support. I appreciate the good Chair's comments with regard to the timing and I look forward to lending my name to moving any initiative forward to helping the Eastern Pequot Nation, moving that forward. That being said, it's been some time since we've started this conversation and while this may be a year or two away, this amendment will put something in place if it still takes some further time. So I ask that we approve this amendment as a stop-gap at the end while we work together to try to solve this problem in the beginning and I believe we want to have this vote by roll if possible. Thank you, Madam President.

THE CHAIR:

Thank you. There will be a roll call vote. Will you remark further on the amendment that is before the Chamber? Senator Somers.

SENATOR SOMERS (18TH):

Yes, thank you, Madam President. I was going to ask for a roll call vote and also, I would just like to say that I believe that our Native American tribes are entitled to this money if not more than towns that are not impacted like West Hartford and Windsor. I mean that's a really illegitimate argument to make myself. This would allow them to have some money coming in, albeit it might not be immediately, but they would know that they were going to be able to have an income stream coming in just for basic sanitation so I hope that this circle will support the amendment. Thank you.

THE CHAIR:

Thank you, Senator Somers and a roll call vote has been requested with that. Will you remark further on the amendment before the Chamber? Will you remark further on the amendment? If not, Mr. Clerk, kindly call the vote. The machine will be opened.

CLERK:

An immediate roll call vote has been ordered in the Senate, House Bill 7424, Senate Amendment A, LCO No. 10782. An immediate roll call vote has been ordered in the Senate House Bill 7424, Senate Amendment A, LCO No. 10782. An immediate roll call vote in the Senate, Senate Amendment A, LCO No. 10782. Immediate roll call vote in the Senate on House Bill 7424. An immediate roll call vote has been ordered

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in the Senate. An immediate roll call vote has been ordered in the Senate, Senate Amendment A, LCO No. 10782. Immediate roll call vote has been ordered in the Senate on House Bill 7424, Senate Amendment A, LCO No. 10782.

THE CHAIR:

Have all the Senators voted? Have all the Senators voted? If so, the machine will be locked and Mr. Clerk, kindly announce the tally.

CLERK:

House Bill No. 7424, Senate Amendment A, LCO 10782.

Total number voting	35
Those voting Yea	13
Those voting Nay	22
Absent and not voting	1

THE CHAIR:

[Gavel] Amendment fails. Will you remark further on the budget that is before the Chamber? Good evening, Senator Miner.

SENATOR MINER (30TH):

Good evening, Madam President. Madam President, I'd like to if I could propose a few questions to the proponent of the bill, please.

THE CHAIR:

Please proceed, and would that be Senator Osten or Senator Fonfara that you would like to?

SENATOR MINER (30TH):

I'm sorry, I apologize. Senator Osten, please.

THE CHAIR:

Certainly. Senator Osten, prepare yourself and please do proceed and let's clear the floor so we can see and hear Senator Osten. Please proceed, sir.

SENATOR MINER (30TH):

Thank you, Madam President. Madam President, I know that in the Appropriations Committee there was a discussion about a spending package and I'm trying to remember the day we talked about that package and the extent to which we discussed items that seem to be included in the budget that is before us today and so under specific sections, section 228, if the gentle lady could remind me, were expenditures under section 228 included in the budget that was, spending package that was adopted by the Appropriations Committee? Through you, please.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President, one minute to get to that section. Please proceed, through you, Madam President.

THE CHAIR:

I believe there were, Senator Miner, would you kindly repeat the question? I believe the Senator is at the appropriate section.

SENATOR MINER (30TH):

Thank you, Madam President. So my question was, through you, Madam President, in section 228 of the budget that is before us, was that included in the Appropriations Committee proposal that was voted on back at the end of April? Through you.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. Yes, it was. Through you, Madam President.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

And through you, Madam President, each one of those items earmarking specific dollars to specific projects within municipalities was listed in which area of the budget if I might, through you, please?

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. The total dollar was included in the Appropriations package, but it was not detailed out until this package, but the dollar in total was included under the Judicial Section of the Appropriations budget. Through you, Madam President.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

Through you, Madam President. I thank the gentle lady for her explanation. So the dollar amount was listed as a line item within an agency, but specifics as to what that would be used for was not I think was the response that we just heard and if I might, also, section 48 of the budget has a similar list of appropriations totaling some \$3 million dollars. If the gentle lady could remind me if those were also a part of the Appropriations package at the time we voted on that on or about April 25. Through you, please, Madam President.

THE CHAIR:

Thank you, Senator Miner. Senator Osten.

SENATOR OSTEN (19TH):

I believe that would be so. Through you.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. I thank the gentle lady for her response and her recollection of the Appropriations Committee discussion. Madam President, to be sure, putting together a budget for the State of Connecticut is no easy task and having participated in that process a number of times on both the Finance and Appropriations side, I know that we often have participants that have interests, have needs, are representing their community as well as the state as a whole and certainly find it an interest of theirs to try and make sure that their constituents are represented in a budget. So in section 228, there is a list of items that I think represent those types of expenditures, expenditures that to a person whether they're in the House or the Senate, may demonstrate a specific need, a goal, a policy, again laudable. Sometimes they serve a public service, sometimes they serve as an opportunity for youth to try and direct an upbringing, direct an involvement in a civic organization, all important, all good goals, all worthy of consideration for a budget.

Madam President, the Chamber may remember back on or about May 15, we were having a conversation about nursing staff, staffing levels in nursing homes and at that time, I offered an amendment that would appropriate some money toward the senior citizen community that was calling home the nursing home that they were living in at that time and at that time, we had a conversation about the longevity of those individuals, how long they would usually live in those settings and despite our efforts, despite our interest in trying to provide them good shelter, good food, good healthcare, that at the age at which they were, more often than not, they were not with us for a longer period of time.

Madam President, I think we all know that back under the Malloy Administration a decision was made to reduce the personal needs care allowance and that it went from \$72 dollars to \$60 dollars and I think all of us have looked at that as an issue that we felt needed to be addressed and so if I might, through you, I've looked through the budget a number of times, if the gentle lady could tell me whether or not increasing that area of the budget to accommodate additional funds for the personal needs allowance is in this document of some 567 pages. Through you.

THE CHAIR:

Thank you, Senator Miner. Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. No, it's not.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. That's kind of what I thought. I couldn't find it, but knowing that more often than not we make large appropriations to agencies and that we don't often direct them specifically on how to spend those dollars, I thought there was a possibility that it just wasn't clear to me. So, Madam President, the Clerk has an amendment. It's LCO 10866, if he would call it and I be allowed to summarize, please?

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THE CHAIR:

Mr. Clerk.

CLERK:

LCO 10866, Senate Schedule B.

THE CHAIR:
Senator Miner.

SENATOR MINER (30TH):

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

THE CHAIR:

Please proceed, sir.

SENATOR MINER (30TH):

Thank you, Madam President. Madam President, what I think this amendment does, or at least what it attempts to achieve, is to return the personal needs allowance as we discussed on May 15 to \$72 dollars a month. What it seeks to do is make use of the almost \$1.9 million dollars that would be included in that list of section 228, the resources not required, again, to return that to \$72 dollars from \$60 dollars would be used to fund youth violence initiatives and that would be in the amendment section 503. Madam President, certainly many of these choices are not easy that we make in a budget, whether it was this budget, a budget that was offered two years ago by a large group of us, budgets that were previous to that. But having had this conversation within the last month and having

had an opportunity over the last two or three months to visit a number of nursing facilities, nursing home facilities where it became clear to me that this was an initiative that really needed to be addressed. Many people in this Chamber assured me during the time that we discussed the nursing home staffing bill that we would have an opportunity to address that in the future. I think this is as good a time as any and I would ask that when the vote be taken, Madam President, it be taken by roll call.

THE CHAIR:

Thank you. A roll call vote will be ordered at the appropriate time. Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President and while I certainly understand my good colleague's interest in the personal needs allowance that helps out clients and those who live in nursing homes around the state, quite frankly, we talked about this in the bipartisan budget and were never able to resolve this issue and I would be happy to work with my colleague next year on this issue and come up with an overall plan to address the issue of the personal needs allowance which has not been addressed since Fiscal Year 12 and 13 when it was raised from \$50 to \$60 dollars per person so I unfortunately will be asking my colleagues to vote against this amendment, as it is directly in conflict with the rest of this budget. Through you, Madam President.

THE CHAIR:

Thank you, Senator Osten. Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. I think that's unfortunate and you know I understand the position. We get to vote on the budget last. The House got to take the budget first. Certainly had we not had the conversation back in the middle of May, I would've been probably more reluctant to request this amendment. Frankly, I thought after that conversation we had left the door open to find what I really think amounts to about \$1.2 million dollars out of a \$20 plus billion-dollar annual budget and so that's the reason it's back here. I don't know if there's any other way to resolve this except to do it through an amendment. I don't think there's any other bill, at least I haven't been able to find one that I think we could reach agreement on and so, with all due respect to the Chair of the Appropriations Committee's request and recommendation to oppose the amendment, I would ask the Chamber support the amendment. I think it's a worthwhile cause. I think these individuals would greatly appreciate the additional funds. Another \$12 dollars goes a long way when you're only getting \$60 dollars. Thank you, Madam President.

THE CHAIR:

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

SENATOR FORMICA (20TH):

Good afternoon, Madam President. I rise just for a quick comment on the amendment.

THE CHAIR:

Please proceed, sir.

SENATOR FORMICA (20TH):

Thank you very much. I too find this an amendment to be opportune at this time and I think that there are certainly funds available in here to satisfy the need. We've had many opportunities to move other populations forward while this population who's most in need remains stagnant in terms of dollars toward their monthly personal fund allowance and a little bit would mean so much so I stand in support of this amendment and urge adoption.

THE CHAIR:

Thank you, Senator Formica. Will you remark further on the amendment before the Chamber? Will you remark further? Mr. Clerk, please call the vote. The machine will be opened.

CLERK:

An immediate roll call vote has been ordered in the Senate. An immediate roll call vote has been ordered in the Senate, House Bill 7424, Senate Amendment B, LCO No. 10866. An immediate roll call vote has been ordered in the Senate, House Bill 7424, Senate Amendment B, LCO No. 10866. An immediate roll call vote in the Senate, Senate Amendment B, LCO No. 10866. Immediate roll call vote in the Senate on House Bill 7424. An immediate roll call vote has been ordered in the Senate on House Bill 7424, Senate Amendment b, LCO No. 10866. An immediate roll call vote has been ordered in the Senate, LCO No. 10866.

THE CHAIR:

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Have all the Senators voted? Have all the Senators voted? If so, the machine will be locked and Mr. Clerk, kindly announce the tally.

CLERK:

House Bill No. 7424, Senate Amendment B, LCO 10866.

Total number voting	36
Those voting Yea	14
Those voting Nay	22
Absent and not voting	0

THE CHAIR:

[Gavel] Amendment fails. Will you remark further on the legislation that is before the Chamber? Will you remark further on the legislation that is before the Chamber? Senator Champagne, good evening, sir.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. I just have a few questions that I want to clarify, being new to this process, through you, to the proponent of the bill.

THE CHAIR:

And would that be Senator Osten or Senator Fonfara?

SENATOR CHAMPAGNE (35TH):

Senator Osten, please.

THE CHAIR:

Senator Osten, prepare yourself. Please proceed, sir.

SENATOR CHAMPAGNE (35TH):

Senator Osten, I'm trying to understand. There's a lot of grants that are being handed out and I'm just trying to understand how did these grants get into this budget? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Through you, Madam President, through the Youth Violence Initiative? Is that the grants that you're talking about? Which grants would my good colleague be talking about?

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you. Well I'd like to start on pages 42 through 47. Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

And the name of the grant would be? Through you, Madam President.

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THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. Well we can't start at number one and go through every one of them. How about the first one, Access Educational for \$10,000 dollars on page 42?

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. Give me one minute to get to that page. Is it the page of the bill or the page of the LOR Report or the page of the OFA Report? Through you, Madam President.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

It's on, thank you, through you, Madam President, it's through the Bill 7424. I have the complete copy so that's on page 42.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much. That's the Youth Service Prevention grants. Through you, Madam President.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you. And through you, Madam President, can you tell me what the Access Educational Grant for \$10,000 dollars is?

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. All of those grants are decided to effect change in communities that are primarily of color and they deal with a number of issues that enhance that community and stem youth violence. These grants are through the Judicial Department. Through you, Madam President.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President, and through you, who comes up with this list of grants and where they should go?

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. They are decided through the Black and Puerto Rican caucus. Through you, Madam President.

THE CHAIR:
Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. What is, I didn't realize a caucus did this. What is the set amount of money that is given to this caucus to decide to hand out? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. About \$3.3 million dollars. Through you, Madam President.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. And what other caucuses are allowed to spend money, millions of dollars? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. The caucuses don't actually spend the money. They forward organizations that promote youth violence prevention and the money is spent through the Judicial Department who oversees these organizations to make sure they fit the character. Through you, Madam President.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President, and through you, Madam President, where can I find the standards on how to apply for these grants?

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. Those standards are just plain and simple to prevent youth violence, to prevent violence in communities. That's simply put that standard. Through you, Madam President.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. Are these grants renewed on a yearly basis to the same organizations? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

I'm sorry, Madam President, could my good colleague repeat that question?

THE CHAIR:

Please repeat the question, sir, Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President and through you, are these grants renewed for the same places every year or are they different every year?

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. As they were in the bipartisan budget, they're different each year although some organizations may get repeated grants year after year if they are complying with the mission of preventing youth violence. Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. So I guess I get the general understanding but when I look through this and I see things that, I don't understand how they fit in there I guess just because I've never seen the standards, but I see theaters, Diva's on the Move, I don't understand what that one is and I guess there's a lot of other things in here that I just don't understand. So when was the last time have been given money every single year? When was the last time they were reviewed? Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much. As they're through the Judicial Department, they're reviewed each and every year. Through you, Madam President.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. On page 36, there's a large grant that's a two-year grant for \$450,000 dollars, it's section 32. I just, can you just describe what that, the Women's Business Development Council in Stamford does?

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. This is a standard grant that has been approved year after year. There's actually usually a supplemental component of this, \$350,000 dollars and what the Women's Business Development Council does, it promotes women businesses and it operates across the state, not just down in Stamford so it's a statewide program. It's also in New London, my colleague to the right of me, it's one of the towns he represents so year after year after year we work on promoting and supporting women business development and this council works on that and across the board has been supported on a bipartisan, bicameral basis. Through you, Madam President.

THE CHAIR:

Thank you, Senator Osten. Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. Again, I haven't been here and a lot of these large expenses I just want to get an idea as to what they are. When we give out \$450,000 dollars to any organization, do we get a report back that says how they're doing? Have they helped start businesses? I mean if they didn't start any businesses last year, that would be a concern to me but do we get a report back on how the money's being spent and how it's going? Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much. Most of these companies that get, or these organizations that get grants are 5013c. They have to comply with reporting requirements through 990 forms which talk about what they do with that and whether it's through DECD or Connecticut Innovations or other state agencies, they report back as to their expenditure. They're not just simply given a lump sum and spend away. Through you, Madam President.

THE CHAIR:

Thank you, Senator Osten. Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. And I wouldn't say they would just spend away, I simply want accountability on everything that we do. I know that in my other job that I do, when we give out grants, we do want a report back every year to see and make sure that it's doing what we're asking and the more money we give, the more detailed report we would like.

On section 33, same page, we have a Thames River Heritage Park for the park's water taxi. I have no idea what that is. Through you, Madam President, could you just describe what we're getting for \$100,000 dollars a year?

THE CHAIR:

Thank you, Senator Champagne. Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much. And that was at a request by the good Senator to the right of me. Thames River Heritage Park is in New London and it travels between New London and Groton. The Senator to the left of me and they have a program where they have started a water taxi on the Thames River which used to be called, quite frankly, used to be called the Pequot River which was changed after there was a slaughter of the Mashantucket Pequot's and they didn't want the name to remind them of what had happened, but we are doing a water taxi service to promote the Thames River and so both New London and Groton are able to continue with this process and this is only a portion of their funding sources. They have other funding sources and eventually, the goal is to make themselves sufficient, but since they've just started building up over the last three or four years, this is just a beginning piece of it. They actually had two boats delivered to them that were given to them by the Navy so this is a continued process to promote tourism and travel on the Thames River between New London and Groton. Through you, Madam President.

THE CHAIR:

Thank you, Senator Osten. Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President and you know what? As long as the numbers are up and we're getting a good report back, I support it, especially if we're gonna bring tourists in. Down in section 35, \$125,000

dollars a year, the Tech Collaborative. Can you just describe that? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Which number is that again?

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

It's section 35, it's between lines 269 and 275.

THE CHAIR:

Senator Osten. Senator Osten.

SENATOR OSTEN (19TH):

Sorry for the delay, Madam President and through you, it's a new city program called Career Pathways/Tech Collaborative. It aims to get teens high school credit and professional credentials for after school vocational training at the Eli Whitney Technical School. This started out as a pilot program and continues that program. Through you, Madam President.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. Again, another good program. What I am wondering, well I don't know if we have the numbers or anything. Do we know how many students that effects or go into that program? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. I do not know. Through you.

THE CHAIR:

Thank you, Senator Osten. Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President and thank you. On line 276, it's \$50,000 dollars for first robotics competition teams. That's just for municipalities of more than 50,000 and no grant shall exceed \$10,000 dollars. Why did we limit the population for that grant?

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. This is a new program to promote robotics across the state and it is no more than \$10,000 dollars per school and many

of the robotics programs that are around are in schools above that dollar amount and maybe next year or the year after we can encourage more of the smaller municipalities and school environments to build up their own robotics programs, but this is just a start to see what we can do. Eventually, we'd like to see this be a statewide program in every municipality and every school district. Through you, Madam President.

THE CHAIR:

Thank you, Senator Osten. Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. Let's move on to the next one. Between lines 298 and 292, we have a grant, \$463,479 dollars each year for the project Oceanology in Groton. Can you just tell me what that is? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. Madam President, this is an exceptional program that brings young people from around the state to Project Oceanology which is housed on Avery Point in Groton, my good colleague to the left of me and what it does, students from around the state at a grammar school, junior high school level go there to learn more about our oceans and it gets people out and about in maritime environments to sort of see what's out there, to show our marvelous seacoast for what

it is and deals with the science of our seacoast and promotes children hopefully to get involved in looking at that. This has been a standard grant for a number of years. Through you, Madam President.

THE CHAIR:

Thank you. Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. I'm going through these and a lot of these grants I'm just pointing out because I see at least \$9.5 million dollars in grants that are handed out and to a lot of different things. I see a lot of baseball teams. I see a lot of, well we have wrestling clubs I just don't understand, why you know steam trains and I guess this goes back to my question that I've asked several times. Throughout this budget we have these grants totaling a lot of money and we can't go back, in fact twice this circle's voted against giving some of the neediest people in our state \$12 dollars more a month yet we provide water taxis, we give a lot of money to a lot of baseball teams and numerous other programs. In fact, some of those programs have a connection to a lot of different lawmakers in this building and I guess it's disappointing that we can't help some of the neediest people in the state for \$12 dollars more a month, yet we give these grants out. Some of these grants are good. Anything that promotes bringing money into the state, anything that promotes tourism in the state, anything that can keep kids out of trouble. I can understand that but again, it just surprises me that we couldn't out of this huge budget find money for the neediest people.

I could go on about the different taxes that go on but I think we've touched on a lot of that. I'm very disappointed with this budget and my main disappointment is the fact that we really hurt small businesses. You know small businesses in our state account for over 90 percent of all businesses here.

They account for a huge of the state employees, yet this budget and the laws that we passed in this session really put small business on the back burner and sets them back and I think that's the most disappointing thing about this budget followed by the tax increases. I wish we could find better ways to cut money. You know maybe we need to look at all these grants that we sent out there to make sure that they're doing what we want them to do, that these grants have some sort of followup and a proven track record because I know \$12 dollars a month would have a proven track record because it would definitely improve these peoples' lives on an everyday basis and it's such a small amount of money. Because of that, I'm having a real hard time supporting this budget. Obviously there's a lot more reasons in there but I'm going to stop at this point. Hopefully I can find out where these grants and if they are a success and they have a proven track record. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Champagne. Will you remark further on the legislation that is before us? Good evening, Senator Bizzarro.

SENATOR BIZZARRO (6TH):

Good evening, Madam President. Madam President, this vote can't come fast enough for me. I was

disappointed that we weren't able to vote on this budget last night. I couldn't wait to vote no and disassociate myself from this budget and clear my conscience in knowing that I was not going to participate in the punishment that we are about to inflict on so many hardworking families and small businesses across this state that are the lifeblood of Connecticut's economy.

Madam President, we've been at this for a couple of hours now. This budget clearly includes in it many new taxes, many tax increases, pork, rats, I'm not going to go through all of them again and repeat all the remarks that have already been articulated so well. I would, however, Madam President, just make some remarks limited to what I think is one of the most egregious sections of this budget and that is the change in the pass-through entity tax structure. With your permission, Madam President, through you, I would like to inquire of the Chairman of the Finance Committee, the Senator from the 1st for purpose of laying some background as to the pass-through entity tax. Through you, Madam President.

THE CHAIR:

Thank you, Senator Bizzarro. Senator Fonfara, please prepare yourself. Please proceed, sir.

SENATOR BIZZARRO (6TH):

Thank you, Madam President. Through you, Madam President, if the good Senator from our 1st district would kindly just take us back to the conversation that he had with the Senator from the 8th earlier about the pass-through entity tax and flush out in a little more detail exactly what that pass-through

entity tax is and who pays that tax, how exactly that tax works.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President. Thank you, Senator Bizzarro. Yes, the pass-through entity tax which was adopted last year moves from a, for those who are members of, multiple members of LLC's, LLP's and S Corps, they are required under Connecticut law to file for income, personal income at the entity level as well as personally, filing their state income tax personally and that is what the state mandate is as of last year. Through you.

THE CHAIR:

Thank you, Senator. Senator Bizzarro.

SENATOR BIZZARRO (6TH):

Thank you, Madam President. I thank the good Chairman for his answer. I'm wondering again, through you, Madam President, if the Senator can expand a little bit on which sorts of entities this tax applies to and what the impetus was. I understand that there was a change in policy, but I'm wondering what the impetus was behind that change. Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Again, through you, Madam President, it is with respect to multiple member limited liability corporations, limited liability partnerships as well as S Corps and the change was because Connecticut and this legislature decided to move from for those institution, from those organizations and members of them that instead of filing for personal income tax purposes at the individual level, to change that to at the entity level. Through you.

THE CHAIR:

Senator Bizzarro.

SENATOR BIZZARRO (6TH):

Thank you, Madam President. I understand, I understand the change in the policy. I'm not sure I understand why that policy was changed, but in an event, Madam President, through you, Madam President, just to be clear, so when we say pass-through entities and the tax that we're talking about here, it would apply, through you, Madam President, to any LLC's regardless of size. Through you, Madam President, is that correct?

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

No, single member LLC's are not covered under this. Through you.

THE CHAIR:

Senator Bizzarro.

SENATOR BIZZARRO (6TH):

Thank you, Madam President. So, through you, Madam President, any multi-member partnership LLC even for instance family members who are involved in a partnership, would this pass-through entity tax apply to them? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President, yes.

THE CHAIR:

Senator Bizzarro.

SENATOR BIZZARRO (6TH):

Thank you, Madam President and Madam President, may I also inquire, through you, Madam President, why this budget decreases the tax credit back to those individual members of the pass-through entity as opposed to increasing the marginal rate on that pass-through entity tax? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President. The decision in this process, in this proposal before us to modify the credit that we established in the last budget, 2018, at 93.01, we are modifying it here to 87.5. It's a policy decision that is contained in this budget.

THE CHAIR:
Senator Bizzarro.

SENATOR BIZZARRO (6TH):

Thank you. Through you, Madam President, could the same revenue goal be achieved by increasing the marginal rate as opposed to reducing the credit back to the individuals? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President, yes.

THE CHAIR:

Senator Bizzarro.

SENATOR BIZZARRO (6TH):

Madam President, may I ask the good Senator, through you, Madam President, to explain to me what the volatility cap is? Through you.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President, yes. The volatility cap was passed I believe two years ago and codified with respect to the covenant that ensure that under contract that we are bound by the decision to segregate estimates and finals revenue which is the most volatile portion of our income tax which we have repeatedly included in our spending even though it might be there one year and gone the next because it is such a volatile revenue stream unlike withholding which is much more predictable. So the volatility cap separates from approximately 3.15 adjusted if I can find my, here it is. So right now in 2019, the threshold is \$3.196 billion dollars. Anything exceeding that level would be segregated off and intended for the budget reserve fund.

THE CHAIR:

Senator Bizzarro.

SENATOR BIZZARRO (6TH):

Thank you, Madam President. Thank you for explaining that to me, Senator. So, through you, Madam President, going back to my question of a few moments ago, if this budget instead of decreasing the tax credit back the individual members or partners of the pass-through entity would instead increase the marginal tax rate, would that then implicate the volatility cap because that revenue then would have to be segregated and would not be able to count towards revenue without a corresponding offset in the budget reserve fund? Through you, Madam President, is that correct?

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President, any revenue that exceeds the \$3.196 threshold that is considered estimates or finals or pass-through entity revenue is segregated off. Through you.

THE CHAIR:

Senator Bizzarro.

