

Legislative History for Connecticut Act

PA 14-109

SB221

House	6959-6962	4
Senate	1068-1069, 1211-1212	4
Labor	776, 777, 911, 921-922	5
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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2014**

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PART 21
6912 – 7260**

Those absent and not voting 6

DEPUTY SPEAKER GODFREY:

The bill, as amended, is passed.

Representative Aresimowicz.

REP. ARESIMOWICZ (30th):

Thank you very much, Mr. Speaker.

Mr. Speaker, I move that we immediately transmit to the Senate any items waiting further action.

DEPUTY SPEAKER GODFREY:

Without objection, so ordered.

Representative Aresimowicz, I understand we have another Consent Calendar.

REP. ARESIMOWICZ (30th):

Thank you very much, Mr. Speaker.

We are. We are about to list off the bills that will be included in our second Consent Calendar for the evening, sir.

DEPUTY SPEAKER GODFREY:

Proceed, sir.

REP. ARESIMOWICZ (30th):

Thank you very much, Mr. Speaker.

I move -- I'd to add the following to the Consent Calendar. Calendar 426, Calendar 308, Calendar 438, Calendar 488 --

SB 281

SB 19

SB 182

SB 330

DEPUTY SPEAKER GODFREY:

Whoa, whoa, whoa.

REP. ARESIMOWICZ (30th):

I apologize, Mr. Speaker. The first number was
427.

DEPUTY SPEAKER GODFREY:

So 427, thank you, sir. Proceed.

REP. ARESIMOWICZ (30th):

Calendar 476, as amended by Senate "A"; Calendar
445, Calendar 514, Calendar 505, as amended by Senate
"A"; Calendar 455, Calendar 456, as amended by Senate
"A"; Calendar 322, Calendar 536, as amended by Senate
"A" and Senate "B"; Calendar 430, Calendar 520, as
amended by Senate "A" and Senate "B"; Calendar 538, as
amended by Senate "A"; Calendar 424, as amended by
Senate "A"; Calendar 439, as amended by Senate "A";
Calendar 482, as amended by Senate "A"; Calendar 325,
as amended by Senate "A."

Calendar 526, as amended by Senate "A"; Calendar
509, as amended by Senate "A"; Calendar 532, Calendar
502, as amended by Senate "A"; Calendar 421, as
amended by Senate "A"; Calendar 431, as amended by
Senate "A"; and Calendar 539, as amended by Senate
"A."

- SB 194
- SB 402
- SB 324
- SB 45
- SB 221
- SB 257
- SB 201
- SB 389
- SB 418
- SB 438
- SB 427
- SB 260
- SB 208
- SB 424
- SB 241
- SB 14
- SB 106
- SB 322
- SB 410
- SB 217
- SB 477
- SB 429

DEPUTY SPEAKER GODFREY:

Is there objection to any of these items being placed on the Consent Calendar? If not, Representative Aresimowicz, would you like to move passage of the Consent Calendar?

REP. ARESIMOWICZ (30th):

Mr. Speaker, I want to remove Calendar 539.

SB429

DEPUTY SPEAKER GODFREY:

Please remove Calendar 539, Mr. Clerk.

REP. ARESIMOWICZ (30th):

Mr. Speaker, I move passage of the bills on the second Consent Calendar of the day.

DEPUTY SPEAKER GODFREY:

The question is on passage of the items on Consent Calendar Number 2.

Staff and guests please come to the well of the House. Members take your seats. The machine will be open.

THE CLERK:

The House of Representatives is voting by roll.

The House of Representatives is voting by roll on the second Consent Calendar of the day, House Consent 2. Please report to the Chamber immediately.

DEPUTY SPEAKER GODFREY:

Have all the members voted? Have all the members
voted?

If all the members have voted, the machine will
be locked.

The Clerk will take a tally.

And the Clerk will announce the tally.

THE CLERK:

Consent Calendar Number 2.

Total Number Voting 147

Necessary for Passage 74

Those voting Yea 147

Those voting Nay 0

Those absent and not voting 4

DEPUTY SPEAKER GODFREY:

The items on the Consent Calendar are passed.

(Speaker Sharkey in the Chair.)

SPEAKER SHARKEY:

The House will please come back to order.

Will the Clerk please call Emergency Certified
Bill 5597.

THE CLERK:

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**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
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SENATE

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April 23, 2014

All members have voted. All members have voted. The machine will be closed.

Mr. Clerk, will you please call the tally?

THE CLERK:

Senate Bill Number 220.

Total Number Voting	35
Necessary for Adoption	19
Those voting Yea	25
Those voting Nay	10
Those absent and not voting	1

THE CHAIR:

The bill passes.

Mr. Clerk.

THE CLERK:

Also on the Calendar page 28, Calendar 105, Senate Bill Number 221, AN ACT CONCERNING CREDIT CHECKS IN FINANCIAL INSTITUTIONS. Favorable report of the Committee on Labor and Public Employees.

THE CHAIR:

Senator Holder-Winfield. Let's try it again, sir.

SENATOR HOLDER-WINFIELD:

Yes, good afternoon again, Madam President.

I move acceptance of the Joint Committee's favorable report and passage of the bill.

THE CHAIR:

The motion is on acceptance and passage. Will you remark, sir?

SENATOR HOLDER-WINFIELD:

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Yes, Madam President.

This bill adds in licensed mortgage brokers, mortgage correspondent lenders, mortgage lenders, mortgage servicing companies so that they can require their employees or prospective employees to consent to a request for a credit report.

It was left out of some legislation we had done in prior years. This fixes what we did, and I would move to adopt acceptance.

THE CHAIR:

Will you remark further, sir? Will you remark?

Senator Markley.

SENATOR MARKLEY:

Yes, thank you, Madam President.

Let me just say briefly that this corrects a little glitch in the original legislation, and we appreciate the fact that it's moved forward. And I encourage my colleagues to support this bill.

THE CHAIR:

Thank you.

Will you remark further? Will you remark further?

If not, Senator Holder-Winfield.

SENATOR HOLDER-WINFIELD:

Yes, Madam President, I would ask if there's no objection this be placed on consent.

THE CHAIR:

Seeing no objection. So ordered, sir.

Mr. Clerk. Now, that's the way we should be doing it.

THE CLERK:

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SENATE

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that we might proceed to a vote on the Consent Calendar.

THE CHAIR:

Madam would the people please take their conversations outside the chamber so the Clerk can so we can all hear the items on the Consent Calendar? Madam Clerk.

THE CLERK:

Items on the Consent Calendar. Page 1, Calendar Number 325, House Joint Resolution 66, and Calendar Number 326, House Joint Resolution 67.

Page 5, Calendar Number 102, Senate Bill 258. Page 6, Calendar Number 143, Senate Bill 363. Page 10, Calendar Number 287, Senate Bill 257.

Page 16, Calendar Number 368, Senate Bill 262. Page 17, Calendar Number 370, Senate Bill 411, and Calendar Number 372, Senate Bill 463.

Page 19, Calendar Number 391, Senate Bill 154. Page 20, Calendar Number 411, Senate Bill 493.

Page 27, Senate Bill 101, excuse me, Calendar 101, Senate Bill 156.

Page 28, Calendar Number 105, Senate Bill 221, and Calendar Number 115, Senate Bill 291.

And Calendar Number 114, Senate Bill 295.

Page 29, Calendar Number 123, Senate Bill 290. Page 31, Calendar Number 172, Senate Bill 314.

And Calendar Number 169, Senate Bill 70. And page 33, Calendar Number 217, Senate Bill 318.

THE CHAIR:

Thank you, Madam Clerk. Please announce the pendency for roll call vote, and the machine will be open.

THE CLERK:

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SENATE

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There will be an immediate roll call vote in the Senate. All senators report to the Chambers.
Immediate roll call vote for Consent Calendar in the Senate. All senators report to the Chambers.

THE CHAIR:

Senator Frantz.

Have all members voted? If all members have voted, please check the board to make sure your vote is accurately recorded. If all members have voted, the machine will be closed and the Clerk will announce the tally.

THE CLERK:

Total voting	36
Aye	36
Nay	0
Absent	0

THE CHAIR:

Consent Calendar Number 1 passes. Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. I would yield the floor for members if there are announcements of any other committee meetings or other points of personal privilege to be announced before adjournment.

THE CHAIR:

Any members with additional announcements or points of personal privilege? Seeing none, Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, since there are a number of committee meetings tomorrow morning, it's our intention to begin the day with a Senate caucus at noon, and then session to follow. And with that I move the Senate stand adjourned subject to the call of the Chair.

**JOINT
STANDING
COMMITTEE
HEARINGS**

**LABOR AND
PUBLIC
EMPLOYEES
PART 2
551 – 1047**

2014

SENATOR OSTEN: Are there any other questions? No?
Thank you very much for all you've done and if
you'll -- you'll get us that information, too?
Thanks. Matt, thank you for coming, it was a
pleasure meeting you.

MATTHEW SARTI: Thank you very much.

SENATOR OSTEN: You're welcome.

We have Representative Matt Lesser up next,
followed by Matt Hart from Mansfield.

Good afternoon, Matt.

REP. MATT LESSER: Good afternoon, Senator Osten,
Representative Tercyak, distinguished ranking
members and members of the Labor and Public
Employees.

SB 221

I am here this afternoon to testify in strong
support of House Bill 5256, AN ACT CONCERNING
THE COMPENSATION OF WORKERS ON FAMILY HOLIDAYS.
And I -- it's somewhat flabbergasting that we
even need to be debating this bill because up
until very recently, the vast majority of
retail establishments closed on Thanksgiving to
allow workers to celebrate the most American of
holidays with their families, to give thanks
for the blessings of this country and to travel
to see people they hadn't seen throughout the
year. I cannot think of a holiday more
American than Thanksgiving.

But starting in 1998, the nation's largest
retailer, Wal-Mart, started opening early for
Black Friday, they started opening the Thursday
of Thanksgiving and every year more and more
retailers have been forced to follow suit by
threat of competition. And while I am a big

COMMITTEE

believer in the free market, I believe that this Legislature has, in the past, taken strong action to protect other issues of concern. And I think allowing one day a year for the families of this state to spend with their families is important. And so I would urge support for that. I, too, would simply allow workers to get overtime if they are forced to work on Thanksgiving.

Now, my request to the committee had been to focus on Thanksgiving. As a -- as a person of the Jewish faith I -- it hadn't occurred to me to ask about Christmas although I see its inclusion here and I respect the committee's decision with regard to Christmas as well. I would say that Christmas is important to the Jewish people as well. We have a long tradition going back centuries of going out to Chinese restaurants on -- on Christmas. I would be concerned if this had an inflationary effect on the price of egg rolls, but I -- I -- I would defer to the committee's judgment on that question and -- and I would also just note in my written testimony I included what I believe is a technical change to -- regarding Senate Bill 221 on the underlying statute.

I have no comment on the -- on the bill -- on the proposal before you other than there is a, I believe, an initiative the Department of Labor has raised regarding the underlying statute that may conflict with the intent of the legislation. So I urge support and I would welcome any questions.

SENATOR OSTEN: Are there any questions? Seeing none, thank you very much.

We have up next the CEO of Mansfield, Matt Hart. And that will be the end of our



Connecticut Mortgage
Bankers Association, Inc.

February 26, 2014

TO: Committee on Labor and Public Employees

FROM: The Connecticut Mortgage Bankers Association, Inc.

RE: Statement in Support of Senate Bill No. 221 (LCO No 1236), An Act Concerning Credit Checks and Financial Institutions

The Connecticut Mortgage Bankers Association, Inc ("CMBA"), which numbers over one hundred fifty organizations and 700 individuals, is a non-profit association formed in 1984. The two principal purposes of the CMBA are to promote the welfare of the mortgage lending industry in Connecticut and to improve its service to the citizens of Connecticut. The CMBA is Connecticut's only trade association dedicated exclusively to the mortgage banking industry in the State of Connecticut.

For the reasons stated below, the CMBA supports Senate Bill No. 221.

Currently Connecticut General Statutes Section 31-51tt, entitled "Employer inquiries about an employee's or prospective employee's credit. Exceptions. Enforcement.", excludes banks, thrifts and credit unions from the statutory prohibition preventing employers from inquiring about employee and prospective employee credit status. The current statute does not, however, exclude non-depository mortgage lenders, mortgage correspondent lenders, mortgage brokers licensed by Connecticut Banking Commissioner from this statutory proscription. This omission appears to have been an oversight inasmuch as both the Banking Commissioner and the Commissioner's licensees have a clear interest in assuring that a licensee's employees meet the financial responsibility standards applicable to the Commissioner's licensees.

By amending the definition of exempt "financial institutions", Senate Bill No. 221 provides that non-depository mortgage lenders and other licensees would no longer be prohibited from requiring an employee or prospective employee to consent to a request for a credit report that contains information about the employee's or prospective employee's credit score, credit account balances, payment history, savings or checking account balances or savings or checking account numbers as a condition of employment since such licensees will now fall within the definition of an exempt financial institution.

For the foregoing reasons, the CMBA supports S.B. 221.



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 INTERNSHIP COMMITTEE

**TESTIMONY OF REPRESENTATIVE LESSER IN SUPPORT OF HB 5256
 AND REQUESTING REVISIONS TO SB 221**

Senator Osten, Representative Tercyak, Distinguished Ranking Members and Members of the Labor and Public Employees Committee.

1) I wish to testify in strong support of **HB 5256 AN ACT CONCERNING THE COMPENSATION OF WORKERS ON FAMILY HOLIDAYS.**

This legislation will allow workers at retail establishments to earn overtime when forced to work on family holidays.

Thanksgiving is the most American of holidays — with the obvious exceptions of health professions, first responders and public safety workers, families have been given that day off from their jobs to give thanks for the blessings that this country affords and pause to spend time with their families.

The day after Thanksgiving, Black Friday, traditionally marks the start of the holiday shopping season.

In 1998, however, the nation's largest retailer, WalMart, decided to start Black Friday one day early. Since then every year more retailers have followed suit. To add insult to injury, many of these retailers limit hours in the run up to this holiday to deprive workers of the right to even earn overtime.

This legislation will remedy that problem and help protect real Connecticut family values.

2) Regarding **SB 221**, while I have no position on the proposed language before you concerning mortgage professionals, I would urge you to strike subsection (4)E of the underlying statute referenced in the bill and part of subsection 4(F), namely "the employer's nonfinancial assets valued at two thousand five dollars or more, including, but not limited to," but maintaining the existing exemptions for museum and library collections and prescription drugs.

Based on conversations with the Department of Labor, I am concerned that those sections are being broadly misinterpreted by some employers to subvert the clear intent of the legislature in restricting the use of credit histories for hiring decisions in the majority of employment-related circumstances.

Thank you for your consideration.

Respectfully,

Matthew Lesser