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remarks? If not, Mr. Clerk, would you please make the necessary announcement for a roll call vote.

THE CLERK:

An immediate roll call has been ordered in the Senate. Will all Senators please return to the Chamber. An immediate roll call has been ordered in the Senate. Will all Senators please return to the Chamber.

THE CHAIR:

Thank you very much, Mr. Clerk. The issue before the Chamber is Senate Calendar 550, Substitute for House Bill 7122. The machine is open. You may record your vote.

Have all Senators voted and are your votes properly recorded? Have all Senators voted and your votes are properly recorded? The machine is closed.

The result of the vote:

32 Yea

4 Nay

0 Absent

The bill passes.

Mr. Clerk.

THE CLERK:

Calendar No. 551, File No. 950, Substitute for House Bill 6919, AN ACT ESTABLISHING THE MASHANTUCKET

PEQUOT FUND. (As amended by House Amendment Schedules "A", "C" and "E").

Favorable Report of the Committee on Planning and Development.

The Clerk is in possession of amendments.

THE CHAIR:

Thank you very much. The Chair --. (Gavel) The Chair would recognize Senator Harper and ask people to take their conversations outside of the Chamber. Out. The Chair orders them out. Senator Harper.

SENATOR HARPER:

Thank you, Madam President. I move acceptance of the Joint Committee's Favorable Report and passage of the bill in concurrence with the House. At this time I would ask that the Clerk call LCO No. 8352. I'd move adoption.

THE CHAIR:

Thank you. Hang on, Senator.

THE CLERK:

LCO8352, which would be designated Senate Amendment Schedule "A". It's offered by Senator Harper of the 6th District.

THE CHAIR:

Thank you very much. The Chair would recognize Senator Harper.

SENATOR HARPER:

Thank you, Madam President. Again, I'd move adoption of the amendment, ask that the reading be waived and that I may be permitted to summarize.

The amendment essentially strikes everything after the enacting clause and replaces the file. Essentially it establishes much of the content of -- all of the content of the House Bill, but adds several things. The bill now before the Senate, as amended, with the amendment, provides for a distribution of some $88,123,916 from the Mashantucket Pequot Fund to municipalities in the following manner.

It distributes some $20 million, some $20 million plus dollars to the PILOT -- no $20 million exactly for the PILOT for state-owned property, an additional $20 million plus for the pilot for private colleges and hospitals, a grant formula, some $35 million through the Property Tax Relief Trust Fund Formula. It distributes $9,950,000 over and above the funds distributed in the sections through the formula grants by increasing aid to the municipalities that are listed in the bill.

The amendment also provides $25,000 each to Ledyard and Preston in addition to grants provided through the statutory grant formulas. Furthermore, the bill

provides for a phase-out of the cap on payment in lieu of taxes for state-owned property. Currently this affects two municipalities, Mansfield and Windsor Locks.

The -- that essentially explains in the new amendment what occurred in the original copy sent out from the House. The additional dollars above the House allocation of $85 million are distributed accordingly. Some $3,123,916 through the Mashantucket Pequot Fund, which is established through this amendment, are distributed a million dollars each to -- in addition to the allocations already established in the bill, a million dollars each to Hartford, New Haven and Bridgeport.

The bill changes the formula for payment in lieu of taxes for private colleges and hospitals by allowing the inclusion of free standing chronic disease hospitals. With respect to this change, the City of New Britain and the City of Wallingford will pick up additional dollars, $155,072 in the General Fund through the normal formula for New Britain and an additional $51,690 for that city through the Mashantucket Pequot Fund. Wallingford would pick up an additional $216,667 through the General Fund Colleagues and Hospitals PILOT Program and the piece in the Mashantucket Pequot Fund, they would pick up an

additional $72,226.

The allocations for the Pequot Fund are for only one fiscal year only of the biennial budget, FY1994, essentially putting this issue of distribution up for reconsideration in the next session of the legislature in order to determine how such revenues would be distributed for the second year of the biennium, FY1995.

I would urge adoption of the amendment and ask that when the vote be taken, it be taken by roll.

THE CHAIR:

Thank you very much, Senator Harper. Does anybody else wish to --? Yes, Senator Freedman.

SENATOR FREEDMAN:

A question, through you, Madam President, to Senator Harper. I understand the $85 million, but I'm not quite sure how we take $3 million out of the General Fund and I would like to know exactly where that is emanating. Thank you.

THE CHAIR:

Thank you, Senator Freedman. Senator Harper.

SENATOR HARPER:

Through you, Madam President. In the General Fund portion of the budget that was passed earlier this session there was a projected, I believe $7 million

fund balance. In other words, there was anticipated about $7 million more in revenue for the General Fund and expenditures. These dollars for these additional expenditures above the 1985 would be picked up by transferring money into the fund, into the Pequot Fund and money into the payment of the PILOT Program for Colleges and Hospitals from that fund balance.

THE CHAIR:

Senator Freedman.

SENATOR FREEDMAN:

Yes, Madam President. It was my understanding, and I gather what Senator Harper is saying, is that there is some $7 million plus surplus in our new budget for 1993-94. That being the case, aren't surplus funds already dedicated, through you, Madam President, in another fashion through our own legislation, that they should be any surplus funds would be used to pay off debt service first, through you?

THE CHAIR:

Senator Harper.

SENATOR HARPER:

Through you, Madam President, that is the case unless the legislature votes to do otherwise.

THE CHAIR:

Senator Freedman.

SENATOR FREEDMAN:

Yes, Madam President. I'm going to oppose this. I'm not adverse to the way the money is being spent, but I do object to the extra $3 million being taken out of the General Fund when we have in place a way to use a surplus if we truly do have a surplus.

I'm a little surprised in view of the fact that we just did a deficiency bill today and I wish we had addressed this issue earlier because I would not have voted for the deficiency bill knowing that this information that we now have before us changes the whole situation.

On that basis, I will object. Thank you.

THE CHAIR:

Thank you, Senator Freedman. Senator Penn.

SENATOR PENN:

Thank you, Madam President. I'd like to rise to associate myself with the bill and the amendment as proposed by Senator Harper and thank my Democratic colleagues in caucus for understanding the plight of the urban cities, even though I understand enough is never enough in these cities where things are happening and when we come to a situation where you have each distressed municipality fighting against another distressed municipality, it never sends a good message

to anyone.

So with that in mind, again, I would just like to thank them and I'm so glad I don't have to sumo wrestle with Joe Harper.

LAUGHTER

And I really appreciate it and urge passage of the bill. Thank you so much.

THE CHAIR:

Thank you very much. Senator Cook. Senator Cook.

SENATOR COOK:

Thank you, Madam President. Through you, a question to the proponent of the amendment. In the -- since this would be replacing the entire language, I will address my questions to the amendment. In the testimony of the House on this bill, when there was some discussion about Ledyard and Preston, the discussion was very specific that this was to help those communities cope with some of the extra costs about having the Foxwoods Casino in their vicinity and I would just like to ask the proponent of the amendment if that was also his understanding of why there is $25,000 presented to those two communities, through you.

THE CHAIR:

Senator Harper.

SENATOR HARPER:

Through you, Madam President, I rally cannot attest to many of the reasons why the House allocated the funding the way they did. I simply, through this amendment, I am representing what amounts to a caucus, a Democratic Caucus position to essentially send back to the House -- send the bill back to the House with their distribution method in place with some changes that some Senators feel should be made to better reflect some of the needs, to address some of the needs of some of the communities here in the state a number of Senators did not feel the House Amendment adequately addressed.

I cannot speak to the rationale behind the House selection of the particular towns, in this case Ledyard and Preston, as to why they picked Ledyard and Preston and not other towns in that vicinity. Senator Cook, I cannot speak to their rationale. I'm sorry.

THE CHAIR:

Senator Cook.

SENATOR COOK:

Yes, madam. Through you, again, to the proponent of the amendment, would you suggest that your reason for including Ledyard and Preston would be that they have an impact because of the Foxwoods Casino?

THE CHAIR:

Senator Harper.

SENATOR HARPER:

Through you, Madam President, it's possible that that was a consideration. Again, I was not involved in the House negotiations that brought about this amendment. Again, I simply today represent the position that the method of the House in allocating certain dollars outside the use of a formula is something that at this time we choose to support to get the bill back to the House in hopes of further discussions.

SENATOR COOK:

Thank you, Madam President. I'll save my questions for another amendment. Thank you.

THE CHAIR:

Thank you very much. Senator Nickerson.

SENATOR NICKERSON:

Thank you very much. If I may, through you, a question to the proponent.

THE CHAIR:

Certainly, sir.

SENATOR NICKERSON:

We're distributing a ton of money here and I think we best be clear before we get to the numbers on the

rationale and the principles that lie behind it, so with your permission, Madam President, I'd like to ask a question to the proponent.

THE CHAIR:

Certainly.

SENATOR NICKERSON:

First, it is my understanding that all of the dollars and all of the formula established by the House Bill are in place under this amendment and this amendment would add a further formula with additional dollars, but it doesn't disturb or change the allocation of dollars as they came up from the House except to add additional dollars to the town's name. Is that correct, through you, Madam President?

THE CHAIR:

Senator Harper.

SENATOR HARPER:

Through you, Madam President, that's correct, Senator Nickerson.

SENATOR NICKERSON:

Okay, fine. Then we have to ask the hard question. Can the proponent of the amendment provide the Circle a rationale, a justification for the selection of the tripartite formula by which the House Bill allocated $85 million?

THE CHAIR:

Senator Harper.

SENATOR HARPER:

Madam President, with respect to the part of the bill that distributes money through various formulas, all I can say is that there was a number of combinations looked at as to how best to distribute the revenue from the Pequot Indian Casino and the method that appears here that would use essentially three formulas, payment in lieu of taxes for state property which distributes about $20 million, the payment in lieu of taxes for private colleges and hospitals which distributes a little more than $20 million and some $35 million of the total which is distributed through the Property Tax Relief Trust Fund Formula. The idea was to recognize communities that have tax exempt property both as a result of having state facilities and private hospitals and colleges, but not to weigh that situation as heavily as the Governor originally proposed, which was to distribute all the money through those two formulas.

The choice of the Property Tax Relief Trust Fund Formula was to take a significant portion of the money and treat it through a formula that weighed other factors other than tax exempt property. Population is

a factor in the Property Tax Relief Trust Fund, per capita income and net equalized Grand List per capita.

Then there's a piece of money in the House version, about $10 million that is not distributed on the basis of a formula, and the rationale on that, as I indicated, in response to a question by Senator Cook, I do not know the total rationale other than I believe to the best of my knowledge it perhaps favored towns of particular legislators, but not all legislators, so there was apparently an attempt in the House to do most of the distribution through various formulas and then to do some adjustments with another piece of money that in the minds of the House they felt addressed particular needs and that idea is, of course, expanded upon by the changes in the Senate Amendment that deal with about an additional $3 million plus.

THE CHAIR:

Senator Nickerson.

SENATOR NICKERSON:

Yes, thank you. While I very much appreciate the Chairman's candor, what I heard you say, I believe, was that while there are three formulas other than the final formula, the $10 million, which we can debate about the utility or the inutility of distributing the funds, they at least have the merit of operating off a

statutory basis which was pre-existing, that the three formulas that you referred, the property tax, the state property and the private hospitals are existing formulas and reasonable people can differ as to whether those three formulas could have been used or not used or what the proper allocation of dollars between those was. That's an understandable debate.

But when we come to the final $10 million, I heard you say that you didn't know the rationale for that and that it had no statutory antecedent. It was a newborn idea without statutory antecedent, without a rationale, at least without a rationale that's articulated before the Circle tonight.

So I guess I'm constrained to ask you is are you satisfied to make your appeal in the amendment before us lie upon the basis that we are ratifying the $10 million allocation of money without a statutory antecedent and without a known rationale. is that, do you feel an appropriate method of the Circle proceedings this evening, through you, Madam President?

THE CHAIR:

Senator Harper.

SENATOR HARPER:

Through you, Madam President, I can't honestly say, Senator Nickerson, that I believe the distribution of

the $10 million via a method that is non-formula based is the best way to distribute that money, but I do know from over two months of frustration of trying to come up with something that's formula based it would draw a consensus, a majority consensus of legislators that it's been extremely difficult to do that and while I'm not -- again, I in particular cannot speak with any kind of verve and enthusiasm to the rationale behind the $10 million. I look at this bill and this amendment and this action here today as part of a process that I hope won't end here and it will move this item back to the House and perhaps we will engage in further discussion via perhaps a Conference Committee or some other means.

We are at a point where we are late in the session and we're trying to determine what I think is an extremely major decision here on how to distribute a very, very significant sum of money and it's just to date been an imperfect process and I have to honestly say the product before us is not a perfect one.

I hope that, again, before the session ends and the process is complete we will have something that perhaps is more rational with respect to responding to actual needs of communities.

THE CHAIR:

Senator Nickerson.

SENATOR NICKERSON:

Well, I thank the Chairman very much for his answer. I must say it's his usual directness and candor, no beating around the bush and I appreciate Senator Harper's answer.

What Senator Harper has said -- well, I won't repeat what he said. I thoroughly agree with what Senator Harper just said. What Senator Harper said is $10 million of these funds from the House Bill that's come to us, I haven't yet come to the amendment, but I will. I know the hour is late, but before we get to the amendment, we have to recognize that it ratifies the entirety of the House distribution, including $10 million, which the Senator and I have just agreed has no statutory antecedent, has no formula that is ascertainable and was arrived at simply because 51 percent or a majority or whatever it was that the House voted for it. That's pretty thin when we're distributing the public's money.

Our process has been and should be formulas and I recognize there are different formulas available to us, three different formulas were used. We could debate, but I certainly won't, whether they were the right formulas. They at least existed in this history of the

financial distribution of Hartford to the 169 cities.

The $10 million had no such antecedent. It was borne out of the clear blue sky by someone's idea of how to get a majority of votes. Okay. He and I agree on that. Now we come to the amendment. The amendment it seems to me suffers from replicating exactly that concern because, I guess I'll ask the question and I think we all know the answer. There was, I assume, no formula, no statutory antecedent, no preferential reference point to which we can refer in order to determine how it was that the three cities of Hartford, New Haven and Bridgeport each got $1 million even. Would that be a correct statement, through you, Madam President?

THE CHAIR:

Senator Harper.

SENATOR HARPER:

Through you, Madam President. The rationale that I can't represent of I believe a majority of Senators with respect to the additional million dollars going to New Haven, Hartford and Bridgeport was that they are the three poorest cities in the states, the three largest cities had expected considerably more money in the distribution of the Pequot formula. New Haven and Hartford expected more via what was presented by the

Governor and his budget in February.

Bridgeport, which does not have a significant, as significant an amount of tax exempt property as these two cities, nevertheless is the largest in population and the poorest in the state, was not treated fairly under that formula. The feeling was that an additional million was helping the most needy.

With respect to the change in the Payment In Lieu of Taxes Program for Colleges and Hospitals that benefits two communities, the feeling was that this corrects a longstanding inequity where two major hospitals in this state have been excluded from a formula in spite of the fact that residents from all over the state, in fact in the New England region, are served by the hospitals and yet those two communities do not collect taxes on the land and buildings that they occupy as communities do who have general hospitals and that this was an opportunity to correct that inequity.

Again, that however, changes a formula, adds two items to an existing formula grant program that reimburses towns for tax dollars lost for hospitals. That was the rationale to the changes made in the Senate. Additionally, I indicated our amendment puts a sunset on this total -- this total distribution

approach to one year as opposed to the House which would have -- what was done in the House Amendment essentially would have been in place for the life of the Pequot Fund.

THE CHAIR:

Thank you, Senator Harper. Senator Nickerson.

SENATOR NICKERSON:

Okay, well, I have a great, great deal of trouble with that. New Haven, Bridgeport and Hartford and very different cities, very different economic bases and it wouldn't be appropriate to belabor that at this time, but to equate Bridgeport, New Haven and Hartford as having exactly equivalent needs and to move from that to the proposition that that there's no other city out of the 166 remaining that has any proportionate need I just don't think is real. I really don't think anybody can travel through Bridgeport, New Haven and Hartford and the rest of the state and say those three cities have exactly equivalent needs and no other city has a comparable need.

So I urge rejection of this amendment on two grounds. First, as Senator Harper and I have established, a significant chunk of funds as the formula came up from the House are distributed according to a process without formula, without

statutory antecedent and out of a blue sky, if you will. That defect is made the worse by the amendment because it yet again chooses three cities to give them an exactly equal amount of money without any previous statutory formula to do that and I think it's very dangerous for this body to embark on the process of aiding towns by a non-formula-based system because what that means is whatever formula gets 51 percent of the House and Senate in one room is going to be the formula and that's not real.

The people out on the street don't live their lives by who gets 51 percent of the people in one room. They have different problems, different needs and they're different cities and to break this away from statutory formulas themselves, I understand not wholly writ, but at least understandable formulas and to move through the parceling out of money without statutory formulas I think is very gray and it concerns me very much that we -- that not only did the House embark on that to a significant degree, but the Senate would (a) ratify that House action and (b) make it yet the worst by adding its own new non-statutory formula.

So I'll urge rejection. Thank you.

THE CHAIR:

Thank you very much, Senator Nickerson. Senator Scarpetti.

SENATOR HARPER:

Thank you, Madam President. Madam President, I rise to associate myself with the words of Senator Harper and I thank the Democratic party, the Democratic Caucus and hopefully some of my colleagues. I disagree with Senator Nickerson. Bridgeport, New Haven and Hartford do have a very unique problem and you can drive through, through you, Madam Chairman, you can drive through Bridgeport, Hartford and New Haven and you can see the difference. Those people need much help and I think if the money is there, I appreciate it very much, Senator Harper, and I urge my colleagues please, we do need your help. I thank you.

THE CHAIR:

Thank you very much, Senator Scarpetti. Would anybody else wish to remark on Senate Amendment "A"? If not, Mr. Clerk, would you make the necessary announcement for a roll call vote.

THE CLERK:

An immediate roll call has been ordered in the Senate. Will all Senators please return to the Chamber. An immediate roll call has been ordered in

the Senate. Will all Senators please return to the Chamber.

THE CHAIR:

Thank you very much, Mr. Clerk. The issue before the Chamber is an amendment to Senate Calendar 551. it is LCO No. 8352. It's been designated by the Clerk as Senate Amendment "A". The machine is on. You may record your vote.

Have all Senators voted and are votes properly recorded? Have all Senators voted and are your votes properly recorded? The machine is closed.

The result of the vote:

21 Yea

15 Nay

0 Absent

The amendment is adopted.

Mr. Clerk, do you have further amendments?

THE CLERK:

No further amendments, Madam President.

THE CHAIR:

Senator Harper, you now have before Senate --.

THE CLERK:

Madam President, there are a number of amendments. Excuse me. I'm not sure if they're to be called.

THE CHAIR:

Senator Freedman.

SENATOR FREEDMAN:

Would the Clerk call LCO7640 please.

THE CLERK:

LCO7640, which will be designated Senate Amendment Schedule "B". It's offered by Senator Freedman of the 25th District.

THE CHAIR:

Thank you very much. The Chair would recognize Senator Freedman.

SENATOR FREEDMAN:

Thank you, Madam President. Although not quite as appealing as the piece of amendment that just passed in this Chamber because it doesn't have quite as much to lure the big cities into it, this amendment is based on a formula that actually exists. It is based strictly on the distribution of aid by taking property in the form of property tax relief to all 169 towns in the state and I'm not sure whether everybody has a copy of it, but it is not too dissimilar at least in terms of distribution from what the Governor had originally had in his plan with the distribution through PILOT.

I would urge that my colleagues at least think in terms of doing something that is legitimate based on a formula. I'm sorry that we didn't have time to come up

with a formula that would have been worked out based on poverty levels and worked our way backward from that because I do sincerely believe that the three major cities in our state are different and that the major biggest city and poorest city in our state should not be equated with the other two cities, that they probably do need more money.

I'm not talking a good case for myself on this unfortunately, but at least it is an equitable distribution and I would like to urge my colleagues to support it. Thank you.

THE CHAIR:

Senator, would you move adoption of the amendment.

SENATOR FREEDMAN:

I'm sorry.

THE CHAIR:

That's all right.

SENATOR FREEDMAN:

I move adoption of the amendment and seek leave of the Chamber and waive its reading and I think I've already summarized.

THE CHAIR:

Thank you very much. Would anybody else wish to --?

SENATOR FREEDMAN:

Roll call please.

THE CHAIR:

Would anybody else wish to remark on Senate Amendment "B"? Are there any further remarks on Senate Amendment "B"? If not, Mr. Clerk, would you make the necessary announcement for a roll call vote please.

THE CLERK:

An immediate roll call has been ordered in the Senate. Will all Senators please return to the Chamber. An immediate roll call has been ordered in the Senate. Will all Senators please return to the Chamber.

THE CHAIR:

Thank you very much, Mr. Clerk. The issue before the Chamber is an amendment to Senate Calendar 551. It is LCO No. 7640, designated by the Senate Clerk as Senate Amendment "B". The machine is on. You may record your vote.

Senator Aniskovich. Have all Senators voted and have your votes been properly recorded? Have all Senators voted and are your votes properly recorded? The machine is closed.

The result of the vote:

12 Yea

24 Nay

0 Absent

The amendment fails.

Mr. Clerk, are there further amendments to be called?

THE CLERK:

Madam President, Senator Freedman has two additional amendments, which is my understanding they are not to called or --?

SENATOR FREEDMAN:

Thank you very much. Are there any further amendments?

THE CLERK:

And LCO8333, which will be designated Senate Amendment Schedule "C". It's offered by Senator Cook of the 18th District.

THE CHAIR:

Senator Cook.

SENATOR COOK:

Thank you, Madam President. I would urge adoption of the amendment, waive the reading and seek leave to summarize.

THE CHAIR:

Please proceed, Senator.

SENATOR COOK:

Thank you. This amendment creates a Casino Impact

Account of a small amount of money, three-tenths of one percent of the funds coming to the state from the Mashantucket Pequot enterprise, to be set aside into an impact fund with a committee to oversee distribution of that money based on the application of one of the adjacent or neighboring communities around Foxwoods with proof that they have had indeed an impact due to the gaming enterprise of that casino.

The communities that are eligible under this amendment include but are not limited to the municipalities of Bosrah, East Lyme, Griswold, Groton, Ledyard, Lisbon, Montville, New London, North Stonington, Norwich, Preston, Salem, Stonington, Voluntown and Waterford.

This does not provide a distribution of an even number of dollars, of $25,000 or so per community, but rather offers up the opportunity for any of these communities to make their case that they have had an adverse municipal impact to the presence of the Foxwoods Casino enterprise.

I would like to cite for my colleagues some of the information that has come to me from these communities about their impact. I have a letter from Attorney General Blumenthal as part of the testimony that's gone to Washington concerning annexation where he

cites, and I quote, the trendous amount of new traffic and human activity has already placed greatly increased demands on municipal services. These demands have already cost towns money and stretched their thin resources. The demands will continue to grow.

In addition, I would like to note that the communities around Foxwoods have been trying to cooperate with the tribal enterprise and have indeed gone so far as to rezone areas around there as resort, commercial cluster development. However, they were foiled as they rezoned an area expecting to be able to generate new taxable income to their communities to help pay for some of the cost of impact when the tribe made an application to annex that property. That annexation will require that it will be tax free, there will be no regulation and there will be no revenue coming to these communities from this commercial rezone.

That is a problem that really creates a very difficult situation for these very small communities. I wish to remind my colleagues that the small communities surrounding Foxwoods have had one resident trooper. They're very little towns. They have town roads, little country lanes that get people to and from the Foxwoods Casino, particularly the employees of the

casino who know the shortcuts around these little country roads, roads that are so narrow that they can't even put a single stripe down the middle because there is not enough width for two cars to pass safety to the DOT regulations about where the median line goes, roads where my children used to ride bicycles to their grandmother's house and now we have situations of armed robbery along the road. We have had several fatalities of midnight and later runs. We have had traffic counts that have showed a 400 percent increase in traffic on these little roads.

These are not roads that are patrolled by state policemen as part of the compact agreement. These are roads that the small municipalities of North Stonington, Preston and Ledyard have been trying to cover with their minimal resources and it's been very, very difficult. You have asked us in this rural area of Connecticut to all of a sudden and at a very fast pace of growth that the Foxwoods Casino has proceeded with, to absorb traffic counts now that have been just huge.

Over the last holiday weekend, there were 24,000 people who went to the casino on one day and they drive there and they parked there and they gambled there and they spent their money and then they got back in their

cars and they drove away. They didn't stop and have dinner. They didn't stop and buy gasoline or other things in our communities or anything that would have created some sort of revenue. They came to the casino, spent their money and left and that is what happens, by and large, with almost all the patrons. It's been a very difficult situation for our small communities to absorb.

There are land use planning issues that are part of the casino impact in this region. Small little communities that have a part-time tax assessor, a part-time selectman even, you know, a selectman who is not paid who comes in after work at EB and these communities now have been asked to respond to the issues of zoning and rezoning, of land use, of trying to regulate to whatever degree they can the tremendous expansion of the Foxwoods Casino. I think it is only fair that these small communities have the same sort of recognition that was already recognized by this General Assembly in years past when other gaming facilities were placed elsewhere in this state.

I wish to remind my colleagues that when OTB and para-mutuels and dog tracks and Jai Alai were placed in other communities in this state, they got one -- those host communities got one percent of the revenue

generated there and yet $113 million is coming to this state this year in 1993-94 from the Foxwoods Casino and these communities are not getting more money. It is not fair. These are little, tiny communities that have a tremendous impact. Thanks, Phil.

I also wish to remind you of the other kinds of impacts we have. This is not a community like a Bridgeport or a Milford or the other communities where there are professional Fire Departments and professional volunteers, professional ambulance services. These are small communities where we have volunteers who provide all of our fire protection, all of our ambulance protection and I have to tell you that one of the largest impacts that little North Stonington has occurred has been from the volunteers who are out on constant call, constant call for automobile accidents, constant call for other kinds of car fires and various issues. Those are impacts. There is the community of Montville which comes to mind most recently. Montville has had an impact that's on the social services of its community, again, a little, small town and yet gamblers from the Foxwoods Casino abandoned children at the MacDonalds in Montville and left them there for eight hours. Well, who was going to go pick up those children? Who was going to take

care? The Montville Social Services had to take care of those children. The parents had to be found at the casino and then there had to be issues of who was going to take care of that. Those are social issues and I will beg to tell you this is not unique nor is it a one-time issue.

There are many stresses upon the small Social Service Departments of our little towns. The kinds of impact that I could describe to you go on and on. All I am suggesting is that we set aside as a General Assembly the fair and appropriate opportunity for communities to make a case, to be able to say, yes, we have an impact from this casino operation. It's costing us the need for another policeman. It costs us the need for some help for our Social Services Department. It costs us the need for some help for our volunteer -- for equipment for our volunteer ambulance and fire fighters.

I am suggesting to you that this General Assembly is the only recourse that these communities have. They may not directly negotiate with the tribe. The tribe is an independent, sovereign nation. They must negotiate with the State of Connecticut. They did negotiate with the State of Connecticut. The tribe provided $113 million in the next fiscal year to come

to the state and I think that it is only just, only fair that this state recognize that these small communities that have to bear the brunt of the impact around this casino receive fair compensation and an opportunity to make their case. Thank you.

I urge adoption and I would request a roll call.

THE CHAIR:

Thank you very much, Senator Cook. Senator Peters.

SENATOR PETERS:

Thank you, Madam President. I rise in opposition of the amendment, but also would like to thank Senator Cook for making the case so eloquently for myself and the towns that I represent in the 20th District, and more specifically, Ledyard. This is why I am supporting the House Amendment as it arrived because the needs of my district were addressed.

However, I do want to associate myself with Senator Cook's remarks in terms of the other towns that were not as dealt with in a fair hand, to paraphrase what Senator Cook was saying, and that is precisely why we felt in caucus that this should be looked at more closely next year. Thank you.

THE CHAIR:

Thank you. Thank you very much, Senator Peters. Senator Robertson.

SENATOR ROBERTSON:

Thank you very much, Madam President. Madam President, I would urge and I would appeal to Senator DiBella, Senator Larson and all the members of the Democratic Caucus. I understand this was discussed in your caucus and you've taken a caucus position against.

In the years that I've sat here, I'm fully aware of caucus positions and in most cases one can legitimatize that caucus position. Here were are sitting here tonight, licking our chops, dividing up $85 million. It's marvelous that my towns, now Gaylord Hospital in Wallingford is going to receive additional funds. I think Danbury in one case got an extra $600,000 -- excuse me, $530,000. Many of the towns, all the towns are benefitting, but in the meantime, the towns which are now living with bumper-to-bumper traffic, the towns that now have air pollution that they never had before, the towns that have all the municipal problems that now those towns have, the towns that have -- not allowed, unfortunately it's not a question of allowing -- but those towns that are now burdened with all those problems so that we could lick our chops to split up $85 million, we can't give them the access to appeal to a governmental board that they've had an impact and that they deserve a couple of dollars.

We just passed an amendment a few moments ago giving Hartford a million. Hartford didn't want a casino even though were willing to give Hartford one-third of the take. They're not asking for one-third of the take, Senator DiBella. They're asking for a government body to have the right to distribute $300,000 if a town could make a case. That's the least we owe so that we can divide up this $85 million in such a rational manner. I would plead with the Democrat Caucus to consider this amendment. We know that the bill is going downstairs. We presume there will be a Conference Committee. There is no better way to have this as part of the Conference Committee discussion if we pass it up here.

It is right. If it was not right, then we wouldn't have the $85 million to split up. Let's help these communities that are burdened so that we can have that $85 million. It's a token, $300,000. Please.

THE CHAIR:

Thank you very much, Senator Robertson. Would anybody else wish to remark on Senate Amendment "C"? Are there any further remarks? If not, Mr. Clerk, would you please make the announcement for a roll call vote.

THE CLERK:

An immediate roll call has been ordered in the Senate. Will all Senators please return to the Chamber. An immediate roll call has been ordered in the Senate. Will all Senators please return to the Chamber.

THE CHAIR:

Thank you very much, Mr. Clerk. The issue before the Chamber is an amendment to Senate Calendar 551. It is Senate Amendment "C", LCO No. 8333. The machine is on. You may record your vote.

Have all Senators voted and are your votes properly recorded? Have all Senators voted and are your votes properly recorded? The machine is closed.

The result of the vote:

12 Yea

24 Nay

0 Absent

The amendment fails.

Mr. Clerk, do you have any further amendments?

THE CLERK:

Madam President, I believe that completes all of the amendments.

THE CHAIR:

Senator Harper, you now have before you Item 551, Substitute for House Bill No. 6919, as amended by

Senate Amendment "A". Do you wish to remark on the bill?

SENATOR HARPER:

Through you, Madam President, I think the various viewpoints and feelings have been adequately expressed and I would urge adoption.

THE CHAIR:

Thank you very much. Do you wish to have this placed on the Consent Calendar, sir? Or do you want to vote right now?

LAUGHTER

No Consent? Senator Freedman.

SENATOR FREEDMAN:

Yes, Madam President, just one comment. I know it's on its way back to the House and I we'll probably -- or I'm assuming it will end up in a Conference Committee. I hope that some real formula will be developed and it will take a very careful look at those cities, obviously the first and foremost, need the dollars and come up with a formula that will help them but also include everybody as part of the formula.

I will be voting against this.

THE CHAIR:

Thank you very much, Senator. Would anybody else wish to remark? Are there any further remarks? If

not, Mr. Clerk, would you please make the necessary announcement for a roll call vote.

THE CLERK:

An immediate roll call has been ordered in the Senate. Will all Senators please return to the Chamber. An immediate roll call has been ordered in the Senate. Will all Senators please return to the Chamber.

THE CHAIR:

Thank you very much, Mr. Clerk. The issue before the Chamber is Senate Calendar 551, Substitute for House Bill 6919, as amended by Senate Amendment "A". The machine is on. You may record your vote.

THE CHAIR:

Have all Senators voted and are your votes properly recorded? Have all Senators voted and are your votes properly recorded? The machine is closed.

The result of the vote:

24 Yea

12 Nay

0 Absent

The bill passes.

Do you wish to have the rules suspended? Do you want to have the rules suspended for the immediate transmittal? Senator DiBella.

SENATOR DIBELLA:

Thank you, Madam President. I'd move suspension of the rules for immediate transmission to the House.

THE CHAIR:

Thank you very much. Is there any objection to the suspension of the rules for the immediate transmittal of Senate Calendar 551 to the House? Is there any objection? Hearing none, so ordered.

THE CLERK:

Calendar Page 13, Calendar No. 560 -- correction, Calendar Page 16, Calendar No. 587, File No. 987, Substitute for House Bill 7192, AN ACT CONCERNING THE HEARING PROCESS RELATIVE TO THE ESTABLISHMENT OR RELOCATION OF MOTOR VEHICLE DEALERSHIPS. (As amended by House Amendment Schedule "A").

Favorable Report of the Committee on Judiciary.

THE CHAIR:

Thank you very much. The Chair would recognize Senator Colapietro.

SENATOR COLAPIETRO:

Thank you, Madam President. I move the Joint Committee's Favorable Report and passage of the bill.

THE CHAIR:

Thank you very much, Senator. Do you wish to remark further?

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An immediate roll call has been ordered in the Senate. Will all Senators please return to the Chamber. An immediate roll call has been ordered in the Senate. Will all Senators please return to the Chamber.

THE CHAIR:

Thank you very much. The issue before the Chamber is Senate Calendar 619, Substitute for House Bill 5176, as amended by House Amendment Schedule "A". The machine is on. You may record your vote.

Have all Senators voted and are your votes properly recorded? Have all Senators voted and are your votes properly recorded? The machine is closed.

The result of the vote:

28 Yea

8 Nay

0 Absent

The bill passes.

THE CLERK:

Calling from Senate Agenda #3, Business from the House, Disagreeing Actions, Substitute for House Bill 6919, AN ACT ESTABLISHING THE MASHANTUCKET PEQUOT FUND. (As amended by House Amendment Schedules "A", "C" and "E" and Senate Amendment Schedule "A").

The House rejected Senate Amendment Schedule "A".

Favorable Report of the Committee on Planning and Development.

THE CHAIR:

Thank you very much. The Chair would recognize Senator Harper.

SENATOR HARPER:

Thank you, Madam President. I move acceptance of the Joint Committee's Favorable Report and adoption of the bill. I would move adoption of the bill with the readoption of Senate "A".

THE CHAIR:

Thank you very much. You have before you Substitute for House Bill 6919 and a motion by Senator Harper to readopt Senate "A". Is there any -- are there any remarks on his motion to readopt Senate "A"? If not, then please let me know your mind. All those in favor of the motion to readopt Senate "A" to House Bill 6919, please signify by saying aye.

SENATORS:

Aye.

THE CHAIR:

Opposed.

The ayes have it.

The motion passes and you have now readopted Senate "A". Senator Harper.

SENATOR HARPER:

Madam President, I believe -- I move now for adoption of the bill with Senate "A".

THE CHAIR:

And all House Amendments. You now have before you Substitute for House Bill 6919, with Senate Amendment "A" and with House "A", "C" and "E". Was there any remarks to be made on the House --? Yes, any remarks? Any remarks? If not, Mr. Clerk, would you make the necessary announcement for a roll call vote.

THE CLERK:

An immediate roll call has been ordered in the Senate. Will all Senators please return to the Chamber. An immediate roll call has been ordered in the Senate. Will all Senators please return to the Chamber.

THE CHAIR:

Thank you very much, Mr. Clerk. The issue before the Chamber is from Senate Agenda #3, Monday, June 7th, it is Substitute for House Bill 6919, with Senate Amendment "A" and House Amendments "A", "C" and "E". The machine is on. You may record your vote.

Have all Senators voted and are your votes properly recorded? Have all Senators voted and are your votes properly recorded? The machine is closed.

The result of the vote:

26 Yea

10 Nay

0 Absent

The bill passes.

There obviously is going to be a Committee on Conference and the members of that committee from the Senate will be Senators Harper, Sullivan and Aniskovich, that is, Senators Harpers, Sullivan and Aniskovich, the Committee on Conference for House Bill 6919. Mr. Clerk.

THE CLERK:

Calendar Page 18, Calendar No. 413, File No. 722, Substitute for Senate Bill 180, AN ACT CONCERNING CHILD SUPPORT.

Favorable Report of the Committee on Human Services.

THE CHAIR:

Senator Przybysz, are you trying to tell us something? I think it's Senator Jepsen. The Chair would recognize Senator Jepsen.

SENATOR JEPSEN:

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Senator Larson.

SENATOR LARSON:

Madam President, returning to the Calendar. If the Clerk at this time, and I don't have the Agenda in front of me, could call the Conference Committee on the Pequot monies and please call that next. Senator DiBella, is that correct?

THE CHAIR:

Thank you very much, Senator Larson.

THE CLERK:

Calendar Page 15, Committee on Conference, Calender No. 551, File No. 754, 950, Substitute for House Bill 6919, AN ACT ESTABLISHING THE MASHANTUCKET PEQUOT FUND. (As amended by House Amendment Schedules "A", "C" and "E" and Senate Amendment Schedule "A").

Favorable Report of the Committee on Planning and Development.

The House rejected Senate Amendment Schedule "A".

The Senate readopted Senate Amendment Schedule "A".

A Committee on Conference was appointed. I have been told that they've met. The Committee on Conference has met. The Committee on Conference has met and agreed to do the following, to reject Senate Amendment "A", reject House Amendment Schedules "A", "C" and "E", to adopt a new Senate Amendment, which

will be designated Senate Amendment Schedule "D". It's LCO9503. The report was unanimously accepted.

THE CHAIR:

Thank you very much. Senator Harper.

SENATOR HARPER:

Thank you, Madam President. I move adoption and passage of the Conference Committee report. The amendment, Madam President and members of the Circle, provides distribution of $88.1 million from the Mashantucket Pequot Fund to municipalities.

Some $20 million are distributed through the PILOT for state-owned property grant formula. Another $20.1 million through the PILOT for private colleges and hospitals grant formula, some $35 million through the Property Tax Relief Trust Fund Formula, another $5,475,000 to distressed municipalities based on the Property Tax Relief Trust Fund Formula.

There is a $25,000 allocation to the Towns of Ledyard, North Stonington and Preston in addition to all of the grants provided. This is recognition of the special needs of those towns that are the host towns to the Foxwoods Indian Casino.

Another section provides for a phaseout of the cap on the payment in lieu of taxes for state-owned property. This affects two communities, Mansfield and

Windsor Locks. The Conference Report also amends the formula for the payment in lieu of taxes formula for colleges, private colleges and hospitals by including in the definitions for hospitals for purposes of this formula freestanding chronic disease hospitals and that necessitates -- also carries with it an additional appropriation under that regular program of the Office of Policy and Management of some $370,000.

Essentially, the difference in this -- also the formulas established and utilized here for purposes of the Pequot Fund are sunsetted after one fiscal year. The essential difference is in what's before us as opposed to what was passed out of the Senate. The members may recall the discussion of an additional $3 million that would have been allocated, $1 million a piece to Bridgeport, Hartford, New Haven. Of that $3 million, the basic change in what we have now and what we had before us in the Senate is that we took $25,000 of that $3 million allocated into North Stonington, took the rest of the money, used the property tax relief grant formula and distributed that $3 million to eleven distressed municipalities. We took what is now in the statutes in terms of a definition for distressed municipalities which includes

11 communities and distributed the bulk of that $3 million to those towns.

So what we did essentially was apply a formula approach as opposed to simply an arbitration allocation of the $3 million. We used a formula approach and we based it on a need factor and we recognize special needs of the Town of North Stonington. That's the essential difference in the Conference Report and what was previously acted on by Senate "A" and I would move, again, approval of this report.

