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Senate Pages: 7007-7046 **40**

House Pages: 11403-11473 **71**

Committee: None **0**

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**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2009**

**JUNE
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VETO
SESSION**

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THE CHAIR:

Mr. Clerk.

THE CLERK:

Calling from Senate Agenda Number 3, Emergency
Certified Bill 7007, AN ACT IMPLEMENTING THE
PROVISIONS OF THE BUDGET CONCERNING GENERAL GOVERNMENT
AND MAKING CHANGES TO VARIOUS PROGRAMS, as amended by
House Amendment Schedule "A."

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

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much, Mr. President.

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?

SENATOR HARP:

Yes. I would.

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Without objection, please proceed.

SENATOR HARP:

Thank you, Mr. President.

Before I move forward, I just want to tell everyone that this bill and all of these implementor bills are the result of hours upon hours of work and negotiation. And it's one thing for Legislators to participate in these negotiations, but when you have staff who participate and sometimes are asked to work through the night on our various ideas only to find out the next morning that we've changed our mind, what staff have done in terms of all of these implementors, but particularly this implementor, has been heroic.

And I just want to let everyone know who the staff people are who have worked on this. Now, Sue Keane, who is the administrator for the Appropriations Committee, was the person who was the keeper of the notes and the minutes, and I want to thank her for doing that. And if you think about this process and how long it's been, Sue has been with us since the first budget mitigation plan that we had to begin to develop, and that was last year. That's how long we've been addressing these budget issues.

But for this particular implementor, our LCOs

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were Joe Roberts, Brad Towson, Shannon McCarthy, Louise Nadeau and Rick Taff. Our OFA staff leaders were Alan Calandro and Michael Murphy. Our OLR workers were Paul Frisman and Christopher Reinhart. And I just want one more time to thank them and to let them know that they have gone beyond the call of duty and that they have really, in many respects, given us their blood, sweat and tears, and we appreciate it.

This bill makes various changes in many of this State's departments, and it makes changes to the budget that we passed. It eliminates the Administrative Hearings Division within the Commission on Human Rights and Opportunities, known as CHRO, and it eliminates the transfers from CHRO to other departments.

It also sets up a committee process to look at CHRO and an Office of Administrative Hearings to determine the best way to implement those, both that department to change CHRO and to implement an administrative hearings initiative in our State.

It restores the funding that was cut in our budget from the Department of Transportation, bus and rail operations. It provides two positions to the Comptroller to implement the self-insurance change

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that was in our budget.

It ships -- shifts back the boating account in the Department of Environmental Protection to a nonappropriated funded account, rather than a general fund source.

It transfers funding from the Department of Motor Vehicles -- (gap in tape.)

-- services. It implements the Next Steps Supportive Housing Program. It implements grants for milk producers in our state who have been suffering. It implements the Raise the Age, although it only raises the age up to 16.

And it makes a number of consolidations of boards into the Department of Administrative Services for administrative support only.

I urge your adoption of this bill.

THE CHAIR:

Thank you, ma'am.

Will you remark further? Senator DeBicella.

SENATOR DEBICELLA:

Thank you, Mr. President.

Mr. President, through you, some questions to the proponent of the bill.

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Senator Harp.

Please proceed, sir.

SENATOR DEBICELLA:

Mr. President, though you, you know, any bill that's 186 sections long is bound to have some good things, some bad things, and some confusing things in it. I just want, for purpose of legislative intent, to clarify some of the things that are in here.

First, in Section 18 of the bill having to do with self-insurance -- this was something we talked about a lot in the budget process and the fact that self-insurance, immediately in the current fiscal year, may cost us more money than it could save us, given our current arrangement with our health care providers.

Through you, Mr. President, for legislative intent, Section 18, as I read it, simply starts the process of exploring self-insurance, but does not mandate it in the biennium. Through you, Mr. President, is that a correct reading of that section?

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much.

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It's my understanding that it actually implements the savings that we have in our budget for self-insurance, and it moves it to fiscal year '11.

THE CHAIR:

Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President. And so for clarification then, that would not happen in the current fiscal year, but rather is mandated for the second year of the biennium.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Mr. President, correct.

THE CHAIR:

Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President, and I thank the good Senator for that clarification.

Another clarification, through you, Mr. President, is on the tourism districts in Sections 117 and Sections 102.

Am I correct in saying that Section 117 of the bill collapses the number of tourism districts in

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Connecticut from five to three? Through you, Mr.
President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much.

Yes it does. Through you, sir.

THE CHAIR:

Senator DeBicella.

SENATOR DEBICELLA:

Thank you, Mr. President.

And then, Mr. President, does Section 102 of the
bill commission a study on whether or not we should
consolidate the number of districts, tourism districts
in Connecticut, from five to three?

Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much.

Just let me check that again.

Section 102, I believe that it does. There is
some controversy, as you know, about this. It's my
understanding that we will begin the implementation of

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the three districts in January, but before we do that, within the next 90 days there will be a study to see whether or not there could be a proposal to, perhaps, implement it differently than we've done in this implementation language, and perhaps, redistribute the resources that we have differently, so that we have given an opportunity to study this prior to implementing it.

THE CHAIR:

Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President.

And Mr. President, through you, what is the projected savings in the current budget of moving from five to three tourism districts, approximately?

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much.

And I'm going to check the fiscal note, but I believe it's \$2.5 million.

If we could stand at ease for a minute and I'll get it. Just a second.

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The Senate will stand at ease.

(Chamber at ease.)

THE CHAIR:

The Senate will come back to order.

Yes, Senator Debicella.

SENATOR DEBICELLA:

Mr. President, for the sake of moving business along, I'll withdraw the specific question unless she has an answer.

SENATOR HARP:

No. No. No. I found the answer. Is on the fiscal note. It's on page 2 of the fiscal note, and I'll read it just so that you'll have it.

The budget reduced the funding for tourism districts by approximately \$2.5 million. So I was right. I just wanted to make sure that it was cited in the fiscal note -- in both years of the biennium.

And I just want to read the whole thing if you don't mind, sir, through you.

THE CHAIR:

Sure. Please proceed, ma'am.

SENATOR HARP:

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Since we waited so long --

THE CHAIR:

Yeah. We've got all night. What's the difference? It's only --

SENATOR HARP:

-- see what it says -- in both years of the biennium to correspond with the reduction in districts from five to three.

THE CHAIR:

I think it's back to you, Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President.

The one thing I've learned on the Appropriations Committee is when Senator Harp cites a figure, very rarely is she in error. She knows this budget inside and out. So I thank her for the answer to that question.

Two other topics, Mr. President, before I comment on this. One is on Sections 143 to 152 on gubernatorial appointments to our legislative commissions. Am I correct in saying that this -- these sections remove gubernatorial appointments to all of our legislative commissions, and place them in the hands of the Legislature?

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Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much.

Mr. President, through you, we received a letter from the Governor that indicated that she would, in fact, like to have appointments to the legislative commissions.

And then, when we sat down and we met with officials from the Office of Policy and Management, we were told that, in fact, her letter does not represent her current issues.

And we were further told that since she will not be having appointments on the commission, she would not require or want to accept reports from those commissions.

THE CHAIR:

Senator DeBicella.

SENATOR DEBICELLA:

Thank you, Mr. President. So the Senator is saying that the Governor, if I'm reading this correctly, the Governor currently does have appointments to these commissions and is saying that,

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or has told the Senator that she no longer wants that power. Am -- is that correct, Mr. President, through you?

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Mr. President, I personally did not have a conversation with the Governor, but those who were negotiating on her behalf indicated that she was no longer interested in having appointments on those commissions, nor was she interested in receiving reports.

So we, when we received a letter from her indicating that she was interested in maintaining her appointments, we put the language back in as well as the reports. A few days later we were told that, in fact, she changed her mind and did not want to have appointments nor receive the report, so we removed it.

I think some of those kinds of things that occurred are one of the reasons that we -- I commented our LCO, because there were oftentimes things that were in and things that were taken out. But the last word that I heard in negotiations was the Governor did not want appointments, nor did she want to receive the

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reports provided by the commission.

THE CHAIR:

Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President. And I thank Senator Harp for the answer to that question.

Final question, Mr. President, in Section 6 of the bill, my reading of this section says that Higher Education does not have to follow the same process as every other state agency when it comes to refilling positions that are caused by the Retirement Incentive Program. Is that correct, a correct interpretation? Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Mr. President, Higher Ed is not required to have the same position count because their business is different than a typical executive branch agency.

And it is past practice throughout recessions, when we've had early retirement programs, that we basically hold Higher Education harmless and allow them to hire based upon their needs to service the

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students of the state of Connecticut.

THE CHAIR:

Senator Debicella.

SENATOR DEBICELLA:

Mr. President, I'd like to thank the good Senator for her responses to those questions.

And Mr. President, given those responses, I urge rejection of this bill. We have before us today a very long bill that contains many, many different provisions.

But before that, we've talked about -- I find very troubling. The first is the self-insurance provision, which I think is properly taking effect in the second year of the biennium after our health care contracts expire.

However, having examined this issue in depth over the course of our budget negotiations, self-insurance is no guarantee of savings. There is a possibility of savings. There is also a possibility when you self insure that you may end up paying more money than you pay right now if claims turn out to be higher than the premiums you collect, which the State and the taxpayer will be taking on that risk.

So our budget before us has a one time savings,

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but the long-term impact of this self-insurance remains to be seen. And I don't think that we've done enough due diligence to say for sure if it's going to be a savings in the long-term or not.

Second, on the tourism districts, this is an area where, you know, I am astounded when we have laid out hundreds of millions of dollars in spending cuts, whether it is in resetting programs to 2007 levels, whether it has been in shifting more of our social services to private providers, merging 23 agencies into six, and the spending cuts that we actually have in this budget are ones that actually drive economic growth.

And to say that we are going to merge, for example, in my area of the state, the Fairfield County Tourism District with the Litchfield County Tourism District, makes no sense for the long-term economic vitality of our tourism industry. The hills of Litchfield are very, very beautiful, but they have very different needs than Long Island Sound tourism.