SENATOR BIZZARRO (6TH):

I thank you Madam President. That was my understanding in reading this and trying to bring myself up to speed with the pass-through entity tax and the volatility cap. One more question for the good Senator. Through you, Madam President, my question is, have we just figured out a way to work around the volatility cap? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President, as someone who argued strongly for the implementation of the volatility cap, that would not be intent nor would I consider as the Chair of the Finance Committee advancing such a notion. It is important that we have a revenue stream that is predictable, that we remove as much volatility from it as we possibly can and I believe

we're great strides towards that. The fact that we are heading, at least through projections at the end of this biennium to have deposit into the budget reserve fund \$2.9 billion dollars, the largest amount ever contained in the budget reserve fund in our history, that certainly would not be my intent nor is it the purpose for this action that is before us today. Through you, Madam President.

THE CHAIR:

Senator Bizzarro.

SENATOR BIZZARRO (6TH):

Thank you, Madam President and just to be clear for everyone around the circle, I certainly did not intend by my question to imply that that was the intent. In fact, I asked that question trusting that the good Chairman would give the answer that he gave, that is that in fact no, in fact having worked so hard on getting that volatility cap enacted so as to protect our precious resources and Connecticut taxpayers in the process, he would not in fact think that we would want to participate in any scheme to work around that volatility cap so I'm glad to have that answer. I do, as a result of those answers, have a couple of questions for the proponent. Madam President, through you, I'm wondering whether the Chairman has had any occasion to consider whether there are any implications in any of the bond covenants in connection with any bonds that may have been issued since the volatility cap and the bond covenant legislation took effect last year? Through you, Madam President, is the Chairman aware of any bond covenants that might be violated if we were to make this change to the pass-through entity tax?

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THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President, no.

THE CHAIR:

Senator Bizzarro.

SENATOR BIZZARRO (6TH):

Thank you, Madam President and I hope that's the case. These are things that have just occurred to me and I'm not sure I have the answers either. It would appear to me that it's not a literal violation of the statute creating that cap. It is certainly a violation of the spirit of that legislation and that cap and I worry that, and I'm not sure if there have been any bonds that have been issued, but I worry that some of our bond holders may see it as such. I also wonder, Madam President, why the decrease in the tax credit back is limited to whatever works out to 6 percent or so. In other words, why is it 87.5 percent and not 80 percent. I think the answer to that is probably, and it's just a rhetorical question of course, I think the answer is probably we needed, we collectively, needed to back into a revenue figure and I'm not gonna put the Chairman on the spot and ask him if this is something having done it this year could be replicated next year because I think we all know the answer to that.

The answer is it most certainly can be. So we've decreased the tax credit from 93.01 percent to 87.5 percent this year. There's nothing stopping us from

decreasing it again next year and so on and so forth and I think that is a direct violation, again in spirit at least if not in actuality, a violation of the volatility cap.

Madam President, this is a tax increase. It's a tax increase on all of those hardworking people who derive income from partnerships across Connecticut so I wonder to myself why are we doing this? And I think the good Senator from the 16th district for pointing out earlier that I should probably use the term we very loosely here. But I wonder why we're doing this. I spoke a few weeks ago on a bill. I stood up before the circle and I talked about perspective and most of the bills that we've debated so far really boil down if you think about it to perspective. It boils down to, our votes usually boil down to a difference in the way we perceive the effect of the legislation that we're gonna pass. Again, we've got a certain piece of legislation. We've got one group of us that says this is gonna hurt and another group of us that says nope, this is gonna help a certain class of individuals across the state, but when it comes to this particular portion of the budget, there can be no debate about the effect here. This is going to hurt anyone who derives income from a partnership in this state.

This is going to hurt the middle-class people of Connecticut. There can be no debate about that. This middle class that I'm talking about is suffering. This is a middle class that cries out to us for help and ever since November, even before I got here, all I heard across the state during campaign season was we've gotta figure out ways to help Connecticut's struggling middle class. I heard for six months about this progressive movement that's sweeping across Connecticut and across the

country. Where is the outcry from members of that group? Do you realize, Madam President, that this pass-through entity tax change that we are about to enact is a regressive tax? Take a look at the numbers. It is going to result in an effective increase of 0.5 percent on the income derived from a pass-through entity and as the marginal tax bracket of the individual member gradually increases, so too does the credit back so that the effective tax rate decreases. It's regressive. We're not gonna tax capital gains. No, we can't do that, but we're gonna slam the middle class. Where is the outcry?

So the brother and sister who own a Mexican restaurant in my city of New Britain who have no other jobs because for those of you in the food and beverage business you know, working a restaurant is a 24/7 occupation. Their families who rely on that income as their sole source of support for those families, we are going to raise their income taxes by half a percent. We are raising their Connecticut income taxes by half a percent by passing this portion of the budget. Again, this is an income tax increase on anyone who operates as a partnership in this state. We need to stop trying to sanitize this by calling it an increase in business taxes; it is not. This is an income tax increase on anyone who operates as a partnership and derives their income from a partnership in this state. And that is so, Madam President, because by its very nature, a pass-through entity is one in which the profits of the business flow through to the individual members or partners. This is not a tax on the wealthy because I've seen comments to that effect. This is not a tax on the wealthy. It's not a tax solely in the hedge funds littered throughout Fairfield County or the corporations in Hartford that can pay to have their representatives wander the hall here to

advance their agendas. Nope. This is a tax on the middle class. It's a tax on all the small businesses and all the small business owners on every Main Street in this state.

I'm gonna ask everybody to join me on a figurative walk down Main Street in your town. I'm gonna walk down Broad Street in New Britain right now just to see all the people that are gonna be affected by this. Broad Street in New Britain, for those of you who have never been there, is not only the crown jewel of the city, but is a shining example of what every neighborhood and every municipality in the state should strive for. Twenty years ago, that entire neighborhood which is now known as Little Poland, Little Polonia was a crime-invested, downtrodden neighborhood. Nobody wanted to go down there. Madam President, I'm proud to say that on Sunday, we had over 35,000 visitors to Broad Street in New Britain to celebrate our annual Little Poland Festival including many elected officials. So if I take a walk down Broad Street because I've heard that this is a tax that's gonna affect the wealthy, the big corporations, the businesses that can afford to pay it, I'm gonna walk down Broad Street, I'm gonna invite all of you to walk down Main Street in your town.

THE CHAIR:

Pardon me just, Senator. I'm just gonna stop you just for a moment. I wanted to welcome our guests who are here and we welcome having them listen to the debate, but we'd ask them to respect our rules which prohibit videotaping and photo taping so thank you for being here. We're glad you're here. Senator Bizzarro, please continue. Sorry to interrupt you.

SENATOR BIZZARRO (6TH):

Thank you, Madam President. I appreciate that. So I'm gonna walk down Broad Street and I'm gonna tell you who this tax is gonna affect, this income tax increase. Well, it's every restaurant, it's every deli, every diner, every convenience store, every bodega, every barbershop, every flower shop, every laundromat, every clothing store, every antique store, every liquor store, every bakery, every ice cream shop, every bowling alley, every travel agency, every insurance agency, every real estate agency, every law firm, every healthcare practice which operates as a partnership. I trust that many of my colleagues around this circle have lots of those types of businesses in their districts run by family members, run by friends, run by average Joe's, middle class people just trying to make a living in this state and we're turning around, and not only are we increasing their income taxes by half a percent, we're out there telling everybody that this budget contains no income tax increases. I've heard it said on the floor today. This budget contains no income tax increase.

Really? Is that so? So I ask why are we doing this? Why? Because it's a head scratcher for me. Well I anticipate an argument would be that this is a benefit that the state conveyed not too long ago on all of those individuals and so they're still better off than before and all we're doing is taking back some of that benefit. That's a bogus argument. So to understand it, basically what we're saying is look we recognize that you are paying too much in taxes and you need relief. We hear you loud and clear. We're gonna do something about it and then less than 12 months later, we're gonna say you know

what? Forget it. We're taking it back and we reserve the right to take more back next year. That's what we're doing. And there's a few problems with this argument as well, Madam President. One is, and I was trying to get at this earlier but it's my understanding and I think my colleague, the Senator from the 16th or the Senator from the 8th, one of them mentioned it earlier, my understanding is that this was, this pass-through entity tax was something that was enacted in response to the federal income tax changes and specifically, the SALT deduction limitation that hurt so many people across Connecticut.

So if that's the case, then I have to ask, well aren't we pre-supposing that everybody would be hurt by that SALT deduction limitation? Cause when it's revenue neutral and we can look at a taxpayer and say this is not gonna cost you anything, most people are gonna be better off, but at the worst, you're not, you're gonna be in the same position. You won't be worse off; I promise you that. And that's fine the way it was written and the way the numbers were crunched and I know for a fact that the people that put this together spent a great deal of time crunching these numbers, working them because the math is hard. I've sat there and done it. I've sat with representatives from DRS and I've gone through this and I know how hard it is to come up with the numbers. The equation is not easy. You've gotta factor in the benefit that you get on the federal level, you gotta calculate the difference in the state tax liability, and they were able to their credit to come up with a table and come up with numbers that were precise, or as about as precise as you can get which is nearly impossible. And now we're gonna take all of that and we're gonna throw all of that out of whack.

So when it's revenue neutral and it doesn't cost the taxpayer anything, fine. But if you're worse, if you are in a worse position now than you were before we enacted it, how is that fair?

And the second problem with that argument about it being simply a reduction in a benefit that they wouldn't have had anyway, is that it erodes the trust that the public has in its government. How can the public have any confidence in us? This is why we can't pass tolls. This is why, with all due respect to everybody in this building, we cannot be trusted with a new revenue stream. Look what happens. Oh, figured out a way to get a new revenue stream in but oh, it's gonna be hands off. We're not gonna tinker with it. This is gonna be for the purpose of bestowing a benefit on the people that really need it. Nope. We gotta close the budget. How are we gonna do it? Oh, I got an idea, let's take some of that revenue. Does that sound familiar? We talked about the lockbox which I never understood. I still don't understand it.

We had to pass a constitutional amendment to protect the people of Connecticut from us, their elected legislators? And now we've gotta figure out a way to fix this problem with the volatility tax [sic] because my colleagues I know, I trust worked very hard to get that enacted for purposes of protecting that volatile income, that volatile revenue stream and we've just figured out a way to do an end around. We're not touching the revenue off the top. We're not increasing the marginal tax rate because then we just have to make a corresponding ledger entry to the reserve fund. Nope. But what we can do is we can simply decrease the credit back. Doesn't violate the volatility cap, sorry, I said

volatility tax, I meant volatility cap. Doesn't violate the volatility cap, nope. I'm sure that's what the lawyers will say but think about how this looks from the perspective, again, perspective, the perspective of the people that are watching us. We're doing this to help you, it's revenue neutral, we promise, not gonna cost you anything. Less than twelve months later, sorry, we lied. That's what we're doing if we pass this provision of the budget.

And finally, Madam President, the last thing I'll note about the argument, again, talking about the rebuttal that I anticipate, that rebuttal being well you're still better off than you were before we passed this cause that's gonna be the response, I know it when I sit down. The final thing I'll say about that is that logic is incredibly dangerous. Let's think about the ways if you extrapolate that that it can harm people. We could say, for instance, well, we're gonna divert some money from the transportation lockbox but at least we're funding it in part. We're putting some money in so you're still better off than you were before cause before we were never funding it. So now we're gonna put some money in, not everything we promised you but we'll put some in and then the year after we put less in, we divert it and what's the argument gonna be? Well you're still better off than you were two years ago cause at least you got something in there.

And how about ECS? Hey alliance districts, hey Bridgeport, hey New Haven, hey New Britain and Hartford, you know what? We figured out a way to reduce the money you're getting but you're still getting more than you were ten years ago so it's still a benefit to you. You shouldn't complain about it. Or perhaps a year or two from now when we finally hear the cries of all the businesses across

the state, we come back here and we say you know what? Maybe \$15-dollar minimum wage is not such a good idea after all. Maybe we went up too far too fast. Maybe it should be \$13 dollars. And then we'll do a press release and we'll tell everybody across the state, you know what? Quit crying, \$13 dollars an hour is still better than what you were making before. I have no further comments. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Bizzarro. Will you remark further on the legislation that is before the Chamber? Senator Hwang, good evening, sir.

SENATOR HWANG (28TH):

Good evening, Madam President. You know, when we first began this legislative session in January it was full of anxiousness and promise and the single biggest goal that we had was to address a budget that had a \$3.7-billion-dollar hole. And I was ready. We were ready to make some constructive cuts and I was full of the enthusiasm that we have a new Governor, we've got a new Governor and a new vision, that we were going to make a positive contribution to the same old ways that we used to do business. The tax more, the spend more, the borrow more and then as we began the legislative process, our committees met, we met the new chairs, we deliberated, we reviewed over 3000 proposed bills in the various committees and we screamed through the leadership of the committee to vet these bills to ensure that the expertise and the evaluation, the due diligence was undertaken and then we had public hearings on those bills in which we brought in the public. We brought in expert testimony. We vetted and interviewed and tried to do the best we could to

understand each and every bill that we evaluated. And then we deliberated some more, screened the bills a little bit more and then had a committee meeting to joint favorably approve them. It really is an integral part of our legislative process, but this budget blew a hole in that legislative process because this budget in talking about the process of combining the budget with the implementer included legislation that was never vetted, that never had a public hearing and then we inserted it in the dark of night in a yes or no budget vote that we're gonna have today.

It's remarkable. It's remarkable to remember as much as we talk about the budget, I'm talking about the process, the way we have implemented bills and policy in this budget is a travesty to the legislative process. It is a tremendous disrespect to the people who came and testified, the people who submitted testimony, the peoples who poured their hearts out to us to share their thoughts and ideas as it relates to each and every legislation. This budget document includes bills that did not have a public hearing and once such example is the public option insurance policy program that is in this budget. Another such example is the discussion of how we fund a debt-free college. The idea that even though as the ranking member on higher education, we talked about the idea of debt-free college. We debated it and we agreed to disagree in committee. We referred it to the necessary financial and budget-making committees and they voted out of that, but presto. It appears in this budget with an entirely different funding method that has not been voted on, that says we will give you debt-free college. But wait a second, we'll fund it with the possibility of an internet lottery game system that has not been vetted by the Public Safety Committee,

that has not been approved, but we're gonna tell the rest of the world that we've done some wonderful things. That we're gonna give you debt-free college but wait, we have to wait till there's money. Again, these are two examples out of many in this 567-page document that we got just days before and I would propose that if we had more time to read through this, we would find more gems of betraying the legislative process.

So I propose with what this budget, what this process does, why do we have a legislative process at all? Why don't we just come in in the first of week of June and just throw the bills in there and let's just vote it. Let's not put up the charade of saying we hear you, we're listening to you and your voice matters because what this document, what this document that we will vote on says is you know what? We in the State Capitol, we the decision makers, we the budget writers know better than you. And you wonder why people don't trust government. You wonder why people when they hear we're gonna do one thing, they brace themselves for something else. When you look at this budget and you talk about a lack of funding for transportation and then you find that money is diverted out of the Special Transportation Fund, it's no sweat, it's not taking out of the lockbox. It's diverted. You know what the people on the street think? They think and believe and it has been validated that you can't trust government. It's remarkable.

We never cease to disappoint in that arena. We do it over and over and over again. No wonder people just get jaded. It's remarkable. So as we talk about this budget, many of my colleagues have talked about the numbers, about the dollars and about the accounts in particular. I would say the process is

broken and we have done this over and over and over again. It is not bipartisan. It is not bicameral. It isn't even grass roots. Most of my colleagues that are going to be voting on this have not read the complete bill. How could you? You would need a CPA and a legal degree to be able to filter it through but one thing that's clear for people up and down the street that we represent, their interests are not represented here.

So I'm absolutely appalled at this process. Whether you agree with this budget or not, the process in which we undertook this is the prime reason that people will never trust any product we put out here. That being said, I do not support this budget for financial reasons. It seems the only people that benefit from this are special interests, built in entities, people that hire well informed, well-connected lobbyists and it seems with the lack of initial taxes on the earned income, etc, the only people we're punishing are the middle class and the working class. When I look at all the taxes that are being imposed on consumers and the working class and the middle class, this has to be in my ten-year experience in this building the most regressive tax budget I have ever had the displeasure to vote on. It's remarkable. We're gonna make people pay for their dry cleaning. We're gonna make people pay to have their prepared foods. We're even going to figure out a way to tax people on parking meters. Then you combine the fact that we will be raising the minimum wage, imposing a payroll deduction to implement as other people have said in this country one of the most generous Family Medical Leave plans. It's the small businesses and the working class that gets hit over and over and over again. We tax too much, we spend too much, we borrow too much.

I don't agree with this budget. I'm absolutely appalled at the process and to just add icing on the cake, when you read through the earmarks or a less graceful term, the pork that's in this, it's remarkable.

It is absolutely stunning in its audacity. When you think we began January in this legislative session with a cloud of \$3.7 billion dollars hanging over this state. We now through this budget created a balanced budget, we didn't raise taxes but voila! That \$3.7 billion dollars is gone. And now we have more than enough money to be able to give benefits to wonderful organizations but I was just talking to people when I was reading through this budget. The idea that as we are raising taxes, as we are borrowing, that we find \$50,000 dollars to give to a little league. We find \$37,000 dollars to give to a Boy Scout troop. We have found money to give to a wonderful Greek Orthodox Church right in the Bridgeport/Fairfield area. These are all great organizations. But wait a second. Isn't our state broke? When do we have the largess to be able to give these kind of benefits. You know it's sort of that uncle that comes during the holidays, that comes bearing gifts for everybody to be the most liked individual. But that uncle doesn't have a penny to his name but he's living off a credit card. He wants to make everybody happy. He wants to be the most popular person at the holiday gathering but then boy after the holidays, he's piled on with debt.

He's going back to every one of those relatives and saying can you spare a dime? Can I borrow some money? We all know those uncles or aunts. They want to be grand. They want to be generous to everybody. They just can't say no. And you know

what? That's what this budget shows me. We can't say no and we continue to kid ourselves, the kid the people and ultimately, push the burden down the road for the next legislative session, for the next generation to bear the burden because right now, we're gonna pat ourselves on the back and say boy is this a great budget. CCM doesn't hate it. COST doesn't hate it. Our municipalities are happy, education, which is critical. Where are we coming up with the money?

I look forward to listening more to this debate but right now, I'm disillusioned with the process, I'm disappointed with our lack of discipline and ultimately, and most important of all, the only loser in this budget are not Republicans, are not lobbyists, it's the Joe's and the Jill's that are working their days, trying to pay the mortgage, trying to pay the bills and we have now just added the cost when they go to the grocery store. We have just added cost that if they're trying to make a living as a small business, they're gonna work a little bit harder just because we in the General Assembly can't say no. I hope we find the courage in the future to do so. Thank you, ma'am.

THE CHAIR:

Thank you, Senator Hwang. Senator Martin.

SENATOR MARTIN (14TH):

Good afternoon, Madam President, good to see you up there. How's it feel? A little different. I do have a couple questions that I'd like to ask the proponent of the bill and it would be Senator Osten.

THE CHAIR:

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Senator Osten, prepare yourself. Proceed, Senator Martin.

SENATOR MARTIN (14TH):

Thank you, Madam President. Through you, in section 14, lines 62 to 69, could you explain and I guess the question somewhat is, are we authorizing OPM that it may make reductions in allotment in any budgeted agency and fund of the state for each Fiscal Year in order to reduce pension and healthcare expenditures. In Fiscal Year 20 it's \$163 million dollars and in Fiscal Year 21, it's \$256 million dollars so could you explain that to me? So you're looking to reduce an allocation here. Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President.

THE CHAIR:

Senator Osten?

SENATOR OSTEN (19TH):

Thank you, Madam President, are you talking about the lapse that references savings for labor concessions? Through you.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (14TH):

Yes, I believe that's, I don't know if it's a lapse but it is the reduction in pension and healthcare expenditures. Through you, Mr. Chairman.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much. This is revolving around a lapse in pension and healthcare savings of \$163.2 million dollars in Fiscal Year 20, and \$256 million dollars in Fiscal Year 21 in the General Fund, savings of \$18.3 million dollars in Fiscal Year 20 and \$19.7 million dollars in Fiscal Year 21, referencing the Special Transportation Fund. The pension savings primarily reflect the reamortization of the Teachers Retirement System. The SERS reamortization is already allowed in current law. The budget anticipate savings reflective of improved pharmacy pricing, expansion of the smart shopper and site of service programs. CBAC 2017 gives the comptroller the ability to do so. There would be no agreement required. The remaining healthcare savings are to be achieved through reducing costs by improving utilization and negotiating rates with medical providers as long as the healthcare savings do not reduce materially or impact benefits. There is no need to reference any collective bargaining agreements either through SEBAC or anybody else and the comptroller has statutory authority and past precedence to achieve these savings as long as

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there's no diminishment of these benefits. Through you, Madam President.

THE CHAIR:

Thank you, Senator Osten. Senator Martin.

SENATOR MARTIN (14TH):

Thank you, Madam President. So to my understanding then it sounds like we would need to balance the budget with the assumption of these savings. Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President and it is a pleasure to see you up there today and that would be true, yes.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (14TH):

Thank you, Madam President. So with what discussed earlier today before we began the discussion on this bill, it sounds like we still would have to open up the labor agreement in order to achieve those savings. Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. That would be an inaccurate statement.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (14TH):

I'm sorry, inaccurate or accurate? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. Inaccurate. We do not as I said at the beginning, that SEBAC 2017 already gives the comptroller the ability to achieve savings reflective of improved pharmacy pricing, that past precedent and statutory authority is already granted to the comptroller to achieve savings as long as there's no material impact no benefits, no agreement required from the union on at least two of these. Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (14TH):

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So would you need then a memorandum of understanding in order to accomplish that? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Through you, Madam President, no.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (14TH):

So let me ask a question regarding that MOI. Would it be, would the MOI be required for the amortization portion of it? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Through you, Madam President. Are you talking about the reamortization of the Teachers' Pension? Through you.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (14TH):

No, SIR's. Through you, Madam Chair. The answer is no. I'm looking for if the MOA is required for the SIR's agreement. Through you, Madam Chair.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President and from the chief negotiator of State Employee Bargaining Agent Coalition, we have made clear that we are not open to a penny of further concessions beyond the \$24 billion dollars in savings we are already providing through the SEBAC 2017 agreement which references some of the changes we just talked about, but they have a willingness to consider win/win changes including the pension funding proposal included the budget. We don't consider it unreasonable for the budget to assume the parties will agree to this change. Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (14TH):

I'm a little confused but I think the answer may have been a yes to my question of whether or not an MOA is required in this or not. Through you, Mr. Chairman, are there any pension or healthcare accounts that you can reduce without any MOI or MOA, excuse me? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

I apologize. I was distracted, Madam President. Could my good colleague repeat the question? Through you.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (14TH):

Are there any pension or healthcare accounts that you can reduce without the MOA?

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. Healthcare is, as I said, already approved through SEBAC 2017 and the pension agreement has been agreed in concept. Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (14TH):

Thank you, Madam Chair. So moving on to section 14b, lines 70-75, it's a similar language that the same authorization can make an allotment reduction

related to the pension and healthcare savings applicable to the universities, UConn and the Connecticut state colleges and universities, UConn Health. It doesn't provide an amount in this section of the bill. Would you be able to tell us approximately how much of a savings that is the target amount? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Through you, Madam President, and that section was which section? Through you.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (14TH):

It's 14b, lines 70 to 75.

THE CHAIR:

Senator Osten, when you're ready.

SENATOR OSTEN (19TH):

One moment, please, Madam President. Thank you very much, Madam President and through you, are you talking about the notwithstanding provisions of sections 10a-77, 10a-99, 10a-105, and 10a-143 of the general statutes? Any reductions in allotments pursuant to subsection of this section that are applicable to the Connecticut state colleges and

universities, University of Connecticut, and the University of Connecticut Health Center shall be credited to the General Fund. Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (14TH):

Yes, those are the lines. Through you.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. This is a technical provision which makes sure that these are recorded and credited to the General Fund. Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (14TH):

Through you, Madam President. So there is no targeted amount of savings that you're looking to achieve within this paragraph or lines of the bill? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

That would be correct.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (14TH):

Thank you. Section 15, lines 76 to 82, speaks to the STF and the same authorization is applicable and it looks to reduce pensions and healthcare costs with a savings of \$18.3 million dollars in one year and then followed by \$19.7 million dollars in Fiscal Year 21. Can you say where or what fund that these savings would be deposited into? Through you, Madam Chair.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much. This is making sure that we're crediting back the accounts that are necessary to be credited back on the \$163-dollar labor concessions. Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (14TH):

So we achieve these savings and I guess I'm looking to see will that be deposited into the STF fund or will it be deposited into the General Fund? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

A portion of the savings go into the Special Transportation Fund so that they're appropriately credited for the savings. Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (14TH):

I'm sorry, I was, my fault here. Through you, Madam President, so are the funds going to be deposited into the Special Transportation Fund to offset expenditures there or will these funds that are saved be deposited into the General Fund? Through you, Madam Chair.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

This is making sure that the accounts that are having the savings are credited for those savings. Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (14TH):

And can you be specific as to what those accounts are? Through you, Madam Chair.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

I believe the section that the good gentleman is talking about is the Special Transportation Fund. Through you.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (14TH):

So the funds will be deposited into the Special Transportation Fund? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. To be clear, the funds aren't being deposited anywhere. It's an accounting mechanism to be sure that there's

appropriate accounting for those particular expenses. I want to make sure that we're not talking about -- it's not like a bank account where there are funds deposited. Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (14TH):

So let me phrase it another way. So the funds that are being credited here are the funds, the funds that we are saving on are being applied towards or transferred over to an expenditure or maybe a deficiency in some aspect in the Special Transportation Fund? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. There's an accounting mechanism that makes sure that the savings are appropriately recorded to the fund that they are supposed recorded, whether it's Special Transportation Fund, UConn, the Banking Fund or any of the other funds to make sure that we're not drawing down on those particular funds so it doesn't matter, Special Transportation Fund, UConn Health Center, UConn, State universities, Banking Fund, Insurance Fund, all of the other funds. We make sure that they're getting the appropriate credit for the savings. Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (14TH):

So I guess what I'm looking for is if we're going to receive a savings, whether we negotiate it through an MOA or opening up an agreement and we're going to receive a savings, whether it's for pension or for health and it's relative to the Special Transportation Fund because that's sort of the operational portion of the DOD, then I would think that those credits are going to be applied towards that account and that's all I'm trying to find out here so if the answer to my question is that's correct, that those funds were saved in the STF and they will be applied in the STF, then I'm okay with it. Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. I don't want to make this more complicated than what it is. Essentially, I think we're saying the exact same thing so if there is savings for 100 employees that are in the Special Transportation Fund and 100 employees in the General Fund and two employees in the Banking Fund, the savings are apportioned out on a per person basis to any of the funds that are applicable. Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (14TH):

Okay so then if we are talking about 100 individuals and we're saving on 100 individuals, 80 of them were in the DOT and the others were somewhere else in the state agencies or one of the other state agencies, if we receive all the savings from the STF, what you're telling me is that we could apply it towards the 80 that are in the DOT or STF, and we could also allocate it to 20 other employees in other agencies; is that correct? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

So I think I'm just gonna end, uh, maybe end this, through you, Madam President, I think I'm just gonna end this, I'm hoping to end this conversation, I think we're saying the exact same thing so I'm just gonna simply say yes. Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (14TH):

Okay. Thank you, Madam President. I was hoping to hear the answer that we had a savings, a negotiated savings in the STF from employees that are working for the DOT and we had those savings there, that those savings would be applied entirely to the STF and not shared through other agencies. Okay, moving on. Section 42, lines 371 to 372, it talks about

carrying forward \$500,000 dollars from the Elderly Renters Rebate Account and transferring that funding for procurement streamlining. What is procurement streamlining? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. That's a way for us to achieve savings by making sure that we're streamlining the process of procuring different items throughout the whole state agencies. Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (14TH):

It just seems, let me ask, why would this outweigh a rebate for the elderly disabled renters? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

So through you, Madam President, I'm not sure which account my good colleague is talking about on the Elderly and Disabled Renters. I'm not certain there's two or three different accounts there but

this was a carryforward to use to assist the state in saving more money. Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (14TH):

Well it would seem to me that we've allocated funding for the elderly, the disabled, that we would find ways to spend on them regardless if we had a lapse in that account and we had leftover monies, that we should be continuing those efforts in providing for them. Section 51, lines 488 to 494.

SENATOR OSTEN (19TH):

I'm sorry, Madam President. On the Elderly and Disabled Rental Program, the numbers have been decreasing. They don't need as much dollars in there. That has nothing to do with cutting benefits. Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (14TH):

Then I'll just make a comment and move on, but the other night we tried different amendments regarding helping those through an amendment by Senator Kelly regarding increasing from \$60 dollars by \$12 dollars, I can't remember what the use was for specifically, but it's something that we had taken away from them years back, and we tried to help them out. I'm just surprised that we couldn't do that

and here's an opportunity for an account that had some extra money, that we couldn't help that population, but nonetheless. So section 51, lines 488 to 494, the OPM may make reduction in allotments in any budgetary agency of the Executive Branch in order to achieve savings of \$5 million dollars in Fiscal Year 21, and then \$15 million dollars in Fiscal Year 22. These savings are associated with contracting savings initiatives. What are contracting initiatives?

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President, and through you, those are initiatives to, we talked about this in the Appropriations Committee many times, we asked many questions of state agencies on contracts that they put out. What we're saying to the state agencies, and this was also in the Fiscal Stability Report and the contracting standard board stating that they actually had a much higher dollar amount but we did not believe that the higher dollar amount was achievable and so we have a \$5-million-dollar and a \$15-million-dollar savings by directing state agencies to look at their contracts in a much more concrete fashion to save money for the state. Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (14TH):

Through you, Madam President. So I would take that to mean vendors for paper goods or vendors that they may use for IT or would it be, would it be for current contracts where they would need to reopen those contracts? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. It could be something as simple as a contract to buy paperclips or a contract for programmatic issues or a variety of contracts. In most cases, contracts come in on a revolving basis, come due on a revolving basis and so we would start with those contracts that are coming open and if needed, go into contracts that have a longer life span so it's just a way for us to save money by reviewing contracts overall. Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (14TH):

Thank you, Madam President. In section 70, lines 678 to 687, it deals with the motor vehicle property tax. What was the reason for the name change? It refers to these grants as municipal transition grants, that's what you're changing it to rather than the motor vehicle property tax grants. Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. Is my good colleague saying that we're changing it from motor vehicle or to motor vehicle because I believe it has always been a municipal transition grant? Through you.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (14TH):

Yes, it refers to these grants as municipal transition grants rather than the motor vehicle property tax grants. Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Through you, Madam President, I think it's just a clarity issue. Through you.

THE CHAIR:

Senator Martin.

SENATOR OSTEN (19TH):

I believe that is just a clarity issue. Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (14TH):

Thank you, Madam President. The grant portion of this or the paragraph here also includes three grants for the fire districts totaling about \$520,000 dollars. Why wasn't this included in the bonding package? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. Is my good colleague referring to the West Haven fire districts? Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (14TH):

That is correct, Madam President. Through you.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much. These are not bonded dollars so would not be included in the bonding package. They are for three fire districts in West Haven and it came to the attention of the committee that these three fire districts were not receiving the correct dollar amounts and so this just addresses that issue for the City of West Haven. Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (14TH):

Thank you, Madam President. So it appears to just be a one-time fix and only occurring in one year and not both years? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President and through you, it's only fixed in one year because the problem existed in year one. It was corrected in year two. Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (14TH):

Thank you, Madam President. Moving on to section 71, lines 690 to 707, it deals with the casinos, the

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Municipal Games Account. How many communities are currently receiving the grants? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Through you, Madam President. Are you referring to the Municipal Gaming Account? Through you.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (14TH):

Yes. Through you.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Through you, Madam President. None.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (14TH):

How many will be receiving funding or grants once the casinos are open? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Through you, Madam President. I believe we're up to 19, but I'm not certain that number won't go up or down before, this is just referring to the East Windsor Casino. Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (14TH):

Through you, Madam President. It is currently ten and each community the bill outlines that they will be sharing \$7.5 million dollars and each community would be receiving \$750,000 dollars. However, we're adding two additional towns and it's a little confusing because they, in the bill, it only, it doesn't make for an adjustment for those two extra towns of \$750,000 dollars so I just want to have some clarity. Maybe it was just a typo error, I'm not sure, but are each of the communities to receive \$750,000 dollars and if that's the case, then the amount times twelve should be \$9 million dollars and not \$7.5 million dollars. Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, and I believe it's more than the ten because I think a part of this statute also talks about distressed municipalities around the state and so I don't think that it's just those towns that are mentioned there. I believe in another section of the bill that passed when we authorized the East Windsor Casino and we authorized the Municipal Gaming Account to reflect that, that it also included a section saying if a town or an urban area of a certain size would receive additional grants but as no grants are given out right now, it's not "a typo." Those two towns were added on and no town is getting money until the casino is built.

I look forward to the ribbon cutting happening at East Windsor and I'm hoping that this body will also look at assisting other towns with casinos if they're so interested to be run by the Native American tribes and as this has been a very controversial this year, I'm hoping that we can pull the State of Connecticut together and work on that in a succinct fashion and at that time, we will deal with the issue on which towns are getting which grants, and the conversation was that they would be considered host communities. Right now, in the Mashantucket/Pequot grant, a host community gets \$750,000 dollars, that's where the dollar amount comes from. I don't believe that this has yet come to fruition in this particular statute. They've added two towns on it. When we need to, we'll address the issue for those towns are considered "host communities." Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (14TH):

Thank you, Madam President. I believe it's pretty clear in the document here that there are ten current towns and now we are adding two additional towns for a total of twelve and it has a line that mentions that there would be a reduction proportionately and I guess if the funding wasn't there or the revenues weren't all there when the revenue stream does begin, and I know the towns have been told they'd be receiving \$750,000 dollars. I'm just curious to know if they're aware that they may not be getting \$750,000 dollars because like all municipalities, they are expecting to be receiving a certain amount of money, they start budgeting for that and I wouldn't be surprised that they'd be pretty upset when they realize that gee, that \$750,000 dollars was actually \$650,000 dollars. Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. I think if you read the line it says a minimum of \$7 million dollars, it does not say a maximum so as towns are added in, the towns have already been told that it's \$750,000 dollars, but again, no town, none of those towns are budgeting for this money because they can't budget for it until the casino is built. Nobody should be budgeting for this until the casino is built and so I'm thinking that nobody's counting on receiving this money this Fiscal Year or next Fiscal Year because the casino is not yet built. We haven't even broken ground yet and I don't think

that anybody has anything to worry about in regard to this and I'm certain that when we get to that point, we'll adjust the statute as needed, but we don't need to adjust it right now because we're not appropriating the dollars out of that count. Once we get to that point and we're appropriating dollars out of that account, we'll do them exactly the same way we do the Mohegan/Pequot Grant and provide an exact listing with the dollars. Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (14TH):

Thank you, Madam President. I guess I would ask, and it's probably a more rhetorical question here is gee, why do we have to include those towns now in this bill if we're two years away from having any type of revenue stream. But let me just add this. In line 705, and to my question regarding the reduction proportionately to each of the communities, it says the amount of the grant payable to each municipality during any Fiscal Year shall be reduced proportionately if the total of such grants exceeds the amount available for such year. So moving on, Madam President, can we just hold, recess, not recess, hit the pause button for a second.

THE CHAIR:

We'll stand at ease. Senator Martin?

SENATOR MARTIN (14TH):

Thank you, Madam President. I did have another question regarding the Department of Health and it's per capita but I'll pass on that. I really just have maybe two other comments. It's my understanding that in the refinancing of the Teachers' Retirement Fund that we will be using, in order to balance our budget so that we actually have a savings so to speak, for 10 to 13 years starting with \$183 million dollars, \$189 million dollars, \$127 million dollars, and it goes on until about 2031. So I take it that -- I guess the question that I have is why are we not applying this to other debt or reduce our overall I guess liability rather than using these funds to balance our budget? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. I'm not really clear as to what my colleague is talking about. What line items is he referencing? What sections of the budget? Through you.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (14TH):

It deals with the refinancing of the teachers' retirement fund.

THE CHAIR:

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Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. Are you talking about the reamortization?

THE CHAIR:

Senator Martin.

SENATOR MARTIN (14TH):

Yes. Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Are you talking about the reamortization on a yearly basis?

THE CHAIR:

Senator Martin.

SENATOR MARTIN (14TH):

Yes. Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

So the point of reamortizing is to have a steady payment and as the treasurer stated, when he came and spoke to the Appropriations Committee, what we want to have is a steady payment to make sure that we're able to pay our unfunded liability on the teachers' pension and that this is the reason to do that, is to have that steady payment. Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (14TH):

Thank you, Madam President. From the information that I see her, by doing it the way that we are, we're adding another \$15 billion dollars to the overall liability so I just don't get why we refinanced and we're not trying to address the underlying issue. We're refinancing using some savings, reducing our I guess, we're using the monies from the bond to balance our budget, we're using it for a 13-year period roughly, and then we start paying down. We're not using those funds to balance our budget. I just don't get it. I don't understand that type of math but lastly, I just want to close on this and I'm reading this from the Office of Fiscal Analysis and I'm looking at the out year balance and we're looking at future debt in 2022 of \$972 million dollars. We are looking at future debt in 2023 of \$1.3 billion dollars and then in 2024, an additional \$1.2 billion dollars' debt. I don't see how we've made some structural changes in this budget to have this type of outlook.

This is what we are trying to fix is these type of issues that are ahead of us. I don't see that

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taking place in this budget so for that reason, I will not be voting for this budget.

SENATOR OSTEN (19TH):

Excuse me, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much. I'm not certain if there was a question or not. I just want to make sure that my colleague knows we're not adding \$15 billion dollars. That's a fallacy and that is not an accurate statement. According to the treasurer, it's \$1.9 billion dollars more. I said this earlier. It is not a \$15-billion-dollar increase and when we went from 8 percent return on investment to 6.99 return on investment, present value dollars, it accurately records what we have actually been receiving so it goes up \$3 billion dollars year over year, but that \$3 billion dollars was there. We were just not showing it because it was an 8 percent return on investment. So it goes up \$3 billion dollars, yes, but we already owed that \$3 billion dollars.

This is a more accurate reflection of what we owe on the pension and year over year over the 30 years, present value dollars is \$1.9 billion dollars. The point on teachers' retirement is that the cost are going up and we do not have the ability to pay the balloon payments that were coming due on teachers' retirement fund and it effectively would've devastated the state in regard to the funding of our

schools and other things and so what we're trying to do is to make a structural change with long-term payouts so that we know what we have to pay and we can make those payments. Thank you very much, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (14TH):

Thank you, Madam President. I'm just gonna close again once. In looking at the future out years is we are showing deficits, on an average over a billion dollars a year. We have not made structural changes because this would show, had we made those structural change, these numbers would be different. Thank you, Madam President.

THE CHAIR:

Will you remark further? Senator Kelly.

SENATOR KELLY (21ST)

Thank you very much, Madam President and good evening.

THE CHAIR:

Good evening to you.

SENATOR KELLY (21ST)

Thank you. No matter where I go in the 21st district, whether it's down at the seawall in Stratford, at the Seymour Cinemas 12, the Monroe Big

Y or at Billy Dee's waiting for an egg sandwich in Shelton, the conversation usually goes something like this where people of Connecticut feel the economic pinch of the great recession. It's an economic pinch that visits every household, but lands hardest on the backs of the middle class and those that have even less. That's why it's so important that we focus our attention and our efforts to help people in the middle class.

I was looking at some paperwork this afternoon dealing with healthcare issues and I saw a statistic that's very troubling. That almost 50 percent of Connecticut has household income under 400 percent of the federal poverty level. Let me state that again. Almost 50 percent of our state's population is under 400 percent of the federal poverty level. That's households with less than \$67,000-dollar median income. It's not a lot of money in a very, very expensive state. Now I'm just a middle class State Senator and I don't know how you slice and dice the numbers, but it seems like the books are cooked against the middle class. And the numbers, when you look at them, just don't seem to add up.

In Fiscal Year 19, the State of Connecticut spent \$20.8 billion, that's billion with a B, dollars. We had a \$3-billion-dollar deficit because in Connecticut, our State government was living beyond its means. In other words, it spent more money than it took in. This budget doesn't do what the middle class family does. When you lose income, you cut back. You live within your means. Nope. Not when you're under this dome do you do that because unlike the middle class who can't go to their employer and say hey, look, the car payment went up so you gotta give me a raise. It doesn't work like that in the

real world. In the real world, when you don't get a raise and your expenses go up, you make due.

I used the example the other day when we were talking about another item, you buy instead of Cheerios, you buy Oat-E-Oh's. But not at the State Capitol. That's what we do. So we're not living within our means. We can't balance the budget. We have structural deficits of \$3 billion dollars and so from 19 to 20 we're gonna increase spending by 2.1 percent, and then from 20 to 21, another 3.7 percent. That's an increase, an increase of spending of \$1.2 billion dollars. On the other side, how are you gonna make it work? I'll tell how you make it work here. This budget of this Governor and his majority levees \$1.8 billion dollars in new taxes on the middle and lower classes of Connecticut with some of the most regressive, that's right regressive with an R, not a P, regressive taxes that you can imagine. They're gonna hit people at the lower end of the earning spectrum rather than at the higher end of the earning spectrum which is not fair when you have half of your population under 400 percent of the federal poverty level. This is not a blueprint of prosperity for the masses. It does not take Connecticut forward.

I will give credit where credit is due because there are some things that are okay. I do like the fact that we are going to maintain the new ECS formula which was the byproduct of a Republican/Democrat bipartisan budget that invests in our future and our children. That is good and it's nice to see that it remained intact because I believe that was a good initiative and it's one that must continue. I also like the fact that we're gonna continue the tax benefits on Social Security and pension income. But when we look at this it reminds me of the old Clint

Eastwood Movie, The Good, the Bad, and the Ugly. That was good. Unfortunately, it doesn't get better. When I talked about regressive taxes, you see things in here that I just don't understand. We're gonna have sales tax on parking. Parking. Whether you have a Mercedes or you have a Chevy. You're gonna pay the same for parking with an additional tax. It's the bottom end of the income threshold. A digital download went from 1 to 6.35 percent.

What if you can't afford to go to a movie? Now you try to do a digital download, you're taking care of your kids, you want them to stay home, do a digital download, see a movie at the house, now you're gonna hit that family harder. Plastic bags. I get the environmental perspective but a tax on them doesn't get rid of them. Instead, it puts an extra 10 cents and 10 cents to somebody on a median income of \$67,000 dollars is a lot different than somebody who is at a median income of \$219,000 dollars. But be that as it may, it's the same amount. The person below the 400 percent of the poverty level is gonna pay that dime just the guy over it. Uber and Lyft. The tax on those increased by 20 percent. Trade-ins on motor vehicles. So if I wanted to upgrade my motor vehicle, that just tripped and the sales tax on prepared meals. That one really baffles me because who's really, you know when you see what we're going after you say, who is this really aimed at getting at? It's not somebody who's going fine dining at the best restaurants in the State of Connecticut. No, this tax gets as eating establishments and then classifies those eating establishments as pizza drive-ins, hotdog cars, food trucks, ice cream, snack bars. You buy a bag of peanuts at the snack bar, you're gonna pay an extra 1 percent.

I think the cruelest tax is put on the boarding house. So if you live in a boarding house that gives not only a room but also a meal, we're gonna tax that too. Talk about getting after the working class, two parents if you're lucky that go out and work every day, spend their honest day doing their job, taking the kids to wherever they are, doing whatever they do, you're tired, you come home, you pick up something on the way home, you go to Duchess, who by the way always does it fresh, and you pick up some hotdogs and yes, you gotta pay the extra tax. This isn't get after all when you, you're on the campaign trail and all I hear about is we're gonna get the 1 percent. Let me tell you something. The 1 percent doesn't live in boarding houses. They aren't eating hotdogs every night or buying their dinner off the back of a food truck between their shift for 15 minutes 'cause that's all the get. No. But that's who we're taxing. We're taxing the working class. Like I said, regressive. Regressive, not progressive and that's not fair. This is not fair to the middle class. This is not fair to the people who are in need because of the financial circumstances that we are in, that need our help to give them a blueprint that they can believe in, a blueprint that's gonna show hope and opportunity and a future for the Connecticut family.

A couple of years ago we had the refinance of the pension fund come before us. So many people when I walked around the district asked me what were you doing? And I said this is the kind of math that they do in Hartford. They see a \$5-billion-dollar cliff coming up, a \$5-billion-dollar problem and they solve it with a \$12-billion-dollar solution and then we wonder why we're in structural deficits, not to mention it's only going to be \$12 billion dollars

if we have a rate of return at 7.9 percent which since I've been here in 2011 has never occurred and quite frankly, won't. But yet we make these false assumptions as if somehow, it's gonna work itself out. Well it works itself out by putting more debt on future generations. This refinance, an extra \$3 billion dollars onto the backs of future generations. We heard a lot about that, a lot of disdain for our prioritized progress which invests almost \$70 billion dollars over 30 years in transportation and can start as early as July 1 with no tolls and that was unacceptable because we would be using state bonding to do that and that was an unacceptable, unpalatable program. But here you are putting debt onto future generations. That was okay.

So stuffed in this, in this bill and we've heard a lot about the budget from other members and I'm not gonna rehash a lot of what they've brought up and gone through. I'm gonna remain focused on what I see as ranking member in the committees that I serve on and what I found interesting, I will talk about one point that I do know was raised because I think it is important that people know that the process that we have here is unlike a process I've seen in the last nine sessions that I've been here and I don't quite understand why we have a legislative session if we're going to put bills in this budget that didn't have the opportunity to go through the committee process, didn't have the opportunity of a public hearing, didn't have the opportunity for the public to see what we were going to do and to invite comment and conversation on the issues that apparently are important to the Governor and his majority. No, many of these bills and concepts didn't have that opportunity. Some of them didn't pass, but what it shows is if this is the way we're

gonna do business, then we don't need the long legislative session. We only need a week in June. We can pull together the bills and concepts we want to do. Who cares about public hearings and public input? Let's not give the opportunity for the public to comment. Let's just put in a budget, make the numbers work and pass it. I don't think that's the process that our forefathers thought of when they drafted the constitutional form of government which is a Connecticut concept, born right here in Hartford where the people would run their government and the people would have an opportunity to comment and participate. This is not that. This is not that.

So stuffed in the 567-page document is a concept that one could say loosely was discussed during the committee process, but not actually discussed. Never once did we discuss a public option for municipal employees to utilize the state employee platform similar to the partnership plan that's currently offered by the comptroller. We talked at length about a public option for small group and small business. We talked about the Connecticut option but not this one. But this is one that made its way into the budget and yes, it's a public option. It offers a government program to pay healthcare claims of municipal employees in exchange for a fee paid to the comptroller's office. The current example of that is, as I said, the comptroller's partnership plan which currently in this Fiscal Year is operating in a deficit. Why is that fact important? That fact's important because this bill, which didn't have the benefit of a public hearing, if it operates like the partnership plan is gonna put that cost on the back of Connecticut taxpayers and that's not factored into the budget. It's not there.

There's no independent actuary to make sure that the plans that the comptroller designs are actually designed not to expose the taxpayer. There's no review of a certified public accountant that's either there or independent to make sure that the books are accurate and there's no stop loss insurance so at a time when the Connecticut taxpayer and our General Fund cannot take any more risk, we're gonna do it again just like we did with the partnership plan. We're gonna open up something that's an open-ended proposition that can expose our General Fund and taxpayers to greater risk and that is the current experience that the comptroller's office has and keep in mind, the comptroller is basically a constitutional office and while the current comptroller has not only an interest, but experience in dealing with healthcare and insurance issues, there's nowhere in the Connecticut constitution that requires that the comptroller have that experience. So the next comptroller could be a carpenter and the office is ill-equipped to deal with the risk of running a health program.

Throughout the campaign and even when talking about the other public option and the Connecticut option, I hear time and time again that we should offer Connecticut the same type of healthcare that we have as state employees. This bill doesn't do that. This bill gives them a different plan. One that is, quite frankly, not as good. Connecticut State Employee plan is one of the best plans in the country and we talked about that and we say well we're gonna offer them the same thing on the same platform. Once again, what's in the bill? Let's read it and find out and you'll see that's not what's there. It's not the same platform. As a matter of fact, in that cast, the comptroller has

the ability to design different plans, actually has the ability to engage in geographic rating much like the insurance industry does. So for all the claims that he doesn't like what the insurance company does in the private market, he's willing to be able to do in his public market. And keep in mind that because this is a state government program to pay healthcare claims, it's not insurance. You use the language of premium but that's paying premium for an insurance policy. This is not an insurance policy. It is not going to be regulated by the Connecticut Insurance Department and I can't understand for the life of me why.

We are well known nationally and internationally as one of the best if not the best regulators of insurance and have the skill, knowledge and capability to do that, and why we would turn our back on that experience especially considering that the comptroller and the Governor are from the same party? What is the comptroller afraid of? Why would you not want to put that policy, that program through the crucible of the Connecticut Insurance Department to make sure that the premium, the fees that he's charging are gonna be adequate to pay the bills? Nope, we're not gonna do that. We're not gonna use that experience, but what he does have, which is ironic, he does have the ability to try to limit adverse selection through people participating in this new plan by putting their risk into his plan and he's gonna utilize the Healthcare Containment Committee which is made up in large part of union members, labor, but the committee needs to evaluate medical risk. And while I will say that labor does a good job representing employees and labor issues, I don't know if I want them dealing with my medical issues. They're gonna evaluate whether peoples' medical records are too risky? Have you ever read a

medical record? These are easy to read let alone decipher. Much of the handwriting is just a blur across the page, but nonetheless, the comptroller is not an insurance company and shouldn't be looked at as being an insurance company. And what's most problematic here is that once again, despite the fact that the public option didn't move forward and the Connecticut option didn't move forward for the known reasons, and we saw last week when Cigna came out and said if you have a public option, we can't stay in Connecticut. We can't stay in Connecticut. This sounds so familiar to the echoes we heard in the Malloy administration and those years and we're right back at it again.

So you failed twice, now we're gonna throw it into the budget. Here it is yet again, popping up where we're gonna put the comptroller in direct competition our private carriers over the municipal insurance market. The critical distinction is that all the competitors of the comptroller have to meet numerous, numerous, I've got them here, numerous regulations they have to comply with that the comptroller doesn't. Things and mandates that are required, required in the individual area are not required in the comptroller's plan. Things like network adequacy. The list goes on and on, I mean there's such a list here I'm not even gonna spend the time but there's a prescription drug consumer protection, all the mandates that our legislature has voted and enacted over the past several years are not required under the comptroller's plan. They are required in the private market. So this didn't have the benefit of going through the process where you stake a claim, you stake the ground, you say this is what you want to do, you have the public comment both pro and con on an issue to see whether

or not it has merit, and you move it forward accordingly. Didn't happen here and no wonder.

So, Madam President, the Clerk is in possession of LCO No. 10679. I ask the Clerk to please call amendment.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 10679, Senate Schedule C.

THE CHAIR:

Senator Kelly.

SENATOR KELLY (21ST):

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

THE CHAIR:

Please proceed, sir.

SENATOR KELLY (21ST):

Thank you very much, Madam President. This amendment is fairly straight forward. As I mentioned before, we hear all the time about how we should extend the Connecticut State Employee Plan to all individuals and why if you want to include the public option and bring municipal employees into the State Employee Plan, you just don't bring them right

into the State Employee Plan. This amendment would strike that ability of the comptroller to design a different plan other than the State Employee Plan, which as I mentioned about the mandates, the State Employee Plan does voluntarily follow those mandates and the costs and therefore, what this amendment would do is require the comptroller to offer that plan so I would urge that our circle adopt the amendment.

THE CHAIR:

Thank you, Senator Kelly. Will you remark on the amendment before the Chamber? Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. First, I would ask that there be a roll call vote and as this bill has already passed the House of Representatives I would ask my colleagues to not support this amendment and oppose it in its entirety. Through you, Madam President.

THE CHAIR:

Thank you, Senator Osten. Will you remark further on the amendment that is before the Chamber? Will you remark further on the amendment before the Chamber? If not, a roll call has been requested so Mr. Clerk, if you would kindly call the vote. The machine will be opened.

CLERK:

An immediate roll call vote has been ordered in the Senate. An immediate roll call vote has been ordered in the Senate, House Bill 7424, Senate

Amendment C, LCO No. 10679. An immediate roll call vote has been ordered in the Senate on House Bill 7424, Senate Amendment C, LCO No. 10679. An immediate roll call vote in the Senate, Senate Amendment C, LCO No. 10679. Immediate roll call vote in the Senate. An immediate roll call vote has been ordered in the Senate on House Bill 7424, Senate Amendment C, LCO No. 10679. An immediate roll call vote has been ordered in the Senate.

THE CHAIR:

Have all the Senators voted? Have all the Senators voted? If so, the machine will be locked and, oh, Senator Duff. The machine has been closed. Mr. Clerk, please announce the tally.

CLERK:

House Bill No. 7424, Senate Amendment C, LCO 10679.

Total number voting	35
Those voting Yea	11
Those voting Nay	24
Absent and not voting	1

THE CHAIR:

[Gavel] Amendment fails. Will you remark further on the legislation that is before us? Senator Kelly.

SENATOR KELLY (21ST):

So despite a good effort to allow us to offer the plan to I'm going to say municipal employees, the State Employee Plan to municipal employees, one thing we could do is enable this to engage in an insurance product no different than the private

market and there is a way to do that which would bring the guarantee of all the mandates and protections of things like the Affordable Care Act to the plan and it's just by making the plan subject to title 38a, make it subject to the Connecticut Insurance Department and so, Madam President, to that end, the Clerk is in possession of LCO No. 10664. I ask the Clerk to please call the amendment.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 10664, Senate Schedule D.

THE CHAIR:

Senator Kelly.

SENATOR KELLY (21ST):

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

THE CHAIR:

Please do proceed, sir.

SENATOR KELLY (21ST):

Thank you, Madam President, and I ask at the time for a roll call vote. Basically, what this does is it's a very simple amendment. What it does is just basically in section 378a, that first part, it just

takes out notwithstanding any provision of title 38a, and would make this plan subject to the insurance statutes. It would ensure that everybody in the plan would have the same protections that are offered throughout the Connecticut, the promises of the Affordable Care Act. It would also give the plan the benefit of the Connecticut regulator who as we know is one of the best in the country if not the world and I think it makes sense. It's good consumer protection and I would urge its adoption.

THE CHAIR:

Thank you, Senator Kelly. Will you remark on the amendment before the Chamber? Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. I urge my colleagues to vote in opposition to this bill. I appreciate my good colleague's consideration and I look forward to this legislation coming before the General Assembly next year for consideration. Thank you very much, Madam President.

THE CHAIR:

Thank you, Senator Osten. Will you remark further on the legislation, on the amendment that is before the Chamber? Will you remark further on the amendment before the Chamber? If not, a roll call has been requested. Mr. Clerk, please announce the vote. The machine will be opened.

CLERK:

An immediate roll call vote has been ordered in the Senate. An immediate roll call vote has been

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ordered in the Senate, House Bill 7424, Senate Amendment D, LCO No. 10664. An immediate roll call vote has been ordered in the Senate on House Bill 7424, Senate Amendment D, LCO No. 10664. An immediate roll call vote in the Senate. Immediate roll call vote in the Senate. An immediate roll call vote has been ordered in the Senate on House Bill 7424, Senate Amendment D, LCO No. 10664. An immediate roll call vote in the Senate. An immediate roll call vote has been ordered in the Senate on House Bill 7424, Senate Amendment D, LCO No. 10664. An 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 No. 7424, Senate Amendment D, LCO 10664.

Total number voting	35
Those voting Yea	13
Those voting Nay	22
Absent and not voting	1

THE CHAIR:

[Gavel] The Amendment fails. Will you remark further on the legislation that is before the Chamber? Will you remark further? Senator Kelly.

SENATOR KELLY (21ST):

Thank you, Madam President. Well I thought I was gonna get one of those and so I'm gonna move to some

that might be a little easier and make a lot more sense, not that the others didn't. But I think one of the things in this part of the budget is there's a requirement, and normally we buy health insurance on a year-to-year basis. You get your renewal during the open enrollment, you buy your health insurance and you're good for the next year and most families look at that because they can plan what's gonna happen in the next year. Under this bill, under this budget, it's not one year, it's not two years. You're locked in for three years not really knowing what's gonna happen cause we do know as a fact that the comptroller's current partnership plan is operating in a deficit and so the fact remains that you could end up in a situation where you not only have a deficit and your premium goes up, but it could go up for three years with no relief or opportunity to get out. When it comes to health insurance, I don't know of any other health plan that locks you in for that long of a period. We see in employment areas, people work for five years and move on. Three years is a long time in this world and this environment and so what I'd like to see and I'm going to offer is the reduction from three years to one year so Madam President, the Clerk is in possession of LCO No. 10677. I ask the Clerk to please call the amendment.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 10677, Senate Schedule E.

THE CHAIR:

Senator Kelly.

SENATOR KELLY (21ST):

Thank you, Madam President. I move adoption of the amendment, seek leave to summarize and I ask for a roll call vote.

THE CHAIR:

Roll call will be ordered. Please proceed to summarize, sir.

SENATOR KELLY (21ST):

Simply put, this amendment reduces the three-year requirement to one year. Thank you.

THE CHAIR:

Thank you, Senator Kelly. Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. I appreciate my colleague's thought process on this. Unfortunately, I still cannot support this. I urge my colleagues to oppose the amendment. Through you, Madam President.

THE CHAIR:

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

SENATOR DUFF (25TH):

Thank you, Madam President. If a roll call has been ordered, could we have a roll call vote, please?

THE CHAIR:

Yes, there had been a request for that so yes, indeed, we will have a roll call vote and to that end, Mr. Clerk, if you would please call the vote. The machine will be opened.

CLERK:

An immediate roll call vote has been ordered in the Senate. An immediate roll call vote has been ordered in the Senate, House Bill 7424, Senate Amendment E, LCO No. 10677. An immediate roll call vote has been ordered in the Senate on House Bill 7424, Senate Amendment E, LCO No. 10677. An immediate roll call vote in the Senate, Senate Amendment E, LCO No. 10677. An 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 No. 7424, Senate Amendment E, LCO 10677.

Total number voting	35
Those voting Yea	13
Those voting Nay	22
Absent and not voting	1

THE CHAIR:

[Gavel] The Amendment fails. Will you remark further on the legislation that is before the Chamber? Will you remark further? Senator Kelly, do you have more delightfulness for us? [laughter]

SENATOR KELLY (21ST):

Yes, I do, Madam President and this one I think is really good and I saved the best for last because what this one does is I believe brings a lot of equity and fairness to a bill that is in need of it because there is a section in the bill that allows the comptroller to engage in what's known as geographic rating. In other words, he's going to be able to by county charge different premiums depending upon the cost of healthcare in those counties. Now, the county that I represent is Fairfield and in Fairfield County, we have municipalities in lower Fairfield County, there was an article in the Hartford Current that ran January of this year, eight of the top incomes in the State of Connecticut, six are in Fairfield County. Weston median income \$219,000 dollars, Darien \$208,000 dollars, Westport \$181,000 dollars, Wilton \$180,000 dollars, New Canaan \$174,000 dollars, Greenwich \$138,000 dollars. The community I represent is Stratford. The median income is \$72,000 dollars, less than half of most of those municipalities. The city of Bridgeport is also in Fairfield County. That median income is \$44,000 dollars, five times less than Weston. The cost of healthcare in lower Fairfield County is more expensive than it is in the greater Bridgeport area but because of the comptroller's geographic rating and the decision to do it by county, folks with less than half of the median income are gonna be charged more than the rest of the State of Connecticut because

municipalities in the Fairfield County cost more to deliver healthcare services. That's unfair to communities like Stratford and Bridgeport. It's unfair when you look at how this is designed on a countywide basis rather than a municipal basis. For that reason, Madam President, the Clerk is in possession of LCO No. 10670. I ask the Clerk to please call the amendment.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 10670, Senate Schedule F.

THE CHAIR:

Senator Kelly.

SENATOR KELLY (21ST):

Thank you, Madam President. I move adoption of the amendment, seek leave to summarize and I ask for a roll call vote.

THE CHAIR:

A roll call will be ordered. Please do proceed to summarize, sir.

SENATOR KELLY (21ST):

Thank you, Madam President. What this basically does is change one word. It changes municipality or it changes state or not, okay. It changes county to municipality so that the geographic rating is done

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by municipality so that those employees in Stratford pay the Stratford rate versus individuals in lower Fairfield County would pay the lower Fairfield County rate. I think this is an issue of fairness and equity and I would urge my colleagues to support it.

THE CHAIR:

Thank you, Senator Kelly. Will you remark? Senator Osten.

SENATOR OSTEN (19TH):

Again, thank you very much, Madam President. I appreciate my colleague's attempt at coming up with free healthcare for all but I need to urge my colleagues to vote against the amendment and also like his idea of a roll call vote. Thank you very much, Madam President.

THE CHAIR:

Thank you. Will you remark further on the amendment? Will you remark further? Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, through you, to Senator Kelly, is this the result of the comptroller's testimony and/or report regarding the fact that when they were doing some insurance municipal that there were claims in the Greenwich/Fairfield area, mostly Greenwich as I understand it, were causing rates to go up because that area had a higher impact upon the insurance

rates. I'm wondering if that's the genesis of this idea? Through you, Madam President.

THE CHAIR:

Senator Kelly.

SENATOR KELLY (21ST):

Thank you, Madam President and to the good Senator Fasano. Yes, that's exactly what this is aimed at addressing is that the comptroller is trying to get this rating authority to behave much like the insurance industry. It's why the partnership is running in deficit and so now he's looking at a geographic rating of the entire county and in so doing, he has captured municipalities like Stratford and Bridgeport and seeking to increase their premium because the cost of healthcare in Greenwich, Wilton, Darien is more expensive. Through you, Madam President.

THE CHAIR:

Thank you, Senator Kelly. Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. And through you to Senator Kelly so because his finding was that a particular part of Connecticut, one particular town per se had a higher rate of causing the insurance rates to go up, that town would now be incorporated with the whole Fairfield area which would include Stratford and Bridgeport causing those insurance rates to go up to help ameliorate or spread that cost among many people. Is that accurate? Through you, Madam President.

THE CHAIR:

Senator Kelly.

SENATOR KELLY (21ST):

Yes, hit the nail on the head.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. Through you, so as a result of that, other people would be sharing, outside of Greenwich, would be sharing the burden that Greenwich puts on the system, other people in these other towns like Bridgeport and Stratford and other towns would be sharing that cost and paying at a higher rate. Is that accurate? Through you, Madam President.

THE CHAIR:

Senator Kelly.

SENATOR KELLY (21ST):

Thank you, Madam President, to Senator Fasano, yes, that's exactly what is going on and my concern to offer this in fairness and equity. Through you, Madam President.

THE CHAIR:

Thank you, Senator Kelly. Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. I appreciate Senator Kelly's answers to my questions so I'm going to support this amendment because what it is doing is saying it is not fair to take the burden of one town and spread it across. In particular, this would be anybody who has constituents in the Fairfield area other than Greenwich would have to have this spread among all of them. That just seems unfair. We want to bring the rates down, not up, not up. So you don't want to take folks or a pool of folks and raise their rates up and unfairly tax by virtue of having increased rates those other people. So, Madam President, I think this is a good amendment. It goes to the very heart of what this Chamber does in a bipartisan manner year after year after year which is to try to figure out a way to drive rates down. If this doesn't pass, you can be assured by virtue of the comptroller's own admission, rates will go up so I support the amendment. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Cassano. Will you remark further on the amendment that is before us? Senator Kelly.

SENATOR KELLY (21ST):

Thank you, Madam President. I just want to echo what Senator Fasano was driving at which is basically in essence the bill in the budget as drafted would treat Stratford and its participation or membership in Fairfield County as a preexisting condition. Stratford, just because it happens to be in Fairfield County is going to pay higher rates for

that membership and that is just not fair and so I would urge adoption of the amendment.

THE CHAIR:

Thank you. Will you remark further on the amendment before the Chamber? Will you remark further on the amendment before the Chamber? If not, Mr. Clerk, please call the vote. The machine will be opened.

CLERK:

An immediate roll call vote has been ordered in the Senate. An immediate roll call vote has been ordered in the Senate, House Bill 7424, Senate Amendment F, LCO No. 10670. An immediate roll call vote has been ordered in the Senate on House Bill 7424, Senate Amendment F, LCO No. 10670. An immediate roll call vote in the Senate, Senate Amendment F, LCO No. 10670. An immediate roll call vote in the Senate.

THE CHAIR:

Have all the Senators voted? Have all the Senators voted? If so, the machine will be locked. Mr. Clerk, kindly announce the tally.

CLERK:

House Bill No. 7424, Senate Amendment F, LCO 10670.

Total number voting	36
Those voting Yea	15
Those voting Nay	21
Absent and not voting	0

THE CHAIR:

[Gavel] The Amendment fails. Will you remark further? Senator Kelly.

SENATOR KELLY (21ST):

Thank you very much, Madam President. Just in conclusion, the one thing is that this budget has done a lot of things, but it hasn't done certain things. It didn't find the necessary money to fund the healthcare issue that we have with regard to premium in accordance with the Wakely Report. It didn't fund a \$12-dollar increase to America's Greatest Generation so they can have a modicum of dignity as they age in nursing homes. They were told to wait yet again. It doesn't include a buy Connecticut initiative to create good-paying jobs. We know that Washington has issued a contract to Sikorsky of \$1.1 billion dollars. That initiative would have focused on supply line manufacturing jobs and given RND and tax credits to companies that our defense industry would contract with. Those are high tech good-paying jobs and the types of jobs we need to create, far better than minimum wage jobs. That also was not in the budget. There's no private public partnership to deliver human services, to make sure that we not only preserve the social safety net, but also improve it. In a day and age when we don't have the money, this was a way through, an opportunity to do more with less, but we chose not to go down that path either. What we have done as I have said before is not given a blueprint for prosperity and hope. Connecticut can do better. Connecticut must do better. Too many middle class families still feel the financial pain of the Great Recession and this budget doesn't do anything to remove that pain, but actually inflicts more. I wish it went further to do that; it doesn't. The

people of Connecticut deserve better and for those reasons, I will not be supporting this budget.

THE CHAIR:

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

SENATOR KISSEL (7TH):

Good evening, Madam President. Great to see you. Well, we're getting to the end of the discussion and debate regarding this budget and I've been here, I've been so honored to be here for the last going on 27 years so I've heard a lot of these budget debates over the years. First of all, there are obviously some very good things in this particular budget. In reviewing the municipal aid to my district, I wanted to note that Enfield, the largest town in my district is getting a rather large increase in aid and I understand that the budget says bonding will be a whole capital different discussion so I want to thank the drafters of this. I'm not sure exactly what the formula is but some of my towns are winners. Enfield is one of the bigger winners. Some of my smaller towns unfortunately do not fair in a more positive fashion, but while they're not gonna be happy they got reduced municipal aid, it's not draconian. So that extent there is some silver lining to the cloud. But it would be remiss of me if I didn't state that over the years I've heard so many eloquent Senators state that a budget is aspiration, that it paints a vision for the future. By necessity, it is based upon best estimates as to where we are and where we want to go financially, but usually there's an overarching theme to a budget and this year, I see no such theme. I did not find this budget aspirational at

all and for the folks in my district, I think it's going to be death by a thousand small cuts.

Let me pull out some of the more pedestrian examples. I go out and do my own food shopping all the time. Sometimes it's a lot of items, sometimes it's that twelve items or less but when I go and I check out, more often than not I have someone at the register, but typically there's not two people. I mean if you're really lucky you have someone there that will be cashing you out and someone bagging your groceries, but typically the person that checks you out will then finalize what you're purchasing and then turn around, tell you what the total is and then you either get your cash ready or your debit card or credit card or however you're gonna pay. Once that's done, then that person proceeds to bag your groceries. So in this budget we have this 10-cent tax on plastic bags. I understand that the environmentalists hate plastic bags. To be honest I'm not so sure they're our worst enemy. In this day and age where Jeff Bezos and Amazon and UPS and FEDEX and the United States mail is delivering packages and packages and packages and packages, I'm thinking that that cardboard that comes to everybody's house all the time, that's the huge buildup. Not these plastic bags where if you grind them up in your hand there's nothing. I would think we could be more creative as to how to approach this than to charge what I consider to be a hefty fee, 10 cents per plastic bag. But as a practical matter, when this passes, how is this gonna roll out? Am I going to have to let the person who's doing the transaction bag the groceries so that we know how many bags I need before we can finalize the financial transaction? Because that's backwards from the way it works now. And I can just see my constituents having to go through this now

cumbersome process and God forbid something needs to be double-bagged so there's gonna be that discussion, is it gonna be a 10-cent charge or a 20-cent charge? Because it's all gonna have to be factored in at that point of service and they're gonna call me up and say who came up with this idea? Ten cents. Because it'll add up. I mean it's not anything to have 16 items and have four bags and if you think everybody's gonna swap over to paper, I think that's not gonna take place. And studies have shown that those canvas or however else, those reusable bags, after any number of times, they're like a health hazard, they're like a breeding ground for germs. So people may think that's the way to go. I think this is all gonna have to be rethought.

The other thing that really bothers me, a couple of things, and I have a limited amount of time before I know folks want to wrap it up tonight, at least on the budget, this 1 percent tax on restaurants, I don't get it. It's like musical chairs. I guess the music ran out and they just didn't grab a chair. But it's not just the restauranteurs. You know, a lot of these small chains such as Subway and others, they're margins are very low and if at the same time we're raising the minimum wage and we're adding this extra burden on them, what does that do? You know it's hard enough in every area of retail in the United States right now between robotics and using the internet, all these other services, to undermine these other businesses, it would be terrible. Go out there. Go to your malls, strip malls, go to your retail centers. They are struggling as we speak and none of this in this budget is going to help them. I really feel that not only were restaurants disproportionately impacted, and we're not talking as other speakers have stated high-end restaurants, but you know the ones that sell pizzas

and grinders and things like that, family owned and operated. And again, if they're LLC as Senator Bizzarro pointed out, there's a 5 percent hit on their income tax pass-through. We're just clobbering these people from left, right and center. Budgets are supposed to be aspirational. They're supposed to be high minded. They're supposed to, whether I like your goals or not, at least I would walk out of this building and I would say this is the horizon the majority party wants to lead us to. I don't get any of that. I get that this is just cobbled together, patchwork quilt as much as could be done in the last final waning days and I don't want to be accusatory in any way, shape or manner because in my heart of hearts, the reason I've been doing this as a public servant, and I love this job as much today as I did when I was very elected, is that I like to be a happy warrior. Republican yes, but I like that kind of Hubert Humphrey approach. I don't want to be jaded, but you know I keep hearing in this building that these earmarks and these odd ball amounts of money tucked away for certain entities and groups, laudable as they may be, that they all may be a predicate for a future endeavor to create tolls in the State of Connecticut. I don't want to view this budget in that Machiavellian kind of prism. I hope this building has evolved into that. You know what would you like, what can we do to make these other initiatives flow more smoothly. That's not the Connecticut that my constituents dream of. So I could go on and on but so much has already been stated about the intricacies of the budget but I felt compelled because typically, and for those of you who has served with me over the years, typically I never speak on budgetary matters. I leave it to the Appropriations and Finance people and other interested senators that really feel passionately but I feel passionately this evening.

I do feel like the middle class is getting hurt. I do feel like young people are losing their options. I do feel like small businesses especially those in the food service area are being undermined for nothing that they did untoward. I think we're making it incredibly difficult to survive in this state and I think that's a shame. I look around this circle and I'm so proud of the people I serve with, but I just really feel in my heart of hearts we could do so much better. It is hard to survive out there. People are living hand to mouth and now we want to saddle them with, you know, it reminds me of that Beatle's song, the Taxman. Go, find it, listen to it. Anything that's not nailed down they wanted to tax and that's what I look at this budget and I see. It's just a hodgepodge of if we haven't taxed it, we're gonna tax it and 1 percent here and 0.5 percent there. It all adds up and peoples' incomes are not going up at that same rate so you're making them make more and more difficult decisions. I would urge you folks that I serve with, I know the folks that put this budget together worked really, really hard, but I think on occasion we should maybe take a step back and think about those people in the ever-diminishing middle class. It is not unusual to pick up the people or hear on the news, television, radio that the income gap between those that are well off and those that aren't is growing. But it doesn't grow at the expense of no one. What it means is that those folks in the middle are evaporating, are being pushed out, are being driven out, are vanishing and I would posit that that is the glue that holds our society together and if we end up as a society with just very, very rich and very, very poor, we're going to regret the decisions that we made today. So for that reason and so many others, I will not be voting for this budget, Madam President. Thank you.

THE CHAIR:

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

SENATOR DUFF (25TH):

Good evening, Madam President. Madam President, I rise to urge support of the bill before us. Madam President, this bill is the result of many, many months of work, many, many months of listening, many, many months of working together in collaboration with a lot of parties in order to bring forth this document to the circle. Now we all know anytime there's any type of a budget, there's always things in there that people will like, things that people will not like, but I must say that in this budget here today, there are many things to like than there are not to and the reason I say that is we do have and we have had to make some very difficult decisions over the past 8, 9, 10 years. We had to make sure that we were finally catching up on our pensions and finally actuarially paying into those pensions after decades of neglect which has squeezed many of the things we would have liked to have done over the years in education, in municipal aid, in other types of initiatives that would be important to the State of Connecticut, but we had to make some of those difficult decisions.

But this year, Madam President, I believe that through the hard work of Senator Osten and Senator Fonfara, we have struck a balance in order to continue to make key investments in areas but also do it in ways that are very responsible and very prudent for the benefit of the residents and the taxpayers of the State of Connecticut. One example,

the glaring example of that is the fact that we have over 2.6 or will have over \$2.6 billion dollars in our rainy day fund. It wasn't that long ago, Madam President, that we had nothing in our rainy day fund. It was almost depleted or just simply about \$200 million dollars or so and now we're on the cusp of having over \$2.6 billion dollars in that fund.

Madam President, I believe that it's important that we look at some of the things that we have done in this budget and why it is important for us to vote yes when the vote does come. Some of the things that we did over the last two years in our bipartisan budget and I was very proud to be part of that process of helping to craft a bipartisan budget, and there were many ideas in that budget that were both Democratic and Republican ideas that were smart and good and that showed that you know we could work together very well, but we have managed to maintain a lot of those promises that we made in the bipartisan budget such as keeping the tax breaks on Social Security and pensions, making sure that we continue on that and those promises that have been made. We keep intact our bipartisan education funding formula that we worked so hard on the last two years and continue to maintain funding for that formula which is extremely important so there are a number of things that I believe that reflect the work that we have done over the last three years that are still reflected in this budget as well which is why we're able to then have that rainy day fund with over \$2.6 billion dollars. We've managed to keep the volatility cap and worked with that. We have kept our expenditure cap. We're actually under our constitutional spending cap and under our bonding cap, under our expenditure cap, under our volatility cap so we have, we have done that and in addition, increased the funding for education. We

are increasing funding for UConn by \$9.7 million dollars in 2020 and \$20.6 million dollars in 2021 and isn't that a welcome relief? After years and years and years of actually cutting back to the University of Connecticut, our flagship university, we're actually in a position now to increase their funding, help them along, help to make sure that tuition does not increase for our students there and help to maintain and support our flagship university.

In addition to that, as we spoke earlier at a press conference, we have debt-free college in this budget which is going to help people avail themselves to our committee college system. Here in the State of Connecticut we know that there are jobs of the 21st century and people need to have that education so that they can go after those jobs. They can improve themselves and their standard of living. You can't do that with a high school education but the cost of community college or the cost of higher education is keeping people away from being able to obtain their dreams that they want to have for themselves and for their family so we have the debt-free college as well.

