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SB65

House	3249-3252	4
Labor	83-84, 114-115, 124	5
<u>Senate</u>	<u>944-948, 1062-1066</u>	<u>11</u>
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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2010**

**VOL.53
PART 10
2967 – 3317**

On page 16, Calendar 379, Senate Bill Number 65, AN ACT CONCERNING UNEMPLOYMENT COMPENSATION EXTENDED BENEFITS, favorable report of the Committee on Labor and Public Employees.

DEPUTY SPEAKER GODFREY:

The distinguished chairman of the Labor and Public Employees Committee, Representative Kevin Ryan.

REP. RYAN (139th):

Thank you, Mr. Speaker.

I move for acceptance of the joint committee's favorable report and passage of the bill:

DEPUTY SPEAKER GODFREY:

The question's on passage.

Would you explain the bill please, sir?

REP. RYAN (139th):

Thank you, Mr. Speaker.

What this bill does it's technical in nature and carries no fiscal impact to the State General Fund. It's been passed on consent in the Senate and passed unanimously in the public -- Labor and Public Employees Committee. And, basically, its language is needed to conform to federal law.

The language in the bill provides that

employers must now pay 100 percent of the money expended for extended political or governmental -- must pay 100 percent of the money expended for extended unemployment insurance benefits for its employees who reach the need for such benefits.

It's imperative that the public sector employers, who reimburse the fund, reimburse the fund rather than paying unemployment taxes carry their fair share of the unemployment benefit burden. In regard to both regular and extended unemployment benefit laws requiring the public sector, employers reimburse the full amount of the monies expended out of the system to their employees. It's essential to keep the short and long term solvency of the fund.

The State has been put on notice that the provisions in the Unemployment Compensation Act, which pertained to extended benefits, aren't in conformity with federal law. We have to make immediate efforts to bring the laws into conformity. If we don't, federal grants will be put into jeopardy. The State received \$120 million in federal grants in the past fiscal year. And taxable employees, most of which are private sector, would lose their Federal Unemployment Tax Act tax credits

which would increase their taxes by about \$540 million annually.

So for those reasons, sir, I ask that my colleagues support this bill.

DEPUTY SPEAKER GODFREY:

Thank you, sir.

The distinguished ranking member of the Labor Committee, Representative Noujaim.

REP. NOUJAIM (74th):

Thank you. Good afternoon, Mr. Speaker.

Mr. Speaker, I do concur with my colleague, Representative Ryan, the chairman of the Labor Committee. This is a technical bill. It was voted on unanimously in the Labor Committee, and I do urge support.

Thank you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Thank you, sir.

Will you remark further on -- will you remark further on the bill? Will you remark further on the bill? If not, staff and guests please come to the well of the House. Members take their seats. The machine will be opened.

THE CLERK:

ckd/gbr
HOUSE OF REPRESENTATIVES

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May 1, 2010

The House of Representatives is voting by roll call. Members to the chamber. The House is voting by roll call. Members to the chamber please.

DEPUTY SPEAKER GODFREY:

Have all the members voted? Have all the members voted? If so, the machine will be locked. The Clerk will take a tally, and the Clerk will announce the tally.

THE CLERK:

Senate Bill Number 65, in concurrence with the Senate.

Total Number Voting	144	I.
Necessary for Passage	73	
Those voting Yea	144	
Those voting Nay	0	
Those absent and not voting	7	

DEPUTY SPEAKER GODFREY:

The bill is passed in concurrence with the Senate.

The House will stand at ease.

(Chamber at ease.)

DEPUTY SPEAKER GODFREY:

The House will come back to order. Return to the call of the Calendar.

**JOINT
STANDING
COMMITTEE
HEARINGS**

**LABOR AND
PUBLIC EMPLOYEES
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clear correlation between credit history and job performance.