And so I believe that, even though I'm glad, as Senator Harp said, there's a study to, hopefully, come up with a better solution, this is not the right area to be cutting spending, especially when we have so

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many others that we could have chosen.

And third, when it comes to the gubernatorial appointments, this is an area where I actually take the people out of the equation, and whether our current Governor does or does not want this power, I actually think the Governor of the State of Connecticut, if we are to have these commissions, which I think we've, on our side of the aisle, said any number of times that we don't think these are necessary, but if we are to have these commissions, we are going to want to have lots of input into them. And whoever the Governor may be, whether it's Governor Rell or somebody else, they should have a say on these commissions as long as they exist.

And finally, and one of the things that always astounds me is with higher education. You know, UConn and the rest of our higher education system are tremendous assets for the State of Connecticut, but they should not be exempt from the exact same type of cost cutting that I hope happens in the rest of state government. And by saying that they can -- they are not obligated to follow the same rules that we are setting out for every other state agency, when it comes to refilling positions, I think is a mistake.

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I think we have set up a system where UConn and the higher education system are essentially a fourth branch of government, not accountable to this Legislature for the decisions that they are making. And at the end of the day, maybe Senator Harp is right, and that they should be able to refill more positions than other state agencies because there's a need to, but we in this Legislature talk about oversight all the time. And by putting this provision in that they do not need the same permission that other state agencies do to backfill positions from the Retirement Incentive Program essentially makes them unaccountable.

So, Mr. President, I believe this very long implementor does have some other sections which are good, which I, you know, won't go into, because we'll be here all night, but there are a number of exceedingly problematic sections, and for those reasons I urge rejection of the bill.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark further? Senator Roraback.

SENATOR RORABACK:

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Thank you, Mr. President.

I rise to oppose the bill. As most of us know, Mr. President, the economy of the state of Connecticut is gasping for breath. And one of the few areas where there's signs of life is tourism, because the beauty of our state doesn't change in good times or bad. By reducing funding for tourism, Mr. President, we're putting a sock in the mouth of one of the only areas that is showing promise to keep our economic engine alive in the state of Connecticut.

Mr. President, I agree with Senator DeBicella, the notion that we're going to -- realistically going to be able to combine the tourism attractions of Northwest Connecticut with the tourism attractions of Southwest Connecticut, belies anyone's understanding of what this state is all about.

Mr. President, I'm saddened that there's so many areas where we did not see fit to cut spending, where there's very little economic benefit to the people of this state. In one area where there's hope of generating economic activity or providing jobs and stability, we see fit to reduce funding. And for that reason alone, Mr. President, I think this bill merits defeat.

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Thank you.

THE CHAIR:

Thank you, sir.

Will you remark further? Senator Stillman.

SENATOR STILLMAN:

Thank you, Mr. President.

I, too, rise to make some remarks about the bill that is in front of us. And in terms of the discussion on the tourism districts, I share their concern, but for someone who experienced the angst of a consolidation of a tourism district in Eastern Connecticut, I can understand why they -- why members of the Senate are concerned about the consolidation.

But I can tell you that Eastern Connecticut survived and will all -- we will survive this consolidation. But the issue is, as we move forward, and hopefully, as the economy turns around in the not-too-distant future, that we'll start to budget greater resources for our tourism industry, which is so vital to the future of Connecticut and certainly is an avenue for job growth.

I do have one other issue, though, that I would like to pose to the proponent of the bill, if I may.

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Senator Harp.

Please proceed, ma'am.

SENATOR STILLMAN:

Thank you, Mr. President.

I was embroiled in discussions with the Department of Public Safety and many, many towns in the state who have a Resident State Trooper Program, and there was a misinterpretation of statute that was determined, sort of, late spring. And in the process, the towns, many of them that I represent that have Resident State Trooper programs, became aware of the fact that the charges that they were incurred by the Department of Public Safety for overtime and benefits were inappropriate and did not meet the letter of the law.

And so an opinion was requested of the Attorney General so we can make sure that the towns in the state live up to their respective responsibilities for paying for our Resident State Trooper programs that so many of the small towns rely on, and a program that is extremely successful.

I wanted to pose a couple of questions to Senator Harp for legislative intent, so that we could assure our communities that the appropriate dollars are in

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place to meet the budgetary requirements.

For legislative intent, Senator Harp, do you -- is it -- do you agree that there is \$350,000 within the budget for each year of the biennium to cover the State's responsibility for the cost associated with overtime -- excuse me, the cost of benefits associated with the overtime costs for resident state troopers within the Resident State Trooper Program, and the State's share being 30 percent of the costs?

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you. Through you, Mr. President, I do.

THE CHAIR:

Senator Stillman.

SENATOR STILLMAN:

Thank you, and thank you, Mr. President.

Again, through you to Senator Harp, it's -- we did, as I stated earlier, we received an opinion from the Attorney General in a letter, dated June 30th of 2009, to reiterate that formal opinion that the towns had concluded on their own, quite frankly.

And so again, I'd like to ask if you do agree that the formal opinion now needs to be codified in

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state statute next year and that, also, that the formal opinion concluded that the towns with the resident state troopers pay 70 percent of all their costs that are referenced in Chapter 67 of the Connecticut General Statutes in the State Personnel Act, in order to ensure the continuation of today's action in the out years.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much, Mr. President. Through you, I agree, and I'm certain that in the next session this will be taken up and codified.

THE CHAIR:

Senator Stillman.

SENATOR STILLMAN:

Thank you, Mr. President.

And again, one last question. It's my understanding that there's going to be some language included by OFA in the back of the budget just to reflect on these needed changes, really, to implement the budget.

THE CHAIR:

Senator Harp.

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SENATOR HARP:

Through you, Mr. President, yes.

As you know, traditionally, the Office of Fiscal Analysis prepares a budget book that has for each line item, or each area, a narrative that describes the manner in which the budget should be implemented. And it provides further detail, oftentimes, than the General statutes.

And it is my expectation that this matter will be addressed in the budget book prepared by the Office of Fiscal Analysis.

THE CHAIR:

Senator Stillman.

SENATOR STILLMAN:

Thank you. And I want to thank Senator Harp for her response to my questions.

As the Senate Chair of the Public Safety and Security Committee, I just want to assure those towns that have a concern that they are -- their respective budgets might be short in this regard -- will be covered by the State, and that we will address this issue next year when we reconvene our next legislative session.

So thank you, Mr. President, for allowing me this

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opportunity.

THE CHAIR:

Thank you, ma'am.

Will you remark? Will you remark further on
House Bill 7007?

Senator Witkos.

SENATOR WITKOS:

Thank you, Mr. President.

I also rise in rejection of the bill that's here
before us. In addition to the few sections that were
mentioned earlier, I had a few more that I had some
issue with as I read through the bill today.

One of those was Section 35, and I'm -- maybe my
issue is that I don't totally understand it.
Section 35 of the bill has to deal with inmate
furloughs. And what we're doing is we're increasing
the amount of time an inmate can be away from prison,
from 30 days to 45 days. And under the current law
they give four reasons why they can be away from their
place of incarceration. One is to visit a dying
relative. Two is to attend a relative's funeral.
Three is for medical services they can't get within
the prison walls or at John Dempsey Hospital, which is
the state's prison hospital. And the fourth one is to

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meet with a prospective employer, you know, to see if there's any job or employment opportunities that exist.

I understand the language of, "up to 30 days." Most people that are working outside of a prison population get the day off to attend a relative's funeral, but the part that I don't understand, Mr. President, is the part that eliminates the requirement of the commissioner to confirm that the inmate is going to meet with a prospective employer.

So imagine that, now, the current law says the commissioner must confirm that it's the -- the inmate is actually meeting to discuss a job opportunity. Well, we're removing that requirement to confirm that that's what he's doing, or that's what she's doing. And we're increasing the furlough days from 30 days to 45 days.

Well, I work in a profession that the time to hire somebody is very protracted. As you know, I'm a police officer by trade, and it's a very lengthy process to become a police officer. There's oral board examinations, psychological examinations, physical assessment tests, background investigations and all of those together don't take 45 days.

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So I don't know why we would extend an inmate's furlough from 30 days to 45 days to meet with a prospective employer, and we're not even going to confirm that that's what they're doing.

We talk about overcrowding in our prisons, and I'm wondering if the jail cell is held for that inmate until they return. Does it remain empty for the 30 days or 45 days? I don't know.

The second section I have a problem with in the bill is the post-training section for family violence of victims whose immigration status is unknown. The part that I have the problem with, this bill -- is it takes effect July 1, 2010, and the training commences on July 1, 2010. How in the world do we expect police officers to enforce, to comply with a law that we are setting forth when the training doesn't even start until the day that the law becomes effective?

And it's also an unfunded mandate on every law enforcement agency in our community because it says that they must assign a supervisor. And upon request they must begin the process.

Two years ago, when we talked about raising the age, I was a member of the House, and I supported the bill. And in Section 69, I have a real issue with

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something that we've added and changed in our law. Right now if a juvenile is picked up by the police department, that juvenile can only be released to a parent, a guardian or a suitable adult. This law changes that to say that this juvenile can be released in their own custody. So a parent doesn't even have to know about it if this child isn't, you know, had some difficulties or a run-in with the law. Why would we not want a parent to be notified?

And, in fact, the bill speaks to the effort that a police officer must make in a reasonable attempt to let the parent know. It doesn't say they must notify the parent or suitable adult. It says, make a reasonable attempt. Well, that's in anybody's discretion. What is reasonable? A phone call, a drive by the house, one knock on the door?

If a child has committed an act such that they're brought down to the police department or they're in police custody, a parent should have to come and sign them out. Maybe that's what's the problem with today's society. Parents aren't involved enough, and now we've just removed that criteria in order for their child to leave the police facility. They can be released on their own recognizance.

Imagine that, a 16-year-old, who had done something wrong, or a 15-year-old -- here, just sign here, kid, and you can go home, but make sure you show up in court, otherwise, we're going to come after you for not showing up in court -- because we've added that feature back. It's not right.