THE CHAIR:

Thank you very much, Senator Harper. Would anybody else wish to remark? Senator Nickerson.

SENATOR NICKERSON:

Thank you. If I may, through you, a question to Senator Harper.

THE CHAIR:

Please.

SENATOR NICKERSON:

Thank you very much. If I may, Senator Harper, a question with regard to the sunset.

THE CHAIR:

Just a minute, Senator Nickerson. Let's get a little order back in here please so we can hear. Thank you very much. Senator Nickerson.

SENATOR NICKERSON:

Yes, if I may, a question regarding the sunset portion of Senator Harper's comments. Senator Harper, when you mentioned the sunsetting of the Pequot Fund, you meant the entire dollar amount, not any portion of it will be sunsetted?

SENATOR HARPER:

Through you, Madam President, the methods of distributing the entire amount are sunsetted. In other words, we would have to reenact, readopt a method of distribution for Fiscal Year 1995, the second year of the biennium. This Conference Report only distributes the money by the means I have described for the first year, FY1994 of the coming biennium.

THE CHAIR:

Senator Nickerson.

SENATOR NICKERSON:

Well, I appreciate that answer. I think that's enormously valuable change because what it says is that I think the formula has -- does not adhere to statutory standards. The Senator and I went back and forth on that when he first had it, but I think it's very valuable to know that we have taken the wise step of not embedding this non-formula in statutory for other than for a year and so we will not only have the

opportunity revisit this, we must revisit this if the dollars to be allocated to municipalities and so I think that's a very valuable change and I thank the Senator for his answer and thank him for participating and putting in a sunset.

THE CHAIR:

Thank you very much. Senator Cook.

SENATOR COOK:

Thank you, Madam President. I wish to rise in support of the recommendations of the Conference Committee and express my deep appreciation for the inclusion of the third town which indeed is receiving a great deal of impact due to the presence of the Foxwoods Casino. It was certainly an oversight that that community was not included in host community status. I have spoken on that issue many times in the Circle and I wish to express my thanks that indeed North Stonington is included, along with Ledyard and Preston as a community that is going to receive some help. It's not as much, of course, as any of us would like, but it is some help in recognition for the special needs of those host towns and I would like to go on record as showing my deep appreciation to Senator Harper and to the other members of the Conference Committee for hearing the pleas of help from that small

community. Thank you very much.

THE CHAIR:

Thank you very much, Senator Cook. Senator Eads, then Senator Penn.

SENATOR EADS:

Thank you, Madam President. Through you, just one question to Senator Harper, if I may.

THE CHAIR:

Yes, please, Senator.

SENATOR EADS:

I thought my seatmate was falling. Where did the original $3 million come from that was in the first run of $1 million for Bridgeport and I guess Hartford and New Haven?

SENATOR HARPER:

Through you, Madam President, it was taken from the General Fund balance as a positive General Fund balance in the General Fund budget we adopted earlier this year of about $7 million. It was taken off of there and you will recall, through you, Madam President, Senator Eads, that the original revenue item from the Pequots was tagged at $100 million, $85 million of which we put in here. Another way of looking at is we are distributing $88.1 of that, and again, we're not counting $3.1 million towards revenues above the

current level of expenditures in the General Fund. So we took it from the General Fund balance.

SENATOR EADS:

I see.

THE CHAIR:

Senator Eads.

SENATOR EADS:

I'm sorry. Thank you, Madam President. That leaves, if you took it from the $7 million, you took the $3 million, so that leaves $4 million in that General Fund balance? All right, thank you very much.

THE CHAIR:

Thank you. Senator Penn and then Senator Freedman.

SENATOR PENN:

Thank you, Madam President. Again, I'm going to urge support on this and I will vote for this. I won't say that I'm totally ecstatic, but again, this is just a point of the distressed municipalities being put one against the other, but I think with time next time and time being in the Senate, next time I'll be on the Conference Committee. Maybe I can do a little better. Thank you, Madam President.

THE CHAIR:

Thank you very much. Senator Freedman.

SENATOR FREEDMAN:

Thank you, Madam President. I think next time Senator Penn will have to vote against it in order to get on the Conference Committee.

LAUGHTER

I know Senator Harper explained this and I believe it's the combination of five different formulas which gave us the final figures which are going to be distributed under the Pequot Funds. Obviously it's a little bit better than what appeared before us although only the original monies at the top or the monies I believe that were fooled around with, with the additional $3 million. I obviously would have preferred to have seen a formula, as I mentioned when this came before us initially, which was a brand new formula for the distribution of the Pequot Funds. I'm still very disturbed about the addition of the $3 million coming out of the General Fund and I would urge my colleagues not to support this. Thank you, Madam President.

THE CHAIR:

Thank you very much, Senator Freedman. Senator Scarpetti.

SENATOR SCARPETTI:

Thank you, Madam President. I rise to thank Senator Harper and the committee. Bridgeport could have done a little better, but I'm of the feeling a bird in the hand is worth two in the bush. I don't think we did as bad as I thought we might have, so I do thank you very much and maybe next year we can do better. Thank you.

THE CHAIR:

Thank you very much, Senator Scarpetti. Senator Harper.

SENATOR HARPER:

Thank you, Madam President. I would just say that, through you, Madam President, our efforts to take some arbitrariness out of the bill, we weren't able to take out all the arbitrariness and use a formula. Yes, Bridgeport did not get the additional million dollars. They are still half a million higher than what the House allocated and I understand that the expressed need of Bridgeport representatives in the House was that they needed $10 million to avoid a property tax increase. Well, they've done that plus they will come out with a half a million more and perhaps they can lower taxes in that city with that.

So I think we've done well by the large cities, and

again, because we opted to use a formula in something that was predicated on need, that's the way it turned out, but I think this issue has been kicked around long enough and it could be improved upon, but let's get on and vote for it and we'll work on it next year again.

THE CHAIR:

Thank you very much, Senator Harper. Would anybody wish to remark on the Conference Report on Substitute for House Bill 6919? If not, Mr. Clerk, would you please make the necessary announcement for a roll call vote.

THE CLERK:

An immediate roll call has been ordered in the Senate. Will all Senators please return to the Chamber. An immediate roll call has been ordered in the Senate. Will all Senators please return to the Chamber.

THE CHAIR:

Thank you very much, Mr. Clerk. The issue before the Chamber is Senate Calendar 551. It is the Committee on Conference Report. The machine is on. You may record your vote.

Have all Senators voted and are your votes properly recorded? Have all Senators voted and are your votes properly recorded? The machine is closed.

The result of the vote:

34 Yea

1 Nay

1 Absent

The Committee Conference Report has been adopted.

Senator DiBella.

SENATOR DIBELLA:

Thank you, Madam President. I would move at this time that we stand in recess until 10:00, 10:00 p.m. We will come back with a go list and try to clean up what we have.

Before we do that, could we please appoint the Committee on Conference.

THE CHAIR:

Thank you very much, yes. Ladies and gentlemen, on Senate Agenda #7, House Bill 7265, the Committee on Conference will be Senators Meotti, Colapietro and Scarpetti. That's House Bill 7265, AN ACT REQUIRING LICENSED MOTOR VEHICLE DEALERS TO DISCLOSE WHETHER A VEHICLE HAS BEEN TOTALLED.

Senators Meotti, Colapietro and Scarpetti.

SENATOR DIBELLA:

Madam President, for the purpose of an announcement. The Government Administration and Elections Committee will meet during this recess down

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machine to make sure your vote is properly cast. The machine will be locked. The Clerk please take a tally.

The Clerk please announce the tally.

CLERK:

House Bill 7275, as amended by House Amendment Schedule "A".

Total Number Voting	145
Necessary for Passage	73
Those voting Yea	145
Those voting Nay	0
Those absent and not Voting	6

SPEAKER RITTER:

The bill as amended passes.

The Clerk please continue with the Call of the Calendar.

CLERK:

Page 9, Calendar 567, Substitute for House Bill 6919, AN ACT ESTABLISHING A MASHANTUCKET PEQUOT FUND.

Favorable Report of the Committee on Appropriations.

BOOS

SPEAKER RITTER:

Seriously, let's -- we have funds, but I think that's pretty inappropriate. Representative Dyson, you have the floor.

REP. DYSON: (94th)

Mr. Speaker, I move acceptance of the Joint Committee's Favorable Report and passage of the bill.

SPEAKER RITTER:

The motion is on acceptance and passage. Please proceed, sir.

REP. DYSON: (94th)

Thank you, Mr. Speaker. Mr. Speaker, we are about to undertake deciding upon a pot of money that we have been knocking around for a long time is to be distributed to the towns in the state and I would imagine, Mr. Speaker, that everybody and their cousin not only has spent this money a thousand times, there are probably 1,001 ways that they have saw fit to try to distribute this money.

Now we are going to try and decide how it actually is to be done, and Mr. Speaker, in order to do that, the Clerk has LCO No. 7262. If the Clerk would please call and I be allowed to summarize.

SPEAKER RITTER:

The Clerk has amendment LCO7262, which will be designated House "A". If he may call it and Representative Dyson has asked for permission to summarize.

CLERK:

LCO7262, House "A", offered by Representative Ritter and Representative Luby.

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Thank you, Mr. Speaker. Mr. Speaker, the LCO that has just been called is presenting to this body a plan for distribution, a plan for distribution making usage of already existing formulas, one of which had not been funded in recent years.

Two of the formulas are two formulas that we are already familiar with. The private pilot which is for private institutions of higher education and hospitals and the other pilot is for state-owned properties.

The one formula that we have not been funding in recent years was a privatized relief formula. So through a combination of those three formulas we have sought to recommend to this body a mechanism by which distribution of the Mashantucket Pequot money is to be distributed.

The amounts of monies involved in each of these formulas, Mr. Speaker, was done in such a way so as to provide for the most equitable distribution that we could find. There was a distribution of $20 million in one pilot, $20 million in another and essentially

$45 million in the other.

Mr. Speaker, I move adoption of the amendment.

SPEAKER RITTER:

The question is on adoption. Will you remark further, sir?

REP. DYSON: (94th)

Yes, Mr. Speaker. Mr. Speaker, with the description that I've just given regarding the Mashantucket Pequot funds and the formulas that have been employed in trying to make sure that we distribute this money in the most equitable fashion, manner possible, I think deserves some clarification to this Chamber.

The clarification that I think that is necessary and critical here is that I think there is a foundation upon which we are to start. The foundation upon which we started this was that we had to make a determination was this something that was to be shared by all and I think this side of the aisle agreed that it should be and also a determination made as to whether or not any attention should be drawn to those cities that we deem to be in distress.

So with those two issues, if I might use as a foundation for determining how we will go about the business of devising a formula or a combination of

formulas for distribution, those are the two issues that drove this, whether or not this was something to be shared by all and whether or not any emphasis was to be placed upon distressed municipalities.

We looked at every formula that was already in existence and was not being funded. We look at the unrestricted formula. We looked at the urban aide formula and we looked at the three formulas that we are employing here. Needless to say, I would have preferred the urban aid formula because obviously it would give more to the distressed municipalities because it was tilted in that direction, but I think in light of the fact that one of the fundamental issues that we were dealing with here was that it's something to be shared by all and we had to find a formula that would serve all of us best. Granted, all of us are not going to agree here and you don't have to go far to find someone who disagrees, but nevertheless, we've chosen to use three formulas here and I think we did about as good as we could under the circumstances, recognizing that everybody in this Chamber had sought fit to use as a standard. $100 million that the Governor had proposed and someone many people are locked in this minds that this is what they were to get, and needless to say, it's not going to happen.

$100 million is not there for distribution. $85 million is there for distribution and it's going to take an awful lot on the part of all of us here to readjust what we thought we were going to get and live with what it is that's going to be offered up here.

Now I know that everybody and their cousin have been put in a difficult way by their towns because many of the towns that saw fit to rely upon this, and we tried to convey a message to every town. Don't be irresponsible here. You are not going to get it all, but some towns saw fit to add it all, knowing good and well they were not going to get it, so it becomes a political football to be kicked all around the place.

And let me have you understand this $85 million is all new, all new and every town and municipality can use it in the wisest manner possible or they can see fit -- they can see fit to be irresponsible with it.

My hope is that they will clearly understand what it is that we feel here, that they will conduct themselves in such a manner that they will use this money wisely because there will come a day and time it may not be there and it's going to require every town who have not used it widely to up their mill rates and I would suggest that every town represented here by members in this body ought to clearly understand that

and anyone who feels they're being beaten by what their towns are doing, don't wear that cap.

Mr. Speaker, I think the proposal that is before this body is one that has sought to address the concerns of this body with two fundamental issues that drove it. It may not satisfy everybody, but it was a genuine attempt to try to do so, and Mr. Speaker, without any further adieu, it is my assumptions that the questions are going to come and the amendments will fly and we'll do our best to try and answer and respond and to defend what it is that we have done here. Thank you, Mr. Speaker.

SPEAKER RITTER:

Anyone else care to comment on House Amendment "A"? Representative Krawiecki.

REP. KRAWIECKI: (78th)

Thank you, Mr. Speaker. A number of questions for Representative Dyson please.

SPEAKER RITTER:

Please proceed.

REP. KRAWIECKI: (78th)

Thank you, Mr. Speaker. Representative Dyson, let me start with what I think is a simple question, but I figure I'd better ask. A draft that I was given about two hours ago, LCO No. 6571, which is not before us,

called for the establishment of the Pequot Account which would be a separate non-lapsing account within the General Fund.

I notice that the LCO that you did call now establishes a separate non-lapsing fund. Through you, Mr. Speaker, I'm wondering what the nuances of that difference are and why did you make that change?

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Thank you, Mr. Speaker. Mr. Speaker, my understanding after some conversation with LCO and their having some conversation with the comptroller's office and the treasurer's office had some concerns about how it was set up before it would impact upon a cash flow, how it would deal with the issue of the cap and those tuitions that essentially decided why the language had to be altered.

REP. KRAWIECKI: (78th)

And through you, Mr. Speaker, could you tell the Chamber what those problems were and why in fact the change had to be made?

REP. DYSON: (94th)

Through you, Mr. Speaker, the changes are described here -- I'm not the accountant and I would have to say

that I've relied upon their judgment in terms of what they thought it was that we needed to do in terms of setting this up.

REP. KRAWIECKI: (78th)

Well, let me ask it this way then, through you, Mr. Speaker. Representative Dyson, are we in fact now creating a fund outside of the General Fund and have we in fact altered the way in which I think many of us in the Chamber think that the cap legislation exists, through you, Mr. Speaker?

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Through you, Mr. Speaker, that was one of the concerns, that is not an off-budget item.

REP. KRAWIECKI: (78th)

I'm sorry, I didn't catch the end of it.

REP. DYSON: (94th)

Through you, Mr. Speaker, it is not to be an off-budget item.

SPEAKER RITTER:

Representative Krawiecki.

REP. KRAWIECKI: (78th)

So, through you, Mr. Speaker, just so I'm accurate, the way this separate non-lapsing fund is established,

it is not an off-budget item now?

REP. DYSON: (94th)

That is correct.

REP. KRAWIECKI: (78th)

Through you, Mr. Speaker.

SPEAKER RITTER:

Please proceed.

REP. KRAWIECKI: (78th)

As you go down, Representative Dyson, from lines roughly 20 -- well, it starts at 20, I guess, and it goes to the 30s. It indicates, for example, in 1993-94, that we won't be spending in excess of 20 -- we'll be spending in excess of $28 million, but not in excess of $113 million received by the state. Through you, Mr. Speaker, could you explain why we use such complicated language to explain this expenditure of $85 million?

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Through you, Mr. Speaker, I sat and I read that and I looked at that same stuff myself and it says excess of $28 million, I think, and not in excess of $113 million. I only interpret that as to being the floor and the ceiling.

SPEAKER RITTER:

Representative Krawiecki.

REP. KRAWIECKI: (78th)

I guess I'm asking a more basic question, Representative Dyson. Why is it that we choose to use that kind of language, and again, going to next year, we use language -- monies in excess of $50 million, but not in excess of $135 million? Is there some significance to the way these numbers are changing year to year?

REP. DYSON: (94th)

Through you, Mr. Speaker, I'm not sure, but there probably is, but I'm unaware of what the significance is.

SPEAKER RITTER:

Representative Krawiecki.

REP. KRAWIECKI: (78th)

Mr. Speaker, I would -- I'd like to just ask the Representative if he could perhaps give me more of an answer as to why we're using that language. I just simply would like to know what it is that I'm going to ultimately make a vote on. I would hate to make a motion to pass the bill temporarily while I scurry around to find out for myself.

So let me, again, rephrase. Perhaps Representative

Dyson can try it a different way for me since I don't understand the logic or the reasoning here, through you, Mr. Speaker.

REP. DYSON: (94th)

Through you, Mr. Speaker, my friend, Representative Mulready, has some interest in this and he'd like to comment on it. I'd like to yield to Representative Mulready.

REP. KRAWIECKI: (78th)

I'd be happy to yield the floor to Representative Mulready.

SPEAKER RITTER:

Thank you, Representative Krawiecki. Do you accept the yield, Representative Mulready.

REP. MULREADY: (20th)

I do, Mr. Speaker, through you. You recall that the revenue estimates from the Pequot money were $113 million for next year and $135 million for the following year. It's my understanding that since we in fact appropriated for the following two years essentially the first $28 million in the first year for other purposes and the first $50 million in the second year for other purposes, that given those appropriations for other purposes, we're only dealing with the amount above $28 million in the first year and

above $50 million in the second year.

SPEAKER RITTER:

Representative Krawiecki.

REP. KRAWIECKI: (78th)

Thank you, Representative Mulready, I appreciate the answer. Representative Dyson, through you, Mr. Speaker, there have been many runs that I've seen distributed in recent days and since the fiscal note in the bill don't have a town by town run for all 169 towns. Can you tell me where I can get a run to show all 169 towns and the amounts that are going to them, through you, Mr. Speaker?

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Through you, Mr. Speaker, it was my understanding that there was a run that was distributed over the weekend somehow by somebody, but if you would like to have one, I can get you one.

REP. KRAWIECKI: (78th)

Through you, Mr. Speaker, it's the exact same run that I saw over the weekend. Is that correct, through you, Mr. Speaker?

REP. DYSON: (94th)

Through you, Mr. Speaker, yes.

REP. KRAWIECKI: (78th)

And, through you, Mr. Speaker, I notice that there are eight towns in this amendment -- or I'm sorry 28 towns in this amendment that are highlighted as receiving a unique dollar amount and it doesn't escape my notice that Bristol is also one of those, so before you point that out to me, it does not escape my notice.

Through you, Mr. Speaker, I wonder if you could tell me how these towns came to appear on this list and what were the factors that were used?

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Through you, Mr. Speaker, let me first of all say that I would not pick the Town of Bristol out. It has no more significance than any of the others, but in terms of what criteria was used --.

REP. KRAWIECKI: (78th)

Well, let me rephrase. I'm sure nothing in the criteria was political in nature, but there must have been some factors that went into play in putting this list of 28 towns together. Could you please, through you, Mr. Speaker, explain what that criteria was?

REP. DYSON: (94th)

Yes, through you, Mr. Speaker, I will try to

provide a plausible explanation for -- it was arbitrary.

LAUGHTER

SPEAKER RITTER:

Representative Krawiecki.

REP. KRAWIECKI: (78th)

Thank you, Mr. Speaker. I sort of assumed that it was arbitrary and in some cases I'm sure capricious and a variety of other adjectives, which I think is one of the real problems with the way this formula has been done and I would think to those -- look, I'll be the first to admit, if you're going to stand on the floor and you want to be parochial, I guess I could be extraordinarily parochial and say, heck, my town got a few extra bucks and I ought to be jumping for joy, but I don't like the way in which that kind of a formula is put together. It doesn't lend any stability to anybody in this Chamber. It's unfair to those towns that aren't included in the list. There's no particular rhyme or reason for putting this kind of a list together and it certainly doesn't lend you with any sense of confidence that next year when the formula is dealt with that you might have the same kind of a formula.

In fact, perhaps next year the numbers will change

in some other way because somebody has a squeakier wheel than the town that's listed in this current formula and I just don't think that that's what this was all designed for. I think what we were attempting to do was provide assistance to local municipalities, and if we were, then let's pick a formula. You folks made a decision that you wanted to use some of the formulas that we have already in existence, the state PILOT, the local PILOT and obviously the property tax funding formula and that makes sense to me and I can understand hacking away at it because you wanted to steer some of the monies in an apparently equitable fashion to certain places, but what ends up happening here is we end up with a program that is not fair in any way, shape or form.

Let me ask another question, Representative Dyson, and this is --.

REP. DYSON: (94th)

Mr. Speaker, if I might, I'd like to respond, if I might.

REP. KRAWIECKI: (78th)

I'm sure you'll get an opportunity to answer some questions, Representative Dyson.

REP. DYSON: (94th)

Okay, all right, sir.

REP. KRAWIECKI: (78th)

Let me ask specifically, there are a couple of towns that are designated as host towns, and as I understand it, they are only Ledyard and Preston and there are a variety of other towns that surrounds this new casino facility and I'm sure they're all bearing a very heavy burden. Can you, through you, Mr. Speaker, explain why only those two towns were singled out as having some kind of a unique burden or were considered to be the only host towns to receive the extra stipend, through you, Mr. Speaker?

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Through you, Mr. Speaker, I think it's probably because I heard from those towns more so than any others.

SPEAKER RITTER:

Representative Krawiecki.

REP. KRAWIECKI: (78th)

Through you, Mr. Speaker, is it more accurate that you heard from the Representatives of those towns more than the towns themselves? Is that more accurate, through you, Mr. Speaker?

REP. DYSON: (94th)

Through you, Mr. Speaker, that's correct.

REP. KRAWIECKI: (78th)

Is it also probably more accurate that they house themselves within a caucus on the other side of the dividing line here, through you, Mr. Speaker?

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Through you, Mr. Speaker, you're correct again.

REP. KRAWIECKI: (78th)

Thank you.

SPEAKER RITTER:

Representative Krawiecki.

REP. KRAWIECKI: (78th)

Mr. Speaker and Representative Dyson, thank you. You've been quite frank and actually your answers have not changed much since we chatted out on the stairs on Friday when you told me that there wasn't going to be much, I was going to think of this formula when I got all done, and you're right, I don't think much of it.

Mr. Speaker, this is probably the most blatantly political formula I've ever seen in this Chamber. In the wildest dreams of legislators over the many years that I've been here, we never ever have done what this formula does and that is single out towns based on

partisan political stripes and I think that's just the wrong way to do business.

I can very much appreciate, very much appreciate if we're going to use a property tax formula because that's already established in statute and there were certain reasons why certain towns got benefits there because we took into accounts needs of municipalities and the like.

If you were to use the PILOT formula, I can understand that, and that was designed for specific reasons, to provide assistance to municipalities. I can understand all of the formulas that we have in the book. I may not like them all, but I can understand it.

What we have here is an awful display of partisan politics at its worst. What we did was we said we're going to have these three different formulas, but guess what? We're not going to fund the municipal part of it to the full $45 million even though the runs show that that's what we're going to be doing. We're only going to use $35 million of it in the real formula and we're going to take $9.5 million or whatever the number is and we're going to just give it away to some people that make us happy, and Mr. Speaker, that's not the right way to do business.

I think, Mr. Speaker, that this is formula that does the people of the State of Connecticut a disservice. It does our municipalities a disservice and we better not go home and say that this is how we distributed the money according to a formula because it's really an awkward formula.

It is something that is purely designed to be political and partisanly political.

Through you, Mr. Speaker, one last question to Representative Dyson. Under the constitutional cap on spending, as I understand it, we didn't want to create all these new funds. With this formula, have we now in fact created a new fund that is, and I know I asked the question directly at the beginning. I'm not asking you a little differently. Does this formula create a new formula, a new formula than one that we have seen previously, through you, Mr. Speaker?

REP. DYSON: (94th)

Through you, Mr. Speaker, if I can rephrase the question just slightly, is this something we've done before? No, we haven't done this before.

REP. KRAWIECKI: (78th)

And through you, Mr. Speaker, with this new addition to the arsenal of state funds that we have, are you concerned at all, through you, Mr. Speaker,

that we may in fact be broaching on a violation of the constitutional cap on spending or certainly the statutory cap on spending?

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Through you, Mr. Speaker, the statutory cap on spending, the fiscal note suggests that we are not tampering with that at all. It indicates that the budget will be under the cap by $50 million for 1994 and about $17 million for 1995. So the cap is not an issue, really.

REP. KRAWIECKI: (78th)

And, well, let me thank you, Representative Dyson. I think I'll sit down and let other people ask questions about this political formula that we have before us, but my only wish and hope is that in this spirit of bipartisan cooperation that the Chamber supposedly has, I would have hoped that there would have been more consideration to the way in which this program was put together. I think it really does a disservice to the Chamber and for all of the nice conversation that we have it's really a step, a giant step backwards in the attempt to try and have a cooperative conversation about how we expend monies

that the State of Connecticut is going to have and I would just simply also point out to you, just as a generic thought to all of us, that the reason there isn't a casino bill on the table is not because any one group of human beings decided it wasn't a good time to go forward. I think it was a bipartisan feeling that we ought to be perhaps not debating that issue this year and there are a variety of other things that certainly could have and can still occur in this Chamber and I just find this to be one of the most blatant political maneuvers I've seen in my many years in the Chamber.

SPEAKER RITTER:

Thank you, sir. Representative Prelli.

REP. PRELLI: (63rd)

Thank you, Mr. Speaker. Mr. Speaker, through you, a couple somewhat I believe technical questions to Representative Dyson.

SPEAKER RITTER:

Please proceed, sir.

REP. PRELLI: (63rd)

Representative Dyson, in I think it's line 54 through line 60, we talk about a notification and a payment out to the towns of the $20 million in that section of the Pequot funds and it says that we're

going to make three payments on the first day of January, the first day of April and the 30th day of June.

Where is the division in the amount of each payment? Am I to assume that it's not split up, that these would be one-third each time, through you, Mr. Speaker?

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Through you, Mr. Speaker, my understanding is it depends upon the cash flow.

SPEAKER RITTER:

Representative Prelli.

REP. PRELLI: (63rd)

So, through you, Mr. Speaker, we might do something like we do with the education funding where we go 25 percent, 25 percent and then 50 percent? Would that be correct, through you, Mr. Speaker?

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

I would assume if the cash flow permits it, yes.

SPEAKER RITTER:

Representative Prelli.

REP. PRELLI: (63rd)

And just to follow up on that, again, Representative Dyson, through you, also in the next $20 million it has the same breakdown and I would assume that's going to be the same way. Are these going to be defined in regs anywhere or are these going to just be at the whim of the Office of Policy and Management, through you, Mr. Speaker?

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Through you, Mr. Speaker, this would be treated in the same fashion as the previous.

SPEAKER RITTER:

Representative Prelli.

REP. PRELLI: (63rd)

That wasn't quite the question I asked, Representative Dyson and I'm sure it was the way I phrased it, but I said will these be defined through regulations the way we're going to make this payment or who is going to make this decision on how we make these payments, through you, Mr. Speaker?

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Through you, Mr. Speaker, there are no regulations involved with this.

SPEAKER RITTER:

Representative Prelli.

REP. PRELLI: (63rd)

Let me follow up once more, Representative Dyson. When I go to the $35 million in Section 4 and the -- and there's one more section there. There's no breakdown of percentages there. Could you tell me at what time those payments are going to made, through you, Mr. Speaker, and if you could point me out in the bill where that is, through you, Mr. Speaker?

REP. DYSON: (94th)

Through you, Mr. Speaker, my understanding is it would be done the same way.

SPEAKER RITTER:

Representative Prelli.

REP. PRELLI: (63rd)

And where would we find that defined in the bill or in the amendment, Representative Dyson?

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

In March, and the response, through you, Mr. Speaker, the response is March and in March the payment

will be made. March.

REP. PRELLI: (63rd)

And is that because of Section 528, through you, Mr. Speaker?

REP. DYSON: (94th)

Yes, through you, Mr. Speaker, yes.

REP. PRELLI: (63rd)

Mr. Speaker, I know these are very technical and probably not exceedingly interesting, but I would think if I'm going back to my towns and telling them that they're going to be receiving this money, they might be concerned for their cash flow when they're going to get it and I'm not trying to bore the Chamber, but I do think there are questions that have to be answered.

And I would assume that the $25,000 in Section 6 would also be paid in March, through you, Mr. Speaker?

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Through you, Mr. Speaker, there is no date on that.

REP. PRELLI: (63rd)

So I would assume those would be in March also or how do we know --?

REP. DYSON: (94th)

Through you, Mr. Speaker, there could be, but

there's no date on it.

REP. PRELLI: (63rd)

Thank you, Representative Dyson. Mr. Speaker, even though these were very technical questions, I think they point out a flaw in the amendment. I think we don't know when the towns are going to receive the money. We don't know when we're going to be giving the money. We don't know what percentages we're going to be giving each time. It's possible, Mr. Speaker, reading that first -- in line 59 and 60, that we could give one percent on January 1st, one percent on April 1st and 98 percent on June 1st or June 30th at the end of the fiscal year and it's possible that we could give it all upfront. I don't know.

I would think if I was a town finance director I'd be very concerned when I was going to get the money for my cash flow. I think if I was a town finance director I'd want that defined so it couldn't be changed year to year.

I believe this is one of the flaws in the amendment and I also rise to agree with Representative Krawiecki that this is a politically based amendment. There are other amendments that are based on one fund and this should be based on one fund. We took money out of this to balance the budget this year rather than giving it

to our towns and now we're saying we're not going to do it on an across-the-board type of giving. We're going to make sure that there are specialized funds in here and I think that's the wrong approach, and for that reason, Mr. Speaker, I believe I'm going to not supporting this amendment. Thank you.

SPEAKER RITTER:

Thank you, sir. Representative Rell.

REP. RELL: (107th)

Thank you, Mr. Speaker. I'm afraid that some of the comments that will be made tonight will probably be redundant and I apologize in advance for that, but I think that some things have to be said and I guess the first thing, I have a colleague that often tells me when things don't go the way we like that we're shocked and disappointed. Mr. Speaker, I am shocked and disappointed. I'm shocked because this is really a very political document that's before us, but I'm more disappointed because of the actions that have been taken in the last couple of weeks and I'd like to share them with you.

The Appropriations Committee met, we talked about the Mashantucket Pequot Fund. We sent a bill out and we were promised that we would deal with it later. I know it happens frequently and that we all have to look

at that bill at some future time and after that bill came out of the Appropriations Committee, Mr. Speaker, I approached you and I also approached our Majority Leader and I asked for permission to work with the Appropriations Committee Chair so that we could sit down together and look at the formula as it was being drafted and day after day I was told we're working on it. When we get some runs we'll talk to you. We got the runs Sunday afternoon when we were doing bill screening here. We were handed a list and said now we can talk about it. I'm shocked and disappointed at that behavior.

And frankly, I'm very shocked and disappointed that we had to siphon off dollars in advance to balance the budget and that we siphon off another $10 million for strictly political purposes. You know, a colleague just said it's one thing when you want to massage the formula to get your desired results, but when you're too lazy to do it, you simply take $10 million out there and distribute it in a political manner. That's the same and that's the shame of this bill that's before us, Mr. Speaker, and I'm sorry about that because I think that many of us want to support it. Many of us will probably end up voting for it because our towns do get dollars from it, but Mr. Speaker,

that's a bad reflection on this General Assembly when we're doing this political business this late in the game with this dollars when our towns need the money, all towns, not just 28 municipalities who need an extra hit. Thank you, Mr. Speaker.

SPEAKER RITTER:

Thank you, madam. Representative Mazzoccoli.

REP. MAZZOCCOLI: (27th)

Thank you, Mr. Speaker. If this amendment wasn't so sad, I think it would be funny. This is really unbelievable. You know, a couple of days ago we spent time talking about the criminal justice system and the problems that we have in the State of Connecticut. We're the problem. Look around, folks. We are the problem. I cannot believe that this is happening. I'd expect this of my kids. My kids I'd expect this of, by my colleagues in the legislature? This is the biggest sham I have ever seen and can't believe that this is occurring and I can't believe that any one of you would allow this to occur. I can't believe anyone of you would allow this to happen.

Now my town is going to lose $275,000. Oh, big deal! It's money we didn't have. Well, it is a big deal because it's money that we deserve under the formula, whatever formula that is. We'd be better off

if we contacted the Indians and said, why don't you decide how to divvy up the money because you could probably do a better job than this legislature.

It is totally embarrassing and I look down this list and I don't want to pick on a particular community, but I have to look at my neighbor, Wethersfield, $371,000 additional under the $35 million that's going to be divvied up. Well, the last time I looked at the census, Wethersfield was a richer town than Newington and yet for some strange, and if I might quote the Representative, arbitrary reason, they're going to get $371,000 more and this is the way we run our government here in the State of Connecticut and you wonder why people are pissed off? I'm pissed, ladies and gentlemen, I hate to used the language here, but don't expect me to sit down here and smile and be happy when I feel I'm being held up at gunpoint to satisfy somebody's political, arbitrary whim. It is not right and I ask everyone of you to reject this in the sense of fairness and equity and send it back and redo it and do it right.

Mr. Speaker, I urge rejection of this amendment.

SPEAKER RITTER:

Thank you, sir. Let me give some caution to the membership to be careful on some of the choice of words

that we use. Thank you, sir.

REP. YOUNG: (143rd)

Mr. Speaker.

SPEAKER RITTER:

Representative Young. Yes, I will recognize you. Representative Young. I'm sorry, Representative Young, I thought you were -- Representative Gyle.

REP. GYLE: (108th)

Thank you, Mr. Speaker. Along with being shocked and disappointed, I think there are a couple of other truisms that the other side of the aisle might remember. One is what goes around comes around and turnabout is fair play. Some day that side of the aisle may not be as large as it today and when that happens, I would just like you to put yourself in the place of the minority today and think how you would feel if it was your town. It's unfair. It's unequal. It's unjust and some day, God knows when that time will be with the makeup of this state, but hopefully, the people will not be fooled forever and they would prefer to see someone up here who would honestly, logically and deliberately address a problem honestly. That hasn't happened today and I too am very shocked and disappointed.

SPEAKER RITTER:

Thank you, madam. Representative Simmons.

REP. SIMMONS: (43rd)

Thank you, Mr. Speaker. Through you, a couple of questions to the proponent of the amendment.

SPEAKER RITTER:

Representative Simmons, you have the floor, sir.

REP. SIMMONS: (43rd)

Yes, through you, some questions to the proponent of the amendment.

SPEAKER RITTER:

Please proceed.

REP. SIMMONS: (43rd)

Yes, sir. First I note from reading the amendment that in Section 6 two municipalities, Ledyard and Preston, receive grants of $25,000 each. Might I ask what the purpose of those grants would be, through you, Mr. Speaker?

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Through you, Mr. Speaker, the purpose of those grants, if I understand the questioner correctly, the $25,000 each is intended to deal with any undue burden that is levied upon their town because of the existence of the Foxwoods Casino and before I sit down,

Mr. Speaker, let me just respond to a question I anticipate and I do so because I think justifiably I need to do that.

Preston and Ledyard were not the only two towns I heard from. I did hear from North Stonington and before Representative Simmons put that question to the floor. Let me just say that I did hear and for whatever reason you were heard. You may not have gotten the response you wanted, but it was heard. So you've done your job. You spoke up.

REP. SIMMONS: (43rd)

Thank you, Mr. Speaker. If I can just follow up that question with a short remark.

SPEAKER RITTER:

Please proceed, sir.

REP. SIMMONS: (43rd)

Yes, I did speak and I have been speaking not only for Ledyard and Preston and North Stonington, but other municipalities in the vicinity of the casino that have encountered what I would call adverse impacts from that casino.

I spoke up in the Appropriations Committee and in fact we had a hearing and there was testimony from a member of this Chamber and I felt that as a member of the Appropriations Committee I should not testify

before my own committee, but I asked questions of that individual who testified before our committee, questions that I felt were designed to bring out the full scope and nature of the problem that host communities are facing and I think that -- I mentioned to you, Mr. Chairman, through you, Mr. Speaker, that at the time although there were certain advantages to having this casino in our region there were disadvantages and that that had to be address and I will say, Mr. Speaker, also that when this bill was reported out of the Appropriations Committee I did make a comment on the record that I felt some amendments had to be made, but in the spirit of bipartisanship and in an effort to help this bill along, I would not encumber it with any committee amendments and all of this was done, Mr. Speaker, in the spirit of bipartisanship in cooperation with the other side and I also say that I added my name to an amendment, not an amendment, but a memo which was prepared by members of the other side of the aisle and I worked with them and through them I thought in what was a helpful and a useful way to bring about some sort of reimbursement to those host towns that were affected by the casino.

Now a little later in this debate, once this amendment is completed, it would be my intention to

offer an amendment which does deal with these host towns in what I feel is a fair and equitable and bipartisan fashion and I won't speak to that issue at this point in time, but I do have a couple of other points or questions that I would like to put to the proponent of the bill.

SPEAKER RITTER:

Please proceed.

REP. SIMMONS: (43rd)

It's my understanding that these two towns were selected and I wish to ask of the proponent of the amendment is he aware that over 1,000 acres of land owned by the Mashantucket Pequot Tribe is in the Town of North Stonington, through you, Mr. Speaker?

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Through you, Mr. Speaker, no, I'm not.

REP. SIMMONS: (43rd)

Is he aware, Mr. Speaker, that I believe less than 100 acres owned by the Mashantucket Pequot Tribe is located in Preston, through you, Mr. Speaker?

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Through you, Mr. Speaker, no, I'm not.

SPEAKER RITTER:

Representative Simmons.

REP. SIMMONS: (43rd)

Is he aware, Mr. Speaker, that of these lands that have been purchased by the tribe, over 1,000 acres of them have been submitted in an application by the tribe to the Bureau of Indian Affairs in Washington, D.C. to take them from what we call fee status to trust status, meaning they will go off the local tax rolls, through you, Mr. Speaker.

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Through you, Mr. Speaker, no, I was unaware.

REP. SIMMONS: (43rd)

My final question, Mr. Speaker, through you, is the proponent of the bill aware that local municipalities have no authority to tax sovereign dependent nations of which the Mashantucket Pequot Tribe would be one because of their federal recognition. Is he aware that local municipalities have no taxing authority on an entity of this nature, through you, Mr. Speaker?

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Through you, Mr. Speaker, that I am aware of.

REP. SIMMONS: (43rd)

Thank you, Mr. Speaker. The point I'm trying to make here I think should be fairly clearcut, but the host communities are confronted with a situation where property outside the settlement lands can be purchased by the tribe and can be applied for annexation by the tribe so that these lands go off the tax rolls and the plans that the tribe have for these lands are substantial and they involve future revenues for these towns which are lost and these revenues are in the millions of dollars, and therefore, Mr. Speaker, impact funds coming to these towns really can only come from this state and so it's a matter of fairness and equity that the state address the appeals made by these towns for these funds.

I'll make one other comment, Mr. Speaker, it appears to me that the formula that's being used here involves $20 million, an additional $20 million and then $45 million. Now it's my understanding, without that $45 million, $35 million was put through a formula and then the remaining $10 million was simply distributed on an ad hoc basis to 28 towns. Is my understanding basically correct, Mr. Speaker, through

you?

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Through you, Mr. Speaker, that is essentially correct.

REP. SIMMONS: (43rd)

I have to say that I'm extremely disappointed in that mechanism and I'm frankly quite surprised by it. I think as Ranking Member of the Planning and Development Committee I've done my very best to work with my House Chairman in a bipartisan fashion to make sure that the business of this body is conducted in an equitable fashion. We have never refused to hold a vote open in the meetings of the committee this spring when in fact by refusing to hold a vote open on a number of occasions we could have killed legislation that was offensive to my side of the aisle, but never one, never once in a spirit of bipartisanship did we ever hold the committee accountable and close a vote and I would have to say that it surprises me that this side of the aisle is now treated to this kind of partisan distribution of funds.

We all are here with a purpose to represent our various municipalities and we all try hard to make sure

that our municipalities do well under the law and under the budget of the State of Connecticut, but the fact of the matter is we do have a higher calling. We do have a higher responsibility to good public policy and I don't think good public policy is served by a document that is this partisan and I have to say in 28 years of federal, state and local government service, this is one of the more surprising examples I have seen of partisan politics and I'm extremely disappointed by it. There's no way in the world in the world I can support this amendment I would urge my colleagues to reject it. Thank you, Mr. Speaker.

SPEAKER RITTER:

Representative Winkler.

REP. WINKLER: (41st)

Thank you, Mr. Speaker. A question, through you, sir, to Representative Dyson for clarification.

SPEAKER RITTER:

Please proceed, madam.

REP. WINKLER: (41st)

Yes, thank you. Representative Dyson, as you heard Representative Rell state earlier, on Sunday during bill screening we had the list of the distribution of the Mashantucket money given to us at that time. Today we are given another list with the breakdown of the

Mashantucket money with 28 towns which appear to me to be receiving additional funds.

I went to the other side of the aisle, and I asked you, Representative Dyson, if Groton, which I am pleased to see, is one of the 28 towns that is receiving a good sum of money. If the $423,000 was in addition to what was already allocated, and I believe you told me it was in addition, would you clarify that for me please?

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Through you, Mr. Speaker, the question relates to the $423,000, I would presume you're talking about.

REP. WINKLER: (41st)

Yes, that's correct, sir.

REP. DYSON: (94th)

And in comparison what the Governor had proposed for the Town of Groton, I think, we are talking $2.5 million and the net result with the $423,000 adjustment is that Groton will now get $2,037,000.

REP. WINKLER: (41st)

Through you, sir, my interpretation in looking at this list on Sunday and again today was that we were getting the $2,037,088. Until I saw this new list

which had Groton earmarked out as an additional $423,000. Now I didn't know if that was included in the $2,037,000.

REP. DYSON: (94th)

It is.

REP. WINKLER: (41st)

And it is. I had asked, through you, sir, if that was in addition to that and was told, yes, that it was, which did please me greatly since the Governor had earmarked $2.5 million for Groton. Groton is already, as I'm sure many other towns in the State of Connecticut, are not going that well economically.

I have opposed the host community concept for Ledyard and Preston because I personally feel that there are many other surroundings towns that suffer the burden of traffic to reach the reservation in Ledyard.

I obviously will be supporting the amendment because Groton is getting a decent amount of money. It's, to me, not what I would have liked to have seen. I'm sorry that I was mislead or maybe you, sir, Representative Dyson, may have misunderstood my question when I asked you. Thank you, Mr. Speaker.

SPEAKER RITTER:

Will you remark further? Representative Wasserman.

REP. WASSERMAN: (106th)

Thank you, Mr. Speaker. Through you, Mr. Speaker, to my colleague, Representative Dyson.

SPEAKER RITTER:

Please proceed. Thank you very much.

REP. WASSERMAN: (106th)

I would like to raise a different issue and one that keeps coming back into my mind and perhaps you have the answer. When the Governor originally recommended that the Pequot money be distributed as PILOT monies to the municipalities, of course, I was very pleased. one of my towns has a tremendous amount of state lands, which if they were properly assessed would give the towns considerable revenue.

As it is, of course, at 20 percent of the assessment, thousands of acres of state-owned land are -- don't yield as much revenue to this town. It happens to be Newtown. I am wondering if the concept that would form the basis of the Governor's recommendation was at all part of the consideration in coming up with these configurations. I hope I've made my question clear. Could you answer that for me please?

REP. DYSON: (94th)

Through you, Mr. Speaker.

SPEAKER RITTER:

Please proceed, sir.

REP. DYSON: (94th)

I think in response to the question from Representative Wasserman, my friend, I think everybody in the Chamber needs to understand, I mentioned the usage of three formulas, two of which the Governor used, two of which he used. So they are old hat. They are formulas that we've put our stamp of approval on by virtue of their existence. We've done that.

A third formula was the personal -- the property tax relief formula, not personal but property tax relief formula, and I indicated earlier that another formula would have been better for a bunch of towns in here, but in order to get some semblance of balance, be fair about the distribution, the property tax formula did it better. The property tax formula addressed the underlying fundamental issue does everybody share and the property tax relief was a vehicle by which that underlying fundamental issue could be dealt with for distribution.

The state property PILOT essentially did some of that too. The private PILOT more or less addressed the distressed municipalities. Now I have heard it in this Chamber, and I apologize for my answer being so long, I've heard it in this Chamber that this is the worse

thing that they've ever seen, but I think what's being overlooked here, $20 million and $20 million and $35 million are being addressed by a formula that all of us, for whatever reasons, have put our approval on. As a matter of fact, the property tax relief formula was one devised a few years ago by that side of the aisle. I said I can't go wrong with this one. They did it. So I used it.

Now someone would suggest that somehow there was some error in doing that. Okay, we all share that. Now if there's a problem, and I guess that some people do have some problems, reside in that segment that I said was arbitrary, but let me tell you what the arbitrary portion of that does. Out of the arbitrary crowd, you have distressed municipalities that were dealt with in that arbitrary column. Bridgeport, Hamden, Meriden, New Britain, New London, Norwalk, Norwich, Waterbury, Windham, distressed, that were dealt with in that column.

So I guess if someone's got a problem, understand what's taking place before there's a blanket condemnation for what is presented here. Now is it perfect? You won't get Bill Dyson to day that. Does Bill Dyson like it? All you've got to do is go down that line and see what New Haven got and you jolly well

know where I am on this one. I don't like it. I don't like it. But I'll stand here and try as best I can to defend it, hopefully without too much vigor, but try and defend it and also I'll have some answers for you and some I'm not even going to try to give you an answer on, so I hope that helped out some, Representative Wasserman. We did use what the Governor proposed with some variations because he dealt with a minimum for every town and we didn't.

SPEAKER RITTER:

You have the floor, Representative Wasserman.

REP. WASSERMAN: (106th)

Through you, Mr. Speaker, thank you very much and I guess I got your adrenaline to working. I didn't intend for that to happen, but thank you for your answer.

REP. SAN ANGELO: (131st)

Thank you, Mr. Speaker. You know, as a freshman legislator, when I came in here and when I was elected, I was very proud for the opportunity to serve in this legislature, but I definitely am not proud today as I watch what's going on.

The Chairman of a powerful committee gets up on the floor of the House and says, listen, we cut a deal, a $10 million deal in the back room. We decided to cut a

deal. If you wanted to help the distressed municipalities, you could have come out and said so. You could have set up a formula that helped the most distressed municipalities, but that's not the case here today, ladies and gentlemen. This is a group of legislators that got together and made a decision that they were going to do what's best for themselves and not for the people of Connecticut and I've listened to the Chairman of the Appropriations Committee come out with elaborate comments about how this is a wonderful thing, but I think it's a disgrace.

Some of the communities in this town are going to lose funding that was rightfully theirs, but they are not going to receive the money. When the people of Connecticut elected us, they elected us to do what was right, to do what was fair and I wonder why my constituents say you guys don't care what's going on in the districts. All you care is about making deals to protect yourselves. I wonder why they have lost faith in this legislature. Well, I don't wonder anymore because the Chairman can get up and say on the floor that we cut a deal for $10 million. It's a sad state. I oppose this amendment. Thank you, Mr. Speaker.

SPEAKER RITTER:

Thank you, sir. Representative Jones.

REP. JONES: (141st)

Thank you, Mr. Speaker. Through you, sir, I'd like to ask a couple of questions of the Chairman of the Appropriations Committee.

SPEAKER RITTER:

Be my guest, sir, please proceed.

REP. JONES: (141st)

First, through you, to Representative Dyson, Representative Dyson, in order to make the facts completely accurate here, I would like to have you, recognizing that I am the Ranking Member of the Appropriations Committee to describe my role in the preparation of this amendment.

REP. DYSON: (94th)

Through you, Mr. Speaker, the best description in describing your role in this amendment? Zippo.

LAUGHTER

SPEAKER RITTER:

Representative Jones.

REP. JONES: (141st)

You see, now that I have your attention, not that I have your attention, I'm delighted with that answer, Mr. Speaker, and whether it's zippo or nothing, they mean the same thing because I want to be sure that nobody assumes that I had any input to this and I just

wanted to have that clear to start with.

Through you, Mr. Speaker, several other questions. With respect to Section 2, Representative Dyson, in terms of adding $20 million for PILOT payments, could you tell us where that brings those towns as a percentage of the tax revenue lost for that particular PILOT, through you, Mr. Speaker?

REP. DYSON: (94th)

Through you, Mr. Speaker, no, I couldn't.

SPEAKER RITTER:

Representative Jones.

REP. JONES: (141st)

Let me back up for just a moment. As I understand it, we are presently in a position where before this amendment is acted on, the PILOT payments for tax exempt property are approximately 60 percent of state tax revenue. The PILOT payments to municipalities for state-owned property, which would include state colleges, DOT garages and so forth, other than prisons, is at 20 percent of the municipal tax revenue.

Now under the formulas you've applied here, you're adding $20 million to each of those categories. It seems to me that that would not bring them to an equal percentage level of the tax revenue that would be generated if those properties were in each case

taxable, what percentage do we know at all, what percentage either of them is brought to, through you, Mr. Speaker?

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Through you, Mr. Speaker, the state will be about 40 and the private will be -- I'm not sure about the private.

SPEAKER RITTER:

Representative Jones.

REP. JONES: (141st)

Well, I don't know either, but my guess would be it's approaching 100 percent. In your thoughtful considerations of being fair to communities and so forth, through you, Mr. Speaker, do you feel that there should be a gap of, say, 40 percent to almost 100 percent in PILOT reimbursements between these two classes of properties?

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Through you, Mr. Speaker, probably not and I think for the time that I devoted to looking at the various formulas and different configurations, I mentioned

earlier being driven by two underlying fundamental issues to approach this. At the same time the formulas that we were dealing with, because we thought in terms of having to deal with existing formulas, each of them, with the exception of property tax relief, were providing additional monies to certain towns and did not represent in my estimation a fair distribution. Let me give you an example.

The urban aid formula was giving $17 million to Hartford. Well, obviously, you couldn't do that and try to deal with all the other concerns that you needed to deal with. The unrestricted did something similar, not quite to the same extent. The property tax relief provided that medium ground, so with the combination of the three, it provided what we thought was best, that was a fair distribution based upon some judgment using these underlying fundamental issues that I talked about as a guide.

So do I agree with how we approach this? Yes. Am I in complete agreement with the outcome here? I've expressed that already. So --

REP. JONES: (141st)

You don't have to repeat it, yes. Through you, Mr. Speaker.

SPEAKER RITTER:

Please proceed.

REP. JONES: (141st)

Let me make a point here. I'm not questioning your statement that you thought you did the best you could, I mean that this is your view of an equitable solution. I'm addressing the due diligence that you and whomever you worked with, you've already pointed out it wasn't I, but the due diligence with which you set policy with respect to these various issues.

In other words, I'm trying to ascertain, through you, Mr. Speaker, why a private exempt property should have more PILOT money than a state-owned property. I mean what is it in the municipality that would lead them to think that, say, Yale University's tax relief should be greater from the state than Western Connecticut State University, say?

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Through you, Mr. Speaker, it strictly was an issue of money.

SPEAKER RITTER:

Representative Jones.

REP. JONES: (141st)

Is it fair to interpret that answer then that it

was pragmatic rather than based on some sort of a rationale that we could explain to our constituents?

REP. DYSON: (94th)

Through you, Mr. Speaker, very pragmatic.

REP. JONES: (141st)

Thank you. Through you, Mr. Speaker, I would like now to turn my attention to Sections 4 and 5, again, in an effort to try to establish before we lose the whole audience here, what the due diligence was in terms of the setting of these formulas.

In this case, we apparently married two formula areas together, the formula dealing with property tax relief and a formula dealing with 28 other towns where we needed some more money and came up with a dollar amount for each of those towns as modified.

Would it be possible, through you, Mr. Speaker, for that formula to be expressed as percentages or algebraically for the towns like we can express a PILOT as, say, 40 percent of all your tax exempt property?

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Through you, Mr. Speaker, probably not.

SPEAKER RITTER:

Representative Jones.

REP. JONES: (141st)

Thank you. Through you, Mr. Speaker, am I to understand, though, that the same formula was applied to both fiscal years 1994 and 1995 with respect to Sections 4 and 5, through you, Mr. Speaker?

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Through you, Mr. Speaker, would you repeat the question again please?

REP. JONES: (141st)

The question is, through you, Mr. Speaker, that the same formula was applied to both fiscal years 1994 and 1995 with respect to property tax relief as amended by the provisions of Section 5.

REP. DYSON: (94th)

Through you, Mr. Speaker, yes.

REP. JONES: (141st)

If the same formula were applied, through you, Mr. Speaker, to both years, then it must be expressible in percentage or algebraic terms.

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Through you, Mr. Speaker, my response to that would

be is that the portion would be the same in the next year or the next cycle that we would use. My guess here is that there would probably be some adjustments, if you get my drift at all, before this is over.

SPEAKER RITTER:

Representative Jones.

REP. JONES: (141st)

Yes, through you, Mr. Speaker, there may be some adjustments before it's over, but the fact is -- the fact is we do have now a new formula that presumably could be applied in future years that represents a marriage of two different concepts and could be, say, programmed into a computer, through you, Mr. Speaker.

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Mr. Speaker, if you'd just repeat the question for me if it's not -- if you'd repeat the question please.

REP. JONES: (141st)

Yes, I would be glad to repeat the question. It appears that in both of the fiscal years of the biennium we have applied a new formula that in effect marries the property tax relief with a new ad hoc determination for some 28 towns and that formula, you have told me, we roughly the same for both years. So I

am simply logically extending the thought that we could them presumably capture it, say, in a computer and apply it to the next year out.

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Through you, Mr. Speaker, presumably yes.

SPEAKER RITTER:

Representative Jones.

REP. JONES: (141st)

And therefore, Mr. Speaker, it would appear that we now have a new formula, indeed, a new way to allocate future monies from the Indians as -- if this amendment is passed, as a composite of Sections 4 and 5 of the amendment, as we see it here.

Now, through you, Mr. Speaker, in Section 1, Representative Dyson, could you explain to me what the wording in lines 18 and 19 mean when taken in context with lines 23 and the first half of 24. In other words, through you, Mr. Speaker, you have written here there is established the Mashantucket Pequot Fund, which shall be a separate non-lapsing fund and then later you say that monies that come in shall be deposited in the General Fund.

Could you explain the juxtaposition of those two

thoughts in terms of what the flow of monies will be and where the appropriations will be made?

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Through you, Mr. Speaker, my understanding is that the monies, through the Memorandum of Understanding, will go to the General Fund and then transferred to the Mashantucket Pequot Fund.

SPEAKER RITTER:

Representative Jones.

REP. JONES: (141st)

Through you, Mr. Speaker.

SPEAKER RITTER:

Please proceed.

REP. JONES: (141st)

The monies come into the General Fund. What will the appropriation be? The appropriation from the General Fund will be to credit the monies to the Mashantucket Pequot Fund. Is that what we're saying?

REP. DYSON: (94th)

Through you, Mr. Speaker, my understanding is that we've appropriated the $85 million.

SPEAKER RITTER:

Representative Jones.

REP. JONES: (141st)

Through you, Mr. Speaker, I'm looking forward now under the structure that we've set up here, future monies from the Indian tribe will be deposited in the General Fund and then will be appropriated from the General Fund into the Mashantucket Pequot Fund.

REP. DYSON: (94th)

Through you, Mr. Speaker, that's correct.

REP. JONES: (141st)

And then at that time, the Appropriations Committee, through you, Mr. Speaker, will appropriate monies from the Mashantucket Pequot Fund under some formulas. If they were these formulas, it would follow the way these monies are being distributed in proportion to whatever funds were available in a future year.

REP. JONES: (141st)

Through you, Mr. Speaker, the adoption of this amendment will determine that, yes.

SPEAKER RITTER:

Representative Jones.

REP. JONES: (141st)

Through you, Mr. Speaker.

SPEAKER RITTER:

Please proceed, sir.

REP. JONES: (141st)

In view of the fact that the statutory spending cap applies to all appropriated funds, would there be any danger, in your opinion, of a duplication of the same amount of appropriation because it's appropriated twice in order to pass through these two funds, through you, Mr. Speaker?

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Through you, Mr. Speaker, I don't think so, but you'd probably have to ask counsel to respond to that, but I don't think so.

REP. JONES: (141st)

Well, through you, Mr. Speaker, we do know --.

SPEAKER RITTER:

Representative Jones.

REP. JONES: (141st)

That we have already established legally the precedent that all appropriated monies are subject to the cap and I believe what you have told me is that you would appropriate these funds twice, once from the General Fund to the Mashantucket Pequot Fund and then from the Pequot Fund to whatever grants you would wish to supply.

REP. DYSON: (94th)

Through you, Mr. Speaker, line 28 suggests a transfer not an appropriation. Now I don't know if the play on terminologies makes a vast difference. I think it probably does, but I would tend to believe that we're not appropriating twice.

SPEAKER RITTER:

Representative Jones.

REP. JONES: (141st)

Thank you, Mr. Speaker. I think that would be a practical solution, but then I wonder why are we doing it? Why don't we just receive this money the way we receive, say, a sales tax payment or an income tax payment into the General Fund and then appropriate it, through you, Mr. Speaker?

REP. DYSON: (94th)

Through you, Mr. Speaker, I would imagine because this is something that's relatively new in terms of the agreement, the Memorandum of Understanding and dealing with a separate nation in this regard I think has provided for a lot of territory that's not been explored before and I'm certain that that has an impact on all of this and whatever secured its roots of being implored here, I would suspect that it has something to do with the fact that it's vastly new and not something

that has been tried before.

SPEAKER RITTER:

Representative Jones.

REP. JONES: (141st)

Well, through you, Mr. Speaker, I would only observe and I assume, through you, to Representative Dyson, that you would consider the federal government a separate governmental entity, a nation. We receive about $1.5 billion from that source that goes into the General Fund. It would seem that we have a very adequate precedent, through you, Mr. Speaker. Would you care to comment on that?

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Given the delicate situation that I think exists, the Memorandum of Agreement, certain understandings that reside in that agreement, probably not. I don't care to respond.

SPEAKER RITTER:

Representative Jones.

REP. JONES: (141st)

All right, one more question, just to get the whole structure laid out here so we understand how we're complicating our accounting, etc. I'd like to be sure

we understand one other point. Through you, Mr. Speaker, to Representative Dyson.

SPEAKER RITTER:

Please proceed, sir.

REP. JONES: (141st)

Do you know if there's anything in the Joint Memorandum of Understanding entered into between the state and the tribe on January 13, 1993 as amended April 30, 1993 that requires us to set up a separate budget fund?

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Through you, Mr. Speaker, no.

REP. JONES: (141st)

Thank you, Mr. Speaker.

SPEAKER RITTER:

Thank you, sir. Anybody else care to comment? Representative Chase, apparently you do. You have the floor.

REP. CHASE: (120th)

Thank you, Mr. Speaker. Mr. Speaker, I too have one question for the distinguished Chairman of the Appropriations Committee. Through you, Mr. Speaker, Representative Dyson, if we receive additional funds,

that is, more than the $113 million that this is based on in future years, how would that money be distributed? Would it be done on a pro-rata basis or is there something in here that I haven't found that would distribute it under a formula or would it just go to the General Fund?

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Through you, Mr. Speaker, the Memorandum of Agreement does not go beyond the two years, if I'm not mistaken, and we're talking about a biennial budget, so we're into another cycle if we're going beyond that.

SPEAKER RITTER:

Representative Chase.

REP. CHASE: (120th)

Through you, Mr. Speaker, maybe some clarification. It was our understanding that the agreement between the state and the Indians that there was a percentage of the gross coming into the state so that in effect that -- as a matter of fact, it was my understanding that originally we were expected $100 million and it jumped up to $113 million and conceivably it can go even higher and who knows what that figure would be, but in terms of if that additional funding does come in, what

would happen to it? Would it apply to this formula? I know all of the money goes into the General Fund. Would that be reallocated to the towns? Through you, Mr. Speaker, what are your thoughts on that?

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Through you, Mr. Speaker, my thought would be that there would be no distribution if there was anything that came in that that was beyond what it is that we are making allowances for here. So my guess would be it would be held probably in the fund because it would go to the General Fund and all the monies coming from there would end up in the Mashantucket Pequot Fund, but there would be no distribution because there's an amount set here in the amendment that each of the municipalities are to get.

REP. CHASE: (120th)

Thank you, Mr. Speaker. It's not quite the answer I wanted to hear, but it was the answer that I suspected I would here. Certainly this is something we probably can't address today, but something that we should look at probably next year. I would feel more comfortable if all gaming monies from casinos and videos, what have you, were distributed to our towns as

opposed to other things.

I have to tell you, I give Representative Dyson a lot of credit under some very difficult circumstances. It's like a gang of kids fighting over the candy. I don't like to be in this position. As a matter of fact, I hate being in this position. It's not like debating the budget or the finance package. $85 million, we all have stars in our eyes. We all know what our towns need. We're trying to represent those towns. We know what our towns need. Each one of those needs in our mind are different. I'm sure every town, you know, that you represent has a different need and that's the difficult thing I think that Representative Dyson had, trying to take all of these needs that each one of us had and try to come up with a formula and I know he tried hard, but you know, Mr. Speaker, I think we could have done a little better.

Mr. Speaker, I think we could have done a little better and our time has not arrived, so I'll sit down, Representative Dyson, and you may have some desire to support the amendment we're going to offer shortly. Thank you, Mr. Speaker.

SPEAKER RITTER:

Thank you, sir. Anybody else?

REP. DYSON: (94th)

Mr. Speaker.

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Obviously with the concerns that have been expressed by the members of this body about an issue that's so important to all of us. I know that everyone wants to go onto the record to demonstrate their support or opposition. Mr. Speaker, so at this time I would like to ask for a roll call vote on the amendment.

SPEAKER RITTER:

All those in favor of a roll call signify by saying aye.

REPRESENTATIVES:

The 20 percent having been heard, it will be taken by roll. Anybody else care to comment?

REP. YOUNG: (143rd)

Mr. Speaker.

SPEAKER RITTER:

I'm sorry, Representative Young.

REP. YOUNG: (143rd)

Mr. Speaker, through you, very briefly, a question for Representative Dyson.

REP. DYSON: (94th)

Please proceed, sir.

REP. YOUNG: (143rd)

Representative Dyson, did I hear you early in this debate use the word "arbitrary" for deciding how these monies were being doled out, through you, sir?

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Through you, Mr. Speaker, you heard correctly, sir.

SPEAKER RITTER:

Representative Young.

REP. YOUNG: (143rd)

Well, you know, Mr. Speaker, I'm in a position here in this hall where my towns do not, never will, under any formula participate very heavily in this distribution of goodies. So when I speak in opposition, I'm not speaking from the standpoint of somebody representing a town that's been harmed or hurt or had money taken away from it or had not gotten money that we expected. I speak in opposition to something called arbitrary because I think it's extremely hard for us as a legislature to go back and say, yes, we took a lot of money from those people who are making a lot of money in Ledyard and we used some of it on some

kind of a formula and some of it on another formula, but when we got down to it, we got arbitrary and I don't think it's our business to be arbitrary. I think it's our business to be square, upfront, and in this kind of a case, defined in a mathematical formula to get rid of the goodies and distribute it properly.

I'm disappointed. I'm not personally aggrieved, nor are my towns, but I think we could have done better and I hope we can do better in the future. Thank you, Mr. Speaker.

SPEAKER RITTER:

Thank you, sir. Anybody else? Representative Krawiecki.

REP. KRAWIECKI: (78th)

Thank you, Mr. Speaker, a question to Representative Dyson.

SPEAKER RITTER:

Please proceed, sir.

REP. KRAWIECKI: (78th)

Representative Dyson, and I apologize for not asking this before, but I've been trying to get an understanding of what it is, Section 7 of the amendment that you're bringing out before us deals with the PILOT for state-owned property, and as I read the fiscal note, it says that currently two municipalities,

Mansfield and Windsor Locks are impacted by the cap. The phaseout would result in an increase in the PILOT grant costs that cannot be determined for the entire length of the phase-out.

Now as I look at Section 7 of the bill, it appears that we are going from 27 percent reimbursement to the 100 percent figure. So my question to you, through you, Mr. Speaker, is isn't this section going to have a tremendously negative impact on the cap certainly and the costs that the state is going to have to observe for this formula?

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Through you, Mr. Speaker, this is an issue that impacts upon two towns that the Minority Leader has pointed out and I would certainly like to yield to Representative Pelto to respond.

SPEAKER RITTER:

Representative Krawiecki, if we could start the consent with you? Does it --?

REP. KRAWIECKI: (78th)

Mr. Speaker, I would be happy to yield to Representative Pelto for a response.

SPEAKER RITTER:

Representative Pelto, do you accept the yield?

REP. PELTO: (54th)

Thank you, Mr. Speaker, I do, and to the question of the Honorable Minority Leader, these are two communities that have been getting less than one-third of what all other PILOT towns have been getting. By phasing out the cap, the legislature will face a choice in the middle and latter part of the decade as to whether to provide more money to the PILOT formula or to allow the existing money to be redistributed. So the reason that the fiscal note, of course, would be hard to determine is that if the legislature does not put more money in, it means a redistribution of existing PILOT funds of which there are significant dollars there.

If the legislature chooses instead to add to the pilot formula, then of course, there would be a direct fiscal impact, particularly in the latter part of the decade, through you, Mr. Speaker.

SPEAKER RITTER:

Thank you, sir. Representative Krawiecki.

REP. KRAWIECKI: (78th)

And through you, Mr. Speaker, to Representative Pelto, do you have any idea? I assume you must have had some conversations with either OFA or others as to

what the cost might be on the entire length of the phase-out?

SPEAKER RITTER:

Representative Pelto.

REP. PELTO: (54th)

Through you, Mr. Speaker, if I recall correct, the cost over the term would be about $5 million, through you, Mr. Speaker.

SPEAKER RITTER:

Representative Krawiecki.

REP. KRAWIECKI: (78th)

Thank you, Representative Pelto.

SPEAKER RITTER:

Thank you, sir. Staff and guests come to the well of the House. The machine will be opened.

CLERK:

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

SPEAKER RITTER:

Have all the members voted? If all the members have voted -- if all the members have voted -- has everybody voted? If all the members have voted, the machine will be locked and the Clerk will please take

the tally.

The Clerk please announce the tally.

CLERK:

House Amendment "A" to House Bill 6919.

Total Number Voting	148
Necessary for Adoption	75
Those voting Yea	108
Those voting Nay	40
Those absent and not Voting	3

SPEAKER RITTER:

House "A" is adopted and ruled technical.

Anybody else care to --? Representative Americo Santiago, sir.

REP. SANTIAGO: (130th)

Mr. Speaker, I rise in support this bill. We just passed an amendment that is very important to the City of Bridgeport, the City of Hartford and to most of the municipalities.

I know that it's very difficult for some of us to vote on this bill because it puts one town against the other and out of this $85 million that was allocated to the communities, I wish that this money will go to those distressed municipalities, Hartford, Meriden, Bridgeport, Waterbury and so on, but as you know, and everyone knows over here, in order for this bill to

pass, we must allocate some of this funding to other municipalities, municipalities who probably will not need, municipalities who probably will not have a tax increase even if some of this money is not allocated today.

In the City of Bridgeport, for example, we are going to get $10 million. The City of Bridgeport is under the Financial Review Board right now. The City of Bridgeport is one of the few cities that has the highest crime rate in the whole State of Connecticut and also the highest property tax.

Some of the people say, well, it's not fair for Bridgeport, Hartford and New Haven to get this amount, but if you look -- if you look at the needs of these municipalities by comparison to the rest of the State of Connecticut, you can see that we need more than this.

I would like to congratulate those individuals who worked for these formulas, especially the Chairman of the Appropriations Committee, the leadership of the Majority Leader and the Speaker of the House and also for -- I would like also to thank my colleagues from the cities like Hartford, New Haven, Bridgeport and Waterbury, who are in support of this legislation.

So, Mr. Speaker, I know that there will be a few

amendments coming up, trying to change the formula or reduce the money that is going to distressed municipalities.

I urge this Chamber to reconsider that and to support the bill as it is amended and not to support any other amendment. Thank you very much, Mr. Speaker.

REP. CHASE: (120th)

Mr. Speaker. Mr. Speaker. Mr. Speaker.

SPEAKER RITTER:

Representative Chase.

REP. CHASE: (120th)

Thank you, Mr. Speaker. The Clerk has LCO No. 7257. Would the Clerk please call and may I be allowed to summarize.

CLERK:

He now has LCO7257, which will be designated House "B". Why don't we just wait a second and see if -- since we just got it, we may have to wait a little while? Do we have copies? Copies are now being delivered. Why don't we want one second, sir, so they can be distributed.

REP. CHASE: (120th)

Thank you, sir.

SPEAKER RITTER:

This'll take a second, Representative Chase. We just got the amendment.

REP. CHASE: (120th)

Thank you, Mr. Speaker.

SPEAKER RITTER:

Okay, the Clerk has amendment LCO7257, which will be designated House "B". If he can call it and Representative Chase summarize.

CLERK:

LCO7257, House "B", offered by Representative Krawiecki, et al.

SPEAKER RITTER:

Representative Chase.

REP. CHASE: (120th)

Thank you, Mr. Speaker. Mr. Speaker, in summary, the amendment provides a distribution list for the $85 million and the Mashantucket Pequot Fund. I move its adoption.

SPEAKER RITTER:

The question is on adoption. Will you remark further?

REP. CHASE: (120th)

Thank you, Mr. Speaker. Well, Mr. Speaker, here we go. The Chairman of the Appropriation Committee said in his opening statement that he was determined to

distribute these funds fairly. I don't know what his definition of fair is, but it's a lot different than mine and most people on this side of the aisle.

The formula, as adopted, is blatantly unfair. We offer a better alternative. We offer an alternative that will benefit all of the people of the State of Connecticut. What we strive for is to improve the commerce, the welfare and the prosperity of the people of this state in hard times.

We face and we are in the middle of a recession so I don't think any city's need is more than any other city or town's need. Now, you're going to ask, well, how did you come up with this formula. Well, we've come up with what we think is a fair distribution and what we do is we take 50 percent of the amount on a pro-rata basis and we base it on the number of road miles you have in your town.

A lot of towns have infrastructure problems so we base it on half of it anyways, on the size of the town. We base another 25 percent on the population and we base 25 percent of the amount, again, on population based on the density of the town. A fair formula developed a few years ago and repealed when your side of the aisle took control. Now what does this mean? Our amendment does outline the amounts that would be

allocated to each community.

We believe that no one town should be penalized over another town and that's what your formula does. We've tried to base our distribution based on size and the population of the communities. Earlier today there was mention of we have to take into consideration distressed municipalities.

Well, I would submit to you in this day and age all of our communities are distressed and we all have different needs. As a way of example, I'd like to talk about my Town of Stratford. We talked about distressed municipalities, but my town is on the list too. I didn't hear that from the other side, but the people of Stratford, they did something unusual. They passed a referendum and said we got a 3 percent cap and they stuck to it.

We're getting out of the hole, but we too can use some assistance and there isn't a town up here that doesn't need assistance from these funds.
Mr. Speaker, this is a fair amendment. It takes into consideration the size of our communities. It takes into consideration the needs of our communities, and Mr. Speaker, I don't look upon this as being arbitrary and capricious and urge its adoption. Thank you, Mr. Speaker.

SPEAKER RITTER:

Thank you, sir. Anyone else care to comment? Representative Mulready.

REP. MULREADY: (20th)

Mr. Speaker, I'd care to comment. Mr. Speaker, I'd like to speak in opposition to the amendment despite the fact that my town and most of my district, 70 percent is West Hartford, will get $704,000 more under this formula than other formulas and I'd like to talk about the reason why I'm speaking against this amendment and supporting what is now the revised bill with House Amendment "A". I wonder when we're going to begin stopping to think -- I wonder when we're going to stop thinking quite so parochially as we all intend to and start to think about the larger good of the State of Connecticut.

For example, the formula which has not been adopted in House "A" clearly benefits the larger cities. It gives $10 million plus to each of the three larger cities and another $5 million in change to Waterbury, our forth largest city, and it does that because those cities have greater needs in most cases than most other communities, not all other communities. There are some that are also dirt poor, like Windham and like some of the valley towns and so forth, but one of the things we

know about our larger cities, just speaking about those for the moment, is that they carry a disproportionate share of their region's social problems and let me give you a couple of numbers to back that up.

Hartford is part of the 29 town Capital Region Council of Governments. It has 20 percent of the population in that 29 towns and yet it's been 70 percent of the region's -- it's been 70 percent of money spent in the region on health and human service costs and it spends those because it gets the homeless, it gets all of the other social service needs that go beyond those of the homeless and it just has all of those needs of the region because it is the place that can help and has the facilities to take care of those people. It has the general hospitals in the area. It has some of the specialized hospitals in the area. It has many of the colleges and universities in the area. In other words, it, like New Haven, like Waterbury, like Bridgeport, does far more for its region and carries far more of the burden for its region than any of the surrounding municipalities.

So it's only fair, Mr. Speaker, to spend more dollars and send more dollars to those municipalities that have the direst needs and in fact provide so many of the services that the regions surrounding them need.

So I thin it's not fair to do it on the basis of road miles. It's not fair to do it entirely on the basis of population and it's not fair to do it on whatever it is, population density. It's fair to do it on the basis of need and while House "A" was certainly not a perfect amendment, House "A" clearly takes all those factors into account and is much fairer than House "B" that's being proposed here.

Given that, Mr. Speaker, I would like to repeat that I think this amendment should be soundly defeated.

SPEAKER RITTER:

Thank you, sir. Representative Wyman.

REP. WYMAN: (53rd)

Thank you, Mr. Speaker. A question, through you, to the proponent of the amendment.

SPEAKER RITTER:

Please proceed, madam.

REP. WYMAN: (53rd)

Thank you. Could you please tell me if these runs that you've done are on grants or programs that would develop before 1991, July 1, 1991?

SPEAKER RITTER:

Representative Chase.

REP. CHASE: (120th)

Yes, through you, Mr. Speaker, this formula is not

developed based on grants or programs prior to 1991. The formula is based on the following again. The size of your town, 25 percent based on population. 50 percent is based on the number of miles, road miles in your town, if you will, a geographic size of your town, and 25 percent of the amount allotted on a basis ratio between population and those road miles. So it's strictly based on population and the geographic size of the town. It's not based on any grant program, if I heard you correctly, through you, Mr. Speaker.

SPEAKER RITTER:

Representative Wyman, you have the floor, madam.

REP. WYMAN: (53rd)

Thank you, Mr. Speaker. Through you, Mr. Speaker, to Representative Chase, if this is the way that you come up with this formula, do you believe that all of this money is now underneath the cap, through you, Mr. Speaker?

SPEAKER RITTER:

Representative Chase.

REP. CHASE: (120th)

Mr. Speaker, it's the same amount of -- the same as yours does under the cap. We're both divvying up $85 million, but I believe ours is more fairly distributed, through you, Mr. Speaker.

SPEAKER RITTER:

Representative Wyman, you have the floor, madam.

REP. WYMAN: (53rd)

Through you, Mr. Speaker, if you remember the cap language, Representative Chase, it talks about the way it is written now, distressed municipalities being outside of the cap for monies that are going to them. If I look at your runs, the majority -- well, well over, a very small portion of the money that's in this thing is going to the distressed municipalities, so if I understand you correctly and what I understand the budget that was passed just recently, under this formula and the way you proceeded in disbursing this money, we would now be outside the cap of spending which the people of this state, I think 85 percent of the people that voted, voted for it and I don't believe that we can be passing this amendment just on that alone.

The money that, if you look at the grant that Representative Dyson gave to you, I think it still keeps us somewhere under a $51 million cap. You have, under your proposal, put us over the cap at this time. Do you not agree with me, Representative Chase?

REP. CHASE: (120th)

Through you, Mr. Speaker, absolutely not. Let's

get real here, Mr. Speaker. As I understand what I voted for in November was a cap on spending, not a cap on the distribution of funds to my community, through you, Mr. Speaker.

SPEAKER RITTER:

Thank you, sir. Representative Wyman.

REP. WYMAN: (53rd)

Through you, Mr. Speaker, if you looked at the budget, Representative Chase, you will see in Section, I think it was 3, that the appropriated funds is under the budget and so this money, the $85 million, the way you have disbursed it, because distressed municipalities are not getting the amount of money they were supposed to be getting, even though it's the same amount of money we're giving out, but we disbursed it in a much, we believe a much more equitable way to those that need the money the most, the money that is going to distressed municipalities comes out from underneath the cap.

I believe this amendment is flawed. I believe that we would be breaking every rule that I believe the other side of the aisle and some of the members on this side of the aisle voted for last year under the spending cap. I ask for rejection of this amendment.

At the same time, I want to thank the other side

for giving me so much money, but at the same time I also feel that our cities and I think -- I have to agree with Representative Mulready who spoke eloquently on it, that our cities who are in a lot of trouble right now need our help and I think what you're doing is giving it to other municipalities that can use the help, but not as much dire need as the cities are. Thank you, Mr. Speaker.

SPEAKER RITTER:

Thank you, madam. Representative Beamon.

REP. BEAMON: (72nd)

Thank you, Mr. Speaker. I would like to associate my remarks with Representative Mulready in terms of his explanation of our parochial views. You know, these funds, to some degree, reminds me of the new federalism which we advanced in the early 1970s for which local municipalities would have the opportunity of taking federal money and doing the right thing in their communities.

I remember my city, the City of Waterbury, received $25.6 million for five years and we basically did what House Amendment "B' would do. We tried for all types of reasons to spread it out throughout every community which could come under the auspices of the law in terms of how many people unemployed in the area, the census

track data, etc., and basically today, in 1993, after receiving money in 1976, you really can't put your finger on exactly where all those funds went.

I have many some philosophical problems with us taking and establishing this fund, but I will say that this is so important to the livelihoods of those cities, especially the first three or four and I know everyone has needs, as Representative Chase had mentioned. Everyone has needs, but I would rather back in 1975 and 1976 take the community block grant money and work neighborhood to neighborhood to change our city, to take that $25.6 million and go from one neighborhood to the next neighborhood for five years, we would not have the blight that we have today.

The problem with House "B" is that we're trying to give everybody a little bit and there's nothing wrong with that from a political standpoint, but in order to address the problems in those central cities, we have to look at what we adopted earlier. House "A" is a better alternative. As I say, Mr. Speaker, and members of the House, philosophically, I may have some problems in voting for this legislation. However, since so many members feel so strongly about this and there's been work on both sides of the aisle to put this together, at this juncture I would ask that when this vote be

taken, that it be taken by roll.

SPEAKER RITTER:

Everyone in the Chamber who is left who would like a roll call signify by saying aye.

REPRESENTATIVES:

That's better than some of the 20 percents when everybody is in here. Anybody else care to comment? There will be a roll call? Anybody else? Representative Ward.

REP. WARD: (86th)

Mr. Speaker, I just wanted to respond to the budget cap issue. In order for this, even if you assume the assumptions made in terms of the interpretation of the cap and distressed municipalities were correct, you would have had to move $50 million from distressed municipalities. A quick review of the fiscal note shows that we weren't even near that so that it clearly does not violate the spending cap even if I accept all of Representative Wyman's assumptions, and by the way, I'm not certain that they were all correct, but if I accept those assumptions and I look at the file, we're still within the spending cap because we did not move $50 million and we were $50 million roughly under the spending cap in this fiscal year, so that if you want to vote against it because you don't like it, fine. If

you want to have an excuse to vote against your own district, fine, but the spending cap, I don't believe this affects the spending cap.

