Legislative History for Connecticut Act

Act Number: 01-2 (June Special Session)

Bill Number: 7503

Senate Pages: 4008-4030 23

House Pages: 7934-8034 101

Committee: No Hearings

Page Total: 124

Transcripts from the Joint Standing Committee Public Hearing(s) and/or Senate and House of Representatives Proceedings

Connecticut State Library
Compiled 2012

S-463

CONNECTICUT
GEN. ASSEMBLY
SENATE

PROCEEDINGS
2001

VOL. 44
PART 13
VETO SESSION
JUNE SPECIAL
SESSION
3799-4122

Disproportionate Share Payments.

6/28 House Passed Immediate Transmittal

End of Senate Agenda #1

THE CHAIR:

Senator Jepsen.

SEN. JEPSEN:

If the Chamber could stand at ease for one moment.

Madam President, at this time I would move for immediate transmittal of the item we acted upon yesterday, HB7502, it was Emergency Certified, to the Governor.

THE CHAIR:

Without objection, so ordered.

SEN. JEPSEN:

Madam President, if the Clerk could call from Senate Agenda No. 1, HB7503. The first item.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Calling from Senate Agenda No. 1, Emergency Certified Bill HB7503, An Act Concerning the Expenditures of the Department of Social Services. Bill

is accompanied by Emergency Certification. Signed Kevin B. Sullivan, President Pro Tem of the Senate, Moira K. Lyons, Speaker of the House of Representatives.

THE CHAIR:

Senator Harp.

SEN. HARP:

Thank you, Madam President. I move HB7503 in accordance with the House. Thank you, Madam President.

THE CHAIR:

The question is on passage. Please proceed.

SEN. HARP:

Thank you, Madam President. This bill basically is the Act Concerning Expenditures of the Department of Social Services. The bill allows the Department of Social Services within available appropriations to provide rate relief to enhance staffing in nursing homes in the first year of the HCFA minimum standards and within available appropriations.

And there is an appropriation for the second year if there are none available in the first year. It makes several adjustments to Medicaid available assets and closes what some believe are loopholes. Makes it more difficult to transfer assets when going into nursing homes.

The bill also implements the breast and cervical

cancer treatment program which will be available under Medicaid. It requires the Commissioner of Social Services to seek a federal waiver to cover used, durable medical equipment.

It sets up a payment outside of the general fund budget for Medicare Part B premium payments. And also sets up a non-lapsing account in the general fund for AFDC recoveries. It increases the rate for chronic disease in psychiatric hospitals first year up to 2.5 percent, and two percent for the following year.

It, the bill reduces the number of extensions for those folks who are in the temporary family assistance program beyond the twenty-one month to three extensions. But it makes a number of, the DSS Commissioner to grant additional extensions under certain circumstances.

The bill requires that a minor parent who is on temporary family assistance doesn't have to work but must attend school. If not attending school, must then be subject to the employment service requirements.

It changes the penalties for noncompliance with the work requirements from the first penalty which under current law is twenty percent to twenty-five percent.

This implements a federal law. It changes the child support disregard from the first $100 to the first $50. And it says that the Department Commissioner, the

Department of Social Services Commissioner must provide benefits for the new diversion assistance program within fifteen days.

It prohibits the Social Services Commissioner from accepting new applications from legal immigrants who are barred from federally funded programs after this program is passed. And it also does that as of June 30th for the food stamp program.

It implements a primary case management program for the medical benefit under general assistance. And it extends or expands the definition of health care facilities under which dental hygienists can practice after two years to include pre-schools operated by a local board of education, or a Head Start program.

It implements the ConnPace expansion program up to 233% of poverty and sets the beginning date of April 1st 2002. And it basically extends to Medicaid managed care subcontractors the payment requirements that are in our managed care law and allows the managed care organizations to impose a performance bond, letter of credit, statement of financial reserves, or payment withhold requirements for those subcontractors.

The bill loosens the requirements for interpreters for the deaf and medical settings by allowing them to provide services if they hold a level four instead of a

level five certification from the National Association of the Deaf.

The bill requires that any state agency that places children in a residential facility must enter into a written agreement with the facility at the time the child is placed. The agreement must establish clear standards for the child's care and have reporting requirements laid out within that agreement.

The bill, thanks to Senator Cook, includes a employer-sponsored health insurance plan that allows the Department of Social Services in collaboration with the Offices of Health Care Access, and OPM, to prepare a plan for purchasing employer-sponsored health insurance for adults or children.

And the plan must be submitted to the Department of Health and Human, must be submitted to the Human Services Public Health and Insurance and Appropriations Committees by March 1st, year 2002.

The bill transfers the OIC or Opportunities Industrialization Centers from the Department of Social Services to the Department of Labor, but requires the OIC programs to involve the Department of Social Services Commissioner in their planning.

The bill also allows the Department of Social Services audits of town assistance programs to be done

at the Department of Social Services Commissioner's discretion. It continues the pilot for the Connecticut Home Care for Elders program.

And it makes several changes to the security deposit program. It makes some changes to the Department of Children and Families permits, permanency planning effort. And makes discretionary rather than mandatory a current requirement that the Department of Children and Families conduct a thorough adoption assessment when the adoption is the goal of a foster child's court-appointed permanency plan.

It requires the Department of Children and Families to develop permanency plans and juvenile courts to review them yearly while a child is in DCF custody as a result of a delinquency adjudication.

It also reduces from 18 to 12 months the length of time between court reviews of the need to continue to extend serious juvenile offenders commitment. The bill requires that the Department of Children and Family apply state and national criminal history checks to staff of child care DCF licensed child care facilities or foster care homes or residential treatment facilities.

And it expands the assisted living program. And it improves residential care home rates. It institutes a

parent trust fund which will operate under the Children's Trust Fund. And it implements an Eastern Connecticut Transportation Access project.

It also defines the Kid Care program under the state. And it sets improved rates for intermediate care facilities for people with mental retardation. And increases those rates to include a 3.5 inflation factor.

It improves, let's see, the bill requires the Department of Social Services to use the rate for, to use the rate of the highest paid free-standing chronic disease hospital for any hospital having more than an average of 15% of its in-patient days used as ventilator patient days paid by the Department of Social Services for the rate period ending 2001.

There are a number of minor other kinds of things in this bill. Certain things are repealed that largely that defines the bill. I urge your adoption. It's certainly not what we would like.

There are a number of populations I fear that will determine that the spending cap has disproportionately affected them. But given our revenue constraints, unfortunately I believe this is the best that we can do. I urge your support of this implementer bill.

THE CHAIR:

Thank you, Senator Harp. Will you remark further?

Senator Cook.

SEN. COOK:

Thank you very much, Madam President. Good afternoon, Madam President. Thank you very much for recognizing me and I stand and offer my support for passage of the implementer bill. And I appreciate Senator Harp's kind words regarding the employee subsidy program.

And I hope, I have great high hopes for that being a wonderful success for perhaps getting as many as thirty to 40,000 uninsured folks access and actually having an insurance card in the near future.

So I would urge my colleagues to support the bill. It may not be everything that we would all want, but it certainly meets the needs of the state. And it meets the needs of our budget constraint. I urge its passage.

THE CHAIR:

Thank you, Senator. Senator Prague.

SEN. PRAGUE:

Thank you, Madam President. Madam President, there are two sections of the bill that I would like to comment on. The first section is Section 17 through 19, the immigrants. I know that many of us have been talking about this issue in this implementer bill.

It is just outrageous that we, after July 1st will

no longer offer immigrants anything but food stamps. It's like we ought to close our borders or take down the statute of liberty. It is unconscionable that we have done this to people who want to come to this country, and who come legally to start a life.

Frankly, my mother came here from Russia in 1900. At that time there were no benefits for immigrants. But my mother successfully lived a life that was productive. These people that are coming now are coming from countries where their way of life was not the kind of life of freedom that we enjoy here.

And I for one am hoping, hoping that before this session ends that we do something with this issue of denying immigrants the very basic needs of life. The second section I want to comment on is Section 41.

It's important, and this is a very important program, to be able to transport people to work is a very positive thing. But this program, I'm sure, is not meant to supersede 31-57-e, wait a minute, 31-57e, Section 3b.

Which says, the state shall not provide any funds or services which directly, or indirectly, assist any tribe engaged in a commercial enterprise until the tribe adopt an employment right code.

Madam President, I want that to be in the record.

We currently have a statute on our books that must be honored. And I am sure that Section 41 is not meant to violate that statute. Thank you.

THE CHAIR:

Thank you, Senator. Senator Freedman.

SEN. FREEDMAN:

Thank you, Madam President. Just for clarification, through you to Senator Harp. Section 25, children in residential facilities. Are we talking about DMR and DMH facilities and that type of a placement? Through you, Madam President.

THE CHAIR:

Senator Harp.

SEN. HARP:

Through you, Madam President. We're talking, I believe, about DCF placements.

SEN. FREEDMAN:

Thank you.

THE CHAIR:

Senator Freedman.

SEN. FREEDMAN:

I appreciate that clarification. And then I have one further question pertaining to the division of assets section where we're now talking about the 36-month limitation. Through you to Senator Harp. Is that

in concurrence with the federal law? And how exactly would that affect two seniors when one person does go into a nursing home? Through you, Madam President.

THE CHAIR:

Senator Harp.

SEN. HARP:

I believe that that is in concurrence with the federal law. And I believe that this look-back period basically is when the asset is no longer in the couple's name. So it would be in the child's, in someone else's name other than the couple would be responsible for each other.

THE CHAIR:

Senator Freedman.

SEN. FREEDMAN:

Yes, through you, Madam President. I wasn't thinking of children. I was thinking more of the adult division of assets when, if two seniors, and one goes into a nursing home and we allow them to divide their assets. Does this section really apply to them? Or does it just apply to a child who is say a DMR child? Or does it apply to all categories? Through you, Madam President.

SEN. HARP:

This largely applies to those --

THE CHAIR:

Senator Harp.

SEN. HARP:

I'm sorry, Madam President. To the transfers to nursing homes. And it does not apply, in fact, when there is a DMR child involved. It applies, and it doesn't apply when, as I understand it, when there are two people that actually own the asset that when the asset is transferred from the couple to someone other than the couple that own the property.

THE CHAIR:

Senator Freedman.

SEN. FREEDMAN:

Yes, thank you, Madam President. So if I understand Senator Harp correctly, if the couple owns all of this property, or all of their assets jointly, and it's just back and forth between them, there are no children, and that money, or asset, is not transferred to somebody else, if that one spouse has to go into a nursing home, it would be a straight down the middle division of those assets, and that would be the end of it? Through you.

SEN. HARP:

That's my understanding, through you Madam President.

THE CHAIR:

Senator Freedman.

SEN. FREEDMAN:

Okay, so it only kicks in if it's given to somebody else who would not be the spouse, or I guess the spouse at this point. Thank you.

THE CHAIR:

Senator Harp.

SEN. HARP:

That is my understanding.

THE CHAIR:

Senator Penn.

SEN. PENN:

Thank you, Madam President. Good afternoon. Just a couple of quick questions to my colleague and friend, Senator Harp. In addressing your intention I'm going to do some of this section-by-section if you don't mind, Toni.

Section 55 through 66, the cost of living COLA freezes when the benefits are freezed, the TAF and aid to families with dependent children. Could you tell me exactly what that does? I think it's stretched over a year or so to 2001 to June 30th of 2003.

SEN. HARP:

Basically the cost of living increases that are

required by our state statute were not built into the budget. So this basically freezes the cost of living to what it currently is. So that there, under the current budget there would be, there was no allocation for a cost of living. So this, so the language here freezes it at the current level.

THE CHAIR:

Senator Penn.

SEN. PENN:

Thank you. And maybe I didn't phrase my question right. I understand the terminology of freezing. In her explanation would you tell me what that would do to the process of what the freeze would affect at this time.

THE CHAIR:

Senator Harp.

SEN. HARP:

Yes. It will affect the benefit levels and the temporary family assistance in, which or aid to families with dependent children to the saga or, you know, state administered general assistance, and to the state supplement program.

SEN. PENN:

Thank you.

THE CHAIR:

Senator Penn.

SEN. PENN:

So, and I did hear her in her opening preface remarks of how this bill is not perfect. But I think this is another example of what those cuts could do in long term. And the other things concerning me, and I know Senator Prague alluded to it, and I did happen to remember it being prepared for that to deal with the immigrant situation as far as being taking it off.

But part of the things that's also is alluded to, if we allowed, to Senator Harp, if we allow to continue in its current involvement of the benefit program for the legal immigrants, I was heard there would have to be a trade off in cutting benefits in the TANF situation.

That's the Temporary Assistance to Needy Families. Is that also correct? And how do we get to the point where we're trading off benefits for those segments of folks, and believe me I know you didn't do that.

But I mean, how, and like in those discussions, how did we get into this point, as Senator Prague alluded to? How did we get into that, the trading off of those folks who are in need, and legitimately in need, we have to swap benefits.