Section 114, the voting district maps, that's an unfunded mandate to our towns. Right now the towns have to send maps in if they have a -- two General Assembly districts within that municipality, but apparently that wasn't good enough, because now the Secretary of State's office is going to mandate how that information is going to get to that particular office.

If we know we're going into redistricting in two years and the lines may change in two years, why don't we delay that bill for two years? We don't have to incur an additional cost.

As you all know, our cities and towns are doing everything they can to watch their dollars, and here's another mandate that we've just passed on to them.

And lastly, in Section 117, and Senator Debicella referred to this, or referenced this section earlier, but I was looking at the dollar amounts, and it said

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that there's \$900 million to be equally dispersed by June 30, 2010, equally to the five districts. But we're only going to have three districts, because the consolidation of the districts takes place December 31st. So how do we have five districts of \$900,000 to go to five districts when there are only three?

Those are some of the difficulties that I found in this piece of legislation, Mr. President, and I will also urge rejection.

Thank you.

THE CHAIR:

Thank you, sir.

Senator Doyle.

SENATOR DOYLE:

Thank you, Mr. President.

I'd like to make a few comments on the bill before us. First of all, Section 177 -- I just want to give some background. This is a bill -- a provision in the bill that concerns an issue that was raised to me this week in Middletown concerning food distribution and the regulations by the local municipalities, the City of Middletown and the State of Connecticut, through our Department of Public

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Health. And what was brought to my attention, and I think many other members are aware of it, that in the city of Middletown, issues have arose about food distribution over the past several months. And at this meeting with some leaders of the city of Middletown, I learned what the status is of the current law.

Now, we're dealing with here a broad statute. It doesn't specifically deal with the city of Middletown, but what the statute current law says that any nonprofit charity or political group may accept food from an unlicensed kitchen and sell it. So in other words, your local food shelter or your local church could get food from an unlicensed kitchen, sell it for a profit. However, the statutes today do not allow the same fact scenario where a charity accepts unlicensed food and then gives it away.

So we're talking the distinction here, and it's really a commonsense correction that Section 177 has before us. It would allow all of our nonprofits to give away, rather than just sell food from an unlicensed kitchen. And when we're saying unlicensed kitchen, we're talking about many of your homes and different churches, people prepare food and then they

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bring it in and then it's distributed to our homeless.

In the case in Middletown, it was presented -- the City of Middletown rightly had to apply the law, and a letter was issued to my local soup kitchen basically ordering them to stop that practice.

Therefore, we have Section 177 before us that seeks to address this problem statewide. It could impact any of our communities -- just to ensure that we all -- that our nonprofits are able to distribute unlicensed food for free rather than charging any money.

And through you, Mr. President, I have a question for the proponent of this bill.

THE CHAIR:

Senator Harp.

SENATOR DOYLE:

Thank you, Mr. President.

Senator Harp, does this legislation mean that the only restrictions that a town health department could put on the distribution of our food are the ones set forth in this specific legislation, meaning Section 177?

SENATOR HARP:

Through you, Mr. President, yes.

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This statute is the only place that people across the state will need to look in order to donate food from home kitchens to our soup kitchens.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE:

Thank you, Mr. President.

And just to clarify, this is for all -- more than food kitchens. It's really any nonprofits. Thank you, Mr. President.

I have one more question about another section. I'd like to talk to the -- mention -- reference and ask a question to the distinguished Chairman about House "A."

House Amendment Schedule "A" dealt with the Long Island Sound Popular Fund, where many of us, the citizens that purchased Long Island Sound plates and the proceeds of the fund are -- have been distributed to protect and do different preservation programs for our Long Island Sound.

Our original budget decided to send that money, rather than to the specific fund for the Long Island Sound and cleanup and protection, it's my understanding that the issues have arisen that House

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"A" will correct that and reinstate the monies from the Long Island Sound License Plate Program back to the specific fund, rather than the general fund. Is that correct, Senator Harp?

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much. Yes, it is.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE:

Thank you, Mr. President.

So in summary, in this section, the money will go to clean up our Sound. It's been a successful program over the years, and we look forward to further protecting and preserving our Sound.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark further on House Bill 7007?

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Mr. President, speaking in support of the bill

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again, wanted to commend Senator Harp, in particular, for all of the very conscientious, painstaking, creative, detailed work with so many decisions, major and minor, that had to go into creating this implementor, and her cochair, Representative Geragosian, and all of the others who worked on it.

As Senator Harp pointed out in her own statement of bringing out the bill, this has been certainly a laborious process with so many sections, so many different issues to be addressed. So many of them, each involved a decision that had to be made, a conflict that had to be resolved, a problem that had to be addressed.

All of this has been going on for days and weeks behind the scenes. So that even when we were not formally meeting in session, Senator Harp and her counterparts were here daily, nightly, working on all of this. And I think that she deserves our great thanks, in particular, for all of this work and the burden that she's taken on in all of our behalves.

Just wanted to make note of a couple of other sections in the bill, one of which is the general obligation bonds for Town Aid Road Program, which will, in effect, add an additional \$8 million to the

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Town Aid Road Program, bringing the total up to the \$30 million level, which has been our customary level for Town Aid Road; that the bill amends the bond act to specify that up to 8 million in general obligation bonds for fiscal year '10 and also in '11, for distribution under Town Aid Road Program, be added; that the Bond Bill 7004 did authorize issuance of general obligation bonds, but it didn't specify an amount. And that bill also authorized up to 22 million in special tax obligation bonds. So this additional 8 million brings that up to 30, which is the number that will more greatly meet municipal needs and also their expectations based upon prior years.

Another point, Mr. President, is that the bill provides that juvenile prosecutors employed by the Division of Criminal Justice will be deemed to have been appointed by the Criminal Justice Commission and have, and will be able to exercise the powers and perform the duties of assistant state's attorneys. This is something that will resolve a provision that has left juvenile prosecutors in somewhat of a hybrid limbo status for some time and it is now resolved by this bill. It will also help in the gradual transition under the Raise the Age Provision to have a

unified prosecutorial system.

And one final point, Mr. President, would like to point out that the bill does provide a language which reflects a resolution of a very long-standing dispute between the City of New Haven and the Town of East Haven over the governance and operation of Tweed-New Haven Airport.

And in particular, I would like to thank Senator Fasano for his great work in this as a mediator and facilitator working with the mayors of New Haven and East Haven. I'd also like to thank Representative Lawlor, Representative Megna, as well as the mayors of those two communities. Senator Harp and I also have been involved in working on this issue.

The bill contains a reflection of a memorandum of agreement that was reached between New Haven and East Haven a few months ago: In terms of the operation of the airport, increases the representation for the town of East Haven on that, in that board; will also -- will resolve a long standing issue between the two communities about concerns over airport expansion by providing that the -- a prohibition on extending the paved runway length beyond its existing 5600 feet. That will provide great comfort to residents on both

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sides of the border between New Haven and East Haven, but still providing for what, we hope, will be a more successful and improved operation of the airport as a significant economic development engine in greater New Haven.

So again, Mr. President, would urge support of the bill. It is the culmination of a great deal of effort on a variety of issues and fronts, and urge its passage.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Senator Williams.

SENATOR WILLIAMS:

Thank you, Mr. President.

I rise also to support the bill. And first, I want to thank Senator Paul Doyle for his work on the previous human services implementor and also for making some very good points just now, here in the circle. You know, he helped bring to our attention this issue involving community kitchens all across the state that provide meals to those in the greatest need right now. And the fact that there were some legal technicalities that might have blocked and prohibited

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them from continuing with their good work, and so we are able to fix that so that they can continue to deliver critical services in every corner of the state.

I also want to thank Senator Looney. You know, it's a part-time Legislature, but it's felt pretty full time and more this year, in this, the toughest budget year in Connecticut in all of our lifetimes. And Senator Looney has been burning the midnight oil with all of us in that regard.

And our staff of our respective caucuses, I know for the Republican caucus, their staff has put in many additional hours, and they have done so in a way to help move this process forward. And I can speak very specifically about Senate Democrats and our staff, in literally going around the clock, especially in the last couple of weeks here, to pull all the details together and to get this done. So for our respective staffs I want to thank them for their dedication very much.

And really, Marty, you did a great job thanking folks. So did Toni. But finally, I want to end by thanking Senator Toni Harp, who has just been tremendous on this implementor and in the budget. She

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has been available. She has been here morning, noon, night. And again and again she has sacrificed, I know, in terms of our own personal time, to be here and to see this through. Senator Harp, thank you for your dedication to the State of Connecticut. We all appreciate it.

And with that, Mr. President, I urge passage of this implementor.

THE CHAIR:

Thank you, sir.

Will you remark? Will you remark? Will you remark further on the bill before? 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:

Have all Senators voted? Have all Senators voted? Please check your vote. The machine will be locked. The Clerk will call the tally.

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THE CLERK:

Motion is a passage of Emergency Certified Bill
7007 as amended by House Amendment Schedule "A."

Total number voting	31
Necessary for Adoption	16
Those voting Yea	20
Those voting Nay	11
Those absent and not voting	5

THE CHAIR:

The bill as amended passes.

Senator Looney.

SENATOR LOONEY:

Mr. President, Yes. Thank you, Mr. President.

Mr. President, would move for immediate
transmittal to the Governor of Emergency Certified
House Bill 7007.

THE CHAIR:

There's a motion on the floor to emergency --
send this bill to the Governor. Without objection, so
ordered, sir.

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Mr. President, that concludes our business for
this, fortunately, early evening and would yield the

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GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2009**

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Minister of St. Lucia will be speaking tonight, and we just wanted to inform our -- I just wanted to inform my colleagues of that event. Thank you.

SPEAKER DONOVAN:

Thank you, Representative.

The House will please come back to order. The House will please come to order. Will the Clerk please call Emergency Certified Bill Number 7007 -- seven double O seven.

THE CLERK:

Emergency Certified Bill House Bill 7007, AN ACT
IMPLEMENTING THE PROVISIONS OF THE BUDGET CONCERNING
GENERAL GOVERNMENT AND MAKING CHANGES TO VARIOUS
PROGRAMS.

SPEAKER DONOVAN:

Representative John Geragosian.

REP. GERAGOSIAN (25th):

Thank you, Mr. Speaker. I move acceptance and passage of the emergency certified bill.

SPEAKER DONOVAN:

The question is on passage of the bill.

Will you remark, sir.

REP. GERAGOSIAN (25th):

Unlike the last bill, I'm not going to do a

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section by section overview, but I'd be happy to answer any questions from members that have them about the various sections.

The bill essentially does a few things. It implements our budget, effectuates mergers and consolidations within the budget and needs some substantive changes to our legislative commissions and deals with a few other issues.

The Clerk has an amendment, LCO 9963. May he please call -- be given leave to summarize.

SPEAKER DONOVAN:

Will the Clerk please call LCO Number 9963, which will be designated House Amendment Schedule "A."

THE CLERK:

LCO Number 9963, House "A," offered by
Representatives Donovan, Geragosian, Reed, and Roy.

SPEAKER DONOVAN:

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

REP. GERAGOSIAN (25th):

Thank you, Mr. Speaker.

This amendment essentially establishes a Long

Island Sound account. We had gotten rid of this Long Island Sound Fund as part of the budget process along the way, and it reestablishes an account in its place, and funds will go in to this account rather than to the general fund. And I move its adoption.

SPEAKER DONOVAN:

Question is on the adoption of House Amendment Schedule "A." Will the Chamber please stand at ease. We're waiting for some fiscal notes.

(Chamber at ease.)

SPEAKER DONOVAN:

All right. Chamber come -- please come back to order.

The Representative had asked -- had called LCO 9963. I believe there are fiscal notes available. Granted leave to summarize. The question was on adoption. Will you remark? Representative Geragosian, remark further on the amendment.

REP. GERAGOSIAN (25th):

Thank you, Mr. Speaker.

I had no further remarks. I was told that the other side of the aisle did have a fiscal note on this amendment. That's why I called it, but it appears to be revenue neutral. So --

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SPEAKER DONOVAN:

Remark further on the amendment? Representative Miner.

REP. MINER (66th):

Thank you. Thank you, Mr. Speaker.

Mr. Speaker, if I might, just a few questions through you to the proponents of the amendment.

SPEAKER DONOVAN:

Please proceed, sir.

REP. MINER (66th):

Thank you, Mr. Speaker.

Mr. Speaker, as I understand the proposal, this reverses a sweep, which the Legislature had done previously. Is that correct? Through you.

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, that's my understanding.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

At what it does also, as I read the amendment, is

establishing on lapsing account. Is that also correct? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th): Through you, Mr. Speaker, that's true.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

If the gentleman could, through you, Mr. Speaker, explained to me at a time when the Legislature voted to implement a budget which swept the Environmental Quality Fund and the Environmental Conservation Fund into the General Fund, funds significantly larger serving similar purposes, why in this case we have reversed our decision making process? Through you.

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, it's been my -- it's my understanding we were advised by the Attorney General that we couldn't make the changes to that particular fund for some reason. I do not have the Attorney General's letter in my possession.

And so that's all I know for now, through you Mr. Speaker.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker, and I thank the gentleman for his answer.

The point I'm trying to make to you, ladies and gentlemen, is this is almost, I'll say schizophrenic. In one month we take tens of millions of dollars and move them out of dedicated funds that have served specific purposes for years in the state.

Fees paid at parks, fees paid through sportsman's licenses and similar have been dedicated previously for environmental issues, acquisition of land, propagation of species and so on. Now, because of this action, we're going to reverse that decision with a very small fund, but nonetheless we've chosen this one. And I just think this is the very kind of decision that gets us in trouble here. Not long after we vote on this amendment, we're going to get to talk about the bigger bills, some that include increases in fees, and the sportsmen are very concerned about what's going to happen with those dollars.

So because the Attorney General files a lawsuit over whether we can use license plate money one way or the other, we jump. But the sportsmen are going to be left in the state of Connecticut with nothing in those funds because we've allowed them to be swept. Maybe he'll take that issue on. Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative Miner.

Representative Johnston.

REP. JOHNSTON (51st):

Thank you, Mr. Speaker.

Mr. Speaker, commenting on the amendment before us and maybe on the process that led this amendment to be before us. This was language that was in the budget adopted weeks ago. And we all read the newspaper articles, and it became quite a talked about topic in the state of Connecticut, and citizens across the state got to understand what we did in that budget with this particular provision. And I suppose at that point in time, the Attorney General also got involved and took a look at it and had time to really study the issue and make a determination that it probably was not legal what we were doing.

And that budget was developed over a long period

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of time. Many attorneys in the room -- yet we didn't come to that point. I guess I'm bringing this out because the other night we voted on a bond bill without a fiscal note which was without a fiscal blueprint of what the bill was going to cost us. And those documents are there for a reason. Shortly after we adopt this amendment, Mr. Speaker, we are going to be looking at a bill. I've got a working draft in front of me. I don't know how many pages in the final copy, but 253 pages of minute details about every single agency across the state of Connecticut, but then the OLR summary -- now we're talking the "Cliffs Notes" on that same bill, Mr. Speaker, are 54 pages, and then if we whittle it down to the fiscal note which sort of deals with the financial implications, that summary, that real short snapshot that we should be able to get in 15 minutes is only 20 pages of fine print.

This very language that's before us now is before us because it had time for us and it had time for the people of the state of Connecticut to understand what we're doing, and I'm glad it's before us. I wish the entire budget process and the entire implementor bills were before us in a timely fashion. I actually

received the fiscal note on this 250-something-page bill about 24 minutes ago. I don't think there's for certain anyone in this Chamber, even a speed reader, that could begin to digest the details of a 250-something-page bill that took weeks to develop.

I'm only bringing that out on this amendment, Mr. Speaker, because the fact that we had this language before us and before the people of Connecticut, it gave us time to make an informed decision, and I think we're going to do that shortly. I wish we had that ability to make an informed decision on more of what we do. I think at the end of the day it would make for a better product. Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative.

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker.

Mr. Speaker, a question or two to the proponent of the amendment.

SPEAKER DONOVAN:

Please proceed, sir.

REP. CAFERO (142nd):

Thank you, Mr. Speaker.

Representative Geragosian, you indicated to the Chamber that the amendment that's before us and its fiscal note is revenue neutral. I have a copy of the fiscal note, as I presume everyone else does, and it indicates that the amendment, if passed, will result in a one-time revenue loss to the General Fund of \$300,000 in fiscal year 2010, and in the second year of the biennium, a one-time revenue loss of \$150,000 -- excuse me -- an ongoing revenue loss of \$150,000 in fiscal year 2011 and beyond.

It then counters that with a revenue gain of equal amounts to something called the Long Island Fund Account. Through you, Mr. Speaker is the Long Island Fund Account a fund account that's been in existence prior to this amendment? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, no. That's what this amendment does is establishes that account. And that -- what you just alluded to is the reason I said it appeared to be revenue neutral because it was all within the Department of Environmental Protection and

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the funds can be used for purposes that relate to the environment, which was the intended -- the intention of the donors to the Long Island Sound Fund. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Through you, Mr. Speaker, and I'm not so hot on this appropriations stuff, but if we're shortchanging the General Fund by \$300,000, does that mean our budget will be out of whack by \$300,000? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, that's not my understanding. I believe this new account is a General Fund account -- or would at least be used for environmental purposes within the DEP so it could offset those dollars. Right. So there are -- dollars both within the agency, so the commissioner has discretion, but they would be used specifically for environmental purposes. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker.

I guess, ladies and gentlemen, my only comment would be it's a heck of a way to run a state. Less than a month ago or about a month ago, we passed a budget. It was after the longest period of time this General Assembly had to contemplate, work out, think about, draft the language of the budget, and in a short four weeks, we've changed our revenue estimates twice now. And now we're even changing the way we fund this particular program because we got a letter from the Attorney General saying, hey guys, I think you made a mistake the first time. This is a heck of a way to establish and put forth a state budget.

Once again, do you blame the public for looking at the way we conduct our business and say, to heck with all of you. Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative.

Would you care to mark further on the bill -- on the amendment, sorry. Care to 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.

Will you remark for further on the bill as amended? Will you remark further on the bill as amended?

Representative Miner of the 66th District, sir, you have the floor.

REP. MINER (66th):

Thank you, Mr. Speaker.

If I might, a question or two on the underlying bill, through you, Mr. Speaker.

SPEAKER DONOVAN:

Please proceed, sir.

REP. MINER (66th):

Thank you, Mr. Speaker.

Mr. Speaker, in Section 49, there is some language that has to do with the Commission on Enhancing Agency Outcomes and the Chamber may remember back -- I think it was on October -- August 31st, excuse me, when we debated the budget itself. There

was a lot of discussion about how the budget was crafted and whether it was going to be achievable.

Through you, if the gentleman could tell me, by year, what the budget allocation is in terms of agency outcomes. How much did we as a Legislature predict in year 2010, and then again in year 2011, we would achieve through agency outcomes? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, I don't remember the exact amounts. The numbers that stick in my mind are 6 million in the first year and 50 million in the second year, but that might be wrong at this point. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

And if I could, through you, there's a number of paragraphs here and, section subset A and B and in Section 49 C, D, and E onward, that lays out a time frame for which this Agency on Enhancing Agency

Outcomes -- the Commission on Enhancing Agency
Outcomes would have to make a full report.

Through you, is that report going to be done in a
timely enough fashion to achieve what I think the
gentleman talked about, a \$56 million savings?
Through you.

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Well, first of all, I don't know if you know the
good news, but you've been appointed to this
commission to -- to this legislation or your designee,
Representative Miner, as ranking member.

But I think the report position -- provisions
allow for 12 -- 12 of -- 12/31 of '10 or sooner. So
the reason why we wanted to extend a reasonable time
is because we were talking about some major systems
that we've been talking about. The IT system for the
state and doing it a different way.

So we knew it was going to take some time so we
wanted to allot them a reasonable amount of time, and
I hope we can achieve the savings -- the bulk of the
savings in the second year. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

And I thank the gentleman for reminding me that I might actually have an opportunity to participate in this process, but I would remind the Chamber that I'm not the chairman. Certainly, no one on this side is the chairman of these commissions and therefore, we don't run the ship. Quite honestly, that was the issue that I had a month ago that we have no track record of fixing things. And while that committee has met numerous times and talked about a number of things, I have learned and been told over the last six, nine months that it's part of a committee process, that we're actually going to look at changing the way we do business through the Appropriations Committee, and so on.

I don't see how anyone could draw any comfort by language that establishes a deadline in the second year of the biennium when we're accounting for \$56 million in our budget. And this really isn't funny. This is the underpinning of the problem of what we started about here. We've developed a budget that is not achievable. Nancy Wyman wrote a letter recently

to the leaders of the Legislature drawing serious concerns, serious question about whether we were going to be able to achieve many of the numbers that are included in our budget.

So if I could, through you, Mr. Speaker, how is it that we have a deadline at the end of the biennium and accomplish \$56 million in savings throughout the biennium? Through you.

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, I mean, again, we wanted to give them adequate time. I've been part of this commission. I've been mired in budget negotiations for the past two or three months. I'd like to participate if somebody has gone through this process in the last six, seven, eight months as part of the budget process, but you really need to take these big problems, issues and have time to study them, have time to implement any changes, have time to explore all the ramifications of doing things.

Part of what we do in this particular bill is we try to create this office of administrative hearings to streamline the hearings process, to allow for, we

think, we'll have some savings. But we found out as we embarked on that, for instance, in the Department of Motor Vehicles we lose federal funding if we don't do -- handle the DWI money in a certain way.

So these are the kinds of pitfalls that we've encountered, but I'd rather do it right than do it quickly, and I think that is my answer. You know, we give them until the end of the year 2010. It doesn't mean that it has to take that long, first of all, and the end of the biennium is, you know, obviously we have more than half the biennium of '11 to try to achieve some of these savings.

So I hope that they will do their work quickly, but we will give them adequate time and, you know, it's possible that they could do some of their work along the way and deal with, you know, various phases of what the savings they hope to achieve. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker. And, again, back to the process, is it anticipated that once a report is given to those sections -- H that the committees would then

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take up all those recommendations? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Well, through you, Mr. Speaker, the report goes to the Governor and legislative leaders, I believe, in those sections, and it's incumbent upon us as part of the implementation, as part of this budget, to try to achieve those savings. I'm not sure if it requires action, but our budget does that, the budget that we put in place. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

Well, thank you, Mr. Speaker.

What I'm trying to understand here and that's the problem that we have, I believe, is that there's no connection. We are going to form a commission that's going to study various bits of the state government. They have to make a recommendation to someone. Someone has to take action on that. I don't think there's any process by which the legislative leaders can do that on their own. It seems to me there's got

to be legislative process that this body and the Senate will debate. Is that not true? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, I want to just point your attention to lines 1563, in addition to a reporting period of December of 2010, the commission is going to report -- release an initial report by February 1 2009-- oh, wait -- 2010. So as I just said in my previous comments, you know, they can release part of their findings. We can get to work here and what they talked about as the Appropriations Committee and other committees of cognizance to try to implement some of those changes earlier rather than later. So, you know, it doesn't all have to come -- they don't have to wait for everything they put together and bring it out at the end of 2010. They can release a partial report in a couple of months. We can work on it during this legislation that's coming up and hopefully, institute some of those changes sooner rather than later. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

If I could switch to another section of the bill, Section 72. Section 72 speaks to the police officers releasing children -- I assume that's minors -- not into the custody of their parents or guardians. If the gentleman could tell me what the basis of that might be. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

This group of sections from 69 to I believe 90 -- 92 -- move to implement the Raise the Age changes that we made in the budget. So I think one of the changes there is it creates the option for the child to either be released to a parent or, at the discretion of the officer, the child to its own custody. So I think -- I would assume it -- not being the Chair of the Judiciary Committee or the Human Services, it deals with the issue of, you know, the family situation, and maybe the child doesn't have a home to go back to. Maybe there you know, could be a runaway or a child on the street. But I'm not certain of the intent of that

section. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

So on line 2720, where it says release the child to the child's own custody, it sounds to be like a police officer might actually turn a juvenile loose after being arrested for any offense, through you, Mr. Speaker, if they can't find a parent or guardian?

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, what I see here is three different options: The child is returned to a parent, returned to its own custody -- his own custody, or returned to a juvenile detention center. And I'm not sure what it references in terms of the acts, but I think the only change is that third option. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker. I think that's my point.

My point is that the Legislature, as a part of its business today, implementing a budget is going to draft -- going to vote on language that is going to allow the police department to turn someone's child loose.

So if they've been arrested for possession, they've been arrested for an alcohol-related incident, you name it, anything, someone actually, I guess by virtue of this language, could make a decision on a Thursday night to just let them go. Is that what we really think is right, ladies and gentlemen?

What does that have to do with a budget? I guess that's a better question. That's not a question, I guess, at that point to any one individual. Thank you, Mr. Speaker. At this time I don't have any other questions, but I will sit and listen to others that are asked.

SPEAKER DONOVAN:

Thank you, Representative.

Representative Gonzalez of the 3rd district.

REP. GONZALEZ (3rd):

Thank you, Mr. Speaker.

Mr. Speaker, I call for an amendment, and I believe that amendment hasn't arrived yet, but I will

go ahead and I will express my opinion about an issue concerning about the commissions. I've been very disappointed that we are dealing with the commissions without trying to get together with different communities and find out what their opinion is about this bill. And this bill -- they take all the right to the commissioners to interview and select the executive director. And I would like to ask the question to Representative Geragosian. Representative Geragosian, right now, what is the process to select the executive director of the commissions?

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, Representative Gonzalez, I think the board or the chair of the commission gets to vote on the appointment of an executive director. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Gonzalez.

REP. GONZALEZ (3rd):

And who selects -- who appoints the commissioners? Who appoints the commissioners?

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, the commissioners are appointed by various people, including the Governor, the leaders. So they're various people that appoint the commissioners.

SPEAKER DONOVAN:

Representative Gonzalez.

REP. GONZALEZ (3rd):

Okay. And that's my point. It's not a secret that everybody here knows that the Latino and Puerto Rican Affairs Commission, we were having problems. And I believe they were big problems, but I would like to say that those problems came because Legislative Management failed to do their job, and I'm going to explain myself why.

For many years, the commissioners, they were complaining about the problems they were through with the Latino and Puerto Rican Affairs Commission. They went to Legislative Management with proof of everything they were complaining about. And Legislative Management failed to do their job. Legislative Management completely ignored all these complaints, and that's why the problems get worse and

worse. And at the end, the commissioners ended up deciding let go of the executive director.

So now with this -- this bill, we've given all the right to legislative management to select the executive director. But wait a minute. For years, the commissioners, they were trying to get involved in Legislative Management to resolve the problem, and for years they were totally ignored. So now, what are we saying here? They didn't want to get involved. Why do they want to get involved? Because oh, that's the Latino and Puerto Rican Affairs Commission. I don't want to get involved. The Latino community is going to get upset. And that happened with all the commissions.

Oh, the commission of permanent -- Permanent Commission of Women. They are going to get upset. We're not going to get involved. And that goes with the African-American Commission -- all the commissions, and that's why we end up with a huge problem. And now I'm saying that what's going on is not right because the only commissions, that right now, that don't have an executive director is the Latino and Puerto Rican Affairs Commission.

And my question to Representative Geragosian, who

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appoints the commissioners? He clearly said the Governor, the President Pro Tem, the Speaker of the House, and the Minority Leader. And I'm saying what's the use -- what's the use to appoint commissioners if the people that appoint them, they don't trust them to make decisions. That's what they are saying right here.

They are saying we don't have the trust and that's why legislative management is making the decision. So what's the use to appoint commissioners? I would like -- to Representative Geragosian to see if he can answer me that question.

REP. GERAGOSIAN (25th):

Well -- through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Thank you, Mr. Speaker.

This bills sets up various changes to the commission, including the makeup of the commissioners. It expands the number of commissioners, makes sure the commissioners have regional representation from across the state; make sure they conform with the new -- the RBA results-based accountability goals that we've

tried to implement.

This has the Joint Committee on Legislative Management as the appointing authority, a committee many of us sit on. Nothing in this legislation says that the standing commission can't recommend a person for the Joint Committee on Legislative Management or the process like that couldn't be put into place. It doesn't say that. It just means the final hiring will be done by the committee.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Gonzalez.

REP. GONZALEZ (3rd):

Thank you, Mr. Speaker.

I would like to say that if, us, we provide the funds and the resources to the commission, to the commission that can serve the community, why then we not give the commissions -- the commissioners the right to decide. You're going to decide -- who's going to decide for me? Who is going to decide for my community? I'm going to ask you a question. I don't know if you have an answer. How many minority people you have in Legislative Management? I would like to add -- to know that. None, zero.

So what I'm saying is, why Legislative Management, That they don't know what is -- you know, what about my community, the culture, my language, and the problems that we have in my community? Why legislative management have to make that kind of decision for my community? And that's why Mr. Speaker, I'm voting against this.

Thank you.

SPEAKER DONOVAN:

Thank you, Representative.

Representative Hetherington.

REP. HETHERINGTON (125th):

Thank you, Mr. Speaker, if I may, a question or two to the --

SPEAKER DONOVAN:

Please proceed, sir.

REP. HETHERINGTON (125th):

Thank you.

Through you, Mr. Speaker, I note in Sections 143 to 142 that we are increasing the membership on each of the legislative commissions from 13 to 21. I wondered if the Representative could share thought on what the policy considerations were in expanding the membership of those commissions?

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Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, well, first of all --
to Representative Hetherington, I'm sorry --

REP. HETHERINGTON (125th):

I beg your pardon, Mr. Speaker, I wondered if
that answer could be repeated?

SPEAKER DONOVAN:

I don't think he answered yet. Did you answer
already?

REP. GERAGOSIAN (25th):

No, not yet.

SPEAKER DONOVAN:

Oh, I'm sorry.

I think there's a question on the floor,
Representative Geragosian.

REP. GERAGOSIAN (25th):

Yes, through you, Mr. Speaker.

As for some of the reasons I stated a little bit
earlier, well, first of all, to allow for
geographic -- a balanced geographic representation of
the commission so they wouldn't be from -- so they

would come from all over. I think they are geographically diversified by counties. Also, we moved over to a results-based accountability model for this -- these agencies so we want to see concrete goals and results; therefore, expanding the number -- membership of the commissions would allow for certain experts in certain fields, in health care and business development and other fields to come along and be part of these commissions. And try to make sure that the work of the commission has goals and results.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Hetherington.

REP. HETHERINGTON (125th):

Thank you. Through you, Mr. Speaker, there is no compensation for members of the commission; is that correct, through you, Mr. Speaker?

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, there is not, but I believe the statute allows for a reasonable reimbursement of expenses, and I'm not sure what the definition of it, but I think that's --

SPEAKER DONOVAN:

Representative Hetherington.

REP. HETHERINGTON (125th):

Thank you. The Representative anticipated my next question, and that was that by increasing the number of members, there is going to be a cost associated with this because of the statutory entitlement to reimbursement of reasonable expenses, and that would -- is that -- is that true?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, it's potentially true, but I'm not sure to what extent current commissioners are reimbursed, if at all. So it wasn't raised as a major issue as we contemplated this language, through you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you.

Representative Hetherington.

REP. HETHERINGTON (125th):

So just one last question, through you, Mr. Speaker, does the gentleman know what the

compensation total was for the last fiscal year for the members of the commission? I ask that even though I anticipate from the gentleman's last response that they probably -- that the answer is no, through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, I don't recall a line item even for -- I mean, I'm sure they have small OE other expense lines within the commission. I don't know if they traditionally even reimburse, but they can. I -- it hasn't been an issue as we've gone through this budget process. Of course, we've reduced the -- all the commissions by 50 percent as part of this budget process. We cut them 50 percent so, you know, I would have figured if it was an issue in terms of the funding of commissions it would have come up, but it hasn't as of -- as of now.

Through you, Mr. Speaker.

REP. HETHERINGTON (125th):

Thank you.

Mr. Speaker, through you, I thank the gentleman for his responses and thank the Speaker.

SPEAKER DONOVAN:

Thank you, Representative.

Representative Lesser.

REP. LESSER (100th):

Thank you. Thank you, Mr. Speaker.

Through you, Mr. Speaker, a question to the proponent of the bill.

SPEAKER DONOVAN:

Please proceed.

REP. LESSER (100th):

Yes, thank you, Mr. Speaker.

I have a couple questions regarding the funding of several health care facilities. Does this legislation close any of the following facilities: The High Meadows Facility, Cedarcrest, Riverview Hospital, or the Connecticut Valley Hospital Detox Facility?

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, can you repeat the -- your question. I couldn't --

REP. LESSER (100th):

Yes. Does this -- through you, Mr. Speaker, does

this legislation close any of the following facilities: The High Meadows Facility, Cedarcrest, Riverview Hospital or the Connecticut Valley Hospital Detox Facility?

SPEAKER DONOVAN:

Representative Geragosian.

REP: GERAGOSIAN (25th):

Through you, Mr. Speaker, the answer is no. As you know, our budget vote a month ago rejected the Governor's proposals to close High Meadows, Cedarcrest, and several other health care facilities, and the budget provides funding for those facilities. We specifically included funds to avoid the Governor's proposed cuts. There's nothing in this legislation before this -- in this legislation or in the budget that has become law that would authorize the Governor to close those facilities.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Lesser.

REP. LESSER (100th):

Through you, Mr. Speaker, what about Section 48 of the budget? Would this give the Governor any authority to close those facilities?

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, in my opinion, no. Section 48, would not give the Governor authority. Section 48 was included in the budget to allow the Governor to reduce any existing allotment in conformance with cuts otherwise included in the budget, such as the CEBAC agreement, the savings we achieved as an early retirement and other things or the DCF cut to management, for example. It does not affect the Governor's authority regarding the facilities you mention.

Through you, Mr. Speaker.

REP. LESSER (100th):

Thank the gentleman for his answers.

SPEAKER DONOVAN:

Thank you, Representative.

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker.

Mr. Speaker, a few questions to the proponent of the bill regarding the bill.

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Please proceed, sir.

REP. CAFERO (142nd):

Thank you.

Representative Geragosian, in Section 40 of the bill, the language indicates that the Police Officer Standards and Training Council may, from this point on, recover from any municipality the cost of training their law enforcement officials at the Connecticut Police Academy. It is my understanding that heretofore, essentially small towns who have sent up one or two police officers for training were included in the large training group, and those towns were not assessed money. And this seems to be a change in that policy. Am I wrong on that?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, although I represent a rather large city, I think this provision protects small towns. The trigger for reimbursement by the towns, first of all, they had to have operated their own facility, so a lot of the small towns don't do that. They've been part of POST, and so if a major

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city had decided to close its training facility and move its officers to POST, we want to avoid crowding out the small town officers that have relied on POST to train their cadets, but also allow them the resources so they have to ramp up their operations to have the money to do so.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker. Mr. Speaker, I appreciate that answer. I guess my question would be that there are two triggers that would make a municipality have to reimburse the Connecticut police training facilities for their police officer training. One is that they once operated a local police training school, and that they ceased operation of such a school after January 1st of 2007. Now the reason I questioned that is because it's a unique thing. Unique in the fact that here we're passing a biennium budget that takes effect July 1, 2009, covers fiscal years 2010 and 2011. And yet, we're referencing a date and time that will cause a municipality to either have to reimburse for their training or not, of

January 1, 2007. What is the significance of that date, through you, Mr. Speaker?

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, I asked the same question when I first saw the language. I'm not sure that it pertains to a specific town or police department. Do you know that it does, through you, Mr. Speaker?

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Well, through you, Mr. Speaker, that's exactly what I'm trying to find out because I've been here a long enough to know that we don't just put these things in for nothing. There's got to be a reason. In fact, there's got to be municipalities that qualify under these -- this language. In other words, there's got to be municipalities that once operated a local police training school and ceased the operation of that school after January 1, 2007. That's a very measurable standard by which to identify which municipalities might be affected. And my question is

does the good gentleman know what municipalities would fall under this very specific criteria?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, I have not been told it affects a single municipality.

Having said that, going forward as a policy, I think if the major cities and bigger towns closed their facilities and are going to force the state to conduct the training, they should reimburse the POST to reasonably -- for the two reasons I said earlier -- I stated earlier. We don't -- we want to make sure that small towns are able to conduct their training. We also want to make sure that the facilities are adequate to conduct training for all police departments that need it. So -- through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker. And, Representative Geragosian, I get that. I get that part, but there's

a reason we have January 1, 2007. It's not July 1, 2007. It's not January 1, 2006. It's not January 1, 2008. It's not January 1, 2009. It's January 1, 2007, and that means not everybody, but a certain amount of municipalities qualify or would be subject to this provision -- not all of them, some of them: only those that once ran a local police training academy and closed it specifically after January 1, 2007. Now somebody in this place has to know who that must apply to. And I wonder if the good gentleman could direct me to someone who might know what municipalities, if any, are affected by this provision.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, unfortunately, Representative Dargan seems to have left for a sec and perhaps -- through you, Mr. Speaker, I have not been told of a single department that this affects.

It's possibly that it was a result of a cut and paste through our drafting through LCO. I have not been told that it affects a single department. I

asked the question and haven't been told that it affects a single or multiple departments for that matter.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Representative Geragosian. I appreciate your attempt to answer the question. But, I guess, what I'd say to my colleagues here, beware, pick up the phone, call your police chief because someone's affected by this. They didn't just put it in here for nothing. And if it is a cut-and-paste error or somebody typed the wrong number, shame on us. Big bucks at stake here. I hope it's not just that. I have a feeling it isn't, because what I'm finding out is the longer you're in this place, little things pop up here and there that before you know it, you turn around and you're city might be out a few bucks.

Didn't see it coming, wedged in the middle. Put in crazy funky language, didn't know that. But beware because when all this fleshes out, someone's going to be out some dough.

Mr. Speaker, Representative Hetherington, and

ladies and gentlemen of the Chamber, talked about another very important part, as did Representative Gonzalez, of this bill that is before us, and it's the legislative commissions. And just to -- by way of background and refresh your recollection over the period of years, about 40 years, we, as a Legislature have established legislative commissions. These aren't executive branch commissions. These are commissions that are under the control and report to the Legislature.

There are now six of them: The Latino and Puerto Rican Affairs Commission, the African-American Affairs Commission, the Asian Pacific American Affairs Commission, the Commission on Aging, the Commission on Children, and the Permanent Commission on the Status of Women. These are six legislative agencies. Now you might be familiar with them because, at the start of this very difficult budget year, many people said this might not be the time to perpetuate these commissions. Maybe it is a time that we can do some consolidation. Maybe it's a time that we would decide that in making the priorities of the state of Connecticut, these six legislative commissions are not among those priorities.

Newspapers called for us to revisit this and talk about consolidating these. The Republican Caucus recommended consolidating the six into one, a commission called the Commission on Minority and Protected Class Citizenry. Even the Democrats proposed consolidating six commissions into three. But guess what? We didn't do that. We have six commissions. In fact, not only didn't we consolidate them, we expanded them. We went, as Representative Hetherington indicated, from 13 members on three of the commissions to 21 members. We increased membership by eight people per commission. In two other instances, we increased membership from 17 to 21 and in one case from 16 members to 21. So not only weren't we consolidating the agencies, we were expanding them.

But then I want you to look very closely to the language, because another thing that we're doing in this bill is we are making uniform, identical the focus of each and every commission. What do I mean by that? If you look in the bill that's before us, you'll see that each one of these commissions stated separately has a focus. The focus is as follows -- depending on the commission -- let's take Latino and

Puerto Rican Affairs that the focus of that commission is that all members of the Latino and Puerto Rican population of the state of Connecticut are healthy; that all members of the Latino and Puerto Rican population of the state of Connecticut are safe; that all members of the Latino and Puerto Rican population of the state of Connecticut are education -- have educational success, and that all members of that population are free from discrimination. A noble focus.

The African-American Commission has the identical focus, except as it pertains to members of the African American population. The Commission on Children has the identical focus. The Commission on Aging has the identical focus. And the Permanent Commission on the Status of Women has the identical focus.

Now, it doesn't take a brain surgeon to wonder isn't there a little overlap there? Because you see in the Latino and Puerto Rican community, there are children, there are women, and there are elderly. In the African-American population of this state, there are children, there are women, and there are elderly. In the Asian Pacific American population of this state, there are children, there are women, and they

are -- there are elderly.

So what happens when the Commission on Elderly tries to fulfill their focus? Do they coordinate with the various agencies I just mentioned and exclude from their focus Asian Pacific Americans, African-American Americans, Latino and Puerto Rican population? Because if they don't, now you have two commissions dealing with the same thing, same with the African-American -- African-American Affairs Commission. Are they supposed to look at just the health, education and welfare of the African-American population, even though that includes children, women and elderly? And how does that coincide with the Commission on Children, Women and Elderly?

And then I've got a real conundrum for us. What about the elderly women population, elderly female population of the state of Connecticut? Is that a triple overlap if they happen to be Latino and Puerto Rican, if they happen to be African-American or if they happen to be Asian Pacific? Think about that, Think about the 21 commissioners on each of these commissions trying to do their legislative focus.

By definition, by definition we have overlapped six agencies. In many cases, they're doing the exact

same thing. This, at a time, when we talked about reinventing government, consolidating agencies, eliminating waste, so we can preserve our precious resources for other priorities. But we didn't do that.

In fact, not only didn't we shrink it, we expanded it. Once again, you wonder, When the public reads what we do here, why do they say, to heck with all of you? Because it just doesn't make sense.

Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative.

Representative Bacchiochi.

REP. BACCHIOCHI (52nd):

Thank you, Mr. Speaker.

Mr. Speaker, a question, through you, to the proponent of the bill, please.

SPEAKER DONOVAN:

Please proceed, madam.

REP. BACCHIOCHI (52nd):

Thank you.

I'm looking on page 240, at the top, line 7463. There's a paragraph that talks about the Department of Children and the Department of Corrections authorizing

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a study to determine how best to serve incarcerated mothers. Through you, Mr. Speaker, where is the funding for that coming from, and how much will that be?

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, can you repeat the section.

REP. BACCHIOCHI (52nd):

Yes. Well, I did give you the line I'm looking at.

REP. GERAGOSIAN (25th):

Okay.

REP. BACCHIOCHI (52nd):

7463, on page 240.

SPEAKER DONOVAN:

You guys doing fine without me? That's good.

REP. BACCHIOCHI (52nd):

I'm sorry.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker. That particular -- it's the DCF, memorandum of understanding between DCF and DOC to reunify incarcerated women and their

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children. And I believe that is within available appropriations if I'm not -- no, excuse me. Through you, to Representative Bacchiochi, it allows them to transfer money to do so within the agencies but within existing resources that they have. There's no new money for this particular program.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Bacchiochi.

REP. BACCHIOCHI (52nd):

So who actually would be performing this study through you, Mr. Speaker?

SPEAKER DONOVAN:

Representative Geragosian?

REP. GERAGOSIAN (25th):

Well, it allows the Department of Corrections and DCF to work together to create, and in accordance with the money that was referred to earlier in the budget in the last item, the study of the -- at Central that was referred -- talked about by Representative Cafero and others. But to coordinate, to create programs to avoid the costs on the other end of kids in foster care, where appropriate, to allow moms that are in prison to reunify with their children to save us money

both in incarceration costs but money in the foster care system. So, you know, and we give them the power, through the FAC process to make the transfer. So, obviously, we'll have -- the administration and those of us on the FAC Committee will have a say as to whether the transfer occurs, and they'll have to support the reasons for transferring the funds and the worthiness of the -- whatever program they develop, through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Bacchiochi.

REP. BACCHIOCHI (52nd):

I'm sorry, Mr. Speaker. I don't know what the FAC is, through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

It's the committee that transfers funds in the budget, made up of the Lieutenant Governor -- the Governor chairs -- as well as OPM members, the state treasurer is on it, the state comptroller, and the Appropriations ranking members are on it, through you, Mr. Speaker.

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Representative Bacchiochi.

REP. BACCHIOCHI (52nd):

Okay. So no additional revenue is being added to DCF or DOC to perform this study. I just want to clarify that, through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

And through you, Mr. Speaker, it's more than just a study. It's hopefully, the establishment of some sort of program to effectuate this. And as I said earlier, I think it'll achieve a saving both on the incarceration side, where appropriate, but also save money from kids being in foster -- in our foster care system that we're paying for through DCF. So it's possible, you know, it could even achieve a savings over time but, you know, at the very least, we could expect it to be somewhat revenue neutral, through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Bacchiochi.

REP. BACCHIOCHI (52nd):

I have no doubt that it could achieve a savings down the road, but I was trying to just confirm for my

own understanding that there were no additional revenues going into DOC or DCF in order to implement the program, through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, this will be handled by the budget as appropriated.

REP. BACCHIOCHI (52nd):

Thank you.

SPEAKER DONOVAN:

Thank you, Representative.

Representative Hovey.

REP. HOVEY (112th):

Thank you, Mr. Speaker.

Through you, a couple of questions to the proponent of the legislation.

SPEAKER DONOVAN:

Please proceed, madam.

REP. HOVEY (112th):

Thank you, sir.

Through you, Mr. Speaker, I'm looking at Section 72 line 2717. This is the section that has to do with the child who's been arrested and being let go

on their own recognizance. Through you, Mr. Speaker, could you please, sir, tell me what defines a child in this section, through you, Mr. Speaker?

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, I'm not quite sure. I was asked a question about this section before, and I think it obviously -- the change is this third option to release a child on his own recognizance. In terms of it pertains to the change in age, I would assume, therefore, a minor child, a 16-year-old is -- this deals with Raise the Age. So I assume it's -- those 16-year-olds.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Hovey.

REP. HOVEY (112th):

So through you, Mr. Speaker, it would -- a child would be considered 16 and younger?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, because this -- these sections pertain to the implementation of Raise the Age, I assume that's -- that is what the definition is for this purpose. If the gentlelady knows of some reason why it's not that, you know, I'd be happy to hear her concerns, through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Hovey.

REP. HOVEY (112th):

Thank you, Mr. Speaker. And, Mr. Speaker, within the context of general child development when a child has committed an inappropriate act, as a manner or a consequence of discipline, is it normal to let that child then be left to their own devices and put back out to recommit or fend for themselves?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Geragosian.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, my answer before was only speculative. But it assumes that some kids don't have a family to go back to, and that was one of the -- because it was a choice of releasing to a parent, releasing to an institutional setting that

they were in or this other option. So I know Representative Lawlor is here and may be able to better answer the technical aspects of this. My knowledge is to the budget and the budgetary impacts.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Hovey.

REP. HOVEY (112th):

Thank you, Mr. Speaker.

Mr. Speaker, through you, I think that there are other options besides just being -- a child being released to their parent or being institutionalized within the constructs of what's in place or being turned back out to their own recognizance. I think as a state, we have tried really hard to assure that we do take care of our children and provide programming for our children, and it would seem to me that a child who is making poor choices, which is what has gotten them into this situation in the first place, should be turned over if there's not able to be a parent found to support this young person, should be able to find support from one of our organizations in our communities that would then be able to counsel them specifically at that moment, about the inappropriate

choice that they have made and also have some dialogue with them about making more appropriate choices for their future.

I'm extremely concerned about turning young people back out on their own recognizance after they have had contact with the police department for several different reasons. And actually one of them has more to do with their own safety. I think most young people who do make a poor choice, for whatever reason, then when they're actually caught at that can have a lot of conflict that they need to deal with internally, and so I'm concerned for that child's well-being and personal safety. I also am concerned for the child who does not necessarily have the strong conscience around making poor choices and the fact that they've then been let out to their own devices and their own recognizance, could actually escalate their behaviors, and cause more damage within the context of their communities.

So through you, Mr. Speaker, I have to tell the good gentleman, while I'm sure that whoever's idea this was was well-intentioned, from a behavioral psychology perspective, it's completely inappropriate.

Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative.

Representative Walker.

REP. WALKER (93rd):

Thank you, Mr. Speaker.

Mr. Speaker, I want to clarify a few things just a little bit on Raise the Age. And I understand the concerns that my colleagues have expressed here.

When we started talking about Raise the Age, remember we talked about the fact that Connecticut was the last state to have age or jurisdiction at 16, one of the last. There are three. And we started our conversation in 2007. We talked about the fact that we wanted children have parent contact, and we wanted to make sure that parents participated. Well, as we all know, we have to go through a negotiation process. And many of you read a lot of the opposition to this because there were a lot of people out there that said if we do raise the age, that we're going to incur having higher municipal costs.

So what we did was we looked around the country and how other states do raise the age when they do higher than 16. And many states in this country allow children to get released with the promise to appear.

We did not want to have that happen. We wanted our children to have the contact with the parents. But many of the police departments objected to it because they said it was very difficult for them to find a parent, that if they didn't do this, they would have to build more prisons.

So we had to make a decision when we did this. Do we allow a child to be arrested at 16 and put into an adult jail where he might be violated and the recidivism rate for him to commit crimes is so much higher, or do we give them an opportunity to get a promise to appear, to come back to court -- which they -- if they -- at an older age they would get a promise to appear at 17 or 18, so what we had to do was compromise with the police departments and say, okay, you will make your best effort to contact those parents. You will make your best effort to make sure that you can prove it when they are -- when they go to court that they tried to contact the parent? But if you cannot contact the parent, you can give them a promise to appear.

With that compromise, we got an okay from both the police departments and the other people that were around the table. This was not the best solution but

this was the compromise solution, and as we all know, compromise is the way we make change appear.

If it does not work, we will make another compromise but we want to get our children out of prisons. We want our children to have the opportunity to get the services and be able to continue their life even after they make one small stupid mistake because many people have made small stupid mistakes, and many of them have not got caught. Well, what we need to do is make sure that our children still have the opportunity for education, still have the opportunity for counseling, and still have the opportunity to make a better quality of life.

This was not just one person's decision. And I agree with my colleague to say we know that 16-year-olds make dumb choices. That was part of the premise and why we raised -- we did raise the age. When we did the illustration about the sharks and asking kids would you swim with sharks, and the 16- and 17-year-olds thought about it, the adults said, oh, heck, no.

We understand that. But this is the best we can do right now to try and keep our children out of prison and keep them in school and make sure that

they come -- they are part of our community.

I hope next year that my colleagues on both sides will say, you know what, we don't care what's going on. We want to make sure that a parent's there. And I'll be the first one to sign up, but right now, we got to make that step, and this is the first step, and it's going to be many more because we know that our children are more important than just saying they cost too much for us to correct.

Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative.

Representative Rebinbas.

REP. REBINBAS (70th):

Good evening, Mr. Speaker.

Mr. Speaker, I'd like to take the time just to comment again on Section 72, lines 2717, that my colleagues have addressed earlier. I don't want to beat a dead horse, but I think what we're trying to do is just point out the importance of this section and the -- some of the implications, most of which we see as negative that can occur.

I would certainly agree that we do need to compromise and negotiate in order to reach good laws.

However, this is one point that I cannot compromise or negotiate what I believe is the safety of our children.

By releasing or allowing the option to release these children to their own care, going back to what was said earlier, the fact that they may not have a home, exactly that. I do not want Connecticut to be like most of those other states that allow these children to live at home, to be released on their own recognizance and then have to unfortunately create homes on the streets. A promise to appear, even adults sometimes do not adhere to those. Now we expect a minor child, of which just got arrested, to then take it upon themselves to find their safe way outside of the prison, which we don't even know if that's to a home, to a sidewalk, to a street corner, or to under bridges. But we're allowing them to make that decision. We can't do that.

If that child goes back out and commits another crime, we are putting the public at harm's way. We are putting that parent who had no knowledge that their child was first arrested responsible for that child's actions. Furthermore, if we take it one step further, a promise to appear, what does that mean?

That means that they appear in court. Quite frankly, in the court of law in the state of Connecticut, you cannot appear as a minor before a judge without a parent or a guardian. Where are they? They may not even know that that child was arrested. That child may not even appear. Now we're creating a record for this child that they will have to face for the rest of their lives.

We need to really sit here and think about the ramifications that this legislation that we are passing is going to create. Spirit of compromise, spirit negotiations, we are all over that. But, again, I will not do that when it comes to the safety of our kids. We are here to protect them, not to put them in harm's way.

Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative.

Representative Mary Mushinsky.

REP. MUSHINSKY (85th):

Thank you, Mr. Speaker.

I wanted to respond briefly to Representative Cafero's remarks on the compaction of the commissions and how that would be automatically a good thing for

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the state of Connecticut. Without regard to their performance in obtaining federal funds for our constituents, that is how we should evaluate whether they are worthwhile or not for the state of Connecticut.

I've been working for the last year or so or two years with the Commission on Children to identify federal dollars for education and training for low-income people and bring them to our state so we can get these folks back on a good economic footing. They found -- the commission found -- I didn't have time to do this -- but the commission went out and found a way for our towns to collect 50 percent more federal reimbursement on programs they already run for education and training. They didn't even know they were eligible for this federal money, and neither did I, but the Commission on Children discovered a way to tap the federal money and bring it to our towns.

This tiny little commission found \$8.25 million in federal money that we did not know we were eligible for. They found my region \$576,000 that we did not know we were eligible for. They found new funding for 90 towns that we did not even know about. That's why there is language in this amendment that instructs

them to maximize -- any of the commissions, instructs them to maximize federal dollars and to measure the performance of these commissions using results-based accountability. The commissions that go out and hustle and find federal dollars for us and help us help our communities, they will be rewarded in the budget process. The commissions who are not looking for the federal dollars, they will not be so rewarded. But we should encourage merit. We should encourage production, and we should certainly thank commissions that find the state \$8.25 million that we did not know we could get.

I -- I say thank you to that commission for helping us find that money, and I hope the other commissions are able to do a similar thing for our constituents.

Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative.

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

Mr. Speaker, I've listened, as I said I would, with regard to Section 72, and I just want to point

out for the Chamber, we spend a lot of time here paying attention to words. And the language that we've been discussing on line 2720 talks about the release of a child. If the Chamber would go back, on line 2465, there's a definition of a child. And the definition of a child is someone under the age of 16 years of age -- that has nothing to do with the youthful offenders status. That has nothing to do with Raise the Age. If we intended to negotiate what we were going to do with those people in that age bracket, the word -- the word "child," in my opinion, should be "youth."

So as we pass this bill today, which I'm sure we're going to do, we need to be clear: This is going to permit the police department to turn somebody at the age of 12, 13, 14 loose without their parental guidance or without some state agency -- not someone 16 or 17.

And if I could, through you, Mr. Speaker, in Section 39, if I might, to the proponent of the bill, ask one more question.

SPEAKER DONOVAN:
Representative Geragosian.

Please proceed, Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker. Mr. Speaker, over the last year or so, I think we're all aware that there have been a number of negotiations with various state agencies and state employees. Some of which have been members of bargaining groups, SEBAC agreement was reached last spring, did an exchange for job security, everyone agreed to do certain things, some of which were furlough days.

If I could, through you, in Section 39, there seems to be a carve-out for judges. And I'm curious as to why this one group of state employees was relieved of that responsibility of taking furlough days, through you.

SPEAKER DONOVAN:
Representative Geragosian.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, it was deemed as a separation of powers issue. The judicial furloughs appear as a lapse further on in the document, in the amount of about \$319,000 a year, though. So that accomplishes the furlough -- it changes the "shall" to a "may." So it enables them to do it as -- accomplish further, later on in the budget. If I could find the section, I'd -- I'll show you, but it -- it's there. Through you, Mr. Speaker.

SPEAKER DONOVAN:
Representative Miner.

REP. MINER (66th):

So if I could, just a follow-up. So rather than requiring them to take a furlough day, we allow the judicial department and this group to find savings in some other manner? Through you.

SPEAKER DONOVAN:
Representative Geragosian.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, I believe it's a little stronger than that. It's a forced lapse of the -- in the amount that would basically achieve the furlough days. I believe it's \$319,000 a year.

SPEAKER DONOVAN:
Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker. And is that -- is it in that same area that would affect wages, or is it in some other area? Through you.

SPEAKER DONOVAN:
Representative Geragosian.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, I believe it's the -- Section 106 is the section that accomplishes the reduction. It's on page 137 of the bill. I'm sorry

about that. It's a little earlier, 106 on -- lines 4054. Through you, Mr. Speaker.

SPEAKER DONOVAN:
Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker. And just as a follow-up, I'm curious to be -- just so I can be sure, if we're requiring other employees to give something back, in this line item is that still going to have the same effect on this -- this group of state employees? Through you.

REP. GERAGOSIAN (25th):

Through you, Mr. Speaker, that line item is there specifically for judges and their furlough days. Through you, Mr. Speaker.

SPEAKER DONOVAN:
Representative Miner.

REP. MINER (66th):
Thank you, Mr. Speaker.

SPEAKER DONOVAN:
Thank you, Representative.

Representative Holder-Winfield.

REP. HOLDER-WINFIELD (94th):

Thank you, Mr. Speaker. Just a short time ago we were referred to line 2465, to understand a definition of a "child." But if we continued on from 2465 down

to about 2468, we'd also recognize a child is further defined. And it talks about a child being defined for the purposes of delinquency matters and proceedings. And it says that that child is -- means a person under the age of 17 years, who has not been legally emancipated. So it's not -- so we're not just talking about people under the age of 16, we're talking about the people who we've said we've been talking about. The -- the definition doesn't stop on 2465.

And further to that, we talked about keeping these young people safe. And some people have made it sound as though keeping these young people safe would be keeping them in custody. Some of these people would be released back to their homes, yes, some of them may be released to their own recognizance. But they -- some of these people will be released back to their homes, which is a safe environment.

So if we're going to talk about this, maybe we should talk about the fact that individual circumstances matter here. And people who are dealing with these individual circumstances would have a better idea than we have at this moment as to what the best course of action would be. Thank you, Mr. Speaker.

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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 come to the well of the House. Members take their seat. 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 roll call. Members to the chamber.

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 please take a tally.

Will the Clerk please announce the tally.

THE CLERK:

House Bill 7007 as amended by House "A."

Total Number voting	130
Necessary for passage	66
Those voting Yea	91
Those voting Nay	39

Those absent and not voting 21

SPEAKER DONOVAN:

Emergency bill as amended is passed.

Representative Johnson, for what reason do you
rise?

REP. JOHNSON (49th):

Mr. Speaker, thank you. I just wanted to let the
record show that in order to avoid the appearance of a
conflict of interest, I recused myself in this vote.

SPEAKER DONOVAN:

On the previous -- on the previous bill?

REP. JOHNSON (49th):

Yes.

SPEAKER DONOVAN:

Thank you, Representative.

REP. JOHNSON (49th): Thank you.

SPEAKER DONOVAN:

So noted.

Are there announcements or introductions?

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker. During this lull in
action, I would ask for a point of personal privilege,
if I may.

SPEAKER DONOVAN:

Please, could we have quiet in the chamber.