And I -- often, poor, young, lower income, less well-educated job applicants are -- have poor credit ratings and so could face discrimination. H.B. 5061 prevents employers from using credit histories and unintentionally discriminating against certain classes of job applicants. It contains many common sense exemptions to the prohibition, including the ability to use credit reports when it comes to hiring employees who are applying for financial jobs.

I would like to commend the Labor Committee for raising this important bill and for holding this public hearing. And I urge the members of the committee to vote yes.

Thank you very much.

SENATOR PRAGUE: Any questions or comments from committee members? No. You can go home and have dinner.

PAUL FILSON: And Matt -- Matt Lesser asked me to do this and --

SENATOR PRAGUE: Thank you for coming, Paul.

Our next speaker -- our next speaker is Kia, Kia Murrell, followed by Raphy Podolsky, if Raphy is back. Okay. Then it would be Lori. Okay.

KIA MURRELL: Good afternoon, Senator Prague, other members of the committee.

I'm Kia Murrell from CBIA. As I'm sure you all know, we represent more than 10,000 businesses

SB 65
SB 94
HB 5061

around the state ranging from large companies to the smallest of upstarts.

I'm here to speak on three bills, very briefly, Senate Bill 65, regarding unemployment compensation extended benefits. Simply put, we feel that this is a positive measure because it would require government employers to pay their fair share of the monies expended from the state Unemployment Compensation Fund on their behalf.

As many of you may know, the current economic recession has been devastating to many states and Connecticut is no exception. Our unemployment compensation system has taken a major hit. We have had to borrow money from the federal government just to be able to continue meeting our benefit obligations. Therefore, it is imperative that public sector employers, just as private sector employers pay taxes, that public sector employers reimburse the fund for monies that are attributable to their employees.

We hope that this bill passes and we encourage you to move it out of committee.

The next bill I'd like to just briefly mention is Senate Bill 94, regarding the use of payroll cards for wage payments. This is a bill that, in theory, we really do think is a positive measure and that it codifies a practice that many employers already engage in. And that's in using automated payroll processes and giving their employees their wages by payroll or debit card.

Our issue, however, our real concern is regarding section (e)(3) of the bill. It allows the employee to opt in and out of using

**CONNECTICUT**

**TESTIMONY OF
NATIONAL FEDERATION OF INDEPENDENT BUSINESS
BY
ANDY MARKOWSKI, CONNECTICUT STATE DIRECTOR
SUPPORTING
SB-65, AAC UNEMPLOYMENT COMPENSATION EXTENDED BENEFITS
BEFORE THE
LABOR & PUBLIC EMPLOYEES COMMITTEE
FEBRUARY 18, 2010**

The National Federation of Independent Business (NFIB), Connecticut's and the nation's leading small-business association, respectfully submits the following comments supporting SB-65, An Act Concerning Unemployment Compensation Extended Benefits:

NFIB/Connecticut supports the current legislation. Small business owners have contributed and paid their fair share of unemployment taxes and this common sense legislation would equal the playing field, so-to-speak, by requiring public employers to adhere to federal law. Laws such as SB-65 that require public sector employers to fully reimburse the system are essential to ensuring the viability of our state's fund.

NFIB/Connecticut thanks the Committee for this opportunity to comment and express our support and urges passage of SB-65.

Ps 10, Line 8



Connecticut Business & Industry Association

**Testimony of Kia F. Murrell
Assistant Counsel, CBIA
Before the Committee on Labor and Public Employees
Hartford, CT
February 18, 2010**

S.B. 65 AAC Unemployment Compensation Extended Benefits

Good Afternoon Senator Prague, Representative Ryan and other members of the Committee. My name is Kia Murrell and I am Assistant Counsel for Labor & Employment matters at the Connecticut Business and Industry Association (CBIA). CBIA represents more than 10,000 companies throughout the state of Connecticut, ranging from large corporations to small businesses, but the vast majority of our members are small businesses of fifty or fewer employees.

