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**Bill Number:** 2001

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**CONNECTICUT  
GENERAL ASSEMBLY  
SENATE**

**PROCEEDINGS  
2009**

**JUNE  
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**VOL. 52  
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Yes, thank you, Mr. President. Mr. President, would ask the Clerk to call the single item which appears under Emergency Certification on Senate Agenda Number 2 and that is Senate Bill Number 2001.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Calling from Senate Agenda Number 2, Emergency Certified Bill 2001, LCO 9464, AN ACT CONCERNING DEFICIENCY APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE 30, 2009, FUNDING FOR EMPLOYMENT AND TRAINING INITIATIVES AND CANCELLATION OF DEBT INCOME. The bill is accompanied by Emergency Certification signed by Donald E. Williams Jr. President Pro Tempore of the Senate; Christopher G. Donovan, Speaker of the House of Representatives.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you, Mr. President. I move the Emergency Certified Bill.

THE CHAIR:

Acting on approval and passage of the Emergency Certified Bill, ma'am would you like to remark

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further?

SENATOR HARP:

Thank you very much, Mr. President. This bill basically makes deficiency appropriations to the Department of Social Services, the Department of Education, the UConn Health Center, the Department of Corrections, workers compensation claims in the Department of Administrative Services and the teacher retirement. It also deappropriates certain amount of that.

As well, it carries forward emergency assistance appropriations and decouples from the American Recovery and Reinvestment Act cancelation of debt income deferral. And as well, it appropriates certain workforce investment programs that as well come from the American Recovery and Reinvestment Act of 2009. I urge your support of this bill.

THE CHAIR:

Thank you, ma'am. Will you remark further on Senate Bill 2001?

Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President. Good afternoon.

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Good afternoon, sir.

SENATOR DEBICELLA:

Through you, Mr. President, a few questions to the proponent of the bill.

THE CHAIR:

Senator Harp.

SENATOR DEBICELLA:

Through you, Mr. President, in looking at Sections 1 and 2 of the bill, it appears as if we are taking 81 million dollars out of various line items and reallocating 110.8 million of that to other line items. So through you, Mr. President, in looking at that, what would be the net impact of Sections 1 and 2 on our FY '09 budget deficit, through you?

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much, sir. I think that there probably wouldn't be a real net impact on that. There is about \$29 million more than it is deappropriated in this bill, but in previous deficit mitigation packages there has been \$39 million deappropriated and so those amounts would basically offset any change. And so we're basically doing the same thing except that we're

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recognizing through OFA, the amount that has been deappropriated in other deficit mitigation packages.

THE CHAIR:

Senator Debicella.

SENATOR DEBICELLA:

Through you, Mr. President, so let me make sure I'm clear. So the bill before us today is going to add \$29 million to the FY '09 deficit, which I think is at about 1.2 billion, according to OFA right now. And through you, Mr. President, is Senator Harp saying that's okay because in previous deficit mitigation packages we had eliminated \$39 million worth of the deficit? Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you, Mr. President. The way that we budget according to our Constitution, that's Article 28, the amount of general budget expenditures authorized by any fiscal year, it says there shall not exceed the estimated amount of revenue for such fiscal year. And if you think about it, precedence indicates that the estimated amount of revenue is defined as the revenue estimates adopted by the Finance Committee.

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So we're not looking at any projected deficit when we do our budgeting or we do our budgeting adjustments, because we don't know what that is until a deficit is certified by the controller's office. That normally happens in September or sometimes even later. So that we have no real official way of looking at any projections done by any other group than our Finance Committee.

Those projections were made for our biennial budget and in fact, the \$29 billion that were over balances with those budget estimates.

THE CHAIR:

Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President. So let me just restate that to make sure that I understand it. Through you, to Senator Harp, is so, we are going to increase -- in reality we're increasing the deficit by \$29 million here because we are appropriating more than we're deappropriating, but that's okay because the revenue and spending estimate or the revenue estimates of, probably 24 months ago now, allow us to do that because we have mitigated some of the spending since then. So based on the 2007 budget that was passed

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when the revenue projections were in place, we have room, legally, whether it's good policy or not we can debate, but legally we have room to add back \$29 million to the deficit. Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you. We -- basically he used the term mitigate. We deappropriated 39 million. And you know, frankly that's the exact same thing that the Governor's proposal that came over to us through the -- their proposed deficit -- deficiency bill, it's deappropriating a certain amount. So in fact, yes, we did the same exact thing that the Governor proposes that we do. We just recognized what we've done previously.

THE CHAIR:

Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President. And Mr. President, before I continue on with my other questions, this just strikes me as a little bit of unreality. This strikes me as us saying, you know what? Let's ignore the fact that we do have a 1.2 billion dollar deficit



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and let's turn the clock back 24 months to when the budget was in balance. And let's use those revenue figures to actually say whether or not this is a good idea or not.

And I know my friends on the other side of aisle have been going around the state for months talking about the difference between OPM and OFA's revenue figures and making a huge deal about that. We in fact passed a bill here to try to reconcile that. But now we're saying, well, you know what? None of that matters.