If say, if we take it from the legal immigrants, then it goes to TANF. We take it from TANF then it

hurts the legal immigrants. I don't know how these two were chosen. And those folks who are on the bottom rung of that ladder of chosen, say this is where the benefit derivative had to come from to make a budget. Could you explain a little bit that to me, please?

THE CHAIR:

Senator Harp.

SEN. HARP:

Through you, Madam President. My understanding is that, in fact, that that may be the way that the decision was made. I was not there when that decision was made. But the reality is that for legal immigrants, that program was cut off to legal immigrants, particularly the federal portion, in 1996.

And the state has been carrying those payments out of the general fund, fully funded by the general fund, since then. What would be available had the decision been made to do that would be to find room in the general fund somewhere to continue to carry those benefits forward.

Unfortunately, the budget that we passed the other day did not carry the dollars in to move those benefits forward. Although my understanding is that at least for the food stamp program and for the assistance benefits, that for the assistance benefits, those benefits for

those that are currently in a program will be extended a year and will have an opportunity to look for funds in the next budget. And it's extended for two years for the food stamp program.

THE CHAIR:

Senator Penn.

SEN. PENN:

Thank you, Madam President, and through you. Senator Harp, and your interpretation now, cause I had a couple of calls. I think I spoke to you briefly about it, from a couple of college students who also needed assistance of food stamps to help them currently continue their education.

And would they be affected immediately? Cause my understanding again, this July 1st cut off, and the reason I'm not calling an amendment, in conversation with you and the rest of leadership is that we're going to do the changes in the OPM implementer.

And I want to make sure that's going to take place. And then I can cut off debate and dialogue. I just want to make sure that segment is going to be done and these folks are not going to be left without benefit of health care or food stamps.

THE CHAIR:

Senator Harp.

SEN. HARP:

Through you, Madam President. On the food stamp issue alone, those, that program will be open for another year so that the students who called you would not be affected by this budget until perhaps next year if we don't extend it beyond next year.

And even, I believe that new applicants can make application up until June 30th year 2002. But anyone currently on the program will have benefits extended until that time. My understanding is that there will be something in the OPM implementer to take care of legal immigrants who are currently on our medical assistance program.

Both general assistance as well as what would look like Medicaid, and home health care. And that those benefits for people who are currently on, and are legal immigrants would be extended until the next budget year, at which time we can take this issue up again.

THE CHAIR:

Senator Penn.

SEN. PENN:

Thank you. Just one or two more to Senator Harp. Be patient with me. Could you tell me, Senator Harp, right now based upon the actions that we've taken who will be affected by July 1st if there's not some

intercept between now and then?

Because I think July 1st is Sunday, I believe. That would automatically be kicked in. And would there be a problem if we don't take care of that issue immediately? Or, is there an extension or waiver that would go out?

If you know? If it's in your purview to know if there's an extension or waiver that would be granted those recipients, or eligibility of those recipients right now based upon any actions that we do or do not do before Sunday?

THE CHAIR:

Senator Harp.

SEN. HARP:

Once this bill, through you Madam President, is passed, because it is effective upon passage, persons who are legal immigrants now and upon passage would continue to receive their monetary assistance programs or what looks like TFA.

They would also continue to receive their food stamp programs. And the food stamp program would be open, and it would not close until June 30th year 2002. My understanding is, and that's what is in this bill. What we do not cover in this bill is an extension for those folks who are currently on general assistance, and

the medical program which looks like Medicaid and home health care. My understanding is that that will be taken care of in the OPM implementer.

THE CHAIR:

Senator Penn.

SEN. PENN:

Thank you, Madam President. Thank you, I believe I'm off. Thank you. That was my concern. And hopefully that those bills and if they're moving not concurrently, and if by chance, just by chance, I'm not sure what the language would look like.

And I'm just not totally comfortable cause of the way we do things here sometimes. If the OPM implementer is not done till Monday or Tuesday, and an action is taken in this bill, and this implementation that cuts off benefits July 1st 2001, I'm not sure what that will do to those recipients.

And I don't know exactly what that would do as far as paper work or anything else that might incur. But I think you explained it the best way that you know. And I can appreciate that. Just one last question on Section 35, the DC background checks. Could you tell me a little bit about that please, and how that would be implemented?

THE CHAIR:

Senator Harp.

SEN. HARP:

Thank you, Madam President, through you. My understanding is that in order to continue to receive dollars that we receive from the federal government to help supplement our Department of Children and Family Services that we are required to do state and national criminal history record checks.

And they would work in the same way that those checks work for teachers now. We require teachers to have background checks. And, I guess that's all I can say. But there would be a check that would go through our State Department of Public Safety, and also through the FBI records.

SEN. PENN:

Okay, thank you.

THE CHAIR:

Senator Penn.

SEN. PENN:

Thank you, Madam President. Just in closure, and I'm not going to go into a lot of dialogue. I think my sentiments are with Senator Harp. And I also know CC worked on it, so I'm a little comfortable with that, but.

You know, I have some doubts about this. I sure

won't urge its rejection, because I think there's some things that need to be done. I'm not sure what myself is going to do as far as my vote.

But because there are some concerns in here that I think that could be very detrimental to the people that we serve, and our constituencies. And I will give that some time. But, and let me thank Senator Harp and those folks who worked on this for their endeavors of trying to make this a good bill in spite of its shortcomings. Thank you, Madam President.

THE CHAIR:

Thank you, sir. Will you remark further? If not, would the Clerk please announce a roll call vote. The machine will be open.

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:

Have all members voted? If all members have voted, the machine will be locked. Clerk please announce the tally.

THE CLERK:

Motion is on passage of Emergency Certified Bill

HB7503.

Total Number Voting	27
Those voting Yea	23
Those voting Nay	4
Those absent and not voting	9

THE CHAIR:

The bill is passed. Senator Jepsen.

SEN. JEPSEN:

Thank you, Madam President. I move for immediate transmittal of this item to the Governor.

THE CHAIR:

Without objection, so ordered.

SEN. JEPSEN:

Madam President, in a moment I'm going to, after points of personal privilege, ask that we recess. It is our intention and hope to finish all of our work this evening. That could mean going late. If there's a change in that plan, I hope to be able to announce the change at a reasonable hour so that we can get home.

THE CHAIR:

Thank you, sir. At this time the Chair will ask if there are any points of personal privilege or announcements? Seeing none, Senator Jepsen.

SEN. JEPSEN:

Thank you, Madam President. A number of Democratic

H-861

CONNECTICUT GEN. ASSEMBLY HOUSE

PROCEEDINGS 2001

JUNE SPECIAL SESSION

VOL. 44
PART 23
7691-8037

Thank you.

(On motion of Representative Pudlin of the 24th district, the House of Representatives recessed at 6:26 o'clock, p.m., to reconvene at the Call of the Chair.)

(The House of Representatives reconvened at 7:45 o'clock, p.m., Speaker Lyons in the Chair.)

SPEAKER LYONS:

Would the House please come to order? Would the House please come to order?

Would the Clerk please call Emergency Certified H.B. 7503.

SPEAKER LYONS:

H.B. 7503, AN ACT CONCERNING THE EXPENDITURES OF THE DEPARTMENT OF SOCIAL SERVICES, LCO number 9143, introduced by Representative Lyons and Senator Sullivan.

SPEAKER LYONS:

Representative Thompson, you have the floor, sir.

REP. THOMPSON: (13TH)

Thank you, Madam Speaker. Madam Speaker, this is AN ACT CONCERNING THE IMPLEMENTATION OF THE EXPENDITURES FOR THE DEPARTMENT OF SOCIAL SERVICES. I move passage

of the bill.

SPEAKER LYONS:

Pardon? Representative Thompson, I'm sorry. Please proceed, sir.

REP. THOMPSON: (13TH)

I move passage.

SPEAKER LYONS:

The question before the Chamber is on passage. Will you remark?

REP. THOMPSON: (13TH)

Yes. Madam Speaker, this has 68 sections to this bill and I will not go through each and every one of them, but I would like to highlight some of them.

Sections 1 and 2, in the budget we provided for increased staffing. The way that will be implemented, as a result of this legislation, is that in the first year the Commissioner of Social Services may, within available appropriations, increase the staffing in the nursing homes. In the second year, we provide $7 million.

Sections 3 and 4 are concerned with the Probate Court and transfer of assets. There was some controversy surrounding this part of the legislation. There have been some changes made. The penalty period does begin

with the time when the person applies for it, rather than when they're eligible for it.

And secondly, the revised legislation will permit the Probate Court system to have some more discretion in judging what is allowable and not allowable.

In Section 9, a very important part of the bill, it's really a bookkeeping section, but allows us, instead of sending money to the federal government and getting back money, we will simply say to the federal government, please send us just the money we're entitled to and we avoid the two for one exchange. That means about $45 million one year; $46 million the next year; and it helps us stay under the cap.

Section 11 is the rate increase for psychiatric hospitals and chronic disease hospitals.

Section 12 makes several changes to the State's Temporary Family Assistance Program. There was another compromise on this legislation that allows the person receiving assistance instead of the Governor's recommended two six months, it applies a third six months. It would allow the Commissioner to extend that beyond the third, providing there's certain hardship criteria.

The 60 month time limit for TFA, we're doing that

in this bill. It would provide - make us in compliance with the federal government. We also adopted some increased penalties for those people who fail to comply with employment service requirements. That, again, is to comply with the federal government.

Sections 17 through 19, concern benefits for current qualified aliens participating in TFA State Administered General Assistance and State Food Assistance Programs.

There's going to be a two-part approach to this problem or what we perceive as a problem. We have grandfathered in those people for the sections that are spelled out here in this legislation which means that anybody whose currently receiving these benefits will continue to receive these benefits, but people applying new for these benefits will not be eligible.

In the implementation bill for the Office of Policy and Management, OPM, we will take care of the rest of those. So any immigrant now receiving benefits will continue to receive those benefits. And I know there's been a great deal of concern about this. We are hopeful to move forward after this legislation to pursue this matter further so that no immigrant will be denied benefits.

But at this time, we are grandfathering those who receive these benefits currently and will not permit new recipients.

There are some exceptions. People going into nursing homes from psychiatric facilities are protected. People who are victims of domestic violence and so on, are also protected in legislation we had previously passed.

Section 20, if you remember, the Entitlement For General Assistance was to be ended. This legislation will permit that entitlement to continue, which would protect those people currently receiving or in the future eligible for general assistance.

In addition to that, we will be providing for health care through a new program that will be a managed care system for people receiving, under the General Assistance Program, who will be contracted or receive these services through community health clinics. And we understand these clinics can contract with physicians and those towns or cities where a community health clinic might not exist. And that's probably in 10% of our population.

Section 22 expands the income eligibility limits for the Connecticut Pharmaceutical Assistance Contract,

ConnPACE and I think everybody understands what we are doing in that particular section.

Section 25, a request by the bill that had come through and does have some implications budget-wise suggested by the Child Advocate, which would frame up when placing a child in a residential facility to develop a written contract with the facility so that the Department knows exactly what's going to happen with those children and we hope that will save some money and it addresses the issue that we had down in Haddam Hills.

Section 26 is kind of an interesting one. It requires the Department of Social Services, in collaboration with the Office of Health Care Access, to prepare a plan, not investigate a plan, but prepare a plan for the purchase of employer's sponsored health insurance for children and adults up to 300% of the federal poverty level.

As you know and some people may know that such a plan is in operation in Wisconsin, the Badger Plan and we hope by looking at this, we maybe able to come back to the General Assembly next year and develop some kind of program that would expand health care up to those ranges.

Section 29 tightens up what we mean by under-

employed and provides some funding for programs that would help those people who are economically disadvantaged, unemployed and under-employed. And as you know, in the budget we continued Project Soar and Project CEIP.

Section 30 concerns the security deposit for those people who are going into new rents and the Department would now guarantee two months rent and make several other changes, but that's the intent to help people get into these rents.

Section 33, there's some language to improve the adoption procedures and it tightens up and enhances our ability to help children be adopted.

Section 34 is more of that. It conforms state law to federal regulations to the Adoption and Safe Families Act of 1997. If we didn't do this, we would suffer a financial penalty.

Sections 36 and 37, an increase to four the number of assisting living demonstration projects in federally funded elderly housing development in the Department of Economic and Community Development.

Section 38 is another rate increase and this one is for residential care homes.

Section 52 -- I'm sorry. Sections 39 and 40

authorizes the establishment of a parent trust fund.

And in the next sections, we address the issue of KidCare. As you know, we put significant dollars, not quite as much as we had originally hoped to do, but to begin the KidCare mental health program for our children. The program has less funding that what was originally intended, but we believe it's sufficient funding in the first year. We will be providing increasing services across the board, mental health services for our children. The idea is to build a system that will begin with the family, in the community, and will coordinate community services so that these children will receive improved services, we hope.

At the same time, in the second year, we will begin to phase in the new KidCare system. There is some concern that the departments will not have sufficient money to accomplish that, but it's always been our impression and testimony from both Commissioners, that we're looking at a four to five year project. So, we're hopeful that over the next two years, the project will get off the ground with increased services in the first year and in the second year that we will begin to develop the system itself and in the following years, we will gradually enhance that system with increased

funding.