S.B. 65 requires that government employers pay the state Unemployment Compensation Fund all of the money expended from it for extended unemployment insurance benefits attributable to their employees in accordance with federal law. Specifically, the state government, Indian tribes, towns, cities and other political and governmental subdivisions of the state must reimburse the Fund one hundred percent of all extended benefits paid to their employees.

As a result of the national economic downturn and its effect on job losses and business closings in the state, Connecticut's Unemployment Compensation Fund has been under severe strain and pressure in the last year. A high volume of unemployment benefit claims have caused the Fund to become insolvent, forcing the state to borrow millions of dollars from the federal government to meet our benefit obligations.

In light of that fact, it is imperative that public sector employers who reimburse the Fund rather than paying unemployment taxes (as most private sector employers do) carry their fair share of the unemployment benefit burden. In regard to both regular and extended unemployment benefits, laws requiring that public sector employers reimburse the full amount of monies expended out of the system to their employees is essential to ensuring short and long-term solvency of our state Fund.

CBIA supports S.B. 65 and encourages the Committee to enact this legislation. Thank you for the opportunity to testify today.

Opportunity • Guidance • Support

Connecticut Department of Labor



Linda L. Agnew, Acting Commissioner

**Public Hearing Written Testimony of
Acting Commissioner Linda Agnew
Labor and Public Employees Committee
February 18, 2010**

Good afternoon Senator Prague, Representative Ryan and members of the Labor and Public Employees Committee. Thank you for the opportunity to provide you with written testimony regarding two bills on your public hearing agenda today. My name is Linda Agnew and I am the Acting Commissioner of the Department of Labor.

I respectfully request that you vote favorably upon S.B. # 65 and S.B. # 95. Both bills are technical in nature and carry no fiscal impact to the state general fund. Specifically:

S.B. # 65: AAC Unemployment Compensation Extended Benefits

This proposed language is needed to conform to federal law. The Agency currently complies with federal law in practice. However, to ensure conformity with federal law, the language in this bill provides that governmental employers (Indian tribes, state, town, city or other political or governmental subdivisions) must pay 100% of the money expended for extended unemployment insurance benefits (known as EB benefits) for its employees who reach the need for such benefits (after they exhaust the 26 weeks of regular unemployment compensation benefits and any additional benefits). Private sector taxable employers, and non-profits, need only contribute 50% of the money expended for extended benefits. Governmental employers, as described above, are given the choice under Connecticut statute to either (1) pay unemployment taxes on a quarterly basis on the wages of covered employees (entities that choose this option are called "taxable employers") or (2) reimburse the Unemployment Compensation Trust Fund for the exact amount of benefits paid to former employees (entities that choose this option are called "reimbursing employers"). Governmental employers that choose to become contributing taxable employers (instead of reimbursing employers) shall pay their taxes as contributing employers for all regular and additional benefits, based on the employer's experience rate. There is no state or municipal fiscal impact associated with this proposal.

S.B. # 95: AA Preserving Good Cause for Late Filing of Certain Unemployment Compensation Appeals

Under current law, an unemployment compensation claimant has 21 days to appeal a decision from the Administrator on the issue of whether the claimant received unemployment benefits to which he or she was not entitled, and whether the claimant was liable to refund such overpaid benefits to the Administrator. The appeal must be postmarked or filed within 21 days of the Administrator's determination. Under current law, a party must show good cause for filing an appeal beyond the 21-day time frame for all other types of unemployment compensation issues. This bill ensures that the current practice of applying the good cause standard to such overpayment cases is reflected in the law, and it is technical in nature. There is no state or municipal fiscal impact associated with this proposal.

Thank you for this opportunity. Please feel free to contact my staff or me if you need additional information.

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committee the op -- the command without detailing specifically how to do it or how much time but just says, please give the public and opportunity for public comment.

I think it's a good bill, and I hope that the chamber will support it.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Doyle.

Any further comment or remark on the bill?

If not, Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Mr. President, if there is no objection, would move to place this item on the consent calendar.