Doesn't matter that OFA or OPM or the comptroller or anybody else says we have a deficit, we're going back to what we said 24 months ago. And Mr. President, that strikes me as probably legally okay, but in terms of actual economics, strikes me as foolhardy. To be relying on the budget from 24 months ago, when we know in reality there's a huge deficit today that this bill will add to. And so through you, Mr. President, then getting into some of the specifics, a question to Senator Harp.

THE CHAIR:

Senator Harp.

SENATOR DEBICELLA:

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Thank you, Mr. President. And through you, looking at one of these in particular is the -- we have 200, or excuse me, \$22.2 million being appropriated to the University of Connecticut Health Center. And if, through you, Mr. President, Senator Harp could describe to us why there is a deficit in that particular account.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much. It's my understanding that there is a deficit, a cash deficit that exists, based upon a number of issues and I think there is an ongoing, what we would call -- okay here it is.

The John Dempsey Hospital has, what we would call, structural financial problems that have been ongoing. And every year we basically we have -- they've been in the deficiency bill from anywhere from 20 to 25 million dollars. And one of the reasons that they have this structural deficiency is because the John Dempsey Hospital is too small.

It was originally planned for 400 beds and has only 224 licensed beds, all of which are staffed. It also has a total Medicaid loss of \$14.7 million. And

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in fiscal year 08 for example, this is an ongoing problem, the neonate department within the hospital and the maternity and psychiatry beds accounted for a \$12.5 million deficit. So all of those things together basically create this ongoing structural deficit that occurs through the Dempsey Hospital and the clinical operation of the UConn Medical Center.

THE CHAIR:

Senator DeBicella.

SENATOR DEBICELLA:

Thank you, Mr. President. I thank Senator Harp for that answer. One of the things that she didn't mention though was, I believe, the University of Connecticut Hospital has approximately \$25 million in depreciation expense that they take each year that is actually not required of them to take, but rather they do so to be in line with private hospitals. Through you, Mr. President, is that amount that I have correct, to Senator Harp's knowledge? Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much. The depreciation is used because of the type of accounting that is done by the

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medical school. And currently in the depreciation account there is \$28.3 million, of which \$27.5 million is used -- is booked in terms of bills for equipment costs that that depreciation account pays for.

So there would be, once those dollars are -- are payed out in the account, there would be around \$1 million left.

THE CHAIR:

Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President. I thank Senator Harp for the answers to the questions. One further question, through you, Mr. President, is on the other large item here, which is the DSS Medicaid appropriation for \$70 million. And through you, to Senator Harp, if she could just explain the driver of the need for that, through you.

THE CHAIR:

Senator harp.

SENATOR HARP:

Thank you very much. Evidently one of the things that we did and I, I actually missed that FAC meeting, but for nearly 20 million of those dollars or maybe even a little bit more, we FAC'd that out of the

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Medicaid account and into other shortfall accounts because it's such a big account. So that's a portion of it. The other portion of it is, I believe, is because case load has increased.

As you know Medicaid and SAGA, some of those medical programs are very recession sensitive. So the decision that was made by the administration to take in account that they already knew wasn't enough, and use that money to fill other accounts within that department, which we agreed to through FAC, or the FAC committee agreed to. As well as the case load increase is what causes this amount.

THE CHAIR:

Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President. I thank Senator Harp for the answers to those questions. And specifically I think she is exactly right about the case load. When we two years ago had increased the level for Medicaid from 150 percent to 185 percent of the federal poverty line. We were expecting about 7,000 new families to sign up. We've actually seen more like 28,000.

So there has been a -- a significant number of

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people coming on to Medicaid under the bill that we had passed. And Mr. President, I actually do believe that that is a smart transference, one that's deserved, but I worry greatly about whether or not the technicalities of going back two years to look at the revenue estimate from 2007, to me, makes no sense what so ever, even though it might be legal.

And so I believe today we should pass a deficiency bill that is balanced, that does not add anything to our FY '09 deficit. And for that purpose, Mr. President, I'd like to call LCO Number 9477.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO 9477, which will be designated Senate Amendment Schedule A, it is offered by Senator Debicella of the 21st district.

THE CHAIR:

Senator Debicella.

SENATOR DEBICELLA:

Mr. President, I would like to move that amendment.

THE CHAIR:

There is a motion for adoption. Seeing no

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objection, please proceed, sir.

SENATOR DEBICELLA:

Thank you, Mr. President. We have before us today an amendment that would fill the deficiency for the UConn Health Center through the UConn Reserve Fund. As Senator Harp mentioned, right now the UConn Dempsey Health Center, by choice, not by force, uses an accounting method that includes \$28.5 million of depreciation that they then use for equipment maintenance and purchases. However, Mr. President, that is not required by any GAP standard for a public hospital. It might be for a private hospital but it's not in the case of the UConn Health Center.

Therefore, what this bill does is this says UConn Dempsey has had a consistent deficit for years, as Senator Harp said, but rather filling that -- rather than fill that through increasing the deficit, let's fill that through taking the reserve fund that UConn has, that they very often use for unexpected expenses or expected contractual changes.

That fund, Mr. President, right now has \$89 million in it. So by taking the \$22.2 million from that fund, we would not be impairing UConn in any way. They would still have over \$60 million in that fund

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and we would largely make this bill in balance and not add to the deficit this year.

So I think this is a common sense thing that we can do to make sure that we are filling the needs of the UConn Health Center and we are making sure that we're doing all the other transfers for Medicaid as necessary but not continuing to add to our deficit. So I urge adoption of the amendment. Thank you.

THE CHAIR:

Thank you, sir. Will your remark further on Senate A?

Senator Harp.

SENATOR HARP:

Thank you. I rise to oppose this amendment. The reserve funds are generated by student fees paid by UConn students for their education at UConn. And they're paid by overall UConn students at all of their campuses, not just the medical students. It is -- it's really not appropriate for these student's fees to pay for clinical short falls at the academic medical center. And the short falls, as I've said before, are primarily made up of the fringe benefit differential and the losses in Medicaid and SAGA and other state programs.



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The reserves, as I understand it, are dedicated supporting the Storrs overall operation by paying for debt service, bond conveyance, physical plant and safety up -- safety code compliance and those things are not funded by UConn 2000.

So, for that reason, because -- and as well, they have been operating with a reserve that is well below what the board of trustees has asked that they keep on hand. And the board of trustees basically has a policy that says there should be a 90 day cash available, and that would be over \$200 million, as you heard from the proponent. A short of \$100 million is available. All of which, I might add, is not unrestricted, some of which is restricted.

So for those reasons, I think that it is ill advised to take the resources from this reserve account. It's certainly underfunded as it is and would put our flagship educational institution in jeopardy.

THE CHAIR:

Thank you, ma'am. Will you remark further?

Senator Handley.

SENATOR HANDLEY:

Thank you, Mr. President. I rise to support

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Senator Harp's position. It is, I think it's enticing to think that there is a bunch of money that could get shifted from one part of the University of Connecticut to another. But I think it is very bad policy to take funds which have been deposited by students into this reserve fund for fairly specific purposes, particularly projects on the campus for debt service and bond conveyance, and to use it to deal with some structural problems at the University medical center is not good fiscal policy and I would encourage people to vote against this amendment.

THE CHAIR:

Thank you, Senator Handley. Will you remark?  
Will you remark further?

Senator Frantz.

SENATOR FRANTZ:

Thank you, Mr. President. I rise in favor of the amendment and I have a question for Senator Debicella or Senator Harp, whoever might have that question. My question may be a technical one. Why don't we start with you Senator Debicella, if that's okay through you, Mr. President.

THE CHAIR:

Senator Debicella.

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SENATOR FRANTZ:

Thank you. It may be a little too technical to answer here on the floor today, but I'm interested in the practice of depreciation at the UConn entity, the health institution.

I'm wondering if they're using traditional depreciation methods, whereby the assets that are currently being depreciated are the assets that are being maintained by the funds that Senator Harp was speaking about before, those specific assets, or is it a little more or less formal?

THE CHAIR:

Senator Debicella.

SENATOR DEBICELLA:

Through you, Mr. President, I am not sure the answer to that question. I know from the descriptions that have been given to me is that it is both for the maintenance of existing equipment and sometimes used to purchase new equipment. So the former would be the traditional way of thinking about depreciation, the latter would not.

So, I'm not familiar with the specifics. Beyond that I don't have specific dollars for maintenance versus new projects. And I'm not sure if any other

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member of the circle would care to answer, but though you, Mr. President, I don't have the specifics.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you. Through you, Mr. President, can I ask Senator Harp the same question and proceeded by a statement and that is that I don't think any of us want to intentionally harm the institution and I'm not questioning their accounting practices in any way. But I am very curious to know if in fact the depreciation method that they use is, in fact, one that we're used to seeing either in FASB or GASB.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you. Yes, they use the -- the accrual method of accounting which has the depreciation component in it. Because they're not a part of UConn 2000, they basically use it to pay for -- how can I put it? Fixing equipment or equipment that is basically out of repair. They -- and not useful anymore, they replace it.

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Senator Frantz.

SENATOR FRANTZ:

Thank you, Senator Harp and thank you, Mr.  
President.

THE CHAIR:

Thank you. Will you remark further on Senate A?  
Senator Harp.

SENATOR HARP:

May we please have a roll call vote.

THE CHAIR:

A roll call vote will be ordered sir -- ma'am.  
Will you remark further on Senate A? 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 has been ordered in the  
Senate. Will all Senators please return to the  
chamber. Immediate roll call has been ordered in the  
Senate. Will all Senators please return to the  
chamber.

THE CHAIR:

Have all Senators voted? If all Senators have  
voted please check your vote. The machine will be

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locked. The Clerk will call the tally.

THE CLERK:

Motion is on adoption of Senate Amendment  
Schedule A.

Total Number Voting	34
Those voting Yea	10
Those Voting Nay	24
Those Absent and not Voting	2

THE CHAIR:

Amendment A fails.

Will you remark further on Senate Bill 2001?

Will you remark further on Senate Bill 2001?

If not, Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President. Mr. President I think there is one section of this bill that I think people would unanimously support and like to support and was the original reason why, I believe, we were coming in today, was Section 6 of this bill, which is trying to take the money from the federal stimulus package and applying it towards the Workforce Investment Act.

And so, Mr. President I'd like to request, under rule 23, that we divide the question between Sections 1-5 and Section 6. And I'd like to make that motion,

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Mr. President.

THE CHAIR:

There is a motion on the floor to divide the question. The Senate will stand at ease.

(Chamber at ease.)

THE CHAIR:

The Senate will come back to order.

It is the opinion of the Chair that they are two independent propositions and that this can be divided.

SENATOR LOONEY:

Yes, Mr. President.

THE CHAIR:

Yes, sir.

SENATOR LOONEY:

Yes, thank you, Mr. President. Would oppose the motion to divide. Ask for a roll call vote on the motion.

THE CHAIR:

A roll call vote will be ordered. For clarity purposes, if you vote in green you will be supporting the position of the Chair, which is divide the question. If you vote in red, you will be voting

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against the Chair. If the Senate could stand at ease for one second.

(Chamber at ease.)

THE CHAIR:

Mr. Clerk, could you please call for a roll call vote on motion to divide.

THE CLERK:

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

THE CHAIR:

Have all Senators voted? If all Senators have voted the machine will be locked. The Clerk will call the tally.

THE CLERK:

Motion is to divide the question on Senate Bill 2001.

Total Number Voting	34
Those Voting Yea	11
Those Voting Nay	23



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Those Absent and Not Voting 2

THE CHAIR:

The motion to divide fails.

Will you remark further on Senate Bill 2001?

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President. Mr. President and colleagues, the reason why we had offered a motion to divide was those of us in our side of the aisle had been given in the last, say, ten minutes an opinion by the Attorney General in 1993, wherein he was asked by a former House Minority Leader, whether or not our balanced budget requirement would prohibit the passage of deficiency bills.

And what the attorney General's Opinion of 1993 said was that although the balanced budget requirement does not prohibit the passage of deficiency bills, it certainly limits them. And I just want to quote to you briefly two lines from the Attorney General's opinion in 1993. It says that, deficiency legislation involves expenditures above the originally budgeted appropriations. Such legislation is therefore limited to the circumstance where there are additional revenues above the originally budgeted amount through

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revised estimates or new enactments to convey the expenditures.

While that does not mean the Attorney General is correct, clearly we do not have revenues above those originally budgeted. Clearly as own comptroller has said and as anyone in this circle and anyone in this state knows, we have a budget deficit for 2009 of around \$1 billion.

So at least from our side of the aisle, the Attorney General's letter ruling, opinion in 1993 clearly says that the deficiency bill we're doing today is not consistent with our balanced budget requirement. The difference between this deficiency bill and what we've done in the past is that this one's not equal and all the ones we've done have been equal. Take a dollar here, put a dollar here.

And as we know this is adding about \$29 million to our already 2009 deficit. Again, I say that not -- not recognizing that the Attorney General's opinion means that he's correct, because certainly people can take their own opinion on that, but just stating that there is concern that, at least, according to the Attorney General, what we are doing is not consistent with our constitutional balanced budget amendment.

The other concern we have is just that simply we are adding \$29 million to our already existing budget deficit for 2009, which is extremely high. That's why we tried to offer an amendment to offset the 22 million dollar deficiency for John Dempsey Hospital. Candidly, some of the arguments that Senator Harp put forward have a lot merit. That wasn't what the surplus and the retention reserve was used for, but we think that rather than add onto our budget deficit and continue to borrow more money, because we're going to end up borrowing money to cover that \$22 million, that using an existing reserve fund was a better way to do that, especially in light of the fact that we also know that because of the early retirements, the University of Connecticut is going to be able to keep all of those savings from those early retirements. They will not be shifted to our general funds. So one would hope that there will be savings from early retirement and that would help replenish their reserve fund as well.

That is the reason why we offered the amendment and moved to divide. Having said that, while I am concerned about adding to our budget deficit, Mr. President, I think at the end of the day, the Summer

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Jobs Program and the work -- the Workers Investment Act are things that we need for our state of Connecticut.

There will be thousands of people who will be employed with the use of this money. It -- those are thousands of people who we need to employ in the state of Connecticut and it is something that we should do. And therefore, although there are things not to like in this legislation, on balance, Mr. President, I am going to vote in favor. Thank you.

THE CHAIR:

Thank you. Will you remark further on Senate Bill 2001?

If not, Mr. Clerk, please call for a roll call vote. The machine will be open.

THE CLERK:

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

THE CHAIR:

Have all Senators voted? If all Senators have voted, please check your vote. The machine will be

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locked. The Clerk will call the tally.

THE CLERK:

Motion is on passage of Emergency Certified Bill  
2001.

Total Number Voting	34
Those Voting Yea	34
Those Voting Nay	0
Those Absent and Not Voting	2

THE CHAIR:

The bill passes.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, I would  
move for immediate transmittal to the House of  
Representatives of Emergency Certified Bill 2001.

THE CHAIR:

There's a motion on the floor to move Emergency  
Certified Bill 2001 down to the House. Seeing no  
objections, so ordered, sir.

Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President. Mr. President I  
believe the Clerk is now in possession of Senate  
Agenda Number 3 for the June 19th Session.

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House will please come back to order. And will the Clerk please call Emergency Certified Bill Number 2001.

THE CLERK:

Emergency Certified Bill Number 2001, AN ACT  
CONCERNING DEFICIENCY APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE 30, 2009, FUNDING FOR EMPLOYMENT AND TRAINING INITIATIVES AND CANCELLATION OF DEBT INCOME, LCO Number 9464.

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Good afternoon, Mr. Speaker. I move acceptance and passage of the Emergency Certified Bill.

SPEAKER DONOVAN:

Question is on passage of the bill. You have the floor, sir.

REP. GERAGOSIAN (25th):

Thank you. This piece of legislation does a few things that I'd like to briefly describe. Sections 1 and 2 is our deficiency bill. Section 3 deals with a carryforward for Operation Fuel, to serve their clients.

Section 4 and 5 deals with a section of tax law

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dealing with the federal stimulus dollars and decoupling. That and section 6 deals with \$30 million for the work forward investment act, specifically \$11 million for a summer youth employment, \$4.3 million for adult employment and \$14.8 million for dislocated worker programs. And I urge passage. Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative.

Will you remark further on the bill? Will you remark further on the bill? Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker. Mr. Speaker, a few questions to the proponent of the bill that's before us.

SPEAKER DONOVAN:

Please proceed, sir.

REP. CAFERO (142nd):

Thank you. Through you, Mr. Speaker. Representative Geragosian, you indicated in bringing out the bill that there are six sections and you gave a brief summary of each.

Based on the title of the bill and in comparison to your summary, there are several distinctly



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different parts of this bill. And if you could just take a little time to describe the differences or the various parts of this bill in a little more detail, it would be much appreciated. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Sure. Through you, Mr. Speaker, section 1 and 2 deals with the deficiency in, primarily filling the deficiencies in the Department of Social Services Medicaid line item in the tune of \$70 million, the Department of Education for magnet schools for \$2.6 million, the University of Connecticut Health Center for \$22.2 million, the Department of Corrections for \$14.39, workers compensation claims under DAS for 1.5 million, the Teachers Retirement Board for retiree's health-care costs for 188,000 for a total of \$110 million.

REP. CAFERO (142nd):

Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Yes. I don't know if the gentlemen concluded,

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but it is certainly a good place to stop because he described, I guess, sections 1 and 2 with regard to deficiencies. And if I may, with the gentlemen's permission, pursue a line of questioning with regard to those two sections. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Please proceed, sir.

REP. CAFERO (142nd):

Thank you. Through you, Mr. Speaker, Representative Geragosian, it's my understanding that when we use the term deficiency, and again, for the edification of the chamber and people who are watching at home or in the public, what we're basically saying is two things. We're coming to the end of a fiscal year and there are certain departments where we appropriated money where they didn't use all the money they appropriated. They have extra money.

There are other departments where we appropriated money where they not only used all that money, but they are committed to spending more money, and therefore, they have a deficiency. So we have this thing called lapses, if you will, where various departments and line items have surpluses and we have this other issue where various departments and line

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items have deficits. Is that correct when we talk in general about what a deficiency bill is? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, that's true and that's happened almost every year that I've been here.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Thank you. And through you, Mr. Speaker, that being the case, of the bill that's before us where we're taking those surpluses and, sort of, slotting them into where there's deficiencies or deficits, how much of this -- how much do we have in these, quote, surpluses or lapses? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

In the this bill, through you, Mr. Speaker, approximately \$81 million.

SPEAKER DONOVAN:

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Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker. And through you, Mr. Speaker, how much do we have in these deficiencies or deficits? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, \$110 million. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker. Now Mr. Speaker, through you, if my math that those two figures aren't the same. In fact, they're \$29 million off. In other words, that the department's programs and line items that have extra money, have \$81 million collectively of extra money. And the department's programs and line items that have a deficit have \$110 million worth of a deficit. Is that correct? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Geragosian.

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REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, yes it is.

REP. CAFERO (142nd):

Through you, Mr. Speaker, I guess my next question is, if you have \$81 million on the plus side and you have \$110 million on the negative side, that leaves a negative of \$29 million. Where are we going to get that money from? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, I assume that that \$29 million is being added to this year's deficit and would be funded in whatever way that we agree to fund it down the line. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Thank you. So through you, Mr. Speaker, if I understand this correctly, we have been talking about, it's been reported ad nauseam, we've been dealing with deficit mitigation packages, because since January our current fiscal year, which ends in 11 days, has been in deficit. Is that correct? Through you, Mr.

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Speaker.

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Yes, although I believe that's not technically true until the comptroller declares the deficit, but that's true in my mind. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Through you, Mr. Speaker, does the good gentlemen believe we are not in deficit.

REP. GERAGOSIAN (25th):

No. Through you, Mr. Speaker, unfortunately, I believe we are. I might add, you know there's a \$151 million item that we just -- the Governor just put forward into the next year, which added \$151 million to the deficit, that unfortunately, things happened along the way, and in this case, it's demands on the Medicaid account, demands on the Department of Corrections and other things that require us to step up to the plate and do our duty. Through you, Mr.

Speaker.

SPEAKER DONOVAN:

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Representative Cafero.

REP. CAFERO (142nd):

Thank you. Now, Mr. Speaker, through you to Representative Geragosian, I've been here for 17 years. I know the good gentleman from New Britain has been here at least 14 or so. When have we ever, and I know we always do these deficit -- or excuse me, deficiency bills -- when have we ever done a deficiency bill where the plus side is 30 or 29 million dollars or so less than the minus side, in other words, creating an additional deficiency? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, I can't remember a time in my 14 years in the General Assembly, but I'll -- obviously, we know we're all in unprecedented times as it relates to the amount of the deficit and the economic and fiscal position we find our country in. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Thank you. So just to bring this -- make it simple, I guess, if I looked into my savings account at the end of the month and I found I had an extra \$81, and if a bill came in for my credit card that was for \$110, I wouldn't have enough money to pay what I just purchased on my credit card. Is that -- I think my math is correct on that. And I at home would not have the opportunity to just say, "ehh" someone else will take care of it.

I've got to find a way to pay that, so I guess what I'm interested in is, how can we, when we all here admit we are in unprecedented times and we have a deficit. We don't have enough money to pay our bills. It seems like the passage of this bill says we're going to go further into debt to the tune of \$29 million for this fiscal year. Is that an accurate statement? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, you know, we have responsibilities, like for instance, we have to run our correctional institutions. That's one of the items that we're funding here, so we can't just close



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our correctional institutions because we have a deficit or debt. We have to move forward to keep those going. Much of this is for HUSKY for children across the state that need health insurance.

So it's not -- the analogy does not necessarily work in that. We have responsibilities that we have to uphold and we are doing so by doing this. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Now, I through you, Mr. Speaker, the statement of Representative Geragosian is true. It's always been true. We've always have responsibilities that we have to live up to. There's another thing that's also true and that is our State Constitution. Our State Constitution requires that we have a balanced budget every fiscal year. A balanced budget.

Thus far we do not have a balanced budget and we are now considering a bill with 11 days to go that adds to our deficit. It, in essence, deficit spends. We are spending 29 million more dollars that we don't have. We are adding to our deficit.

Through you, Mr. Speaker, given our

constitutional obligation to have a balanced budget, is a good gentleman from New Britain's opinion that the passage of this bill would be unconstitutional by violating that balanced budget amendment of our Constitution? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, I do not believe it's unconstitutional. Through you.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Through you, Mr. Speaker, in anticipation of this bill coming before us, we also looked into that question. And we found that my predecessor, as Republican leader, Representative Edward Coricky, asked that very question to our Attorney General back in April of 1993, whether or not it was constitutional to deficit spend, given our balanced budget amendment.

Our Attorney General, which happens to be the same Attorney General we currently have, Richard Blumenthal, responded to Representative Coricky in a letter dated April 14, 1993. Wherein on page 15 of

his opinion he indicated that based upon our Constitution it is unconstitutional to spend in deficit.

I'm -- through you, Mr. Speaker, I'm curious to know whether or not Representative Geragosian is aware of that opinion and how he would justify us passing this bill in light of Attorney General Blumenthal's opinion of 1993. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, I just happen to have a copy of that letter in front of me, Representative Cafero.

REP. CAFERO (142nd):

There you go.

REP. GERAGOSIAN (25th):

And as coincidence may -- coincidences abound. Well, but first of all, the rep -- has estimated revenues equals what our revenue estimates were when we passed the budget in 2007. That's part of the definition, but I think in the last line of the letter where it says -- it talks about deficiency legislation involves expenditures above the originally budgeted

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appropriations. Such legislation is therefore limited to the circumstances where there are additional revenues above the originally budgeted amount through revised estimates, which we're not doing here today, but -- or new enactments, which we are doing here today. And I think that's the portion of the Attorney General letter that applies here. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Thank you. Through you, Mr. Speaker, Representative Geragosian, you referenced revenue estimates that we adopted for the current fiscal year. When did we adopt those revenue estimates? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, I believe those revenue estimates were adopted in June of '07. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

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REP. CAFERO (142nd):

So, through you, Mr. Speaker, we last adopted revenue estimates two years ago. A lot has changed in two years, like the entire world has changed in two years, like the biggest economic crisis that ever hit this country has happened within the last two years. Like every member of this chamber admitting everywhere we go that we are in deficit, deficit, deficit, that our revenues in every single category have plummeted.

That being the case, are we passing this bill based upon the revenues we adopted in June of 2007? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, in your reference to the Attorney General's letter, I think that's -- those are the standards that apply to the question you originally asked me, whether -- about the constitutionality of this act. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

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So, ladies and gentlemen of the chamber, if I'm to understand this correctly, we're about to vote on a bill, part of which says that we are adding \$30 million to our deficit, a deficit that in some cases approaches a billion dollars for a fiscal year that ends in 11 days.

We are deficit spending. We don't know, based on this bill, where we're going to get the money. We don't know how we're going to pay for it. We've never done it before in our history, and yet we're justifying doing it by saying it is not unconstitutional because we're relying on revenue estimates we as a body adopted two years ago -- two years ago.

Is there any wonder, I would ask rhetorically, why we are in the mess we are in? When you are in a hole financially as far as we are, and we know consider a bill to dig deeper into that hole by \$30 million, which we've never done before, which I would argue based on what we know with regard to our revenues is unconstitutional to deficit spend, is there any wonder why we are in the position we are in?

Through you, Mr. Speaker, in the gentleman's summary he indicated that one of the deficits, one of

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the holes we are trying to plug with the money we don't have is about \$20 million to the University of Connecticut. Is that correct? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

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

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

And through you, Mr. Speaker, it is my understanding that the University of Connecticut, through their health center, has this approximate \$20 million deficit because they choose to do an accounting measure that no other state agency does, in that they take depreciation as a loss on their equipment because all other private hospitals do that. Is that correct? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, it's my understanding they use the Gatsby system of accounting, which

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includes a provision for depreciations. I'm not sure if it's what all the other hospitals do. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Through you, Mr. Speaker, if they did not use the great Gastby methodology of depreciation, and used the depreciation method used by all other agencies in the State of Connecticut, would they realize a 20 million plus dollar deficit? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, it's my understanding that they would. That there's a line item for depreciation in their budget that 27.5 million of that -- includes 28.3 million, 25 -- 7.5 million, that is accounted for. They used it for equipment and infrastructure repairs.

And this \$22.2 million deficit that we're talking about is an actual cash deficit dealing with many -- I mean, all of our hospitals across the state are in trouble, as is UConn. So, through you, Mr. Speaker.



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SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Thank you. Mr. Speaker, ladies and gentlemen of the chamber, the bill that's before us have several parts, as it was outlined by Representative Geragosian. Several of those parts that are distinctly different from the others are good. They're good things. We're getting federal stimulus money and we want to spend it to help create jobs. That's a good thing. That's a good thing.

We're doing other very good things within this bill, but the first two sections of this bill are not so good, because they do something we have never done before, deficit spend when we're already in a deficit. Assumed more in lapses -- excuse me, less in lapses than we have in deficiencies to the tune of \$29 million.

As we stand here today, 11 days before the end of the fiscal year, with a lot of work ahead of us with monumental historic work ahead of us, to solve a combined budget deficit over this particular fiscal year and the next two that approaches \$10 billion, this is an irresponsible way to start that process.

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Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative. Care to remark further? Representative Kirkley-Bey.

REP. KIRKLEY-BEY (5th):

Larry is a hard act to follow, especially when he's on a roll, but I would be written as if I did not get up and talk about the summer youth employment program, and how glad I am to see us finally passing the legislation that would enable the work force boards to be able to provide jobs to over 4,500 kids in the state of Connecticut.

I believe the -- we -- is at 200 percent of poverty, and they have spent hours across the state, the various workforce boards, interviewing the children and certifying that they in fact -- federal regulations.

For those that are slightly above, it's rather sad, because the state monies are not there, so therefore we cannot apply them to children who are just slightly above the poverty level. But I am happy to see this here and I'm hoping that everyone will vote for that because it's very important. Thank you, Mr. Speaker.

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SPEAKER DONOVAN:

Thank you Representative.

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker. If I might also, a few questions to the proponent of the bill.

SPEAKER DONOVAN:

Please proceed, sir.

REP. MINER (66th):

It -- as I understood the questions posed by the Minority Leader, the bill as it currently stands would have a, I guess, a deficit situation of about \$29 million. Is that correct? Through you.

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, this particular piece of legislation has a deficit -- deficiency appropriation that approximately 29 million above and beyond. But I've been told that through our prior deficit mitigation plan, we've de-appropriated 31 million, so we are actually not in deficit.

SPEAKER DONOVAN:

Representative Miner.

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REP. MINER (66th):

Thank you, Mr. Speaker, and it's my understanding that through a series of deficiency mitigation proposals we have not only de-appropriated money, but we have lapsed money. We've done a lot of things. How do those tie into this piece of legislation? Through you.

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, I mean, this legislation speaks for itself as it relates to the end of the year dealing with the deficiency and lapses that occur. They're not necessarily interrelated as I see it. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker. I think the point that I'm trying to make is that we have certain actions that we probably need to take and other actions that we may not need to take at this time. And in an effort to try and make sure that we're making our deficit, as it would be identified by this bill, any

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worse, Mr. Speaker, I would request that LCO 9491 be read and I be allowed to summarize.