Section 52 is another increase, rate increase for nursing home facilities, 2.5% the first year; 2% the second year. That's going to cost us $24 million the first year and $19 -- almost $20 million in the second year.

We continue the moratorium on approval of new nursing home beds for nursing homes from June 30, 2002 when it would have expired to June 30, 2007.

We are also, as we do every year, I guess, eliminate the cost of living adjustments for TFA, SAGA and supplemental assistance programs. That's $6.6 million and $11 million savings.

The Department of Labor will be asked to take increased responsibility for people who are now serviced by DSS concerning our public assistance program and the consolidation of work related to that program.

Section 58 makes some adjustments to TFA income eligibility rules in order to be consistent.

Sections 59 and 60, one of the cost savings measures was to eliminate non-emergency transportation as an available service under the medical benefit of SAGA which means that the SAGA Program, while it's continuing, that will be one service that we will no

longer provide and that's, of course, a savings measure.

Section 61 clarifies that a family leaving TFA at the end of the 60 month time limit, must have an exit interview. And as you remember, under the TFA Program, we are going to try to protect those people who would be hurt. And as a result of a question raised by Marie Kirkley-Bey, who is not here right this minute, to Secretary Ryan, we have assurance that the intent of the administration is not to throw anybody out off the program and onto the street.

Section 62 is a 3.5% inflation factor in the first year and 1.5% in the second year to increase rates provided to intermediate care facilities.

There are some technical changes to certain nursing homes and continuing care facilities. We also allow a higher Medicaid reimbursement to our free standing chronic disease hospitals where there's a high use of long term ventilator patient days.

Section 67 repeals the disproportionate share of the hospital reimbursement system and it should be noted that the repeal is not necessary. It's already taken care of elsewhere, however.

Section 68 repeals certain sections of the statute that pertain to DSS administration of opportunity

industrial centers.

And Madam Speaker, that is a fast run through of the different sections of the bill.

It doesn't do everything we would like it to do. It does some things that we didn't expect to get done this session. And I guess the highlights are the ConnPACE, the KidCare Program and some other improvements in the adoption laws.

So, Madam Speaker, I urge the House to approve this bill.

Thank you, Madam Speaker.

SPEAKER LYONS:

Will you remark? Will you remark further on the bill that is before us? Will you remark further?

Representative Shea.

REP. SHEA: (112TH)

Thank you, Madam Speaker. I appreciate that Representative Thompson has just detailed, for all of you, the DSS budget implementer and I won't reiterate, but there are a couple of points that I would like to particularly emphasize.

This bill does deal with nursing home rates and staffing and within available appropriations, the bill provides rate relief to those that are below normal or

the preferred staffing.

This bill also includes the breast and cervical cancer treatment program, requiring that Social Services commissioned to provide Medicaid coverage and implement those policies and procedures while we're in the process of adopting regulations.

What this does is get that program up and running. This is a good thing to do.

Representative Thompson mentioned the temporary family assistance benefits, the three month extension that is included in this bill and a fourth possibility. This does continue to encourage people to get off welfare, but it does also recognize that there are significant barriers for some of those who are dealing with this problem.

The bill does deal with work requirements, terminating the benefits if a family member does not make his orientation meeting with the workforce people that can be reinstated after thirty days, but that is a definite attempt to keep the process going.

The bill also makes the DSS the sole agency in determining eligibility for the assistance and services that are under the DSS administrative programs.

As far as ConnPACE is concerned, you all know this

is extending or increasing the ConnPACE limits. This is to begin April, 2001. As you all know, I and those of us on this side of the aisle, would like to have seen this happen much earlier, but I'm very pleased that this is going to happen in this year.

The important point there is that we are also saying that in the event the program is granted a waiver to be eligible for federal financial participation, then as of July 1, 2002, those limits, under ConnPACE, will increase up to 300% of poverty, which takes them up to $25,800 and $34,800 for married, which is a significant increase.

So I think we can just hope that will happen.

As Representative Thompson mentioned, there is a must developed plan in here for an employer sponsored health insurance for adults and children and forging a public private partnership is an exciting and forward looking approach to covering the uninsured.

It's been successful in Wisconsin and I'd like to see us at least give it a look too.

The KidCare, which Representative Thompson mentioned, requires the state system of care for providing behavioral health services for children. It will be renamed the Connecticut Community KidCare.

The important point here that it is being done within available appropriations.

Basically, those are the highlights in the bill. The bill represents a lot of hours of negotiation and compromise. It's not everything that we would all want, but it's a start and a step in the right direction and I urge passage.

Thank you.

SPEAKER LYONS:

Will you remark further on -- Representative San Angelo.

REP. SAN ANGELO: (131ST)

Thank you, Madam Speaker. A few questions, through you, to the proponent of the bill, please.

SPEAKER LYONS:

Please frame your questions, sir.

REP. SAN ANGELO: (131ST)

Thank you, Madam Speaker. Representative Thompson, Section 26 talks about what looks like a plan to look at, perhaps, subsidizing some companies in order to provide insurance for adults or children.

Could you tell me, through you, Madam Speaker, what are we talking about and what are we looking at? Are we looking at any company? Would big corporations be

allowed to be subsidized under this plan? What are we actually trying to do here? Help only small companies? Because the language is very broad. So I would really like to know what the intention of this plan is for purposes of legislative intent, I guess.

SPEAKER LYONS:

Representative Thompson.

REP. THOMPSON: (13TH)

Through you, Madam Speaker. Yes. In response to the question. The intent clearly is to help small employers who could not otherwise afford health care insurance and we're modeling our ideas, already in existence, out in Wisconsin, so-called Badger Plan. It would be some variation of that, but the idea is to expand and allow people -- one way might be to allow - to help a small employer, by paying for the employee's share of the insurance that he already has or to design a plan that would permit the State to directly subsidize such a plan.

But the intent clearly is to help low income people in low paying jobs who otherwise would not be able to have adequate health care insurance.

REP. SAN ANGELO: (131ST)

And through you, Madam Speaker.

SPEAKER LYONS:

Please proceed, sir.

REP. SAN ANGELO: (131ST)

Okay. Thank you, Madam Speaker. Through you, Madam Speaker. Representative Thompson, was there any particular reason that we didn't narrow this at all in terms of the drafting of this section to specially only deal with the smaller kind of companies that really might need this help? Because the language seems to be rather broad on who it could help. Was that considered in drafting this section to somehow narrow the plan? I guess the Commissioner is going to be doing this plan with collaboration of the Office of Health Care Access. I guess, really what I'm saying, did you attempt to narrow this down and specify what you wanted them to look at?

Through you, Madam Speaker.

SPEAKER LYONS:

Representative Thompson.

REP. THOMPSON: (13TH)

Through you, Madam Speaker. I think that was the intent, the original intent. Actually, there was a group working on it. Several legislators in-house, Senator Cook and others in the Senate and the

inspiration for it, as I mentioned, is the Badger Plan, but we did talk about income limits and we decided to leave that up to the Commissioner, knowing what our intention was and to allow them to go ahead and plan. It will come back here and I'm sure it will get a thorough look at, but that's the intent.

Through you, Madam Speaker.

SPEAKER LYONS:

Representative San Angelo.

REP. SAN ANGELO: (131ST)

Thank you, Representative Thompson. And a question on another section of the bill. It's Section 32. It talks about the establishment of helping with security deposits. It's the section that deals with providing up to two months of security deposit for somebody who needs shelter.

The concern I have is lines 993 through 995.

SPEAKER LYONS:

Representative Thompson.

REP. THOMPSON: (13TH)

Through you, Madam Speaker. I was looking at 993, hold it. I think that has been past practice where the Commissioner, based on the individual and size within available appropriations, can make cash available to the

landlord in lieu of a guarantee. But the intent really is to increase the guarantee from one month to two months, which people in the business tell us that increases the opportunity of a person getting a rent.

But if the Commissioner believes that there is a possibility to secure that rent by making a cash deposit, she can do that.

Through you, Madam Speaker.

SPEAKER LYONS:

Representative San Angelo.

REP. SAN ANGELO: (131ST)

Through you, Madam Speaker. If someone is kicked out of a housing, some type of housing because they were a drug dealer or damaged the property and later on, would they still be allowed to once again reapply for a subsidy? It seems to me that lines 993 through 995 say that essentially that you can come back and apply for a security deposit for at least one month, regardless of anything you might have done to a piece of property prior to the second security deposit chance you have.

SPEAKER LYONS:

Representative Thompson.

REP. THOMPSON: (13TH)

Through you, Madam Speaker. I believe there are

current regulations. There are some restrictions about second chances. And I believe there is a time period in which it must elapse before a person -- but there's always the opportunity for emergencies and I believe the Commissioner is guided by that, what's in the best interest of the family and the children.

But I think once you've violated your trust there, I believe there is a penalty that goes along with it.

Through you, Madam Speaker.

SPEAKER LYONS:

Representative San Angelo.

REP. SAN ANGELO: (131ST)

So, through you. Could the Commissioner then decide, because you are a drug dealer, and you damaged the property and you were thrown out, that he would not have to provide - he or she would not have to provide a security deposit if you went and reapplied at a future date?

Through you, Madam Speaker.

SPEAKER LYONS:

Representative Thompson.

REP. THOMPSON: (13TH)

Through you, Madam Speaker. Yes, that's a discretionary grant based on the Commissioner's

judgment.

Through you, Madam Speaker.

SPEAKER LYONS:

Representative San Angelo.

REP. SAN ANGELO: (131ST)

Okay. And through you, Madam Speaker, Section 35 talks about the Commissioner of Children and Families in investigating, I guess, people in a household that has a child placed with them for some period of time. And it requires - it now goes on to require a criminal record check of all members identified on the application.

The concern I have is the fact that I'm wondering if this will actually work because I would think under the current application, the name is simply placed there of people that might be in the household, with the applicant's social security and more detailed information about the applicant would be on the form. In fact, residents may just have their name.

How would the - I guess, how would they - through a criminal record check, I guess, they wouldn't have their social security number. How would they go about doing this?

Through you, Madam Speaker.

SPEAKER LYONS:

Representative Thompson.

REP. THOMPSON: (13TH)

Through you, Madam Speaker. I believe they are already doing this and what this law does is make it consistent with what they're already doing. But I believe the go through the normal procedure for getting criminal histories and the whole idea is to protect the child. We have, in the past, been somewhat remiss, when someone in the household, whose not a good citizen, winds up hurting the child because we didn't have a background check on that person.

So, it's simply to enhance what they've already put into practice and put it in statute.

Through you, Madam Speaker.

SPEAKER LYONS:

Representative San Angelo.

REP. SAN ANGELO: (131ST)

Through you, Madam Speaker. I agree, Representative Thompson, with that concept and I think it's a good concept. I'm just wondering if the information on the application is such that they would be able to do that criminal record check. Usually, you need things like a social security number, someway to track down the

criminal record or the criminal history and I'm wondering if just the names of the family are simply on the form and that there's no social security or no other information to allow - to do that research. I'm wondering if, perhaps, the form needs to be changed or if the form does call for things like social security numbers of everybody that lives in that household, so the check could be done.

Through you, Madam Speaker.

SPEAKER LYONS:

Representative Thompson.

REP. THOMPSON: (13TH)

Through you, Madam Speaker. I'm not sure. I don't have memory of what exactly is in the form. I have been assured, however, that the system, as it's currently being used, which we are providing statutory language for, does work and it's a satisfactory procedure. But exactly how they get their information, Representative, I'm not sure. I'm sorry.

There maybe somebody else who might be able to answer that.

REP. SAN ANGELO: (131ST)

Okay. That's okay, Representative Thompson. I just wanted you to be aware of that because I really think

that this does make a lot of sense. If a wife has a placement of child and her boyfriend is, perhaps, someone who might endanger that child and the fact that when the information comes through the form, that they do have an opportunity to do that thorough criminal record check.

So I guess I would just ask you to follow up on that and look at that closely to make sure that it can actually be done as it's designed in this language to make sure the proper information to do the criminal record check is there for the Department so that they would be able to accomplish that.

Through you, Madam Speaker.

SPEAKER LYONS:

Thank you, sir.

Will you remark further? Representative Kirkley-Bey.

REP. KIRKLEY-BEY: (5TH)

Good evening, Madam Speaker.

SPEAKER LYONS:

Good evening.

REP. KIRKLEY-BEY: (5TH)

My, it's been a long, long day.

SPEAKER LYONS:

It certainly has.

REP. KIRKLEY-BEY: (5TH)

I would just like to speak a little bit with regards to Section 12 of this bill, which deals with the extensions.

There has been some concern on my part and that of some of that of the advocates that this could be very detrimental to individuals.

Some of the numbers that I'm hearing quoted is that it is possible that on November 1st of this year, 1,263 families will reach the time limit, which could conceivably mean that 3,000 children would be without benefits.

We discussed this in our meeting and I believe it was Tuesday, but like many of us, I'm getting confused. But the reason I say that and I'm glad the gentleman who said this is standing next to you, Secretary of OPM, Marc Ryan, indicated that it was not his or the administration's intent to allow any child to go hungry or not to have the proper home in this State and that he would do whatever it takes to ensure that happens, even if it meant running a slight deficit.

