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**Page Total:**

**24**

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**CONNECTICUT  
GENERAL ASSEMBLY  
SENATE**

**PROCEEDINGS  
2009**

**JUNE  
SEPTEMBER  
DECEMBER  
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**VOL. 52  
PART 22  
6820 – 7149**

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SENATE

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Bill 7006.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Calling from Senate Agenda Number 2, Emergency  
Certified Bill 7006, AN ACT IMPLEMENTING CERTAIN  
PROVISIONS OF THE BUDGET CONCERNING GENERAL  
GOVERNMENT, as amended by House Amendment Schedule  
"A."

The bill is accompanied by emergency  
certification, signed Donald E. Williams, Jr.,  
President Pro Tempore of the Senate; Christopher G.  
Donovan, Speaker of the House of Representatives.

THE CHAIR:

Excuse me, Senator Roraback.

Grazie.

Senator Harp.

SENATOR HARP:

Thank you, Mr. President.

I move the emergency certified bill in  
concurrence with the House.

THE CHAIR:

Acting on approval of the bill, ma'am, would you  
like to remark further?

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SENATOR HARP:

Yes.

THE CHAIR:

Please proceed without objection.

SENATOR HARP:

Thank you very much, Mr. President.

This bill basically requires that no reductions in the Judicial Department's other experience -- other expenses account occur, and that the other expense account remain at the 2010/2011 level.

It transfers money from the Department of Corrections to the Judicial Department to provide programming for children with incarcerated parents, and as well, provides through the Judicial Department, money for the Connecticut Pardons Team to assist individuals in applying for pardons.

It creates a memorandum of understanding for research and programs regarding children with incarcerated parents and indicates that that memorandum of understanding will be negotiated between the judicial branch and the Central -- the Connecticut Central State University on behalf of the Institute for Municipal and Regional Policy. And they will be conducting research, evaluation, outreach and public

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policy development regarding children with incarcerated parents.

As well, it extends the moratorium on the sale, lease and transfer of state owned residential facilities housing people with mental retardation until June 30, 2011.

It also creates a Connecticut Sentencing Commission that will look at the various mandatory minimums and other sentencing structures that we have in our state and report back to General Assembly.

I urge your adoption.

THE CHAIR:

Will you remark further on House Bill 7006?

Senator DeBicella.

SENATOR DEBICELLA:

Thank you, Mr. President.

Mr. President, we were talking before about the Comptroller's note, which had two parts to it. One was the revenue part that we discussed, half a billion dollars in revenue shortfall.

But the comptroller also said that there's 431 billion -- or excuse me, million dollars of suspect savings that we have not made the programmatic changes for.

The bill before us today will make the Comptroller's projection partially come true, because we are taking actions in this bill that will prevent the very savings that the Democratic majority claimed in passing the budget three and a half weeks ago. And I would point to two specific clauses that Senator Harp laid out as evidence of that.

First and foremost is with the Department of Developmental Services, which is currently in the process of moving 17 group homes over to our nonprofit community providers. And this would save almost \$7.2 million a year. And DDS has over 162 direct care openings that are left open because of the early retirement program.

So what are our choices here? Our choices are, one, we can hand them over to our nonprofit committee providers, who provide just as excellent a level of service as our state workers do; we could not refill those positions and have a lower quality of care for those most in need; or we could refill those positions and not have any savings.

The bill before us today basically says, we are going to go with the third option. We are going to refill those positions, because not giving care to our

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most neediest is really not an option, and we're not going to realize the savings that the Democratic majorities said three and a half weeks ago that we were going to save.

So this bill should be rejected in and of itself because of the provision that prevents moving group homes over to our phenomenal non-for-profit community provider group.

However, Mr. President, in addition, the very first section of this bill highlights one specific line in the budget that says there could be no reductions to the Judicial Other Expense Account, which we all love the Judiciary. They're a coequal branch of government, but why we reduce every single other department's OE account, yet somehow we're going to leave the Judiciary at their '07 levels, escapes me.

So Mr. President, I find this bill contradictory to the budget that the majority just passed. If we are not going to have a billion dollar deficit in October, this month, as the comptroller is projecting, we need to get going in finding these cost savings. The bill before us today prohibits the cost savings that we need, and I urge its rejection.

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THE CHAIR:

Thank you, Senator Debicella.

Senator Stillman.

SENATOR STILLMAN:

Thank you, Mr. President.

I rise in support of this bill, and I'm very pleased to see that in Section 7 of this bill we have the recognition of the importance of selling seaside property.

I know it is somewhat controversial. Selling state assets is always a difficult decision. This has been a proposal that the people of the town of Waterford have been waiting to see resolved for more -- for almost 12 years now and has gone through -- the State has gone through quite a process to prepare for the sale of this property.