SPEAKER DONOVAN:

The chamber will stand at ease.

(Chamber at ease).

SPEAKER DONOVAN:

The chamber will come back to order.

Will the Clerk please call LCO 9491, which is designated House A.

THE CLERK:

LCO 9491, House A, offered by Representatives Cafero, Klarides and Hamzy.

SPEAKER DONOVAN:

The Representatives seek leave of the chamber to summarize. Is there any objection? If not, Representative Miner, you may proceed with summarization.

REP. MINER (66th):

Thank you, Mr. Speaker. Mr. Speaker, this is a rather simple amendment. What it does is it deals with the issues that we believe we should do today, those being the monies being appropriated, so that we

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can get federal reimbursement under the Department of Social Services Program. It also keeps intact, as under the original bill, the summer youth program and handles the language for the tax decoupling. And I move adoption.

SPEAKER DONOVAN:

The question is on the adoption of the resolution. Remark further? Remark further? Representative Miner.

REP. MINER (66th):

Yes. Thank you, Mr. Speaker. Mr. Speaker, as the gentleman said when he brought the bill out and through the exchange of questions and answers with the Minority Leader, the bill as it was originally drafted puts the State in what we would call a \$29 million deficit. It confirms a deficit of \$29 million.

What this amendment would do would reduce that by \$40.8 million and therefore, actually provide a surplus, meaning that we would be in less of a deficit situation.

We don't doubt on this side of the aisle that we are continuing to spend money, money that we don't have. And what we would do with this amendment, Mr. Speaker, is put us in a situation where we would

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stop allocating dollars, stop spending money we don't have, we have not appropriated.

Our concern is that at the end of the day we're going to balance the surpluses that we have on some line items and the deficits that we're running on others, and find that our deficit is far larger than we think it really is right today.

I think the gentleman said quite clearly that we're just going to add this \$29 million to the borrowing that we anticipate that we'll have to do. And Mr. Speaker, I'm not sure that that's the right place for us to be in. Here in the middle of June, it certainly has never been in the right place for us to be in during this fiscal year. And I would ask that when the vote be taken on this bill, Mr. Speaker, it be taken by roll call.

SPEAKER DONOVAN:

The question before the chamber is one a roll call vote. All those in favor of a roll call vote, please signify by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER DONOVAN:

Counting -- it appears the requisite 20 percent

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has been met. When the vote is taken, it will be taken by roll.

REP. MINER (66th):

Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Remark further on the bill? Representative Geragosian.

REP. GERAGOSIAN (25th):

Thank you, Mr. Speaker. Briefly in opposition to this amendment. I believe that all of these items that are in this bill are needed, the \$2.6 million for magnet schools, University of Connecticut Health Center, the Department of Corrections. And as much as none of us like to be in this position, you and I, Representative Miner, have sat in a room for many, many hours trying to deal with a budget situation.

Unfortunately, these are items that we need to fund as well as the Operation Fuel line item in section 3. We believe that's very important. It deals with things like buying more efficient furnaces for folks and other needed expenditures by those agencies. So I ask the members to reject this amendment.

SPEAKER DONOVAN:



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Thank you, Representative. Will you remark further on the amendment? Will you remark further on the amendment? If not, staff and guests, 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 House Amendment Schedule A by roll call. 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 members have voted, the machine will be locked and the Clerk will take a tally. Clerk, please announce the tally.

THE CLERK:

House Amendment A for Emergency Certified Bill  
2001.

Total Number Voting	129
Necessary for Passage	65
Those voting Yea	37
Those voting Nay	92
Those absent and not voting	22

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SPEAKER DONOVAN:

Amendment fails.

Remark further on the bill? Remark further on the Emergency Certified Bill? If not, staff and guests, 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 taking a roll call vote. Members to the chamber, please.

SPEAKER DONOVAN:

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

THE CLERK:

Emergency Certified Bill 2001.

Total Number Voting	129
Necessary for Passage	65
Those voting Yea	97
Those voting Nay	32
Those absent and not voting	22

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SPEAKER DONOVAN:

Emergency Certified Bill is passed.

Are there any announcements or introductions?

Any announcements or introductions? Representative  
Kehoe.

REP. KEHOE (31st):

Thank you very much, Mr. Speaker. For a purpose  
of introduction, please.

SPEAKER DONOVAN:

Please proceed, sir.

REP. KEHOE (31st):

Mr. Speaker, I have three guests with me today  
that I'd like to introduce. And as we debate deficit  
mitigation and the budget, and the things going on in  
our life, my three guests are from the great state of  
Louisiana, more particularly, the city of New Orleans,  
and have dealt with a lot of issues that we're very  
thankful to not have to deal with.

Miss Lillian Sorbet, to the left here, was one of  
the evacuees from Katrina and drove with her great  
grandson all the way to Houston while her daughter  
Anna Maria stayed at one of the few hospitals that  
remained open and was on duty for days and days and  
days, and then lost her home and was in a FEMA trailer