So, Madam President, I don't want to belabor the point on this but I do believe that again, this strikes the right balance to many of the things we want to do here in the state. We have cut billions and billions of dollars in our discretionary spending over the years. We have cut our employee workforce over the years. We have actually paid into our pensions over the years. We continue to do those things but also still striking the balance with many investments that we have.

I just want to take a quick moment to thank again as Senator Fonfara and Senator Osten did by thanking some folks as well. Again, first and foremost thanking the two leaders, the Senate leaders of the respective committees. I certainly want to thank Senator Looney for his work on this because his strategy and the way he navigates the minefields on putting together a budget that will ultimately pass the Senate and the House and receive the Governor's signature speaks to his years of experience and his strategy and the way he knows how to get the best product out of the legislative process and certainly understands that. I'd like to thank our members in the House for their work, Representatives Walker and Rojas and the staff who has worked so hard on this including Dave Steuber and Manny Marisoas, Katie Hubbard, Susan Keene from the Appropriations Committee, Tom from the Finance Committee as well, OFLOR and LCO. This is a lot of work and when budgets come together, a lot of folks from behind the scenes have to come together and work quickly so and lastly of course just want to thank the leadership of the House, Speaker Aresimowicz and Majority Leader Ritter. So thank you, Madam President. I would urge my colleagues to support his budget and move our state forward over the next two years. Thank you.

THE CHAIR:

Thank you so much, Senator Duff. Will you remark further? Senator Fasano, good evening.

SENATOR FASANO (34TH):

Good evening, Madam President. Madam President, I do want to address the budget that is now before us. Madam President, I believe at some point earlier this evening it was said that this budget is a

bipartisan budget and it was said about 16 to 18 times; this is a bipartisan budget. This is not a bipartisan budget. Just because people sit in a room and gather and listen to the discussions does not make it a bipartisan budget. This administration never once asked the Republicans to come to a room; not once. Now we had individual conversations but there never was let's get all the leaders together to see what common ground we have and what common ground we don't have. I've been here a fairly decent amount of time, been assistant leader and leader a fairly decent amount of time and this is the first time I've ever seen that happen. Now there's been times where we've been in a room for about 20 seconds, where we found there was no common ground, but at least we got into the room to realize we couldn't get there from here. But there never was an occasion where all the leaders didn't sit in a room and talk. We were never asked. We never knew negotiations were going on. We never knew who was having the conversations with who. Leadership on the opposite side of the aisle never said hey, can we sit down and talk, can we have a conversation? I don't think there's any topic in this building ever, certainly not since I've been leader, that I have not said let's have a conversation about it and lo and behold there are many bills we passed this session and tons before where we thought we had no common ground, we got the room, had a conversation and we found common ground. Why not this year? And I think the answer is embedded in the rhetorical question of why didn't the Republicans do a budget? I often hear in this building as an excuse for passing, putting forth a budget that one could question to be the right direction for the State of Connecticut, is that well you know, you Republicans didn't offer any ideas. Well we've got to get at least intellectually honest

with each other of this session. This session started off with the gates bursting open with the majority party saying here are five things we're gonna get done. This is our five top list. This was in early December. These are things we're going to do, get out of our way. Get out of our way. Here they are, we're taking over, here are the five things we're gonna do, thank you for the bipartisanship of two years ago, we don't need it anymore, we're going forward. You could feel it. I often say that the LOB is a living breathing animal and when you walk through it, you don't have to talk to a person, but you can feel what's going on in that building just by walking around the building and if you've been here long enough, you know what it says. If you're new, it sounds like a lot of crazy people running around but if you've been here long enough, you know what it says. You understand the pulse. What bills are gonna make it, what bills aren't, whose pushing what and what's the real reason why it's going forward. You just feel it. You can feel it in this Chamber too by the way but at the time it was the LOB and it was we are going forward with this agenda, with these five things, the top five, get out of our way. We knew that there was no way that we could put together a budget that this other side of the aisle would even have a conversation about if it didn't include Paid Family Leave in the manner in which the other side of the aisle wanted to do paid family leave. We put up an alternative. We put up an alternative. Not that we're against it but there wasn't even a conversation. In fact, I will say I reached out to many leaders in this building and in the Executive Branch saying before you go public, can we have a conversation about paid family leave? Can we sit down and talk about where we are on paid family leave? Cause maybe we can find some common ground.

Yeah, I'll get back to you. I didn't do it just once. I didn't do it just twice. I didn't do it just three times. If I didn't do it four or five times, I'd be lying. I did it every opportunity I had as leader for my caucus to say let's have a conversation, but clearly that isn't what they wanted. I did it to different leaders, I did it to different Chambers, and I did it to the Executive Branch. Minimum wage. Let's have a conversation. Maybe we get there, maybe we don't, but we have some ideas on minimum wage. You know we talked very open in fact even two weeks after the election. Not one conversation about minimum wage so we knew it was minimum wage, paid family leave, marijuana, the assault bill which there was some conversation and I thank everyone for that, but overall, it was here are the things we're going to do, first day of session the gates break open, off to the races, and if you stood in the way, you got trampled and if you questioned, you got accused. And if you said what if, you were stalling. I remember the first big debate in this Chamber. The tweets that went out that day claiming a filibuster because some folks dared to ask questions about a particular bill that was being discussed. That was the attitude. Thankfully, that attitude has changed. That has changed and I'll chalk it up to exuberance and I said it then and I'll say it now, that isn't what this Chamber is about.

There was plenty of opportunity to have a conversation but to argue and that's okay by the way. Clearly, the numbers are the numbers and if you want to run a partisan budget you're more than happy to run a partisan budget. That is your right, that is your privilege, that's what happens with elections. Just don't cloak it in bipartisanship when it is not. We hear about some ideas that are

in this budget that were in the bipartisan budget, education costs, same formula that was derived in a bipartisan conversation, no tax on Social Security, decreasing tax on pensions. Those are caps. Those are all things I just heard talked about tonight that were part of the bipartisan budget and those are good things to keep and I'm glad you kept them, but you then can't circle the whole budget with policies, ideas, and revenue increases that go in an opposite direction of the core of what our bipartisan budget was about.

Madam President, two years ago we passed a bipartisan budget that did do the caps. We had the spending cap, the bonding cap, the volatility cap to name a few and at the end of the Fiscal Year, this Fiscal Year, we have seen the fruits of this labor. I think someone said we have the most we ever had in our rainy day fund which is over \$2 billion dollars, historically the most, probably the most we ever put in and that was because of the volatility cap and because of the bonding you can't touch. Senator Fonfara was the one who brought that to the group and we all talked about it and I think he offered it, that it should go into bonding as a condition. We put it in the bonding with the other caps for one reason and one reason only. If you put it into the bonding, we can't touch it. Had we not put it in the bonding, I am sure as I stand here right now there would be arguments that we got \$2.4 billion dollars in the rainy day fund, we can't raise fees or taxes, we gotta grow government, we gotta take that money and use it but because it's in the covenants and you can't get around it, you can't touch it. However, we can touch the surplus. The surplus doesn't make its way to the rainy day fund until after the close of the Fiscal Year when it automatically goes so you have to do a budget that

you have before you, which will get to my points later on, you have to do this budget and you gotta do it before session ends because if you don't do it by the end of the month of June, you can't use that money so we have a surplus of \$500 and some odd million dollars and by the time you do the hospital deal, by the time you do the teacher deal, by the time you use it for some of the shortfalls, by the time you use it for this, that and the other thing that they have in the budget, there is virtually nothing left of that surplus; nothing. We have nothing to show for that surplus and I guarantee you if that rainy day fund had the same opportunity to take, it'd be tough to wipe out \$2.4 billion dollars, but if that same opportunity to take, it would not be at that level. So when you talk about the bipartisan budget what we did, I am proud of that budget because it, we have, the reason why the deficit isn't as great by the way I might add from when we started off ending from last year, is because the revenue has increased in the State of Connecticut I would argue because we set parameters never set before in this building. We told the public we are gonna control our spending, we're gonna control our borrowing, trust us and if the stock market goes crazy, we're gonna take a portion and we're gonna put it in our piggybank because we are going to be conservatively controlling our expenses so we can move us forward and I would argue, I would argue that the people responded by saying right track, good direction. That's what I would argue.

Let's just go back to GE. I still have a letter on my computer of why GE left that they sent to their employees, I still have it on my computer. And what was said was the inability of the State of Connecticut to control their debt means that they cannot sustain their structure in the State of

Connecticut and build and therefore, with a tax increase of 2011 coupled with the growing debt, we're taking off. Everyone can say oh they went to Boston for this, that and the other thing. I sat with the CFO and I have that letter on my computer that was sent to their employees.

What we did in this budget which I'll get to in a little bit is play exactly to the reason why GE left, exactly the reason why GE left. So with the budget two years ago, we had no new taxes. People are gonna say the hospital tax. If you remember two years ago, we did do the hospital tax but that was something the hospitals had settled on with Governor Malloy and we stuck it in the budget because it was a deal that was struck and we codified that deal. Everybody was happy. You take that out, there were no real new taxes. There were some fees, okay, I'll give you that. There were no real new taxes. So we had caps, no real new taxes, but probably one of the most key elements that I've heard since day one in this building is transportation. We took a new car sales tax that went to the General Fund and we said let's make a commitment to the Transportation Fund. Every year, let's put a little bit more and a little bit more and a little bit more until we transfer all the new car sales tax to the Transportation Fund. What did that do? That made the Transportation Fund solvent. What else did that do? We have to show the federal government in October and November that for the next five years our Transportation Fund is solvent and if we can do that, we get our federal funding so we guarantee the future for our state.

Then we had prioritized progress that in our bipartisan budget we took \$250 million dollars and we stuck it in transportation. So we had funding immediately, so much money that DOT was so surprised

they could barely use it all because they were ramping up to get there and when Governor Lamont went to go take it away in his budget, they said you're gonna crucify us. So what happened in this budget? Eight hundred and fifty million dollars. That's at least \$150 thousand, \$150 million dollars short of what DOT says they need just to keep pace and not do new projects. Just Town Road Aid and repairs. Now think about that for a second. We talked about the lockbox that also was just voted on and we said we gotta put this lockbox in place and we're gonna put the money in the lockbox. That's what we told the people and they voted for it. In that same budget, we said we're gonna put this new car sales tax in. This budget diverts that new car sales tax money and says don't put it in the STF. It reminds me -- and then we talked about tolls, trust me on tolls, it reminds me of that old advertisement when the NFL coach comes out playoffs, playoffs, you talking playoffs? After this you're saying tolls? You're talking tolls? How can you be trusted on tolls when you make a promise that you're not gonna divert the funds in the very same year that you made the promise you're not gonna divert the funds, you divert the funds? To the detriment of the Special Transportation Fund. And oh by the way, when you're diverting those funds and you're taking out more because originally it was 750, you're taking out 850, you have now taken that STF, the Special Transportation Fund and you've put it in a very vulnerable position in 2024-2025 to the point that it will be a crisis, a self-imposed crisis but it will be a crisis.

The other thing that our bipartisan budget did was use real numbers and it balanced. It balanced. This budget before us that we'll get to has gimmicks. This budget's out of balance, this budget

wipes out the surplus, this budget creates taxes, this budget creates laps that don't exist and probably at least in my view, the most egregious part of this budget is there's 63 new laws put into this budget. When I say new laws, when you see in our budget, your budget, section so and so new. I'm not even totally telling you that when the section is in and they wipe out a whole section of it and put in new language, I'm talking about where it says new sections. Sixty-three. Sixty-three. And we're gonna talk about it. Some of these not only didn't have a public hearing, they weren't even bills in the legislature. They were not even bills in the legislature. They were not even ideas that Chairman of Committees even knew existed let alone the public because they didn't exist and we threw them in a budget. Why? Because you could. And just because you could doesn't mean you should. That's what drives me nuts. I've seen implementers before and I've been here ranting about implementers before, about bills that died, sure they've been in there, but to do ones that never had a public hearing, do ones that never even showed up as a proposed bill? Somebody said you're gonna mention the one party rule and I guess that would be the time I mention the existence of a one party rule. Madam President, when we talk about different pieces of legislation, we have in here 20 pages establishing the Municipal Redevelopment Authority, a quasi-public agency, brand new, \$500,000 dollars in 2020 and \$500,000 dollars in 2021. I don't think anybody in this room has any misunderstanding where I believe quasi's are, that they're not very good. But that bill came out of the House, sits on our calendar, and went immediately into this budget. There's a whole section on nail technicians and eyelash technicians which I agree probably need some oversight, but the first bill that was written was very egregious and

they scaled it down for a vote because they realized how overreaching it was and when they put it in this budget, they pumped it back up to the original form that people agreed was way over the line and way too much and stuck it in this bill. And you're gonna here, I know you're gonna hear when constituents come up to those people who voted for this bill, are gonna say okay, but it was a budget bill, there's a whole bunch of stuff in there. I didn't like that section, but the other sections I liked so I had to vote for it and I would say no, you didn't. You could've said no. Madam President, one of the changes that strike me as being very significant is this; several years ago, this body passed the Public Retirement Plan. Now the Public Retirement Plan was a tied vote here in the Senate and Lieutenant Governor Nancy Wyman cast the deciding vote and what the Public Retirement Plan said was this; it was a party-line vote, that we're gonna take out of everybody's salary a little bit of money and we're gonna have you put that into a retirement plan because we know better than you that you're not getting ready for retirement so we know how to do this. So we're gonna take that out. So when there was a lot of rigmarole, it was well the way we're gonna do this is we're gonna create this agency and this agency's gonna give you different types of plans so if you're my age, which is still young, but you wanted a quick growing pension plan that maybe had some risk, you would maybe go into more risky investments because you had a higher rate of return, but if you're younger like Senator Haskell, perhaps you want a slow growth, no risk, because you're young and you're gonna be working for a while, or maybe you're middle age and you're saying I want a little bit of this and I want a little bit of that but you, who we took the money out, would have an absolute right to pick which retirement plan you

would like to be in. In this budget, you have voted in this budget to say no, no. We're taking the money out of your wallet, out of your paycheck, we're gonna invest it the way we want to, in the manner we prescribed and you have to deal with it. You have no say, no pick, no option, no discretion. We will tell you one plan fits all and you have no rights. That isn't how that bill was passed, even those who voted for it in this Chamber. That isn't how that bill was passed. That wasn't the idea and there was no bill brought forth to any committee to address this and clearly therefore, no public hearing.

You have the power to do it, doesn't mean you should. Madam President, I'm not gonna go through the healthcare bill because I think Senator Kelly did a great job on that issue. Madam President, the amount of taxes and fees in this budget sends the wrong message. You know it took us, for those of us who were in the room two years ago, we started negotiating the budget maybe in April and we didn't finish doing that budget until the end of October if not November, my recollection is and we had really good conversations, really good conversations. We had to protect social services. We wanted to make sure we sent the right message to the people. It was a divisive time in our country. We wanted to have a bipartisan get together so we could march out and say whatever's happening in Washington, it's not happening in Connecticut and here's the direction to move us forward. That did not happen this time. When you put a 1 percent tax on meals and beverages, I would argue you sent the wrong message and it isn't just one thing don't forget. You have the minimum wage going up and you've got the tax on beverages and restaurants. Thank God that shift scheduling didn't go through but if you add those

together, you are going to be increasing the cost to people at every facility who go out to eat. If you get a soda at a restaurant, just a soda, you're gonna be charged more. Digital downloads. That's just a money grab. It's just a money grab. We think plastic bags as Senator Kissel was talking about are so awful that rather than ban them, we gotta tax them. They're really bad, but if we're getting some money, they're not quite as bad as we may think they are. You know they're, they're sort of bad but a way to get some revenue? I can live with them for a couple of years. We could ban them in a year, but that doesn't balance the budget so we'll just charge you for it because it's easier than doing that. Ride-sharing, Lyft and Uber, I don't know what else is out there. We did 25 cents a ride. We broke that bubble. We had great discussion whether we should do this and we said, all right let's do it, but just like this legislature does and it would do with tolls is we'll raise it 5 cents. I guarantee if there were tolls on the road, we would see a couple pennies to 5 cents increase per mile on tolls and people would say well I don't like but it was in the budget. I had to vote for the budget. I didn't like that piece though. So we go up 5 cents on the ride-sharing. Same thing with vehicle trade-in. We said all right let's put \$300 dollars for vehicle trade-in in the bipartisan budget. Let's throw it in there. Once you break that bubble, awe \$300 is \$500 dollars. What's another couple hundred bucks. It's in there. They're gonna gripe about it anyway so make it go up \$200 bucks. Half the people won't even know until it happens.

Then we're gonna go up on dry cleaning and we're gonna go up on design services. Then we're gonna make sure if people leave this state, leave their

wallets. Then we're gonna go up on cigarettes. Then we're gonna go up on alcohol. And then, we're gonna create a \$5-dollar charge on another bill that never saw the light of day in this building or the LOB which is this whole thing about charging \$5 dollars for an electric car program with a rebate and we're gonna charge an extra \$5 dollars because we're gonna use that for rebate and that's a good thing until we get broke. Then we'll probably swipe that money but the point is, none of that ever made its way into any public hearing. There was never a public hearing on it and I guarantee two years from now when that money is in there, we'll say well, you know, the federal government did their rebate program, we don't need as much. We'll just take a couple bucks out of it and reduce the rebate so we don't have to raise taxes. We'll just take it out of that fund like we did the Banking Fund in this documents. But there never was a public hearing. Not one person had the opportunity to come up and argue whether that's good or bad. Nobody from the industry, nobody from the car industry, nobody from electric cars, nobody who said I got another idea. No, we just throw it in the budget and because you could doesn't mean you should.

Then, after all the tricks are done, after every pocket is turned inside out, after every little ounce of juice we could squeeze, there's a realization that we've run out of places to grab money. We just can't find it but we are assured \$15 million dollars in year two. We can't find it the budget says, we don't know where it's gonna come from so let's come up with an idea. I got it. Let's tell the OPM secretary to scour every agency, every place we can get a fee and come back and report to us that she found \$50 million dollars. There's not even enough there for this body who put

this budget together to find it. We gotta tell somebody to go look in every nook and cranny, under every rock to find out how we can squeeze out \$50 million dollars because we are out of ideas to raise evaluation. Really? Really? That's where we are now that we're gonna put in a budget? Eh, you know what, we gotta get this puppy outa here. Go find the \$50 million dollars, let us know when you find it, and then we'll enact it.

Madam President, I was saying as we pass, as this budget's gonna pass because I can count votes, we'll hear a sucking sound of \$550 million dollars coming out of this surplus and as we talk about the budget we have to talk about an issue that I said for the last three months was going to be pretty much an I told you so moment and what I mean by that, Madam President, are the social services. I said to this body every time we approved a union contract to the tune of \$100 million dollars, well \$90 million dollars, that if we don't raise SAGA and TANF and the disabled and we don't give them money so that the aid to the blind has \$9000 dollars less money, and the aid to the disabled is \$1.47 million and TANF, the poorest of the poor, \$4.2 million dollars, SAGA \$1 million dollars for a total of \$7 million dollars. If this budget did not rectify those social services, there has to be an answer from those who vote for this budget. You've put in a \$100 million dollars of increased cost including pension fringe and yet you froze, froze and it says the word froze, well freeze, all those increases across the social services, but you got \$100 million dollars for new contracts. Every time those contracts came up, all I heard in this circle was we got the money, we got the money, we got the money. The money never went to the people who need it most. The money never went to the neediest of the needy or

the core function of government which is to help those who cannot help themselves. They didn't get a dime. They got frozen. We talked about oh, we've got to get these lawyers, not that being a lawyer is a bad thing, but we gotta these lawyers a 3.5 percent increase, these tax lawyers every year but we can't give TANF a cost of living increase of less than 2 percent. We gotta give people making \$100,000 dollars plus 3.5 percent plus their health benefits, but we can't give SAGA a couple extra dollars. We can't find \$1 million dollars out of a \$21-billion-dollar budget for folks who are living under care who ask for \$10 dollars more to keep in their pocket. We couldn't find \$1.2 million dollars out of \$21 million dollars and by the way, when that was brought up, somebody opposed it and said not now. Well it wasn't now back then and it wasn't now being in this budget because that is not here so to argue not now meant really not ever.

How do you do that? How do you pass a budget that says we're gonna take care of \$100 million dollars of new contract liability but we are not going to give one more cent to social services? From the very first contract that came in front of this body I said, if you're gonna do this, at least have the common decency and courage to hold to that conviction that people need more money because there are rising costs in Connecticut and we are going to take care of those where a dollar means a lot to these folks. And every contract that came up except for maybe two that I didn't want to be too repetitive on, I made that same argument.

Madam President, while we're on that topic, let's talk about the savings in this budget that's under the word lapse. What lapse means is that there's an anticipated savings from the deal made with the

unions. Now there's two, there's three deals here so let's break them down. We got the TERS deal which is the refinance which I'll get to secondly probably but that we could do because statutorily we can do. That's fine. No argument there. Then we've got the savings with respect to Smart Shopper which is a savings which arguably a willing party, and a willing party being the unions in the state, could agree that they will use other doctors in other locales to keep the cost down and that apparently happened in this case, although I'm not 100 percent certain, it's not something I am challenging. The third one is the refinance of the pension plan under SERS, not TERS, but SERS. Under SERS, we have a contract with the unions and the contract says we are gonna make these payments for the pension plan and it's laid out. That is a signed agreement between us and the unions. The only way you can change that agreement is if the unions agree to change that agreement, number one, the rank and file vote to change that agreement, number two, the State of Connecticut through the Executive Branch negotiates that change, number three, and the final, final step is we approve a resolution that changes that contract. For those of us who were here in the Senate in 2017, that's exactly what happened when the same contract was renegotiated in 2017. Governor Malloy negotiated the deal during the fall, in December it was submitted to the Clerk's office here in the Senate, it was voted on by the rank and file, in February, first week of February, 17-17 tie, we had two vacant seats, Lieutenant Governor voted to break the tie and the deal was done. None of that has happened. I'm gonna repeat that. None of that has happened. There has been no agreement, there's been no memorandum, we haven't voted on it, it doesn't exist and when I said that earlier today, the response

from the Governor's office, quoting Mr. Livingston who represents the unions is, we are willing to have a conversation about it. We are willing to have a conversation about it. It wasn't even we have a deal in principal. It wasn't hey, we're really close, Senator Fasano, you're crazy, we have a deal, we're drafting it as you're talking. It was we're willing to talk about it. That's about as far away from a deal as you can get. That's even, that's as far away as you can get to the point that it is an idea that's floating out there without any conversations. I asked the Executive Branch to give me letters or emails and I couldn't get any because it's just conversation. But it's in the budget. Now earlier today, I made a motion that it shouldn't be before us and the reason I made that motion is because there is a constitutional requirement that we pass a balanced budget. There is a constitutional requirement that the Governor signs a balanced budget. By definition, this budget is not balanced. Now Senator Looney made a correct motion to argue the constitutionality of any law in front of this Chamber is not a subject matter for this Chamber and must be properly brought to the courts. Otherwise, you may argue that any law is not constitutional and we are not constitutional authority people so that was an improper motion for which I concur with the ruling of the Chair. But, nevertheless, make no mistake, the budget that is before you does not balance, admittedly by the unions does not have a deal to balance, and you are short. You are short almost \$400 million dollars. That's short by a long shot. That paragraph in there saying the secretary better find \$50 million dollars is gonna need a 4 in front of that 50. You are short by a long shot. This isn't and shouldn't be before us. It's not the right thing to do in the State of Connecticut. Some may argue well we'll fix

it. What does that mean? Look, you want to find \$2 million dollars, I'm with you. You want to find \$10 million dollars? I can get there. You want to find \$450 million dollars when you have the secretary you gotta already find \$50 million dollars in the second year? You've bled it dry. There is no \$450 million dollars to find. So why are we rushing a budget that's out of balance, that doesn't have a union agreement, that doesn't say what it's supposed to do which is we are gonna get the savings from the unions when we know that's not true. What could possibly be the rationale for taking the State of Connecticut and asking this legislature, this Chamber to vote for a budget that's completely out of balance? We have to get it done by the end of session? What, like we never had a budget that went past the end of session so we can sit there and say we passed a budget before the end of session, look how good we are? Well, yeah, if you're gonna pass a budget that's not a real budget, what difference does it make? Pass anything.

In 2011, we had this issue, some of you may recall. What we had was the following. We had a budget, there was a union deal on the table, everyone thought that was gonna get passed by a union vote, we were gonna right after that vote for a budget. That union deal fell through. The budget was amended to say the following: If the union deal does not get passed, the Secretary of State and OPM will find the necessary savings to fix the budget and there was a lawsuit on it after it was passed and the court dismissed the lawsuit for two reasons; one, it's an ongoing budget process because the budget itself is an ongoing budget process so it was premature and number two, there was a subsequent vote by the unions that said we'll accept the deal, so it made the issue pretty much moot. We don't

have any of that language in this budget. There is no contingency language to say if we don't have a union deal, then here's the process we'll go through. It assumes a savings that doesn't exist, and then people wonder why we're in trouble. Then people wonder why can't Connecticut get their act together. Madam President, that annoys me to an end because if we believe in the institution and we believe in the obligation we have sitting in this seat, Republican or Democrat, at the very least you owe an obligation to the state and the people who live in it to do a balanced budget. Now, if you're off a couple bucks cause your estimates are off, mea culpa and we may argue you're a little aggressive here and a little underestimating the expense there, fair game, but when it doesn't exist, how do you say it's okay? How do you say we did our job as fiduciaries? How do you look people in the face and say, yeah, no, this puppy's good? We're gonna do well with this budget. I heard someone say that this was the best budget they've seen. You know the last time I heard someone say this is the best budget, actually the two last times I heard people say this is the best budget I've seen was 2011, the largest tax increase that sent us into huge debt, and the second time was the budget that came in front of this Chamber that couldn't even get a vote. Those are the last two times I heard someone say this is the best budget possible to be in front of the legislature. When there's that much accolade, you gotta pull back the cover. Madam President, a lot of people talked about the pork and earmarks and our bipartisan budget. We did not have that. Madam President, I'm gonna wrap up at this point and say the following. When we talk about budgeting for the state, there's two parts to it in my belief. One, we gotta do the numbers part because the numbers matter, right? We gotta balance. Second thing we

gotta have a vision and the third thing is the budget is about priorities. That's all it is. What are the priorities of this State, arguably what is the priority of the Senate that represents the State? I would argue nothing is more of a priority than social services, mental health, drug addiction, disabled, disabled adults, the elderly, TANF, SAGA. Those are core functions of government because those are the people that need help and I have said this and those of you who were in the room when we did our bipartisan deal two years ago know I've said the same thing. You cannot make cuts across the board, they have to be surgical cause there's core functions of government that need to be protected because depend upon it and that's what we do. People are allowed to depend upon us to help them. So what is budget but a priority and our number one priority is social services. Second, we've gotta show a future. We've gotta show the kids that are growing up in this state there is a future. Look, I get that free college and we talk about it as a talking point. It says I'm gonna give you debt-free college because I want to be able to say we put debt-free college in the budget, but it's really not debt-free college because it's predicated upon the lottery to do the internet which they don't have at this time, but when they do and if they get there, we'll have a conversation about it, but we got it in our budget. What? What the heck is that? We can have a conversation about those things and we can find novel ways of getting there, but let's have a conversation about those things. That's a good direction for the state. Jobs, good direction for the state. Being able to live in this state without going broke. All of us have heard it, some of you may deny it, but you've all heard it, I'm leaving the state because it's too expensive, whether it's taxes or cost of living or property taxes or gas,

whatever it is. It's too hard to live in the state. We all have heard it. Some of us may admit it more than others, but we've all heard it. We have to send the message that we hear you and we want you to stay. That's why, by the way, the bipartisan budget doesn't tax Social Security and cuts down on pensions because we had that conversation. We said we want to keep people retired in the state rather than leaving the state. Over 25 percent of state employees leave our state and their checks go with them. We want people to stay here and if you're getting a retirement check, heck, you'd rather be in a state that doesn't tax your retirement money. That's money in your pocket. Money to give to your kids or buy something. You stay in this state, we're gonna take it from you. Why? Because we can. Those are the directions that we have to talk about. And then you take those principals, those ideas, those values, that direction, that future and you build the budget around those key components. That's the way you do it, not with 63 new laws, some of which never got a public hearing. Not with a hodgepodge of ideas. I think Senator Kissel also mentioned this, a hodgepodge of ideas all in a bag, shook them all up, and then we wrap revenue around it, put on a bow and say vote for it. That's not a plan. That's just everybody saying I want mine so you can get yours and then we'll wrap revenue around it and everybody will be happy at least from one side of the aisle. That's how 63 bills get in the file and we all know it. We all know it. So, Madam President, I believe this is the wrong direction. We can do better. Frankly, we have done better. Frankly, together, we did the budget two years ago that put a path that I think we all talk about every single time the budget being talked about, appropriations, finance, on the floor here we talk about surplus, the most ever, how good this budget

is, we're not taxing this, the growth in the economy. That didn't happen by magic. That happened by a bipartisan budget where people got together and shared ideas. My view of the world is different than each and every person's in this room and each and every person's view is different than my view. Nobody's right, nobody's wrong. It's a question of how we can come together to do something. That's what we're supposed to do. That isn't what was done this year. I promise you, we are going to be back in this Chamber for two things. One, we're gonna be back because this union deal is nowhere near any lifeform and it's gonna be a problem because you're not gonna get those savings. Two, we got the hospital tax that is talked about in here, but there's no language in here that makes it happen so we gotta come back for that one and three, we're gonna have a shortfall. We're gonna have a shortfall. Now, one may argue well, Len, we're not budgeting 100 percent of our income so we got a buffer, but if you use that buffer to pay expenses I would argue, why are you doing a buffer? You gotta keep that buffer sacred. We will be back here and I hope when we do, I really hope when we do, not people rhetorically saying my door is open because doors were open but nobody was home, but saying let's have a conversation together. Let's talk. Let's sit down in a room and say what are your ideas? Here's mine. Let's get the leaders together. Between the leaders and the chairs of the committees and ranks, we've all served with each other for a whole lot of years. We all get along but yet we never had one conversation about this budget. We've known each other for years and we enjoy each other's company on top of it. So what kept us out of the room? Partisanship. Partisanship. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Fasano. Will you remark further on the legislation that is before the Chamber? Good evening, Senator Looney.

SENATOR LOONEY (11TH):

Good evening, Madam President. Madam President, I was just going to get up and say good bill, oughta pass, but I think in light of the discussion and the volume of comments that have been made, I think I do need to say a bit more. I think that Senator Fasano and I are not reading the same document, certainly with the same overall impressions because in my view, Madam President, despite the great deal of hand-wringing on the part of the minority party in both Chambers, this really is a strong and forward-thinking budget for the State of Connecticut. We've heard some comments that it doesn't have a vision, doesn't have a purpose. I think it does. I think it shows confidence in the future of this state and will move us in that direction in a way that we'll all be proud of.

First of all, I just want to mention just a few of the highlights. The budget maintains our pledge to cities and towns especially through the ECS funding. In a bipartisan way, we did come together to develop a new formula in the 2017 session and after ten years of not adhering to a formula at all and basically proceeding on an ad hoc basis, we did adopt a new formula and it was an extremely process and we are to phase in this formula over ten years. Now, there had been a proposal earlier in the Governor's budget to accelerate the phase-in of the ECS reductions and to make an alteration to what we had done in that bipartisan budget. But what we are

maintaining is that ten-year schedule and an increased commitment to ECS of almost \$38 million dollars in the first year of the biennium and over \$75 million dollars in the second year. This is hugely important to our cities and towns that have, that they will have a predictable system of state funding in which to do their budgets. In addition, Madam President, we've had some discussion of debt-free college and that is also something that provides great hope and I think greater confidence for the middle class and aspirational young people in this state. We all know that student debt is one of the things that's casting a shadow over the lives of many young people in this state, and community college in particular is the starting point for people from low and moderate income families who want to get higher education in our state and because of the difficulties and the cost, we have seen that enrollment in community colleges fell by over 5500 students between 2010 and 2018 and it's projected that under this new program, we will see an increase of maybe 3000 students in the next five to six years and we need college graduates and we need to encourage our young people to strive for higher education because the jobs in the future as we know will require more than secondary education. So our neighbors in New York and Rhode Island have started similar programs and Oregon and Tennessee have also adopted similar programs and we must keep pace and this bill will start, this provision will start us in the process of doing so.

There was a great deal of discussion about the pass-through entity tax for revenue and as well all know, the genesis of that was what President Trump and the Republicans in Washington did in 2017 in passing a tax increase focused on specific states in our nation and targeting most those who have reliance on

property taxes to the extent that we do and the loss of the SALT deduction was a cruel blow in Connecticut or the limitation of it to \$10,000 dollars and what we are doing with the pass-through change is recognizing that OFA has estimated that the creation of this will save Connecticut residents over \$300 million dollars. That is the creation of the pass-through entity tax in 2017 resulted in the saving of about \$300 million dollars and IRS data says approximately 63 percent of all the pass-through entity funding is paid by individuals whose income is over \$1 million dollars a year so in fact, and a full 80 percent comes from those with income over \$500,000 dollars a year so this is primarily targeted at those who can best afford to pay it.

Also, Madam President, in terms of other priorities in the budget, it contains \$11 million dollars in Fiscal Year 20 and \$18.5 million dollars in Fiscal Year 2021 for wage enhancements for those workers who care for family and friends in our nursing homes, critically important. Nursing homes in Connecticut were facing potential strikes at 20 nursing homes and besides the potential threats this provides to those most in need of care, the strike would have cost over \$1 million dollars a day to manage. Again, there has been a great deal of discussion about the Special Transportation Fund, assertions that money had been stolen somehow from the STF, but I'd like to clarify that. Going back a little bit in history, in 2015, when the legislature and Governor were negotiating a budget, at that time it was decided that 0.5 percent of the sales tax would go into the STF and 0.5 percent would also be given to cities and towns in recognition of high property taxes and there was a need for new revenue sources for our municipalities and at the same time, we had to find a way to supplement traditional

revenue sources for the Special Transportation Fund as our gas tax revenues continue to be flat and are projected to be even flatter which is why we are grappling with that problem now. While we've been unable to continue that 0.5 percent of sales tax to cities and towns, the 0.5 percent devoted to transportation has continued but it's so severe obviously that we have also, it's so severe that under the bipartisan budget adopted in 2017, we began a phase-in of the sales tax as well from all new motor vehicle sales which also provided a new revenue stream for the STF so the combination of the 0.5 percent sales tax and the new motor vehicle sales tax under this budget will provide about \$640 million dollars in sales tax revenue in the aggregate to the STF by Fiscal Year 22 so OFA tells us that by Fiscal Year 22, our traditional gas tax will only generate about \$505 million dollars for the STF so in fact, by that time, sales tax revenue will in fact become the largest component of STF revenue and in fact, the General Fund will in fact be subsidizing the STF by about \$640 million dollars by that year, and by Fiscal Year 24 it'll grow to \$755 million dollars so when I hear my friends and colleagues talking about money being taken from the STF, I have to wonder why it is that when a \$755 million dollar transfer into the STF can be characterized as stealing money from the STF so we are fully committed to doing the responsible thing there.

Also, Madam President, other highlights in this budget, we are all concerned about job creation and workforce development. It funds the jobs Funnel Program over a million dollars each year, Manufacturing Pipeline Initiative \$2 million dollars a year, Healthcare Apprenticeship Initiative half-million dollars a year, Connecticut Youth Employment

Program \$5 million dollars each year, Cradle to Career \$100,000 dollars each year, Pilot Reentry Program \$800,000 dollars a year, Veterans Machinist Training \$250,000 dollars each year. These are all responses to the need for job creation, workforce development and finding ways to match up our workforce with the economy as we head further into the 21st century.

In terms of fiscal responsibility, we will now have a rainy day fund of about \$2.6 billion dollars. The budget has an extraordinarily low growth rate in state spending in 2020 of only 1.7 percent, about 3.4 percent in Fiscal Year 21. In fact, the percentage of increase in the parts of the budget that are not fixed cost really is even lower than that at about 3/10 of a percent.

Also the hospital agreement that the Governor is reaching with the hospitals will relieve us of a significant potential liability that would hang out there if those lawsuits went all the way to a potential conclusion and it's important to mention again that the budget is under the constitutional spending cap, although of course narrowly in the first year. It's under the bonding cap, under the expenditure cap and under the volatility cap as well so these are all responsible achievements in this budget with being aware of our limitations, being aware of our constraints and still meeting the major needs of our people including funding for juvenile justice, about \$11.7 million dollars in Fiscal Year 20, \$10.2 million dollars in 2021. Funding for a new state trooper class, funding to staff welcome centers and restore the hours of operation at the rest areas for our highways to give Connecticut more of a welcoming appearance for tourism so \$500,000 dollars each year in new funding for the Connecticut

Diaper Bank. These are all important initiatives as well as funding for individuals with intellectual and developmental disabilities including employment and day services for new high school graduates and individuals aging out of DCF services as well.

Madam President, there was also a great deal of discussion on the reamortization of the Teacher Retirement Plan. We had discussion from our state treasurer who pointed out that the cost of the Teachers' Retirement Fund restructuring over the revised 30-year period from 2020 to 2049 as compared with the estimated actuarially required payments under the current framework for the teachers' retirement fund due to the bonds that were issued in 2008 to deal with that shortfalls would be estimated at about \$1.9 million dollars on a present value basis because for the first 13 years of the restructured amortization, the savings to the state would be about \$3.15 billion dollars and then for the next 17 years after that, the cost would be about \$5.417 billion dollars so the net cost is about \$1.9 billion dollars and it is a way to in effect smooth out those payments to make them affordable as we get back on track.

One final thing to mention, Madam President, is the creation of the Municipal Redevelopment Authority and that's something I would very much like to thank and acknowledge the great work of Speaker Joe Aresimowicz on that issue. It is modeled after the Capital Regent Development Authority which has been of singular importance in helping development projects occur in Hartford that might otherwise have been unable to aggregate the financing for those projects so we have set aside \$500,000 dollars in each of the next two years to launch this municipal development authority and to qualify as a member

communities, cities or towns must demonstrate they are in financial or have a population of at least 70,000 members and the idea is to spur transit-oriented development which we all know is important in our central cities, the revival of core business districts and also new or rehabilitated housing and demolition or redevelopment of vacant buildings. All the things are critically important not only to Hartford, but to New Haven, to Bridgeport, to Waterbury, to other communities in our state with similar needs. Bonds to be issued by the authority would not count towards the state's bond cap although the state would provide a guarantee. This is hugely important and it's something that the other cities in our state for a long time wished they had because they've seen the Capital Regent Development Authority as being such a vital component for the city of Hartford and now they will be able to have something similar.

So there are so many things here, Madam President, that do point to a forward-looking, confident future for the State of Connecticut and this budget recognizes it in ways that recognize our constraints, but also recognize our potential and recognize our needs, but also recognize the fact that people in Connecticut are entrepreneurial, hopeful, positive and confident and that is what we are reflecting in this budget which I do think embodies a significant vision so I would very much like to thank the Governor's administration for their on this and especially of course our Appropriations Committee Chair, Senator Cathy Osten and our Finance and Revenue Bonding Chair, Senator John Fonfara, the great work that they have done on this along with their counterparts, Representative Walker, Representative Rojas. I wanted to thank our majority leader, Senator Duff for his great

consensus building work in this entire process as well as the leadership of the House, Speaker Aresimowicz and majority leader Matt Ritter. So I believe that this budget which has passed the House of Representatives and I hope will pass the Senate in a few minutes is something of which we really can be proud and does respond to the needs of the people of this state and truly does keep faith with them. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Looney. Will you remark? Will you remark further on the legislation before us? If not, Mr. Clerk, please call the vote. The machine will be opened.

CLERK:

An immediate roll call vote has been ordered in the Senate on House Bill 7424. An immediate roll call vote has been ordered in the Senate on House Bill 7424. An immediate roll call vote has been ordered in the Senate on 7424. An immediate roll call vote in the Senate on House Bill 7424. Immediate roll call vote in the Senate. An immediate roll call vote has been ordered in the Senate on House Bill 7424. An immediate roll call vote has been ordered in the Senate on House Bill 7424.

THE CHAIR:

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

CLERK:

bb
Senate

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June 4, 2019

House Bill No. 7424.

Total number voting	36
Those voting Yea	20
Those voting Nay	16
Absent and not voting	0

THE CHAIR:

[Gavel] The budget is adopted. Mr. Clerk. Oh, Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, does the Clerk have Senate Agendas No. 2 and 3 on his desk?

THE CHAIR:

Mr. Clerk.

CLERK:

The Clerk is in possession of Senate Agenda No. 2 and No. 3 dated Tuesday, June 4, 2019.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I move all items on Senate Agendas No. 2 and No. 3 dated Tuesday, June 4, 2019, be acted as upon as indicated and that the agenda be incorporated by reference into the Senate journal and Senate transcripts.

THE CHAIR:

So noted and so ordered.

SENATOR DUFF (25TH):

And immediately placed on our Calendar, please.

THE CHAIR:

So noted and so ordered, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. Would the, two items to go please and we can do these two bills first?

THE CHAIR:

Yes, please, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. On Calendar page 33, Calendar 486, House Bill 7156 go, followed by Calendar page 66, Calendar 226, Senate Bill 224 go, and if we could stand at ease for a moment, please.

THE CHAIR:

And the Senate will stand at ease. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, if the Clerk can call the first bill. Thank you, Madam President.

bb
Senate

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June 4, 2019

THE CHAIR:

Mr. Clerk.

CLERK:

Page 33, Calendar No. 486, Substitute for House Bill No. 7156, AN ACT CONCERNING THE PROCUREMENT OF ENERGY DERIVED FROM OFFSHORE WIND. (As amended by House Amendment Schedule "A" LCO No. 8292). There is an amendment.

THE CHAIR:

Good evening, Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Thank you, Madam President. Very nice to see you after that long debate on the budget. I stand here looking to move acceptance of the Joint Committee's Favorable Report and passage of the bill.

THE CHAIR:

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

SENATOR NEEDLEMAN (33RD):

I think there is an approved bill [sic], LCO 8292. I move acceptance of that. Can the Clerk --

THE CHAIR:

Yes, will the Clerk please call that LCO number? I see, sorry, that's the House Bill.

SENATOR NEEDLEMAN (33RD):

Yes.

THE CHAIR:

Okay. Apologies, sir, please proceed.

SENATOR NEEDLEMAN (33RD):

Sorry for that misunderstanding. I had a script from another bill. So I'm here to propose acceptance of this very, very significant piece of green energy legislation. This is one of the largest job creation bills that we'll be taking up this year. It will allow for the state and DEEP to procure 2000 megawatts of renewable class 1 carbon-free energy from offshore wind and I think that this has far-reaching implications for the state. This amount of wind power will be enough to replace Millstone when Millstone goes offline. It's approximately the same amount of energy and it is a major step forward in meeting our renewable energy goals. With that, I ask for any questions.

THE CHAIR:

Thank you, Senator Needleman. Will you remark further on the legislation that is before the Chamber? Good evening, Senator Formica.

SENATOR FORMICA (20TH):

Good evening, Madam President. I rise for some comments on the legislation.

THE CHAIR:

Please proceed, sir.

SENATOR FORMICA (20TH):

Thank you, Madam President. First, I'd like to commend the good chairs of the Energy Committee for their hard work and their bipartisan effort in moving all of the bills in Energy forward, but in particular, this very important bill for the State of Connecticut. I had the great opportunity in 2005 to come up here and begin my term on the Energy Committee and have served since then in various capacities on the Energy Committee and understanding over that period of time the connectivity and the complication of all of the energy goals for generation and transmission here in the State of Connecticut that we're trying to put forward to get the best price for the ratepayer. We heard about the problems that are happening with nuclear around the country, Madam President. We saw that those problems manifest themselves here and we put a solution together on the Energy Committee that would solve that problem. In a bipartisan effort, the Governor came through and closed that deal. All along, we have said that that is the beginning. All along we said we must secure our baseload power as a bridge to the energy future which we know is renewable. Rooftop solar, grid scale solar is moving forward, but the difficulties of acquiring land for large solar projects here in the State of Connecticut because of its expensiveness makes that difficult.

Offshore wind is a new and emerging opportunity. It's an opportunity the first of its kind here in the northeast section of the United States, specifically in our great ports of Bridgeport, New Haven and New London. New London with its deep

water portability, with its convenience and unobstructed opportunities to get to the far reaches of 40 and 60 miles offshore unobstructed make it the perfect place for staging. Bridgeport as well. This will create the opportunity not only for our future energy power, but for jobs and an economic boom not only to Southeast and Eastern Connecticut, but in our entire state because I believe Bridgeport too is poised to benefit from this great industry over time.

You know, Madam President, the longer I'm here and I've said this before, the more I realize that government is like a blueberry pie. You take a slice of blueberry pie out and all the blueberries tend to go together. Everything is connected. Everything is connected and when I was Chair of the Council of Governments as first selectman, I had the great pleasure of working with Congressman Courtney and the people on the southeast COG, the leaders of 22 other towns where we helped the congressman procure TIGER grant, a TIGER grant that was used to increase the capabilities of the freight line that connects the port of New London going north through Norwich, through Willimantic, through Stafford Springs to Brattleboro, to Montreal, left and right to New York and Los Angeles and why is that important for this initiative tonight? It's important because if New London's pier is going to benefit from reconstruction and renovation and have the opportunity to be the staging area for this new industry of offshore wind, then in the future we're going to need opportunities for component assembly, for manufacturing and for opportunities to grow that industry and what better place to locate than those areas in Norwich, Columbia, Willimantic and north that we can access by that freight line? Bring those parts and components down to the pier in New

London or bring them down to Bridgeport and find ways to get those on barges and get them 45 miles out to sea where this offshore wind can benefit our state and our New England coast.

So everything is connected. New London is ready. The Energy Committee is ready. The New England portion of the United States is ready because our continental shelf is such that it's a perfect staging area before it drops off into the depth to stage and have these turbines built which have been improving over time. Now, Madam President, I would say to you that this is a new and emerging industry. It's going to collide with an industry that has been here for generations upon generations upon generations and that is our fishing industry. Our fishermen, who have been out there for families, generation after generation so it's important, and we have been working together to try to mitigate and offset any negative aspect that will take to the fishing industry out there and to marine life in general. So for legislative intent and as part of this bill with each of these procurements and the good Chairman talked about 2000 megawatts. Those will be procured in sections of 400 megawatts each and in each of those 400-megawatt procurements there will be a fisheries mitigation plan to make sure that during each mitigation, during each procurement, we will take care to do the best we can to protect the quality of our marine life and the quality of our fishing industry by giving them safe and unobstructed access to resources, hold harmless for elisions and entanglements and compensation for any loss of gear or time. Make sure that they can properly transit into the lanes for safety and have limited exposure to risk amongst their cable.

So Madam President, this is a good bill, it is a forward-thinking bill, it is a bill with dovetail with our baseload power as it begins to think about exiting the system in 10 or 12 or 15 years if we can get that long out of nuclear. Offshore wind will be the opportunity to replace a lot of that. So Madam President, I stand in strong support of this bill. I urge my colleagues to think of the future and to support this bill as we forward. Thank you very much, Madam President.

THE CHAIR:

Thank you, Senator Formica. Will you remark further? Senator Maroney to be followed by Senator Somers.

SENATOR MARONEY (14TH):

Thank you, Madam President. For the purposes of legislative intent, I would like to ask a few questions or just one question of the proponent of the bill?

THE CHAIR:

Please proceed, sir. Senator Needleman, prepare yourself.

SENATOR MARONEY (14TH):

Thank you. I'm fortunate enough to represent the town with the largest coastline in the State of Connecticut as well as the oldest and with all due respect to the good Senator from Norwalk, the oldest and largest Oyster Festival in the State of Connecticut [laughter] and with that being the case, you may guess that we have some commercial fisherman

and they have expressed some concern so I just want to ensure that their concerns are being taken into account. Senator Formica had mentioned a few of their concerns, but I just wanted to be make sure that there would be a consistency review to Connecticut's Coastal Management Act or other applicable policy or law with purview of Connecticut's coastal waters, and opportunity for them to review draft environmental impact statements and to require protections for fisheries that are at a minimum equivalent to any protections adopted by the State of New York.

THE CHAIR:

Thank you, Senator Maroney. Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you, Madam President, as a longtime fisherman fishing in the waters that we're talking about the wind energy going, it is my understanding that DEEP is going to take every one of these things into account with regard to each procurement. As Senator Formica said, each procurement will be evaluated separately with every intention of making sure that the fishing grounds that this is going to impact are going to be looked at very carefully and make sure that we minimize the impact.

THE CHAIR:

Thank you, Senator Needleman. Senator Maroney.

SENATOR MARONEY (14TH):

I thank the good Senator for his answer. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further on the bill that is before us? Senator Somers.

SENATOR SOMERS (18TH):

Yes, good evening, Madam President. Through you, I have some question for the proponent of the bill.

THE CHAIR:

Please proceed.

SENATOR SOMERS (18TH):

Well thank you, Senator Maroney having the largest shoreline in Connecticut. I have the last commercial fishing fleet in my district here in Connecticut or the last largest commercial fishing fleet, which is very small by the way. So I have some questions for legislative intent concerning certain sections of the bill that I would like to get on the record if possible?

THE CHAIR:

Please proceed.

SENATOR SOMERS (18TH):

Okay. Thank you. So on lines 36 through 45, I'd like to ask some specific questions as far as, the bill refers to the term wildlife. Does wildlife include birds?

THE CHAIR:

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Senator Needleman.

SENATOR NEEDLEMAN (33RD):

It is my understanding that it does.

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Thank you. Does it include mammals and fish also?

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you, it is my understanding that it does.

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Thank you. Are there any other categories that could be included in the term wildlife?

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you, Madam President, the fisherman. No, I'm only kidding. [laughter] Some of them are kind of wild out there but I would think that would cover most of it.

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Thank you. I just want to read the definition from DEEP. Wildlife for them means all species of invertebrates, fish, amphibians, reptiles, birds and mammals which are found wild in nature. Would you agree with that definition?

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you, I do.

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Thank you. Through you, Madam President, what is meant if you can describe for us on the record, "will avoid, minimize and mitigate any impacts to wildlife, natural resources, ecosystems and traditional or existing water-dependent uses including, but not limited to commercial fishing." Could you describe that a little more for us?

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you, Madam President, it is my understanding that DEEP in doing each procurement will look at every one of those factors and make sure that the impact, we mitigate the impact on all of the aspects of wildlife in that area to do everything they can to make sure that they are as minimally impacted as possible.

THE CHAIR:

Thank you, Senator Needleman. Senator Somers.

SENATOR SOMERS (18TH):

Thank you. So when we talk about mitigating any impacts to wildlife, we're talking about mitigating any impacts to birds, to fish, to invertebrates, to reptiles, and other mammals, correct?

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you, that is correct.

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Okay. Thank you. Does this language include the ability to provide mitigation that could take place outside of the actual physical location of the wind turbines?

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you, can you say that one more time?

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Sure. What we're trying to find, what I'm trying to find out for legislative intent is could this mitigation take place outside of the actual physical location of where the turbine is? For example, if instead of a bird being hit necessarily by you know a windmill, could the mitigation have to do with because they're, I'm making this up because there's some kind of bird issue that they're not laying nests on a beach, could it be all included or is it solely just where the turbines are?

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

I think it would, through you, Madam President, I think it would have to do with the movement of the turbines out there to make sure that had a minimal impact. I'm not sure that anybody could guarantee that a turbine wouldn't hit a bird at some point or a bird more likely hit the turbine, but again, I think that there is a very significant intent to make sure that every aspect of this is mitigated with regard to the impact on wildlife.

SENATOR SOMERS (18TH):

So would you say --

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Thank you. For example, a mitigation proposal could include or could possibly include payments for the ecosystem improvements or the permanent protection of coastal species along Long Island Sound as a possible mitigation?

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you, I would think that that would be up to how DEEP managed the procurement.

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Okay. Again, this is for legislative intent and to be on the record. Could the mitigation include a mitigation fund to pay commercial fisherman for the hardship that they may encounter as a result of the construction or operation of the selected wind turbines?

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you, although that's not specifically mentioned in the legislation, I would think that DEEP would be doing that.

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Thank you. The reason I ask that question is because in the original language, it was in the bill, a specific mitigation fund and I noticed it has been taken out of the bill in this amendment. I want to make it clear that the State of Rhode Island has run into issues concerning this specific problem, the mitigation fund that was not originally set aside for commercial fisherman, and now they've had to go back through their State Senate and try to recreate that and that's why I'm asking that question, and what I'm hearing you say is that would be handled through DEEP and the commission; is that correct? That they're going to establish?

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THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you, yes.

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Okay. And I had originally asked why the specific requirements as far as mitigation were taken out of the original bill and I was told in conversations with DEEP that the reason it was taken out is because it was very narrow in its description and if we had that language stay in the bill, it could tie their hands or make it more difficult in the future and that's why they set up the commission; is that correct?

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you, Madam President, yes, I believe that the intent is to give broad authority to DEEP to manage this.

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Thank you. Now, I understand that there is a commission on environmental standards that's being put together by the DEEP and that that is comprised mostly of individuals with environmental background. There are some legislators, there are some commercial fisherman on there and they will be coming up with what they would like to see as recommendations concerning the RFP and the environmental standards; is that correct?

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you, yes.

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Do you know whether this commission will be required to submit an actual written report when it's finished with its recommendations?

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you, I am not sure.

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THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Okay.

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Okay.

SENATOR NEEDLEMAN (33RD):

Excuse me, I'm sorry, through you, yes. The commissioner just gave me a thumbs up so absolutely.

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Great. Thank you. Will that report will be public or would it be posted on the DEEP's website?

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you, I got another thumbs up, yes.

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

I'm just going to keep asking questions cause it's just thumbs up all the way here. This is awesome. And will this environmental commission focus on the impacts to wildlife in addition to potentially commercial fisherman?

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you, yes.

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Wow, this is great. Okay. So could you describe how after this commission gets together and they come up with the recommendations, how is that gonna be incorporated into the RFP for the solicitation?

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Senator Needleman.

SENATOR NEEDLEMAN (33RD):

I am not sure.

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Could you give me an idea?

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you, I would assume that they will have a study and write up recommendations and we will look at them and they will be part of every RFP.

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

The reason that I'm asking that question is because if you read the bill, it says that the RFP for the first procurement needs to be issued no later than 14 days after the effective date of the bill so I'm wondering how this commission can get together so quickly and be able to provide recommendations that would be used in the initial RFP. You know, how are

they considered so quickly to be able to get out to solicit a request for proposal?

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you, so my understanding is this is not the first RFP for wind energy and a lot of this work has been done already.

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Thank you for that answer. So are you saying that the work or the standards are already in existence or is this commission going to be making recommendations for the standard because those are two conflicting answers?

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you, so as I understand it, a lot of the work has been done and they will continue to do it and the reason that they want to do an initial procurement is because some of the federal tax credits are going away and we want to get the first tranche of this in with those tax credits.

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THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Okay. So I'm a little confused on that because if the work is already done then according to the bill, this Commission on Environmental Standards is supposed to be participating in writing what those environmental standards are for the people that are going to be submitting a procurement on this first tranche of 400 megawatts so if it's already done, how would this commission that's not been established yet as far as I understand be able to weigh in?

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

So again, my understanding is that a lot of that work has been done ahead of time.

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Can you tell me how the work has been done ahead of time if the commission has not been set up yet?

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you, I cannot.

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Okay. That gives me great pause. I will tell you that because if I'm reading this correctly and perhaps we can stand at ease so you could ask the DEEP Commissioner, it appears or from what I have been told that this Commission on Environmental Standards is supposed to get together and set the standards for what the environmental, what they would like to see as far as the proposal from the potential bidders on this wind farm and if we don't have this commission set up, they haven't been able to meet to provide input, whether it be how far out these wind farms can possibly be spaced so they navigate through them to a mitigation fund to whatever it may be, then it is alarming that what is read in the bill is different than what you're telling me so can you address that?

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

So again, my understanding is that a lot of the background work has been done and although the RFP is gonna be done quickly, there is no necessary time limit for the issuance of the award for the

procurement so there is plenty of time for them to do all that work and I actually have a lot of faith that they will get that work done because they are the Environmental Protection Agency and their desire is to make sure that this impact is mitigated as much as possible.

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Okay. So maybe I'll rephrase my question. Will this Commission on Environmental Standards that has not yet met, will they be providing I guess input on the first RFP that will go out because if you're telling me the work's already been done, then the answer would be no unless you're sending out an RFP and you will follow up at a later time with a supplement that would have the requirements, but I'm assuming this commission would get together, they would discuss it, they would vote amongst themselves along with the DEEP and come up with the standards.

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you, Madam President, my understanding is that the work that has been done is the background work. The commission has not been formed, but because there is so much background work that has been done, they will be off and ready to go once they get the commission formed.

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

So would the DEEP be able to provide us, if they're ready to go, with what these environmental standards would be for the RFP? Concerning specifically the commercial fishing and wildlife.

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

So the commission, through you, Madam President, the commission will determine that and it will be done through the RFP.

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Okay. I'm feeling like I'm not getting my questions answered so when is the commission going to convene?

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

I am not aware of that.

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THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Would you be able to give us an idea in section 25 through 157? I'm sorry, that's wrong. There is a list of items 1 through 7 that the, I guess it's the DEEP will take into consideration when they make their award and 6 and 7 have to do with the environmental impacts. Are they weighted in any special way or you know if the person who comes up with the proposal scores high 1 through 5 but doesn't provide an environmental impact let's say on 6 to 7, is it evenly weighted or can you talk about how the distribution is on the weighting of those different categories for the award?

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you, Madam President, no, I cannot.

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

So is it possible, not that this would happen, but is it possible that the commissioner could perhaps not look at items 6 and 7 in making a selection of a proposal or do they have to look at all of the items when, and I can list them through. Like it talks

about number 1, the proposal is in the best interest of the ratepayers, number 2, the proposal promotes electric distribution reliability. Number 3 is any positive impacts on the state's economy. Number 4 would be whether the proposal is consistent to reduce greenhouse gases. Number 5 is whether the proposal is consistent with the policy outlined in the Comprehensive Energy Strategy Plan. Number 6 is whether the proposal is consistent with the goals set forth under the section which has to do with the commission, which you said is already actually, they've already determined that, and whether the proposal uses practices to avoid and minimize and mitigate wildlife natural resources as I read before so I'm wondering how they're weighted. Could somebody put in a proposal that avoids addressing number 7 completely?

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you, no. I think that all of those things will be considered. I just can't give you the exact weighting, but I think they're all important and they will all be part of the final determination.

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

So for legislative intent, it would not, it would be fair to say that there would not be a proposal submitted to the DEEP that could be awarded that

would not address the mitigation that is necessary for wildlife or commercial fishing; is that correct?

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

My understanding is that it will, it is not possible to not address it.

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Thank you. My last question would be, I did not see anywhere in the bill and I could've missed it, where we talk about when you go out for an RFP, all of these things are required which I think that they should be required because of the experience that other states have had, and I think it's very important that we have renewable energy sources and that we are moving in this direction, but it cannot be at the expense of a historic you know industry that we have here in the State of Connecticut and I hope that they can find a symbiotic relationship to work well together. My concern is I did not see any language in here that said when the award is actually made, that it must contain a mitigation plan for wildlife and for commercial fishing. It talks about a request for proposal, but it doesn't talk about the actual award. Can you address that at all? Or I might've missed it in the bill.

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you, Madam President, my understanding is every bid has to have a mitigation plan with it.

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Thank you. So you're saying that an award would not be made from the State of Connecticut unless it had a mitigation plan that would address the factors that are identified by this commission?

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you, my understanding is that no bid would be accepted without it.

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Yes, thank you. I'm sorry, I couldn't hear your last response. Could you repeat that?

SENATOR NEEDLEMAN (33RD):

Through you, my understanding is that no bid would be accepted without it.

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Thank you very much. Those are all my questions. Thank you.

THE CHAIR:

Senator Somers, thank you. Will you remark further on the bill that is before the Chamber? Good evening, Senator Bradley.

SENATOR BRADLEY (23RD):

Good evening, Madam President, it's an honor to see you this afternoon, this evening and I just want to simply say that we've talked a lot in this Chamber about how we can transform the State of Connecticut and we just deliberated here for maybe about six hours about how we can be transformative and I took a sound piece of what some of my colleagues on the other side of the aisle and that is that we have to find innovative ways to put Connecticut back to work and I couldn't agree more and even though I commend Senator Fonfara for the tremendous work he's done and Senator Osten for the tremendous work she's done, I believe we can always do more and even though this budget was something which was revolutionary in many aspects in bringing a lot of people together, what Senator Needleman is bringing forth here today is exactly what the State of

Connecticut needs. It's a project to make sure that places like New London, places like New Haven, places like Bridgeport are going back to work. And we're not talking about a race to the bottom, talking about industries of old and jobs of old that have left this great country and are never coming back. We're talking about the future. When we talk about renewable energy we're talking about getting jobs that are real for today, that are high quality, that are high paying, that ensure that places like Bridgeport are gonna be back on the map and when places like Bridgeport are back on the map, Connecticut is back on the map. This is not just simply about looking after all the things that we need to look after. This is about making sure that blue collar folks, regular every day Joe's have once again human dignity, that we ensure that they have jobs again in the state and when you look at what this project's gonna look like, you look at the plans that they've laid out, these are pristine white fields as far as the eye can see of wind farms all over Bridgeport God willing, all over New London God willing, all over New Haven God willing, these are ports that are ready to work and people that are ready to work and I commend Senator Needleman for the hard work that he's done in preparing this and bringing this forward. I commend the leadership for the hard work that they've done and having the courage to bring this forward. I know there's been a lot of people in my great city that are starving for this opportunity, that are willing to pull themselves up by the bootstraps, that want to be part of this work force, that want to be part of progress and this bill does exactly that. It ensures that we're no longer a state that simply to tax people or simply looks to push people out or simply looks to marginalize people. We ensure that everyone has an opportunity to do what this country

does best and that's breathe free air. So thank you Senator Needleman for the work that you've done and bringing this forth and I encourage every single Senator to please vote for this because it's what gonna put Connecticut back on top. Thank you.

THE CHAIR:

Thank you, Senator Bradley. Will you remark further on the legislation that is before the Chamber? Will you remark further on the legislation that is before the Chamber? Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Thank you, Madam President. I just wanna reiterate. First of all, this committee worked together in a bipartisan way to pass this bill and several other bills. Most people know that Senator Formica and I have a longstanding friendship, but we work together very close with Representative Arconti and Representative Ferraro in a very bipartisan way to come up with a bill here and then the other bills that we're gonna bring out that will move the state forward. This is a jobs bill as much as a green energy bill. We are paving the way for the future of our children and our grandchildren with good clean energy that will supplement our baseload energy in a great way. This may be the single largest economic development policy and economic development piece of legislation that this body will pass this year. This is about jobs, it's about green energy, it's about the future. I also ask that every member of this body vote to support this.

THE CHAIR:

Thank you, sir Needleman. Will you remark further?
Senator Needleman?

SENATOR NEEDLEMAN (33RD):

Madam President, may we put this on the consent
Calendar. Seeing no objection, uh, with that, Mr.
Clerk, kindly call the vote. The machine will be
opened.

CLERK:

An immediate roll call vote has been ordered in the
Senate. An immediate roll call vote has been
ordered in the Senate on House Bill 7156. An
immediate roll call vote has been ordered in the
Senate on House Bill 7156. An immediate roll call
vote in the Senate on House Bill 7156. 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,
kindly announce the tally.

CLERK:

House Bill No. 7156.

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

THE CHAIR:

bb
Senate

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[Gavel] The legislation is unanimously adopted.
Senator Duff.

SENATOR DUFF (25TH):

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

THE CHAIR:

So ordered, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, will the Clerk please now go to Calendar page 66, Calendar 226, Senate Bill 424.

THE CHAIR:

Mr. Clerk.

CLERK:

Page 66, Calendar 226, Senate Bill 424, AN ACT CONCERNING A STUDY REGARDING CAMERA VIDEO SYSTEMS INSIDE SCHOOL BUSES AND STUDENT TRANSPORTATION VEHICLES USED TO TRANSPORT STUDENTS WITH SPECIAL NEEDS.

THE CHAIR:

[Gavel] And I know the hour is late but I would just ask our guests and staff to please lower the volume because we have legislation still to consider. With that, please proceed, Senator Leone.

SENATOR LEONE (27TH):

Thank you, Madam President, very kind of you. Madam President, I move acceptance of the Joint Committee's Favorable Report and passage of the bill.

THE CHAIR:

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

SENATOR LEONE (27TH):

Yes, thank you, Madam President. If ever there was one of our bills where the title explains the intent, this is one of them. This is simply a study regarding the camera video systems inside school buses for student transportation and vehicles used to transport students with special needs, and basically, this is to ensure the safety of our children as they're being transported to and from school and as parents, we always want to make sure that they always protected but if you are a parent of a child with special needs, that runs even a little bit deeper. Of course, as a society, we all want to do the very best we can in protecting our children. So this was a request brought up by parents to us in Transportation. We felt it was a worthy bill to bring forward, but because there were some questions left unanswered, it is the reason why we wanted to take the time to create a study to flush out all the questions to make sure that we can do it justice in the proper way in hopefully the next session and it is with that reason why I would urge adoption that we are allowed to do this. And I do want to thank my Senate ranking member, Senator Martin for his assistance as well as the members

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down in the House, and I would urge its adoption.
Thank you, Madam President.

THE CHAIR:

Thank you, Senator Leone. Will you remark further on the legislation that is before us? Good evening, Senator Martin.

SENATOR MARTIN (31ST):

Good evening, Madam President. Madam President, I rise to support this legislation. I have no questions and I encourage my colleagues to support this bill. Thank you.

THE CHAIR:

Will you remark further on the bill that is before us? Will you remark further? Senator Leone.

SENATOR LEONE (27TH):

Thank you, Madam President. If there are no objections, I would request putting this on the consent calendar.

THE CHAIR:

Seeing no objection, so ordered. Senator Duff.

SENATOR DUFF (25TH):

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

THE CHAIR:

Senate will stand at ease. Good evening, Senator Duff.

SENATOR DUFF (25TH):

Good evening, Madam President. Madam President, for purposes of marking please?

THE CHAIR:

Please proceed, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. On Agenda 2 for House Bill 7303, I'd like to move for suspension and mark that item go.

THE CHAIR:

So noted.

SENATOR DUFF (25TH):

Thank you, Madam President. On Agenda 2 Senate Bill 1070, I'd like to move for suspension and mark that item go.

THE CHAIR:

So noted.

SENATOR DUFF (25TH):

Thank you, Madam President. On Agenda 2 Senate Bill 1069, I'd like to move for suspension and mark that item go.

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THE CHAIR:

So noted.

SENATOR DUFF (25TH):

Thank you, Madam President. On Calendar page 27, Calendar 421, House Bill 6522, I'd like to mark that item go.

THE CHAIR:

So noted.

SENATOR DUFF (25TH):

Thank you, Madam President. On Calendar page 20, Calendar 364, Senate Bill 641, I'd like to mark that item go.

THE CHAIR:

So noted.

SENATOR DUFF (25TH):

On Calendar page 35, Calendar 631, House Bill 5002, I'd like to mark that item go.

THE CHAIR:

So noted.

SENATOR DUFF (25TH):

Thank you, Madam President. Then we'll have a consent calendar after that. Thank you.

THE CHAIR:

Thank you. Mr. Clerk.

CLERK:

Senate Agenda No. 2, Substitute for House Bill No. 7303, AN ACT CONCERNING DENTAL PRACTITIONERS. (As amended by House Amendment Schedule "A" LCO No. 10428.)

THE CHAIR:

Senator Abrams, good evening.

SENATOR ABRAMS (13TH):

Good evening, Madam President. I move acceptance of the Joint Committee's Favorable Report and passage of the bill in concurrence with the House.

THE CHAIR:

And the question is on passage. Will you remark?

SENATOR ABRAMS (13TH):

Thank you, Madam President. This bill makes various changes to laws on dental practitioners. Among other things, it establishes a one-year clinical residency as a standard requirement for dental licensure. It eliminates examination with human subjects by July 1, 2121. It allows out of state dentists meeting certain standards to become licensed here without examination of they have worked at least one year rather than the current five years before the application. It allows dentists and dental hygienists to substitute 8 hours

of volunteer practice at temporary dental clinics for one hour of continuing education within certain limits. It requires the Public Health Committee Chairperson to convene a working group to advise the Committee on the Department of Public Health certification of dental therapists, and it allows dentists to administer finger-stick diabetes tests to patients who have increased risk of diabetes but who have not been diagnosed with diabetes.

THE CHAIR:

Thank you, Senator Abrams. Will you remark further on the legislation that is before the Chamber? Good evening, Senator Somers.

SENATOR SOMERS (18TH):

Good evening, Madam President. I rise in support of this bill. This is a bill that Public Health has been working on for going on three years now. It's a culmination of I guess two different sets of chairman's, etc. We have everybody on board to support it and it will certainly help those who need oral care because they don't have the access that they deserve. Thank you.

THE CHAIR:

Thank you, Senator Somers. Will you remark further? Senator Abrams.

SENATOR ABRAMS (13TH):

Yes, thank you. I'd like to thank the ranking member, Senator Somers for her support and her hard work on this bill and I would ask for a roll call vote.

THE CHAIR:

Thank you. A roll call vote will be ordered. Will you remark further on the legislation that is before the Chamber? Will you remark further? If not, Mr. Clerk, kindly call the vote and the machine will be opened.

CLERK:

An immediate roll call vote has been ordered in the Senate. An immediate roll call vote has been ordered in the Senate on House Bill 7303. An immediate roll call vote has been ordered in the Senate on House Bill 7303. An immediate roll call vote in the Senate on House Bill 7303. Immediate roll call vote in the Senate. Immediate roll call vote in the Senate. Immediate roll call vote in the Senate House Bill 7303. 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, kindly announce the tally.

CLERK:

House Bill No. 7303.

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

THE CHAIR:

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Senate

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[Gavel] The legislation is adopted. Mr. Clerk.
Senator Duff, pardon me, Mr. Clerk. Senator Duff.

SENATOR DUFF (25TH):

Thank you. I'd like to yield to Senator Flexer for a point of personal privilege.

THE CHAIR:

Senator Flexer, good evening.

SENATOR FLEXER (29TH):

Good evening, Madam President. Madam President, I rise for a point of personal privilege.

THE CHAIR:

Please do proceed.

SENATOR FLEXER (29TH):

Thank you, Madam President. Madam President, I know the hour is getting late but I didn't want to let the entirety of June 4 pass and not take a moment to explain why many of the women today are wearing white or a very pale color. We're wearing this color because today is the 100th anniversary of congressional passage of the Women's Suffrage Amendment so here in the Senate and in the House of Representatives, many of the women in both Chambers are wearing white to celebrate that seminal moment in our history which was a huge accomplishment which was frankly, about 100 years' worth of work to get to the point where the Senate and the House in Washington, D.C. passed the Women's Suffrage

Amendment and then led to the opportunity for the states to then ratify it which became effective a year later so Madam President, I just wanted to recognize that and acknowledge that while women are more than half of the population, we still don't quite make up half of this Chamber or half of the Chamber downstairs, but we're well on our way and the women were quite visible today. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Flexer, and I will just say on the 90th anniversary of Women's Suffrage and the passage in Congress, I had the honor of meeting a lady from Tolland, Connecticut who voted for the first time in 1920 for President Harding, she told me and so I am glad that we are celebrating here today and thank you for recognizing that.

SENATOR FLEXER (29TH):

Thank you. [Applause]

THE CHAIR:

Mr. Clerk.

CLERK:

Senate Agenda No. 2, Substitute for Senate Bill No. 1070, AN ACT CONCERNING ABANDONED AND BLIGHTED PROPERTY STEWARDSHIP. (As amended by Senate Amendment Schedule "A" LCO No. 9593 and as amended by House Amendment Schedule "A" LCO No. 10830).

THE CHAIR:

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Good evening, Senator Cassano.

SENATOR CASSANO (4TH):

Good evening, Madam President. I move acceptance of the Joint Committee's Favorable Report and passage of the bill and waive [crosstalk].

THE CHAIR:

The question is on passage. Will you remark, sir?

SENATOR CASSANO (4TH):

Yes, this is a bill that we had before us and passed unanimously. It went to the House. The House amended the bill, line 72, with a population of 75,000 or more. The House has amended it to be 35,000 or more which quite honestly opens it up to more communities and so on. It is a good amendment and I urge adoption of the bill that makes it concurrent with the House adoption.

THE CHAIR:

Thank you, Senator Cassano.

SENATOR CASSANO (4TH):

Concur with the House, excuse me.

THE CHAIR:

Will you remark further on the legislation that is before the Chamber? Will you remark further?

SENATOR CASSANO (4TH):

Seeing none, I'd ask it go on the Consent Calendar.

THE CHAIR:

Senator Sampson, are you objecting to placing the item on the Consent Calendar?

SENATOR SAMPSON (16TH):

Yes, ma'am and I'd just like to state for the record that the bill did not pass this Chamber unanimously. I believe there were two no votes when it passed out of the Senate previously.

THE CHAIR:

So noted, sir and when we take a vote, it will be by roll. Will you remark further on the legislation that is before the Chamber? Will you remark further? If not, Mr. Clerk, kindly call the vote and the machine will be opened.

CLERK:

An immediate roll call vote has been ordered in the Senate. An immediate roll call vote has been ordered in the Senate on Senate Bill 1070. An immediate roll call vote has been ordered in the Senate on Senate Bill 1070. An immediate roll call vote in the Senate on Senate Bill 1070. An immediate roll call vote in the Senate on Senate Bill 1070. An immediate roll call vote in the Senate on Senate Bill 1070.

THE CHAIR:

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

CLERK:

Senate Bill No. 1070.

Total number voting	36
Those voting Yea	32
Those voting Nay	4
Absent and not voting	0

THE CHAIR:

[Gavel] The legislation is adopted. Mr. Clerk.

CLERK:

Senate Agenda No. 2, Substitute for Senate Bill No. 1069, AN ACT CONCERNING VARIOUS REVISIONS AND ADDITIONS TO THE EDUCATION STATUTES. (As amended by Senate Amendment Schedule "A" LCO No. 9170 and as amended by House Amendment Schedule "A" LCO No. 10841).

THE CHAIR:

Good evening, Senator McCrory.

SENATOR MCCRORY (2ND):

Well good evening, Madam President. How are you this evening?

THE CHAIR:

I am well. Thank you, sir.

SENATOR MCCRORY (2ND):

That's great, that's great. Madam President, I move acceptance of the Joint Committee's Favorable Report and passage of the bill in concurrence with the House.

THE CHAIR:

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

SENATOR MCCRORY (2ND):

Yes, this bill passed us previously unanimously. There was a subtraction actually made in the House striking section 10 out of the bill. I move adoption.

THE CHAIR:

And the question is on adoption. Will you remark further on the legislation that is before the Chamber? Senator Berthel, good evening.

SENATOR BERTHEL (32ND):

Good evening, Madam President. I stand in support of the bill as amended back from the House and encourage adoption. Thank you.

THE CHAIR:

Thank you. Will you remark further on the legislation? Will you remark further on the legislation? Senator McCrory.

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SENATOR MCCRORY (2ND):

Madam President, I ask that this bill be placed on Consent.

THE CHAIR:

Seeing no objection, so ordered. Mr. Clerk.