And the town, because of the liabilities associated with this property, due to its usage for decades, really makes it very prohibitive for the town to purchase the property, and they have so stated twice.

For those who are concerned about the actions of the General Assembly helping to meet the revenue projections of the budget that we just passed, please

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keep in mind that there is a, still, a very interested developer that could still provide a little more than \$7 million towards reaching the \$15 million that is required in the budget document that was adopted.

So I'm pleased to see this here. I hope that this goes forward and the sale of this property occurs. And for those who are concerned about shoreline property being inaccessible to the public, this property will stay open to the public. The State will still retain the shoreline acreage, and the developer, if he is selected in the end, has committed towards keeping that property up and available to the public.

So this is a win-win proposal for, not only the people of Waterford, but the people of the state of Connecticut. And we will have an opportunity to restore historic buildings, as well as provide some new living arrangements for other people, and still -- still keep this property that is so lovely open to the public.

So again, I rise in support of this bill.

Thank you.

THE CHAIR:

Thank you, ma'am.

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Will you remark? Will you remark further on House Bill 7006? Will you remark further? If not, Mr. Clerk, please call for a roll call vote. The machine will be open.

THE CLERK:

Immediate roll call vote has been ordered in the Senate. Will all Senators please return to the chamber. Immediate roll call vote has been ordered in the Senate. Will all Senators please return to the chamber.

THE CHAIR:

Senator Crisco.

Have all Senators voted? If all Senators have voted, please check your vote. The machine will be locked. The Clerk will call the tally.

THE CLERK:

Motion is on passage of Emergency Certified Bill 7006.

Total number voting	33
Necessary for Adoption	17
Those voting Yea	19
Those voting Nay	14
Those absent and not voting	3

THE CHAIR:

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The bill passes.

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Mr. President, would move for immediate transmittal to the Governor of Emergency Certified House Bill 7006.

THE CHAIR:

There's a motion on the floor for immediate transmittal of the bill to the Governor. Without objection, so ordered, sir.

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Mr. President, we are awaiting one other item of business to come to us from the House of Representatives that will appear on Senate Agenda Number 3, when we have that.

So if we may stand at ease, waiting for that item to reach the Chamber.

THE CHAIR:

The Senate will stand at ease subject to the call of the Chair.

(Chamber at ease.)

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HOUSE**

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**SEPTEMBER  
SPECIAL  
SESSION**

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PART 36  
11307 – 11567**

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THE CLERK:

House Bill 7006, AN ACT IMPLEMENTING CERTAIN  
PROVISIONS OF THE BUDGET CONCERNING GENERAL  
GOVERNMENT, LCO Number 9917, introduced by  
Representative Donovan and Senator Williams.

SPEAKER DONOVAN:

Chairman of the Appropriations Committee,  
Representative Geragosian.

REP. GERAGOSIAN (25th):

Good afternoon, Mr. Speaker.

SPEAKER DONOVAN:

Good afternoon, sir.

REP. GERAGOSIAN (25th):

I move acceptance and passage of the emergency  
certified bill.

SPEAKER DONOVAN:

Question is on passage of the bill. Will you  
remark?

REP. GERAGOSIAN (25th):

Well, thank you, Mr. Speaker.

Hopefully, today is the end of a very long road  
that started back in January for us, and many of us.  
I want to thank everybody that's been on this road, no  
matter how bumpy it's been.

This particular bill deals with various issues as it relates to implementation of the budget. I'll quickly go through the sections briefly.

Section 1 deals with the Judicial OE line and exempts Judicial from the reduction of other expenses. It was the basis of our budget. We intended to exempt Judicial because we had cut them in other places and we've made reductions. And we think it's important to the ongoing operation of the judicial branch, not only in the court system, but the alternative sanction system.

Section 2 deals with a grant for -- that were in the budget -- for children of incarcerated parents and the Connecticut's Pardons Team. It moves the grant to the Judicial Department.

And Section 3 sets up an MOU process between the Judicial Department and CCSU for the purposes of implementing these programs. I'll skip Section 4 because it's going to come out in an amendment upcoming.

Section 5 deals with the moratorium on privatization of group homes. It is a continuation of a moratorium that existed in the last biennium. It -- I think it's very important to maintaining quality

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treatment for people with mental retardation, people with mental illness, people with substance abuse problems that need quality care in our state.

Section 6 establishes a sentencing commission within the Office of Policy and Management. And Section 7 deals with the sale of Seaside in Waterford.

The Clerk has an amendment, LCO 9952. May he please call and I be permitted to summarize?