THE CHAIR:

Without objection, so moved.

SENATOR LOONEY:

Thank you, Mr. President.

THE CLERK:

Calendar Number 71, File Number 39, Senate Bill number 65, AN ACT CONCERNING UNEMPLOYMENT COMPENSATION EXTENDED BENEFITS, favorable report of the Committee on Labor and Public Employees.

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THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Mr. President, I move the joint committee's favorable report and passage of the bill.

THE CHAIR:

So moved.

Would you care to remark?

SENATOR PRAGUE:

I just -- may I just stand at ease for a minute for just a minute, Mr. President?

THE CHAIR:

The committee -- the chamber will stand at ease for a moment.

SENATOR PRAGUE:

Thank you.

(At ease.)

SENATOR PRAGUE:

Mr. President.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Thank you very much, Mr. President.

Mr. President, this is the Labor Department's

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bill that puts the Labor Department in conformity with federal regulations. The bill happens to be critically important for the continuation of our Unemployment Compensation Benefits with funding from the federal government.

I just urge passage of the bill.

THE CHAIR:

Have you moved the bill, Senator?

SENATOR PRAGUE:

Oh, I'm sorry, Mr. President.

I move the joint committee's favorable report and passage of the bill.

THE CHAIR:

Thank you, Senator.

Any further remarks? Any further remarks?

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. If there is no objection and no further discussion, would move to place this item on the consent calendar.

THE CHAIR:

It appears that there's an objection.

Any further remarks on the bill?

Senator Fasano.

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SENATOR FASANO:

Thank you, Mr. President.

Thanks.

Mr. President, I believe there is an amendment to this bill being LCO 3654. I would ask the Clerk to call that amendment.

THE CHAIR:

Will the Clerk please call the amendment.

THE CLERK:

LCO 3654 which will be designated Senate Amendment Schedule "A" is offered by Senator Witkos of the 8th District.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Sure. Mr. President, may we stand at ease for a moment, please?

THE CHAIR:

The committee -- the chamber will stand at ease.

(At ease.)

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President.

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Mr. President, I wasn't going to call that amendment and the matter can be placed on consent.

Thank you.

THE CHAIR:

Okay. I think we have to withdraw the amendment first.

SENATOR FASANO:

I withdraw the amendment.

THE CHAIR:

Motion to withdraw without objection. The amendment is withdrawn.

Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, if there is no further discussion on this item, I would move to place it on the consent calendar.

THE CHAIR:

Without objection, so moved.

THE CLERK:

Calendar Number 76, File Number 75, substitute for Senate Bill 246, AN ACT CONCERNING ISSUANCE OF EMERGENCY CERTIFICATES AND THE SAFETY OF PATIENTS AND STAFF AT FACILITIES OPERATED BY THE DEPARTMENT OF

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Mr. President, those items placed on the first consent calendar begin on calendar page 1, Calendar 405, House Joint Resolution Number 94; Calendar 406, House Joint Resolution Number 95.

Calendar page 2, Calendar 407, House Joint Resolution 96; Calendar 408, House Joint Resolution Number 97; Calendar 409, House Joint Resolution Number 98; Calendar 410, House Joint Resolution Number 99; Calendar 411, House Joint Resolution Number 100.

Calendar page 3, Calendar 412, House Joint Resolution 101; Calendar 391, Senate Resolution 15.

Calendar page 4, Calendar 392, Senate Joint Resolution 43.

Calendar page 5, Calendar 47, Senate Bill 137; Calendar 55, Senate Bill 148; Calendar 56, substitute for Senate Bill 150.

Calendar page 6, Calendar 66, Senate Bill 281; Calendar 71, Senate Bill 65; Calendar 74, Senate Bill 132.

Calendar page 7, Calendar 87, Senate Bill 184; Calendar 90, Senate Bill 255.

Calendar page 8, Calendar 94, substitute for Senate Bill 133; Calendar 97, substitute for Senate Bill 310; Calendar 103, substitute for Senate Bill 43.

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Calendar page 9, Calendar 117, Senate Bill 232.

Calendar page 10, Calendar 119, substitute for
Senate Bill 261; Calendar 124, substitute for Senate
Bill 251.

Calendar page 11, Calendar 149, Senate Bill 244.

Calendar page 12, Calendar 161, substitute for
Senate Bill 258.

Calendar page 13, Calendar 180, substitute for
Senate Bill 152.

Calendar page 14, Calendar 216, substitute for
Senate Bill 256; Calendar 217, substitute for Senate
Bill 201; Calendar 222, substitute for Senate Bill
275.

Calendar page 15, Calendar Number 233, Senate
Bill Number 97.

Calendar Number -- page 16, Calendar 239, Senate
Bill 105.

Calendar page 17, Calendar 270, substitute for
Senate Bill 234.

Calendar page 18, Calendar 296, substitute for
House Bill 5138; Calendar 297, substitute for House
Bill 5219; Calendar 298, House Bill 5250.

Calendar page 19, Calendar 301, House Bill 5263;
Calendar 302, House Bill 5292; Calendar 303, House

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Bill 5265; Calendar 313, substitute for House Bill
5002.

Calendar page 20, Calendar 314, House Bill 5201.

Calendar page 24, Calendar 340, substitute for
Senate Bill 175.

Calendar page 25, Calendar 346, substitute for
Senate Bill 151; Calendar 350, Senate Bill 333;
Calendar 371, substitute for House Bill 5014.

Calendar page 26, Calendar 375, House Bill 5320.

Calendar page 27, Calendar 379, substitute for
House Bill 5278; Calendar 380, substitute for House
Bill 5452; Calendar 381, substitute for House Bill
5006; Calendar 382, House Bill 5157.

Calendar page 28, Calendar 384, substitute for
House Bill 5204.

Calendar page 29, Calendar 395, substitute for
Senate Bill 127; Calendar 396, Senate Bill 147.

Calendar page 30, Calendar 413, House Bill 5024;
Calendar 414, substitute for House Bill 5401.

Calendar page 31, Calendar 419, substitute for
House Bill 5303.

Calendar 32 -- page 32, Calendar Number 421,
substitute for House Bill 5388; and on calendar page
34, Calendar 46, substitute for Senate Bill 68;

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Calendar 50, substitute for Senate Bill 17.

Calendar page 35, Calendar 64, substitute for
Senate Bill 187.

Calendar page 37, Calendar 109, substitute for
Senate Bill 189.

Calendar page 39, Calendar Number 148, substitute
for Senate Bill 226.

Calendar page 40, Calendar 182, substitute for
Senate Bill 218.

Calendar page 41, Calendar 188, substitute for
Senate Bill 200.

Mr. President, that completes those items placed
on the consent calendar.

THE CHAIR:

All right. If the Clerk has made an announcement
that a roll call vote is in progress in the Senate on
the first consent calendar, the machine will be open.
Senators may cast their vote.

THE CLERK:

The Senate is now voting by roll call on the
consent calendar. Will all Senators please return to
the chamber. The Senate is now voting by roll call on
the consent calendar. Will all Senators please return
to the chamber.

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THE CHAIR:

Would all Senators please check the roll call board to make certain that your vote is properly recorded. If all Senators have voted and if all votes are properly recorded, the machine will be locked, and the Clerk may take a tally.

THE CLERK:

Motion is on adoption of Consent Calendar Number 1.

Total Number Voting	35
Those voting Yea	35
Those voting Nay	0
Those absent and not voting	1

THE CHAIR:

Consent Calendar Number 1 is passed.

Are there any announcements or points of personal privilege? Are there any announcements or points of personal privilege?

Senator LeBeau.

SENATOR LEBEAU:

Thank you, Mr. President, for a -- for an announcement.

THE CHAIR:

Please proceed.