CLERK:

Page 27, Calendar No. 421, Substitute for House Bill No. 6522, AN ACT CONCERNING CONTINUING MEDICAL EDUCATION IN SCREENING FOR INFLAMMATORY BREAST CANCER AND GASTROINTESTINAL CANCERS.

THE CHAIR:

Good evening, Senator Abrams.

SENATOR ABRAMS (13TH):

Thank you, Madam President. I move acceptance of the Joint Committee's Favorable Report and passage of the bill in concurrence with the House.

THE CHAIR:

And the question is on passage. Will you remark?

SENATOR ABRAMS (13TH):

Thank you, Madam President. This bill allows as part of existing law continuing education requirements for physicians to include training to address screening for inflammatory breast cancer and gastrointestinal cancers including colon, gastric, pancreatic and neo-endocrine cancers and other rare

gastrointestinal tumors. The starting date would be on or after October 1, 2019. I should mention that this is permissive and not mandatory and it passed unanimously out of Committee and the House. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Abrams. Will you remark further?
Senator Anwar.

SENATOR ANWAR (3RD):

Thank you, Madam President. I rise to make a comment about this bill. There is no question but I wanted to make sure I shared some perspective. Every action that we take, there are intended consequences and there are some unintended consequences and I want to touch on the unintended consequences of this. As of right now, there is a requirement that all physicians are supposed to have 50 hours of continuing medical education every 24 months. What we have been doing as a body in the Connecticut General Assembly in the last few years is we are adding one topic or the other which has now reached, recently about a few weeks ago we added Alzheimer's on the list. Now we are going to be adding these rare gastric cancers to the list. The downside to this is that of those 50 hours these physicians are going to spend, these are opportunities for the specialists to become super specialists in those areas because medical sciences are evolving so a psychiatrist wants to know what are the newest thing in psychiatrist, but now they're going to be required or obligated to look at a list of about ten or twelve illnesses or diseases or areas that they need to learn about that will take them away from their abilities to become

specialists in the areas that they want to learn about so a cardiologist will not be able to become as good a cardiologist as they could if we continue on this path. So that's a downside and unintended consequence. If we as a body will continue to do these, there will be situations where all the specialists will stop becoming specialists and they will just follow what you're telling them to do and that's not fair to yourself and your families. So that's one thing. The second thing is, according to some estimates, there about 11,000 physicians and some about 5000 APRN's so put that together. In one hour, an individual may see 3-4 patients so we will be looking at, people will be spending about 60,000 patients would not get seen if we add more and more burden on the clinicians to be able to see this and people will say well let's give rights to somebody to practice because the physicians can't see the patients anymore. So while I will be supporting this bill out of respect for the patients who are being impacted and the work that has gone on by some of the individuals, I would urge my colleagues that this path is not a healthy path because anytime anybody is gonna come to advocate for you and say I have had a loved one die from an illness and we actually move in the direction to make every single physician learn about that and every single APRN learn about it, before you know it, they will be just learning what you're telling them to do and they will stop learning what they're supposed to be learning and they will not be able to see patients. Thank you so much, Madam President.

THE CHAIR:

Thank you, Senator and Dr. Anwar. Will you remark further? Senator Somers.

SENATOR SOMERS (18TH):

Yes, thank you, Madam President. I rise in support of the bill. I would like to reiterate what Senator Anwar has to say; however, this is not a requirement, it's permissive so out of the 50 hours which is unpaid by clinicians to go and take continuing education, should they choose one of these as a course, they have an option. I agree that the legislature needs to be careful what they mandate, especially because our clinicians are overworked and we have a shortage of them, but again, this is a permissive ask so I would ask the circle to please support the bill. Thank you.

THE CHAIR:

Thank you, Senator Somers. Will you remark further on the legislation? Will you remark further? Senator Abrams.

SENATOR ABRAMS (13TH):

Thank you, Madam President. I just want to say a thank you to Greta Stipple who some of you might have met. She's been a very strong advocate. She's been out in the hallways trying to get this bill passed. She has stage IV neuroendocrine cancer of the gastrointestinal tract and although she is sometimes very sick, she is here trying to make a difference and I thank her for that and if there is no objection, I would put this on the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered. Mr. Clerk.

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CLERK:

Page 20, Calendar No. 364, Substitute for Senate Bill No. 641, AN ACT CONCERNING REVIEW OF ELECTION LAWS. There is an amendment.

THE CHAIR:

Good evening, Senator Looney.

SENATOR LOONEY (11TH):

Good evening, Madam President. Madam President, I move adoption and I believe the Clerk is in possession of an amendment, LCO No. 10925. I would ask the Clerk to please call that amendment and I be given leave of the Chamber to summarize.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 10925, Senate Schedule A.

THE CHAIR:

Senator Looney.

SENATOR LOONEY (11TH):

Thank you. Thank you, Madam President. LCO 10925, Senate A, I move the amendment and what it contains, oh, okay. I yield to Senator Sampson, Madam President.

THE CHAIR:

Thank you, Senator Looney. Senator Sampson, do you accept the yield, sir?

SENATOR SAMPSON (16TH):

Yes, ma'am. Thank you very much and thanks to Senator Looney. I just wanted to speak up at the start of this debate to let you know that pursuant to Senate Rule 15, I will be recusing myself from any debate or vote on this particular legislation. Thank you, Madam President.

THE CHAIR:

Thank you, Senator. So noted and the record will so reflect. Senator Looney.

SENATOR LOONEY (11TH):

Yes, thank you, Madam President. Our public financing system, Madam President, has been now in effect for several election cycles and in practice, it has generally worked well, but there have been some relatively minor glitches and just issues that have come up in implementation of making the system work in a timely way given the realities that are faced by campaigns and it contains a number of changes agreed upon by all four caucuses to try to smooth out problems that have emerged and try to make the system work even more effectively in future election cycles so I would urge passage of the amendment which does become the bill.

THE CHAIR:

Thank you, Senator Looney. Will you remark further on the amendment that is before the Chamber? Good evening, Senator Fasano.

SENATOR FASANO (34TH):

Good evening, Madam President. I echo what Senator Looney said. This is the power of bipartisanship right here that might not have been here before, but it's here now and also I would say all four caucuses have had their hand in trying to draft this piece of legislation to make the reality of the SEEC law match the reality of the campaigns so I urge adoption of the amendment and when the amendment becomes the bill, urge that we pass this bill. Thank you, Madam President.

THE CHAIR:

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

SENATORS:

Aye.

THE CHAIR:

Opposed? The amendment is adopted. Will you remark further on the bill as amended? Senator Looney.

SENATOR LOONEY (11TH):

Thank you, Madam President. I would call for a roll call vote on the bill as amended.

THE CHAIR:

Thank you, sir. A roll call vote has been requested and will be made. Will you remark further on the bill as amended? Will you remark further on the bill as amended? If not, Mr. Clerk, please call the vote and the machine will be opened.

CLERK:

An immediate roll call vote has been ordered in the Senate. An immediate roll call vote has been ordered in the Senate on Senate Bill 641 as amended by Senate A. An immediate roll call vote has been ordered in the Senate on Senate Bill 641 as amended by Senate A. An immediate roll call vote in the Senate on Senate Bill 641 as amended by Senate A. Immediate roll call vote in the Senate. An immediate roll call vote has been ordered in the Senate on Senate Bill 641 as amended by Senate A. Immediate roll call vote in the Senate.

THE CHAIR:

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

CLERK:

Senate Bill No. 641 as amended by Senate A.

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

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THE CHAIR:

[Gavel] The legislation is adopted. Mr. Clerk. Uh, Senator Duff.

SENATOR DUFF (25TH):

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

THE CHAIR:

So ordered, sir. Mr. Clerk.

CLERK:

Page 55, Calendar No. 631, House Bill No. 5002, AN ACT CONCERNING A GREEN ECONOMY AND ENVIRONMENTAL PROTECTION. (As amended by House Amendment Schedule "A" LCO No. 9844).

THE CHAIR:

Good evening, Senator Witkos. Pursuant to Rule 15, I will be excusing myself from the Chamber and the vote.

THE CHAIR:

Thank you, sir. The record will so reflect. Good evening, Senator Kissel.

SENATOR KISSEL (7TH):

Good evening, Madam President. Again, pursuant to Rule 15, I will be excusing myself as well to avoid any appearance of conflict of interest. Thank you.

THE CHAIR:

Thank you, Senator Kissel. Senator Logan, good evening.

SENATOR LOGAN (17TH):

Good evening, Madam President. Pursuant to Senate Rule 15, I wish to recuse myself from the debate and consideration of this bill.

THE CHAIR:

The record will so note, sir. Good evening, Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Good evening again, Madam President. Thank you. Madam President, I move acceptance of the Joint Committee's Favorable Report and passage of the bill in concurrence with the House.

THE CHAIR:

Thank you, sir. The question is on passage. Will you remark?

SENATOR NEEDLEMAN (33RD):

Yes, Madam President. Thank you. This bill is about building a good economy, providing good 21st century jobs for Connecticut. The bill fuels our economic engine and simply makes sense. Let me highly a few of the key points that will benefit our citizens and stimulate jobs in the economy. Not wanting to bore anybody, but I think there are 19 parts to this bill. I will not go through all of

them. The first part of it is it's going to extend the existing procurements, the LREC, ZREC programs. It's going to continue the virtual net metering program. It's going to do a study on distributed generation so we have new procurement guidelines in the future. We're requesting that the state do a land inventory for DOT property so that we can install class 1 renewables on those properties. We're going to enhance the thermal energy portfolio standard. We're enhancing the state building construction codes for state buildings. We're going to allow DEEP to hire consultants on very sophisticated energy matters where they don't have internal capabilities. We're going to allow some storage of energy by the electric distribution companies. We're going to extend the residential furnace, boiler and propane tank program that allows for more efficient boilers. We're going to provide a procurement for anaerobic digestion at animal feeding operations and we're creating a green jobs career ladder so people can access those green jobs. This is another major economic development initiative on the part of the state. It clarifies some of the issues that came up as a result of SB 9 in the last session so we will be allowing people to continue to work under those procurements for energy for rooftop solar as well as virtual net metering and I think that what we hope to get out of this is a future plan for how the state will procure energy so people will be able to continue purchasing distributor generation on their property. Thank you.

THE CHAIR:

Thank you, Senator Needleman. Will you remark further on the legislation that is before the Chamber? Good evening, Senator Formica.

SENATOR FORMICA (20TH):

Good evening, Madam President, almost morning, good evening. I rise in support of this legislation and to offer a few comments.

THE CHAIR:

Please proceed, sir.

SENATOR FORMICA (20TH):

Thank you, Madam President. Thank you once again to the leadership of the Energy Committee to put this comprehensive bill together. This is a good opportunity to kind of right some of the small problems that we've had in the solar industry over the last year or so and extend out some of the programs until we get into next generation of these energy efficiency programs and I look forward to the opportunity of growing solar in our state. This will give us that opportunity to move forward over the next few years along with a few other of the initiatives that the good Senator has mentioned and I strongly support the anaerobic digestion portion which I think is part of the future and I urge my colleagues to support this legislation. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Formica. Will you remark further on the legislation that is before the Chamber?
Senator Sampson.

SENATOR SAMPSON (16TH):

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Good evening, Madam President. The bill before us has a great many sections and I think the majority of the bill is very well intended and beneficial to our state's future energy needs. I do have a couple of questions for the proponent of the bill if I could on section 15, though?

THE CHAIR:

Please proceed, sir.

SENATOR SAMPSON (16TH):

Through you, Madam President, I'd be curious to ask if under this section, an anaerobic digester on a farm needs a solid waste permit? Through you, Madam President.

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you, Madam President, I'm not sure about that. I would not imagine that they would.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. I appreciate that. My understanding is that a solid waste permit is intended to protect ground water among other environmental protections. Is that accurate? Through you, Madam President.

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you, yes, it is, in most cases it would be.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. My understanding is that the water that comes out of a digester is known as an industrial discharge. Is that correct? Through you, Madam President.

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Can you repeat that sir?

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. The water that comes out of a digester after the process is considered to be an industrial discharge and I guess I'm just asking if that's an accurate statement and I'm

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curious to know because in a typical situation with a discharge like that, DEEP certainly has some requirements about how that water is to be handled. Through you, Madam President.

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you, Madam President. I do believe that this qualifies for the same kind of discharge permit and don't believe that it's the same kind of discharge that you're thinking about with regard to commercial waste treatment facilities.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. Yeah, I'm speaking very specifically because I have a significant business located in my district in Southington that is involved in this anaerobic digesting energy producing facility and my understanding is that the water that's discharged for their facility is considered to be an industrial discharge and they have to go through a process through DEEP to make sure that this water is hooked up to the sewer and they can only process certain types of things and I'm just curious if these digesters on farms will be subject to those same requirements. Through you, Madam President.

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you, Madam President. I can't answer that specifically, but given the fact that the animal waste that is on the farm already that may lie fallow in the field, this would probably not be under the same category as a commercial digester that you're thinking about that they have in Southington for food waste and the like.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. I don't pretend to know a great deal about this subject but I have been asked to get some of these items on the record and I do want to look after certainly a thriving business actually that's going on in my community and somebody that I know has invested a great deal of energy and effort in complying with all of the requirements that we place on them as a state you know both through DEEP and through other state agencies. And I guess the question is, how do we know that this water, this discharge from the anaerobic digesters on farms is not, that farmers are not just gonna put it back on their crops as water and that it's processed the same way it should be, the way my Southington guys have to do it. Through you, Madam President.

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you, Madam President. So again, most farms are not hooked up to sewer systems and they manage their own water on their farms and I would imagine that they would be using it locally. I think that this is very specifically directed for farm digesters and although I think that we would like to see more anaerobic digestion happening in the state because we have such a massive amount of food waste, I don't think that the same rules will apply, although I can't speak specifically because that question has not come up.

THE CHAIR:

Thank you, sir Needleman. Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President and I appreciate the answer. I know these questions may not be simply defined right before us. So my understanding is in section 15 that farmers are limited to be able to only use 5 percent food waste. Is there a way that that's going to be tracked? Are they going to be required to keep records? Is DEEP going to track this? Are they gonna look at logs, files, records, anything like that? Will there be any sort of testing done to make sure that that is indeed the case? Through you, Madam President.

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you, Madam President. Yes, I believe that is the case.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. So we are affording farmers a \$2 million dollar benefit by foregoing the solid waste permit that is required in the similar situation that I already described. Are farmers fined today for over-applying manure to their farms? Through you, Madam President.

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you, Madam President. Can you repeat that?

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

My understanding is that these permits cost as much as a million or two million dollars to be able to process this solid waste and I'm just asking if farmers are fined today for over-applying manure to their property? Through you, Madam President.

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THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you, Madam President. I'm not sure that I understand the question about the over-applying of manure; however, again, they're not allowed to use more than 5 percent food waste. They're processing what they generate on the farm for use on the farm.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Understood. Thank you, Madam President. And I appreciate the answers to the questions. Was this bill heard in the Environment Committee or was it just in the Energy Committee? Through you, Madam President.

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you, Madam President. Just the Energy Committee.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

All right. Thank you, Madam President. I appreciate all the answers to the questions. Again, I was given these questions to attempt to get them on the record. My goal here is very simple and that is to try and find the proper answers for the record to make sure that we're passing good public policy there that will benefit our state and when it comes to these anaerobic digesters, I'd like to make sure that the farms are complying with the same strict requirements that my business in Southington is just for the sake of fairness for one thing and also in a way to you know make sure that we're preserving our environment the best way possible. My understanding is that these permits that had to be purchased by my Southington business owner is very expensive to the tune of millions of dollars and they are issued by DEEP so the fact that this bill only went before the Energy Committee and not the Environment Committee, I don't know that it got the right review that would be necessary to make sure that they are in full compliance the way we would like them to be. I'm gonna vote no today. I wish that I was much more aware of this situation before it reached this Chamber today for final action and that's all I can do with it at this moment. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Sampson. Will you remark further? Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. I rise in support of the bill. There was a hearing in the Environment Committee relative to digesters on farms and the

issue is that most of these large farms have either hit or exceeded the federal regulations for phosphorus loading on the land and so that's why it's important to try and create an incentive for digesters on farms so I would appreciate support of the bill. Thank you.

THE CHAIR:

Thank you, Senator Miner. Will you remark further on the bill before the Chamber? Senator Anwar.

SENATOR ANWAR (3RD):

Thank you, Madam President. I also rise in support of this bill. It's important and I have in my district dairy farms and some of the other farms which are looking forward to an opportunity like this. This, if you look at the energy costs as well as the energy challenges that many of these farms have, they will become much more sustainable if we have these opportunities so it is in the best interest for sustainable farming and efficient farming to have a bill like this which will give that opportunity. So I wanted to thank the leadership of Senator Needleman and his team for getting it so far and hopefully, we will move forward and I would encourage everybody to vote for this too. Thank you.

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Thank you, Madam President. So I want to thank all my colleagues for all their questions and they were

all good questions and I appreciate the comments. So I would like to move for passage of this bill. I think again, it is economic driver in the state. We're looking to do a lot of good things that provide for a more sustainable future for future generations and there are a lot of pieces to this. There are fixes to the prior bill and things to look forward to for the future. So again, like the wind bill, we're looking to build a 21st economy and these are the type of economic development initiatives that we need. Thank you.

THE CHAIR:

Thank you, Senator Needleman. Will you remark further on the legislation that's before the Chamber? Will you remark further on the legislation that is before the Chamber? If not, Mr. Clerk please call the vote. The machine will be opened.

CLERK:

An immediate roll call vote has been ordered in the Senate. An immediate roll call vote has been ordered in the Senate on House Bill 5002. An immediate roll call vote has been ordered in the Senate on House Bill 5002. An immediate roll call vote in the Senate on House Bill 5002. 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, kindly announce the tally.

CLERK:

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House Bill No. 5002.

Total number voting	33
Those voting Yea	32
Those voting Nay	1
Absent and not voting	3

THE CHAIR:

[Gavel] The legislation is adopted. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Would the Clerk, can I mark an item to go, please. Calendar page 36, Calendar 504, House Bill 5524, and I'd like to mark that item go on our next item of business, please.

THE CHAIR:

So ordered. Mr. Clerk.

CLERK:

Page 36, Calendar No. 504, House Bill 5524, AN ACT INCREASING THE PENALTIES FOR THE SALE OF FENTANYL.

THE CHAIR:

Good evening, Senator Winfield.

SENATOR WINFIELD (10TH):

Yes, good evening, Madam President. I move acceptance of the Joint Committee's Favorable Report and passage of the bill in concurrence with the House.

THE CHAIR:

And the question is on passage. Will you remark?

SENATOR WINFIELD (10TH):

Yes, thank you, Madam President. This is a bill that aims to increase the penalties for sale, possession or manufacturing of fentanyl. Currently, there's a conversation going on about fentanyl and its impact on society. Some people feel that if you do not increase fentanyl to a narcotic, thereby increasing its penalties, that we will be doing something that we don't want to do. There are other people who feel differently. It's a conversation that's going on. There's been a lot of conversation in this building. I do believe that this bill will pass. There are concerns that need to be addressed about that increase in penalty and so I've had a conversation with my ranking member and should the bill pass, when we come back next session, we'll be looking at trying to make sure that even though we've increased the penalties, we take the discretion we give and make sure that it's applied appropriately. I urge members to vote as they would like.

THE CHAIR:

Thank you, Senator Winfield. Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. I'd like to be associated with the remarks of Senator Winfield. We have indeed entered into discussions regarding this. It's my understanding that should this pass, it would not be effective until October 1.

Therefore, it would only be on the books a few months prior to us God willing going into the short session next February where we could continue to fine tune this particular legislation should that be necessary. I would urge my colleagues' support of the bill. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Kissel. Will you remark further? Will you remark further on the bill? If not, Mr. Clerk kindly call the vote. The machine will be opened.

CLERK:

An immediate roll call vote has been ordered in the Senate. An immediate roll call vote has been ordered in the Senate on House Bill 5524. An immediate roll call vote has been ordered in the Senate on House Bill 5524. An immediate roll call vote in the Senate on House Bill 5524. Immediate roll call vote in the Senate. An immediate roll call vote in the Senate on House Bill 5524. An immediate roll call vote in the Senate on House Bill 5524. 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, announce the tally, please.

CLERK:

House Bill No. 5524.

Those voting Yea	33
Those voting Nay	3
Absent and not voting	0

THE CHAIR:

[Gavel] The measure is adopted. Senator Duff.

SENATOR DUFF (25TH):

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

THE CHAIR:

Senate will stand at ease. Senator Duff, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I would like to call a number of items for our Consent Calendar, please? Place a number of items on our Consent Calendar I should say.

THE CHAIR:

Yes, please proceed, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. On Calendar page 21, Calendar 374, House Bill 6403, I'd to place that item on the Consent Calendar. On Calendar page 25, Calendar 412, House Bill 7168, I'd to place that item on the Consent Calendar. On Calendar page 27, Calendar 425, House Bill 7229, I'd to place that item on the Consent Calendar. On Calendar page 32, Calendar 479, House Bill 7378, I'd to place that

item on the Consent Calendar. On Calendar page 36, Calendar 506, House Bill 7130, I'd to place that item on the Consent Calendar. On Calendar page 37, Calendar 511, House Bill 5455, I'd to place that item on the Consent Calendar. On Calendar page 38, Calendar 521, House Bill 7093, I'd to place that item on the Consent Calendar. On Calendar page 40, Calendar 537, House Bill 6927, I'd to place that item on the Consent Calendar. On Calendar page 50, Calendar 602, House Bill 7165, I'd to place that item on the Consent Calendar. On Calendar page 50, Calendar 605, House Bill 6916, I'd to place that item on the Consent Calendar. On Calendar page 51, Calendar 606, House Bill 5125, I'd to place that item on the Consent Calendar. On Calendar page 52, Calendar 611, House Bill 5779, I'd to place that item on the Consent Calendar. On Calendar page 52, Calendar 612, House Bill 7291, I'd to place that item on the Consent Calendar. On Calendar page 61, Calendar 66, I'm sorry, Calendar page 660, I'm sorry, Calendar page 61, Calendar 660, House Bill 7212, I'd to place that item on the Consent Calendar.

THE CHAIR:

Thank you, sir. So ordered.

SENATOR DUFF (25TH):

Thank you, Madam President. Senate stand at ease please.

THE CHAIR:

Senate will stand at ease. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. One more for the consent calendar please?

THE CHAIR:

Please proceed, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. Calendar page 61, Calendar 659, House Bill 7063, I'd to place that item on the Consent Calendar.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, if the Clerk can now read back the items on the Consent Calendar followed by a vote on the Consent Calendar, please.

THE CHAIR:

Mr. Clerk.

CLERK:

Consent Calendar No. 1. Senate Bill 1069, page 21, Calendar 374, House Bill 6403, page 25, Calendar 412, House Bill 7168, page 27, Calendar 425, House Bill 7229, page 27, Calendar 421, House Bill 6522, page 32, Calendar 479, House Bill 7378, page 36, Calendar 506, House Bill 7130, page 37, Calendar 511, House Bill 5455, page 38, Calendar 521, House

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Bill 7093, page 40, Calendar 537, House Bill 6927, page 50, Calendar 602, House Bill 7165, page 50, Calendar 605, House Bill 6916, page 51, Calendar 606, House Bill 5125, page 52, Calendar 611, House Bill 5779, page 52, Calendar 612, House Bill 7291, page 61, Calendar 660, House Bill 7212, page 61, Calendar 659, House Bill 7063, and page 66, Calendar 226, Senate Bill 424.

THE CHAIR:

Mr. Clerk, if you would kindly call the vote, the machine will be opened, sir.

CLERK:

Consent Calendar No. 1. An immediate roll call vote has been ordered in the Senate on Consent Calendar No. 1. An immediate roll call vote has been ordered in the Senate on Consent Calendar No. 1. An immediate roll call vote has been ordered in the Senate on Consent Calendar No. 1. Immediate roll call vote in the Senate.

THE CHAIR:

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

CLERK:

Consent Calendar No. 1.

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

THE CHAIR:

[Gavel] The Consent Calendar is adopted. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I move immediate transmittal of all items needing further action to the House of Representatives, please.

THE CHAIR:

So ordered, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, does the Clerk have Senate Agenda No. 4 on his desk, please?

THE CHAIR:

Mr. Clerk.

CLERK:

The Clerk is in possession of Senate Agenda No. 4 dated Tuesday, June 4, 2019.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Madam President, I move immediate all items on Senate Agenda No. 4 dated Tuesday, June 4, 2019 be

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acted upon as indicated and the agenda be incorporated by reference in the Senate journal and the Senate transcript and immediately placed on our calendar.

THE CHAIR:

So noted, so ordered.

SENATOR DUFF (25TH):

I'd like to move all the items onto our Senate Calendar as well immediately, please.

THE CHAIR:

So ordered, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, that concludes our business for today. We have 23 hours and 56 minutes to go but who's counting and our intention is to come in at 10 o'clock for caucus, 11 o'clock for session and let's all try to be as prompt as possible since it is our last day of fun and sun here in the Capital. Thank you and I will yield for any point of personal privileges or announcements. I don't think so.

THE CHAIR:

Thank you. Safe travels. We are adjourned.

SENATOR DUFF (25TH):

I make a motion what we adjourn subject to the Call of the Chair. Thank you, Madam President.

THE CHAIR:

We are adjourned and see you later today.

On motion of Senator Duff of the 25th, the Senate at 12:10 o'clock a.m. adjourned subject to the Call of the Chair.