SPEAKER DONOVAN:

Will the Clerk please call LCO 9952, which will be designated House Amendment Schedule "A."

THE CLERK:

LCO Number 9952, House "A," offered by  
Representatives Donovan and Merrill.

SPEAKER DONOVAN:

The Representative seeks leave of the Chamber to summarize the amendment. Is there objection to summarization? Hearing none, Representative Geragosian, you may proceed.

REP. GERAGOSIAN (25th):

Thank you, Mr. Speaker.

I should have had the Clerk read the amendment because it's a very simple amendment. It essentially strikes Section 4 of the bill, and I move adoption.

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SPEAKER DONOVAN:

Question is on adoption. Remark further? Remark further? Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker.

Mr. Speaker, a couple of questions to the proponent -- now, excuse me. Is this on the amendment?

SPEAKER DONOVAN:

Yes.

REP. CAFERO (142nd):

I'm sorry then. I'll reserve my comments for the bill.

SPEAKER DONOVAN:

Thank you, Representative.

Remark further on the amendment? Remark further on the amendment? If not, let me try your minds. All those in favor of the amendment, please signify by saying, aye.

REPRESENTATIVES:

Aye.

SPEAKER DONOVAN:

All those opposed, nay.

The ayes have it. The amendment is adopted.

Remark further on the bill? Representative  
Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker.

Mr. Speaker, now if I may have -- I have some  
questions for the proponent of the bill that's before  
us.

SPEAKER DONOVAN:

Please proceed, sir.

REP. CAFERO (142nd):

Thank you, Mr. Speaker.

Representative Geragosian, it's my understanding  
that the bill that is before us with the amendment --  
well, I will ask the question. How many sections,  
therefore, will there remain after the amendment to  
this bill? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, there will be six left.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker.

Mr. Speaker, if I may, through you, with regard to Section 1 of the bill that's before us, it indicates that in achieving reductions specified in the provisions of Section 1 and 11 of Public Act 09-3 of the June Special Session, no reduction shall be made to the other expense account of the judicial department. Is that correct? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, that is correct.

REP. CAFERO (142nd):

Through you, Mr. Speaker, would that prohibit the Governor in exercising recession powers if necessary for making any rescissions to the other expenses account of the Judicial Department? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

I don't -- I'm not sure if it undermines her recession authority, but she can't take that 7.8 million -- up to 7.8 million.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker.

My concern, obviously in asking that question to Representative Geragosian is, is that we have given -- have historically -- rescission power to the Governor of the State of Connecticut.

And the purpose for that is, is that in between the times that we as a legislative body meet, there are certain economic realities that we as a State need to face so that we don't spend money we don't have or, frankly, run out of money, unable to meet our expenses. To that end we have given the Governor, all governors, rescission power.

And it is very concerning, especially with the ever increasing change in our economic status as a State, unfortunately, downward if we were to prohibit the Governor from exercising rescission powers in certain accounts. Because obviously, the more you do that, the less valuable or the less effective her rescission powers could be. So it was in that context that I asked that question.

Through you, Mr. Speaker, with regard to Section 2, ladies and gentlemen of the Chamber, Section 2 has gotten some attention, and it's my understanding, based on the language here, that by this bill we are appropriating the sum of \$700,000 per each year of the biennium, a total of \$1.4 million. That 1.3 million of those dollars, \$650,000 each year is going to go to the Judicial Department, and \$50,000 each year, for a total of a hundred thousand dollars, is going to go to the Connecticut Pardon Team to assist individuals in applying for pardons.

Now, I understand conceptually appropriating money to an agency to help people apply for pardons. I get that. The \$650,000 per year, or \$1.3 million during the biennium is something I'm having trouble with. The reason being is in the next section of the bill it says that not later than December 1, 2009, the Judicial Department and Central Connecticut State University shall enter into a memorandum of understanding provided for -- providing for the Institute for Municipal and Regional Policy to conduct research, evaluation, outreach and public policy development concerning children of incarcerated parents.

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Through you, Mr. Speaker, a question to Representative Geragosian, what is the Institute for Municipal and Regional Policy? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, it's an office or division at Central that deals with all the policies in our criminal justice system. The effects not only of us as a, you know, as a state -- impacts on our cities and towns, impacts on the incarcerated individuals in our prison system, and impacts on the rest of us, not only the offended individuals, but how their coming back into society affects the rest of us.

So they're basically a think tank, if I might, and they intend to implement programmatic changes as it results to the -- relates to this specific issue. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker.