So I want to put it in the record and I want it for everyone to hear. And I applaud him for that statement

because I'm hoping that does not become the case.

I would like to thank you, Madam Speaker, and Senator Sullivan for the hours that you put in on all of these implementers and I know I spent ten hours with you on one day.

I'd like to thank Maureen Magnan for being there to answer every question I had regardless of what time I called her, how foolish it may have been.

And I want to say to Marc Ryan, I was truly impressed when we did the DSS implementer on the recall that you had on all of the facts and figures and data, considering that you have worked on so many of these.

So, I hope that those of us who are going to support this, really do hope that, in fact, there will not be a problem with children being hungry or mothers being homeless. And that, in fact, what we hope this bill will accomplish will, in fact, happen.

Thank you, Madam Speaker.

SPEAKER LYONS:

Thank you, Madam. Thank you for your remarks. Very well said.

Will you remark further?

Representative McCluskey.

REP. MCCLUSKEY: (20TH)

Thank you, Madam Speaker. First of all, I would like to thank you, personally, for your efforts in the part of the bill that provides ConnPACE expansion in the first year of the biennium. I think that was a very important issue that I'm glad this Chamber, in particular, fought for in the budget negotiations.

But I do want to say to this Chamber that mere expansion of ConnPACE A is not going to solve the problem of access to affordable drugs for seniors and others.

The Human Services Committee, under our Chairman, had passed out a very comprehensive bill on ConnPACE and prescription drugs for seniors that would have set up a ConnPACE B Program for discounts for people that exceed a ConnPACE A level that would set up a catastrophic benefit to allow people who currently are not eligible for the A, to qualify for it if their expenditures on drugs were significant.

It does not address the issue of the rampant increase in prescription drugs that far out-paces the cost of inflation.

So, I just want to caution you that this issue of ConnPACE, even if we are successful, even if we were successful in getting a waiver from the federal

government so that we could expand to 300% of poverty, that because of the dramatic increase in the cost of prescription drugs, this Chamber is going to have to come to terms with that issue, if not next session, the one after.

Thank you, Madam Speaker.

SPEAKER LYONS:

Thank you, sir.

Will you remark further on the issue that is before us? Will you remark further?

Representative Giannaros.

REP. GIANNAROS: (21ST)

Madam Speaker.

SPEAKER LYONS:

Please proceed, sir.

REP. GIANNAROS: (21ST)

Thank you. I apologize, I was in the middle of a conversation.

I want - if I may ask a couple of questions to Representative Jack --- Thompson. I'm sorry, my mind is a little off. Thank you, Representative Thompson.

Through you, Madam Speaker, can I ask a couple of questions?

SPEAKER LYONS:

Please proceed, sir.

REP. GIANNAROS: (21ST)

Thank you, Madam Speaker. On line 485, it states that, "The Commissioner shall not accept new applications for assistance under this section after June 30, 2002." That is, this coming - I guess a year from now.

Is it correct, Representative Thompson, that effective this Sunday, based on this bill, that no legal immigrant will be allowed to file an application for benefits, as stipulated in this bill?

REP. THOMPSON: (13TH)

Through you, Madam Speaker. The sunset goes into effect June 30, 2002. This is the food stamps. And anybody whose eligibility status meets the eligibility requirements of the federal Food Stamp Act of 1977, will be eligible.

So I assume that all those people who have been applying for it and receiving it, people with the like circumstances, will be able to apply and receive.

REP. GIANNAROS: (21ST)

Thank you, Madam Speaker. Through you. Will the same group of legal immigrants be able to qualify for Medicare or other assistance effective this Sunday if

they are new applicants?

SPEAKER LYONS:

Representative Thompson.

REP. THOMPSON: (13TH)

Through you, Madam Speaker. It doesn't appear here. There will be an amendment drawn to the Office of Policy and Management implementation bill which will protect all those people who are currently eligible and they will be grandfathered or grandmothered, as the case may be. There will not be new applicants taken after that date.

So, I would assume that anybody whose here right now and applies tomorrow, would continue to be eligible.

REP. GIANNAROS: (21ST)

Thank you, Madam Speaker. Through you.

SPEAKER LYONS:

Please proceed, sir.

REP. GIANNAROS: (21ST)

If I understand correctly, what we're about to pass, if a 75 year old man or woman, who arrived, hypothetically, in the U.S. in 1940 and has not become a U.S. citizen, but has lived and paid her taxes or his taxes, met her civic obligations, has not violated the law or anything of that sort, but suddenly needs some

assistance, whether it's Medicaid or otherwise, will this person be qualified for assistance effective July 1, 2001, which is Sunday?

SPEAKER LYONS:

Representative Thompson.

REP. THOMPSON: (13TH)

Through you, Madam Speaker. If they're not now covered, or if they're not in a protected class, for example, somebody whose currently in a nursing home or would be admitted to a nursing home, as I understand the exception we made, they would be permitted to receive that assistance.

But for all these other benefits currently covered, if they're not now eligible, they would not be covered.

And, as you know, and I know and everybody else in our caucus who discussed this for the last half hour or so, there will be an effort made by this State, we hope, to explore the possibilities some type of action to expand that benefit and end the federal restriction.

Through you, Madam Speaker.

SPEAKER LYONS:

Representative Giannaros.

REP. GIANNAROS: (21ST)

Through you, Madam Speaker. The benefits that were

referenced just now by Representative Thompson, that legal residents, immigrants, in this case, that would not qualify effective July 1, 2001, would somebody from New York who moved into Connecticut qualify for it?

SPEAKER LYONS:

Representative Thompson.

REP. THOMPSON: (13TH)

Through you, Madam Speaker. As I understand it, we're not going to be accepting applications after July 30th for some of these benefits.

Through you, Madam Speaker.

SPEAKER LYONS:

Representative Giannaros.

REP. GIANNAROS: (21ST)

Thank you, Madam Speaker. I should have been a little more specific. A U.S. citizen from New York are moving into Connecticut. Would he or she qualify for the same benefits that legal immigrants, who worked and paid their taxes, made their obligations, may have come 100 years ago, but can no longer qualify for these benefits that they have paid for through taxes? But would the New Yorker qualify for this?

REP. THOMPSON: (13TH)

Through you, Madam Speaker. Well, they don't have

to be moving in from New York. If there is somebody here who is not an immigrant, but has lived here and has citizenship status, if they apply for this benefit, they would receive it.

REP. GIANNAROS: (21ST)

Thank you, Madam Speaker.

SPEAKER LYONS:

Please proceed, sir.

REP. GIANNAROS: (21ST)

Thank you. The point is that an immigrant from New York, migrating into Connecticut, would qualify, but not somebody who migrated from Peru, Greece, Italy, Germany, South Africa or whatever, even though they may have paid their taxes and moved in, as I said, as long as 100 years ago. Is that correct?

SPEAKER LYONS:

Representative Thompson.

REP. THOMPSON: (13TH)

Through you, Madam Speaker. I don't want to repeat myself, but as I understand it, the program is shut down for people who are described as immigrants in our legislation after June 30th. If a person who is otherwise -- if you're saying if a person in New York has received those benefits, I'm not sure of the answer

to that question.

Through you, Madam Speaker.

SPEAKER LYONS:

Representative Giannaros.

REP. GIANNAROS: (21ST)

Thank you, Madam Speaker. Through you, one more question relating to qualifications.

Let's say that you had an immigrant family living in Hartford, as we do have, perhaps, thousands of them. And effective July 1st, they had never applied for any assistance, but the father and mother die in a car accident, and there are three children who are still immigrants, legal immigrants. Do they qualify for assistance?

Through you, Madam Speaker.

SPEAKER LYONS:

Representative Thompson.

REP. THOMPSON: (13TH)

Through you, Madam Speaker. I believe in that hypothetical question or it could be real, I suppose, but it's hypothetical at this point, the Commissioner of Social Services, as I believe, has authority, under hardship regulations, to protect those children. And I would think that that protection would be extended.

I believe, as Representative Kirkley-Bey said earlier, that in our meeting with leadership and with Secretary Ryan, it was clearly not the intention of anyone, the administration, or the Legislature or anybody with a heart to deny care for children, orphaned children.

Through you, Madam Speaker.

SPEAKER LYONS:

Representative Giannaros.

REP. GIANNAROS: (21ST)

Thank you, Madam Speaker. The point I'm trying to make here is we will be leaving it arbitrarily up to some commissioner to make a decision as to whether those children qualify for assistance in a case, the extreme case that I gave you, three young children left without parents.

Based on this law and the way I understand it, the Commissioner does not have to, necessarily, provide assistance, state assistance.

I don't want to belabor this. Let me just tell you what my problem is.

There are, by the way, nine of us in this Legislature, right in this House, as we speak, there are nine of us who were born elsewhere and that does not

include the people from Puerto Rico.

If all these individuals, nine individuals had not become U.S. citizens, you would be in the same category that we're placing everybody else. That includes myself.

And before I carry on, I'm going to tell you something that I have never said before and haven't talked about. I came here as an immigrant. In fact, there were seven of us in the family that came here as immigrants, five children, ranging from the age of 8 to 14, 15 and two parents that had to borrow money to get here. We didn't even have the money to pay for the transportation and we came by boat, literally, because we could not afford the airplane ride, seven of us.

Since 14, that's the age that I came here, I've been working and working overtime. I haven't stopped.

Since 14, I've made my obligations to the State of Connecticut, to the U.S., paying my taxes, whatever. I worked - whatever income I earned paid my property taxes. So did my family. We worked together. I used to get up at four o'clock in the morning at the age of 14 to go with my father to the Quincy Market where the wholesale distribution of fruits and vegetables and food were, so that we could sell, open the store by eight o'clock in the morning. I had to work at the age of 14

so that my other six members of the family could have enough food on the table.

We paid our taxes. We met our obligations. None of us has ever gotten into trouble. We all have gotten university educations, the five children.

From the wholesale markets, back to the store, set up all the stuff so that my father and mother, who were left behind, could actually sell and make some money for the rest of us. And from there, I would run to get a little breakfast across the street in the cafeteria and go to school which was in walking distance.

After school, guess what? I was back at work at the age of 14. Homework was done, typically, at nine to ten o'clock at night because that's when I was free from the obligations of helping meet the family's needs.

I'm just an example of an immigrant and there are thousands and millions out there with the same or better stories to tell you.

I worked through every single year of my education. I haven't stopped working, as I said. And if you notice, even now I am having two jobs. One because I wanted to give back to the State of Connecticut and the U.S. for the good things that have happened to me and my family as a result of arriving here penniless in debt.

And guess what? We are proud to discriminate at people like me.

And that's all we're doing. We are discriminating at nothing other than pure unadulterated discrimination. The State of Connecticut's Constitution says the following. We're about to violate the State Constitution. It says, in Article 21, which is an amendment, "no person shall be denied the equal protection of the law, nor should be subjected to segregation or discrimination in the exercise or enjoyment of his or her civil or political rights because of religion, race, color, ancestry, national origin..." - national origin, if you notice, that's what we're about to do, "... sex, of physical or mental disability."

The State Constitution requires that we not violate it by passing a bill that actually discriminates against legal immigrants because they are a person in the eye of the law just like any other resident of the U.S.

And here we're not talking about illegal residents, we're talking about legal residents who happened to be born somewhere else.

Moreover, the same discriminatory practice that has been requested by this administration, in their

submittal of the budget in February of this year, and they're still fighting to keep it in there. The same exact legislative action was taken in New York and guess what? The New York Supreme Court, on June 6th of this year, ruled that unconstitutional, both on the State of New York Constitution grounds and U.S. federal Constitution grounds, in fact.

It says the following, that in an unanimous ruling today the State Court of Appeals, which is the Supreme Court of New York, the highest court, found that by doing so, that is, passing a law similar to ours, New York has violated it's own constitutional provision to aid the poor, "care for the needy is not a matter of legislative grace. It is a constitutional mandate."

Further, the court found singling out the poor, singling out poor New Yorkers, on the basis of their immigration status, violated the equal protection clause of the U.S. Constitution. And in fact, the court found Congress had no power to authorize the states to violate the federal Constitution. So even based on this court's decision, the Congress has no right to tell us to violate the Constitution and we're about to do that.

The Court of Appeals says, "You live here legally, you may pay taxes, you contribute like every other New

York citizen or resident, you are entitled to have the same kinds of benefits as any other resident."

I asked, unfortunately I didn't know of this language being in the implementer until Sunday night when somebody called me. So I asked last night, the Attorney General if he could just look into this. Of course, I gave him just literally, only this morning, about an hour and one-half ago and they came up to this statement that was delivered to our Speaker in writing.

The Attorney General states, "These sections", referring to the implementer we're about to vote on, "raise very significant constitutional questions. The United States Supreme Court has sharply limited the State's ability to discriminate...", the word is "discriminate", "...against legal aliens or legal immigrants in the provision of state public assistance benefits that are available to resident citizens." And the reference is Graham vs. Richardson, for the record, 4013 US 365, 91 SCT 8848, 1971 is the year that it was litigated.

We have a case in Connecticut that is referred to in here. The Connecticut Supreme Court has indicated that any state law that discriminates between legal aliens and resident citizens in the provision of welfare

benefits is subject to strict scrutiny in a case of Binacova vs. The Town of Greenwich and that was a 1994 case, reference 643a.21d 2.51, 229 Connecticut.

We are about to violate our Constitution. We are about to violate, in fact, the U.S. Constitution. And I just don't understand how this administration or any other administration wants to discriminate against a particular segment of its citizens. It is unfair, it's unethical, but it's also unconstitutional, which is even more important in the case of democracy that we supposedly believe in. And I've heard comments that I can't even believe.

We understand it's unconstitutional, but that's okay, let's do it and take us to court. What kind of thinking is this? What type of logic is this?

We are going to vote on something that is unconstitutional, we know it, they tell me. But let's solve it in the court system. As though we have no brains.

Economic discrimination, of any kind, whether it's against people of race, color, people who happen to believe differently than what we do, religious differences, sexual preferences or otherwise, discrimination, economic discrimination of this type

does nothing other than hurt society, both in literal material well being and also in terms of psychological benefits that we get from being fair and enjoy fairness with relation to our fellow citizens.

I remember when Representative Tulisano, now the Chief of Staff for our Speaker, he used to send out, annually, some document that made a reference, something along the lines when the Armenians were violated, no one spoke. When the Jews were violated, no one spoke. When so and so was violated, no one spoke. At the end, there was no one left.

The question is, who the heck in the world are we going to pick on next when we run into some financial difficulties?

Is it going to be the Italians? The Greeks? Maybe South Africans? Maybe the Asians? Or maybe we'll find some other special group, even a subgroup within those groups.

How can we do that? What kind of logic is there? I know that you're about to not only do some illegal, and we will fight this in court, because if it passes, we will fight this in court and we'll bring the administration to court on this, but I also can tell you that you're offending us, those of us who happen to have

accents or without even accents, were born somewhere else. You're offending us in addition to doing something illegal, constitutionally speaking and I don't really appreciate that and I hope that we will reverse what we're about to do.

I have asked the Speaker to have another chance for discussion with those that proposed those illegal actions, in my opinion, and see if we can remedy the situation by tomorrow.

So therefore, I will not be attaching my amendment to this particular bill, but it is awaiting action for another day and I promise you that I will take the lead to file a suit with others to correct this problem, one way or the other.

Thank you, Madam Speaker.

SPEAKER LYONS:

Thank you, sir, for your remarks.

Representative Villano.

REP. VILLANO: (91ST)

Thank you, Madam Speaker. I just wanted to briefly comment on Section 22 of the bill, as well as Representative McCluskey did.

I, of course, wholeheartedly approve of the ConnPACE income limits that are increased to $20,000 and

$27,100 for singles and couples respectively and to $25,800 and $34,800 in July 1, 2002 if we get the waiver.

I think that increase was long over due because we had a commitment to the low income elderly to get prescription drug benefits to as many as possible and this, in one step, does it. This increase is, perhaps, the largest single increase in the ConnPACE Program since it was enacted in 1986.

So, I applaud everybody who supported the ConnPACE Program during the year. Remember, we had this year, alone, 56 bills asking for ConnPACE increases all over the land and members on both sides of the aisle submitted those bills and I particularly want to thank the members of the Select Committee on Aging, the Work Study Group headed by Wade Hyslop and, of course, I want to especially thank you, Madam Speaker, for opening up the budget agreement, to get the ConnPACE increase for the first year starting in next April and for that, I am grateful to you and so are the elderly who will benefit from your help.

Thank you very much.

SPEAKER LYONS:

Thank you, sir, for your remarks.

Representative Walker.

REP. WALKER: (93RD)

Thank you, Madam Chairman. Excuse me, this is my first time.

I have a question for Representative Thompson. On the original bill of LCO 9069 that was first placed out there, there was, in Section 12, listed as one of the barriers for a client to be precluded from employment activities as literacy.

I'd like to know why this bill, this H.B. 7503 does not have that in it?

SPEAKER LYONS:

Representative Thompson.

REP. THOMPSON: (13TH)

Through you, Madam Speaker. Literacy is a very important issue. The Department of Social Services' statistics on those people not employed -- it jumps right out on you, that 75 or 80 percent of the people have less than a high school education. Sixty percent of that group have less than a 9th grade education.

But in the negotiations concerning that language, as you indicated, was originally there. It was difficult to define, satisfactorily, to everyone. There was a compromise made and we accepted the compromise of two,

rather than three barriers, to employment and the other side of that was to take that language out.

Through you, Madam Speaker.

SPEAKER LYONS:

Representative Walker.

REP. WALKER: (93RD)

Yes. Through you, Madam Speaker. As it goes further down, it says that you can use one or more severe learning disabilities in that.

Representative Thompson, how are you going to define or determine one or more learning disabilities?

SPEAKER LYONS:

Representative Thompson.

REP. THOMPSON: (13TH)

Through you, Madam Speaker. I hate to take a no answer on this, but I really am not familiar with how learning disabilities are. I assume that it's under the Special Education laws where they are defined and that will be applied by the Department. But there maybe more specific information than that, but I believe that's the correct answer.

Through you, Madam Speaker.

SPEAKER LYONS:

Representative Walker.

REP. WALKER: (93RD)

Thank you. I do believe that there is a way of measuring literacy. I think the National Council of Adult Literacy has a measurable tool that they use in a lot of these instances and I think that one is probably more sufficient in determining literacy levels than by stating one or more severe learning disabilities and not having a measurable tool.

So I guess what I'm trying to say is that I'm concerned about the fact that we have taken out one of the major barriers out of this whole document that determines whether a person is capable of being successful. And I think what we're doing is we're not giving the clients that are under the General Assistance Program an opportunity to succeed without putting literacy back in there.

I think that we need to look at that because if we want the clients that are going to be using these services to actually get an employment and be successful, we need to put literacy back in there as a major barrier.

SPEAKER LYONS:

Thank you, Madam, for your remarks.

Will you remark further on the bill that is before

us?

Representative Newton.

REP. NEWTON: (124TH)

Thank you, Madam Speaker. And I would be remiss if I didn't stand up and let the record show that -- first of all, let me say thank you to the leadership, both sides of the aisle, for working on a most difficult process. And that process is not easy because, like I said before, it's give and take. And you win some and you lose some. And I can remember five years ago when the immigration issue came up. I can't remember that far back if I stood up and spoke on it, but I'm sure I probably did.

I, for one, think that this country is built on immigration. And many of your fore-parents who came to this country for a better life, who came here to seek a better way of living, to have better opportunities for their children, came to America, which is supposed to be one of the greatest countries in this hemisphere.

And I, for one, am saddened today because five years ago we were all under the impression, both sides of the aisle, that the federal government would probably take care, that some sort of lawsuit would be filed on this issue.

I, for one, believe it's unconstitutional. I think it's a sad day when we can carve out legislation that singles any groups of individuals in this State. That's wrong.

Representative Giannaros was right. We send the wrong message.

Now, I know that we take care of those individuals who are already on there. But what about that individual who falls on hard times? Is it not our responsibility to do something to help them? There too, but by the grace of God, go us.

Now, I have to support this bill because I know all the work that went into it. I've never, in the fourteen years I've been here, ever voted on a budget that I liked. It has some good parts and some bad parts. But I think this sends the wrong message because today it's immigrants and we all could fall in that category. We all could fall in this category of immigration because America, if we do our history, was about immigration, people coming from other countries to this country to find a better life.

And so today we single them out and we say well, if you try to get on after the sunset day, we're not taking no more. You're out of luck. You have to fend for

yourself. And that's wrong.

I very seldom do this, but I am going to ask the Black and Puerto Rican Caucus to get involved in this issue. That's how serious I feel about it because it's wrong.

And if we can find $90 million for open space, don't tell me we can't find $1 million somewhere or $3.4 million to help those people that really need the help. That looks real good. Legislature finds $90 million to create open space. That's great. But if you're an immigrant, and you try to get on the band wagon after the sunset date, guess what? You're out of luck.

Well, I think that sends the wrong message and I recognize, Madam Speaker, like I said before, I recognize that these were some tough negotiations. And you ought to be commended for whatever it was that you were able to get into this DSS budget.

But I just find it so amazing in this General Assembly that when it comes to the least of us, the poorest of the poor, we can find the will to do what it is we do. I hope that within the next few days, I hope the Governor and the leaders would reconsider this piece of legislation.

Now, we can find the will to do whatever we want to

do in here. This sends the wrong message. So we've still got some time and I'm going to make it a point to speak to the Governor personally because I think it's the wrong message. We ought not send this kind of message because you know what? Today is immigrants, but tomorrow, like Representative Giannaros said, it could be us.

This General Assembly can come up with some kind of something and say we're not going to cover certain things.

And so, Madam Speaker, I would hope that as this negotiation goes forward, that the leaders and the Governor, both sides of the aisle, would reconsider because when I think of immigrants, I think about those people coming to New York for a better way of life and that's what I think about it. I think about the history books that I read when I was in school about immigration and this was supposed to be a place where people came for a better life. But guess what? We all fall on hard times. And they ought not be treated like that because guess what? They pay taxes. We're talking about legal immigrants, am I right? We're not talking about illegal folk who came over here, snuck into this country. We're talking about people that have citizenship. Legal

residents. And we ought not treat them like this.

So, Madam Speaker, I would just hope that as these next few days progress, that you articulate this to the Governor and OPM and other folk on both sides of the aisle that we ought not and yes, we did it five years ago. But it was wrong then and we sunsetted it.

It's still wrong today. So, I would just hope that you all will listen because Representative Giannaros had a great deal of members on this amendment and had he called this amendment, it probably would have passed, but because of his respect for the Speaker and her hard work on both sides of the aisle, he felt we can pick another day to fight.

And so I would just hope that we take this serious because we're talking about people's lives here.

Thank you, Madam Speaker.

SPEAKER LYONS:

Thank you, sir, for your remarks.

Representative Martinez.

REP. MARTINEZ: (128TH)

Thank you, Madam Speaker. I would like to say thank you and all those that worked on this package, a package that I know I have to tell Bridgeport what happened and that I know that I'm going to bring back some of the

promises that I made to people of Bridgeport when they elected me to this office.

But I'm very unhappy with Section 17, the immigrants law. I would like -- I heard Representative Kirkley-Bey praise Secretary of Office of Policy and Management, Marc Ryan about good he is with children and how much he cares about children and people. And I'm going to beg him to go back to the Governor because we still have time to fix this. To go back to the Governor and let him know that this is something that should not go through, that this are people like any other people here in Connecticut, that these people work, they pay taxes like everybody else. These are legal people. These are people that many times do the jobs that many of us do not want to do here in Connecticut, wash dishes, going to the farms to pick up tomatoes for us and other vegetables and these people need respect and these people need for us, the ones that are here, that have a little more power than them to help and recognize that they are human beings, that they need the help and that for no reason in this world, we should let them stay behind.

These are our children too because whether we like it or not, they're here with us and probably they're

going to stay here with us and some day, they're going to be citizens of the United States and they're going to be able to vote.

Right now they don't vote and maybe that's one of the reasons we're going to pick on them because they don't have a vote for us. But believe me, they will vote and they have families and they have friends that vote too and they will have this into account and if we really believe that we are here to represent everybody and I know that many of the State Legislators that are here, represent many of these people, that we should work together to talk to the Governor and to talk to Marc and I'm so happy that he's here with us because I hope that you could go back tomorrow or today and to restore these rights that these people deserve like anybody else.

And I don't want to say anything else because I know we want to go home, but I do appreciate that we could do something about this.

I appreciate that we are truthful, that we are honest, and that we do what we have to do and that we treat everybody equal.

Thank you.

SPEAKER LYONS:

Thank you, Madam, for your remarks.

Representative Flaherty.

REP. FLAHERTY: (68TH)

Thank you, Madam Speaker. Madam Speaker, when I have a chance to, I describe to my constituents the House of Representatives as the echo chamber of the State of Connecticut like no other place in the State and like no other chamber in this building or room in this building.

And I have had the opportunity, I know we've all had the opportunity to listen to the echoes of some of the concerns of our constituents. Everything heartfelt, as other remarks I'm going to deliver now and everything genuinely and eloquently expressing the feelings that people bring to this bill.

Madam Speaker, I think we all know it's been said that at some point, our budget process created along the way and some folks had to get together and pick up the pieces. And I had the opportunity to be one of the people to try and pick up the pieces in this bill and one other of the implementers that we're dealing with this week, along with many other members of this Chamber.

And I think it's about time, certainly, since he

put me in this job and since no one has thanked him yet, I would certainly like to thank the Minority Leader for sending me into that room. But in all honesty, to thank the men and women who I really don't serve with that much on committees, certainly on the Appropriations Committee.

But I had the chance to sit with Representative Gerratana, Representative Kirkley-Bey, and Representative Jack Thompson, Representatives Farr and Cleary, Senator Cook, and a lot of other people whose shoes I haven't walked in, but from whom I learned a great deal and from whom I continue to learn a great deal.

And I would say, Madam Speaker, that the bill before us implements a budget that 133 people in this Chamber voted for. And in thirteen years of being here, Madam Speaker, I've certainly learned that the budget process is about setting limits and priorities.

There are differences from caucus to caucus, from individual to individual, but what we have been able to do and have done yet again, notwithstanding the time limit involved, have somehow come together in this Chamber unanimously around the framework of a budget, one that I think, if we had the chance to do

individually, we would all change in one way, shape or form. But one that somehow, defying all the odds, we all cast a vote for on behalf of our constituents that said to the best of our ability meets the needs of the people of this State.

We weren't able to provide all of the benefits that we would have liked to have done for seniors, for those who would like to take advantage of the ConnPACE Program, for recipients of General Assistance and TANF and TFA.

We have not been able to provide all of the money that perhaps we would have wanted to in education in the bill we passed earlier today. But somehow, within the four corners of the budget, we did the best we could and at some point, we had to draw a line.

That line, I would suggest, is dictated by the amount of money that's coming in by the ability of our constituents to pay for the priorities we shape on their behalf.

And I would suggest, as strongly as I can, that no one in this Chamber has a monopoly on caring for the individuals that we try to help in this bill. No one has a monopoly on caring about the rights of people who have immigrated to this country because whether you came on

the Mayflower or on a greyhound bus or on a tramp steamer, say that fast three times, we're all on step away or two steps from coming to this country from somewhere else and I'm glad that the gentleman from Farmington mentioned the Armenians because as one of two members of this Legislature of Armenian descent, I can spend a whole night telling stories about a great grandmother whose family was killed and came to this country to escape a slaughter.

And whether you came to this country -- and another great grandmother who had 13 children, who took those that survived out of the famine from Ireland and everyone in this building can tell us can tell a similar story because we've heard it or we've either experienced it ourselves or it's become part of the fabric of our lives.

Not in the history books, it's part of who we are. And I have to say that I don't view this bill as being discriminatory. Unfair, perhaps. Unethical, I don't think so. Unconstitutional, I also don't think so. Specifically on the issue of qualified aliens.

I heard a couple of examples offered of someone whose been in this country for 40 years, coming to Connecticut from another state. Well, if you've been in

the country for 40 years, or at least before August 22nd of 1996, your benefits are still in place and will be. That's not changed. And by the way, that was a federal law change, and others have referenced it here. There was a federal law change in 1996.

And let me tell you, the federal government, as we all know, does things to state governments that a lot of us probably don't agree with.

And here was a case where the federal government made a change. Not for all people who immigrated to this country, because many of them, including qualified aliens, went to work. And unless I am wrong, I believe some of those people, if you're an alien, qualified alien and you went to work, you got social security benefits and there maybe some other benefits that you are entitled to and that you have earned.

But in the State of Connecticut, we decided, Representative Newton said and he and I were both here at the time, that we were going to put a special program in place. We were going to fill that gap for as long as we could.

And so we said we'd fill it and provide certain programs up until -- well, I think Sunday, July 1, 2001. And we have seen a proposal from the Governor and I

appreciate the reference to the Governor, but at this point, it's not his to decide. We have already voted for a budget. We already have the dollars in place. We are now bound, at least I view everyone who voted for it, as bound within the parameters of that budget.

And I can say on behalf of the people in this caucus or any caucus, the Irish Caucus, the Black Caucus that was mentioned before, the Democratic Caucus, the Republican Caucus, we can all work together and we stand ready to work within the time we have left to find within what we adopted maybe a little bit of money that we can move. And so we can still make some changes.

We are continuing, for an extra year in this bill, food stamp benefits. Maybe that gives us a little more time to solve that part of the problem. But ladies and gentlemen, we are not providing ConnPACE benefits to every senior. We are not providing the same level of education aid to every city or every town or every student, but we do our best.

We are not providing the same level of care to every single person in a nursing home or anyone else affected by the budget or by this bill that's before us right now, but we are trying, within the shared priorities and within the shared limits.

There may be plenty of things that people can take offense at in this legislation. But Madam Speaker, we're doing the best we can. No one in this Chamber is voting, whether for or against any of these bills that have to do with this budget or this budget with a cavalier attitude that I seemed to have sensed portrayed, at least by one member of this Chamber.

We're all doing the best we can. That's what this bill does.

And, Madam Speaker, I know that we've got some time left with which to may perhaps solve this problem. We certainly can do that, but no one in this Chamber is taking lightly and no one in this Chamber and I think I can speak for everyone, ever takes lightly or yes, as I said, in a cavalier manner, I was speaking on behalf of at least this member, who felt that at least my attitude was being questioned or my compassion was being questioned as to how one may vote or not vote on this bill.

No one's doing that. There's no monopoly. There's no monopoly on fiscal prudence. There's no monopoly in caring. We've come together around the budget. We've come together on bigger problems before and I'm convinced we can still do that.

But I think there were a few impressions left out there that I, at least, wanted to correct for myself.

And I stand in support of this bill wishing there some things in it that were changed. But knowing that it was the best effort, that all 151 people in this room have put together so far, and knowing that there maybe some other changes by the time we finish within the framework of that budget, that the 151 members can still change and maybe can still make a little bit better.

And so I stand here as an individual and as a member of caucus that takes no back seat as none of us would to try and make this whole thing work. That's why I ran for office. That's why I serve on the Appropriations Committee and that's why I think it's all worth doing and fighting for and I thank the members of this Chamber for everything that you have brought to the table and that you've taught me.

And I thank you, Madam Speaker and I would urge support of this bill.

SPEAKER LYONS:

Thank you, sir.

Representative Horton.

REP. HORTON: (2ND)

Thank you, Madam Speaker. Madam Speaker, I too

would like to add my comments of thanks and congratulations to you in your efforts for all that you did to improve the situation of ConnPACE in this bill.

Madam Speaker, I would like to first make a comment and then ask a few questions to Representative Thompson.

At the top of my comments, I'd like to take extreme exception, Madam Speaker, to comments of the previous speaker indicating that we provide education benefits to children that may not be sufficient for each and every child and that perhaps doing the best we can is not enough.

I think I speak with a fair amount of substance when I speak that I have been a part of one major lawsuit that has to do specifically with the educational funding issue and if this Chamber or the other Chamber or the Chief Executive of the State doesn't do enough to fund education equally in the State of Connecticut under the State Constitution, we have brought that lawsuit and we will bring it again.

The second lawsuit was brought as a lawsuit that was brought under the racial inequalities that we have in the State of Connecticut. So to the comment that we are doing the best we can, Madam Speaker, sometimes that's not enough and we need to adhere to our oath

which is to the State Constitution and to our office.

And in that respect, Madam Speaker, I would like to direct some comments to Representative Thompson in respect to Sections 17 and 18 of this bill on some issues that I still have with this section. I know they've been greatly discussed tonight, but I have great concerns. So if I may direct some comments to Representative Thompson, Madam.

SPEAKER LYONS:

Please frame your question, sir.

REP. HORTON: (2ND)

Representative Thompson and I'll preface my comments by saying I know this is awkward because I know that you have some feelings about this bill, as well and we've -- you and I have interacted on previous bills that I've disagreed with and you've had the unfortunate position of have to defend.

But in this section, Section 17, is it fair to say that the State's interest in Section 17 is to save money?

SPEAKER LYONS:

Representative Thompson.

REP. THOMPSON: (13TH)

Through you, Madam Speaker. It's fair to say that a

budget deal was struck, that this was one of those items that did save some money. So it's fair to say that it does save some money.

Through you, Madam Speaker.

SPEAKER LYONS:

Representative Horton.

REP. HORTON: (2ND)

Thank you, Madam Speaker. Through you, Madam Speaker to Representative Thompson. How much are we saving with this line item in Section 17?

SPEAKER LYONS:

Representative Thompson.

REP. THOMPSON: (13TH)

Let's see. Through you, Madam Speaker. I think I have that information. Hang on just a minute. It's $1.13 million in fiscal year 02 and $1.66 million in fiscal year 03.

Through you, Madam Speaker.

SPEAKER LYONS:

Representative Horton.

REP. HORTON: (2ND)

Thank you, Madam Speaker. Thank you, Representative Thompson. Could you tell the Chamber how many people are going to be affected by the change in

Section 17?

SPEAKER LYONS:

Representative Thompson.

REP. THOMPSON: (13TH)

Through you, Madam Speaker. I do not have that information as to exactly how many people will be affected.

SPEAKER LYONS:

Representative Horton.

REP. HORTON: (2ND)

Thank you, Madam Speaker. Who would have that information?

SPEAKER LYONS:

Representative Thompson.

REP. THOMPSON: (13TH)

Through you, Madam Speaker. I would think the Office of Policy and Management or the Office of Fiscal Analysis would have a number that would answer your question.

Through you, Madam Speaker.

SPEAKER LYONS:

Thank you, sir.

Representative Horton.

REP. HORTON: (2ND)

And I apologize because the issue came fairly late. Has that request been made of this Chamber or of the administration or been provided from the administration?

SPEAKER LYONS:

Representative Thompson.

REP. THOMPSON: (13TH)

Through you, Madam Speaker. I believe in the information presented to us, there had been numbers, but I don't recall them exactly.

Through you, Madam Speaker.

SPEAKER LYONS:

Representative Horton.

REP. THOMPSON: (13TH)

And it's not included in any of the analysis information.

Through you, Madam Speaker.

SPEAKER LYONS:

Representative Horton.

REP. HORTON: (2ND)

Thank you, Madam Speaker. Thank you, Representative Thompson. I didn't mean to put you on the spot with specifically the number.

Is it fair -- moving onto Section 18, is it fair to say, Representative Thompson, through you, Madam

Speaker, that the State's intent, with regard to Section 18, is to save money?

SPEAKER LYONS:

Representative Thompson.

REP. THOMPSON: (13TH)

Through you, Madam Speaker. I believe the net effect of the bill and these changes has that result of saving some money.

Through you, Madam Speaker.

SPEAKER LYONS:

Representative Horton.

REP. HORTON: (2ND)

Thank you, Madam Speaker. Representative Thompson, through you, Madam Speaker. How much money are we saving with this line item in Section 18?

REP. THOMPSON: (13TH)

Through you, Madam Speaker. I believe the numbers I gave you effected all three sections, 17, 18, and 19.

SPEAKER LYONS:

Representative Horton.

REP. HORTON: (2ND)

Thank you, Madam Speaker. Through you to Representative Thompson, how many people will be effected by the changes in Section 18?

SPEAKER LYONS:

Representative Thompson.

REP. THOMPSON: (13TH)

I'll have to repeat my same answer, Madam Speaker. That I do not have a figure as to exactly how many people would be effected.

SPEAKER LYONS:

Representative Horton.

REP. HORTON: (2ND)

Thank you, Madam Speaker. Madam Speaker, I'm curious to know if the subcommittee Chairman is aware or familiar with the Governor's declaration of food security for the State of Connecticut by the year 2010.

SPEAKER LYONS:

Representative Thompson.

REP. THOMPSON: (13TH)

Through you, Madam Speaker. I'm aware of that and I believe you had something to do with that.

Through you, Madam Speaker.

SPEAKER LYONS:

Representative Horton.

REP. HORTON: (2ND)

Thank you, Madam Speaker. In fact, while I would love to take credit for something that the Governor has

done in a progressive manner, I must say that I had nothing to do with the Governor's declaration of food security.

For the benefit of the Chamber, for those of you who don't know, the Governor made a declaration a year or so ago to the Secretary of Agriculture in Washington to make the State of Connecticut food secure by the year 2010.

Now, when I define the term "food secure", we are talking about the provision of healthful, nutritious and reasonably priced food to every man, woman, and child in the State of Connecticut, a fairly simple proposition to people in the wealthiest state in the wealthiest country in the world, a state of small boundaries, a state of some transportation barriers, but a state with a fairly thorough transportation system.

Yet, nevertheless, Madam Speaker, in this State, the wealthiest state, the wealthiest country in the world, we have and I'm going from memory here, I don't have the facts and figures right in front of me, somewhere in the neighborhood of 10%, 10% of our population in the State of Connecticut being food insecure. That's right. People right here in the State of Connecticut are food insecure. That means they do not

receive healthful, nutritious, reasonably priced fresh food on a regular basis.

Now, that may mean they miss a meal here or there or they don't get all three squares a day, but can you believe there are over 300,000 people in the State of Connecticut tonight, tonight who are food insecure and are going to bed hungry?

I can assure that you a number of those people who are going hungry tonight are in my district and in your district and my guess is that some of them are legal immigrants or legal aliens.

And I'll bet you that they use state programs to access healthful and nutritious, reasonably priced food.

Madam Speaker, if I may, through you, ask another question to Representative Thompson.

SPEAKER LYONS:

Please frame your question.

REP. HORTON: (2ND)

Thank you, Madam Speaker. Just a clarification, Representative Thompson. Line 485 indicates the Commissioner shall accept no new applications for assistance under this section after June 30th in the year 2002.

Is this a sunset that allows people that who are

currently on the program to continue on the program through and past June 30, 2002?

REP. THOMPSON: (13TH)

Through you, Madam Speaker.

SPEAKER LYONS:

Please proceed.

REP. THOMPSON: (13TH)

Yes, that's a new sunset and it permits people to continue to receive or remain eligible for food stamps.

Through you, Madam Speaker.

REP. HORTON: (2ND)

Through you, Madam Speaker to Representative Thompson. My understanding then, is if I come to you on July 1, 2002, I'm a legal immigrant and I've committed no cause of action that would, other than this law, that would allow me to lose my food stamp benefits, I would lose food stamp benefits if I'm a new applicant?

Is that correct?

SPEAKER LYONS:

Representative Thompson.

REP. THOMPSON: (13TH)

Through you, Madam Speaker. That is correct.

REP. HORTON: (2ND)

Madam Speaker, through you, if I can frame another

question to Representative Thompson.

SPEAKER LYONS:

Please frame your question, sir.

REP. HORTON: (2ND)

Thank you, Madam Speaker. The next line after is on 486. Individuals who enter the United States after April 1, 1998, must have resided in the State for six months prior to becoming eligible for the State program.

Am I to understand, through you, Madam Speaker to Representative Thompson, that really does this program terminate on December 31, 2001 or am I somehow confusing my Julian calendar math here?

Meaning, I have to have -- so if I apply on June 30th and if I'm -- do you understand what I'm trying to say, Representative Thompson?

REP. THOMPSON: (13TH)

Yes, I do. I understand.

REP. HORTON: (2ND)

That the effective date, Representative Thompson, through you, Madam Speaker, may actually -- the second phrase after the new phrase may actually pull that deadline of June 30th up six months?

REP. THOMPSON: (13TH)

That's correct. The intent of the legislation was

to really grandfather people who are presently receiving those benefits, but it does allow people to apply up to that date. That's a federal program and that's the federal law, as it exists right now.

Through you, Madam Speaker.

REP. HORTON: (2ND)

Madam Speaker, through you, I have another question for Representative Thompson.

SPEAKER LYONS:

Please proceed, sir.

REP. HORTON: (2ND)

Thank you, Madam Speaker. Representative Thompson, what resources will be available for people who would otherwise have applied for food stamps after this date that would allow them to be so-called "food secure" after July 1, 2002?

REP. THOMPSON: (13TH)

Through you, Madam Speaker. In my community, we do have a food bank and I believe there is that emergency food shelters throughout the community. There would be charitable organizations who would provide food and so on.

And I believe most of those programs are used now. Children, I believe, remain eligible for the school

breakfast, school lunch program and so on.

Through you, Madam Speaker.

SPEAKER LYONS:

Representative Horton.

REP. HORTON: (2ND)

Thank you, Madam Chair. So, through you, Madam Chair to Representative Thompson. Is it fair to say then that the State will no longer be providing new access of -- will no longer be securing food access, adequate food access to those new applicants or what would have been new applicants to this program after June 30, 2002?

SPEAKER LYONS:

Representative Thompson.

REP. THOMPSON: (13TH)

Through you, Madam Speaker. Yes, that's accurate. Unless the law is changed between now and then.

Through you, Madam Speaker.

SPEAKER LYONS:

Representative Horton.

REP. HORTON: (2ND)

Thank you, Madam Speaker. I will just pose a hypothetical question then, if I may, to the Chamber and perhaps not directed at Representative Thompson. I guess the conclusion that I can draw from the answers

and I appreciate those, Representative Thompson, is that a declaration of food security then by this State, by the Chief Executive of this State by the year 2010, I would postulate maybe unattainable because we will be denying food access to people who would otherwise qualify for food stamps and other such programs after June 30, 2002.

I would like to just make some more comments, Madam Speaker, in regards to the constitutionality of the issue before us.

And I know, like many of my colleagues, I hope all of my colleagues, I took an oath when I was sworn in and it was an oath that I solemnly swore to affirm that I will support the Constitution of the United States, the Constitution of the State of Connecticut so long as I continue to be a citizen thereof and I will faithfully discharge, according to law, the duties in the office to the best of my abilities.

Well, Madam Speaker, we have a Constitution that Representative Giannaros has already referred to, Article 1st, Section 20. And that is the equal protection clause in the State's Constitution.

This issue has been litigated, this issue has largely already been litigated right here in the State

of Connecticut. And as Representative Giannaros has alluded, there's a case called -- and I'll probably get the name here a little bit wrong -- Beranacova vs. Greenwich and it was a case in the year 1994 and its citation is 229 Conn. 664. It was a unanimous decision of the Connecticut Supreme Court. Justice Peters, Justice Borden, Norcott, Katz, and Palmer.

And I will just give you a brief synopsis of this issue, of the court's decision and pardon me, Madam Speaker, it's a rather lengthy decision. I will not read it all tonight.

But the plaintiff, who, with her husband and her children, had been admitted to the United States as resident aliens and they had applied to the defendant town, which is Greenwich, for general assistance benefits for her and her two minor children.

The town denied the application in reliance of a state statute and that state statute was 17-273d in the implementing regulation.

A brief history on this state statute was that it was a statute that was passed in 1991 in reference to the budget back in 1991 and we all know what happened then. With the income tax, we were looking to balance the budget and find extra income or save resources.

Needless to say, there was an appeal. The plaintiff appealed to the Trial Court claiming that this legislation violated the equal protection clause of the 14th Amendment to the United States Constitution.

The Trial Court here in Connecticut, applying a strict scrutiny standard of review, concluded that the statute and the regulation determined eligibility for the general assistance benefits using classifications based on alienage, in violation of the equal protection clause.

And in light of the decision of the United States Supreme Court, Graham vs. Richardson, 403 US 365, state and local welfare laws may classify on the basis of alienage to determine eligibility for economic benefits only if such classifications are necessary to promote a compelling government interest. A compelling government interest is what is strict scrutiny demands for this type of discrimination.

It ruled that 17-273d and its implementing regulation, by their specific terms, are directed only at aliens to constitute a presumptively invidious classification based on alienage and such are subject to strict scrutiny under the equal protection clause.

Contrary to the Commissioner's claim of the

Department of Social Services where the claim was appealed and that claim was denied, neither Congress nor the United States Supreme Court has created an exemption for state law that parallel federal laws to the general rule of alienage based on state welfare laws are subject to strict scrutiny under the equal protection clause.

Madam Speaker, this is an issue that has already been litigation in the State of Connecticut and we have put it into this bill and we are now being asked to vote on something that we know is unconstitutional. That is a violation, as I can tell, of our oath to the citizens and the residents of the State of Connecticut.

Madam Speaker, this is public service 101, to help those who cannot help themselves. It's not a partisan issue. It's not a democratic issue, it's not a republican issue. I was elected by people to serve them and to take an oath to serve those people who can't help themselves. This class of citizens in the State of Connecticut can't even vote. It is taxation without representation.

We can talk about the politics of this budget. Indeed, it is laddened with pork, with fat, and full of corporate welfare and also welfare for rich people.

And I, for one, voted on this budget. I admit it.

And I've supported plenty of welfare initiatives for corporations and for wealthy people and I believe that there ought to be some accountability for those corporations, for those wealthy people and also for people, ordinary citizens who receive welfare. But this is going too far, Madam Speaker. This is unconstitutional. It has already been litigated. And I must vote against this bill and I thank you for the Chamber's time.

SPEAKER LYONS:

Thank you, sir.

Will you remark further on the bill that is before us?

Representative Reinoso.

REP. REINOSO: (130TH)

Thank you, Madam Speaker. I'm going to be very brief, but I would like to tell you, as an immigrant and know the circumstances of many immigrants in our state.

The process in order to become a legal resident in our State is long, very extensive, very rigorous to the point that many individuals, as soon as they become permanent residents, they enjoy it, they cry sometimes of happiness because the accomplishment and the free moment they were looking for to become legal residents

in our great State.

Many of them, they come to work, to produce, to help. I have trouble with this bill, especially Sections 17 and 18 because either it might be a farm worker or it could be a dishwasher or it could be a scientist or a businessman, but happens to be a legal resident, troubles me why we won't support and provide the services that they need.

In my community, 88% of the student population happens to be minority. And a great number of those are families and children from different countries. We have, in our city, the largest city in our State, we have 54 different ethnic groups living and contributing to the city and the State.

I have to speak up on behalf of the children and families and I'm hoping that my colleagues on both sides of the aisle, along with the ranking leadership and the Governor, will please restore and provide the services that we need.

I cannot accept this, neglecting the possibilities, especially violating the Constitution and also the civil rights.

Thank you, Madam Speaker.

SPEAKER LYONS:

Thank you, sir, for your remarks.

Representative Metz.

REP. METZ: (101ST)

Thank you, Madam Speaker. Madam Speaker, I am standing along with Representative Giannaros, Representative Reinoso, Representative Martinez, Representative Horton and Representative Newton in support of continuing welfare benefits, TANF benefits and food stamps for legal aliens in this State, both now and under new applications.

And if the Black and Hispanic Caucus heeds the call of Representative Newton to back this issue, then they can count me in.

I had the duty of sitting on the Welfare Reform panel four years ago, Representative Newton said in five years, it was actually four years ago, when we were debating welfare reform in Connecticut and how we would respond to the federal law that had been passed in 1996 and this subject came up at that time. The administration suggested that we follow the federal law and eliminate these benefits for legal aliens, even though we had been providing them in the past.

And after a great deal of discussion, to my delight, the panel decided that it would be appropriate

for us to continue those benefits, not because of any constitutional issues and frankly, I don't know whether this is constitutional or not and I don't care because it was the moral and right and decent thing to do and I supported it then and I support it now.

What's different about this year -- frankly, I don't know if it came up two years ago or not, but obviously, we continued to provide those benefits and I might add, that we provide those benefits solely a state expense. We get no reimbursement and we get no matching funds from the federal government for this. It's something we decided to do, at our own expense, and solely at our expense, because we believed it was the right thing to do.

This year, the administration, once again, Representative Horton characterized it as saving money. I think it might be better characterized as balancing the budget and trying to address priorities, but the administration has again suggested that we eliminate these benefits.

What's different this year is that the Appropriations Committee accepted that recommendation. This is no longer the Governor's budget before us. We are now dealing with the Appropriations Committee budget

or were up until Monday, and the budget we were presented to vote on Monday included this provision, that we would no longer provide these benefits.

The fact is, this implementer that we're considering today, doesn't make that policy. We voted for that policy on Monday when we voted for the budget. Each and every one of us who was here in this room voted for it. So that if you weren't absent that day, you voted for that policy on that day.

Now, it's unfortunate that it wasn't noticed then and it probably would have been a more appropriate debate at that time, but today it was noticed, so it appropriately is brought forward today.

I think that ultimately I'm expecting that Representative Giannaros will offer his amendment and I would be pleased to support it. But I would be pleased to support it if, in fact, it's an honest amendment.

And it won't be an honest amendment if it doesn't address the issue of how we pay for these benefits. If someone just decides that it doesn't matter that we have an agreement on the budget, it doesn't matter that after four weeks of debate and negotiation, at which, to my knowledge, this subject never came up, but if after all that time of discussing line by line this budget, it

never came up and now it is coming up, then it's incumbent upon us to determine where this fits within our priorities. And if it fairs a high enough priority in our minds and we want to replace this benefit in the budget, then it's up to us to find a place to put it.

I would emphasize, it's not up to us to go back to the Governor. It's not up to us to go back to Marc Ryan and convince them to do it. It's up to us to do it. And we can do it by finding the money within the general fund. I will support that. If an amendment is offered on any of the implementers to follow, this implementer that says we should continue this benefit and we should pay for it with money within the general fund and here's where we can find that money, I'll be pleased to support it.

If someone comes up with an amendment that says well, we should support this because it's a good and decent policy and we can find the money in the Tobacco Fund or we can find the money in some other fund, some place else that will either exceed revenues or maybe we could find it at a surplus so that it would be a one-time funding when we know this is something we want to continue, I'm going to vote against it because that's not an honest approach to this issue.

So I'm only speaking now to say, Madam Speaker, that when that amendment is presented to us, I hope that the proponents of the amendment, and I'd be pleased so sign it myself, but I hope those proponents will look within the budget and find a fair and appropriate place to take the funding for it, to re-align our priorities and make this a higher priority than it has been accorded by the administration, by the Appropriations Committee or by this Chamber up until now.

Thank you, Madam Speaker.

SPEAKER LYONS:

Thank you, sir.

Will you remark further on the bill that is before us?

Representative Lawlor.

REP. LAWLOR: (99TH)

Thank you, Madam Speaker. A very brief point. Section 41 of the bill apparently establishes a transportation program called the Eastern Connecticut Transportation Access Project.

I've asked a couple of questions to some of the people involved in the drafting of this and I just wanted to state for the record, that as I've been assured that is, in no way, overrides Section 31-57e of

the Connecticut General Statutes, which prohibits the State from providing any funds or services, which directly or indirectly assist any Tribe engaged in a commercial enterprise until the Tribe adopts an employment rights code established pursuant to the statute.

I've been assured that this does not, in any way, override the existing law in that respect. And with that in mind, Madam Speaker, I have no problem with that particular section.

Thank you.

SPEAKER LYONS:

Thank you, sir, for your comments.

Representative Jarjura.

REP. JARJURA: (74TH)

Thank you, Madam Speaker. Madam Speaker, ladies and gentlemen of the Chamber, I had not intended to speak, but and I know it's the lateness of the hour, so I will be brief.

But I think that this is a healthy discussion, a healthy discussion for all of us and I think it's a healthy discussion for our friends across the State of Connecticut who may view our work through the powers of television.

And Madam Speaker, I too would like to join the chorus of individuals in thanking you for your leadership and really all the individuals who have had to struggle, I know, night and day, two, three, four o'clock in the morning, trying to act like Solomon, if you will, and make these very tough decisions that all of us are being asked tonight to vote on.

And that's the difficulty in this matter because, Madam Speaker, of course, you're right and Representative Flaherty is also absolutely correct and my good friend, Representative Giannaros, Demetrios Giannaros is also correct.

And that's what makes this extremely tough. And I was just commenting to Representative Beamon about I had the opportunity to travel to Ellis Island with my father and he was here. Many of you met him in the Chamber. And as Representative Giannaros was speaking, I couldn't help by think about he was speaking about how his family, when he came over, would travel to the market up in Boston, bring the produce back to the store and sell it. Somehow Representative Giannaros, we are still going to the market, bringing the produce back and still selling it, maybe on a different scale today, but my father, as many of you know, is an immigrant, but he's

also a citizen and my mother and father raised seven children, seven boys, I being the youngest of the seven. So I was given a little bit more opportunity than most to go onto college and law school and this is absolutely been a pleasure to serve here in the General Assembly to try to give something back to the people of Waterbury.

But in Ellis Island there is a placque and I can't remember - I can only paraphrase it, but it says, "Bring me your tired, bring me your hungry, bring me your down trodden."

And that's the greatness of this country. And ladies and gentlemen, I see there's been different waves and right now in our area, I don't know about your areas, in Waterbury we are having a tremendous influx of Albanians and people from Kosovo and you know, initially they're having a lot of trouble and all of us in the community are trying to help them, but you know, they are, as has been represented by other speakers, they are becoming very productive members of our community, opening up businesses, getting jobs, and really the future of our economy, I believe, is based and will continue to be dependent upon a steady influx of immigrants to this country. That's what made us a great country. That's what will keep us a great country

because the opportunities will always be there for us to -- and as one group comes over, the next group does better and that group always seems to elevate more and more and more and that's what makes us a great country and will continue to keep us a great country.

So, I did want to get up and say how proud of my lineage and I know all of us are proud of their own lineage too, but especially as Representative Giannaros was speaking and I was just thinking back of how proud I am of my own father, who couldn't speak English and came to this country.

But you know, knock on wood, we never had to depend on social programs and government programs. Somehow within our community and I'm, unlike the Greeks or the Italians or Irish, were of Lebanese descent. We sort of took care of our own and helped one another and many communities do that today.

But how proud -- I was just thinking of him and I wanted to share that with the Chamber members on a very difficult issue.

We know we have agreed in the budget document and we know what we have to do and make these very tough decisions, which we will all do today, but I think we should also realize that we need to, as the new

immigrants, whether they be Asians, people from Albania, Mexicans, or whoever, we need to welcome them because they will form the basis of our new economy and keep the economy we have going.

Thank you, Madam Speaker. I thank the members of the Chamber for their indulgence and the time that they have given me tonight.

Thank you very much.

SPEAKER LYONS:

Thank you, sir.

Will you remark further?

Representative Beals.

REP. BEALS: (88TH)

Thank you, Madam Speaker. I had raised the question earlier as to whether children covered under the HUSKY plan would be included in this sunset that occurs this weekend and I believe I have found the answer in this brief that came from the Children's Health Council and the answer is yes, it would include those children.

And since this is a budget implementation bill, I just wanted to point out to the Chamber that I think what will happen as a result of this, is that there will be an increase in the number of uninsured residents of

this State, both children and adults, which I believe will result in an increase in the use of emergency rooms.

It has been pointed out that emergency rooms is one thing for which these people would not be excluded. That will be the only place they can go for health care and we all know how expensive that will be.

Earlier this evening, we passed a bill that was an attempt to make sure that our hospitals had enough money to deal with the uninsured and uninsured people. I think we maybe having to revisit that if this bill goes forward as it is, to make sure that there is, indeed, enough money for this increase.

Thank you, Madam Speaker.

SPEAKER LYONS:

Thank you, Madam, for your remarks.

Representative Prelli.

REP. PRELLI: (63RD)

Thank you, Madam Speaker. As so many of these implementer bills, we look at this and say, there's sections we support, there are sections we don't agree with, and there are sections that we're fairly neutral on.

And in so many ways, maybe this one is the greatest

of all of these where we have to weigh, where we have to say those sections I don't agree with and those sections I agree with, how do they weigh in total? And I think that's how we all have to look at that.

I looked at this bill and said, do you know what? I don't like the section on ConnPACE. Why? Because we should have been doing more. We could have done more in March. We had that opportunity, let we that go by. I would have preferred we did more on ConnPACE and funding it for this full year.

I don't happen to agree with the expansion of the dental hygienist scope of practice. I've argued against that on the floor here many times, yet I see it in this bill. Does that mean I don't vote for this bill?

I don't happen to agree with the section that increases the time line and extends the benefits for the welfare recipients. I don't happen to agree. I don't happen to think we have to give them two more shots. But that's part of the compromised bill.

So does that mean I don't vote against it?

One of the dilemmas I've heard and one of the comments I've heard is that this bill is unconstitutional, that there are sections of this bill that are unconstitutional. That's not our responsibility

to decide. We have a non-partisan group called the Office of Legislative Commissioners' Office and we believe that all they do is write our amendments and write our bills for us. But one of their responsibilities is to read the bills and tell us if they believe the bill is unconstitutional. We did not get that from them.

So should we, as individuals, now decide what the Supreme Court is going say on what is constitutional and what is unconstitutional? I don't believe we can make that decision.

Many of the sections of this bill we saw in the regular session. We saw them come forward as bills. And we evaluated them and some of them were even discussed.

So what we have to do at this point is now look at this total bill and weigh it and say, do the sections I agree with outweigh the sections I don't agree with? If that's the case, vote yes. If the sections you don't agree with outweigh the sections you agree with, I guess you vote no. But as was so nicely said here, this is a the DSS implementer. It's here to implement the budget that we all supported.

So if we're going to support the budget and believe

that's the result we should come out with, then we have to look on how we feel about this implementer bill. We should be supporting the implementer bill.

So I guess that's in our conscience and that's the decision we're going to have to make tonight.

Thank you for giving me this opportunity to speak.

SPEAKER LYONS:

Thank you, sir.

Will you remark further?

Representative Spallone.

REP. SPALLONE: (36TH)

Thank you, Madam Speaker. Madam Speaker, I rise somewhat reluctantly to discuss this bill very, very briefly.

First, I do recognize and respect all of your hard work, the work of the entire leadership of this body, the Senate, and the executive branch in reaching a budget compromise.

But I must speak briefly on the section of the bill concerning safety net benefits for legal immigrants and the constitutional aspects of it. I wish to associate my remarks with Representative Horton and I appreciate the legal research he did in a brief period of time.

I maybe incorrect in this assertion, but I do not

think that this is a close call constitutionally. This bill does so many good things, so many good things, not the least of which, is the expansion of the ConnPACE program which is very appropriate.

But I cannot, in good conscience, vote for a bill that contains such a constitutionally suspect provision. There's been much discussion tonight of drawing lines, of compromise, and I respect and I admire those.

However, I must, Madam Speaker, draw the line with our state and federal constitutions this evening.

Thank you, Madam Speaker.

SPEAKER LYONS:

Will you remark further?

Representative Dyson.

REP. DYSON: (94TH)

Thank you, Madam Speaker. Madam Speaker, just a comment on the bill and comments that people have made.

I think the sentiment of comments made by members in this Chamber indicates to me that there's a willingness on the part of both sides of the aisle to try to work toward a remedy.

Whether that remedy becomes a reality today, tomorrow or next year, is not as grave as the fact that we are willing to do so. And I think we ought to take

that into consideration and I think the debate has been a good one.

People have had stories to tell, things to talk about, expressions that they made about how they feel, about what they think is taking place.

But I think beyond that happening and what people have had to say, I think it's been good for us to hear that.

But I think the overall for me is that I think there's a willingness here in this body toward fashioning a remedy.

So, I think the good will that is here is something that I think we ought to act on by virtue of now bringing this item to a vote.

Thank you, Madam Speaker.

SPEAKER LYONS:

Thank you, sir, for your remarks?

Will you remark further?

Representative Thompson.

REP. THOMPSON: (13TH)

Thank you, Madam Speaker. Madam Speaker, as Chair of the subcommittee, you sometimes get too much credit for what you did or what the subcommittee did and probably not enough blame for what the subcommittee did

not do, was not able to accomplish, except tonight, of course.

But I did - it's traditional that we thank certain people who participated in the process and I didn't do that at the beginning. So I'd like to thank you, the Chairs and Ranking Members of the Appropriations Committee, the Ranking Member of the Subcommittee, Representative Farr, Representative Gerratana and Representative Kirkley-Bey and Representative Widlitz who all participated and Representative Pat Shea and Representative Brian Flaherty from the House Republican side who participated.

We also would like to thank the members of the Office of Fiscal Analysis, Spencer Cain, Neil Ayers, Chris Ashburn, Joan Soulsby and I hope I didn't - oh, Kerry Kelley who participated. And also if we had a staff member of the year, we would probably vote for Anne Brennan Carroll of the Office of the Legislative Commissioners' Office who was thrown into this debate and controversy long after, just a few days ago, and who picked up and ran with an 84-page document, made sense, and was working at it as recently as a few hour ago. So we would like to thank her.

I would like to add a personal note. I listen to

the debate and I don't want to be an apologist for this legislation. People have already made the argument about the compromises that were forced, but Representative Diamantis mentioned about his own experience being a 14-year old and so on. I'm sorry. One Greek and you know them all, right. But I wasn't much older than he when I was an 18-year old Marine, 50 years ago, a couple of months ago, on my way to Korea and I spent a year there. And I came home a 19-year old Marine and my family consisted of two sisters and myself, a younger sister and an older sister. And my older sister was working her way through college and my younger sister was living with some aunts who were good enough to provide her with a home.

But for somebody who has benefited from the system, I received the G.I. Bill and I was able to go off to college and get a college degree and meet my wife, up in Vermont, and it was a good experience for me.

And I've always been thankful for that. I did benefit from government assistance and I believe firmly and I believe it's part of our democratic party philosophy, that we have a responsibility to help those in need and I would never, never, never begrudge anyone assistance.

And I think when we did welfare reform and AFDC had been ended as an entitlement in Washington, I think I spoke on the floor that day and I said I thought that was a mistake. And I still do.

But we have philosophies that differ here. And there's a philosophy mind which thinks that government should intervene and there's the other philosophy that believes that government should help, but it shouldn't always lead the way. And somewhere between those two philosophies, we have agreement. But I want to assure the Chamber and the members of the administration who are here, that we will go forward. We will pursue this issue, we'll come to a resolution of this issue, and hopefully, we will help anyone who has need.

And in the meantime, we have, we believe, commitments made on the floor of the House, made in negotiations, that nobody, nobody will be thrown out on the street.

Even as I say that, Madam Speaker, we know there are homeless people in our community. We know more and more people are becoming homeless and children and so on. And you know, society does its best to cope with those tragedies, but tonight we have a bill, for better or for worse, that we have to pass and get on with the

business of the State.

So, as for one, I want to assure those people who doubt the sincerity of this, that I have benefitted from this system and I think everybody in this room can tell you one story or another, one tragedy or another in their own life that has some meaning to them and we just see things through a different prism, if you would.

So, we'll continue to work and try to help those people who need it, but I still think the greatest priority in our State is our children who are living in poverty and we are addressing some of that this session in a very positive way. Hopefully, we'll continue to address that issue, as well as this issue of immigrants.

So, I hope people will pass this bill, vote for this bill, and those who vote against it, I hope you'll join with us and work for some resolution of some of the issues that still challenge this society.

Thank you, Madam Speaker.

SPEAKER LYONS:

Thank you very much, sir.

Will you remark? Will you remark further on the bill that is before us?

If not, staff and guests, come to the Well. Members, take your seats. 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.

SPEAKER LYONS:

Have all the members voted? Have all the members voted? Will members please check the board to make sure your vote is accurately recorded.

If all the members have voted, the machine will be locked and the Clerk will take a tally.

Would the Clerk please announce the tally.

CLERK:

Emergency Certified H.B. 7503

Total Number Voting	126
Necessary for Passage	64
Those voting Yea	97
Those voting Nay	29
Those absent and not Voting	25

SPEAKER LYONS:

The Emergency Certified bill passes.

Representative Godfrey.

REP. GODFREY: (110TH)

Thank you, Madam Speaker. I would move for the immediate transmission to the Senate of any items still