SPEAKER RITTER:

Thank you, sir. Anybody else? Staff and -- Representative Wyman of the 53rd.

REP. WYMAN: (53rd)

A question question is I asked if the formulas that you used were formulas from prior to 1991, July 1, 1991, through you, Mr. Speaker.

SPEAKER RITTER:

To whom, Representative Chase or Representative Ward?

REP. WYMAN: (53rd)

Whomever would like, sir, to answer.

REP. WARD: (86th)

Mr. Speaker, I believe the original version of this formula was adopted in my first term in office, it would be about nine years ago.

SPEAKER RITTER:

Representative Wyman.

REP. WYMAN: (53rd)

Through you, Mr. Speaker, all parts of the formula that you used to get to this one formula were adopted nine years ago, Representative Ward, through you, sir?

SPEAKER RITTER:

Representative Ward.

REP. WARD: (86th)

I believe it's precisely the same formula that's in 13-175b, known as the Municipal Infrastructure Trust Fund Formula. I'm sorry 13a. And I believe that was adopted in my first term, through you, Mr. Speaker.

REP. WYMAN: (53rd)

Thank you, Mr. Speaker.

SPEAKER RITTER:

Staff and guests come to the well of the House. The machine will be opened.

CLERK:

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

SPEAKER RITTER:

Have all the members voted? Please check the roll call machine to make sure your vote is properly cast. The machine will be locked and the Clerk will please take the tally.

SPEAKER RITTER:

Representative Nystrom.

No, no, it was not announced. I'm sorry. Representative Nystrom.

REP. NYSTROM: (46th)

Mr. Speaker, in the negative please.

SPEAKER RITTER:

Representative Nystrom will be in the negative. Anybody else who just came in. The Clerk please take the tally or announce the tally.

CLERK:

House Amendment "B" to House Bill 6919.

Total Number Voting	147
Necessary for Adoption	74
Those voting Yea	53
Those voting Nay	94
Those absent and not Voting	4

SPEAKER RITTER:

House "B" fails.

Anybody else care to comment? Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, the Clerk has an amendment, LCO8005.

SPEAKER RITTER:

The Clerk has an amendment, LCO8005, designated House "C", if he may call it and Representative Tulisano would like to summarize please.

CLERK:

LCO8005, offered by Representative Tulisano, House

"C".

REP. TULISANO: (29th)

Permission to summarize, Mr. Speaker.

SPEAKER RITTER:

Permission granted.

REP. TULISANO: (29th)

Mr. Speaker, the amendment just indicates that notwithstanding the provisions of any charter, special act or home rule ordinance. It allows a municipality to revise an adopted budget not more than 45 days after the adjournment of the Regular or Special Session of the General Assembly when we have -- we increase or decrease funds that may have reasonably expected.

Mr. Speaker, I move for its adoption.

SPEAKER RITTER:

The question is on adoption. Will you remark?

REP. TULISANO: (29th)

Yes, Mr. Speaker. Mr. Speaker, this amendment came from -- first came to my attention by my own municipality. Over the last two or three years have had some problems on getting a good handle on what money would be coming to them, etc., much like the funding that's in this particular bill.

Since filing the amendment, a number of others, the City of Hartford and others have indicated that they

thought it was an appropriate so that towns can begin to get a better handle and if they've made some wrong estimates, give them a chance to straighten out their budgets and it is voluntary and it is discretionary on the town and it does not require them to do anything.

I move for its passage, Mr. Speaker.

SPEAKER RITTER:

Anyone else care to comment? I'll try your minds. All in favor say aye.

REPRESENTATIVES:

Aye.

SPEAKER RITTER:

Opposed nay.

House "C" is adopted and ruled technical.

Anybody else care to comment? Representative Simmons of the 43rd, sir, you have the floor.

REP. SIMMONS: (43rd)

Thank you, Mr. Speaker. The Clerk has an amendment, LCO No. 7749. I would ask that the Clerk call the amendment and I may be allowed to summarize.

SPEAKER RITTER:

The Clerk has an amendment, LCO7749, which will be designated House "D". May he please call and have Representative Simmons summarize without objection?

CLERK:

LCO7749, House "D", offered by Representative Simmons, et al.

SPEAKER RITTER:

Representative Simmons.

REP. SIMMONS: (43rd)

This amendment basically establishes a Casino Impact Account which is to contain $300,000 of the revenue received by the state from the Mashantucket Pequot Tribe pursuant to the Joint Memorandum and amendments that were signed earlier this year between the tribe and the Governor.

The amendment also creates a Casino Impact Fund Committee which oversees the distribution of funds from the Casino Impact Account to host communities affected by he presence of a casino.

Mr. Speaker, I move adoption of the amendment.

SPEAKER RITTER:

The question is on adoption. Will you remark, sir?

REP. SIMMONS: (43rd)

Thank you, Mr. Speaker. I talked a little bit earlier this evening about the issue of host communities and of the impacts that a casino would have on communities where it is located. Basically what this amendment does is create an impact fund where monies can be distributed to those host community

towns. The idea is not a new one.

In fact, when a developer divides property in a municipality, it is not uncommon for the municipality to request impact fees as a consequence of that development.

Earlier in this session when we considered Substitute House Bill No. 5971 that failed last Friday, a bill dealing with casino gambling and slot machines, for example. I note that that legislation set aside for host communities, Bridgeport and Hartford, 33 percent or one-third of the total tax paid by the casino gaming licensee. Obviously that one-third or that 33 percent was designed to affect the host community. In the case of this bill it was Bridgeport and Hartford.

Furthermore, Mr. Speaker, I note that from the Amendment "A" that was brought out by the Chairman of the Appropriations Committee this evening that under his proposal two towns, namely Ledyard and Preston, were listed as host communities and those two towns were given $25,000 each as a consequence of their host status. The problem I had with that proposal was that only two towns benefitted from the host community status and what my bill does is go beyond that and looks at other towns in the region that have

encountered impacts.

Now there has been some discussion that having a casino in our area creates jobs and there is no question about that and there's nothing in my amendment which takes away from the contribution that the Mashantucket Pequot Tribe has made to Southeastern Connecticut and the contribution that those jobs have made to our economy, but there are several features to this Indian gaming activity that members of this body must understand.

First of all, the local municipalities have no taxing authority over this activity, so the very traditional means of getting reimbursement for a large activity in the community is denied to these organizations, to these municipalities.

Secondly, lands purchased by the tribe have been applied for annexation. We have about 1,200 acres of land which have been applied for annexation and those lands will be going off the tax rolls. So this creates impacts or burdens on the host community.

Furthermore, trust lands held by the tribe are not subject to local planning and zoning, so those ordinances which normally would control growth and development in a community are not available to the host communities. This too creates adverse impacts for

these communities.

No PILOT funds have been applied to any great extent in Amendment "A" for these communities, $50,000, but no more than that. I think that that's insufficient and for those of you who feel the casino is bringing jobs to Southeastern Connecticut I will say in testimony before the Appropriations Committee earlier this year it was indicated that approximately 4,000 jobs, 3,500 or 4,000 jobs have been created by the casino, but Southeastern Connecticut has a net job loss over the last three years.

The departure of the U.S.S. Fulton and two squadrons from the navy base removed over 3,000 people in and of itself. In 1988 Electric Boat employed approximately 18,000 people in the Groton, New London area. They are now down to 12,000. Their survival strategy will take them down to 7,500 people. So we're dealing with a job loss there of almost 12,000 jobs.

The closure of the navy base is going to remove another 8,000 to 9,000 jobs from our area and is going to create an unemployment situation similar to what we encountered during the Great Depression and so my appeal to this body is to consider that these towns that are host communities for this activity need help and need assistance.

Now you might ask what in detail does my amendment do? It takes $300,000 from what some call the Slush Fund and others might call the Discretionary Account of $10 million that has been utilized in the formula of Amendment "A".

It takes $300,000, which is less than one-third of one percent of the total amount of monies and it puts into a Casino Impact Account.

This account would be supervised by the Secretary of OPM, by the Commissioner of Public Safety, the Commissioner of Transportation, by the Chief Executive Officer of the town in which a casino is located. In this case it would be the Town of Ledyard and by the Ranking Members and Chairmen of the Appropriations Committee. This group would manage these funds and this group is a bipartisan group that includes a municipal official familiar with the impacts of the casino because it's in his town. It includes legislative officials and it includes Executive Branch officials.

These officials would receive applications from the host communities or the host towns which would be the Town of Ledyard in which the casino is located, the adjoining Towns of Montville, Waterford, New London, Groton, Stonington, North Stonington and Preston and

the neighboring towns of Voluntown, Griswold, Lisbon, Norwich, Bosrah, Salem and East Lyme.

These towns have not been picked because of their political representation. They have been picked solely and completely because of their location in and around the Foxwoods Casino and the fact that these towns may have encountered impacts, adverse impacts as a consequence of the location of the casino in their region.

There is nothing that requires a given town to apply for funds under the provision of this amendment. There is nothing to prevent one of these towns from apply and in fact it occurs to me that some other town, such as Sprague, possibly even Plainfield, might reasonably apply as a neighboring town if they can indicate an adverse impact.

So this language is drafted to be open-ended and to provide maximum flexibility to those towns in the region. What can these towns apply for under the provisions of this amendment? Well, they can provide for a variety of things which represent adverse impacts of a host community. For example, they could apply for augmented police services. The Town of Ledyard I believe has two resident state troopers. Perhaps Representative McGrattan can confirm that. I think

it's two resident state troopers.

It's my understanding that they have had to hire additional personnel and they have had to go into overtime accounts to deal with the increased calls for service for these troopers. So theoretically the Town of Ledyard could apply for an additional trooper position. You could apply for fire service support, bridge and road construction, signage, lighting, planning and zoning activities, zoning enforcement activities and any other municipal functions of the host community affected by the casino, any other function affected by the casino.

I am told or I have learned from a letter from the First Selectman in the Town of Ledyard that public safety and social costs have increased as a consequence of the casino being located in that town.

Traffic on a daily basis on roads in the area have gone from 10,000 to 15,000 per day with weekend traffic of up to 24,000 per day and this is a traffic increase from approximately 3,000 trips per day. The calls for police service have tripled to quadrupled.

In the Town of North Stonington the calls for fire service have doubled. In the Town of Stonington the calls for service from the Stonington Police Force, which is located adjacent to Ledyard, have increased by

ten to twenty percent, so there are a variety of adverse impacts that have occurred and these towns do not have the taxing authority to offset these costs and these burdens.

It seems to me, Mr. Chairman -- Mr. Speaker, excuse me. It seems to me, Mr. Speaker, that this amendment speaks to a problem that is a growing problem for the communities in this area. It is fair in its scope. It's broadly based and open-ended. It's bipartisan in the way it's been formulated and actually it removes the distribution of these funds somewhat from a purely political process because it sets the monies aside in an account and it allows their distribution by a committee especially appointed and so it removes somewhat the pressures of the political process when it comes to responding for applications from this account.

I would urge my colleagues to support this amendment. Thank you, Mr. Speaker.

SPEAKER RITTER:

Thank you, Representative Simmons. Will you remark further on House "B"? Representative Beamon.

REP. BEAMON: (72nd)

Thank you, Mr. Speaker. To my good colleague who has crafted a very, very interesting amendment, I say congratulations. You discussed, through you, Mr.

Speaker, adverse impacts and there's adverse impact to almost any new development anywhere. You also discussed in your presentation the types of adverse impact, but through you, Mr. Speaker, I have just a few questions on this amendment. No. 1, through you, Mr. Speaker, the proponent of the amendment, Representative Simmons, you mentioned that there was an increase in police calls in adjacent towns to this facility. Can you basically, for the Chamber, tell the Chamber what those increase of calls were, through you, Mr. Speaker?

DEPUTY SPEAKER COLEMAN:

Representative Simmons, if you'd care to respond?

REP. SIMMONS: (43rd)

Thank you, Mr. Speaker. I'd be happy to respond to the question, which is a good question. I have in my hand, and it's difficult to see, a map which highlights the roads which lead to the Foxwoods Casino. Unlike the casino proposal that involves Bridgeport and Hartford, in Southeastern Connecticut, we do not have an infrastructure through road systems which makes it easy for people to get to the Foxwoods Casino. It simply is not easy. The Foxwoods Casino is located on Indian Settlement lands that are located in a somewhat remote area of Eastern Ledyard and this is a very rural

area.

As a consequence, it has been very difficult. It's been a real problem to route the traffic into this area. For example, you may find that there's been a substantial increase of traffic off of Exit 93, which is located in Stonington, onto Route 2 which then passes through the center of the village of North Stonington. In fact, the road goes right through the middle of the schoolyard. You've got the elementary school on one side of the road and the high school on the other side of the road, proceeds north across the border at which point you enter Ledyard and the casino is located at this point.

We find a dramatic increase of traffic off of Exit 90 at Mystic and people driving up through Old Mystic, Latern Hill Road and then again into Ledyard. It's my understanding from talking to Representatives from Griswold that the exit in Griswold off of 395 has had a dramatic increase of traffic down 164 to Route 2 and then to the casino and the traffic through Norwich and through some of the other areas adjacent to the casino has increased dramatically.

This has placed pressure on the local public safety services. As I indicated in quoting this letter from Mayor Louzier dated February 9, 1993, "The number of

service calls the police have received have increased dramatically from 4,000 in 1990-91 to over 11,000 in 1992-93.

These numbers are before slots, so if the crowds are up 50 percent, the numbers will certainly increase in FY1993 and 1994." And they have. It's my understanding that at the current rate the calls for police service in Ledyard are four times what they were in FY1990 and 1991.

REP. BEAMON: (72nd)

Mr. Speaker.

DEPUTY SPEAKER COLEMAN:

Representative Beamon.

REP. BEAMON: (72nd)

I thank the good gentleman from Eastern Connecticut for his very descriptive response, but I have one other question and that question is the Representative noted that there was an increase in social services that were needed in those communities adjacent to the casino and prior to me asking that question, Mr. Speaker, I would think that this issue is of so much importance not only to the area of Eastern Connecticut, but also to new host communities, if that ever gets off the ground, that we also have projects for which there should be some linkage between any developer that would come in

and operate this type of enterprise to those communities for which they would like to operate within.

Therefore, I feel so strongly about this, Mr. Speaker and members of the House, that when we do vote on House Amendment "C", I would ask that the vote be taken by roll.

DEPUTY SPEAKER COLEMAN:

The gentleman is requesting a roll call vote. All those in favor of a roll call vote please indicate by saying aye.

REPRESENTATIVES:

The Chair will order a roll call vote at the appropriate time.

REP. BEAMON: (72nd)

Thank you, Mr. Speaker. As an aside, now that I've got that out of the way, let me ask the question.

DEPUTY SPEAKER COLEMAN:

Please proceed, sir.

REP. BEAMON: (72nd)

Through you, Mr. Speaker, to Representative Simmons, you mention again that social services had increased in those towns and we'll just the whole region here, the host just clarity, we'll call the whole region the host. Could Representative Simmons,

through you, Mr. Speaker, tell the Chamber exactly what types of social services calls -- what types of increases were made in social service functions over in that area please, through you, Mr. Speaker?

DEPUTY SPEAKER COLEMAN:

Representative Simmons.

REP. SIMMONS: (43rd)

I can answer that question a couple of different ways, probably using some anecdotes is useful. There have been occasions that have been reported in the press, for example, Mr. Speaker, where gamblers, perhaps addictive gamblers, have abandoned their children. One particular case involved a town at some distance from the casino, but within the host community range where two young children were left from 8:00 in the morning to approximately 8:00 at night in a McDonald's playground, a McDonald's playground.

It was not known until around 7:00 that this children had no parents with them, but once it was determined, the local police were called. Eventually it determined that the parents of these two children had left to go to the casino, had begun gambling and had gotten so obsessed with their gambling that they forgot what the time was and in essence had left their children in this facility for that period of time.

Clearly, that's a case where the local community had to take some action to protect these children and to take care of these children. The issue of gambling addiction is another issue that we don't fully have a handle on. We have facilities within the host community area that deal with alcohol addiction, but the question of gambling addiction is one that concerns us for the future.

It would be my expectation that under the terms of this amendment if a community was dealing with five or six cases of gambling addition and discovered that the caseload increased from 10 or 12 that that community could reasonably apply for some funds from this account to assist them as they deal with the issue of gambling addition.

We have a number of other instances, such as I've mentioned, that deal with the social impacts of the casino in this region and the purpose of my amendment is not to try to narrow the sorts of projects that people in the region can apply for, but to keep it as broad as possible and I think it's important to understand in all of this, casino gambling is new to the State of Connecticut. It truly is. And we are hopeful that this facility will be run in a professional and in a caring way, but we don't know

precisely what the future is going to bring for the problems of this casino and this account is established so that it can meet almost any contingency, through you, Mr. Speaker.

DEPUTY SPEAKER COLEMAN:

Representative Beamon.

REP. BEAMON: (72nd)

Thank you, Mr. Speaker. Just a few more questions on this amendment.

DEPUTY SPEAKER COLEMAN:

Please proceed.

REP. BEAMON: (72nd)

Through you, Mr. Speaker, to Representative Simmons, on line 45 you note a host community -- to line 46, to the Casino Impact Fund Committee -- may apply, excuse me, to the Casino Impact Fund Committee for funds from the Casino Impact Account. Through you, Mr. Speaker, to Representative Simmons, would those social service problems come under the ages of these two lines in your amendment, through you, Mr. Speaker?

DEPUTY SPEAKER COLEMAN:

Representative Simmons.

REP. SIMMONS: (43rd)

I'm probably dealing with a slightly different draft from yours, but in mine it's line 46 through 51.

The application shall set forth the purpose for which the funds are requested and such purpose may include police service, fire services, bridge and road construction or repairs, signage, public safety, lighting, planning and zoning activities, zoning enforcement activities and other municipal functions of the host community affected by the casino. I think if you look at the phrase "other municipal functions of the host community affected by the casino," that would cover any of a variety of social impacts of the sort that the gentleman has referred, through you, Mr. Speaker.

DEPUTY SPEAKER COLEMAN:

Representative Beamon.

REP. BEAMON: (72nd)

Thank you, Mr. Speaker, and Representative Simmons. Since I'm not from Eastern Connecticut, I really would not know what facilities would be in Eastern Connecticut in those small communities which would deal with the new problems and I will submit to you there are many new problems over in that area of our state, those problems which deal with social services and police and other areas for which you have crafted in your amendment.

Finally, the last question. Would those host

communities or the host community itself -- you see, I don't understand the difference between the host community, and I ask this as a question, through you, Mr. Speaker, to Representative Simmons. Representative Simmons, in your amendment what would be the host community inasmuch as what we have now in terms of the casino in Ledyard is concerned? Would it just be Ledyard, North Stonington, a collection of all those towns, through you, Mr. Speaker?

DEPUTY SPEAKER COLEMAN:

Representative Simmons.

REP. SIMMONS: (43rd)

Yes, thank you, Mr. Speaker. Through you, in response to that, I think that the operative language is in Section C. The definition of a host community means a municipality which has been affected by the presence of a casino either within such municipality. In other words, the town or municipality within which the casino is located or within a neighboring or adjoining municipality and for purposes of this amendment I have described 15 town and cities which I did read into the record. I could repeat it if the gentleman would like, through you, Mr. Speaker.

DEPUTY SPEAKER COLEMAN:

Representative Beamon.

REP. BEAMON: (72nd)

Thank you, Mr. Speaker. That wouldn't be necessary. I just have problems with this amendment as to the way various small municipalities surrounding that casino would have to apply to get funds and how would we in one way differentiate between a social service problem in the area of Ledyard versus Stonington, how would we come up with some way of making it equitable and for those reasons I oppose House Amendment "C" and urge its defeat -- "D" rather and urge its defeat.

DEPUTY SPEAKER COLEMAN:

Thank you, Representative Beamon. Will you remark further? Representative Winkler.

REP. WINKLER: (41st)

Yes, thank you, Mr. Speaker. I would like to associate my remarks with Representative Simmons and compliment him for the very good job on the amendment that we have before us. As I've stated in the past, I haven't agreed with host community status for the simple reason that it's very obvious that all of the cars that get to -- or on their way to Ledyard to the casino do not bypass all of the neighboring surrounding towns and I feel that this particular amendment does recognize all of those towns that are severely impacted

by the traffic and the -- on their way to the casino and while people are in the vicinity at the casino.

I feel that this particular piece of legislation addresses the public safety aspects and the infrastructure upgrading as the need would arise and I would urge the Chamber to consider this and urge its adoption. Thank you.

DEPUTY SPEAKER COLEMAN:

Thank you, Representative Winkler. Representative Kirkley-Bey.

REP. KIRKLEY-BEY: (5th)

Mr. Speaker, through you, I have a question of Representative Simmons.

DEPUTY SPEAKER COLEMAN:

Please pose a question, madam.

REP. KIRKLEY-BEY: (5th)

Thank you, Mr. Speaker. Through you, to Representative Simmons, how does this $300,000 host fund affect the allocations as defined by Representative Dyson?

REP. SIMMONS: (43rd)

Thank you, Mr. Speaker. The $300,000 comes off the top of the $10 million which was the so-called adjustment in the $45 million property tax. During my colloquy with Chairman Dyson earlier in the evening, I

inquired of him of the funding mechanism for that $45 million and I think we established for the record that $35 million is allocated through an elaborate procedure that's outline in the bill and then that the remaining $10 million is distributed to 28 towns on the basis of their need as determined by the architect of that amendment.

What my amendment simply does is takes $300,000 of that $10 million and puts it into the fund so that, for example, Representative Winkler spoke representing Groton, so that Groton, which is recipient of those -- of some of those discretionary funds. I believe Groton is a recipient of approximately $423,000 of those discretionary funds.

Groton, for example, would lose $12,690 of that $423,000, so that that money would be part of that money that goes into the fund. However, Groton, as a host community could, under the provisions of my amendment, apply possibly for an even larger amount under the provisions of this amendment.

I think one factor that is very important in discussing this amendment is to understand that earlier drafts of legislation from this body allocated 33 percent to host communities, namely, Bridgeport and Hartford.

The total amount of money that I am calling to be placed in this account, this special account, is one-third of one percent. So it's an extremely small amount of money and should not have any significant impact on those towns and cities which are the beneficiaries of the $10 million allocation, through you, Mr. Speaker.

REP. KIRKLEY-BEY: (5th)

Mr. Speaker, through you, to Representative Simmons.

DEPUTY SPEAKER COLEMAN:

Representative Kirkley-Bey.

REP. KIRKLEY-BEY: (5th)

What is the criteria that needs to be used by those towns to get a portion of this $300,000, and if I understand you correct, there are approximately 15 towns that would be considered in the host community. That divides out to about $20,000 apiece, so what's the criteria for receiving this money?

DEPUTY SPEAKER COLEMAN:

Representative Simmons.

REP. SIMMONS: (43rd)

Yes, through you, Mr. Speaker, the criteria are basically laid out in the amendment in Section C, namely that a host community may apply for any of these

funds in part. I doubt that any community will get them all, but may apply for any of these funds in part for police services, fire services, bridge and road construction, signage, public safety, lighting, planning and zoning activities, zoning enforcement activities and any other municipal functions of the host community affected by the casino.

So the amendment is drafted in a broad way, not to rule out specific but unanticipated impacts that communities may have and may come forward with, through you, Mr. Speaker.

DEPUTY SPEAKER COLEMAN:

Representative Kirkley-Bey.

REP. KIRKLEY-BEY: (5th)

Thank you, Mr. Speaker. Thank you, Representative Simmons.

DEPUTY SPEAKER COLEMAN:

Thank you, Representative Kirkley-Bey. Will you remark further? Representative Stillman.

REP. STILLMAN: (38th)

Thank you, Mr. Speaker. If I may, I'd like to direct a question or two to Representative Simmons.

DEPUTY SPEAKER COLEMAN:

Please proceed, madam.

REP. STILLMAN: (38th)

Thank you. Through you, to Representative Simmons, as a Representative of one of those towns that you've now put on a list as possibly being a host community, can you tell me, number one, let's say it's the $300,000. If all of the communities apply and only half of them are approved for the project, can you tell me how the money is then divided?

REP. SIMMONS: (43rd)

It's my expectation, Mr. Speaker, through you, in response to the lady from Waterford.

DEPUTY SPEAKER COLEMAN:

Please proceed.

REP. SIMMONS: (43rd)

It would be my expectation that of those 15 towns, it would be very unlikely that all of them would apply. However, as we look at this amendment and as we look at the growth of this casino and the facilities surrounding it over time, there's no way we can really anticipate and so I think in fairness to the region, Southeastern Connecticut, I've tried to draft the amendment broadly so it gives maximum opportunity to these towns, but I would visualize, Mr. Speaker, that a town, through its First Selectman, or a city, whether it's New London or Norwich, would submit an application to the committee requesting funds and laying out the

purpose for those funds.

For example, I have a letter here from Nick Millane who is the First Selectman of North Stonington and he has indicated that the increase in ambulance responses and volunteer fire departments to casinos since they've opened it has been 25 runs. It's a 25 run increase per activity over the baseline over the last four or five years.

It costs an estimated $250 to the municipality since these ambulance and fire services are entirely voluntary. It costs about $150 to $200 per response which works out to $3,750 for ambulance association and $5,000 for volunteer.

I would anticipate that if this amendment passes, and I hope it does, that the First Selectman from North Stonington would submit a letter to this committee requesting reimbursement for this increased activity and he would state as his reason that this is an increase that can be attributed to the presence of the casino in this town. That's how I would visualize it working, through you, Mr. Speaker.

DEPUTY SPEAKER COLEMAN:

Representative Stillman.

REP. STILLMAN: (38th)

Thank you, Mr. Speaker, through you, to

Representative Simmons again, you didn't quite answer my question. If there is $300,000 and 15 towns and half of them are considered qualifying applicants, do those seven -- I won't round it off because we don't have half a town, but let's say seven communities, then split the $300,000 or do they just get their 15th of the pie, through you?

REP. SIMMONS: (43rd)

Again, if I can attempt to respond to the question, clearly, through you, Mr. Speaker.

DEPUTY SPEAKER COLEMAN:

Please proceed.

REP. SIMMONS: (43rd)

The procedure, as I visualize it, is similar to the procedure that was used in a prior amendment in this body I think earlier this week that had to do with law enforcement augmentation to 12 cities in the State of Connecticut and I recall that New London, Middletown, Hartford, Bridgeport, New Haven, these were some of the 12 cities.

And funds were set aside I think in the amount of $1.2 million and those municipalities were authorized under the terms of the law to apply for some of those funds for purposes of bringing about better public safety in urban areas.

So you see, the way that system would work in that particular case, it's incumbent upon a municipality to initiate a request for funds. No ratio is laid out per city and the same is true in this particular case here. Although the mean average -- if the money was divided equally between the 15 towns, they would all get slightly less than $20,000, which of course, is less than the figure that Amendment "A" gave for these host communities, but I would visualize that the Town of Ledyard, for example, has greater impacts, let's say, than the Town of East Lyme and that the Town of North Stonington and the Town of Preston probably have greater impacts than the Town of Bosrah and so I would anticipate that as a matter of common sense those towns that are more greatly impacted would apply quicker and perhaps for larger amounts of money than those others, but it's entirely discretion and if the town for whatever reason did not submit an application or submitted an application that was frivolous or contained no real justification, that it would simply be turned down, through you, Mr. Speaker.

DEPUTY SPEAKER COLEMAN:

Thank you, Representative Simmons. Representative Stillman.

REP. STILLMAN: (38th)

Yes, if I may, I would just like to make a comment and I thank you very much for your responses. As someone who represents a community that's now considered a host community, which was a surprise to me because I really don't see Waterford or New London, for that matter, impacted by the casino in terms of an overwhelming number of vehicles and people coming in and out of the community.

I would have difficulty supporting this as it's nice to receive another $20,000, but I don't think that it can be justified in my community's case. The other thing is that we have many tourist attractions in Southeastern Connecticut and they don't receive consideration as host communities and granted the Foxwoods traffic is considerably larger, but I feel that's -- this is a problem that those communities are going to have to resolve. I rely on their expertise to do that. I will say that Representative Simmons' amendment is very well addressed and I applaud him for his efforts, but I do not see Waterford or New London and I represent a very small portion of New London, but I certainly don't see Waterford as being a community that could qualify for funds like that.

Certainly as time goes by and if things change we all might want to look at this again in the future, but

at this point I could not support the amendment. Thank you.

DEPUTY SPEAKER COLEMAN:

Thank you, Representative Stillman. Will you remark further? Representative Hyslop.

REP. HYSLOP: (39th)

Thank you, Mr. Speaker. I too must say that Representative Simmons' idea is well taken, but I rise in opposition to this amendment. I do not see the City of New London. I represent the major portion of New London. I do not see them as a host city. I guess what Representative Simmons is talking about the fact that it having an adverse impact on the City of New London. I believe what we need to really look at, if we're talking about adverse impact when we have general assistance recipients who are coming across city lines, that we set up a fund for that adverse impact rather than looking at what the gambling is doing.

I ask my colleagues to reject it. New London is not a host community to the Foxwoods Casino. Thank you.

DEPUTY SPEAKER COLEMAN:

Thank you, Representative Hyslop. Will you remark further? Representative DeMarinis.

REP. DEMARINIS: (40th)

Through you, Mr. Speaker, to Representative Simmons, I would like to repeat what Representative Stillman and Representative Hyslop have said, but I'd also like to add something else. It's kind of thank you, but no thank you. The impact that I see in Groton, and we're closer, we could legitimately be called a host community, is that we have jobs and that's the big issue here. Our town has more fire equipment and more police equipment I think than the City of New Haven.

We're well prepared to take care of the impact that there's been and I'm aware that there's been some. I too have heard the stories of children left in cars and I think there was a gentleman who ran himself completely broke and then we had to decide where he should go for General Assistance, but there hasn't been an awful lot of that.

I do agree that Mary McGrattan's Ledyard and that your town, Stonington, North Stonington, do have problems and might legitimately rewrite to ask for money from them, but right now Groton is receiving impact, but it's positive impact and I agree with Representative Stillman that we may want to come back and look at this again later, but right now we're in good shape and very grateful for the jobs we have and

one other side, you know that the towns could not afford our annual fireworks display this year. The Mashantuckets are paying for them and I think we're quite lucky right now and I would like to leave that money because you would be taking 12 or 13 of what I already have to take back to Groton and putting it into a pool that I would not be eligible to apply for at least at the moment, so I would urge that we do not pass this amendment.

DEPUTY SPEAKER COLEMAN:

Thank you, Representative DeMarinis. Will you remark further on House "D"? Representative Caron.

REP. CARON: (44th)

Thank you, Mr. Speaker. I rise in support of the amendment and I don't rise in support of the amendment because Plainfield could be a possible host town or considered as a possible host town. Frankly, I don't see the Town of Plainfield, the Town of Canterbury and the Town of Killingly ever bothering to apply for that. They are on the highway. The actual town is probably minimally impacted, but when did we disregard some of the smaller towns who are having a hard time taking care of themselves?

I mean many of the towns that have been mentioned as possible host towns are towns that just do not have

a lot of resources. It's farmland. It's very, very old farmland where there are not a lot of people here. We don't have the highest mill rates in the state, but that's because we don't have the highest incomes in the state either.

For those of you who don't know, Plainfield happens to be the second poorest municipality in the State of Connecticut after Hartford. These are poor towns out here. They could use a little bit of help. There's been a phenomenal amount of growth in Ledyard obviously and what this amendment does is allow for some short term help. I don't foresee it, as the amendment has been drafted, as being a long term thing, just something to get over the initial hump and I don't think many of the jobs -- Ledyard has been blessed with many new jobs, but perhaps not quite so many from the rest of the area of Southeastern Connecticut and I would urge my colleagues to support the amendment.

DEPUTY SPEAKER COLEMAN:

Thank you, Representative Caron. Are there any further remarks on House "D"? Any further remarks on House "D"? Representative Simmons.

REP. SIMMONS: (43rd)

Mr. Speaker, for the second time.

DEPUTY SPEAKER COLEMAN:

Please proceed.

REP. SIMMONS: (43rd)

Mr. Speaker, the monies that we're distributing here, the $85 million come from Southeastern Connecticut. The money was raised in Southeastern Connecticut by means that we may or may not support, but the fact of the matter is casino gaming is in the State of Connecticut today. It's not in Hartford and Bridgeport, but it is in Southeastern Connecticut today and we are dealing with the impacts of casino gaming in our community on a daily basis.

We did not ask for this. It came to us through a court order. We cannot plan for this because our planning and zoning does not extent to an Indian Tribal Reservation. We cannot raise money from this through taxation because our taxing authority does not extend to an Indian Reservation.

I can understand why my some of my colleagues might feel at this point in time that they don't need this money, but I don't feel that it's fair for those who do need some of this money that they would reject the amendment at the expense of some of the other towns. Preston and Ledyard have been taken care of. They've got $25,000 each. What about North Stonington? It's got over 1,000 acres of tribal land, over 1,000 acres

of tribal land and without this amendment North Stonington gets nothing, nothing at all.

Griswold is a major transit area through little old roads, little old roads. They don't get anything. Under my amendment they could. I think fairness demands that we make some effort to reimburse those towns that are carrying the burden for this activity. I think that reimbursement should be bipartisan and I think it should be fair and I think this amendment is fair. I think one-third of one percent, one-third of one percent of the money coming out of Southeastern Connecticut from this gaming activity should come back to those communities who are bearing the burden of the gaming activity.

I urge you on behalf of our little towns please support this amendment.

DEPUTY SPEAKER COLEMAN:

Will you remark further?

REP. NYSTROM: (46th)

Mr. Speaker.

DEPUTY SPEAKER COLEMAN:

Representative Nystrom.

REP. NYSTROM: (46th)

Thank you, Mr. Speaker. I would just like to add that I don't think the dollar amounts on this amendment

are that significant. I think what is significant is the mechanism that it would create and I think on merit alone the amendment should pass. It is the right thing to do and for that reason I'll support it.

I don't think the dollars add up to much at all even if one town was able to successfully apply for a grant and receive all of the money in one year.

Living in that area I know what the impact is. I see it daily. It won't go very far, but on principle, and it's nice to stand up on principle once in a while around here, it is the right thing to do.

DEPUTY SPEAKER COLEMAN:

Are there any further remarks on House "D"? If not, would staff and guests please come to the well of the House. Members please prepare to record your vote. The machine will be opened.

CLERK:

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

SPEAKER RITTER:

Have all the tort feasers voted? I mean have all the members voted? If all the members have voted, the

machine will be locked. The Clerk please take a tally.

The Clerk please announce the tally.

CLERK:

House Amendment "D" to House Bill 6919.

Total Number Voting	147
Necessary for Adoption	74
Those voting Yea	68
Those voting Nay	79
Those absent and not Voting	4

SPEAKER RITTER:

House "D" fails.

Anyone else care to comment on this bill as amended?

REP. CHASE: (120th)

Mr. Speaker.

SPEAKER RITTER:

Representative Chase.

REP. CHASE: (120th)

Yes, Mr. Speaker. I don't believe there's any more amendments on the bill, but for a --.

SPEAKER RITTER:

Just a minute. (Gavel) I know we're going late these nights. We have a lot of work to get done, other than the Moores at the end, let's try to keep down the talk, that enthusiastic banter to a minimum please.

Representative Chase, you have the floor and you deserve the etiquette of the Chamber.

REP. CHASE: (120th)

Thank you, Mr. Speaker. Actually to you a parliamentary inquiry. With the adoption of House "B" --.

SPEAKER RITTER:

House "B" was defeated.

REP. CHASE: (120th)

I'm sorry, House "C", excuse me.

SPEAKER RITTER:

Nice try though, Representative Chase. Trying to sneak one by us?

REP. CHASE: (120th)

Yes, really. Sorry, Mr. Speaker. Mr. Speaker, I'm referencing LCO No. 8005. I guess that was House "C". Notwithstanding the provisions of any charter, special act or home rule ordinance, etc. It occurred to me as I sat here quietly listening to the very informed debate by Representative Simmons that maybe this should, as a result of passage of House Amendment "C", that under the rules this bill should go to the Finance and P & D Committee, through you, Mr. Speaker.

SPEAKER RITTER:

Are you asking a question of Representative Luby,

sir?

REP. CHASE: (120th)

I'm sorry, Mr. Speaker, that was a Parliamentary Inquiry.

SPEAKER RITTER:

The Chamber will stand at ease please.

Representative Chase, like the Attorney General, I'm not going to give advisory opinions on any of these matters. You have the floor, sir. I mean I don't think it would be appropriate for me to advise questions of whether or not you want to make a motion to refer. I think that would be more appropriate.

REP. CHASE: (120th)

Well, Mr. Speaker, the amendment deals strictly with home rule ordinance. I believe that does fall under the jurisdiction of Planning and Development and under our rule, Planning and Development shall have cognizance of all matters relating to local governments, housing and urban renewal, etc., matters relating to the Department of Housing.

Certainly this does relate to local government and home rule ordinances and therefore I guess I would make the motion that we refer to P & D.

SPEAKER RITTER:

The motion is on the floor that it be referred to

Planning and Development or -- Planning and Development. Anyone else care to comment on the motion to refer to Planning and Development? Representative Luby.

REP. LUBY: (82nd)

Thank you, Mr. Speaker. Mr. Speaker, I rise to oppose the motion to refer. It is true that technically this involves the municipalities, but of course, the bill involved municipalities when it was initially drafted. We are late in the session. We know that will be many kinds of amendments that will change every so slightly the subject matter of a bill.

This has been through the key committees I believe and it's my recommendation that we just simply remove -- that we vote to reject the motion to refer, and Mr. Speaker, if I may, I would ask for a roll call vote on this motion.

SPEAKER RITTER:

All those in favor of a roll call signify by saying aye.

REPRESENTATIVES:

There will be a roll call taken at the appropriate time. Anyone else care to comment on Representative Chase's motion? Representative Krawiecki.

REP. KRAWIECKI: (78th)

Thank you, Mr. Speaker. Frankly, I would not have made a motion to do this only because I think the proposal before us maybe is one of those important items, but under our rules, it is clear, I mean there is absolutely no doubt that this proposal, with the amendment that was adopted by this Chamber, has to go to this committee and what I hope is not occurring is that the Majority Leader is suggesting that from this point on we're going to just simply forget the rules.

The rules are clear in that the Committee on Planning and Development has cognizance of all matters relating to home rule. I don't have an amendment in front of me, but can I see that amendment please? Can I have that amendment.

This amendment says notwithstanding the provisions of any charter, any special act or home rule ordinance, a municipality may revise and so on and so forth. I think you could make a very legitimate argument to send this proposal also to the Finance, Revenue and Bonding Committee, but it would seem to me clear that Planning and Development has cognizance. They're going to meet, I think it's tomorrow morning and this proposal could go there, be right back here tomorrow and you just simply adopt it.

I know there's been enough conversation on the

floor that perhaps even the committee might have some interest in wanting to revise the proposal. I know the good Chairman of the Appropriations has had precious little involvement in drafting this piece of work that's before us and I know the Ranking Members had no involvement whatsoever in the proposal and I suspect this has been nothing more than a proposal that was designed in the back room someplace by certain folk. It would seem to me, however, that it's appropriate under our rules. I don't know why the Majority Leader would oppose the motion, given how clear and on its face the rules indicate you have to send these proposals there.

I would urge the Majority Leader reconsider his position and just get on with sending it there and let's get it over with tomorrow and it will be smooth and fast.

SPEAKER RITTER:

Thank you, Sir. Representative Luby.

REP. LUBY: (82nd)

Thank you, Mr. Speaker. Mr. Speaker, when this bill came up on the Calendar for today on the go list there were all sorts of extensive discussions on this bill and others as to whether the bill was ready, should be marked go or whether it should be referred to

a Committee.

And there was a consensus amongst people actually on both sides of the aisle that this matter was ready to go and that is what was put on the go list.

The only change is a very minor amendment. Frankly, it does not dramatically change in any way what this bill does. The substantial impact of this bill is financial. It was reviewed by the Appropriations Committee and really the major debate is, where does the money go? Who gets what and why?

But this is very much, Mr. Speaker, the tail wagging the dog and again, I would just urge the membership to vote no on the motion to refer. Thank you.

SPEAKER RITTER:

Thank you, Sir. Representative Rell.

REP. RELL: (107th)

Mr. Speaker, I know the protocol in this Chamber and I rise reluctantly to speak after the Majority Leader, but I think several points are in order.

The Appropriations Committee never reviewed this bill, even though we had a bill before us called the Mashantucket Pequot Funds. I think Representative Dyson would agree. It was a so-called dummy bill and we were to deal with it later, point one.

Point two, any discussion relating to sending this bill to another committee, and I'll freely admit that I was not here last night for bill screening conversation, would have taken place prior to the enactment and passage of any amendment.

The amendment clearly alters now, the makeup and composition of this bill. Our rules state that P & D, Planning and Development have cognizance now of this bill.

I would only point out, Mr. Speaker, and Representative Luby, that to do this in the final week and a half before the adjournment of this session, I believe is a great mistake.

As Representative Krawiecki mentioned, I believe P & D will be meeting tomorrow. If not, they can certainly call one from the floor of the House tonight and review this bill.

And I'm going to say something I may regret later, but I can see Representative Luby smiling at me, so I will apologize in advance. You know, and I know, that you'll have the votes to pass it out of the P & D Committee, but that is no excuse to ignore the rules and not send it there. Let it go to that committee, run roughshod over the rest of the members that may not support it, but that's no excuse not to adhere to our

rules. Thank you, Mr. Speaker.

SPEAKER RITTER:

Thank you, Madam. Anybody else? Representative Krawiecki, you have the floor, Sir.

REP. KRAWIECKI: (78th)

Thank you, Mr. Speaker. I also want to make some, a very distinct point. Representative Luby, I very strongly disagree with you. This is not a small amendment. I happen to think that any time you override home rule, any time you override any provision of any charter of any municipality, and any time you override any special act, I think that's gosh darned serious business in this Chamber, no matter what the issue is.

In addition, when the markings are going on on this bill, and I would challenge any of the screening people, this amendment certainly was not discussed and that's the reason for the referral. We have rules in this Chamber to protect the Minority. I'd like to just remind you of one thing. God forbid the day comes when you're in the Minority because somebody may trample on you and you will not like it at all either.

With all due respect, we have not, we had not seen this proposal in advance. We didn't see the language until it was called on the floor tonight and it seems

to me a small, very small item, to refer this proposal off to a committee we already established beyond all doubt that this is the most partisan document we've seen this year in this Chamber. We all know it was done behind some closed doors by a handful of individuals. The least we could do is live by our rules.

And when you have something on its fact that so blatantly has to be sent to a committee, we ought to do it and not reflect negatively on the leadership of this Chamber, which includes me at this point, and I resent the fact that we won't live up to our rules. And I don't think that's why we were elected the leaders of this Chamber, and I think it insults all of the membership and this proposal ought to go there and I do not consider this to be a partisan issue, but I consider it to be an issue that all of us care very deeply about and this proposal will be back here tomorrow and it can be enacted very rapidly. It may even go on the Consent Calendar at that point.

REP. FAHRBACH: (61st)

Mr. Speaker.

SPEAKER RITTER:

Representative Fahrbach.

REP. FAHRBACH: (61st)

Mr. Speaker, I have a question regarding this amendment to the Chairman of the Planning and Development Committee if he is available.

SPEAKER RITTER:

He's not in the Chamber, Madam. Oh, will the Chamber stand at ease for a minute.

REP. FAHRBACH: (61st)

Through you, Mr. Speaker.

REP. DAVIS: (50th)

Through you, Mr. Speaker, would you mind repeating the question.

REP. FAHRBACH: (61st)

I didn't ask it yet. Through you, Mr. Speaker.

SPEAKER RITTER:

Please proceed, Madam.

REP. FAHRBACH: (61st)

To the Chairman of Planning and Development, regarding the motion to refer. My question is, this amendment allows municipalities to revise their budgets and if a municipality were to revise their budget,or after a budget had already been adopted, would it require small towns or towns that have a town meeting form of government call a town meeting in order to do this and would there be a municipal impact?

SPEAKER RITTER:

The Chamber will stand at ease for a minute. Very good idea, Sir. Representative Davis, well, actually Representative Fahrbach had the floor. Representative Fahrbach, would you mind yielding to the Majority Leader for a moment.

REP. FAHRBACH: (61st)

I will yield to the Majority Leader, Mr. Speaker.

SPEAKER RITTER:

Thank you very much, Representative Fahrbach. Sorry about that, Representative Davis, you sort of got cut out. Representative Luby, you have the floor.

REP. LUBY: (82nd)

Thank you very much, Representative Fahrbach. After intensive discussions on our side, we've viewed the various rules and determined that actually there is a way to avoid having to put this bill over until tomorrow and that is to have a Committee meeting immediately.

So what I would do is, I rise right now to support the motion to refer with the expectation that immediately thereafter the distinguished Chair of the Planning and Development Committee may have an announcement that we'll all be waiting to here. First we've got to recess.

REP. FAHRBACH: (61st)

Mr. Speaker.

SPEAKER RITTER:

Excuse me, one second. Representative Fahrbach.

REP. FAHRBACH: (61st)

My question to you, Mr. Speaker is, is the Senate in session, are they available to have a meeting?

SPEAKER RITTER:

The answer is neither.

REP. FAHRBACH: (61st)

Then may I request an answer to my question.

SPEAKER RITTER:

Which is what?

REP. FAHRBACH: (61st)

Which is regarding referral of this bill to Planning and Development.

SPEAKER RITTER:

That is the motion before us right now which we'll be voting on.

REP. FAHRBACH: (61st)

Well, the question was, because we're allowing municipalities to revise their budgets possibly after they've already accepted them, will this amendment have municipal impact. And that has a very strong bearing on whether I will support the motion to refer or not.

If towns have to have a referendum, if they have to

call town meetings, it's going to have municipal impact, on my assumption, unless you can tell me otherwise.

SPEAKER RITTER:

Is there a question, Madam?

REP. FAHRBACH: (61st)

The question is regarding having a meeting, obviously there aren't enough Senators to have a meeting this evening.

SPEAKER RITTER:

What's your question, Madam.

REP. FAHRBACH: (61st)

The original question that I had before you asked me to refer the floor was, does this, the motion to refer, does this amendment have municipal impact.

SPEAKER RITTER:

Okay, and you would like to ask that question to Representative Davis.

REP. FAHRBACH: (61st)

That's the third time I asked it, yes, Mr. Speaker.

SPEAKER RITTER:

I just wanted to make sure. I appreciate it very much your yielding the floor. Representative Davis.

REP. DAVIS: (50th)

And I've been ready and willing, through you, Mr.

Speaker, each time she asked it.

SPEAKER RITTER:

I'm the one who messed it up, but seriously, you have the floor, Sir.

REP. DAVIS: (50th)

Thank you. This is enabling language, having a town meeting at the local level is something which is done all the time, so I don't see where it would be anything different than the normal course of events.

SPEAKER RITTER:

Representative Fahrbach, you have the floor, Madam.

REP. FAHRBACH: (61st)

I guess, Mr. Speaker, I understand that the amendment is enabling legislation. However, if a town's budget is impacted by the funds that they are receiving and not just Pequot funds, but any funds the way this amendment reads, they certainly have to make a decision on how those funds are spent, whether the funds are increased or decreased by this amendment or any other funds.

Excuse me, the amendment says, any funds, increase or decrease in funds, the municipality may revise their budget. And my concern is, what kind of municipal impact that will have and I really feel that this amendment, this bill as amended, should be referred to

Planning and Development.

SPEAKER RITTER:

Thank you, Madam. Anybody else want to talk to the narrow issue of being referred to Planning and Development? Representative Jones.

REP. JONES: (141st)

Thank you, Mr. Speaker, yes. In the motion to refer, in the exchange, I believe the Majority Leader spoke about the root of this bill previously and the fact that its substance was reviewed, it went to the Appropriations Committee, unquote.

Now earlier, I asked for clarification from Representative Dyson and I would like to pose a question, through you, Mr. Speaker, with regard to that dialogue to Representative Dyson.

SPEAKER RITTER:

Please proceed, Representative Jones.

REP. JONES: (141st)

Thank you, Mr. Speaker.

SPEAKER RITTER:

On the motion to refer, Sir.

REP. JONES: (141st)

Yes, I'm talking about the dialogue on the motion to refer, the point made by the Majority Leader in the substantive treatment of this bill was that it went

through the Appropriations Committee.

Through you, Sir, to the Chairman of the Appropriations Committee. This allocation of funds to my knowledge as the Ranking Member, was never discussed in the Appropriations Committee. Is that a factual statement, Sir.

REP. DYSON: (94th)

Through you, Mr. Speaker, not in specific details, no.

REP. JONES: (141st)

The answer is no. Through you, Mr. Speaker, we had a meeting of the --

SPEAKER RITTER:

Representative Jones, please. On the narrow issue of the referral to Planning and Development. That's what's before us, Sir.

REP. JONES: (141st)

Yes, that's where I am. Yes, Sir. The comment was made in defense of an argument against referral that it was adequately dealt with in the Appropriations Committee. We now know it was not dealt with in the Appropriations Committee. I'd simply like the record to show that we had a meeting of the Committee this morning, the Appropriations Committee. Thank you, Mr. Speaker.

SPEAKER RITTER:

Thank you, Sir. Anyone else? If not, all of those in favor of the motion to refer signify by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER RITTER:

Opposed, nay. The ayes have it. The motion is referred to Planning and Development. At this point the Chair would ask for points of personal privilege?

REP. BELDEN: (113th)

Mr. Speaker.

SPEAKER RITTER:

You're alright, there was a roll call already.

REP. BELDEN: (113th)

Mr. Speaker, I believe there was a roll call already requested previously.

SPEAKER RITTER:

You're absolutely correct, absolutely correct.

REP. BELDEN: (113th)

It's the will of the Body at that time.

SPEAKER RITTER:

We will have a roll call. I take it back before points of personal privilege. The Chair will order a roll call as previously designated.

The motion to refer to Planning and Development. A green signifies by saying yes.

CLERK:

The House of Representatives is voting by roll. Members report to the Chamber, please. The House is voting by roll. Members to the Chamber.

SPEAKER RITTER:

Have all members voted? Please check the roll call machine to make sure your vote is properly cast. If it has, the machine will be locked. The Clerk will please take the tally. The Clerk please announce the tally.

CLERK:

On the Motion to Refer House Bill 6919 as amended by House "A" and "C", On the motion referred to Planning and Development.

Total number voting	146
Necessary for referral	74
Those voting yea	146
Those voting nay	0
Those absent and not voting	5

SPEAKER RITTER:

The motion to refer passes. The Chair would take points of personal privilege. Representative Davis.

REP. DAVIS: (50th)

Thank you, Mr. Speaker, the Planning and

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SPEAKER RITTER:

The bill, as amended, passes.

Clerk, please continue with the Call of the Calendar. Hold on.

Representative Luby.

REP. LUBY: (82nd)

Thank you. Mr. Speaker, I would move that we suspend our rules in order to allow us to take up immediately Calendar 567, House Bill 6919, AN ACT ESTABLISHING THE MASHANTUCKET PEQUOT FUND.

SPEAKER RITTER:

Any objection? If not, the item is properly before us. The rules are suspended. The item is before us. Representative Luby. Just happened to pop up on the Calendar.

REP. LUBY: (82nd)

Thank you, Mr. Speaker. Will the Clerk please call Calendar 567, House Bill 6919?

SPEAKER RITTER:

The question before us originally is acceptance and passage of the bill. Representative Luby is calling what will be designated House Amendment "E", LCO7268. He has called the amendment and asked leave of the Chamber to summarize.

CLERK:

LCO7268, House Amendment "E", offered by Representative Ritter, et al.

SPEAKER RITTER:

Representative Luby, why don't you start by recalling the bill.

REP. LUBY: (82nd)

That sounds fine. Would the Clerk please call Calendar 567, Substitute for House Bill, 6919, AN ACT ESTABLISHING THE MASHANTUCKET PEQUOT FUND?

CLERK:

Substitute House Bill 6919, AN ACT ESTABLISHING THE MASHANTUCKET PEQUOT FUND, as amended by House Amendment "A" and "C".

SPEAKER RITTER:

Representative Luby. Thank you, Sir.

REP. LUBY: (82nd)

Thank you. Mr. Speaker, I move acceptance of the committee's favorable report and passage of the bill.

SPEAKER RITTER:

The motion is on acceptance and passage. Please proceed, Sir.

REP. LUBY: (82nd)

Thank you. Mr. Speaker, would the Clerk please call LCO7268 and I be allowed to summarize?

SPEAKER RITTER:

Clerk has LCO7268 designed House "E". If he may call it and Representative Luby would like permission to summarize.

CLERK:

LCO7268, House "E" offered by Representative Ritter, Representative Luby and Representative Davis.

SPEAKER RITTER:

Representative Luby, the amendment is in your possession, Sir.

REP. LUBY: (82nd)

Thank you. Mr. Speaker, I move adoption of this amendment.

SPEAKER RITTER:

The question is on adoption. Will you remark further?

REP. LUBY: (82nd)

Thank you. Mr. Speaker, this amendment merely deletes that amendment that was passed previously relating to municipal budgets and the deadlines.

SPEAKER RITTER:

Anyone else care to comment? Representative Farr.

REP. FARR: (19th)

Thank you, Mr. Speaker. For clarification, this amendment is striking out word for word the prior amendment that we put on. Is that correct?

SPEAKER RITTER:

Representative Luby.

REP. LUBY: (82nd)

Mr. Speaker, I believe the answer to that is yes.

REP. FARR: (19th)

Thank you Mr. Speaker. I would just point out that it would appear to me that in effect we are reconsidering this issue. I am not going to raise it. I don't know if anybody else was. I think there were concerns about the amendment afterwards.

Thank you.

SPEAKER RITTER:

Thank you. Anybody else care to comment on this bill? If not, I will try your minds.

All those in favor, say Aye.

REPRESENTATIVES:

Aye.

SPEAKER RITTER:

Opposed, nay.

The ayes have it.

House "C" is adopted, ruled technical. Anybody else care to comment on this bill? If not, staff and guests come to the well of the House. The machine will be opened.

CLERK:

The House of Representatives is voting by roll. Members to the Chamber, please. The House of Representative is voting by roll. Members, please report to the Chamber. The House of Representatives is taking a roll call vote. Members to the Chamber, please.

SPEAKER RITTER:

Have all members voted? Please check the roll call machine to see that your vote is properly cast. The machine will be locked. Clerk, please take the tally. Representative Concannon.

REP. CONCANNON: (34th)

Mr. Speaker, in the negative.

SPEAKER RITTER:

Representative Concannon in the negative.

Representative Young.

REP. YOUNG: (143rd)

In the negative, Sir.

SPEAKER RITTER:

Representative Young changes from the positive to the negative.

Anybody else? Clerk, please announce the tally.

CLERK:

House Bill 6919, as amended by House Amendment "A", "C" and "E"

Total Number Voting	147
Necessary for Passage	74
Those Voting Yea	134
Those Voting Nay	13
Those absent and not Voting	4

SPEAKER RITTER:

Bill as amended, passes.

Clerk, please continue with the call of the Calendar, 258.

CLERK:

Page 22, Calendar 258. Substitute for House Bill 5655, AN ACT CONCERNING MUNICIPAL ACQUISITION OF PUBLIC REGIONAL WATERWORKS SYSTEMS AND CONTINUATION OF WATERWORKS LIENS. Favorable report of Committee on Judiciary.

SPEAKER RITTER:

Representative Gary Orefice.

REP. OREFICE: (37th)

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

SPEAKER RITTER:

The motion is on acceptance and passage. Please proceed, Sir.

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your feet?

REP. CONCANNON: (34th)

Yes, I was.

SPEAKER RITTER:

How would you vote, Madam?

REP. CONCANNON: (34th)

In the affirmative, Mr. Speaker.

SPEAKER RITTER:

In the affirmative. Clerk, please announce the tally.

CLERK:

SB787 as amended by Senate Amendments "A", "C", "B", "E" and "H"

Total Number Voting	146
Necessary for Passage	74
Those Voting Yea	146
Those Voting Nay	0
Those absent and not Voting	5

SPEAKER RITTER:

Bill passes. Clerk, please continue the call of the Calendar.

CLERK:

Page 25, bottom of the page, Calendar #567, Substitute HB6919, AN ACT ESTABLISHING THE MASHANTUCKET PEQUOT FUND, as amended by House Amendments "A", "C"

and "E" and Senate "A". Favorable Report of the Committee on Planning and Development.

SPEAKER RITTER:

The Honorable Chair of the Appropriations Committee, William Dyson, sir.

REP. DYSON: (94th)

Mr. Speaker, Mr. Speaker I move acceptance of the joint committee's favorable report in concurrence with the Senate and Mr. Speaker, because of some differences that we have with the Senate action, I want to move at this point, the rejection of Senate "A".

SPEAKER RITTER:

Why don't you call the amendment, sir?

REP. DYSON: (94th)

I didn't understand you, Mr. Speaker.

SPEAKER RITTER:

Call the amendment, please.

REP. DYSON: (94th)

Hold on just a minute, Mr. Speaker. Mr. Speaker, LCO8352.

SPEAKER RITTER:

Clerk has Amendment LCO8352, previously designated as Senate Amendment "A". You may call it and Representative Dyson would like to take leave to summarize.

CLERK:

LC08352, Senate "A".

REP. DYSON: (94th)

Thank you, Mr. Speaker. Mr. Speaker, the amendment that I moved the rejection on, Senate "A", provides for the expenditure of an additional $3,123,916 to the Mashantucket Fund. Included in the amendment is a free standing chronic disease hospital to be a part of the pilot for private colleges and hospitals and that includes just two hospitals: Gaylord in Wallingford and I think it's New Britain General.

The $3 million, Mr. Speaker, according to Senate Amendment "A", is to go to three towns, those towns being Bridgeport, New Haven and Hartford. So, Mr. Speaker, with that explanation, I move rejection of Senate Amendment "A".

SPEAKER RITTER:

Will you remark further on the rejection of Senate Amendment "A"?

REP. DYSON: (94th)

Yes, Mr. Speaker. Mr. Speaker, I need to make it clear to all members of the Chamber, what my intentions are here, so that there be no mistakes about what each of us are compelled to do when the time comes to vote.

My motives here are simply this: we passed a bill

out of this Chamber, amended, that dealt with the distribution of $85 million. The Senate left intact the action of the House. The Senate then, through Senate Amendment "A", added on $3 million. My concern was that based upon the debate that we had earlier, regarding the Mashantucket Fund, was that there were certain things there that I did not agree with and we had that debate on the Floor, here.

My thinking is, $3 million added to what I deem to be something that had inequities built in, would only compound. So in that light, I thought it would be better that we found some method, some means by which we could return to the formula some degree of equity that would better distribute the money, rather than just providing it for the three towns.

Now clearly, clearly, for me, for my town, I supposedly would make out like a bandit. It's safe for me, let it go. Have a ball. $3 million, three towns, I'm one of them that gets three. But it's my view that what my action should be, is that if we are to place $3 million on top of something that already has inequities built in, it compounds inequities for years down the road. It can be $3 million, $30 million, $300 million, the inequity remains. And it's that that I have a problem with.

In addition, Mr. Speaker, I want every member in this Chamber to know, there's no interest on my part, to toy with the $85 million. That was voted on by this Body. No interest at all on my part to toy with the $85. We are talking $3 million. $3 million is all that we are talking and my reason for moving the rejection on Senate "A", because I think there's a better way that we can distribute that $3 that would not compound the inequities that are already there.

Mr. Speaker, it is my hope that members of this Chamber will come to understand what it is that I propose to do and I suspect, I suspect that some sparks may fly in this Chamber before the day is over, around this issue. I don't think it needs to be, I don't think really it's that much of a biggie, but however, some things, sometimes take on a life of its own and thereby becomes much more than what it ought to be.

I think if we reject Senate "A", the Senate has committed to readopt and we would then be in conference, and as I said to you earlier, I have no intentions of touching $85 million, committed to making sure that remains. The $3 million is the discussion. Thank you, Mr. Speaker.

SPEAKER RITTER:

Thank you, Chairman Dyson. Representative Wyman from the 53rd.

REP. WYMAN: (53rd)

Mr. Speaker, this is a very difficult thing for me to do, because the gentleman that spoke before me probably has, in this Chamber, I hold to one of the highest respect, but I stand up to speak against the proposal of rejection of Senate "A". The reason I give is probably very simple. As much as I believe that Representative Dyson, and I believe that he was sitting on the Committee on Conference would not want to fool around with anything but the $3 million, at this point, we don't know or know what's going to be able to come out of that Committee on Conference.

As I look back at the votes that were taken in this Chamber on the Pequot amendment that we brought out, 134 of us voted for the $85 million. I think we also have to look into consideration, take into consideration right now and we never know what the Senate really means by what they've done, but if we look at where that $3 million went, and I who comes from a rural and suburban area, I look at the $3 million and I think to myself, it is at least going to the three neediest cities in this state, where I would

hope that that extra million dollars can either be put towards reducing some of the tax burdens that the people in those cities are sharing right now, or, of course with my own bias, going into an educational system that we know needs an awful lot of help in those three cities.

I understand Representative Dyson's feelings on process, because I've learned a lot through him on process, and he really does know it well. But the process of the Committee on Conference kind of scares me right now, since we are not guaranteed of who is going to be sitting on that Committee on Conference and that we know that at least 134 people that were able to vote, voted for this base bill of the $85.

I would ask at this time that we not reject Senate "A" and accept Senate "A" so the towns that have already just gone through a budget that have put the money because they knew it came out of the House, and they thought it came out of the Senate, they can put their budgets to rest, since many of their budgets are already have been passed, and they have used or decided to use for the Pequot money.

I guess I have only one question, and if I may, to the distinguished gentleman of the Appropriations Committee.

SPEAKER RITTER:

One second, Representative Wyman. Representative Dyson, excuse me, a question to Representative Dyson. I just want to make sure you can hear the question. Representative Wyman, please proceed.

REP. WYMAN: (53rd)

I apologize, Representative Dyson, but if you could just answer one question for me. Under the Senate Amendment is this not now sunsetted after the one year? Through you, Mr. Speaker.

REP. DYSON: (94th)

Through you, Mr. Speaker, that is my understanding, that it will be sunsetted after one year.

REP. WYMAN: (53rd)

Thank you, Mr. Speaker. After that comment, more than ever, we will have time to revisit this next session and do whatever changes we needed to do, but I think at this point, since it's late in the session, we know how hard, Representative Dyson of all people knows how hard it is to come up with a formula, because he's worked so hard on this, most of this session, to come up with a formula within 48 hours, that changes, that might have to change, would be, I think, be unjust to all the members of both Chambers.

So I, at this time, ask that we not reject Senate

"A" and study and go back to working on it for next session again. Thank you, Mr. Speaker.

SPEAKER RITTER:

Will you remark further?

REP. JONES: (141st)

Mr. Speaker.

SPEAKER RITTER:

Representative Jones.

REP. JONES: (141st)

Thank you, Mr. Speaker. I rise to support the Chairman of the Appropriations Committee in asking for rejection of this amendment. There was no logic to the original distribution of the $85 million, and I suppose the Senate feels that as long as we had no logic to the original, they don't need any logic to handle $3 million more.

These are subjective judgments of a few people. I think we need, at this state in the session, to come out with an amendment, with no more logic than the original bill, just compounds our problem. I think we should reject this amendment. If we're going to reexamine this, we ought to find a formula to reexamine it on, otherwise we might as well go to bed with it the way we had it.

SPEAKER RITTER:

Thank you, sir. Representative Rell.

REP. RELL: (107th)

Thank you, Mr. Speaker. A question, through you, to Representative Dyson, please.

SPEAKER RITTER:

Please proceed, Madam.

REP. RELL: (107th)

Thank you. Representative Dyson, I apologize, I came in late on the conversation, but I thought I heard you just say that it would be sunsetted after one year. Were we talking about the entire formula or just this additional $3? Through you, Mr. Speaker.

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Through you, Mr. Speaker. I'm unclear about that myself, whether or not that refers to the entire formula or just the $3 million. I do know that part and parcel of the formula that we have that the House approved that we sent to the Senate relied upon existing formulas, so that was the two pilots and the property tax relief, so whether or not those are thought of as being done away with at some point in time, I'm not sure. I'd lean more toward the uniqueness of the formula that left here, that it may

not survive beyond this year.

But I think the pilots and the property tax relief probably will remain.

REP. RELL: (107th)

Through you, Mr. Speaker, to Representative Dyson, where did the $3,123,916 come from?

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Through you, Mr. Speaker, the fiscal note suggests that the money shall come from the General Fund and be appropriated to the Mashantucket Pequot Fund.

REP. RELL: (107th)

Thank you, Mr. Speaker.

SPEAKER RITTER:

Please proceed.

REP. RELL: (107th)

The additional dollars of $371,739 also from the General Fund, with no explanation on where it is to go, in the same manner? Through you, Mr. Speaker.

REP. DYSON: (94th)

Through you, Mr. Speaker, that's my understanding.

REP. RELL: (107th)

Thank you, Mr. Speaker.

SPEAKER RITTER:

Thank you. Representative Mazzoccoli.

REP. MAZZOCCOLI: (27th)

Thank you, Mr. Speaker. I find this somewhat amusing and somewhat embarrassing, where we, this august body, can turn around, criticize the Senate for adjusting the numbers by $3 million, by some so-called arbitrary formula, when we, in fact, I guess it was last week, divvied up $35 million by some arbitrary formula.

Through you, Mr. Speaker, to the opponent of the amendment, I guess I'd say.

SPEAKER RITTER:

Please proceed, sir.

REP. MAZZOCCOLI: (27th)

You alluded to the possible Conference Committee to establishing a formula. Why would we be interested in this point in establishing a formula for $3 million when we weren't interested in establishing a formula for $35 million? Through you, Mr. Speaker.

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Through you, Mr. Speaker, I think there needs to be some clearing up. The $35 million that you talked about is being distributed by formula. The question

that I think you make reference to is related to the $10 million. Why should we do any differently now than what we've done before? I think if anything that I can identify, it is the inequities there and I certainly don't want to be a part of compounded the inequity.

Now, it was stated earlier on the Floor by Representative Wyman, that the new formula we're going to have next year, because there's a sunset for this. Well, for anybody who was around here at all this year, the Governor proposed to spend $100 million, everybody and their cousin related what they should have gotten, based upon what they saw in his proposal. It didn't take them long for them to lock in what they though they were losing, if they didn't get that amount.

The point I make with that is that once you have established in an individual's mind what it is they're entitled to, formula or not, they feel that that is what they ought to get, so based upon this, and what we have, everybody used this as a point of reference from this point on. That relates to anything else that we do, whether there's a formula or not.

I got $4 million the last time. I am not going to get less than $4. That's clocked into people's minds. So whether it's on paper or not ain't the point. It's what people use as a reference, and this they use as a

reference.

REP. MAZZOCCOLI: (27th)

Mr. Speaker, a question to the Chairman of the Appropriations Committee.

SPEAKER RITTER:

Please proceed, sir.

REP. MAZZOCCOLI: (27th)

That is a joint committee, is it not? Through you, Mr. Speaker.

SPEAKER RITTER:

All our committees are. Representative Dyson.

REP. DYSON: (94th)

Through you, Mr. Speaker. It is a joint committee.

REP. MAZZOCCOLI: (27th)

When the original $85 million was divvied up, were any of our State Senators advised that this was going to happen? Through you, Mr. Speaker.

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Through you, Mr. Speaker, yes, some were advised.

SPEAKER RITTER:

Representative Mazzoccoli.

REP. MAZZOCCOLI: (27th)

Some were advised. I guess that may be the key to

this question. I have a problem with this, Mr. Speaker, when we, in this Chamber, can't work with our Senate colleagues in advance of such of some important matters, and then we turn around and question them spending $3 million. I have a hard time second guessing them, when I had a hard time second guessing $35 million of which $10 was formulated by an arbitrary formula.

I think if we're going to sit here and question $3 million, I guess we have to question the process. And again, I have to go back to what this Body should be doing in its process, when you're talking about spending $85 million. I would have thought that there would be reasonable communication with our Senate colleagues about this, and to not offer that, so that they wouldn't take this action subsequent to ours, I think is unfair.

But I think it speaks to the process and the defect that some of us spoke to when we talked about this issue before, when some of us spoke against it. I think if we want harmony, not only within our various caucuses and within this House, and with the Senate, I think it speaks to us working together to come up with fair formulas, Mr. Speaker. And it speaks against the arbitrary process that took place earlier. I think

it's difficult for us to question an arbitrary process, when that arbitrary process yields an amount much less significant than the monies that we were dealing with earlier.

I'm not sure what I'm going to do with this yet, Mr. Speaker, but I can tell you right now I'm confused by what's happening here. Thank you.

SPEAKER RITTER:

Thank you, sir. Anybody else care to comment? Representative Metz.

REP. DYSON: (94th)

Mr. Speaker.

SPEAKER RITTER:

I'm sorry. I'm calling Representative Metz. I'm sorry, Representative Dyson. I'll call on you after Representative Metz.

REP. METZ: (101st)

Mr. Speaker, I have two questions for Representative Dyson.

SPEAKER RITTER:

Please proceed.

REP. METZ: (101st)

Maybe he can make a statement in answering the questions. I come from a town that doesn't get much money from this formula, and isn't likely to get any

more if the formula is redone in some way.

I would like to know from Representative Dyson, a little more about his idea of dividing the $3 million that the Senate has put up. He indicates that he has a fairer formula for doing it and I'd like to know a little bit about it, because honestly, I don't find the Senate's arbitrarily dividing it among the three major cities of the state as objectionable as I do the fact that they found it somewhere, that there's $3 million just in the air to be used for this purpose I find very troubling.

But, before we vote to do away with that, their formula, and thereby reopen the basic formula such as it is, which I voted against because I felt it was so arbitrary and unfair to many towns, I'd like to know exactly what it is you have in mind as an alternative, if I might, please. Through you, Mr. Speaker.

REP. DYSON: (94th)

Through you, Mr. Speaker, I think if members of this Chamber remember our debate, and any discussions that took place prior to that, I think most of us around here had a common view as to what vehicle should be implored for distribution. I think most recommendations that floated around this place dealt with the two pilots and property tax relief as being

the fairest vehicles to use.

I concur. I agree with that, that was the same thinking that I had. If you remember the last debate, our only disagreement was over the ten, not anything else and then we got up and down on how that was done, but it was really over the ten. For me, ten now becoming thirteen, if it's done in the same fashion, bothers me, because you can easily make the case, we've done ten, we do thirteen, we can do thirty, we can do $300 million. What's the difference? That's where I have my major problem in that if we have a concern for fairness, and I understand formulas are political things that you throw out there and they're done by somebody, sometime to satisfy some need.

I understand that. But we have to be guided by some set of standards that we employ here that has as an important ingredient, fairness and need. I want to see to it that this three does that. It goes back to doing that, rather than being dealt with in another fashion. That's all.

REP. METZ: (101st)

Mr. Speaker, through you, do you have an alternative in mind to that $3 million? Is there a plan that you would propose for the way that $3 million would be divided? Through you.

REP. DYSON: (94th)

Through you, Mr. Speaker. It's not my intention to offer an amendment here. It's my intention that we reject Senate Amendment "A", that this will go back to the Senate. I have been in conversation with Senate members, the leadership primarily. They indicated to me that they will immediately readopt, which means we're now into conference.

Well, now, you can use your imagination with that. The recommendations I would have, yes, I have one. How would that be different than anything else that we have? Minus the ten, probably none, if you understand what I mean when I say that. It would not be done the same way the ten has been done. It would be done a different way.

Given that what we have dealt with around here, as I mentioned the three before, it would be one of those three, which I deem to be fair vehicles to use and they are on the books and we are governed somewhat by law, that we are to use something that was in existence by 1991.

REP. METZ: (101st)

Through you, Mr. Speaker, would you envision, also, throwing the ten back into that mix as well or are you now suggesting that the ten be left alone?

REP. DYSON: (94th)

No, I've indicated to this body earlier, and I think I emphasized that three times, that I would not, I have no interest in touching that. No interest in touching the $85 million. My concern is the three, the three million. I have no interest in touching the $85 million, and I needed to say that to this Body, so no one would have any apprehension that Bill Dyson is out on some mission to undo what's there. Even though I'm not in love with it, I'm not out on any mission to undo that. I'm only talking about the three.

SPEAKER RITTER:

Representative Metz, you have the floor, sir.

REP. METZ: (101st)

Mr. Speaker, I think Mr. Dyson has answered my question as well as he's willing to do so at this moment. I guess I'll wait and see what more is said. Thank you.

SPEAKER RITTER:

Thank you, sir. I'm sorry. I apologize. Representative Wasserman, I said I would call Representative Dyson. I apologize. I saw you standing. Could you yield to Representative Dyson, please, and I'll call you after Representative Dyson?

REP. WASSERMAN: (106th)

Absolutely.

SPEAKER RITTER:

Thank you. Do you accept the yield, sir? I apologize.

REP. DYSON: (94th)

Thank you, Mr. Speaker, Representative Wasserman. This is an issue, I know that people are interested in, concerned about, because it affects their municipalities and obviously they do not want to do anything that's going to cause any great concern for their municipalities and I think what we need to do here, and I wanted to ask, Mr. Speaker, that when the vote is taken, that it be taken by roll.

SPEAKER RITTER:

All those in favor of roll call, signify by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER RITTER:

20% having been met, there will be a roll call. Representative Wasserman, thank you for your courtesy. You have the Floor, Madam.

REP. WASSERMAN: (106th)

Thank you very much, Mr. Speaker. Through you, Mr. Speaker, to Representative Dyson. I should know the

answer to this, but I frankly don't. If it should go to Conference, then I suppose even the $85 million are at risk? If we have to go to Conference, would it be only for the $3 million or everything?

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Through you, Mr. Speaker. If we went to Conference, the entire bill is exposed.

REP. WASSERMAN: (106th)

Thank you very much.

REP. DYSON: (94th)

My interest offset.

SPEAKER RITTER:

Anybody else care to comment on this? Representative Simmons.

REP. SIMMONS: (43rd)

Thank you, Mr. Speaker. Through you, a question or two to the proponent of the bill.

SPEAKER RITTER:

Please proceed, sir.

REP. SIMMONS: (43rd)

Yes, thank you, Mr. Speaker. It's my understanding that the proponent has expressed his concern about the inequities in the amendment that was accepted or passed

by the Senate, and it's also my understanding that he is laying out a path for us that might lead to Conference, in other words, almost certainly would lead to Conference. Is that correct? Through you, Mr. Speaker.

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Through you, Mr. Speaker, that is my hope.

REP. SIMMONS: (43rd)

That being the case, Mr. Speaker, I think most people in the Chamber realize that I've had a concern over some months now with regard to host communities, and a concern that all of these monies that we are now considering how to divide, derive from a casino which is located in a community or in a region, namely southeastern Connecticut and I personally have been very disappointed on how this body chose earlier this week to divide some of those monies.

What consideration, through you, Mr. Speaker, what consideration would the House Chairman of the Appropriations Committee give to the host community issue in Conference? Through you, Mr. Speaker.

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Through you, Mr. Speaker, it is my understanding that Conference Committee will consist of I think about six people. I think three chosen by the Speaker and three chosen by President Pro Tem, so there will be six people there. Both sides of the aisle will be represented on that Conference Committee.

Let me just say, the issue of host communities would address and what the House acted on previously. The door has been opened.

SPEAKER RITTER:

Representative Simmons.

REP. SIMMONS: (43rd)

Thank you, Mr. Speaker. I think I understand what the House Chairman is saying and I guess my view is this, that I believe very strongly in this issue, so strongly that in fact, it would be my intent to draw an amendment later in this debate.

But the issue before us right now is the question of whether or not we reject Senate "A" and it would be my inclination to support the Chairman of the Appropriations Committee and to reject Senate "A" and I would do it for several reasons.

First and foremost, he has expressed to us that he wants to rectify inequities and I think I have expressed an inequity that concerns me, and so I would be gratified that if indeed, that's his intent, that this be the first step along the path of rectifying inequities.

Secondly, I was disappointed to hear last week, that the participation from our side of the aisle in the original formulation, was, to use his phrase, zippo. That was very disappointing to me because I serve on the Appropriations Committee and I was disappointed to think that none of this on this side of the aisle were involved in that process.

Bipartisanship has always been an important part of my political life. I think it's important to others in the Chamber and at the very least, at the very least, if this issue goes to Conference, those selected to serve on the Conference Committee will be selected from both sides of the aisle and I personally would be gratified by that and I also would exhort friends on the other side of the aisle to support that as well.

Whatever decision we make on the distribution of these monies is going to be around with us for some time to come. The people in our towns and our cities are not going to forget what we've done here and I

would hope what we do here is done on a bipartisan basis, and I think a Conference will bring that about.

Thirdly, I believe that a Conference Committee may be the best way to resolve some of the inequities that we've encountered, and I say that having served with Representative Fritz last week on a Conference Committee that resolved an issue with regard to the training of municipal police, and as members recall, that issue came up on the Floor twice, and we could reach no agreement on that issue, and yet when Representative Fritz called her Conference Committee out in the corner of the lobby, we resolved an issue which we debated probably for a total of 90 minutes, maybe longer. We resolved it in less than a minute.

Three senators, three representatives put their heads together and came up with a proposal that was subsequently sent back here to this Chamber and voted unanimously. So, I believe, and I'm an optimist, I must admit. I'm not a pessimist. I believe that taking this issue to Conference Committee is the best way to go, and on that basis, I would support the Chairman's motion. Thank you, Mr. Speaker.

SPEAKER RITTER:

Representative DiMeo.

REP. DIMEO: (103rd)

Mr. Speaker, through you to Representative Dyson, a question.

SPEAKER RITTER:

Please proceed, sir.

REP. DIMEO: (103rd)

Representative Dyson, in Senate Amendment "A", we list the town of Hamden as receiving $1,675,809. From my recollection of the previous amount, it remains the same and what I'm interested in knowing is, what is the reason for listing the town of Hamden when the amount of money is remaining the same?

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Through you, Mr. Speaker. If you're looking at the amendment, I assume that you are?

REP. DIMEO: (103rd)

Yes.

REP. DYSON: (94th)

I'm not sure why they have those numbers there at all. The fiscal note only distributes the $3,123,916 and Hamden is not included.

REP. DIMEO: (103rd)

That's correct.

REP. DYSON: (94th)

So the monies, through you, Mr. Speaker, remain the same as the bill that we voted out last week.

REP. DIMEO: (103rd)

So there's no significance for them being listed?

REP. DYSON: (94th)

That's correct.

REP. DIMEO: (103rd)

Thank you, Representative.

SPEAKER RITTER:

Representative Mushinsky.

REP. MUSHINSKY: (85th)

Thank you, Mr. Speaker. With due respect to the Chairman of Appropriations, I do need to oppose this motion to reject for one simple reason: section 8 of Senate "A" gives additional benefits, quite a bit of additional benefits to my town of Wallingford, therefore, I will be respectfully voting against rejection of Senate "A".

SPEAKER RITTER:

Anybody else remark? Representative Samowitz.

REP. SAMOWITZ: (129th)

Thank you, Mr. Speaker. Mr. Speaker, in response to the distinguished Chairman of the Appropriations Committee's answer to Representative Wasserman, that the whole monies, not just the additional $3 million,

but everything, everything, all the money that all the towns in the state of Connecticut were counting on, is going to be put in jeopardy, because of this procedure.

I think this is being penny-wise and pound foolish, not just to Bridgeport, New Haven or Hartford, but to all those cities that have been counting on this money. I think this is not the procedure to do it. It's possible the whole thing could crash. The Conference Committee is not the way to do the business and don't forget, look at the towns, those three major cities, and where this money is coming from and what it means.

This is money from the Mashantucket Indians. This is the casino money. This is the money that had those towns like Bridgeport and Hartford, had the right to have a casino, we would have been making a lot more than the monies that are being proposed in this thing. They were talking about maybe $49 million to those towns.

So, in respect, who are the losers and who are the winners. This formula stuffing, this formula that is being used is a small booby prize to those deserving towns. Let's get this thing out of here for those cities, for all of us. Let's bake the macaroni, get this thing out and not reject Senate "A". Thank you.

SPEAKER RITTER:

Thank you, sir. Representative Scipio from the 93rd.

REP. SCIPIO: (93rd)

Thank you, Mr. Speaker. I rise in agreement with our Appropriations Chairman, Representative Dyson. If he's willing to take the risk and chances or whatever it may be termed, I'm sure with his vast experience he knows what he's doing.

Representative Mushinsky is worried about the money that goes to Wallingford. He's already assured us that that will not be bothered. Representative Samowitz stated that he'd rather let it go the way it is, for whatever the reasons, but we went along with him in regards to the Indians, we went along with him in regards to casino, and I think Representative Dyson was in agreement with all that.

So I'm sure, since none of the cities of which we depend solely on our support in New Haven for, are going to be in jeopardy, and he's willing to take whatever chances there are in making the $3 million, and only the $3 million in the distribution more favorable, then I agree with it. I think we should follow the path that the Appropriations Committee Chairman has taken. Thank you.

SPEAKER RITTER:

Representative Davino.

REP. DAVINO: (71st)

Mr. Speaker, I'll be brief. I rise in support of rejection and I'd like to commend the distinguished Chairman of the Appropriations Committee for his position, recognizing that his town is getting more money.

I represent the fourth largest city and presumably the fourth neediest city. Now if they had found $4 million, I may take a different position. Quite frankly, being more serious, I think the process has to be more equitable. I can't personally live with arbitrary distribution of $3 million that came out of nowhere, so I do support the Chairman and I do encourage rejection. Thank you, Mr. Speaker.

SPEAKER RITTER:

Will you remark further?

REP. CARON: (44th)

Mr. Speaker.

SPEAKER RITTER:

Representative Caron.

REP. CARON: (44th)

Thank you, Mr. Speaker. I would also like to stand in support of rejection of Senate Amendment "A". When the casino first opened, there was no area in

Connecticut that was devastated, maybe not devastated, I exaggerated, but affected more than eastern Connecticut, considering that it's located right smack in the middle of eastern Connecticut.

Whether it's northeastern Connecticut or southeastern Connecticut, there have been significant effects felt by that area, by those municipalities. I would hate to think that an arrangement that was come to by the sovereign nation of the Mashantuckets and the Governor of the State of Connecticut, would degrade into a quarrel of the mendacity of certain towns. I don't think that is what this body is about. It is essentially a windfall for the entire state of Connecticut, and I think eastern Connecticut would be more than willing to share some of that. The fact that we have had a more significant impact than other parts of town, we do not want a lion share of the money, necessarily, but are more interested in passing it around.

This is something that can be bipartisan, should be bipartisan, because that's what we're up here for. Not always simply for our own municipality, but for the better good of the State of Connecticut, and I think it's very important that this do go to Conference Committee and work for the benefit of all

municipalities in the State of Connecticut. Thank you, Mr. Speaker.

SPEAKER RITTER:

Thank you, sir. Anybody else?

REP. COCCO: (127th)

Mr. Speaker.

SPEAKER RITTER:

Representative Cocco.

REP. COCCO: (127th)

Thank you, Mr. Speaker. It's really very difficult to stand up here three days before the session ends and stand in opposition to the Chairman of the Appropriations Committee who we all greatly respect.

However, we have a situation before us that certainly is unique. It was difficult enough for us to divide the Mashantucket Pequot Funds the last time they were before us. It's doubly unfortunate that the Senate did not just pass our bill cleanly and we would not have to deal with it again.

However, we have the matter before us again. Bringing it to Conference Committee, in my mind, certainly is not going to make the matter any easier and then we will be asking only six people, rather than this body, and the body of the Senate, to decide a matter that's very important to all of us.

I would suggest to my colleagues, that it would be so much better for us to make that decision and to vote to not reject Senate "A", but to retain Senate "A". Thank you, Mr. Speaker.

SPEAKER RITTER:

Thank you very much. Anybody else before we go to roll call vote? Representative Kolar.

REP. KOLAR: (47th)

Thank you, Mr. Speaker. I too rise to vote not to reject. Under this formula, most of the towns in Windham County and in New England County -- I mean New London County are receiving more money. I think this is fair and just. These are the poor counties of Connecticut. They need the most help. So based on fairness, and based on the fact that both of these counties, approximately one-third of Connecticut, are receiving an increase over the Governor's original proposal, I vote not to reject and I would hope all my colleagues in those two counties would concur. Thank you, Mr. Speaker.

SPEAKER RITTER:

Thank you, Representative Kolar. Representative Ward.

REP. WARD: (86th)

Mr. Speaker, I rise to support the motion of the

distinguished Chairman of the Appropriations Committee and to my colleagues on both sides of the aisle, I think he makes a valid point that if you have $10 million arbitrarily distributed, that maybe at some point you do draw the line in the sand and say enough is enough and that an extra $3 million thrown in by the Senate that's without any rational basis, it's simply picking some towns and sticking it in there, is inappropriate.

To the colleagues on my side of the aisle, if you recall the earlier debate, we were very upset. We weren't in on any of the meetings or the discussions. I'd suggest to you a Conference Committee will necessarily require input from both sides of the aisle so that we'll be able to do that.

I do understand that everybody has a concern if they've already told their towns how much they're getting of the $85 million and I think it's pretty likely that that will remain the same, but we really ought to draw the line somewhere and to take almost $3,200,000 under a totally arbitrary basis, just decide who you think it ought to go to and give it to them is wrong.

If we're going to have participation from both sides, it seems with this bill the only way to do that

is a Conference Committee and I urge the members to support the Chairman's motion so that this can go to conference.

SPEAKER RITTER:

Will you remark further? Representative Caruso.

REP. CARUSO: (126th)

Yes, Mr. Speaker. Members of the Assembly, it is with great difficulty that I rise and speak in opposition to an individual of this body whom I respect and have the great admiration for. However, I must rise in opposition to the motion to reject because of the impact it will have on, in particular, larger cities in the State of Connecticut and the risk that is run by sending it to Conference Committee.

The risk that is run by sending it to Conference Committee is that we all may be the losers in this process. The concern it has, the impact of the finances that will be generated from this Pequot Fund can have a positive ripple effect in some of the cities that need the assistance the most.

We've had several lengthy debates on assisting the central or core cities of the State of Connecticut and there is no one that I know that would disagree with the serious problems that are affecting urban centers and particularly the high rate of poverty, the highest

rates of crime, infant mortality, problems in our school system and the list goes on and on and on.

Now here's the opportunity for the General Assembly to step up to the plate and to assist those central cities not with merely words, but with action and in turn it is costing the smaller towns nothing in return, but do we continue this effort of turning our back at a situation and a time when we can actually assist the larger cities of the State of Connecticut.

The casino issue came up and many were opposed to it without an alternative that would actually be of assistance to the cities. Here's the opportunity, ladies and gentlemen, and as I said, it is with deep regret that I must stand and oppose the rejection of this amendment, however, for the future of the State of Connecticut and the positive impact that it would have throughout the state, I would ask strongly that the members of this Assembly reject the amendment.

SPEAKER RITTER:

Thank you. The distinguished Deputy Majority Leader, Patricia Dillon.

REP. DILLON: (92nd)

Thank you, Mr. Speaker. I rise in support of the motion to reject Senate "A". I do so with some reluctance because I have heard some of the people on

my side of the aisle and elsewhere discussing the issue and I understand there are some individuals who appear to believe that in some way their egos are involved in this or their own sense of authority is at stake. That is not the issue. We should not be looking at any of the personalities. We should be looking at the product that was produced by this Chamber and compounded by the Senate.

We all know that formulas are imperfect, but they do measure something. You can look at what the Grand List is. You can look at the adjusted Grand List. You can look at the number of people on General Assistance. There are measures of wealth. There are measures of poverty. The pilot sections of the formula are measures of the tax burden that are borne. When you stray beyond formulas, you get into an area where people start questioning who is in the room. They start imputing motives to the people who are in there.

Unfortunately or fortunately, we need to detach ourselves from the product that was created and look at what it does and it is an imperfect product. It may sow the seeds of division within the Chamber as well as within my caucus. I think it is something that we should rethink. It is much easier to have a freestanding formula than to rely on an arbitrary

division.

I especially feel very uncomfortable that the three largest cities in this state are lumped together and pitted against each other. I have not seen any other category of city treated that way. There is no line drawn where every city with a mill rate below 20 receives a certain amount of money or where every town with fewer than 5,000 people receives the same amount of money.

Instead, it is only those three cities. I don't know how that decision was made, but whatever happens, I think it was an improper one and one that changed the Chamber and for that reason I support, very difficult decision for me to make, but I support the decision, the motion to reject this.

SPEAKER RITTER:

Representative Santiago.

REP. SANTIAGO: (130th)

Mr. Speaker, I rise in opposition to rejection of Senate Amendment "A". It's very difficult for me to say to my district and to the City of Bridgeport that I voted to cut a million or any amount of dollars to the City of Bridgeport. This is the only city that declared bankruptcy. This is the only city that has the highest property tax in the whole State of

Connecticut.

I know what's going on and it's very difficult to make that decision, but I'm all clear in my conscience. I can say, listen, I voted to make sure that Bridgeport would get less money.

People talk about formulas, well, you can always have a formula for anything. We have formulas for how much you get paid. We have formulas for how much you have to spend for any product. There's always a formula for anything and the way that this was divided, I think it was fair and if the Senate decides to find $3 million, which the House didn't find, to put into the $85 million, I think they did a good job. Before we had $113 million and $28 million went to other benefits that the residents of Connecticut receive and nobody complained about that and now that we have a formula where the largest municipalities are going to get some additional funds we are pitting against each other.

I think that it's important for this Chamber to rejection the rejection of Senate Amendment "A", to support the Senate and let's pass this bill. Thank you, Mr. Speaker.

REP. WYMAN: (53rd)

Mr. Speaker.

SPEAKER RITTER:

Representative Wyman.

REP. WYMAN: (53rd)

Thank you. I rise again for the second time to speak on this amendment, on this motion. Let me just try to recap some of the discussions that just went through this Chamber that basically the $85 million, which is really $88 million right now, if this bill, if this amendment goes to the Committee on Conference, it is going to be looked at again.

As a person who didn't work as quite as hard as the Chairman of the Appropriations Committee, but worked hard on trying to find the formulas, the formulas that we came out with and this Chamber voted out at 134 to 13 with 4 absent was the closest thing --.

SPEAKER RITTER:

(Gavel) On second, Representative Wyman. We're almost done with this debate, I think, but let's have the courtesy of listening to the member. Representative Wyman.

REP. WYMAN: (53rd)

This amendment that we voted out a couple of weeks ago was the best thing that we could find for the entire Chamber and when you get a bill that's dealing with monies being distributed and you still get 134

votes, it must have at least come out to be the closest to, not perfect, not the best, but at least something that we could all be satisfied with.

The extra $3 million that the Senate choose to put on was put on to give an extra help to those big cities and towns that need the help the most. I find it amazing that we want to play roulette with $88 million and put it in the hands, and by no means do I say that Representative Dyson would do anything but what he's promised on this floor, but do we know who the other five people might be.

We have, I believe at this time, our cities and towns have already known what they're going to be getting and that I would hope we could pass it the way it is right now because next year, ladies and gentlemen, if this kind of game playing goes on back and forth, back and forth, we don't know what kind of formula we're going to come out with. We don't know if it's going to as balanced, when I hear about Eastern Connecticut and the amounts of money they got compared to what the Governor had given us, Eastern Connecticut did pretty well.

This formula for Eastern Connecticut helped us the best. We need, I believe, to continue the formula that we have, to continue to keep, even though the Senate

put another $3 million to help the three larger cities, I would imagine that if that $3 million was not connected to this PILOT money, there would not be this argument back and forth. If it was a straight grant of $3 million, which basically this is in this formula, an extra million to the three larger cities would not be fought.

I'm sorry that it had to be connected to this bill, but since it has been connected, I believe that those cities need it and I believe we should not reject Senate "A".

REP. FLAHERTY: (68th)

Mr. Speaker.

SPEAKER RITTER:

Representative Flaherty.

REP. FLAHERTY: (68th)

Thank you, Mr. Speaker. Mr. Speaker, ladies and gentlemen, I rise to support Representative Dyson's motion to reject this amendment and I can only imagine how difficult it was for him to do this, but Mr. Speaker, ladies and gentlemen, a funny thing happened to the Pequot Fund on the way from the Senate. Actually I guess I should say a funny thing happened to the Pequot Fund on the way to the Governor's office. The Senate upped the ante and sent it back down to us.

Now I've heard about game playing here. The game playing started upstairs. As for knowing what the formulas were, Representative Wyman said, once this House passed that formula, which is directed and which does direct money at the big cities as all our formulas practically in this Chamber do and I'm not -- I'm from a small town and I may be -- and I know that Representative Caruso said, you know, you folks from the small towns, you're not losing by this. You're not getting less. Well, that's not the issue, ladies and gentlemen. It's just when is this going to stop. We can't keep upping the ante and I think what the Senate did was wrong and it's certainly hard in a way to criticize them for being a little more arbitrary than we were, but folks, we're about to outspend if we approve, if we don't reject this amendment, we're going to outspend a formula that we haven't even put on the books yet because this extra money doesn't even come from the Pequot monies. At least that's what I've been led to understand, and I think that's wrong. The issue isn't whether my Town of Watertown doesn't get more because some of the other cities do.

I was talking to someone on the phone this weekend, a constituent of mine, that says we all look like a bunch of children scrambling for marbles in the

schoolyard and I think it's wrong, and I'll say again, I know that the cities do have problems and most every formula we have recognizes that and I really think if we're going to do the right thing, that we should agree, we should reject this amendment and stop the game playing.

I urge the Chamber to support the Chairman of the Appropriations Committee's motion.

SPEAKER RITTER:

Representative Metsopoulos.

REP. METSOPOULOS: (132nd)

Thank you, Mr. Speaker. Mr. Speaker, I want to start my comments out by prefacing them that the cities in this state are in trouble. There's no doubt about it, and I for one, as a Representative who borders the City of Bridgeport, have no problem sending the extra aid to the City of Bridgeport, but Mr. Speaker, for the record, I do have to take exception with the constant suburb bashing that goes on here and I'm a little tired of it. Many times the City of Bridgeport has themselves been their own worst enemy, a 90 acre park. We were --.

SPEAKER RITTER:

You have the floor, sir.

REP. METSOPOULOS: (132nd)

Thank you, Mr. Speaker, a 90 acre park which we wanted to turn into the Little League are, shot down by the city. The train station, moving it to the Black Rock area, which would have been revitalization, was opposed by the city and I could go through a list too, Mr. Speaker, of incidences, but this Representative is tired of sitting here and listening to the city make their points by bashing a town that is next to them, a town, Mr. Speaker, that they had to stand corrected when I reminded them that we had an aggressive affordable housing program in this Town of Fairfield.

I have no problem voting for extra monies and funds for the City of Bridgeport, but I think it's time that the city realize that they have a friend and they better work with their suburban partners rather than constantly using them as a whipping boy. Thank you, Mr. Speaker.

SPEAKER RITTER:

Representative Kolar.

REP. KOLAR: (47th)

Thank you, Mr. Speaker. You know, in our cities, they're under financial distress, the cities that are being helped by this extra million dollars for each one. I just want to remind the legislature that we have a court case, Sheff vs. O'Neill and it's directly

related to the fact that the cities need more money to ensure quality education. Now with this $3 million going to the three biggest cities, this is going to go a considerable ways towards helping the local elected officials and the citizens in those three cities to improve their education and bring it up to par with the suburbs, and for that reason, and I mighty good reason, I might add, I urge not to reject this bill. Thank you.

SPEAKER RITTER:

Representative Keeley.

REP. KEELEY: (125th)

Thank you, Mr. Speaker. Mr. Speaker, I rise today to speak politically against a colleague, Bill Dyson, but to agree with him procedurally. Being from Bridgeport, I feel it's important that Bridgeport does well, so we fight for Bridgeport, but we're also talking about a question of process and up here I find that we don't get to play a major role in many cases regarding bonding, regarding Pequot funding unless we force ourselves in.

It's a tragedy that we're all sitting here today and fighting each other, not so much the suburbs with the cities, but New Haven and Waterbury on one side and Bridgeport and Hartford and a few other cities on the

other side.

What we need to do is take a good luck, a hard look at ourselves, our process. We need to bring in the rank and file to help make decisions so that the process can move more smoothly. We need to work with Republicans and Democrats alike because, as you can see, my feeling is this is going to end up at a Committee on Conference not because of politics, but because of procedural mistakes made by members of the House of Representatives on both sides of the aisle.

Politically speaking, I'm going to take a vote, but procedurally speaking, we have a lot of work to do and let's start looking at making financial decisions with everybody in mind, not just leadership. Thank you.

SPEAKER RITTER:

At this time, Representative San Angelo, you have the floor, sir.

REP. SAN ANGELO: (131st)

Thank you, Mr. Speaker. Mr. Speaker, I also rise to support the rejection of Senate "A". When we did this last time, I got up and spoke very strongly about how the money was going to be divided and I very strongly feel that when we do something up here we should have it in a certain type of process and it should be done very fairly and not arbitrarily just set

out.

During the last debate we talked about $10 million that was just arbitrarily divided out among cities and towns. We have formulas that share funds up here in a very fair and honest type of manner. We are going to do it once more, just pull $3 million out of the General Fund and just give it to the three of the cities. We have yet to talk about where that $3 million is coming from. Is it a cut in programs or is it some revenues we didn't know about? Well, we're just going to arbitrarily take $3 million and give it to the cities. I think it's wrong in the way we're doing it and I was one of the people who fought to get more money. When we were talking about the gambling, I was the one that put the 2.5 percent tax to give it to the cities, but if we're going to do it, let's do it in a responsible way. Let's do it by some type of formula and let's do it the right way.

So again, I encourage my people to support this, the rejection of Senate "A". Thank you.

SPEAKER RITTER:

Okay, are we ready to vote? Staff and guests come to the well of the House. Let me just remind everybody, a agree vote is to reject Senate "A". Okay? And a red vote is is to adopt Senate "A". The machine

will be opened.

CLERK:

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

Have all members voted? Please check the roll call machine to make sure your vote is properly cast. The machine will be locked. The Clerk please take a tally. Representative Wollenberg.

REP. WOLLENBERG: (21st)

In the negative please.

SPEAKER RITTER:

In the negative. Anybody else? Representative Hartley.

REP. HARTLEY: (73rd)

In the affirmative, Mr. Speaker.

SPEAKER RITTER:

In the affirmative. Anybody else? The Clerk please announce the tally.

CLERK:

Motion to Reject Senate Amendment "A" to House Bill 6919.

Total Number Voting	147
Necessary for Adoption	74
Those voting Yea	88
Those voting Nay	59
Those absent and not Voting	4

SPEAKER RITTER:

Senate Amendment "A" has a bad fate. It fails.

Anybody else care to comment? If not, staff and guests come to the well of the House. I'm sorry.

REP. SIMMONS: (43rd)

Mr. Speaker.

SPEAKER RITTER:

Representative Simmons.

REP. SIMMONS: (43rd)

Yes, Mr. Speaker. I had an amendment that I was going to draw. At this point in time I don't think there's any point in drawing that amendment because I think this bill is heading in a direction that I believe it should be heading in. On that basis, I will save the Chamber's time and the members' time and simply sit down and support the final action. Thank you, Mr. Speaker.

SPEAKER RITTER:

Will you remark further on this bill? If not, staff and guests to the well of the House. The machine will be opened.

CLERK:

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.

If all the members have voted, the Clerk please take the tally. The machine will be locked.

Representative Garcia.

REP. GARCIA: (128th)

In the affirmative please.

SPEAKER RITTER:

Thank you.

REP. GARCIA: (128th)

Thank you.

SPEAKER RITTER:

In the affirmative. Anybody else? The Clerk please announce the tally.

CLERK:

House Bill 6919, as amended by House Amendment Schedules "A", "C" and "E".

Total Number Voting	147
Necessary for Passage	74
Those voting Yea	128
Those voting Nay	19
Those absent and not Voting	4

SPEAKER RITTER:

The bill as amended passes.

CLERK:

On Page 12 --.

SPEAKER RITTER:

Wait a minute. One second. Representative Luby.

REP. LUBY: (82nd)

Thank you, Mr. Speaker. I move for immediate transmittal to the Senate of the last item acted upon.

SPEAKER RITTER:

Any objection? This item will get up to the Senate to do its will. Thank you, sir. The Clerk please continue with the Call of the Calendar.

CLERK:

On Page 12, Calendar 730, Substitute for Senate Bill No. 1007, AN ACT CONCERNING THE HEALTH REINSURANCE ASSOCIATION. (As amended by Senate Amendment Schedule "A").

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SPEAKER RITTER:

Upon the Majority Leader's motion, we'll be in recess for five minutes.

The House recessed at 9:33 o'clock p.m., to reconvene at the Call of the Chair.

The House reconvened at 9:40 o'clock p.m., Speaker Ritter in the Chair.

SPEAKER RITTER:

The Chamber will please come back to order. I understand that the item that we just P-T'd we're not going to take up immediately because we're waiting for an amendment, so it's P-T'd and we'll continue with the Call of the Calendar. If the clerk can please continue with Calendar 567.

CLERK:

Committee on Conference, 567, Substitute for House Bill 6919, AN ACT ESTABLISHING THE MASHANTUCKET PEQUOT FUND. (As amended by House Amendment Schedules A"", "C" and "E", Senate Amendment Schedule "A").

SPEAKER RITTER:

The Honorable Chair of the Appropriations Committee. William Dyson, you have the floor.

CLERK:

The Clerk has in his possession Committee on Conference Report.

REP. DYSON: (94th)

Thank you, Mr. Speaker.

SPEAKER RITTER:

The motion is on acceptance and passage.

REP. DYSON: (94th)

Mr. Speaker, I move acceptance and passage of the Conference Committee's Report.

SPEAKER RITTER:

The motion is on acceptance and passage of the Conference Committee. Please proceed, sir.

REP. DYSON: (94th)

Thank you, Mr. Speaker. Mr. Speaker, as I indicated in my comments to this Chamber on yesterday, that if this matter should get to conference, it was not my intention to tamper with what the House had approved previously and that we have abided by. Our attention was focused upon the $3 million. The $3 million were distributed by a formula that we call property tax relief.

It was provided to the towns designated as distressed municipalities and I think that number of towns number 11 I think, and distribution was done in

that fashion.

In addition, there was a host community provision placed in for North Stonington. The plan that is presented here tonight has a duration of a year. The chronic disease hospitals that number two, that are freestanding are included in this, and Mr. Speaker, I think that includes all of the changes that have occurred, and Mr. Speaker, I move its passage.

SPEAKER RITTER:

Will you remark further? Representative Rell.

REP. RELL: (107th)

Thank you, Mr. Speaker.

SPEAKER RITTER:

Representative Rell.

REP. RELL: (107th)

Thank you. I would concur with the remarks of our distinguished Chairman of the Appropriations Committee, Representative Dyson and I'd like to share with the Chamber the comments that he made were absolutely right on target. I would also point out that the only thing I really objected to as part of the Conference Committee was the fact that we were including two new hospitals and for those of you who represent those communities, I will tell you that it is not any reflection on your community or the hospitals at large,

but the fact that they are not are regular hospitals as you and I know them, only that they are listed as chronic disease hospitals and specifically in one area, the one in Wallingford, is noted for its rehabilitative services and I cautioned Senator Harper when this Conference Committee met today that indeed next year we will be opening up the flood gates and I expect to be one of those who will be bringing forth one of the new proposals to add to that new and I would suspect expanded list of hospitals next year, but I think it's a good compromise. I think that the provision of having it sunsetting next year will allow the Appropriations Committee to meet to discuss the appropriate measure for distribution with all members having something to say in it.

So I would ask that you support the Conference Committee Report and let's go forward. Thank you, Mr. Speaker.

SPEAKER RITTER:

Will you remark further? Representative Andrews.

REP. ANDREWS: (87th)

Thank you, Mr. Speaker, if I may, a quick question, through you, to the distinguished Chairman of the Appropriations Committee. Through you, Mr. Speaker, Brother Dyson, just a real quick question, if I may

The bottom line, the Conference Committee and the Pequot Fund is a one year guarantee of funds in the amount that was appropriated. Is that correct, through you, Mr. Speaker?

REP. DYSON: (94th)

Through you, Mr. Speaker, my assumption relative to the question that was asked is the bottom line $88 million, yes, it is.

REP. ANDREWS: (87th)

And through you, Mr. Speaker, that's for Fiscal Year 1994, but there are no guarantees for this appropriation for 1995 on out, through you, Mr. Speaker?

REP. DYSON: (94th)

Through you, Mr. Speaker, it is our assumption and our recommendation that we will address this again and next year at this time minus anything that we have done tonight or will do tonight, anything that we have done that has modified or adjusted ceases to exist after the year.

REP. ANDREWS: (87th)

Thank you, Representative Dyson. I just caution people that, and I caution the municipalities because there are some municipalities that are going to get huge increases, New Haven, Hartford, Bridgeport, for

example, are going to get a huge some of money that could potentially be a one-shot if you really think about it and if they don't use the money wisely, will be a huge tax increase as many of us are running for reelection a year from now.

So you want to be cognizant of that and make sure that our municipal leaders understand that this may be a one-shot and may not be a reoccurring funding mechanism. Thank you, Mr. Speaker.

SPEAKER RITTER:

Thank you, sir. Anybody else? If not, staff and guests come to the well of the House. The machine will be opened. No, I'm sorry. I apologize. Representative Simmons.

REP. SIMMONS: (43rd)

Thank you, Mr. Speaker, and I apologize for delaying the process. It's my understanding, according to the report of the Committee on Conference that a provision which is contained in Section 7 grants $25,000 each to Ledyard, North Stonington and Preston. I would like to take this opportunity to thank the members of the Conference Committee for considering my appeal for fairness in the case of the host communities. I think by granting each of those host communities an equal amount of money that the fairness

standard has been met from my standpoint. I expect that next year I'll be back to work with my colleagues to generate a formula that might result in one or two dollars more, but the standard of fairness that I've been calling for I think has been met and I'd like to thank the distinguished Chairman of the House -- House Chairman of the Appropriations Committee and Representative Rell, Representative McGrattan, Representative Mikutel and others who worked with me on this issue. I support the bill. Thank you, Mr. Speaker.

SPEAKER RITTER:

Thank you, sir. Anybody else? If not, staff and guests come to the well of the House. The machine will be opened.

CLERK:

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

SPEAKER RITTER:

Have all the members voted? If all the members have voted, the machine will be -- who are we waiting for? The machine will be locked. The Clerk take the

tally.

The Clerk please announce the tally.

CLERK:

Report of Committee on Conference, House Bill 6919, as amended by House Amendment Schedule "D".

Total Number Voting	147
Necessary to Accept Report	74
Those voting Yea	140
Those voting Nay	7
Those absent and not Voting	4

SPEAKER RITTER:

The Conference Committee passes.

CLERK:

Calling Substitute for Senate Bill 993, entitled AN ACT ESTABLISHING A COMMISSION ON INNOVATION AND PRODUCTIVITY.

Favorable Report of the Committee on Legislative Management.

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Mr. Speaker, I move acceptance of the Joint Committee's Favorable Report and passage of the bill please.

SPEAKER RITTER:

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reports are prepared by the Governor based on what is furnished to him, but consistency while admirable in many ways, to me, is not a reason to report surpluses when we actually are having deficits. Generally accepted accounting is generally accepted because it is a correct picture of the fiscal situation of the State.

REP. DYSON: Thank you very much. Are there any other comments or questions from members of the committee? If not, the process moves right along, Mr. Cibes and I know we will have additional conversation before this is over. Thank you.

Representative McGratten and Representative Mikutel coming together in a coalition to make presentation to this committee to speak to their part of the State and Representative McGratten and Representative Mikutel, go right ahead.

Try to stay within that limit, though.

REP. MCGRATTEN: Good morning Representative Dyson, Senator Harper and members of the Appropriations Committee. My name is Mary McGratten and I represent the 42nd House District which includes the entire town of Ledyard, home of the Foxwoods Casino. It has put Ledyard on the map.

I am here to speak in favor of HB6919, AN ACT ESTABLISHING THE MASHANTUCKET PEQUOT FUND. I am in favor of the agreement between the Pequot Indians and the state of Connecticut. The agreement gives the state money to aid the municipalities without the negative baggage associated with gambling.

I do, however, have a concern with Governor Weicker's recommendation on the distribution of the funds using the pilot formula. Since the town of Ledyard has very little state property, the pilot formula shortchanges our community. The casino has had a severe impact on our roads and police department. As the former Mayor of Ledyard, I am aware of the fiscal constraints under which we must operate.

The indian reservation today has about 1800 acres. The tribe has just purchased 1200 acres which is an old boy scout camping ground and an additional 250 acres. 168 of those acres are in Ledyard. The rest is in North Stonington.. The tribe has petition the Bureau of Indian Affairs in Washington to annex those lands to the reservation which would remove them from the tax roles, in addition to the 1800 acres already in trust.

Some of the local roads near the reservation have seen a 300 to 400% increase in traffic during the hours of 12 midnight to 6 A.M. We have had to hire additional police officers and the overtime account is soaring. We have 60 of their children in our school system on whose behalf we receive impact aid from the federal government. Impact aid does not cover the per pupil expenditure which other towns have to pay for their children in our school system. The Indians living on the reservation do not pay real estate nor property tax.

Not to be totally negative, the Casino has provided about 4500 jobs in southeastern Connecticut, as area heavily impacted by cuts in defense spending. I would like to suggest some alternatives to the Governor's recommendations.

First, since the host communities receive no pilot funds because the reservation is federal property, allow us to recoup our cost off the top, or second, distribute the funds using another formula which would take into account the impact on the host communities. Thank you very much.

REP. DYSON: Thank you very much. Yes.

REP. MIKUTEL: Yes, Chairmen Dyson and Harper. I just want to echo Mary's thoughts on this. It's only fair, in our opinion, that the towns which are hosting the casino and have to bear the cost of the expanding casino, i.e. extra police protection, road repair work, that we should be compensated out of that $100,000,000 fund. Actually, the state is reaping all of the benefits of $100,000,000 and the surrounding towns hosting the casino are not getting any of that money. We should be compensated for the extra burdens that we have to bear.

It's really a simple case of fairness and equity and simple justice.

REP. DYSON: Thank you very much. I know that members of the committee have heard and that if there's anything possible that can be done, we will try to do that. Thank you very much. Who has a question? Go right ahead, sir. Representative Simmons.

REP. SIMMONS: Thank you, Mr. Chairman. As you know, I don't know much about this issue, but I did have a couple of questions I wanted to ask. It's my understanding that in the town of Stonington, ambulance calls for 1992 have set a new record high, police calls for service have gone up dramatically and in North Stonington, the tax assessor's office is looking to hire another person, because there is just too much work.

Have there been similar impacts in Ledyard?

REP. MCGRATTAN: Definitely. As I mentioned before, our police department, it's mainly in the handling of traffic. They use, mainly, the state roads, but we're not getting that much assistance from the state police and our local roads can hardly handle the traffic. They're just not built for that.

REP. SIMMONS: Now, in North Stonington, they have a resident state trooper which is a situation that may change in the future. How about Ledyard?

REP. MCGRATTAN: Ledyard has two resident troopers and 15 full time police officers, but we have to hire more. We just cannot keep up with it. As I said, the overtime is soaring.

REP. SIMMONS: My understanding is that traffic along Route 2 has gone from under about 8,000 cars a day, even during the summer traffic period, to over 15,000 a day on the week day and 24,000 a day on the weekends and again, that's not counting summer traffic. How can two resident state troopers deal with this problem alone, much less other problems that may be attendant?

REP. MCGRATTAN: We're not. It's becoming very difficult. The only silver lining is the Indians have agreed to pay for the widening of Route 2. So that hopefully will alleviate some of the problems.

REP. SIMMONS: It would seem to me that that puts the public safety at some risk in the area. One final question, Mr. Chairman, my understanding is that if you add the Pequot fund monies to Ledyard, North Stonington and Stonington in the 1993-94 timeframe, you get $87,000. That's out of $100,000,000 fund which is less than 1%. Do you think that's a fair distribution of those funds?

REP. MCGRATTAN: Absolutely not.

REP. SIMMONS: Thank you, Mr. Chairman.

REP. DYSON: Thank you very much. Representative Thompson.

REP. THOMPSON: Good morning, Mary, Steve. In the past, Mashantucket Pequots have had a reputation other than some lien placing they did some years ago, of being a good neighbor. I wondered if you have ever attempted to enter direct negotiations with the tribe, concerning the impact of the casino on your community?

REP. MCGRATTAN: We have had bingo there since 1986 and that certainly has impacted public safety, especially our ambulance calls. But we now have reached a mutual aid agreement, as least as far as that goes. But they've always been extremely difficult to communicate with. They have not shared with us what they were doing. So we never really were able to reach any kind of an agreement.

REP. THOMPSON: Has there been any effort recently since their successful operation of the casino to reenter into that?

REP. MCGRATTAN: I don't know if the Mayor has been able to. I really can't answer that.

REP. DYSON: Representative Thompson, are there any other questions? Representative Lockton.

REP. LOCKTON: Representative Thompson really sort of covered was I was going to mention, was that, perhaps there could have been an agreement with the towns and the tribe to finance some of these extra expenses that are incurred. Also, for the Legislative Body, I think it's very interesting to note the extra expenses incurred with gambling, as far as road widening and police protection and things like that. We all may want to consider that on the gambling issues that are coming before us in the future. Thank you.

REP. DYSON: Thank you very much. Representative Jones.

REP. JONES: I understand your concern about the distribution of funds, but why do we need a separate Pequot Fund? The distribution of monies c could come out of the General Fund.

REP. MCGRATTAN: Addressing the bill.

REP. JONES: Pardon?

REP. MCGRATTAN: I was just addressing the bill that is before you.

REP. JONES: Am I to interpret that to mean that the creation of a separate Pequot Fund is not the major issue you're concerned with?

REP. MCGRATTAN: Not the creation of a separate fund. It's that if you use the pilot formula as has been recommended by the Governor, it doesn't do us any good. It shortchanges Ledyard.

REP. JONES: In other words, your concern is how the $100,000,000 is distributed, not whether we bookkeep it in a separate fund or not.

REP. MCGRATTAN: That's correct, yes.

REP. JONES: Fine. I think that's important for the record. I'm disturbed, personally, about the desire of our Governor to create separate funds. I think it makes our accounting more complex, frankly. Thank you.

REP. DYSON: No, I just want to keep you being short as you were the last time.

JUDY GOTT: Thank you. Good morning.

REP. DYSON: Good morning.

JUDY GOTT: My name is Judy Gott. I'm the President of Connecticut Conference of Municipalities, and a First Selectman of the Town of Branford. I'm here before you again to underscore how critical your state budget deliberations are for municipalities and their property taxpayers.

State Aid to Municipalities

Because you have heard our pleas before, I will try to be brief and touch on only three areas of priorities to cities and towns. First, I'll start with the state spending limitation. There are a variety of bills before you to define the terms necessary to fully implement the Constitutional spending limitation.

CCM urges you to exclude from the definition of general budget expenditures, state aid to towns and cities, also, require the state, by statute, to fully fund new or expanded state mandates on municipalities. That's very important to us.

Attached to my testimony, excuse me, is the CCM Public Policy Report that provides more information on this issue, including a state by state analysis of tax and expenditure limitations. A state spending limit that does not include the provisions requested by CCM, will hurt Connecticut's residential and business property taxpayers. Such inaction will result in cutbacks in state services and continued shifting of state responsibilities and activities to the local level without reimbursement.

HB 6919

Next item, the Pequot Fund. CCM supports the Governor's proposal to earmark $130 million for local property tax relief, $30 million in Fiscal Year 1992-93, $100 million in 1993-94 and thereafter. While municipalities may differ over whether such funding should be distributed solely through the two PILOT formulas, cities and towns stand united in imposing attempts to raid the new fund to pay for other state programs.

The Governor correctly identified local property tax relief as the most appropriate use of the Pequot Fund. While legislators review alternative needs targeted distribution formulas for this funding, CCM urges you to resist penny-wise and pound-foolish attempts to use all or a portion of such monies for other purposes. Remember, the largest and most onerous tax, local tax in Connecticut, is the property tax. That is the largest such tax on business. The property tax accounts for nearly one-half of all state local taxes in Connecticut, more than twice the sales tax and more than seven times the corporate income tax.

Teachers' Retirement Fund

Third item, contribution to teacher retirement. CCM opposes the Governor's proposal to require municipalities to pay the state $50 for every teacher and administrator as a contribution to cover the cost of administering the teacher retirement system. This new mandate, new mandate, would cost cities and towns almost $2 million a year and that's just the beginning, as you all know. The teacher retirement system is a state run, state designed system in which municipalities have no representation.

The Governor's proposal would send municipal dollars into the state general fund. A task force which has been looking at funding other teacher retirement and other teacher retirement issues for the last several months, did not recommend a municipal contribution, did not recommend a municipal contribution.

CCM urges the committee to reject this mandate, as well as any other new mandates on cities and towns.

In conclusion, I've attached to my testimony, a document that discusses to a great extent, the budget cuts proposed by the Governor on a town by town basis. I know it's not before your committee this morning, but I have to add just one more time: town aid and LOSIP funding are extremely important to small communities. You will create havoc with those communities if you do not restore to current funding town aid and LOSIP.

I want to thank you very much for your time and I'd be happy to answer any questions.

The greatest advantage of a cap, the single biggest advantage of a cap, if it's used properly, is to control spending when there is a lot of revenue available, ala three years from now, so that you don't get into the situation you had in the middle 1980s where you had a tremendous amount of revenue and therefore you spend a lot of new money on new programs and then when the economy went south, you didn't have that money, so the greatest advantage is not to control spending when the economy is weak because your revenue stream will already control that. The greatest advantage is to control it when the revenue stream is strong.

REP. FARR: Thank you.

REP. DYSON: Thank you very much. Are there any other comments or questions? Thank you very much, sir. Next was Mary Ann.

MARY ANN DOUCETTE: Yes, sir.

REP. DYSON: Cut out that sir stuff, will you?

: It's just a formality.

REP. DYSON: It's a sign of age.

MARY ANN DOUCETTE: He gave me a hard time the last time we were supposed to share a program. He took an hour and a half and I had about three minutes, so --.

: (inaudible, mic not on)

MARY ANN DOUCETTE: Good morning. Thanks to all of you who have stayed or good afternoon I guess it is now. My name is Mary Ann Doucette. I'm probably the only animal of my kind to speak to you this morning. I represent a local taxpayers group in the Town of Mansfield. We call ourselves TEAM, the Taxpayers Equity Association of Mansfield, and we are here to tell you we support the governor's proposed budget, known as HB6919, as it relates to the Mashantucket Pequot Indian deal and the increased PILOT funding for the Town of Mansfield. PILOT

We also support the bills numbered HB6645 and HB6417, which talk about 100 percent reimbursement on PILOT money.

As a fall back position, because I haven't followed these bills carefully, we would support HB6255, by our own State Rep, Representative Pelto, which calls for 20 percent on PILOT funding. We need this funding now much more so than we need future pie in the sky casino funds. We need this money to provide municipal tax relief to our citizens. Please don't dilute this effort by redistributing these funds to all kinds of state agencies to squander ass they see fit.

We rank in our town as the 28th highest in local taxes paid and this is based on the residential effect of tax rate. This is partly due to the fact that we carry a disproportionate share of state-owned tax exempt property in Mansfield. We have the Northeast Correctional Facility, UCEPE, UConn, we even now have some ECSU, Mansfield Hollow State Park and the old Mansfield Training School, which has created additional burdens on us because of deinstitutionalization. We now also have a lot of group homes, and has been mentioned by some of the other towns, this does put a greater burden on ambulance services and so forth.

I happen to know that because I have a group home in my neighborhood and I hear the sirens going up the hill quite often. That's just to name a few of the tax exempt properties that we have. There is really an undue burden on the residential property owners of our town to provide services for all our residents and visitors, even those on state-owned property at the expense of really just a few homeowners. With a population of around 21,000, there are probably only about 10,000 of us that are really living in single family homes and carrying the greatest burden of taxes here, and yes, that is also a burden on the education system. I think that was a question that had been asked earlier and we've identified at least 48 students in our elementary, middle school, high school population who live on tax exempt property because, of course, we have UConn and we have a lot of foreign students, and as others have said, we're glad to have them there, but between the foreign students

and foreign professors and American professors, we do have an added burden in our school population also.

We urge you to support the increasing PILOT funding for the Town of Mansfield, which is proposed at $1,157,000 from Pequot funds and $524,000 for the increased prison PILOT funding in this coming fiscal year.

We would further request an amendment to those bill, which I've mentioned earlier, which would require the towns to apply a commensurate millage rollback directly related to the increased PILOT funding.

We are asking this because we are already seeing in our town the temptation to put that in a nice little fund for more capital improvements which in the future is going to be more ongoing operation and maintenance costs to us and we think that this has been billed as the property tax relief and that's what we would like to have some insurance, it's going to be in the long run and we think the only way we can do that is if you attach to some of the enabling bills that go along with the pilot funding or the governor's proposed budget, that there be commensurate rollbacks in the tax millage for these funds received by the municipalities.

REP. DYSON: Thank you very much. Are there any comments? Representative Farr.

REP. FARR: I think you make a good point, but as a practical matter, that is not doable. The fact of the matter is this is not tax relief money. This is aid to municipalities. Now in some cases that may reduce increases in taxes. In other cases it will result in increased spending. Probably in most cases it'll result in a little bit of each, but to say that we will put a requirement on there that for every dollar you receive from this, you reduce your taxes below what they otherwise would have been is easier to say, but then all the municipality says is, well, we've got the money. We've reduced our mill rate by ten mills to reflect the aid from the state and increased it by ten

mills to meet the burden of local needs and therefore there's no decrease at all in the mill rate.

I don't know how we come up with language that gets what you want to have done unless you give the money directly to citizens for tax relief, which is the other way to do it.

MARY ANN DOUCETTE: I would suggest that in the past in Florida when they first came in, for instance, with the lottery, they did require that, and of course they had county government, strong county government as opposed to what you have here, but they did require that and it has been suggested to me that one possible way is by at least requiring that it go into the General Fund, that that would help assure that it would offer relief rather than just expand government and I'm not sure either, you know, exactly, but I think at least to put something in there to the effect that that is the intent and the purpose and not just leave it as a free for all.

REP. DYSON: Thank you very much.

MARY ANN DOUCETTE: Thank you very much for your time.

REP. DYSON: You're welcome. Allen Hoffman, followed by Saul Firestone, Moe Mirenstein, Roz Schoonmaker and Maura Policelli. Go right ahead, Allen.

ALLEN HOFFMAN: Representative Dyson.

REP. DYSON: How are you doing?

ALLEN HOFFMAN: Members of the Appropriations Committee. My name is Allen Hoffman on 366 Ridgewood Road in West Hartford, Connecticut. HB 5284
Connecticut is at a crossroads. State government cannot solve the problems we face by doing business as usual. Residents are frustrated with the failure of representative government to solve major social and economic problems. People do not want to pay more taxes for government that does work.

did not speak,
To be included
in the record

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CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

(203) 797-4511

MAYOR GENE F. ERIQUEZ

TESTIMONY TO

THE GENERAL ASSEMBLY
STATE OF CONNECTICUT
APPROPRIATIONS COMMITTEE

ON

H.B. 6919:

MASHANTUCKET PEQUOT INDIAN CASINO FUND

APRIL 13, 1993

RECYCLED PAPER

Honorable members of the General Assembly. I am pleased to be able to speak before you today. I am Mayor Gene F. Eriquez of Danbury, the eighth largest City in the State. I also serve on the Board of Directors of the Connecticut Conference of Municipalities. This afternoon, I would like to address House Bill Number 6919, establishing the Mashantucket Pequot Indian Casino Fund and providing additional state payments-in-lieu-of-taxes to municipalities.

I urge this committee to support House Bill Number 6919. Returning an additional $130 million dollars over two years back to the municipalities would provide much needed property tax relief for the residents of our municipalities. At the same time I support returning these funds to the taxpayers, I am wary of the General Assembly identifying payments-in-lieu-of-taxes as a separately funded line item in the State budget. Much of our country's history shows a waxing and waning of public interest in gambling. I am concerned that if, in the future, public interest in gambling erodes, payments to municipalities will erode also. Payments to municipalities should not be a one-legged stool built on a sovereign nation in our state.

Payments to municipalities should be increased. Most PILOT property is in cities and payments compensate, to some degree, for the loss of property tax revenue, but truly do not cover the services provided to the population on that property. Payments to municipalities allow the middle class to stay in our cities, rather than fleeing to lower-taxed, more lightly burdened municipalities. This is true not just in the larger cities such as Bridgeport or Hartford, but in the medium-sized cities of Danbury and East Hartford, and in the smaller cities of New Milford and New London. These is important not just because cities remain our economic engines of growth, not just because cities remain the incubators of our society and culture but because it is in the cities of Connecticut where diverse ethnic, income and racial groups mix. In fact, it is the mixing that already occurs in most of Connecticut's cities, that some are urging be replicated in other municipalities through our public education system.

For many municipalities, the impact of the Mashantucket Pequot Indian Casino Fund can be significant. It would increase Danbury's PILOT revenues to almost $560,000 this fiscal year and $1.85 million the following fiscal year. $1.85 million is almost 2% of our municipal budget. It is salaries and benefits for 35 police officers. It is roughly our combined Public Library and Parks and Recreation budget. That amount of money can make or break a municipal budget. In my area of the state, residents have forced municipal budgets to referendum for far less than that amount.

I am aware of proposals to reduce the Mashantucket Pequot Indian Casino Fund, to source money for other, non-municipal programs from that revenue stream. I urge you not to do that at this time. If the intent is to set up a separate fund for PILOT payments and municipal aid, than all funds flowing in should be dispersed to municipalities. I am aware of proposals to revamp the allocation formula, to ensure that municipalities most in need, receive the most funding. While a revamping of the formula may increase aid to Danbury, I am concerned that a prolonged review of the formula may scuttle the proposed bill. The Mashantucket Pequot Indian Casino Fund, while perhaps not the perfect vehicle for returning tax dollars to taxpayers, is at this point, the only game in town. I urge the honorable members of the General Assembly to approve its passage.

House Bill No. 6919

AN ACT ESTABLISHING THE MASHANTUCKET PEQUOT FUND AND PROVIDING ADDITIONAL STATE GRANTS IN LIEU OF TAXES TO MUNICIPALITIES.

This bill would establish a separate appropriated fund (the Mashantucket Pequot Fund) for the contributions received by the state from the Mashantucket Pequot Tribe pursuant to the joint memorandum of understanding entered into by the State and the Tribe. The agreement resolved an existing dispute concerning the use of slot machines on the tribal reservation, a sovereign nation within the borders of our State. The money in this new fund would be used to supplement the existing Payment in Lieu of taxes (PILOT) programs for state-owned property and tax exempt private college and hospital property. The effect of the bill is to raise the reimbursement rate from 20% on state-owned real property and 60% on private tax exempt property to over 90% for each program. In addition, the bill provides for a minimum grant of $5,000 for each of the 169 towns in the State.

The bill also phases out the current 14% cap on the Payment in Lieu of taxes, which is based on the total tax levied by each municipality on real property in the preceding calendar year . The phase out would begin in fiscal 1995 at 25% and reach 100% in fiscal 2004.

It is important to note that this proposed fund would be appropriated and therefore, subject to the provisions of the constitutional spending cap.

Testimony: William J. Cibes, Jr.
Appropriations Committee
April 13, 1993

tape 2A page 2 003280
speaker #22

HB 6919

RESOLUTION

WHEREAS, the Governor entered into an agreement with the Mashantucket Pequot Indians which will result in an additional $130 million in revenues for the State in FY 1992-93 and FY 1993-94; and

WHEREAS, the Governor included these funds in his budget to help Connecticut municipalities stabilize their property tax rates; and

WHEREAS, the possibility of the State Legislature diverting these funds for existing state programs and administration to fill holes in the State budget has been discussed;

NOW, THEREFORE BE IT RESOLVED that the Mansfield Town Council supports the Governor's decision to utilize the Mashantucket Pequot Funds to help stabilize municipal tax rates and opposes any state legislative diversion of these funds.

did not speak,
to be included
in the record

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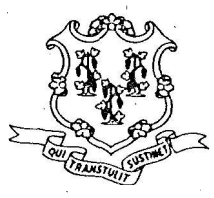
HB 6919



State of Connecticut

SENATE
STATE CAPITOL
HARTFORD, CONN. 06106-1591

SENATOR CATHERINE W. COOK
EIGHTEENTH DISTRICT

8 WEST MYSTIC AVENUE
MYSTIC, CONNECTICUT 06355
TELEPHONE
HOME: 536-4418
CAPITOL: 240-8800
TOLL FREE: 1-800-842-8270

RANKING MEMBER
COMMERCE AND EXPORTATION COMMITTEE

MEMBER
INTERNSHIP COMMITTEE

TESTIMONY BEFORE THE APPROPRIATIONS COMMITTEE - April 13, 1993
Senator Cathy Cook, 18th District

Cathy Cook

Dear Colleagues

Since time constraints prevented you from hearing my testimony today, I would like to share a few thoughts with you regarding the financial impact of casino gaming on four of the towns I represent.

I urge you to consider a formula to distribute and compensate these communities and Ledyard for the extraordinary costs they are experiencing since the opening of the Foxwoods Casino and High Stakes Bingo enterprise on the Mashantucket-Pequot sovereign nation. It has only been a little over a year since Indian gaming was introduced within the borders of our state. In that time, my small, rural, farm communities have seen:

1. A 300% to 400% increase in traffic on their winding country roads. Several traffic deaths, and thousands of moving violations (revenue from fines go to the general fund, not the community).

2. Volunteer fire and ambulance crews out on constant call on weekends some of whom have been injured themselves. (How long can they keep that up?)

3. Strains on local land use planning that far exceed the small town's ability to cope. Queries about permits to build cut-rate motels, pawn shops, and other businesses that wish to spread unchecked all along the route to the casino.

4. Applications for zoning changes that need expert review but are beyond the capability of the part-timers to analyze.

5. Traffic counts that have increased from 10,000 cars per day to over 24,000 per weekend day. (And this is before summer beach traffic)

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6. Burglaries, theft, and last weekend an armed robbery and shooting along a quiet country road where my children ride their bikes (no longer).

I implore you to consider the fairness of providing financial help for public safety and land use planning to these overwhelmed "host communities."

Because the tribal Nation is sovereign,direct negotiations are difficult and must really be conducted through the federal government.

You can assist the "host communities" by either:

1. Developing and equitable distribution of the Pequot Fund that would provide some financial help to these towns (I recommend 1%-2% of the $100 million to be distributed among the five communities at their mutual agreement). or

2. Devising any other appropriation that is feasible (with or without the Pequot Fund) that would recognize our state's responsibility to assist communities that are trying to cope with the impact of casino gaming.

In conclusion, regardless of where each of you may stand regarding casino gaming in our state, the Foxwoods Casino is here to stay. Whether the legislature uses "Pequot Funds" or any other revenue, the towns most impacted by gaming should be compensated for the impact of our decisions.

There is no revenue that comes to the host communities from the Mashantucket-Pequot Tribe as a result of the casino - no property taxes are paid to the towns. As a matter of fact, the tribe is removing land from the tax rolls of these towns under the federal annexation provisions in the Bureau of Indian Affairs. Connecticut owes these towns fair compensation from the revenues gained from the casino - the voluntary sales taxes paid on items sold in the casino, the traffic fines that bypass the municipalities and the state income taxes gained from employees.

Residents of these small towns that are driving along these heavily travelled roads, and volunteering to rescue victims who are injured on their way to or from the casino deserve our commitment. These sleepy little towns are no longer sleepy. They are wide awake, running on no-doze as they try to cope with lightening fast development on land they can not control and the impact of that development to their communities.

We cry out for help. Our collective responsibility must answer that cry with a fair and equitable appropriation to the host communities.

Thank you. Please call with any questions Ext 0577.

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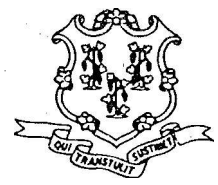
003294 Speaker # 20



State of Connecticut
HOUSE OF REPRESENTATIVES
STATE CAPITOL
HARTFORD, CONN. 06106-1591

REPRESENTATIVE MARY K. McGRATTAN
FORTY-SECOND DISTRICT

8 EAGLE RIDGE DRIVE
GALES FERRY, CONNECTICUT 06335
TELEPHONE
HOME: (203) 464-7079
CAPITOL: 240-8500
1-800-842-8267

VICE-CHAIR
PUBLIC HEALTH COMMITTEE
MEMBER
ENVIRONMENT COMMITTEE
PUBLIC SAFETY COMMITTEE

Good afternoon Representative Dyson, Senator Harper and members of the Appropriations Committee. My name is Mary McGrattan and I represent the 42nd House District, which includes the entire town of Ledyard, where our state's only casino is located, the submarine base in Groton, and a portion of Montville. I am here to speak in favor of House Bill 6919, An Act Establishing the Mashantucket Pequot Fund and Providing Additional State Grants in Lieu of Taxes to Municipalities, with some changes.

I am in favor of the agreement between the Mashantucket Pequot Indians and the State of Connecticut. The agreement gives the State money to help Connecticut's towns and cities without the negative baggage associated with gambling.

I do have a concern with Governor Weicker's recommendation on the distribution of the Pequot funds using the PILOT (Payment in Lieu of Taxes) formula. Since the town of Ledyard has very little State property, the PILOT formula does not help our community at all.

The Casino has had a severe impact on our roads and police department. As the former Mayor of Ledyard, I am aware of the fiscal constraints under which our cities and towns must operate.

The Indian reservation today has about 1,800 acres. The tribe has just purchased 1,200 acres, and old boy scout camping ground and another 250 acres. 168 of those acres are in Ledyard. The tribe has petitioned the BIA in Washington to annex those lands to the reservation, which would remove them from the tax rolls, in addition to the 1,800 acres already in trust.

Some of the local roads near the reservation have seen a 300-400% increase in traffic during the hours of 12:00 midnight to 6:00 AM. We have had to hire an additional police officer and the overtime

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account is soaring. We have 60 children from the reservation in our school system on whose behalf we receive impact aid from the federal government. Impact aid does not cover the per pupil expenditure which other towns have to pay for their children in our school system. The Indians living on the reservation do not pay real estate or property taxes.

Not to be totally negative, the Casino has provided about 4,500 jobs in Southeastern Connecticut, an area heavily impacted by cuts in defense spending.

I would like to suggest some alternatives to the Governor's recommendations. First, since the host communities receive no PILOT funds because the reservation is federal property, allow us to recoup our costs off the top or second, distribute the funds using another formula which would take into account the impact on the host communities.

Thank you. I would like to answer any questions that you may have for me.

FEBRUARY 1993

ESTIMATES OF STATE AID TO MUNICIPALITIES: STATUTORY FORMULA GRANTS 1993-95

Municipality	PILOT: State Property									PILOT: Colleges and Hospitals								
	92-93			93-94			94-95			92-93			93-94			94-95		
	State Funds	Pequot Funds	Total	State Funds	Pequot Funds	Total	State Funds	Pequot Funds	Total	State Funds	Pequot Funds	Total	State Funds	Pequot Funds	Total	State Funds	Pequot Funds	Total
Granby	7,739	10,229	17,967	3,584	14,337	17,921	3,692	13,755	17,447	0	0	0	0	0	0	0	0	0
Greenwich	2,971	3,927	6,898	3,268	13,072	16,340	3,366	12,542	15,908	624,182	129,700	753,882	730,418	491,105	1,227,523	714,817	467,321	1,182,137
Griswold	17,654	23,334	40,988	19,326	77,304	96,630	19,906	74,168	94,074	0	0	0	0	0	0	0	0	0
Groton - Town	710,565	939,172	1,649,737	743,393	2,973,573	3,716,967	765,695	2,852,969	3,618,664	12,428	2,582	15,010	13,258	8,842	22,100	12,869	8,413	21,283
Guilford	5,645	7,461	13,105	6,236	24,943	31,178	6,423	23,931	30,354	8,040	1,671	9,711	9,079	6,055	15,134	8,813	5,761	14,574
Haddam	40,762	53,877	94,639	11,840	47,360	59,200	12,195	45,439	57,635	0	0	0	0	0	0	0	0	0
Hamden	198,690	262,614	461,304	321,523	1,286,090	1,607,613	331,168	1,233,928	1,565,096	647,605	134,567	782,172	836,742	558,010	1,394,752	812,198	530,985	1,343,183
Hampton	8,880	11,738	20,618	9,593	38,372	47,965	9,881	36,816	46,697	0	0	0	0	0	0	0	0	0
Hartford	2,982,650	3,036,124	6,018,774	3,237,640	9,702,360	12,940,000	3,459,687	9,774,287	13,233,973	12,055,023	2,504,940	14,559,963	11,623,580	8,053,582	19,677,162	11,722,198	7,663,537	19,385,735
Hartland	22,790	30,122	52,913	24,987	99,949	124,936	25,737	95,895	121,632	0	0	0	0	0	0	0	0	0
Harwinton	27,043	35,744	62,787	3,405	13,621	17,026	3,507	13,069	16,576	0	0	0	0	0	0	0	0	0
Hebron	2,523	3,335	5,858	2,634	10,535	13,169	2,713	10,108	12,821	0	0	0	0	0	0	0	0	0
Kent	38,482	48,220	84,702	40,457	161,828	202,285	41,671	155,264	196,935	0	0	0	0	0	0	0	0	0
Killingly	53,951	71,308	125,259	56,752	227,008	283,759	58,454	217,800	276,255	0	0	0	0	0	0	0	0	0
Killingworth	36,814	48,658	85,473	39,271	157,084	196,355	40,449	150,713	191,162	0	0	0	0	0	0	0	0	0
Lebanon	6,518	8,615	15,134	7,229	28,915	36,144	7,446	27,742	35,188	0	0	0	0	0	0	0	0	0
Ledyard	9,314	12,311	21,625	9,276	37,104	46,380	9,554	35,599	45,153	0	0	0	0	0	0	0	0	0
Lisbon	2,170	2,868	5,038	2,773	11,092	13,865	2,856	10,642	13,498	0	0	0	0	0	0	0	0	0
Litchfield	68,297	49,692	115,989	72,953	161,181	234,134	75,142	154,644	229,786	0	0	0	0	0	0	0	0	0
Lyme	8,342	11,026	19,368	9,311	37,242	46,553	9,590	35,732	45,321	149	31	180	103	169	272	158	103	261
Madison	244,230	322,805	567,034	272,774	1,091,095	1,363,869	280,957	1,046,842	1,327,799	0	0	0	0	0	0	0	0	0
Manchester	141,065	186,449	327,514	166,379	665,518	831,897	185,080	689,607	874,688	1,306,526	271,486	1,578,012	189,400	541,024	730,424	895,872	585,688	1,481,560
Mansfield	1,340,603	58,403	1,399,006	1,865,489	1,215,522	3,080,991	1,942,513	1,858,056	3,800,569	0	0	0	0	0	0	0	0	0
Marlborough	8,098	10,703	18,802	8,655	34,618	43,273	8,914	33,214	42,128	0	0	0	0	0	0	0	0	0
Meriden	200,278	264,712	464,990	218,001	872,003	1,090,004	224,541	836,636	1,061,177	571,224	118,696	689,920	610,214	406,942	1,017,156	726,462	474,934	1,201,396
Middlebury	1,558	2,059	3,617	1,714	6,857	8,571	1,766	6,579	8,345	17,368	3,609	20,977	19,534	13,027	32,561	18,961	12,396	31,357
Middlefield	842	1,113	1,955	874	5,000	5,874	901	5,000	5,901	0	0	0	0	0	0	0	0	0
Middletown	517,504	683,998	1,201,501	540,338	2,161,353	2,701,691	556,548	2,073,691	2,630,239	2,233,415	464,086	2,697,501	1,743,774	1,375,596	3,119,370	2,002,215	1,308,974	3,311,189
Milford	204,804	270,695	475,499	195,167	780,668	975,835	201,022	749,005	950,027	247,632	51,456	299,088	195,013	130,051	325,064	189,292	123,752	313,044
Monroe	0	0	0	0	5,000	5,000	0	5,000	5,000	0	0	0	0	0	0	0	0	0
Montville	115,297	63,436	178,733	228,047	46,839	274,886	233,205	48,264	281,469	0	0	0	0	0	0	0	0	0
Morris	72	95	166	379	5,000	5,379	391	5,000	5,391	22,168	4,606	26,774	17,672	11,785	29,457	17,152	11,214	28,367
Naugatuck	8,201	10,840	19,041	8,406	33,622	42,028	8,658	32,259	40,917	0	0	0	0	0	0	0	0	0
New Britain	767,525	1,014,458	1,781,983	833,433	3,333,732	4,167,165	858,438	3,198,520	4,056,958	1,263,509	262,547	1,526,056	1,400,107	933,709	2,333,816	1,359,038	888,489	2,247,527
New Canaan	2,219	2,933	5,153	2,410	9,638	12,048	2,482	9,247	11,729	0	0	0	0	0	0	0	0	0
New Fairfield	20,763	27,443	48,206	6,709	26,835	33,544	6,910	25,747	32,657	46,796	9,724	56,520	33,722	22,489	56,211	32,733	21,399	54,132
New Hartford	3,411	4,509	7,920	3,994	15,975	19,969	4,114	15,328	19,441	0	0	0	0	0	0	0	0	0
New Haven	2,076,840	1,700,607	3,777,247	1,954,994	3,943,256	5,898,250	2,115,182	4,161,655	6,276,838	15,422,976	3,204,774	18,627,750	15,868,543	10,581,145	26,447,688	18,051,129	11,801,156	29,852,284
Newington	97,910	129,410	227,320	143,021	572,085	715,106	147,312	548,882	696,194	354,562	73,675	428,237	453,280	302,285	755,565	439,984	287,645	727,629
New London	84,648	111,882	196,530	88,415	353,662	442,077	91,068	339,318	430,386	3,645,688	757,541	4,403,209	4,031,186	2,688,334	6,719,520	3,912,939	2,558,134	6,471,073
New Milford	12,112	16,008	28,120	13,012	52,047	65,059	13,402	49,936	63,339	180,064	33,260	193,324	175,780	117,225	293,005	170,624	111,548	282,171
Newtown	263,945	277,684	541,629	408,145	1,374,325	1,782,471	420,390	1,318,584	1,738,974	0	0	0	0	0	0	0	0	0
Norfolk	10,735	14,188	24,923	11,053	44,212	55,265	11,385	42,419	53,803	28,645	5,952	34,597	30,147	20,105	50,252	29,262	19,131	48,393
North Branford	0	0	0	0	5,000	5,000	0	5,000	5,000	284	55	319	302	201	503	293	192	485
North Canaan	3,567	4,714	8,281	3,624	14,496	18,120	3,733	13,908	17,641	0	0	0	0	0	0	0	0	0
North Haven	52,928	69,953	122,879	79,402	317,609	397,011	81,784	304,727	386,511	0	0	0	0	0	0	0	0	0
North Stonington	7,269	9,608	16,877	8,309	33,238	41,547	8,559	31,889	40,448	0	0	0	0	0	0	0	0	0
Norwalk	150,882	199,425	350,307	201,305	805,221	1,006,526	207,344	772,562	979,907	944,675	196,296	1,140,971	1,148,215	765,726	1,913,941	1,114,535	728,641	1,843,176
Norwich	340,325	449,816	790,140	360,953	1,443,812	1,804,765	371,782	1,385,253	1,757,034	583,574	121,262	704,836	620,692	413,930	1,034,622	602,485	393,883	996,368
Old Lyme	11,896	15,723	27,618	14,540	58,160	72,700	14,976	55,801	70,778	0	0	0	0	0	0	0	0	0
Old Saybrook	10,434	13,791	24,225	17,789	71,156	88,945	18,323	68,270	86,593	0	0	0	0	0	0	0	0	0
Orange	4,002	5,289	9,291	4,407	17,628	22,035	4,539	16,913	21,452	555	115	670	625	417	1,042	606	396	1,003
Oxford	59,100	78,114	137,214	70,104	280,417	350,521	72,207	269,043	341,250	0	0	0	0	0	0	0	0	0
Plainfield	10,445	13,805	24,250	12,230	48,920	61,150	12,597	46,936	59,533	0	0	0	0	0	0	0	0	0
Plainville	124	164	289	177	5,000	5,177	183	5,000	5,183	0	0	0	0	0	0	0	0	0

[illegible] not reflected in individual municipal totals, but is reflected in Grand Totals.

003296

003303

tape 14A page 4
Speaker # 12

CONNECTICUT CONFERENCE OF MUNICIPALITIES
900 Chapel St., 9th Floor, New Haven, CT 06510-2807 • Phone (203) 498-3000 • FAX (203) 562-6314

State Budget

Testimony
of the
Connecticut Conference of Municipalities
to the
Appropriations Committee

April 13, 1993

Good morning. My name is Judy Gott. I am the President of the Connecticut Conference of Municipalities and the First Selectman of the Town of Branford.

I am here before you again to underscore how critical your state budget deliberations are for municipalities and their property taxpayers.

Because you have heard our pleas before, I will today briefly touch on three areas of priority concern to cities and towns.

State Spending Limitation

There are a variety of bills before you to define the terms necessary to fully implement the constitutional spending limitation (Proposed S.B.s 694, 697, 784, 1033, and Proposed H.B.s 6616, 6805).

CCM urges you to (1) exclude, from the definition of "general budget expenditures", state aid to cities and towns, and (2) require the State, by statute, to fully fund new or expanded state mandates on municipalities (as called for in Substitute S.B. 46 sent to you from the Planning and Development Committee).

Attached to my testimony is a CCM Public Policy Report that provides more information on this issue, including a state-by-state analysis of tax and expenditure limitations (TELs).

A state spending limit that does not include the provisions requested by CCM will hurt Connecticut's residential and business property taxpayers. Such inaction will result in cutbacks in state services, and continued shifting of state responsibilities and activities to the local level without reimbursement.

recycled paper

HB 6919

Mashantucket Pequot Fund/PILOT

CCM supports the Governor's proposal to earmark $130 million for local property tax relief ($30 million in FY 1992-93, $100 million in FY 1993-94 and thereafter). While municipalities may differ over whether such funding should be distributed solely through the two PILOT formulas (state property; colleges and hospitals), cities and towns stand united in opposing attempts to raid the new fund to pay for other state programs.

The Governor correctly identified local property tax relief as the most appropriate use of the new Mashantucket Pequot Fund monies (H.B. 6919).

While legislators review alternative needs-targeted distribution formulas for this funding, CCM urges you to resist penny-wise and pound foolish attempts to use all or a portion of such monies for other purposes.

Remember: The largest and most onerous state-local tax in Connecticut is the property tax. It is the largest such tax on business. The property tax accounts for nearly half (46 percent) of all state-local taxes in Connecticut -- more than twice the sales tax (22 percent) and more than seven times the corporate income tax (6 percent).

Mandated Municipal "Contribution" for Teacher Retirement

CCM opposes the Governor's proposal (S.B. 827) to require municipalities to pay the State $50 for every teacher and administrator as a "contribution" to cover the cost of administering the Teachers' Retirement System.

This new mandate would cost cities and towns almost $2 million a year.

The Teachers' Retirement System is a state-run, state-designed system in which municipalities have no representation. The Governor's proposal would send municipal dollars into the State General Fund. A task force, which has been looking at funding and other teacher retirement issues for the last several months, did not recommend a municipal contribution.

CCM urges the Committee to reject this new mandate on cities and towns.

Conclusion

Also attached to my testimony is a document that discusses the extent of the budget cuts proposed by the Governor on a town-by-town basis.

Thank you for your time and sensitivity to the needs of municipalities and their property taxpayers.

Attachments

003318
tape 2A, page 2
Speaker # 22

TEAM
Taxpayers' Equity Association Of Mansfield

Mary Ann Doucette
17 Beech Mountain Circle
Mansfield Center, Ct. 06250
April 13, 1993

Appropriations Committee
Legislative Office Bldg.
Hartford, Ct.

RE: H.B. 6919

I,m speaking on behalf of the Taxpayers' Equity Association of Mansfield. We support the Governor's proposed budget (H.B. 6919) as it relates to the Mashantucket Pequot Indian deal and the increased PILOT funding for the Town of Mansfield. We need this funding now, more than we need future "pie in the sky" casino funds. We need this money to provide municipal tax relief to our citizens. Please don't dilute this effort by redistributing these funds to all kinds of State Agencies to squander as they see fit.

We rank as the 28th highest in local taxes paid in the State of Connecticut. This is partly due to the fact that we carry a disproportionate share of state owned tax exempt property in Mansfield. We have the Northeast Correctional Facility, UCEPI, U. Conn., ECSU, Mansfield Hollow State Park and the old Mansfield Training School Property. There is an undue burden on the residential property owners of Mansfield to provide services for all our residents, even those on State owned property, at the expense of the few homeowners.

We urge you to support the increased PILOT funding for the Town of Mansfield, which is proposed as $1,157, 119 from Pequot PILOT funds and $524,866 for increased prison PILOT funding in the 93-94 fiscal year.

We further request an amendment to the bill, which would require the towns to apply a commensurate millage roll-back directly related to the increased PILOT funding.

Sincerely,
Mary Ann Doucette
Mary Ann Doucette
456-9297

JOINT
STANDING
COMMITTEE
HEARINGS

FINANCE,
REVENUE
AND BONDING
PART 2
381-738

1993

DEP. MAYOR HENRIETTA MILWARD: Right. That was tentative. That's why it isn't put down there as being purchased. Obviously, it now belongs to us and we've created an offset.

REP. COCCO: And you are intending to sell it to the State at this point in time.

DEP. MAYOR HENRIETTA MILWARD: No, we're not.

REP. MULREADY: That's just a list of buildings that the State had expressed an interest in, not necessarily ones they're still interested in.

REP. COCCO: So that G. Fox, if indeed G. Fox deeds over to the City of Hartford that building, that building then would possibly be sold to the State for $1.5 million.

ROBERT HARTZELL: No, Ma'am. I think what it was that the State was considering the purchase of that property at one time.

REP. COCCO: Prior to G. Fox giving you the building.

ROBERT HARTZELL: Prior to G. Fox giving us the property.

REP. COCCO: Thank you.

REP. MULREADY: Okay, thank you. Mayor Daniels from New Haven followed by David Vadola from Milford.

MAYOR DANIELS: Senator Maloney, Representative ..u..eady a... .....gu..h... ...p..s..tat...s. 'm here today to say that on behalf of the citizens of New Haven, I strongly endorse Governor Weicker's proposal to increase pilot payments to our cities. (HB 5021) (HB 6919)

We in New Haven have long felt the unfair burden of a disproportionate amount of property that is exempt from our tax rolls. In New Haven, for an example, 40% of the properties are off or exempt from taxes.

We have also felt the burden of a system that installs artificial regional and civic boundaries on social problems. As you will hear later, in the presence of a number of people here in New Haven,

that the taxpayers of the City of New Haven are tired of being the dumping ground for problems that are not local, but State and even nationwide.

And we can no longer pay the freight for nonprofits that play an important role in all our lives. These are tax exempt institutions serve not just ourselves, but an entire region. Yet our towns in the region do not pay their fair share.

The Governor's proposal is one way, at least partially, remedy that inequity. For example, the mill rate in the City of New Haven is 79.8 mills, the highest in the State and certainly the highest in the region. So clearly, we the City, the taxpayers of New Haven are doing our part. The State is the body that has allowed exclusion of certain properties from paying taxes.

For that reason, I believe it is appropriate for the State to take responsibility for relieving cities of some of the fiscal burdens that they, the State has caused.

Mr. Chairman, the current pilot, particularly those for private colleges, general hospitals and State properties, do not adequately reimburse us for the tax dollars lost due to these State mandated exemptions.

We in New Haven, along with our sister cities in Hartford, Bridgeport, New London, pay for more than half the value of all exempt private colleges and hospitals in the State.

For all these reasons, I urge you to increase pilot payments for private hospitals and State properties to 100%. Maintain 100% of current pilot reimbursement for other existing property tax exemption and to remove the current cap on appropriation for the major pilot programs.

We in the cities have consistently done all that we can do to pay and perform our fair share. Now is the time for the State to recognize the sacrifices we have made by offering us help when we need it and when we need it and my distinguished

colleagues, we need it now. Thank you very much and I'll be delighted to answer any questions that you may have.

REP. MULREADY: Representative Samowitz.

REP. SAMOWITZ: Good morning, Mayor, it's always good to see you. You really talked about two separate phenomena, one is that your high property tax is up there and the other one is payment in lieu of taxes.

Would you, wouldn't it be a fairer system to take the same amount of money and allocate it to those who have the highest affected property taxes as opposed to using the same amount of money for payment in lieu of taxes because there are a lot of towns for instance, where universities are located that may be very wealthy. Fairfield University, you know, is in a wealthier town but it's grand list is larger than Bridgeport's.

MAYOR DANIELS: Representative Samowitz, you know, I'm in a position as mayor of the city, I don't care how you do it. Just as long as it gets done, because for too long the taxpayers of the City of New Haven, we have borne this burden and we can no longer, you know, I want to use that word subsidize, the Senator asked about. We are subsidizing University. We're subsidizing the students, we're subsidizing those people to come to our town to use our hospitals.

And we just simply want some relief. Now, if you have a formula, or if you have some legislation that can provide us relief other than what's being proposed, you know, be our guest.

REP. SAMOWITZ: Has your grand list in your town, has it been declining, or has it been increasing?

MAYOR DANIELS: It's been declining.

REP. SAMOWITZ: Because there's a lot of towns in Connecticut that have an increase in (inaudible).

REP. MULREADY: Other questions or comments? Representative DiMeo. Let me explain what we're going to do after this witness. We're well over the hour that we're supposed to be limited to for public officials. Therefore, we're going to start alternating between public officials and the public, right after the next person.

I guess the other point I'd like to make, well, I'll save that. Go ahead, Representative DiMeo.

REP. DIMEO: Mayor, I have a sympathy for your problem. Two thoughts that I'd like you to comment on. One, eliminate tax exempt properties, all of it. All properties that are presently tax exempt, eliminate them. Everyone pays taxes.

Or, the possibility if you would comment both of these proposals, the elimination of 50% of the tax. The State pays 50% and the institution that has presently so-called tax exempt status pay 50%.

Realistically, the large cities, particularly are subsidizing and subsidizing, and particularly the City of New Haven which I know well. In some other communities which have large sections of that, they are subsidizing. Pure and simple. Would you comment on those two possibilities.

MAYOR DANIELS: Well, Representative, if I as mayor had the power to do that, I would do that. But however, that can be done, and it can be done by this Body, is to eliminate tax exempt. So if it's going to be, I think they are two excellent recommendations and I think they're recommendations that this Body should seriously consider.

REP. DIMEO: Thank you, Mr. Chairman.

REP. MULREADY: Thank you, Mayor. The other point I wanted to make is, we have four State Representatives signed up in the public sector, people who can talk to us any time they want. I urge them to when we get to them, because we're going to now start alternating with the public after the next speaker, to talk to us privately, if possible.

REP. MULREADY: Okay. Let me see if I can find the names here.

KEVIN SKIEST: They didn't sign on to the list.

REP. MULREADY: Oh, they didn't sign on to the list. Then you are really at the indulgence of the group here.

KEVIN SKIEST: Okay, Thank you. My name is Kevin Skiest. I founded Taxpayers United for (inaudible) in New Haven and we have quite a lot of support from all of the taxpayers in the city. SB 51, 145 HB 5021,

New Haven is the largest, has the largest amount of hospitals and universities in this state that are tax exempt, therefore, the local taxpayers are very strained and ultimately penalized because of this inequity. 5671, 5991, 6255, 6417 6919, 5501

The increased Pilot would be extremely vital for New Haven to survive. Taxpayers, their burden right now, the numbers you have heard before, there is 27,000 taxable pieces of real estate in the City of New Haven with the population of 130,000 people and then the number of people that come in from surrounding towns to utilize its services.

Without this help right now from the state, the city as evidenced in a tax rally that we put on in the Green last year depicting the death of New Haven, will ultimately come true.

Without New Haven, the surrounding towns will have nothing to basically be called suburb to. The city is in dire straits and one of the only reasons, one of the only things left to help it at this point is the state fully funding the Pilot Program.

The dollars, I would like if possible, should be earmarked for taxpayer relief. This sum 15 million dollars at the 90% level as asked for by the Governor, or 17.3 million dollars or more at 100% would effectively lower our mil rate to something along the lines equal to the surrounding towns. (HB 6919)

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So basically, most of the testimony given earlier, I don't want to duplicate it again. But we are here and we were here a couple of weeks ago in Planning and Development. It is very very important that this money come to New Haven. Because without it, I really don't think there is going to be much of a city left.

Thank you.

REP. MULREADY: Thank you sir. Now, if either of your associates wishes to speak very briefly, please identify yourself first.

VINCENT D'AGOSTINO: Thank you. My name is Vincent D'Agostino, I come out of New Haven on Atwater Street. I am here for the same purpose Kevin was just talking about.

If we don't do something now, we are not going to have a city at all. You can walk around in the Fair Haven area, I don't care what part of the city you walk in, you are seeing houses burnt out, places boarded up, off the tax roles. Who is going to make the rest of this tax come in? Nobody. Yale doesn't pay. This one don't pay, that guy don't pay. How are we going to keep up with 27,000 homes that are paying taxes. The ones that are frozen and all these municipalities that are not paying their fair amount of share.

I think it is about time we got onto it and this Pilot Program, if you are give us this money, 100%, please tell them it is for the tax purpose only, not to put in their pockets. And use it for other purposes. This is what we need to help these old people out. Including myself. I only get 298 dollars a month. I have one tenant upstairs, she is paying 529. I go to section 8 to ask them for a raise, they give me a hard time. But yet if it is HUD, they get it. They can get off this tax. I can't do this.

I think it is about time we start using fairness in both HUD and our own private properties. If they are good enough to get subsidized for HUD, I think they should be able to subsidize for the City of New Haven, the people and the tenants that are living in them. Because people right today cannot

afford anymore. I think it is about time, all you Representatives here and I know a few of you here, because I work with you. I wish you would do something to help the City of New Haven with this Pilot. Thank you.

REP. MULREADY: Thank you very kindly sir. Yes ma'am.

HANNA KAPLAN: My name is Hanna Kaplan and I live in New Haven on 81 West Prospect Street. I am here to speak also in support of the Pilot Program. And very briefly, when New Haven was the center of culture, center of commerce and the center of industry, probably the city could support all these necessary public institutions. Right now the situation is changing. We are losing shopping malls, we are losing industries and it is less and less and the shrinking tax base which has to support all these services.

Maybe this is historical process, I don't know. Maybe that's how it has to be, but I have to tell you that this very painful historical process. Indeed, our people in New Haven, we are the ones who is in pain, because every month, every week there is somebody else who can no longer afford to live in the house and just throw their hands up and saying, what can I do, let them take the house. And there is somebody else who is losing the building because life in New Haven gets less and less attractive and what can I do, I will give you the building back.

The same counts with businesses. Three generations of people who have businesses are closing their businesses. Maybe this is historically, but this is very, very painful, so I would like you to consider that we are people in New Haven. WE are the ones who are in pain and unless we get help, we will die.

SEN. MALONEY: Thank you ma'am. I appreciate your comments. Questions from members of the Committee? Senator Looney.

REP. LOONEY: Thank you Mr. Chairman. Not just a question, but a comment to welcome these good people from Taxpayers United for Fairness who have done a great deal over the last year to highlight

There are also a number of intangibles that will be provided by enactment of this legislation when combined with initiatives for alternate disputes resolutions such as that currently being attempted by Judge Aronson, will both eliminate the backlog and result in expedited hearings and determination before an impartial arbiter and will provide for judges with a significant understanding of the way the tax laws work.

That is an important point, because right now we get a number of decisions from time to time that deal with the specific issue but don't create a good body of precedent, because the judges are not experiencing tax cases.

This bill would provide for a period of time when judges would hear exclusively, tax cases and that expertise would be developed.

We expect that disputes would be settled more quickly and as I say, the providing of guidance which is sorely needed both by the state and by tax taxpayers will result in more orderly and uniform application of the tax laws.

We commend Commissioner Crystal and Judge Ment and we strongly endorse the legislation and urge your favorable consideration.

Thank you.

REP. MULREADY: Nancy Hoskins, followed by Paulette Cohen, followed by Marilyn Denny and then Dennis O'Neill.

NANCY HOSKINS: Good afternoon gentlemen, I am Nancy Hoskins of 227 Everette Street, New Haven. I have come to Hartford today to urge the full funding of the payment of new taxes for the City of New Haven. You have my testimony and a picture of the house.

I have lived in New Haven in the house of which a picture is provided, for 22 years. We moved into the city in 1970 from Hamden wanting to be close enough to use all the city offers. We have participated in community services, health, literacy, adult education, tutoring, environmental projects, neglected and abused children.

HB 5021
SB 51, 145
HB 5671, 5991,
6255, 6417
6919, 5501

In this house we raised two children, hosted weddings and my husband died. Now grandchildren come. We never regretted our move into New Haven. The costs of our urban choice seemed fair, comparable to those of suburban friends who simply chose differently.

I know longer feel that city costs are fair. And for me as a widow on an almost fixed income, the situation is frightening. My property taxes have increased in the last year from 4,110 to 7,022. Based on only the first year of a five year phase in, projected taxes will exceed my entire social security benefit.

There are seven houses for sale in our block, in the premium Eastrock neighborhood. One on an adjacent street is already being sold by a bank. When you look at this plain, four bedroom house on its fifty foot lot, would you be willing to assume a tax burden now at 7,000 which could go to 17,000 by 1995 and add payments for a mortgage for perhaps 200,000. The assessment is 295. I think that is probably fair. It certainly was fair two years ago.

By contrast, my daughters historic house on two acres in suburban Orange has taxes of 3000 per year and an excellent school system with after school care. The city is simply not now an economically rational choice whether you are an aspiring homeowner, a perspective Yale employee or a small business owner taxed annually on every desk and machine, and we have no large corporate base or industry.

We all need our cities, whether or not we choose to live in them, the entire region and state benefit from two city hospitals, four academic institutions, four independent schools, research facilities. These are life enhancing offerings exempt from tax.

And there is another harsher side. The city provides for a vast population of the needy. Homeless, hungary, addicted, unemployed, victims and perpetrators of abuse and crime. Housing complexes, shelters, public health centers, drug

rehabilitation centers, jails and four court houses are provided and supported by the city on land exempt from tax.

As compassionate and rationale people, we know that these services must be offered and can only be offered in cities. New Haven is a city of only 8 square miles. Within those 8 miles 34% of the real property is tax exempt. The remaining 27,000 properties, the majority of them not in affluent neighborhoods, effectively subsidise those regional benefits to the detriment of our own needs such as schools.

Our property taxes at 79.8 mils are the highest in the state, although we are one of the poorest cities in the nation, in the wealthiest state. This isn't fair or sustainable or economically or socially safe. If everyone who can do so leaves the city, consequences will be more serious than we can imagine. They will not be replaced.

New Haven is still a family city with neighborhood allegiances and strengths. Many who believe in the city are working for improvement and are willing to continue to work, but we must have help from beyond our boundaries, for this reason, I urge you to vote to fully fund payments in lieu of taxes for New Haven. Thank you.

PAULETTE COHEN: Hello, my name is Paulette Cohen and along with my neighbor Nancy Hoskins, I have been working to organize the people of the Eastrock neighborhood in New Haven who feel that our taxes are going so high that it is making it very difficult for us to continue to live in an urban city.

SB 51, 145
HB 5021,
5671, 5991,
6255, 6417
6919, 5501

I think that it is interesting to note that two of the other people on the Steering Committee or our Coalition are people who are indeed, selling their houses, because it no longer makes sense for them to live in New Haven.

However, they also do believe so strongly in the value of cities, that they have been willing to put a great deal of time and energy into organizing this.

You will see a petition that was gotten together very quickly on Saturday morning, about 100 homeowners in our vicinity. There is also Nancy Seasbury eloquent statement. We have a statement also from New Scap. One of our more prominent lawyers in town and again, a neighbor. Also from James Tobin who is the Sterling Professor Meridus of Economics at Yale University and a noble Laurent.

I would like to read that letter into the record and then if I have a few minutes, just make a few comments to suburban and exurban legislators that may still be left in this room.

From Doctor Tobin. Dear Legislators, I am deeply worried about the effect that uncontrolled rises in property taxes will have on the economic viability of the City Of New Haven, as well as other central cities of this state.

New Haven homeowners are now paying 14% of their median family income in taxes. While their neighbors in surrounding suburbs are paying about 6%.

Urban businesses also face heavy local tax burdens. If this trend continues to escalate, middle class homeowners will flee New Haven and many businesses will also leave.

We will see the cities collapse with longterm economic and social costs for both the cities and the state.

Despite state assistance, city property owners have to provide the bulk of revenues to run their cities. While this is entirely proper, city governments have to cope with extraordinary problems of poverty, crime and drugs without help from the regions they serve.

They lose tax income from the real estate that is by state law tax exempt. For example, 34% of the total in New Haven. That burden should fall solely on the shoulders of property owners within the city's boundaries is neither fair nor rationale. For this reason the state's Pilot program has compensated cities for 50% of the lost revenues. I

urge 100% funding of the Pilot program. It is a good, immediate way to return to the city monies lost through state mandated programs and to keep them fiscally viable.

I see my time is up.

REP. MULREADY: Yes.

PAULETTE COHEN: Thank you.

REP. MULREADY: Thank you, I appreciate it. Marilyn Denny, followed by Dennis O'Neill, Kevin Skist is after that and then Jim Findley.

MARILYN DENNY: Mr Chairman, members of the Committee, my name is Marilyn Denny and I am an attorney at Neighborhood Legal Services. Within that program, I am the director of the Senior Law Project. Basically, my clients are elderly and they are people who qualified for our services.

Many of the people who qualify for our services are the poorest of the poor. They are the people who receive things such as state sup and food stamps. I am here today to speak in support of proposed SB233, which basically revises Connecticut General Statutes 12-170d, in order to add people at least in this case, who receive state sup, we would urge you also to consider payments of food stamps. To add these people to the list of exemptions from exclusion in participation of this program.

Sort of very simple. The statute sets out criteria for participation in the renters rebate program. The criteria include qualifications based on age, on residency, on having a maximum income which is 20,000 dollars if you married, 16,200 if you are unmarried. And then the statute provides for an exclusion. You may not participate in the program if you have received financial aid or subsidy from federal, state, county or municipal funds.

This is why people who receive food stamps and state sup cannot participate. Now however, the very, that very section also provides for a large number of exclusions so that even if you have gotten federal, state or local benefits, if they are of a certain nature, you can participate.

REP. MULREADY: Okay. Let me see if I can find the names here.

KEVIN SKIEST: They didn't sign on to the list.

REP. MULREADY: Oh, they didn't sign on to the list. Then you are really at the indulgence of the group here.

KEVIN SKIEST: Okay, Thank you. My name is Kevin Skiest. I founded Taxpayers United for (inaudible) in New Haven and we have quite a lot of support from all of the taxpayers in the city. SB 51, 145 HB 5021,

New Haven is the largest, has the largest amount of hospitals and universities in this state that are tax exempt, therefore, the local taxpayers are very strained and ultimately penalized because of this inequity. 5671, 5991, 6255, 6417 6919, 5501

The increased Pilot would be extremely vital for New Haven to survive. Taxpayers, their burden right now, the numbers you have heard before, there is 27,000 taxable pieces of real estate in the City of New Haven with the population of 130,000 people and then the number of people that come in from surrounding towns to utilize its services.

Without this help right now from the state, the city as evidenced in a tax rally that we put on in the Green last year depicting the death of New Haven, will ultimately come true.

Without New Haven, the surrounding towns will have nothing to basically be called suburb to. The city is in dire straits and one of the only reasons, one of the only things left to help it at this point is the state fully funding the Pilot Program.

The dollars, I would like if possible, should be earmarked for taxpayer relief. This sum 15 million dollars at the 90% level as asked for by the Governor, or 17.3 million dollars or more at 100% would effectively lower our mil rate to something along the lines equal to the surrounding towns. (HB 6919)

So basically, most of the testimony given earlier, I don't want to duplicate it again. But we are here and we were here a couple of weeks ago in Planning and Development. It is very very important that this money come to New Haven. Because without it, I really don't think there is going to be much of a city left.

Thank you.

REP. MULREADY: Thank you sir. Now, if either of your associates wishes to speak very briefly, please identify yourself first.

VINCENT D'AGOSTINO: Thank you. My name is Vincent D'Agostino, I come out of New Haven on Atwater Street. I am here for the same purpose Kevin was just talking about.

If we don't do something now, we are not going to have a city at all. You can walk around in the Fair Haven area, I don't care what part of the city you walk in, you are seeing houses burnt out, places boarded up, off the tax roles. Who is going to make the rest of this tax come in? Nobody. Yale doesn't pay. This one don't pay, that guy don't pay. How are we going to keep up with 27,000 homes that are paying taxes. The ones that are frozen and all these municipalities that are not paying their fair amount of share.

I think it is about time we got onto it and this Pilot Program, if you are give us this money, 100%, please tell them it is for the tax purpose only, not to put in their pockets. And use it for other purposes. This is what we need to help these old people out. Including myself. I only get 298 dollars a month. I have one tenant upstairs, she is paying 529. I go to section 8 to ask them for a raise, they give me a hard time. But yet if it is HUD, they get it. They can get off this tax. I can't do this.

I think it is about time we start using fairness in both HUD and our own private properties. If they are good enough to get subsidized for HUD, I think they should be able to subsidize for the City of New Haven, the people and the tenants that are living in them. Because people right today cannot

afford anymore. I think it is about time, all you Representatives here and I know a few of you here, because I work with you. I wish you would do something to help the City of New Haven with this Pilot. Thank you.

REP. MULREADY: Thank you very kindly sir. Yes ma'am.

HANNA KAPLAN: My name is Hanna Kaplan and I live in New Haven on 81 West Prospect Street. I am here to speak also in support of the Pilot Program. And very briefly, when New Haven was the center of culture, center of commerce and the center of industry, probably the city could support all these necessary public institutions. Right now the situation is changing. We are losing shopping malls, we are losing industries and it is less and less and the shrinking tax base which has to support all these services.

Maybe this is historical process, I don't know. Maybe that's how it has to be, but I have to tell you that this very painful historical process. Indeed, our people in New Haven, we are the ones who is in pain, because every month, every week there is somebody else who can no longer afford to live in the house and just throw their hands up and saying, what can I do, let them take the house. And there is somebody else who is losing the building because life in New Haven gets less and less attractive and what can I do, I will give you the building back.

The same counts with businesses. Three generations of people who have businesses are closing their businesses. Maybe this is historically, but this is very, very painful, so I would like you to consider that we are people in New Haven. WE are the ones who are in pain and unless we get help, we will die.

SEN. MALONEY: Thank you ma'am. I appreciate your comments. Questions from members of the Committee? Senator Looney.

REP. LOONEY: Thank you Mr. Chairman. Not just a question, but a comment to welcome these good people from Taxpayers United for Fairness who have done a great deal over the last year to highlight

the crisis in property taxes in the City of New Haven and the struggle there and thank you for taking the interest to come up here today and to be patient with us all morning and afternoon. Thank you.

SEN. MALONEY: Thank you folks. Next is Jim Findley.

JIM FINDLEY: Mr. Chairman, with the indulgence of the Committee, could I be joined by two of my colleagues that would take time out of my 3 minutes?

Again, my name is Jim Findley --

SEN. MALONEY: Are they signed up?

JIM FINDLEY: No sir.

SEN. MALONEY: You have 3 minutes.

JIM FINDLEY: Okay. I am here today representing the Connecticut Conference and Municipality and we'd like to today indicate our support for the variety of bills before you to fully fund and expand the state payment in lieu of taxes program.

Also to indicate our support for HB6737 to help cities and towns collect delinquent property taxes and to authorize municipalities at local option to conduct statistical revaluations. That is proposed HB6136.

We are also here to vigorously oppose as previous speakers have, the Governor's proposals to slash the town aid for roads program and to cut the local capital improvement program. And also to his proposal to eliminate the Connecticut Appeals Board for property evaluation. And I would like to turn it over to Gian Carl Casa from our Conference who will talk about the infrastructure funding.

GIAN CARL CASA: Thank you Mr. Chairman. A time most set by the fundamental road and infrastructure programs for cities and towns of Connecticut. Yet under the Governor's proposal, both of these programs will be slashed by a third or 10 million dollars. SB 851

The economic future of Connecticut depends in part on our state/local transportation infrastructure network. This proposal coming in light of the fact that in 1988 the state, a state study showed that it would cost 8.8 billion dollars to bring local roads into acceptable conditions, and this proposal also comes at a time when federal government is attempting to improve infrastructure and stimulate the economy by infrastructure investment.

We think cutting TAR or LOCIP now or anytime, doesn't make economic budgeting sense or infrastructure improvement sense.

MICHAEL LAWSON: With regard to Pilot, I am going to depart from the written comments here. With regard to Pilots, you heard from a taxpayer group, several members of a taxpayer group in New Haven about, from their emotional response of the incredibly burdensome property taxes that result in large part, in the case of New Haven and cities across Connecticut, cities and towns across Connecticut, from the exemptions granted to colleges, hospitals, state property and other similar types of property.

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HB 5021, 5671, 5991, 6255, 6417, 6419, 5501

There is really two additional arguments that I am going to try to speak to your head for just a moment. Why it is critically important that these pilots be fully funded.

There is two reasons. One is accountability. If state policymakers oft times for very good policy reasons, determine that certain properties should be exempt, then those people, those groups making those exemptions should have to pay for those decisions. It would be very similar, the federal government comes in, increases your Medicaid eligible population, the state gets stuck with it. Well, this is very similar, exactly similar to that of the municipalities visa vee, the state.

The second component is not only accountability, but it is the issue of simple fairness. If people come into New Haven or Hartford, other towns, and use the facilities, the hospitals, the colleges, the theaters, etc., they avail themselves to the fire protection, police protection, sidewalks, roads, etc., and should have to pay for a portion of it. To not pay for that results in the citizens

who live in that city to have to shoulder other people's burdens. I would be happy to take questions.

SEN. MALONEY: Thank you sir. Did you identify yourself for the record.

MICHAEL LAWSON: Yes, I am Michael Lawson.

SEN. MALONEY: Thank you. Are there questions? Thank you gentlemen.

JIM FINDLEY: Thank you.

SEN. MALONEY: Next witness is Robin Leeds.

ROBIN LEEDS: Senator Maloney, Representative Mulready, members of the Committee. I commend your patience and your diligence today.

I am going to speak on a bill that I don't think you have heard any comments on yet. Something new. It's proposed HB6733, AN ACT CONCERNING THE TAXATION OF MOTOR VEHICLES OWNED BY BUSINESS ORGANIZATIONS.

My name is Robin Leeds. I am Executive Director of the Connecticut School Transportation Association representing the owners of Connecticut school bus fleets.

This proposed bill addresses a problem that school bus companies have wrestled with for years. As you may know, the Motor Vehicle Department requires that municipality be listed on a vehicle registration as the tax town, be the town where the vehicle is primarily garaged.

At the same time there are many municipalities who stipulate in their transportation contracts that school buses use to fulfill those contracts will be taxed in the towns holding the contract. Contractors unfortunately, are caught in the middle.

This occurred a couple of years ago in particular, there was a particularly difficult case between Weathersfield and Rocky Hill. The same transportation contractor serves both communities.

[HB 5021] 000646

Tape 3 A
Speaker 3

Testimony of Matthew Nemerson,
President Of The Greater New Haven Chamber Of Commerce

SB 51, 145
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Mr. Chairman, I wish to speak in favor of legislation to fund PILOT to the level of 90% and to begin the process of adding personal property of hospitals and colleges to be included in the formula as well. I am here today because I think it is important that you know that the matter of PILOT is not simply a question of municipal government officials coming before you seeking more funds. I am here representing business taxpayers -- and there are many here representing homeowners and taxpayers -- and we wish to convey to you the impact of the underfunding of PILOT on cities such as New Haven.

The impact, is in a word, disastrous. In the case of New Haven, which has the highest percentage of non-state owned tax exempt property in the state, and therefore suffers the most for the underfunding, the result as been to create such a disparity between the city and suburbs, that few rational property owners can do little else but consider when and how they shall leave the city for more affordable places. What a burden to place upon neighborhoods that wish to thrive and firms that wish to grow. Let me be specific. In New Haven, real estate owners pay on average 150% of the effective taxes than do owner of property in the majority of surrounding towns, and personnel property is taxed at 275% of the cost. In more graphic terms, this is resulting in both constant relocation of assets, but a great regressive impact.

The average new Haven pays some 14% of median income in property taxes versus on 8% in towns such as North Haven or Branford. Think bout that in the context of your efforts to make the income tax fair, which impacts at a fraction of these rates.

If the funding you are proposing for next year had been in place this year, there would have been an across the board 10% cut in all New Haven taxes.

From the standpoint of the future of all of Connecticut, I wish to point out another issue. The hope for jobs, as we move away from military and conventional manufacturing is in the bio-technology and applied technology spheres. To compete at a world class level we must encourage the best and most able to attend places such as Yale Wesleyan and Trinity and we must hope that places such as Yale medical School and the other graduate programs at Yale attract the very best in the world, so that the Miles's and Bristol Myers Squibbs will want to continue to grow their international technology and research centers in our state.

If we allow the inner cities to decline, in part due the high taxes created in part by these very non-profit institutions themselves, we have created a terrible dilemma for ourselves and for top scientists who may well choose to go to Wisconsin or Michigan than brave the deteriorating inner cities of Connecticut. We are already seeing this become a trend. Our strength as an intellectual a professional oasis may be eroded if we let our cities die, and with it will go the spark of our next entrepreneurial explosion.

PILOT is a question of fairness and common sense. New Haven only has 65% of its taxbase available to its tax collector, most of the surrounding towns have more than 96%. The state policy of encouraging certain non-profits to grow and expand in our state without paying taxes makes sense. Just as we give abatements and inducements to private firms today. But, as colleges and hospitals become the dominant industries, we cannot ask cities to make up the difference for services from their own taxpayers. We must spread this burden out across the state. We all benefit, we should all pay.

We need non-profits to grow our new idea based growth sectors, don't penalize the cities for being the engines of new ideas and jobs for the rest of state.

Court of Common Council

652

000652

CITY OF HARTFORD

550 MAIN STREET
HARTFORD, CONNECTICUT 06103

Carrie Saxon Perry, Mayor
Henrietta Milward, Deputy Mayor
Yolanda Castillo, Majority Leader
Eugenio Caro, Sr., Councilman
Fernando Comulada, Councilman
Anthony DiPentima, Councilman
Nicholas Fusco, Councilman
Elizabeth Horton Sheff, Councilwoman
Sandra E. Little, Councilwoman
Louise B. Simmons, Councilwoman

Clerk
Sebastian A. Santiglia

September 30, 1992

SB 51, 145
HB 5021, 5671,
5991, 6255, 6417,
6919, 5051

Honorable Thomas D. Ritter
Legislative Office Building - Room 0410
Hartford, Connecticut 06106

Dear Tom,

I am writing to you in hopes that you and your colleagues in the Legislature can help the City of Hartford deal with the continuing reduction of our Grand List due to the proliferation of tax exempt property in our city. As you probably know, the State of Connecticut has recently engaged in an aggressive program to purchase distressed office buildings in Hartford at bargain prices for the purpose of housing state employees currently occupying rented space. This policy may make good business sense for the State, but it badly hurts the City by making the buildings exempt from property taxes and reducing the only local revenues we are permitted by statute to levy.

To date, the State has closed on the purchase of two buildings and we understand that negotiations are proceeding on several other properties. The attached listing identifies these properties as well as the annual tax revenues the City will lose if they are indeed purchased. As you can readily see, the magnitude of tax dollars at risk is staggering; if lost, they will require significant cut-backs to our already tight budget. Worse still, there will be no offsetting increase in this year's Payments-In-Lieu-of-Taxes (PILOT) grant either.

Please assist us in slowing or stopping the State's purchase program now. If this is not possible, then help us pursue needed compensation in the form of full PILOT payments in order to avoid cut-backs in services. As you know, the current PILOT statute provides for payment for only twenty (20%) percent of full taxes which is woefully insufficient and is also subject to annual appropriation caps.

The State of Connecticut already owns an overwhelming amount of tax exempt property in its Capitol city; we cannot afford to suffer any more. Knowing your sincere interest and dedication to our City, I am asking for your help in redressing this troublesome situation as quickly as possible. Whatever assistance you can give us will be greatly appreciated by the City and its citizens.

Very truly yours,

Henrietta S. Milward
Deputy Mayor

cc: Hartford Legislative Delegation
Mayor and Council
City Manager

HARTFORD PROPERTIES
being considered for purchase by the
STATE OF CONNECTICUT

Name	Address	Annual Taxes	
Hudson Park	505 Hudson Street	$413,449	Purchased by Sta
Juris Place	21 Grand Street	$125,235	" "
60 Washington	60 Washington Street	$550,610	" "
55 Elm	55 Elm Street	$723,378	
21 Oak	21 Oak Street	$424,125	
Hawthorn Center	85 Hawthorn Street	$153,959	
55 Farmington	55 Farmington Avenue	$1,199,890	
Xerox Center	25 Sigourney Street	$1,930,243	
G. Fox & Co.	956 Main Street	$1,516,842	

Connecticut news

State buying 14-story building in Hartford

By CRAIG W. BAGGOTT
Courant Staff Writer

1-6-93

Yet another Hartford building will pass into state hands — and off the city tax rolls — when the 14-story steel and glass tower at 60 Washington St. is sold to Connecticut by mid-month.

Negotiations for sale of the building were recently completed, and a closing is expected by Jan. 15, said Dennis F. Kerrigan, deputy commissioner of the state Department of Public Works.

The cost to the state will be $28.9 million — $14.8 million to buy the building and $14.1 million to renovate it, including $6.1 million to remove asbestos.

The deal will be among the most expensive per square foot that the state has undertaken in a recent surge of building purchases, but Kerrigan said the location of the building and the long-term savings expected from owning it make the price well worth it.

"I do not know if we'd pay that price at another location," Kerrigan said. "It's the location that makes the deal go."

The state recently purchased buildings at 505 Hudson St. and 21 Grand St. in Hartford, and on Country Club Road in Middletown, and is considering several other buildings. Most prominent among those under consideration is the Xerox Center office building at Capitol Avenue and Sigourney Street in Hartford.

The 60 Washington St. building has about 184,000 square feet of office space on 14 floors, and 440 parking spaces in a garage. It was built in 1968-69, and is now owned by a company controlled by Peter Savin, of Savin Properties in Bloomfield.

For Savin, the sale is less than ideal. Land records show mortgages and debts of $20 million or more on the building, though the precise figure is unclear and some debt may have been paid down. What is clear is that Savin — and possibly his bankers — will lose money, perhaps millions.

"It's not the greatest real estate deal I ever made," Savin said Tuesday. "It cost me a lot of money, but the state got a good deal."

Savin said Connecticut property officials have been eyeing the building for years, but were unable or unwilling to pay the price in the boom market of the 1980s.

The state will borrow money in the bond market to buy and renovate the building. Assuming 6.5 percent interest on 20-year bonds and a 5 percent annual principal reduction, and adding in operating costs of $6.50 a square foot, the state's cost of owning the building will be $24.50 a square foot the first year. That cost will decline each year as the principal on the bonds is reduced.

For comparison, the state's first-year cost of owning the Hudson Street and Grand Street buildings, using the same calculations, is about $13.50 a square foot. The first year cost for the Middletown building is about $15 a square foot.

In addition to the Washington Street location — across the street from the Capitol and court buildings and adjacent to other state offices, the state also gets a much needed parking facility with the purchase, Kerrigan said.

Kerrigan said renovation of the building will take 18 months to two years, with much of the work removing asbestos. Once that is done, he said, the state expects other renovations to cost $3.3 million, with another $2 million spent on office equipment, $500,000 for a telecommunications system and other, smaller amounts for such things as security and architect fees.

The state is considering a number of different agencies for the building, but hasn't settled on which will occupy it yet, Kerrigan said.

Though the building will technically come off Hartford's tax rolls when it is sold, taxes will be paid through July 1994 because assessments lag a year or so behind tax billings.

Eventually, though, the city will lose almost all of the building's taxes. The most recent assessment on 60 Washington St. was $14.35 million, yielding an annual tax bill of $551,198.42.

Currently, the state pays 20 percent of the lost revenue on such buildings to cities under its payment in lieu of taxes — PILOT — program.

000655

State makes some good buys

12-4-92

Governments are often criticized, sometimes unfairly, for not behaving more like businesses. But there are some basic principles that can be followed by both capitalists and bureaucrats, such as "buy low."

The state of Connecticut is doing just that in this rock-bottom real-estate market. The government can use more office space — it currently leases more than it owns — and prices for recently constructed buildings are about as low as they are going to get.

So the Weicker administration has bought three office buildings, all in foreclosure and two of them in Hartford, and is negotiating for several more in the capital city. In addition, the state is buying open space and park land around the state.

Gov. Lowell P. Weicker Jr. probably wants as little publicity about these moves as possible since some citizens will complain that in this tough economy taxes should be spent only on absolute necessities. But when should the state buy real estate? When times are better, as they were six years ago, and prices are through the roof?

The one drawback of the governor's sound acquisition strategy is that Hartford in particular will lose still more property from its grand list. The Weicker administration should keep this increasing hardship in mind in formulating the next budget.

000656

State buys buildings others don't want

By CRAIG W. BAGGOTT
and HILARY WALDMAN
Courant Staff Writers

With a $40 million-plus stake and commercial real-estate prices plunging, the state has been buying office space in the Capitol area at an unprecedented rate, hoping to turn the market bust into a government boon.

If present plans are completed, the state could be the proud owner of some of the most recognizable — and heretofore un_rofitable — real estate in Hartford.

So far this year, the state has bou_ d-ings at 21 Grand St. and 505 Hudson St. in Hartford and the Midpoint office building on Country Club Road in Middletown.

Also under consideration are the glass-clad building at 60 Washington St. in Hartford and, though no one in the state will talk about it for the record, the Xerox Center office building at Capitol Avenue and Sigourney Street.

All told, those buildings would add 1 million square feet to the office space now owned by the state, an amount about equal to the space the state leases in Hartford.

But buying them also would strip even more real estate from Hartford's tax rolls: The state, exem_t from loca property taxes, pays a sma percentage of what the tax would otherwise be — he case of most buildin_s, not more than 20 percent.

Figures are sketchy, and no one really knows how much office space the state owns and leases. The state owns about 42.6 million gross square feet and leases about 3.35 million more, according to figures compiled by the State Properties Review Board. But those figures include everything from warehouses to state hospitals.

For pure office space, the best available figures are 2.6 million leased square feet and 1.96 million owned, according to Deputy Public Works Commissioner Dennis F. Kerrigan.

In Hartford, the state leases just over 1 million square feet, according to early 1992 figures compiled by public works officials.

The decision to replace that leased space with buildings owned by the state was prompted by several factors, Kerrigan said. First, as a general

Please see State, Page A13

000657

State takes advantage of slump to buy unprofitable buildings

000658

Continued from Page 1

rule, the state prefers to own its offices. Also, he said, prices for commercial property in the area have sunk so low that buyers can get bargains unimagined only a few years ago — if they can use the space.

In fact, all three buildings bought this year were in foreclosure. The Grand and Hudson street buildings were built in the late 1980s, and the Midpoint building a few years before that. The Grand Street building had never had a tenant. The building on Hudson Street had not been rented until the state took space in it in 1991. And the Midpoint building, which had housed insurance company offices for years, was vacant at the time of the sale.

The state paid $9.47 million to buy and improve the Hudson Street building, using tax-exempt bonds to raise the money. The building has 157,582 square feet. Assuming 6.5 percent interest on the 20-year bonds and a 5 percent annual principal payment, and adding in an operating cost of $6.50 per square foot, the state's cost of owning the building is about $13.50 a square foot the first year. The cost declines each year as the principal on the bonds is reduced.

By contrast, the state was leasing 57,440 square feet in the building before the purchase for $832,880 a year, which works out to $14.50 a square foot.

The purchase and improvement of the building at 21 Grand St. totaled about $3.2 million. With about 50,000 square feet, the cost of ownership the first year is also roughly $13.50 a square foot.

An indication of steep drop in market prices is a 1987 appraisal that put the value of the Grand Street building at $7.3 million, according to state records.

Buying and renovating the Midpoint building in Middletown cost about $6.5 million, with a first-year ownership cost of about $15 a square foot. The building has 105,300 square feet of space.

The Department of Public Safety will move into the Middletown building, consolidating some operations from Hartford and Meriden. Hudson Street will provide space for the Department of Housing, which had been renting there, and for the central offices of the Department of Children and Youth Services, as well as another agency yet to be determined.

Next month, the Department of Health Services' bureau of preventable diseases will move out of leased offices at 117-123 Washington St. into the Grand Street building.

A building that costs less to own than to lease, or even the same amount, is clearly a good prospect for purchase by the state. But from there the definition of a good deal gets hazy. Even spending more in the early years to own a building can be advantageous to the state, especially when other factors are included, such as consolidation of functions and energy and communication efficiencies associated with newer buildings.

"It's possible that early on, loading costs could make it more expensive than leasing," Kerrigan said of the state's building purchases. "However, we are an organization that is going to be in business for the foreseeable future . . . and therefore we have to take a long-term viewpoint. Over the long term there's no doubt that it saves money."

The 60 Washington St. building, being considered by the state, could be an example. State officials won't discuss the building until a sale is complete, but sources and documents show the price is likely to be $25.5 million, a figure that includes a substantial $10 million for renovations, which would include removal of asbestos. At that price it would cost the state roughly $22 a square foot in the first year to own the building, which has about 184,000 square feet of space.

Though higher than many comparable leases in the area, that figure would decline each year as the bond is paid off. The state is interested in those long-term benefits, Kerrigan said.

The Xerox building is huge compared with the others, at 467,000 square feet. Though state officials won't discuss it, the building is included in proposal documents prepared by the state, and sources at the state Capitol say it is in negotiation.

An added benefit of the 60 Washington and Xerox buildings is the parking garages that go with them, with a total of about 1,650 parking spaces.

Also, the state's recent purchases probably will eliminate an earlier plan to build a 500,000-square-foot annex behind the state office building on Capitol Avenue. The annex would have included a 1,600-space parking garage. It also is likely to end a plan for another 200,000-square-foot office building at the corner of Oak Street and Capitol Avenue.

The Oak Street building was projected to cost $35 million to $40 million, while the annex would have cost about $90 million. Currently, state officials estimate it costs about $150 a square foot to construct an office building.

The state has plenty of money available to buy more buildings.

So far, it has spent about $17.56 million from a $20 million 1991 bond authorization for buying or developing state offices. The 1992 state bond act provided an additional $45.2 million, as well as $10 million for renovation or purchase of a computer center, said James Sullivan, a section director at the Office of Policy and Management who oversees bonding.

It's not that Connecticut needs more space — there are buildings around that are unused and gathering cobwebs — so much as it needs a different kind of space.

With the decline of state government as a provider of services in some sectors and the simultaneous increase of its role as regulator of those services, its need for office space has increased. This occurs while some buildings, especially those under the control of health-related agencies, are being emptied and left vacant.

For example, Kerrigan said, in the past 20 years, the Department of Mental Health has trimmed its service list from 6,000 patients to about 1,000. At the health department, where Kerrigan was a deputy commissioner before moving to public works, the department has gone from 900 patients in the 1970s to none now.

The result is an increasing demand for office space and a surplus of service space that is not easily converted to office use.

The state's buying spree is intended to fill that need, at bargain prices.

But what is good for the state is not so good for the city. Buildings owned by the state come off city tax rolls, further reducing revenues for Hartford's already tight budget.

Again, precise figures on office space are not available, but a review of all real estate owned by the state in the city shows the state with more than 2 million square feet — a figure that includes offices as well as such things as bus facilities and courts.

Naturally, the more valuable the space, the greater the tax loss to the city. For instance, the most recent annual tax bill on the 60 Washington St. office building was $551,198.42, city tax officials say. For the Xerox Center building, the annual tax bill is a whopping $1.92 million. If the state buys those buildings, the city will lose much of that money.

Using a formula for state-owned property, the state pays municipal governments a percentage of the lost tax revenues under its Payment in Lieu of Taxes program, also called Pilot. That varies from up to 20 percent for most property to up to 60 percent for hospitals and colleges and 100 percent for jails and prisons.

For the 1992-93 fiscal year, the state paid Hartford $15.03 million — an illustration of both the amount of state-owned property in Hartford and the size of the city's tax loss.

In a recent letter to the city council, Mayor Carrie Saxon Perry said Hartford loses $47 million a year on $1.67 billion worth of property that is not on the tax rolls.

She has asked legislators to rewrite the Pilot program to provide higher payments to the city, which she said could be used to lower taxes for residents and business.

"Now, businesses are paying the lion's share of the city's taxes," she said. "Let's make it more equitable. Let's all share the burden."

Courant staff writer Brant Houston contributed to this story.

000659

STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC WORKS

Bruce L. Morris
Commissioner

TO: Richard F. Piotrowski, Deputy Commissioner
Facilities Design & Construction

FROM: Dennis F. Kerrigan, Deputy Commissioner
Administration

DATE: September 17, 1992

SUBJECT: ACQUISITION COSTS - PROPERTY TAX DUE
505 HUDSON STREET - PROJECT BI-2B-855
21 GRAND STREET - PROJECT BI-2B-854

This is to request Bond Commission action at the earliest possible date to finance unanticipated acquisition costs for the above referenced properties as follows:

505 Hudson Street - Property Tax....$357,607
21 Grand Street - Property Tax..... 125,370
TOTAL.....$482,977

Although State property is exempt from local property taxes per C.G.S. 12-81(2), there is no specific statute which covers the treatment of property purchased by the State. C.G.S. 12-109 requires municipalities to annually list, value and assess tax exempt property. OPM regulations require municipalities to pursue property tax payments and late payment penalties on non-exempt property purchased by the State until the property is added to the list of exempt property. The property is so recorded on the next ensuing October 1 Grand List for each municipality.

Consequently, the department is obligated to pay July, 1992 and January, 1993 installments for tax due on the Hartford Grand List of October 1, 1991 for the subject properties.

Your assistance in this matter is appreciated.

10/2/92

To: Tony Mikan
From: Bruce Cornish
Subject: 505 Hudson ST - TAXES

Expect Bonding on 10/25 - Payment to follow, during 11/92
Should be resolved by 11/30.
JANUARY, 1993 installment should be on time

Bruce B Cornish
566-6423

DFK/BC/d:84
cc: Commissioner Morris
J. Patterson, CAO

Bruce Cornish

✓ FAX Copy to: Anthony Mikan
City of Hartford
722-6024

165 Capitol Avenue, Hartford, CT 06106
An Equal Opportunity Employer

CITY OF HARTFORD

OFFICE OF THE CITY MANAGER
550 Main Street, Hartford, CT 06103

000660

COUNCIL – MANAGER GOVERNMENT

May 20, 1992

Senator William A. DiBella, Co-Chairman
Representative Richard T. Mulready, Co-Chairman
Finance, Revenue and Bonding Committee
Legislative Office Building - Room 3700
Hartford, Connecticut 06106

Dear Senator DiBella and Rep. Mulready,

We have heard reports recently that the State of Connecticut is considering the purchase of one or more office buildings in the vicinity of the Capitol for the purpose of housing their administrative offices. While this is obviously a good time for the State to acquire buildings cheaply due to the depressed real estate market, any such purchase would do major damage to the City of Hartford's finances by removing it from out taxable Grand List. I have attached a listing of several buildings which have been mentioned together with their assessments and tax bills which are quite substantial. As you well know, the State of Connecticut owns a very large amount of tax exempt property and we certainly cannot afford to have any more property exempted during these difficult economic times.

I hope that you will help us to avoid losing any more property tax revenue by opposing any State purchase or at least by obtaining an equivalent Payment in Lieu of Taxes if the State does move ahead. We will be happy to work with you in this effort and we thank you for your continued support for our interests.

Very truly,

Richard M. Cosgrove
City Manager

cc: Mayor and Council
Hartford Legislative Delegation

HARTFORD PROPERTIES OF INTEREST TO THE STATE OF CONNECTICUT

I. JURIS PLACE

Address: 21 Grand Street (corner Hungerford Street)

Ownership: 21 Grand Street Development Corp. (formerly Juris Associates Limited Partnership), 100 Pearl Street, Hartford 06103

Market Value: $4,662,700

Assessed Value: $3,263,890 (NOTE: Building is unfinished; interior work limited to elevators and rough plumbing. Three levels of indoor parking)

Taxes: $123,223.43

Status: Paid in full (1991-92)

II. 55 ELM STREET

Ownership: Mony/Capital Joint Venture

Market Value: $26,935,000

Assessed Value: $18,854,500

Taxes: $723,377.78

Status: Paid in full (1991-92)

III. 60 WASHINGTON STREET

Ownership: Colonial Savin Ltd. Partnership

Market Value: $20,500,000

Assessed Value: $14,350,000

Taxes: $550,556.68

Status: Payment plan: balance (5-11-92) $156,412.52

(continued)

IV. HUDSON PARK

Address: 505 Hudson Street (at Park)

Ownership: Hudson Park Development Corporation (formerly Hudson Park Associates Limited Partnership), 100 Pearl Street, Hartford (Bank of Boston)

Market Value: $13,300,000

Assessed Value: $9,310,000

Taxes: $357,227.70

Status: Paid in full (1991-92)

NOTE: Taxes on above are calculated as follows:

Market value X 0.07 X 0.0344 X 1.1153
Effective mill rate: 0.3837