In other words, the Institute of Municipal and

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Regional Policy is part of Central Connecticut State University. And it's my understanding that the \$650,000 per year is going to go to Central Connecticut State University so they can research and evaluate the issue of children of incarcerated parents, certainly, a very worthy subject to study, without a question.

But when I first heard that, I had to think about it in the context of the other things we were doing in the budget. For instance, one of the things that we are fearful of is that we might not have put enough money in our budget to subsidize bus -- our bus transit account, which could result in its fees going up.

And upon further investigation, it turned out that in order to make sure bus fares don't go up, we need to find \$1.4 million a year. By restoring this money, we probably will not have to increase bus fares.

So of course, you look around. Where can we get that money? Obviously, last time we met, seven days ago, we thought we would raise DMV fees to supplement that account. That was vetoed by the Governor, as was just reported. So this morning in Finance Committee

we tried to do something else.

In other words, we're trying to find one \$1.3 million a couple of times over. Well, here's \$1.3 million, \$1.3 million that we're giving to Central Connecticut State University for a study, \$1.3 million that's not going to supplement bus fares or rail fares or other programs, \$1.3 million that we can't take off the amount we borrowed or can't reduce the amount we tax -- \$1.3 million.

Now, when I first learned of this, I said to myself, if one were to study children of incarcerated parents, what would one find? Without doing a lick of research on it. There's certain common sense assumptions I would make. Being a child of an incarcerated parent is a bad thing. I made an assumption that it would probably affect a child's self-esteem. It would probably affect their self-worth. It probably would affect their relationships with other people, certainly with their parents. It might stigmatize that child. It might affect them economically. Those were just assumptions that I made based upon 51 years of life and being blessed to raise three kids and working with children my entire life. But who the heck am I? I'm not a

researcher -- I'm not an expert in this field. So I turned on my computer, and I went to Google. And I typed in "children of incarcerated parents." And in .37 seconds I got 316,000 hits because the subject matter of children of incarcerated parents has been well researched, has been studied exhaustively. In fact, there's actually an Institute in California specifically built and funded and in operation for the purpose of studying children of incarcerated parents.

The federal government, several states have issued study after study after study regarding the effects on children of having their parents incarcerated. In fact, the Institute for Children of Incarcerated Parents actually publishes a clearinghouse of every single publication, every single book, every single study that was ever done regarding children of incarcerated parents. And they publish it with its costs. If we as a state were to buy every single report ever written about children of incarcerated parents, it would cost us \$8,500, postage and shipping included, every book, every study.

But what do we tend to do with this money, this taxpayer money in these tough economic times? Do we even go as far to say, we'll invest the \$1.3 million

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toward those children to curtail the effects of them having incarcerated parents. No. We're going to study it. We're going to study it for two years at the cost of \$650,000 a year, 1.3 million bucks for our Central Connecticut State University system to study something that has been studied ad nauseam.

Now, as we progress throughout today and we realize we're short money here or short money there or have to curtail a program there or here or increase a fee here or a tax there, and we say we can't cut any more, isn't it true, folks, that certainly this is one area where we don't need to expend \$1.3 million?

And what's even more curious is this: After this bill, we're going to do three other bills, and in one of the bills, there's a Section 180. And in that section, we asked the commissioner of Children and Families and the commissioner of Corrections to enter into another memorandum of understanding for the purpose of developing a program to unify incarcerated women with their children in the community where appropriate. Doesn't that sound like a little bit of an overlap? Doesn't it sound that we probably have agencies out of there, state agencies, not-for-profit agencies that are well aware of the serious problems

that children of incarcerated parents are dealing with that every day. Will the world or the state of Connecticut, or most importantly, these children benefit from the expenditure of \$1.3 million to study it yet again? I think not.

And that is the problem with government. That is why people aren't too high on us these days because when we say we are going to reinvent stuff, when we say we're going to do business differently, when we say we're cognizant of the economic crisis that we as a state are facing, then we do something like this, the public says, the heck with all of you, and I don't blame them.

Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative.

Would you care to remark further on the bill as amended? Would you care to remark further on the bill as amended? If not, staff and guests please come to the well of the House. Members take their seats. The machine will be open.

THE CLERK:

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

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roll call vote. Members to the chamber, please.

SPEAKER DONOVAN:

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

THE CLERK:

House Bill 7006 as amended by House "A."

Total Number voting 131

Necessary for adoption 66

Those voting Yea 96

Those voting Nay 35

Those absent and not voting 20

SPEAKER DONOVAN:

The emergency certified bill is passed.

Are there any announcements or introductions?

Announcements or introductions?

Representative Tercyak.

REP. TERCYAK (26th):

Thank you very much, Mr. Speaker. For a point of personal privilege, please.

SPEAKER DONOVAN: