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HB6701

House	10003-10223	221
<u>Senate</u>	<u>7411-7497</u>	<u>87</u>
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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2011**

**JUNE 30
SPECIAL
SESSION**

**VETO
SESSION**

**VOL.54
PART 30
9974 – 10244**

THE CLERK:

House Bill Number 6701 AN ACT CONCERNING THE
BUDGET FOR THE BIENNIUM ENDING JUNE 30, 2013, LCO
Number 8739 introduced by Representative Donovan and
Senator Williams.

SPEAKER DONOVAN:

The distinguished Chair of the Appropriations
Committee, Representative Walker, you have the floor,
madam.

REP. WALKER (93rd):

Mr. Speaker, I move passage of the Emergency Bill
6701.

SPEAKER DONOVAN:

The question is on passage of the Bill. You
have the floor.

REP. WALKER (93rd):

Thank you, Mr. Speaker. Mr. Speaker, it's June.
It's the end of the season, the beginning of the
summer. We are trying very hard to work toward a
resolution for our budget.

The document before us that we are addressing
today recognizes that there are cost savings under the
SEBAC agreement that will not be achieved, that the
Agreement was not ratified.

Savings were assumed under the SEBAC Agreement, and the Bill before us constructs framework that allows the Governor temporary additional rescission authority.

By June 15th, the Governor must submit a plan to the Legislature that outlines the rescissions and the reductions. We have a bridge to this gap without reducing any aid to municipalities that we will be working on.

It is important to note that our hope, and I say this again, that our hope is that SEBAC Agreement will be ratified and approved, making the provision of this Bill unnecessary.

In the instance of that the SEBAC Agreement is not ratified, the Governor's temporary rescission authority will sunset on September 30, 2011.

Mr. Speaker, I move adoption.

SPEAKER DONOVAN:

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

REP. CAFERO (142nd):

Thank you, Mr. Speaker. Mr. Speaker, a few questions, through you to the proponent of the Emergency Certified Bill before us.

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SPEAKER DONOVAN:

Please proceed, sir.

REP. CAFERO (142nd):

Thank you. I just realized something, excuse me.

Thank you, Mr. Speaker.

Just to put this in the proper framework for the Chamber and of course, those that we represent back home who may be watching or reading about the account of this Session.

A few weeks ago we thought, as a Legislature, though many disagreed with the action, that we put the finishing touches on the biennium budget, that we left here with a balanced budget understanding that it was contingent upon an agreement that was outside the control of this Chamber, an agreement between the Executive Branch and the various collective bargaining units representing the state employees. Is that correct?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, I thank the good gentleman from Norwalk for the question.

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That is correct, sir.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker. And through you, the amount that we were hoping to have, or that agreement, which we had no control over amounted to was \$1.6 billion spread over two years of the biennium. As I recall, \$700 million in order to balance the budget for Fiscal Year 2012 and \$900 million to balance the budget for Fiscal Year 2013.

Is that correct? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, again, I thank the gentleman for the clarification. That is correct, sir.

Through you.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker. And through you, we also all are aware that within the last several days we learned that over a seven-week period of time the various collective bargaining units representing the state employees held their series of votes, and based upon the rules of their various umbrella organization, there was not enough votes, excuse me, necessary to ratify the agreement.

So as we sit here today, there is no concession package, no agreement, other than the contracts that have been long-standing and negotiated that we as the State of Connecticut have with those collective bargaining units.

Is that correct? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, again I thank the gentleman for the clarification. That is correct, sir.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker. Now, what we're saying, my understanding is because this deal didn't happen, we're one billion six hundred million dollars shy of balance over two years and we've got to do something about it, and this Bill purports to take care of it. Maybe.

And I say maybe, because in bringing out the Bill, I heard Representative Walker indicate that there is still some sort of a hope that maybe what we're doing today won't be necessary, that maybe the collective bargaining units might somehow ratify that agreement.

Did I understand that correctly? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, that is correct. I did address the fact that there is still a hope but we are moving forward with the process of working with the Governor's office to make sure that we close this gap within the appropriate timeframe that is laid out in the Bill before us. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Okay, thank you. Through you, Mr. Speaker, what I'd like to do is just sort of understand the Bill itself.

It's my understanding that in the first few sections of the Bill, and I can stand corrected, one of the things we're doing to close that \$1.6 billion gap is we're reducing the amount of the tax credit that we gave, called an earned income tax credit.

We had set that level of earned income tax credit at 30 percent and we're reducing that to 25 percent. Is that correct? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Again, I thank the good gentleman from Norwalk for this clarification. That is correct.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

And through you, Mr. Speaker, that reduction will save us how much money? Through you, Mr. Speaker.

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SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, the projected amount is approximately \$18 million. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

And through you, Mr. Speaker, is that \$18 million in both years of the biennium or in each year of the biennium?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, it is, and I thank the gentleman again for the question. This will result in \$18.4 million in FY12 and \$19.4 million in FY13.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker. Now that is a definitive thing that if we were to vote for this Bill that we

know is going to happen. It doesn't wait. It's not contingent upon somebody maybe doing something. We're not giving anyone authority to do anything.

We, as a Legislature, are saying that we are going to change the law we passed approximately a month ago and we're reducing the amount of the earned income tax credit from 30 percent to 25 percent, and as the good gentlewoman from New Haven indicated, it will save us approximately \$18 million in each year. Now that's good.

But it's a long way from \$1.6 billion. So what I'm curious to find out is, where do we save the rest of the money as set out in this Bill?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, what the Bill before us does is, it lays out a process for us to establish an oversight that will be worked with through the Governor's office.

The Governor is starting to look at several different options that he will have and that he can propose to us coming, over the next few weeks.

From July 1st to the 30th, the Governor will be granted an increased rescission authority from 5 percent to 10 percent for that time period over the biennium, and there will be no authority to reduce aid, and there are other proposed ideas that the Governor is going to be working with for us to achieve the required amount of \$700 million this year and \$900 next year.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Thank you. So through you, Mr. Speaker, if I went home this evening if this Bill were to pass and I had a constituent ask me, so I understand you folks had to make up \$1.6 billion because that SEBAC Agreement didn't go through, where did you cut?

What would I tell them? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, I thank the gentleman for that question because that I'm sure is one of the questions that we will all have.

What we are going to do is going to, we're going to go through the different line items with the Governor's office, and they've identified several, and I'm sure several of your Members, as well as ours, have looked at some of the suggestions that we presented to us by the Governor's office.

One of the things that we are working on as a partnership with all Members of the General Assembly is to try to make sure that as we move forward to plug this \$1.6 billion that we have, it still doesn't lead into more losses that we could potentially have, coming in the, within the biennium.

There are multiple ways that we can do this, but we want to be very mindful of that. At the same time, I think it's very important for us to make sure because we are looking at financial oversight from Wall Street, we move forward in this direction to actually start to come up with a way of addressing these, because as you know, it is important that we show a proactive approach in addressing these, and I

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know that you have been well aware of this because you've talked about this in the past.

So, through you, Mr. Speaker, I think this is the beginning of the next six weeks that will help us to address the \$1.7 million, \$1.6 million, sorry.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Thank you, sir. Through you, Mr. Speaker, am I to understand that I couldn't really answer the question to my constituent, that hypothetical question of where did you cut.

I guess I take from your answer, and I could stand corrected, that I'm going to tell them well, we didn't cut anything yet. We formulated a process to cut.

Is that correct? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, I thank the gentleman for his question. No. What you can say is that we

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are balancing the budget and we are doing it within an appropriate timeframe.

We do not have exact cuts that we're going, beyond what you just spoke about, except for the fact that there are some other shifts that we have the ability to do within the budget frame. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker. Again, but through you, you know, and I say all that's great, Cafero. Where are you cutting? I really can't answer, other than this specificity of dropping the earned income tax credit from 30 percent to 25, I can't answer.

Yes, I understand the Governor has put forth suggestions of where he might look to cut, and Representative Walker has said we will work with him. I've got to be honest. That working together hasn't gone too well thus far, so I'm wondering, does the process laid before us with regard to this Bill, does it assure that both Majority and Minority membership of this General Assembly will be able to work with the

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Governor in making the decisions as where we will cut
\$1.6 billion?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, I thank the gentleman.
Yes, that is correct, sir. In fact, as I was speaking
to the other Chair of Appropriations earlier, we met
one of the other Ranking Members from the Committee,
and we explained that we look forward to working with
him through the next few weeks to try and address this
issue.

This is something that all of us will be working
together on, as we have in the past.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Through you, Mr. Speaker, with all due respect,
we've got to be real clear here, because if I were to
hear the good gentlelady correctly, that would make an
assumption that we're all going to have a say in all

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the cuts made in this \$1.6 billion, and unless I could see it here, I don't see that here.

As a matter of fact, it seems to say that we're giving increased rescission authority to the Governor, so basically, he could cut wherever he wants to cut.

Am I wrong in that assumption? Through you, Mr.

Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, the way the process will go forward, and I'm sorry if I did not clarify that in the very beginning for you. On or before July 15th, the Governor will be required to submit an entire budget adjustment plan to the General Assembly, including transfers, rescissions and hold backs, both within authority and under the expanded authority that we are presently discussing right now.

Additionally, the Chief Court Administrator will also submit a plan concerning the Judicial Department.

July 15th through August 15th, the Appropriations Committee will be able to hold hearings on any of the aspects, which will be attended by both sides, both the Majority and the Minority Parties in the

Appropriations, and they will hold hearings with regard to the things that will be suggested by the Governor and the Judicial, and on or before August 31st, the General Assembly may convene to reject, modify, any aspect of the Governor's or Judicial Department's budget, and it's so specifically that it will be the General Assembly that will be making these decisions.

And by September 30th, a Governor's either increase, I mean the Governor's increased rescission authority will expire. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Thank you. Through you, Mr. Speaker, could the good gentlelady point to me the section wherein the Governor must submit his recommendations to the General Assembly for our approval? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, it is Section 13.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker. If I could just have a moment to flip to that, Section 13. If I may, I'm reading, starting on line 257 it says that not later, as the good gentlelady indicated, than July 15, 2011 the Governor is going to submit a plan to the Speaker of the House and the President Pro Tem of the Senate detailing the modifications to make various cut recommendations that he deems necessary.

The Speaker and the President Pro Tem it says, in line 265 may, may, refer any provision of such plan to the Joint Standing Committee of the General Assembly having cognizance of matters concerning appropriations.

The Committee may hold a public hearing. Not later than August 31st the General Assembly may call itself into Special Session and enact legislation that ratifies those adjustments.

So I guess my question would be, what if the Speaker of the House and the President Pro Tem decided not to refer those things to the committees of cognizance, and even if they did, what if the

committees of cognizance decided they didn't feel like they wanted a public hearing.

And after, if they had a public hearing, the Speaker of the House or the President of the Senate decided, we're not going to call the General Assembly into Session, would we still be in deficit or would those suggested cuts by the Governor take effect?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, again I thank the gentleman for his question.

That is correct. They would go into effect.

Through you, Mr. Speaker.

REP. SRINIVASAN (31st):

Representative Cafero.

REP. CAFERO (142nd):

Well, thank you, Mr. Speaker. Now, ladies and gentlemen, that is a far different thing. Far different thing from legislative oversight.

You see, the Governor can make a decision close to \$1.6 billion in cuts to balance this budget and there is no, absolutely no guarantee whatsoever that

we will come back to agree or ratify or modify or be able to even discuss those cuts.

Now in legislative language, we could solve all that by changing one word, by making the may a shall. So just like we do with deficit mitigation plans, the Governor could submit his plans to the General Assembly and the General Assembly shall have meetings with the committees of cognizance and public hearings over those plans and then convene to ratify or modify those plans. That's what we've always done.

You know what we've never done? Never in the history of the State of Connecticut to this degree, you know what we have never done, is made that shall a may, which means we could leave here today based on the language in this Bill, we could have the Governor of the State of Connecticut make pretty much any cut he wanted or adjustment or shifting of funds, programs, et cetera, including layoffs and we don't have a darned thing we could say about it.

Now I'm not talking about \$35 million as was the case for two months in 2002.

I'm not talking about \$55 million as was the case in 2003.

I'm talking about \$1.6 billion, and we might never have a chance to even discuss it. And that's all of us, let alone this side of the aisle, who though in the Minority represents one-third of the men, women and children of the State of Connecticut.

See, this document doesn't say the plan is going to go to the Speaker of the House, the President Pro Tem and the Minority Leaders of the House and the Senate. No. I have no say on behalf of my Caucus, and we have no say on behalf of the people we took an oath to represent. \$1.6 billion.

Now, through you, Mr. Speaker, I note that this document doesn't contain the word layoff anywhere. Now let's all be honest. We've heard about layoffs, layoffs, layoffs and layoffs all along, that if the SEBAC Agreement wasn't achieved there were going to be layoffs.

Through you, Mr. Speaker, does this Bill authorize any layoffs? If so, how many? If not, why not?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, the Bill before us has, gives the Governor the ability to do more than what is already in existing statute, which is approximately 2,000 to 2,500. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Through you, Mr. Speaker, please forgive me. If the gentlelady could repeat her question, her answer, I should say.

My question was, does this document mention, deal with, concern itself, with layoffs of state employees? If so, how many? If not, why not?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, this gives the Governor ten percent authority to make any of the fund reductions, which exceeds exactly what we have currently now.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

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REP. CAFERO (142nd):

Thank you. Through you, Mr. Speaker, again, if I may direct my question just to layoffs.

My question is, this document does not seem to address layoffs, and yet we've heard all about layoffs. We've heard about 7,500 layoffs. We've heard about 5,600 layoffs. We've heard about 4,700 layoffs, and just about an hour ago, there might be an additional 1,000 layoffs. Layoffs, layoffs, layoffs and yet I don't see the word layoff in this document that's before us.

Could the good gentlelady explain to the Chamber how this layoff business works? In other words, who decides whether there's going to be layoffs, when is that decided, and is the savings from those layoffs figured in this document? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, in the Bill before us the savings are incorporated into the bottom line figure that we are expecting from the Governor.

There do not, there is not a specific section that talks directly about the amount of layoffs that

are allowed under this agreement, but it is also, those layoffs are incorporated into the bottom-line figure.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker. Through you, how much is allocated in savings, dollar amount to projected, or layoffs? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, that is a decision that will be coming from the Governor's office under this agreement.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Thank you. Through you, Mr. Speaker. However, you just indicated that this document that's before us, Representative Walker, has a certain amount that's attributed to savings based on a reduction of

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workforce or layoffs, my question is, how much is attributed to reduction of workforce and what does that translate to into jobs? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, that is the decision in the proposal that is going to be coming from the Governor's office. That will be the part that will be incorporated in the bottom line. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Thank you. Through you, Mr. Speaker, maybe I misunderstood. I thought I heard the gentlelady say that the savings that are documented in this document have a portion of it that is attributed to a reduction in workforce.

My question is, if that is the case, how much of the savings is attributed to a reduction in workforce and how much does that translate to as far as jobs lost or layoffs?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, the layoff amount would be ten percent, up to ten percent of the workforce that we have in the state employees unions in the state. That is beyond the 2,000 or the 2,500 and that number will be incorporated into the bottom line that we have here.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Through you, Mr. Speaker, could the gentlelady refer me to the line that authorizes up to ten percent of the state workforce to be laid off in this document?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker. First, in Section 6 it says, increases the Governor's rescission authority from three percent to ten percent for the total

appropriations of any funds and from five percent to ten percent on any specific appropriations.

And in the section T-7, budget savings and employee reductions are identified there and that will be part of the Governor's proposed plan that he will be giving to the leadership of the General Assembly.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

So through you, Mr. Speaker, there's no delineation between how much is saved through layoffs and how much is saved through programmatic cuts? Is that correct?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, I thank the gentleman for the question. That is correct, sir.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Through you, Mr. Speaker, is it possible there would be no layoffs? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, that is not possible in order for us to achieve the bottom lines that we need in order to fill that \$1.6 billion.

There is the need to have reductions in the workforce, and that is going to be determined by the Governor.

Because one of the things that we have found out is that many of our departments are under-staffed as it is. We looked at a variety of different breakdowns and the Governor is going to have to make those determinations in order for us to maintain the operations of the state, Connecticut state agency. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Thank you. Through you, Mr. Speaker, I guess one of the ways, and you indicated this, Representative Walker at the beginning of your presentation, that we

might avoid layoffs is if, you said there's this hope that SEBAC ratifies the Agreement.

Now, a lot of us believed up to this point, that that time had come and gone, that they had their chance to ratify the Agreement. They chose to vote, no, and we have to move on and balance a budget.

Am I to understand there's a possibility or a window open that they could ratify the budget, the Agreement, which would make some of what we're doing here null and void? Is that accurate? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, I thank the gentleman for the question.

I think the answer really is that we need not expand our unemployment in the State of Connecticut. There is no focus on looking at the ratification of the employees, but yet at the same time we have to make the effort to try and understand that by laying off people in the State of Connecticut, no matter where they are, it is going to impact all of us.

If the unions are able to come to some sort of ratification before the timeline, I don't think that any of us are going to be so entrenched in moving away from that, because they affect all of us because state employees live in every neighborhood.

And just like every situation as a manager or as a State Rep, we want to make sure that we do the best for the state.

If that is possible, we hope that that will be worked into. If not, we're going to continue to move on. There are many circumstances where we try to go down a road and sometimes we have to change paths.

Is that etched in stone? No, sir. It is not, but the main thing is, we want to provide any opportunity possible so that all of the people of Connecticut have the opportunity for employment.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker. I couldn't agree more with the gentlelady from New Haven. Nobody wants to see anybody lose their jobs.

But one of the jobs that we have to do is balance a budget, so we gave, it's my understanding the Governor, because that's his bailiwick, gave the unions a certain amount of time to tell us, do you ratify the deal or not?

And we learned, that's why we're here, I guess, that they haven't ratified the deal. It was well reported that they said no, we don't want your deal, and that's why we're here.

But you have made, and this document refers to, the possibility that at some point in the future they could ratify the deal, and I assume if they did that, that would change some of the things that are in this Bill. Is that correct? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

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

I think that is true. No matter what we talk about, we would like to believe, just like we do every year, we set up a budget and sometimes we have deficiencies. Sometimes we have the need to do lapses. Sometimes we may have, I don't think we've

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ever had any overages, but I mean, the whole idea is that we try and set our way down a path that is the best way for the state.

But we have to take into account a variety of things in that, and this is a tough time.

If things come to an agreement, and the unions find their way and the Governor sits down with them, I hope, like everybody else in here, that we don't have to have any more unemployment. We can't afford it. We're getting close to ten in many areas.

So I think that the understanding is, my good friend from Waterbury said 14, also. So we obviously have to make sure that whatever we do we have every intention of closing everything right now, but I know that everybody understands that nothing is totally closed. Things are always going to have the option if we can come up with something that might be a better way for many of us.

So again, I thank the good gentleman for the question from Norwalk, because I know we are all struggling with this to try and get the best way and the best options for our state. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Thank you. Through you, Mr. Speaker, though, we all hope for the best, we have to, as you indicated, do our job and prepare for the worst.

So the question is, though, some might be hopeful that some agreement is reached so we could avoid laying off a single person. Is there a time period by which there's no return?

In other words, I assume if in a week SEBAC said yes, you know what? We made a mistake. We're going to change our mind. We're going to take the deal. Then probably a lot of what we're talking about wouldn't have to take place.

I'm wondering, though, if they made that decision in a month, and then again, or in two months, or in three months. In other words, is there a time when that's it, whether you decide to change your mind, you better make it up by X date because beyond that date, it's over. It's done with. This is the deal.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

I thank the good gentleman for the question. I mean, as the kids say, August 31st, stick a fork in it. It's done. Okay. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Thank you. It was my recollection that we once had this date of June 8th. It was by the end of Session that we had to know, and that sort of came and went, and maybe it was June 30, obviously the end of the fiscal year. That's today and that came and went.

So now it's my understanding we're giving two more months sort of extension.

We're saying to the unions, I want you to think about this because this time we really mean it. If by September 1st you don't ratify this Agreement, then we've got to start laying off. So you've got two months reprieve. We're extending it out two months so that the layoff notices might go out effective September 1st, no one will lose their job before September 1st. Is that correct?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, I think that in most cases the way we're looking at this with this document before us this evening, I think that many of us are moving down the path that it is done, that we gave them the bite and we are going to work in that direction, and we are going to address it in a variety of different ways that will be worked with the Governor. Through you, Mr. Speaker.

I'm sorry. I may have forgotten the rest of your question to me.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

No problem. Through you, Mr. Speaker, the reason I asked the question, however, is because there's something very, very curious in this document to me. And here's what it is.

If you look at Section 11, those who are reading along at home, lines 178 et cetera, in previous iterations of this Bill as a matter of fact, so noted on line 182, every time we refer to the SEBAC Agreement, and every time we said we'll give you a little more time to either thumbs up or thumbs down

that Agreement, we refer to a specific Agreement, an Agreement that was dated May 27, 2011, an Agreement that each and every one of us at least had a small opportunity on the last day of Session, and I'm sure Representative Walker remembers it well, that we discussed because we were made aware of the specific terms of that Agreement.

For instance, there was a wage freeze for two years, and subsequent to that for three years there was a three, three and three percent increase in pay.

There was an extension of benefits under the healthcare and pension plan for an additional five years from 2017 to 2022.

There were various other very specific things that we all knew about and discussed, a no layoff clause for four years.

We knew exactly what was in that Agreement, therefore, we knew exactly what the unions were voting yea or nay to.

However, in the document that's before us, we no longer refer to that specific Agreement with those specific provisions dated May 27, 2011.

In fact, it looks like the drafters of this document went out of their way to make sure it was

clear that it is not that Agreement, it is any agreement that SEBAC could enter into.

It says here not later than five calendar days after not the, an agreement, an agreement between the state and SEBAC is signed by both parties. Omitted is the date May 27th.

So I guess that brings to mind this curious question, and that is, is there another agreement that's in the works that we might have? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, and I thank the good gentleman for his question. I remember those days and those questions and the discussion very well and very fondly, I want to say, and yes, I do see in Section 11 where we have taken out the May 27th component of that.

But as far as there being another agreement is concerned, no, I am not aware of any other agreement.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Thank you. Through you, Mr. Speaker, would the good, gentle lady acknowledge, however, that the change in language would allow for another agreement to certainly fit this definition?

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, the language that's before us would allow it or it would not, one way or another. I mean, it's got an option.

So, through you, Mr. Speaker, the answer to the good gentleman from Norwalk's question I guess would be, yes.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Well, you see that's really troubling, folks, because now we've got another big maybe, big question mark here.

Because when the \$1.6 billion deal fell through at very least, we knew what the hell it was. We knew exactly what they said yea to, or nay to.

This particular provision in this Bill that's before us anticipates, and would allow any agreement to take place.

So let's say for the sake of argument, SEBAC meets with the Governor tomorrow and says, hey, Governor, listen, you don't want to lay us off, and we don't want to be laid off. But there is that provision in that thing that we just didn't like, so we want to change it. So here's the deal.

Get rid of the stuff concerning longevity payments and that healthcare thing and we'll sign the deal, and the Governor says, you got it.

Well, maybe when that deal is priced out it is less than \$1.6 billion. By virtue of logic, it certainly would be less than \$1.6 billion. And yet, we don't know that. We don't know what it will be. We don't know how much it will be because it's no longer that \$1.6 billion May 27th deal we're talking about, folks. It's any deal that that Governor might agree to.

And as far as us even having the opportunity to discuss that deal and its impact on the state finances, well, read a little further. It says if we

don't do anything, and with due respect, this side of the aisle has no power to call us into Session.

If we don't do anything, it automatically takes effect.

So what we're talking about here folks is that the Governor of the State of Connecticut with the passage of one Bill can negotiate into an agreement that we've never seen and it will become law, worth over a billion dollars, or in the alternative, could make cuts equally \$1.6 billion and you or I will never say a word about it. Nothing.

We're giving up our power. The separate but equal branches of government, what the founders of this country and this state's Constitution said, the Governor shall proposes and the Legislature shall act upon. We're giving it up.

Oh, we sort of cover our rear ends by saying we may take it up if we want. We could if the Speaker, the President Pro Tem care to, refer it to a committee, and if that committee cares to have a public hearing, and if after that, if they care to maybe want to sort of kind of bring us into Session, I guess we could all take a crack at it.

But if they don't, we don't. We don't.

Unprecedented power. Is that what we're all about?

On January 5th when we took that oath of office, is that what we were all about? Can't we make the tough decisions? Do those decisions stink? You bet they do, man, who wants to cut a one-line item. We've got to do it though. And we're saying no, we don't want to do it, Governor you do it. You take care of it. You take care of it. Maybe, maybe we'll check on you but we really don't have to, so just go ahead.

Come on, folks. We don't know what would cut, I remember each and every one and I might not have agreed with you, but I watched you and heard you fight for programs, fight for programs, sometimes with tears in your eyes about how they helped people in your neighborhoods, in your districts, how you needed them. How they helped people's health and education, and those were decisions whether we agreed or not that we made as a body.

And now we're saying to the tune of \$1.6 billion we're closing our eyes. It's up to you, Gov. Wait a minute, you cut my program? Yep, sorry.

Come on, folks. Republican or Democrat, Liberal or Conservative, let's do our job.

Mr. Speaker, in Section 10 of the Bill that is before us, I have a question, through you to the proponent.

SPEAKER DONOVAN:

Please proceed, sir.

REP. CAFERO (142nd):

Thank you. Through you, Mr. Speaker, could the good gentlelady from New Haven describe what it is Section 10 of this Bill does?

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, I thank the gentleman from Norwalk's question.

Section 10 carries forward lapsing debt service funds from 2011 into the biennium to reduce the need for appropriate funds for debt service during the biennium. This is a savings. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Well, thank you. Through you, Mr. Speaker, you must forgive me, Representative Walker. It's been a

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while since I served on Approps and sometimes I'm a little rusty here.

Do I understand this money is part of the surplus money that we're going to realize in this fiscal year? Is that correct? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, yes, that's what the fiscal note says. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Wow. I'm confused. Because let me understand this. The surplus money as I recall the Governor was adamant that that surplus money was going to be used to pay off long-term debt, our pension, outstanding pension obligations. As we all learned again, we're the highest indebted states in the United States of America and put a few bucks away in our rainy day fund.

But do you mean to tell me that we're taking over \$21 million from our surplus this year and putting it

into pay for operating expenses next year? Is that what Section 10 does? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, I thank the gentleman for the question.

What there is, it's a carry forward of \$23 million from FY11. He is correct in that.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker. Ladies and gentlemen, be very clear. The document you are voting on takes \$23 million of surplus in 2011, the surplus that our Governor said he would defend and not spend on operating expenses, but would use to pay off our long-term debt.

Must have been a change of heart, because now we're taking \$23 million of that and paying an operating expense known as debt service. That's what we're doing in Section 10.

Thank you, Mr. Speaker, and I will let other people chat, but folks, you know, we sat around here for several hours. This Bill changed about 19 times since we got in here at 10:00 o'clock.

The truth be told, not a whole heck of a lot of us knew what was in it. In fact, maybe a whole heck of a lot of us still don't know what's in it.

But I tell you. It's pretty ground breaking, and it's not something to slap each other five about, because for the first time in the history of this state, we're giving up our authority to the tune of \$1.6 billion.

Now we don't have to. I understand the urgency of time. I understand the fact that we feel the Governor might be in a better position to make cuts, but for God's sake, shouldn't we say yea or nay on it. Isn't that our job?

Okay, I'll give you the, let him do the grunt work and make the tough decisions, but at least submit a plan that we're going to approve. What are we afraid of? Why would we not do that?

This is a really historic day for this Chamber. Not in a good way, though, folks. Not in a good way at all. A lot of the things that were said on May 1st

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when there was a congratulatory meeting held with regard to doing the budget so early, then again on May 27th when there was a SEBAC Agreement reached, and then again on June 8th when the Session ended. Well, boy, this document tells a real different story, doesn't it?

It's not a proud day for us. This is June 30. Think back to January 5th, that oath that we took to do our job as Legislators and defend the Constitution of the State of Connecticut. We're giving it up here, folks. We're giving it up. Thank you.

SPEAKER DONOVAN:

Thank you, Representative. Representative Arthur O'Neill.

REP. O'NEILL (69th):

Thank you, Mr. Speaker. If I may, a few questions to the proponent of the Certified Bill.

Looking at lines 113 through 127 of the Bill, there appears to be a provision that says that the, any reduction in the number of employees that results in a change in work or procedures of a department will authorize the Secretary of Policy and Management to prepare and submit to the Governor an increase or decrease in the number of appropriation functions,

work locations, authorized position counts of such budgeted agency and amounts therefore for the Fiscal Year ending June of 2012 and June 30, 2013.

Now, this appears to be a modification of the section that's given a notwithstanding, 4-87, wherein if there was a study or a plan that called for changes, then the Office of Policy and Management would submit a plan.

So my question, and this is a prep for that question, laying the foundation, I guess, am I reading this correctly?

If one person leaves a department and thereby there is some change in the work or organization of that department, does that thereby authorize the Secretary of Policy and Management to propose a complete reorganization and/or reduction of that department or agency?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Thank you, Mr. Speaker, and through you to the good gentleman from Southbury, it is not, it gives

him, the Secretary of Policy and Management the ability to make modifications that are necessary.

I'm sure the good gentleman remembers that this past year, I guess this would be the year of consolidations, and part of the issue is the ability to try and make sure that we still maintain and achieve those savings that we hope to do going either, going through this process or doing some more consolidations that are necessary.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative O'Neill.

REP. O'NEILL (69th):

Thank you, Mr. Speaker. But in reading this, first off, it appears to me that when as a result of employee reductions the work, procedures, organization of any budgeted agency is modified, seems to open the door to a restructuring of an agency entirely within the control, it seems, of the Office of Policy and Management and the Governor. So am I reading this correctly?

That if there is a reduction in the staff in any agency, that that person departing, retiring or quitting their job, or possibly being laid off, that

that reduction of an employee authorizes the Office of Policy and Management to propose a complete restructuring of any such agency? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, again, I thank the gentleman for the opportunity to clarify. That is correct.

What it does is, it gives OPM the ability to move people around because we have such a shift in the members of different agencies. Some of them (inaudible) drastically, as I spoke about it to the good gentleman from Norwalk, some of our agencies are drastically under-manned or under-staffed.

And as we try to not have the need to hire more people, we need to, because we're looking at the fact that we don't want to increase our employee population, this gives the gentleman the opportunity to make some consolidations and moves within the constraints of this agreement. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative O'Neill.

REP. O'NEILL (69th):

Thank you, Mr. Speaker. I guess I'm, I heard a reference to an agreement. Is the purpose of lines 113 through 127 to authorize the Governor to carry out consolidations that are part of some agreement?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, the area that he spoke of, 113 to, I think 127 is specifically to reductions in the staffing. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative O'Neill.

REP. O'NEILL (69th):

Thank you, Mr. Speaker. But is, my understanding as I read this language, it seems pretty straightforward and pretty clear, but I want to be sure that I'm not misunderstanding it.

The language seems to say that however it happens, if so much as one person leaves, for example, the Department of Transportation, that the Governor is then going to be free to close offices of the

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Department of Transportation, move employees from wherever it is they work now to some other location.

If it happens to be the Department of Motor Vehicles to perhaps close one or perhaps all of the branch offices of the Department of Motor Vehicles even if one person leaves, however that happens to occur, whether it's a layoff, a quit, a retirement, or someone dies while working for the State of Connecticut, no matter how they see a reduction in workforce, even one person leaving will then authorize the Office of Policy and Management to produce a plan, to recommend it to the Governor, and for the Governor to implement it so long as the FAC agrees to it. That's how I read this section.

Is that what this section authorizes the Governor and OPM to do? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, I thank the gentleman for the question. The Governor cannot do it without having to come before the FAC, which I believe everybody knows that it has memberships that are from the General Assembly from both sides of the aisle.

So therefore, it will, in essence, come before us.

Through you, Mr. Speaker.

REP. O'NEILL (69th):

I thank the lady for her answer, Mr. Speaker. I used to serve on the FAC when I was the Ranking Member of the Appropriations Committee, and as I recollect, the FAC consisted among others, of a member of the two Ranking Members of the Appropriations Committee, I believe the Co-Chairs of the Appropriations Committee and then a number of other individuals from Executive Branch agencies, including the Governor, the Secretary of Office of Policy and Management, and I believe someone from the Treasurer's Office, and I think someone from the Comptroller's Office, and I'm not sure if there are others.

Are there other members that serve on the FAC besides those that I've listed? I cannot recall from memory if there are others beyond those that I have just listed.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, the good gentleman from Southbury is correct in his recall of when he was a Member of that Committee. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Arthur O'Neill.

REP. O'NEILL (69th):

So four of the members of the FAC are Legislators and four of the members of the FAC are Executive Branch employees, or people who work in the Executive Branch, two of them the Governor and the head of the Office of Policy and Management, who is directly appointed by the Governor and works directly for the Governor, and then I believe someone from the two financial parts of the government, Comptroller's Office and Treasurer's Office, so that there are eight people on the FAC.

I'm being given some information to the effect that I'm wrong, that there are in fact five Legislators on the FAC, which would mean that there would be a majority of the FAC that would be in a position to, the Legislators at least, to veto such a change.

But all five Legislators have to show up and all five Legislators have to vote in the same direction in

order to stop one of the, this kind of a change. Even one Legislator votes the other way or two Legislators don't show up for whatever reason at a meeting called by the Governor, and I believe it's the Governor or the Office of Policy and Management that calls these meetings, then whatever it is that's on that agenda goes forward.

So everything hinges. The existence of the branch offices, the existence of offices of one sort or another, whole work functions, the internal structures of agencies, which we debated at great length in this Session and in this Assembly and in the Appropriations Committee, and I believe elsewhere in this Assembly that the Legislature weighed in and many Legislators expressed various opinions about not wanting to necessarily do what the Governor proposed, or wanting to do it in a different way.

Now all of that is going to hinge on the shoulders, rest on the shoulders of five Legislators to be able to say, if they so choose, to say no to a particular proposal coming from the Governor or the Office of Policy and Management.

Now it's not quite as sweeping in some ways as the fiscal authority that's being considered here that

the previous speaker, the Minority Leader indicated, relating to rescissions, but still it grants to a Governor a power, which I don't believe has ever been given, anything even close to this has ever been given to a Governor previously, to just restructure government and just get the approval of five Members of the Legislature in the approval of this.

So this seems to me, Mr. Speaker, even more than the rescission authority, which has existed in statute, which we can talk about whether it should be three percent or five percent or ten percent and whether it should be permanent or last for three months and that sort of thing, that it is something here that's unprecedented in our history as a state.

And the Minority Leader referred to this, and in terms of the checks and balances that we have in our government, but I think that this is even more sweeping in some ways than the rescissionary authority and could have more long-term consequences than the rescissionary authority, which only affects one budget cycle, perhaps, as opposed to completely restructuring agencies of the state government.

I would bring to the Assembly's attention the fact that our structure of government is modeled for

the most part on the national government. Congress, president, the Judicial Branch, the Executive Branch, balancing each other's powers.

And the primary author of the Constitution, James Madison, wrote extensively about the theory that underlay this, why we structured our government that way.

And in Federalist Number 51, James Madison wrote that if men were angels, no government would be necessary, and if angels were to govern men, neither external or internal controls over them would be necessary.

But in framing our government we recognize that we're not dealing with angels. We're dealing with men and we need to have controls, and the whole concept of our government is that we are supposed to be the jealous guardians of the authority that we have been given by the Constitution to restrain the Executive Branch.

And what we are talking about doing here this evening is to dissipate that power, to abdicate that power to the Executive Branch, which is extremely ironic because just a little later in that same Federalist paper, James Madison wrote that in a

Republican government the legislative authority necessarily predominates.

But I would submit, Mr. Speaker, after tonight if this Bill passes that that will not be true for the State of Connecticut, because as I understand it, while it's limited in terms of while this is going on to the next two fiscal years, there's nothing that says that there's any reversal or undoing of the restructuring that the Governor has the right to do, that ordinarily would only be done by passing bills in this House and in the Senate and going through committee procedures and public hearings, none of that. No opportunity for public input will exist.

It's not just our power that we're giving up. We are giving up the right of the public to comment on the decisions that are going to be made by the Office of Policy and Management, which does not have public hearings, by the Governor, who is not required to disclose in advance what his intentions are, and then the FAC has a meeting, and I've been to those meetings.

And they can last as little as ten minutes. Usually we're transferring \$50,000 from this agency to that agency. We could still have a ten minute meeting

that closes every branch of the Department of the Department of Motor Vehicles, and it could last only ten minutes because it goes from the Governor who makes the motion, or the Office of Police Management secretary makes a motion. It gets seconded, and it gets voted on, and that's all the procedure that's going to stand there to represent constitutional government in the State of Connecticut.

Mr. Speaker, I really do believe that while it may be necessary to consolidate the government, structures and agencies and that sort of thing, that we should have done this in hearings and meetings, and a Special Session to do it. Have the Governor submit the plan to us, that sort of thing and not just grant the Governor and the FAC the authority to completely restructure agencies and perhaps the entire state government, triggered simply by one person in any agency leaving. That's all it takes to activate this section of the Bill.

This is a very dangerous authority and precedent that we're talking about setting here tonight, contrary to really hundreds of years of constitutional government in this state and in this country.

Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative. Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker. Mr. Speaker, if I may, a couple of questions to the proponent of the Certified Bill.

SPEAKER DONOVAN:

Please proceed, sir.

REP. CANDELORA (86th):

Thank you, Mr. Speaker. And in sort of in keeping with the line with the questions that were just asked by Representative O'Neill, in Section 6 of the Bill, we've heard some discussion here about reductions and trying to meet this potential of the \$1.6 billion shortfall.

And in Section 6 I do see language here that uses the terms modify and modification, which seems to suggest we're giving the Governor more authority than just being able to reduce an expenditure, and I was wondering if the Representative in line 74 where it allows the Governor to modify such allotment, if the good Representative could explain what that is meant to mean?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, I thank the good gentleman from North Branford for the question.

The Section 6 specifically talks about the additional rescission authority that we are granting the Governor with oversight from the General Assembly, and it talks about the ability to address that ten percent to a variety of different lines, and that is what I believe this is what the good gentleman is asking me.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker. So in this section when we're using the term modify, that language is meant to mean that the Governor is allowed to make reductions, you know, of ten percent.

It does not mean, necessarily that the Governor would be allowed to change an appropriation so that

possibly a program might be changed from what the underlying budget was?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, what the Section that, Section 6, it gives the authority for the, under the Bill as under existing law, the Governor may cut appropriations, but under this, he's allowed to also do modification, but this information has to be presented back to the General Assembly. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker. And I appreciate the answer, and I'm very troubled by this particular language, because we've heard a lot over the last couple of days, discussions of how to close this budget gap, and I understand that time is of the essence.

And it's one thing to have a discussion about allowing a Governor to make a five percent reduction

versus a ten percent reduction. But what this language is actually doing is going to allow the Governor to actually change programs, because this language incorporates the words such as modification.

And as I read this, to me and to anyone, it is just a complete abdication of our authority. Cutting a program from \$10,000 to \$9,000 is one thing, but giving the Governor authority to change a program that might be supporting individuals that are earning \$60,000 a year and possibly allowing the Governor to make that change of a program allowing an individual to receive benefits who maybe are earning then \$50,000 a year is an incredible change.

We discussed for many years, throughout this recession protecting the safety net, and I think all of us have been concerned of what effect every programmatic change would have on our constituents.

And what we're doing in Section 6 here, is we're putting our heads in the sand and we're going to allow the Governor to make tough decisions, and if the Governor makes a change to a program that affects our constituents, our response is well, we gave him that authority. I didn't like that decision, just like you didn't.

And frankly, that's what we were elected to do, to represent our constituents. And one of our primary duties is to implement a budget, and that section is a complete abdication, and I am certainly concerned that all of our constituents will no longer have representation under this budget. They will solely be represented by the Governor's office and FAC, which as we heard before constitutes four Executive Branch members, and five Legislators.

And as I understand it, FAC is there to make adjustments as the budget needs to be corrected throughout the year when appropriations might be running short. An agency could come to FAC and make an internal transfer.

What this is doing here certainly is expanding the authority well beyond that. The Governor could say, I'm going to modify a program and FAC could just approve it. That's never been the intent of what that commission was set up to do.

Through you, Mr. Speaker, as I understand it, under current law no, FAC is not allowed to make any expenditure in excess of the original appropriation, so typically what FAC would be doing is either looking at making reductions, or making inter-department

transfers, but they would not be allowed to make a transfer in excess of the underlying appropriation.

Am I correct?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker

REP. WALKER (93rd):

Through you, Mr. Speaker, I thank the good gentleman for the question from North Branford. That is correct.

But I want to kind of go back just a step. When we were talking about Section 6 and we were talking about the fact that the Governor was going to have the ability to make these reductions.

If the good gentleman remembers my conversation with the gentleman from Norwalk, that is going to be a process that is going to be presented to the Speaker of the House and the President Pro Tem at which time they will be handing that to the Appropriations Committee, who will then have the ability to review it and then call for a Special Session, not Special, I'm sorry, wrong word. Wrong word. Call for hearings that all Members of the Appropriations Committee will be entitled to come before.

So that to say that the Governor is, we're giving the Governor total authority in this regard is not exactly true. He, the Governor will be making that suggestion to us and we will be reviewing it.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker. And through you, Mr. Speaker, I'm not a member of FAC. Would I have the opportunity then, if cuts are made or modifications are made through Section 6, will I have the ability, the guaranteed ability to be able to vote on those changes that may be made if this Bill goes forward? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Thank you, Mr. Speaker. And I thank the gentleman from North Branford for this question.

The way the FAC is, is that the Ranking Members and the Chairs of Appropriations are Members of the FAC Committee, and usually what happens is, if there is an item on the agenda that is troubling and the

Members all have the ability to get that information, then they would speak to the Members and address some of that.

And I've had that happen at least with me, where people have questioned certain things on the agenda in some of the reductions that were being proposed, and we had the opportunity to ask the questions of the Lieutenant Governor and her staff and the staff from OPM or from the commissioners who were bringing that to us.

So it is just like any other committee that we all, not all of us serve on, but we know that the membership that represents our party that is on there has the ability to ask those questions. That is the whole purpose of it, is to make sure that we have a voice there. We can't have all those voices.

So I'm sure that the Ranking Member from Appropriations would be glad to carry your concerns to the FAC Committee because at least the House Member, I know does such a great job in our regular Appropriations Committee, so I know that he'll be able to do that through the FAC Committee. Through you, Mr. Speaker.

SPEAKER DONOVAN:

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Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker. And through you, Mr. Speaker, as an elected Member of the House of Representatives, will I be, have the opportunity to cast a vote on any changes that are made because of Section 6 under this Bill?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, and I thank the good gentleman from North Branford for his question.

If that is the decision of the Appropriations Committee that goes to the Speaker and the President Pro Tem that we want to bring the whole package to the General Assembly that will happen. That is the whole proposal before us so that we all have the opportunity to participate if it's needed.

I do say, though, through you, Mr. Speaker, to the good gentleman from North Branford, many of the Members are very happy to make those discussions with the people that are representing them on those committees.

Because again, I go back to the fact that all of us are not in every committee, so we vote through our memberships that we have that are representing us.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker. I appreciate the answer, but I'm certainly troubled by it.

As a Member of this Assembly, I understand the process and how bills work through a committee, and I certainly respect that process and I could appreciate when there is a bill that goes before the Environment Committee. I certainly could lobby the Ranking Member or the Chairs or those committee members to try to get a bill out of committee.

But the one bill I could always be assured that I'm going to have a right to vote on is the budget. And as an elected official here, I take that very seriously, and I'm very troubled by the fact that this Bill before us is putting all of us in the situation that allows the Executive Branch to make reductions, to make modifications up to \$1.6 billion without it ever coming before this Chamber.

And so what I'm hearing now is, I'm going to be reduced to potentially having to lobby committee Members on FAC to try to effectuate any changes. So this open and apparent process of a budget process that the people elected us to do is now going to be diverted behind closed doors.

So tomorrow, after this is done and passed, we could begin to see all the negotiations, the back room deals, everything that we get criticized for, begin. And hopefully, maybe the unions will step up and provide some savings for us. But if that doesn't happen, we are looking at \$1.6 billion of changes to this budget.

And certainly the other side of the aisle had a lot of trouble with reductions that this side of the aisle proposed, so I can't imagine that any of those reductions are even going to be considered.

And so it troubles me greatly that we are all willing to take this leap of faith and allow the Executive Branch to make this decision.

A month ago when we were exiting out of Session we took a leap of faith and voted for that budget that had the union concession agreement that we were

hoping, I guess, that the unions would agree upon.

And now look, that didn't happen.

And now we're going to say, let's do it again? Let's just give the Executive Branch the authority again and let's see how they could come up with a savings again?

And it just seems to be a common theme here, and it's very troubling, and I'm not willing in the face of the possibility of proposals to be made of cuts to programs that are held dear to us, whether it be certain environmental programs or healthcare programs, ConnPace or what have you, that those are all on the chopping block right now.

And if I vote for this Bill, I am voting to remove that out of my hands. I am giving up the voice of my constituents that they elected me to make sure I would represent them, and that's what I find so troubling. I can't even get past the substance of this Bill.

Mr. Speaker, I had one other question. Throughout this proposal I see language here that does limit some of this authority to September 30, 2011, and I was just wondering if the good Representative

could tell us why we have chosen that date? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Candelora. Oh, Representative Walker.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

REP. WALKER (93rd):

Through you, Mr. Speaker. I'm sorry, I sort of missed the section that he was, the good gentleman from North Branford was referring to, so if he would be so kind to just repeat that for me just so I can make sure that I address his direct question. Through you, Mr. Speaker.

SPEAKER DONOVAN:

See, Representative Candelora. I was right the first time, but go ahead.

REP. CANDELORA (86th):

You were prophetic. Through you, Mr. Speaker, Section 5, line 48, Section 6, line 63, and Section 7, lines 92 limit the authority to different reductions to September 30, 2011, and I was wondering why that end date was chosen?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, I don't keep all the sections, so I'm just going to fly from the first section.

I believe, through you to the good gentleman from North Branford, I believe that was because it's the end of the quarter, and so we were using that as a landmark for making the adjustment. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker. And then, as I read here through Section 8, as I understand it, we are giving some authority to make reductions, I believe to the Legislative Branch and the Judicial Branch, and this is because in Section 1 there are some reductions to those different branches of government.

And so that what we're doing in Section 8 is requiring those three departments, the Chief Court Administrator, the Joint Committee on Legislative

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Management and then the Chief Public Defender to make the correlating reductions to their sections.

Is there any requirement that those organizations get approval to make those reductions, or are they just able to do that through their agencies? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, I thank the gentleman for the question.

One, because we know that they all have to have, they have a separation of powers and that's one of the reasons why each one is separated like that because we respect that.

But the other part is, they will be doing the process the same as everybody else. It will not, they will not be exonerated from the process of submitting it to us.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker. As I read those sections, I guess, the reductions need to be made in accordance to Section 1, and could the good Representative explain. Is this limited, are the reductions limited to personnel services? Are those the line items, or could these agencies make programmatic reductions?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, I thank the gentleman for that question.

That is correct, yes.

SPEAKER DONOVAN:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker. I had asked it as an either or, so just to be clear. These particular reductions deal with personnel only? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

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Through you, Mr. Speaker. No, they do not.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker. And I guess then to be clear, I don't see any language that requires these groups to submit a report back to the Legislature. It seems as if they can just make those reductions.

Is there a section, if the good Representative could point me to that requires that they submit a report back to either the Executive Branch or Legislative Branch?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, I'm looking. I'm looking. I'm looking. I'm looking.

Section 13 is the section that has a requirement for the Governor and the Judicial Department.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Candelora.

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REP. CANDELORA (86th):

Thank you, Mr. Speaker. And I see that language specifying in lines, I think 275, that the Chief Court Administrator submit a plan.

I would assume, certainly, that there is no requirement for the Legislative Branch since it is us.

Would the, I guess then the Chief Public Defender also then would fall under the Chief Court Administrator, so I'm answering my own question. I appreciate that answer.

I don't have any further questions, Mr. Speaker, and I guess I just refer back to how troubled I am over just what we are doing on principle.

It certainly is quite dramatic, and I think it can't be understated. This is roughly ten percent of the overall budget that we are basically punting to other agencies to figure out.

And I understand that it's late in the game and maybe we don't feel we have the time to do it, but frankly, you know, two years ago we went into September without a budget, and I think ultimately the taxpayers were better off having a budget kicked around and crafted by the Legislative Branch and the

Executive Branch jointly, and frankly, with both sides of the aisle at the table.

I'm troubled that this side of the aisle has been excluded from this process because even though we are the Minority, we do represent a third of the State of Connecticut. It's a significant portion of our population, and I think that what we offer is perspective. We all represent very different communities, and I think there's a lot of good ideas that are kicked around. And by excluding any input, I think the state is worse off not better off. But what we're doing here now is even worse than just excluding a minority party. We are excluding an entire branch of government from the decision-making process, and it astounds me that we would even consider a document like this.

It just fundamentally goes to the core of our democracy, of our separation of powers. You know, on one hand it's ironic in this document that we're sort of respecting the separation of powers by allowing each branch to try to take up what reductions they need, and that isn't necessarily a bad idea, but for them to give us recommendations.

But to not make it a requirement that it come back to this Chamber for a vote is astounding, especially that we're giving all of these agencies until September 30th to make a decision.

So on one hand we may, I guess, go home and say, well, we had to do this quickly because the budget begins on July 1st. It begins tomorrow.

But I don't know how we say that because we're allowing the process and the cuts to occur all the way through the first quarter. But what we certainly are doing is, we are intentionally and knowingly pulling ourselves out of the process, and we very easily could change this by changing may to a shall, and we should have required it right from the beginning.

I don't understand why we would be so willing to give up this type of authority. It's what we're elected for, and certainly when I go back home, I make it very apparent what my positions are to my constituents, and a lot of times I have people agree with me, and a lot of times they don't, and they'll say to me, you know, I don't agree with you but I appreciate, I at least know where you're coming from.

Well, based on this document, I can't even go home and tell them where we're coming from, because

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we're doing nothing here today other than taking that \$1.6 billion and giving it to somebody else to cut. So I guess that's what we go home and we tell our constituents.

I think this is setting a very scary precedent, and I would strongly urge us to rethink this path.

Thank you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

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

REP. MINER (66th):

Good evening, Mr. Speaker, and thank you. Mr. Speaker, I have a few questions to the proponent of the Bill, please.

DEPUTY SPEAKER ALTOBELLO:

Please proceed, sir.

REP. MINER (66th):

Thank you, Mr. Speaker. Mr. Speaker, in Section 6 there's some language in here that seems to say that when the Governor makes a determination that a fiscal exigency exists, this process kicks itself into place, and if I could through you, what is the definition

under which the Governor would make such a declaration?

Through you, please.

DEPUTY SPEAKER ALTOBELLO:

We'll just invert that and go from the 66th to the 99th. Excuse me, 93rd. No wonder why she didn't answer. Representative Walker, you have the floor.

REP. WALKER (93rd):

Thank you, Mr. Speaker. I apologize to the good gentleman from Litchfield, hello. I did not hear, I wasn't sure exactly where the word was and what the question was, if he was just asking me for a definition.

Through you, Mr. Speaker. Through you to the good gentleman. I'd like to make sure I understood what the word was that he was looking for.

DEPUTY SPEAKER ALTOBELLO:

I understood that, but then you weren't listening again.

REP. WALKER (93rd):

Oh, I'm sorry. . I apologize.

DEPUTY SPEAKER ALTOBELLO:

Representative Miner, would you care to rephrase your question, or question again while she's listening?

REP. MINER (66th):

Certainly, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Thank you.

REP. MINER (66th):

In Section 6 on line 66 and then again on line 73, the phrase fiscal exigency exists, and my question is, what has to take place for the Governor to make such a determination upon which all of this recommendation process seems to take place? Through you.

DEPUTY SPEAKER ALTOBELLO:

Representative Walker.

REP. WALKER (93rd):

Yes, through you, Mr. Speaker. I thank the good gentleman for his question.

I believe that the definition is urgency, and I'm trying to determine exactly where that language picks up to go directly to that.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Miner, it's obvious that Representative Walker has not heard your question again. Perhaps you could break it down into smaller segments and repeat it, please.

REP. WALKER (93rd):

Through you, Mr. Speaker, I'm sorry, I did not hear that.

DEPUTY SPEAKER ALTOBELLO:

Representative Miner, you have the floor.

REP. MINER (66th):

Thank you, Mr. Speaker. Mr. Speaker, on line 66 in Section 6, there seems to be language that says the Governor makes a determination that a fiscal exigency exists in the State of Connecticut related to the budget that we adopted and he signed into law back on the 21st.

My question is, what are the indicators that he uses in making that determination? Through you.

DEPUTY SPEAKER ALTOBELLO:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, I believe that the issue that would be directly related to this is if we have not, do not have a balanced budget and we are

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working toward achieving that. Through you, Mr.
Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker. So, if I understand, it
is the fact that the budget under which we're
currently operating is out of balance. Is that
correct?

Through you.

DEPUTY SPEAKER ALTOBELLO:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, that's correct. If we
do not have enough resources to meet the budget that
is what that would be immediately directly related to.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker. And I've listened to the
comments that have been made so far in this process
and so what I've been doing is going back to the
budget that we adopted, looking at the cash flow

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analysis that would have been as of April, I think 25th, and it seems like we have something in excess of a billion dollars in cash.

And so my question through you, Mr. Speaker is, with the billion dollars in liquid cash, what's the emergency to which the Governor would then make a declaration? Certainly it couldn't be that we couldn't write a check.

So through you, what's the emergency at that point?

DEPUTY SPEAKER ALTOBELLO:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, I thank the good gentleman from Litchfield's question.

If the current budget is out of balance, then we have the urgency to address that and with the dollars that are already established in the budget, a portion of those will be utilized, but much of the billion in cash have already been identified for specific areas.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker. And then, to the extent that once this declaration's been made and the Governor has the ability to make adjustments or recommendations to adjustments on lines 85, 86, and 87 seems to say no more than ten percent of the appropriation.

If I could, through you, is that the total appropriation to the agency, Mr. Speaker, through you?
DEPUTY SPEAKER ALTOBELLO:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, the ten percent is going to be replacing the three percent that we have on the line item and five percent of the fund. That ten percent would be, could either be for the line or for the fund.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker. So in the case of the Labor Department, again, I'm just looking at the budget that we passed and the Governor signed into law, the Agency total is something on the order of \$64

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million. Ten percent of that would be \$6.4 million, so theoretically, if I could, through you, for the Job First Employment Services Program, which totals \$17 million, could the whole ten percent of the total budget be taken out of that line item?

Through you.

DEPUTY SPEAKER ALTOBELLO:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, that, the potential for that is definitely there. But again, the process will be that that information will go into a plan that the Governor will submit to the Chair, I mean to the President Pro Tem and the Speaker of the House, which will then come to the Member of the Appropriations Committee, and the good gentleman from Litchfield is part of that process.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker. But to go back to the questions that have already been asked, I guess I'm trying to figure out here.

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We've been involved on the Appropriations Committee now for a number of years, Mr. Speaker, I as the Ranking Member, Representative Walker as the Chairman, and we've had a number of discussions over the past biennium about reductions in certain agencies. We've had people come in and testify what the implications of those are.

I'm trying to get a sense as the Ranking Member on the Appropriations Committee where my role might be and where it is. And what I think I'm hearing from the good lady is, if the Governor makes a recommendation to take ten percent of the Labor Agency's budget, \$6.4 million out of the Job First Program, someone could make the recommendation that the Appropriations Committee take a look at that suggestion, and then I don't know, through you, if I could inquire, would it be the gentlelady's position that we would hold a public hearing on that?

Through you.

DEPUTY SPEAKER ALTOBELLO:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, the way the process will be going forward, we will be participating in

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this as long as the Governor presents it to the President of the Senate and the Speaker of the House.

The main purpose of it is to give us the opportunity to continue our job, which is to look at each item. If we determine that this is the best way to fill it through reductions on the Jobs First Program, then that would be the way we would end up doing it.

But it does come before us and we would have the opportunity to discuss that type of cut.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Miner.

REP. MINER (66th):

And if I could, through you, as I understand the gentlelady, it would be our opportunity to have that conversation should the Speaker of the House and the President Pro Tem concur that that's what will happen.

Through you.

DEPUTY SPEAKER ALTOBELLO:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, again, I thank the gentleman for the question.

Every change that we get will be, that we are talking about right now, will have the opportunity to come before the Appropriations Committee and if we do determine that we do not agree with it, it then will have the opportunity to come before the whole General Assembly.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Miner.

REP. MINER (66th):

So previously, I heard the gentlelady take the Minority Leader through the process, and as I understood her answers to him, if the Speaker and the President Pro Tem concurred, it would go to the committee of cognizance.

I didn't hear anything in that process where if the committees of cognizance didn't agree, it then comes to the General Assembly.

So if the gentlelady could help me with that trigger, I'll call it, how does that occur?

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Walker.

REP. WALKER (93rd):

Yes, through you, Mr. Speaker, the way the process is going to be going forward after it passes this Emergency Certification, the information will be handed to the Appropriations Committee.

If we do not do anything, it will go into effect.

If we have the public hearings and we find that we don't want to agree with this reduction in these specific areas, we then have the ability to change it or send it to the General Assembly. That is the way the ECert is outlined. Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Miner.

REP. MINER (66th):

And if I could, through you, all this would occur between now and the end of September, I think, is when the authority is extinguished? Through you.

DEPUTY SPEAKER ALTOBELLO:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, no. That is all has to happen, I hate to break this to my Ranking Members, bring this to his attention because it's going to be a long summer. This all has to happen before the 31st of August.

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Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Miner.

REP. MINER (66th):

I see that, Mr. Speaker. I thank the gentlelady for correcting me there.

And I know there was some discussion earlier about state aid to municipalities. Is my understanding correct that within this document there is specific exclusion to aid to municipalities?

Through you.

DEPUTY SPEAKER ALTOBELLO:

Representative Walker.

REP. WALKER (93rd):

Excuse me, Mr. Speaker, let me find that exact section. Line 63 in Section 6, in Section 6, through you, Mr. Speaker. Section 6, line 62, other provisions of the General Assembly except subsection e of said section.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker. And to the extent, again going back to the budget, to the extent that there are some areas of the state's operating budget that do impact municipalities such as local district health departments, school-based health clinics, those are handled through the Department of Public health.

Would it be, am I correct in my understanding that to the extent that those affect municipal aid, those, too, will be untouched? Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, I thank the good gentleman for the question.

That is the understanding that we have.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Miner.

REP. MINER (66th):

So it's not just the normal grants that we understand that flow directly to municipalities such as pilot program, LOCIP, ECS, school buses, the lunch programs, that sort of thing. It would be any of the

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other state-administered aid to municipality, whether it's through DSS, DCF, any of the other agencies including the Department of Health.

Is that correct, through you? Those would remain untouched in terms of his rescission authority?

DEPUTY SPEAKER ALTOBELLO:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, that is the intent of the discussions that we have had with the Governor's office.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker. I hope that the understanding that I believe you're portraying here is the fact at the end of this, because I think most of us remain concerned that this seems to be a fluid process just as the negotiations seems to have been a fluid process, and continues to be a fluid process.

Mr. Speaker, I'm not going to spend much time talking about, I thank the gentlelady for her answers, by the way. I'm not going to spend a lot of time

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talking about the diversion of the process that this Bill involves.

The Chairman of the Appropriations Committee and I have discussed this rescission authority. We discussed it under a former administration. We've discussed it under this administration, and I think she would tell the Chamber that my concerns about this have not changed. It doesn't matter who's in the Governor's office. We don't always see things the same way.

To the extent that this rescission authority has certainly expanded from \$50,000 and it's in fact expanded well beyond \$250,000 because it's \$250,000 or ten percent, whichever is greater, so I would remind the Chamber that in some cases that number is significant, that this certainly does go much farther than current law allows today.

We have the ability to make these decisions. We could do it through the public hearing process that the Chairman has outlined right now. If this declaration were made, we certainly could convene ourselves in. I don't think there would be anything in our Rules that would prohibit us from doing that

under some deficiency or some situation where our funding levels are below what we currently project.

I think what the case is going to be, Mr. Speaker, is that we don't know what the funding levels are. We don't know what our revenues are going to be. In fact, our revenues have exceeded projections since January by \$650 million and the current tax load, the current tax proposal on the table including its retroactive tax back to January 1st, I think is projected to increase revenues beyond the projections that even the budget was contemplating back in February and March.

So, you know, I think the areas that we've described already in terms of our concerns are pretty clear. I think that they're concerns that are shared by both sides of the aisle, and I think there are some other people that plan to speak and I'll listen before making a determination of how I vote. Thank you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Thank you, sir. Representative Alberts, you have the floor, sir.

REP. ALBERTS (50th):

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Thank you, Mr. Speaker, if I may, several questions to the proponent of the Emergency Certified Bill that is before us.

DEPUTY SPEAKER ALTOBELLO:

Please proceed, sir.

REP. ALBERTS (50th):

Thank you, Mr. Speaker, and good evening.

Section 6, as I understand it, essentially gives authority to the Governor to do various modifications and I want to make sure that I understand the rescission authority that's provided here.

And I'm looking at the OLR bill analysis, which has been provided to us and specifically looking under Section 6, and if I understand the analysis correctly, Section 6 allows the Governor without legislative or FAC approval to rescind up to three percent of the total appropriations from any fund or five percent from any appropriation under certain categorizations.

And then it also allows the Governor between July 1st and September 30th of 2011, to impose rescissions of up to ten percent of the total fiscal year 2012 and 13 appropriations. Is that correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Walker.

REP. WALKER (93rd):

Thank you, Mr. Speaker, and I thank the good gentleman from Woodstock for his question.

The Bill, the section that you refer to, currently, the current law, current statute is that the Governor has the ability up to the three percent and the five percent. That was something that was done several years ago.

This Bill is notwithstanding, so therefore it goes, it eliminates that section and it goes straight to the ten percent section.

But I want to remind the good gentleman that the proposed reductions and change that the Governor is going to be presenting to us will come before the Appropriations Committee via the leadership of the House and the Senate, and then it will come to the General Assembly so you and all of us will have an opportunity to have a part of making a judgment on what happens with this extension that you are referring to in Section 6.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Alberts.

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REP. ALBERTS (50th):

Thank you, Mr. Speaker. Well, when you say we have a role in it, we will not necessarily have a role in this General Assembly convened in this body to vote affirmatively up or down on those changes. Is that not correct? Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, that is not correct. That will be a decision that will be determined through the process that we are laying out in the Bill before us.

The Bill, the reductions that are going to be proposed by the Governor's office again, will come before the Appropriations Committee. We will have the hearings. The changes that we want to make in addressing whatever the amount that has been presented to us through the Governor's office can go before the General Assembly if we feel that these things cannot, are not within the guise of what we want to have happen.

We have to, we have the ability to address each one of the items that we want to, but it is going to

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be the determination for us through our public hearing process to make the decision as to whether or not we do this.

It is not, it is much more authority than we have with the existing statute of the three and the five percent. The Governor has that ability to do that without us being involved.

This one makes it so that every change that is being proposed, we will have an opportunity to weigh in on it.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Alberts.

REP. ALBERTS (50th):

Well thank you, Mr. Speaker. I will respectfully disagree, then, that the interpretation of the proponent here, because we would not necessarily have the right to vote on it. I mean, we may have that. We may be voting on this at some point in the future if those conditions are met, but we are definitely not being assured that we will be convening once again to do that. Is that not correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

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Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, let me. We will have the ability to act on it. We will have the ability to vote on it, but we will do it through the process that is identified here.

Every person in the General Assembly will have the ability to make that, to be participatory in that.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Alberts.

REP. ALBERTS (50th):

Thank you, Mr. Speaker. So essentially going to Section 6 and looking at this, then the major change that we should glean from this then is that the rescission authority is being increased to up to ten percent for Fiscal Year 12 and Fiscal Year 13 appropriations and I understand the proponent's comments about the timing of different things happening.

But under this section, the rescissions could be as high as ten percent. Is that not correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

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Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, the way the Bill lies now, there is a ten percent reduction that is available that we will have the ability to make a determination in the General Assembly as to what happens to that.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Alberts.

REP. ALBERTS (50th):

Thank you, Mr. Speaker. Is there any intent in this section to have that reduction or rescission amount be greater than ten percent during those periods?

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, no, there is no section in here that allows it to be more than ten percent of any of the items that we will be looking into and we will be voting on in the General Assembly.

Thank you, Mr. Speaker.

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DEPUTY SPEAKER ALTOBELLO:

Representative Alberts.

REP. ALBERTS (50th):

Thank you, Mr. Speaker. And then following up that train of thought in Section 6, as I understand it, looking at lines 87 through 89 of the Bill that's before us, -the provisions of this section shall not apply in time of war, invasion or emergency caused by natural disaster. Is that not correct? Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, that is current language in our statutes now. Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Alberts. I just wasn't sure that there was a question there. Please proceed, sir.

REP. ALBERTS (50th):

Thank you, Mr. Speaker. There is a question coming. I promise that. I won't disappoint you.

So in these periods of time of war, for example, what is the process at that point, through you, Mr.

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Speaker, in terms of what is the authority that the Governor has?

Through you.

DEPUTY SPEAKER ALTOBELLO:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, I understand the good gentleman from Woodstock's question. That one, I have to say, I do not know because I've never seen us act in any of those circumstances or under that statute. I'm sure that, if you'd like, I can try and get that information as soon as possible.

But I just don't ever remember having any of those issues before us. Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Alberts.

REP. ALBERTS (50th):

Thank you, Mr. Speaker. On Page 3 of the OLR Bill Analysis there is contemplated what does happen. As I understand it, and this is unfortunately a quote from this, the Bill's provisions do not apply in time of war, invasion or natural disaster emergency. Under these circumstances, the existing law applies, which specifically provides that the Governor's rescission

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authority is not limited in time of war, invasion or a natural disaster emergency.

So as I read that section, if there was declared one of these three factors, there would be no limitation on the Governor's rescission authority. Is that not correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, I was trying to find the language that the good gentleman was talking about but I mean, regardless of whether I find it or not that is true because that is under the current statute, and that's not the content of the Bill before us.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Alberts.

REP. ALBERTS (50th):

Thank you, Mr. Speaker. Well, I think they're definitely very closely related. In the proponent's opinion, are we now in the state of war?

Through you, Mr. Speaker.

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DEPUTY SPEAKER ALTOBELLO:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, the State of Connecticut is in a state of war? I don't understand. Could the good gentleman from Woodstock explain that to me. I'm not sure.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Alberts.

REP. ALBERTS (50th):

Thank you, Mr. Speaker. Looking at line 88 and line 89, the reference is that these do not apply in a time of war. It's my opinion that we are operating in a time of war. Essentially on June 15th of this year, Governor Malloy directed that the United States flag and the Connecticut State flag be lowered to half mast to honor a service member who died serving this country, a service member from Connecticut who died serving our country in operations in Afghanistan.

I think all the Members of this Chamber are all too familiar with, we've had similar honors bestowed on thousands of individuals across the state, so from my perspective, we are now in a time of war, and I

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just want to clarify that what the proponent's understanding is.

Is this clause applicable? Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, if the good gentleman from Woodstock is asking for my opinion on whether we are at a state of war, I don't think that I'm really qualified to state that, to answer that question.

I believe that we have had unfortunate circumstances where we have lost a lot of our sons and daughters in the state, and at no time has any Governor ever exercised the limitations that are set before us in Section 485(b) that he is referring to. Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Alberts.

REP. ALBERTS (50th):

Thank you, Mr. Speaker. To the best of my knowledge, the Governor will never declare a state or war or will never declare a war against another power,

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that that is something that happens at the federal level.

But many of us here have relatives, my nephew who is being deployed to Afghanistan for the second time next month, and his parents consider that he is going to a foreign theater in a time of war, and I want to clarify for the benefit of the rest of the citizens of Connecticut whether or not we believe that we are acting in a time of war? I believe that this is critical to the understanding of the section and it's applicability.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, I do understand the good gentleman from Woodstock's compassion and I share that with you. I do believe that all of our children that serve our country from the state are people who we should honor.

But as far as that affecting the underlying Bill that is before us and my ability to exercise any of that that would go in under that section that he has

very carefully referred to, I am just not capable of answering that.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Alberts.

REP. ALBERTS (50th):

Thank you, Mr. Speaker. I guess my concern is that this clause somehow provides a trigger to allow the Governor to have unlimited rescission capability, and I want to make sure that I understand fully what the limitations are that we are expecting that if this Bill is enacted, we are providing the Governor.

Is it a ten percent limitation, or are we basically saying, yes, it says it's ten percent, but unfortunately, we are now in a time of war. We have been in a time of war, I believe personally, since 2001. That is when the conflict began and was declared by a Senate Joint Resolution with Afghanistan.

I am looking at this from a perspective that we are essentially granting the Governor unlimited rescission capability because of the definition. So any clarification that the proponent can add to acknowledge that the intent of this section, given the

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hostilities that we are presently engaged in, is to cap the rescission capability, a reduction in spending to ten percent would be appreciated. Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Walker.

REP. WALKER (93rd):

I thank the good gentleman from Woodstock for his question and his concern. I believe that as we have talked about before, this statement, this provision, was always at the Governor's access, the ability.

But under the Bill that we have before us, anything that would be affecting the bottom line, no matter what, would be coming before the General Assembly because of the way the Bill is written.

All actions that the Governor has set, that he is planning on doing with the budget to address the \$1.6 billion must come before us in order for it to be taken into effect and account, and we will act on it at that point in time.

That part of the Emergency Certification is very clear, and the fact that this statute is here currently says that that is not going to be part of this discussion. The discussion is adamantly we are

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going to be talking about whatever reductions we will be receiving, proposed reductions we will be receiving from the Governor will be coming here no matter what. Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Alberts.

REP. ALBERTS (50th):

Thank you, Mr. Speaker. So the proponent's understanding then is that the proposed reductions would be capped at ten percent during this period?

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, if we pass the underlying Emergency Certification it will be capped at ten percent and we will be acting upon it as the General Assembly when we move forward with whatever proposals the Governor has.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Alberts.

REP. ALBERTS (50th):

Thank you, Mr. Speaker, and I do appreciate the proponent's response.

The section that we've been applying to, or making reference to in terms of time of war, invasion or emergency caused by natural disaster, my understanding is that those normally are situations in terms of an invasion or an emergency caused by a natural disaster that would be determined by the Governor. Is that not correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, I believe that is correct.

DEPUTY SPEAKER ALTOBELLO:

Representative Alberts.

REP. ALBERTS (50th):

Thank you, Mr. Speaker. I do thank the proponent's answers and clarification.

I am concerned that this is still somewhat of a muddied issue here so I'm not sure what rescission power we would be granting to the Governor.

I do understand that the proponent's perspective that the underlying opportunity to review the proposed rescissions would come back to the Chamber potentially, but my interpretation of my ability to directly influence that is different than hers. Thank you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative Alberts.

Representative Hetherington of the 125th, you have the floor, sir.

REP. HETHERINGTON (125th):

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

DEPUTY SPEAKER ALTOBELLO:

Please proceed, sir.

REP. HETHERINGTON (125th):

Through you, Mr. Speaker, just so that I'm confident that this is, this question is settled, going to Section 11 when we speak of an agreement between the state and the state employees bargaining agent coalition and the words on May 27, 2011 are deleted, that means that this may refer to any agreement.

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The one that is now publicized, has been for some time, or a new agreement we haven't seen yet. Is that correct? Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, that is correct.

DEPUTY SPEAKER ALTOBELLO:

Representative Hetherington.

REP. HETHERINGTON (125th):

Thank you. Through you, Mr. Speaker, assuming we go forward with an agreement based upon that, the terms that were proposed and publicized as the terms of the concession agreement, assuming we go ahead with that, it's my understanding that the representatives of our state's collective bargaining units, could now accept that agreement if they do so before August 30, 2011. Is that correct? Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, that is correct.

REP. HETHERINGTON (125th):

Thank you. Through you, Mr. Speaker, what would be the terms of acceptance? In other words, would that proposed agreement once again have to go through a vote of the membership of the bargaining units and be approved by the requisite minimum units and 80 percent of the total participants voting? Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, if the votes that are approving the package have an understanding that, all the individual members, I mean, different sections of the SEBAC group do not have to all vote on it.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Hetherington.

REP. HETHERINGTON (125th):

I see. Through you, Mr. Speaker, so are we to understand that you could simply select identifiable units that voted against it the first time and if they change their vote, that's okay? Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

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Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, to the good gentleman from New Canaan, that is correct, sir.

DEPUTY SPEAKER ALTOBELLO:

Representative Hetherington.

REP. HETHERINGTON (125th):

Thank you, Mr. Speaker. Would it be possible to change the terms of concurrence? That is, instead of applying those publicized minimums, minimum number of bargaining units, minimum percentage of voting members, could we, could that be changed and say it's only a simple majority of members, for example?

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, only through the body itself, through the by-law changes that would be adopted by the different individual bargaining unit.

DEPUTY SPEAKER ALTOBELLO:

Representative Hetherington.

REP. HETHERINGTON (125th):

So, through you, Mr. Speaker, if one of the units that voted against the concession proposals wanted to amend their by-laws and say, well, it's now only a simple majority, that would be sufficient?

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, I thank the good gentleman from New Canaan for the question.

The individual units, no, but if the whole body makes that determination, that is correct.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Hetherington.

REP. HETHERINGTON (125th):

Through you, Mr. Speaker, by the whole body, do we mean the entire group of 15 units represented by SEBAC?

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, the, yes, all of the units under SEBAC. Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Hetherington.

REP. HETHERINGTON (125th):

So having not succeeded in getting adherence on the concessions, the negotiating parties, the contracting parties, if you will, are free to change the terms of concurrence. Is that right?

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, they are always open to changes through the body, through the units.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Hetherington.

REP. HETHERINGTON (125th):

Thank you. I thank the gentlelady. And if in fact we do wind up dealing with an agreement that we haven't seen before, that is not the agreement signed by the parties on May 27, 2011, the terms of concurrence on that particular agreement could be

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determined by action of the 15 participating units.

Is that right?

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

· Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, it's a tentative agreement through the body and the Governor, and then we would go through that process. Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Hetherington.

REP. HETHERINGTON (125th):

Well, I thank you and I thank the gentlelady for her answers.

It's, I suggest this sets up a curious situation. We have learned through the media over the last several weeks that these were the terms of acceptance by the participating unions, and there was a great deal of theatrical attention, if you will, given to that vote as it came in and you know, we were waiting and waiting, and there was Wednesday, there was Thursday, there was Friday, oops, Friday's the last day.

Well, now it turns out that's really not true. That having not gained adherence, start all over again on different terms. This is a really strange election. This is a strange exercise of the democratic process. If at first you don't succeed, you change the rules. You have different rules.

In fact, you can change those rules so that you only need to persuade those who said no the first time. Sounds like a peculiar corruption of the democratic process.

But I think we are clear on this, and that is the result, and I thank the lady for that.

I'm really troubled by this and I'll listen to the rest of the debate, but I'm particularly troubled by Section 13, and this moves away from the subject of ratification to the subject of how this Legislature deals with a new, with the Governor's proposal and there is, you know, as we enter the Fourth of July weekend, there's a peculiar resemblance between the rationale I've heard expressed here tonight and the rationale that the British Parliament offered to the American colonists.

They said well, you know, you talk about no taxation without representation. Well, you know, you

good American chaps, you've got to realize that you brethren in England sitting in the British Parliament in effect represent you. I mean, they may not be chosen by you but they represent you. It's kind of a virtual representation thing.

That was the argument that was seriously made, that even though the Americans had no opportunity to participate in their government, in the raising of taxes, that their British brethren were sympathetic and in Parliament they virtually represented the Americans, and therefore, the Americans' argument should be dismissed.

Well, I don't think that flies. I don't think we accept that. We haven't accepted it for two hundred and whatever number of years.

So following Section 13, and listening to the explanation that assuming, assuming the eventual resolution is submitted to the legislative leaders, and assuming it's submitted to the Chairs and the Ranking Members of the committees of cognizance, that's good enough, because after all, they represent all the rest of us, too.

Well, I have another, I have a great suggestion for a budget savings. We can avoid the expense of all

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the rest of us coming up here because the Chairs of the committees of cognizance and the Ranking Members can express our wills just like the British Parliament did for the Americans under their interpretation those many years ago.

I'm happy to listen to the rest of this debate with an open mind, but I must admit, the arguments that I have heard in favor of this Bill are a hard sell.

. Thank you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Thank you, sir. Further on the Bill? Representative Thompson of the 13th. You have the floor, sir.

REP. THOMPSON (13th):

Why did I have to follow Representative Hetherington? He's leaving. Mr. Speaker, thank you very much.

Unlike the previous speaker, I'm very excited about this process. It does give us an opportunity to do what we're supposed to be doing and do it in an orderly way.

For example, the Birth to Three Commission gave us a report several years ago. They had done a study

of children that had come into their system at birth and they studied them right through going into grade school. About 50 percent of those children who had birth defects, serious deficiencies, did not require special ed by the time they reached grade school.

They estimated the cost for that group of students and I forget the exact number, but it was over 100, they estimated the cost was reduced by \$24 million, six years of preparation.

We looked at another area, and this again, I can remember as a young person visiting Southbury Training School as part of my job. I represented state employees. This goes back almost 50 years, and Southbury Training School for many years was at the curve of the developments in mental retardation care and treatment. It was known all over the country. It was highly regarded.

Well, because of the families of those children who became so enthusiastic of seeing their youngsters develop, they went to work on building that program and building it, so now we have a different mental retardation program. It's de-institutionalized.

Folks. Thank you.

DEPUTY SPEAKER ALTOBELLO:

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Thank you, Representative Thompson.

REP. THOMPSON (13th):

You're welcome. Thank you.

DEPUTY SPEAKER ALTOBELLO:

Please proceed, sir. We de-institutionalized mental retardation and the children and the families and all of us are better off for it. We've saved perhaps millions of dollars and we never really talk about that.

We de-institutionalized mental health services and again, I think we scored very big in the treatment and care of the mentally ill. It's community based.

And now we're getting that idea with finding jobs. Communities are coming together to help people out of work to find work, to find jobs. We're promoting it, and people are coming together to do that.

And I could go on. When you think about all of the programs that we have put in for early childhood development, most of those were born and developed by the communities and we are supporting those programs now and it's paying off big time.

So it seems to me that we're doing the Governor a great service when we invite him or her to come before us with their presentation on how to spend this money.

And I would ask the Governor, I'll take another look at Birth to Three and see how that's faring and say why haven't you even mentioned this program? It's perhaps the most successful child development program that we have.

And the programs that we have created in the inner cities. You know, charter schools were not born in some institution, educational institution somewhere, although they're pitching in mightily now, but as families coming together and talking to the local school system. How do we do this? How do we get our kids to learn more and better?

And a lot of creativity has come out of that process, and I believe that the evidence is there when you get people involved in their government and in providing answers to hard questions by people like us, elected officials.

And so, I'm endorsing what we've been talking about here, going through this process, pinning down people who are responsible for providing us with answers, and thinking of other ideas where we could do

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a lot of good by urging communities to get involved, and urging other people.

And I look around this room and I see chairs of various committees. I can remember serving on the Environment Committee with Mary Mushinsky, and she was a tiger about the environment. And I don't have to look very far away from Mary, and well, she's not there now, but the Chair of our Public Health Committee and the ideas she has given to us and the federally qualified health centers that Peter Tercyak, where is he, who has pushed that and pushed me and gets a big charge out of kidding me about it.

But we've seen, and I have said to residents of my community who have come to me and said that somebody needs dental care, a friend of mine, a relative. And there's a federally qualified health center in East Hartford that has a dental clinic and a health clinic in our community.

And when people talked about not going beyond primary care, which was the original role of the federally qualified centers. The Eastern Connecticut Health Network with their two hospitals came forward and said, you provide the primary care and anybody who needs specialized care, we'll do something about it,

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no matter what insurance or no insurance they may have, and that's happening all over our state.

So anything we can do to push our government into looking locally and acting on issues and not just leaving it to us to dream up some solutions, this is an opportunity for us to have our day in a way and urge our, find out what our administrators are going to do with this money and how they may best use that money, and I certainly have a couple of ideas, and I think others around here have ideas.

What do you think, Governor? You're going to spend \$1.6 billion, how would you spend it? What are your priorities?

Now, we wait for him to come before us in the Appropriations Committee. This time we're going to him and say, give us your ideas. How do we improve things with this money and make wise use of the funds?

So that's my two cents, and I appreciate your attention.

DEPUTY SPEAKER ALTOBELLO:

And I thank you, Representative Thompson.
Further on the Bill? Representative Srinivasan of the 31st, you have the floor, sir.

REP. SRINIVASAN (31st):

Good evening, Mr. Speaker. Through you, Mr. Speaker, to the proponent of the E-Certification Bill.

DEPUTY SPEAKER ALTOBELLO:

Please proceed, sir.

REP. SRINIVASAN (31st):

Thank you, Mr. Speaker. Listening to this debate through this evening, I see the two areas of the two sections where most of the questions and concerns have been, and those two sections concern me as it has the speakers before me.

In Section 6, through you, Mr. Speaker, I get the impression from the proponent of the Bill that whatever is going to be presented will ultimately come to the floor of the House, to the General Assembly directly, and not in an indirect way.

Unfortunately, I do not see that language in that section, and through you, Mr. Speaker, if I can, if the proponent could show me where in the Bill it says that it will come directly to the floor of the House.

Thank you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Walker.

REP. WALKER (93rd):

Thank you, Mr. Speaker, and I thank the good gentleman from Glastonbury for the question.

Unfortunately, I have to find the exact location of the, where it talks about it, but it is identified in the Bill that we will, that there is a specific process of how the information will be handed down to us from the Governor's office to the leadership to the Appropriations Committee, to the General Assembly. Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Srinivasan.

REP. SRINIVASAN (31st):

Thank you. Through you, Mr. Speaker, I do understand there is a process, but where I do not see is where it says in the language.

Yes, it will come to the various committees. Yes, it goes to the Finance and Appropriations. But where does it say that after all that is said and done it will come down to us as we are this evening, to the floor of the House?

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Walker.

REP. WALKER (93rd):

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Through you, Mr. Speaker, it's really in Section 13, lines 265 to 274.

DEPUTY SPEAKER ALTOBELLO:

Representative Srinivasan.

REP. SRINIVASAN (31st):

I'm sorry. If the proponent would be kind enough so that I can track that down please. Would you just repeat that? I was in Section 6.

I didn't realize you wanted me to switch to something else.

REP. WALKER (93rd):

I'm sorry.

REP. SRINIVASAN (31st):

Thank you.

DEPUTY SPEAKER ALTOBELLO:

Representative Walker.

REP. WALKER (93rd):

Sorry, sir. Through you, Mr. Speaker, if you go to Section 13, line 265, you will find the process that is identified there. Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Srinivasan.

REP. SRINIVASAN (31st):

Through you, Mr. Speaker, I'm glad you brought up Section 13, because that was the next part of the section that I had a little difficulty with. I was coming from the first one to the second, and my interpretation of Section 13, which I have a lot of difficulty with, it's the, it's always a may and not a shall.

In the opening hours of this debate, if you recall, Minority Leader Cafero very eloquently talked about may and shall and the difference between those two words, which is very obvious to all of us.

In Section 13, yes, there is a process. The Governor is going to be presenting it to certain people, and once again, it is not a shall. It's a may that it could go through the process.

My concern is that the shall will not, may not happen, unfortunately, and we may not get a direct opportunity to vote one way or the other on whatever the reductions are or whatever the proposals are made for this \$1.6 billion that we're talking about. Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Srinivasan, I haven't heard a question.

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REP. SRINIVASAN (31st):

I'm sorry. The question is, I do not see where it says that this proposal will come to the Assembly. It may come to the Assembly. I'm well aware of that, and that is the difficulty I'm having with the language as opposed to it shall come to the floor of the House.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

I agree with you, sir. I do not see that language myself. I still don't hear a question, however.

REP. SRINIVASAN (31st):

The question is, thank you, Mr. Speaker. The impression I have from the proponent of the Bill is that it will come to the floor of the House and I don't see that.

If she would be kind enough to show me where it says so. Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, I thank the good gentleman for the question from Glastonbury.

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First, it starts in the section where it says that the Governor shall submit a plan to the Speaker of the House of Representatives and President Pro Tem.

Then as you go further down the language lays out how the process would proceed, but if there is a settlement that happens in the process while we are going through that, by having the shall there, would automatically bring us in even though the SEBAC, the unions, the SEBAC units would have already ratified an agreement.

So this gives us that ability just in case SEBAC makes the conclusion and votes it in and we have achieved what we wanted in the first place. Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Srinivasan.

REP. SRINIVASAN (31st):

Through you, Mr. Speaker, I'm even more confused now. So my understanding now is, if SEBAC ratifies this Agreement, then of course we do not need to do any of this at all, by and large.

But if SEBAC does not ratify, through you, Mr. Speaker, am I to understand that there is language in Section 13 that from the Senate and the Speaker of the

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House that this Bill or this proposal from the Governor's office will definitely come to the floor of the House?

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Walker.

REP. WALKER (93rd):

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

That is correct, sir. If there is no change, nothing happens, then it would automatically go through the process that we've talked about with previous conversations from other Members of the General Assembly. It will then go through that process. Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Srinivasan.

REP. SRINIVASAN (31st):

Through you, Mr. Speaker, I definitely understand the process. I hear that word being repeated over and over again.

The word or the sentence that I would like to hear, through you, if possible to the proponent is, the process will include it coming here to the floor

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of the House and not may, but it will include coming here to the floor of the House so that we all have an opportunity to look at that proposal and decide which way we want to go with that proposal. Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Walker.

REP. WALKER (93rd):

Thank you. Through you, Mr. Speaker, that is exactly the way the process will be done, and that is what the intent is of the underlying Bill.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Srinivasan.

REP. SRINIVASAN (31st):

Through you, Mr. Speaker, I want to thank the gentlelady for her answers. Thank you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Thank you, sir. Representative Miner, you have the floor.

REP. MINER (66th):

Thank you, Mr. Speaker. Mr. Speaker, the Clerk has an Amendment, LCO Number 8767. If he might call it and I be allowed to summarize, please.

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DEPUTY SPEAKER ALTOBELLO:

Would the clerk please call LCO 8767, which shall be designated House Amendment Schedule "A".

THE CLERK:

LCO Number 8767, House "A", offered by
Representatives Cafero, Klarides and Candelora.

DEPUTY SPEAKER ALTOBELLO:

Representative Miner.

REP. MINER (66th):

Yes, sir.

DEPUTY SPEAKER ALTOBELLO:

You have the floor.

REP. MINER (66th):

Thank you, Mr. Speaker. Mr. Speaker, what this Amendment proposes to do is to clear up the sections that many people have asked questions about this evening having to do with the process.

What will happen and when it will happen, and what the triggers are and I move adoption.

DEPUTY SPEAKER ALTOBELLO:

The question before the Chamber is adoption of House "A". Adoption of House "A". Representative Miner, further on House "A"?

REP. MINER (66th):

Thank you, Mr. Speaker, yes. As I said, in Section 13, what this different language will do will be to set about a process by which the Governor makes a determination by July 15th what his plan will be and then what the proposal will be, submit it to the General Assembly's committees of cognizance and then from there the Clerks of the House of Representatives and the Senate.

As you know, Mr. Speaker, there's been some discussion about whether this is may language or shall language. Very clearly under the Bill the Governor puts together a plan and under this Amendment, if adopted, once that plan has been presented, the public hearing is held, that language would go before both Chambers for a vote.

In Section b of this, the Chief Court Administrator would have the same requirement to submit information to the same committees of cognizance and then the process would move forward.

Mr. Speaker, I think what we have been saying here for a number of hours this evening is, while there certainly is, certainly has been at least, representation that all the Members of the Chamber would have the ability to review the plan in one

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fashion or another, I think we all understand based on the questions that have been asked and the answers provided, that there are breaks in that process.

If it's not the Speaker's determination that we should hear the language in the plan, then it won't come before the House.

If it's the same with the President Pro Tem it won't come before the House.

Mr. Speaker, I would ask that when the vote be taken on this Amendment that it be taken by Roll Call.

DEPUTY SPEAKER ALTOBELLO:

The question before the Chamber is whether or not when this vote is taken it shall be taken by Roll.

Let me try your minds.

All those in favor of having a Roll Call on House "A", please indicate by saying Aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER ALTOBELLO:

The requisite number has been met. When the vote is taken it shall be taken by Roll.

REP. MINER (66th):

Thank you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

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Further on House "A"? Further on House "A"?

Representative Walker.

REP. WALKER (93rd):

Thank you, Mr. Speaker. Mr. Speaker, I understand the desire that the good gentleman has proposed in this Amendment, but we have laid out some ways that we think it's important that we allow the leeway so that if there's a requirement of us and a shall in certain circumstances it might interfere with the process of getting some of the other resolutions in the underlying budget.

So I ask my colleagues to reject this Amendment.

Thank you.

DEPUTY SPEAKER ALTOBELLO:

Further on House "A"? Further on House "A"?

Representative Sawyer on House "A".

REP. SAWYER (55th):

Thank you, Mr. Speaker. I'm going to say that in looking at our process it's key that we have an open process. That process would have the public hearing process to it, that it would put before the people of Connecticut when it comes before the Legislature what was in the agreement, what was going to be passed out

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for our state government and it should have a vote from this Chamber. We are the third branch.

And that's why to me it's very important that the word shall is there, that we maintain our control, our authority to be able to make those decisions.

Mr. Speaker, I urge this Chamber to support this Amendment.

DEPUTY SPEAKER ALTOBELLO:

Further on House "A"? Further on House "A"? Representative Piscopo, you have the floor, sir.

REP. PISCOPO (76th):

Thank you, Mr. Speaker. Mr. Speaker, it's my fear that the Chairwoman of the Appropriations Committee, as she got up and kind of spoke against this Amendment, that it will fall on party lines, and that would be a real bad move on this. It would be a bad reflection on this Chamber, I think.

I think this is one instance where we should drop that tradition of where we offered an Amendment in good faith and it's a good Amendment. It's been said in many, many questions by the Chairwoman that this should be the procedure, that the plan will come back to the committees of cognizance, have a hearing and then go to a vote.

It just makes perfect sense. She said that a lot during the evening here, and we should just drop the partisanship here and vote on this.

The Ranking Member said he opposed this under a Republican Governor. He opposed this kind of concept under a Republican Governor, and I think that we are being threatened as a separate branch of government by the Executive Branch of government.

We should pull together on this as a branch and stand up for ourselves and just insert it in this little way, anyway. If we're being threatened as a branch, let's stay together on this.

It kind of reminds me of one of the presidential debates. One of the candidates got up and said if we were threatened by an outside force from outside our solar system, they threatened the planet Earth, we would, all the competing countries of this planet would pull together and it might be a good thing.

You know, but I think we should do this. We should pull together. Let's just change this may to a shall. It's a simple request, and we do this when the Judicial Branch threatens us.

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If we see a justice that we think is legislating from the bench, we give that justice a hard time. We say that's our job. It's not the judge's job.

So this is, I think, an encroachment from the Executive Branch. Let's pull together on this and let's pass this Amendment. It's a simple Amendment. You could let one or two through here tonight, you know. The Bill's starting here. It just goes upstairs. They'll pass it in concurrence.

So my plea is, let's vote for this.

Thank you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative Piscopo. Further on House "A"? Representative Betts. You have the floor, sir.

REP. BETTS (78th):

Thank you, Mr. Speaker. I rise in very strong support for this Amendment for a number of reasons.

One is, I think it's an official reaffirmation and there's no gray area of what Representative Walker talked about in terms of making sure that each and every single one of us will have an opportunity to be able to not only know what's going on but to be able

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to provide input, which will end up making a better product.

By not participating in it, I think we are not only abdicating our responsibility, but we're not doing a good job in representing our constituents.

I think our constituents expect us to be able to be their voice, ask questions and to represent their interest. I see absolutely no reason why anybody would be opposed to making sure that we are able to fulfill our responsibilities.

My fear is, should we not pursue this, and I remember one time during the process I had asked that we'd have the opportunity to vote on the SEBAC Agreement if an agreement was reached.

If we are not able to ask questions about that and to be able to vote on that, I wonder what our role and responsibility is in the General Assembly, and whether we are, in fact, truly representing our constituents.

I know I've heard from a lot of people as I'm sure many of you have heard from many, many, many angry taxpayers and I wonder, you know, what they feel in terms of our not being able to answer to them why we have not done this.

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I think this is perfectly good common sense. It's really reaffirming a process that's been going on for decades and I think as you said earlier on, this would set an incredibly dangerous precedent, one which I would really, really feel very uncomfortable with, and for those reasons, Mr. Speaker, I strongly support and urge everybody in this room to support this Amendment.

Thank you very much.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative Betts. Further on House "A"? Representative Thompson of the 13th, you have the floor.

REP. THOMPSON (13th):

Thank you, Mr. Speaker. Mr. Speaker, a question to the proponent.

DEPUTY SPEAKER ALTOBELLO:

Please proceed, sir.

REP. THOMPSON (13th):

Representative Miner, I think right through this whole Amendment or Bill, it really is, you're asking the Governor repeat what he's already done in presenting the budget and the, I don't quarrel with asking these questions and so on, but isn't that the

responsibility, most of this is the responsibility of the Governor when he comes before us and presents his budget and recommendations for the coming fiscal year, and in effect, the proposal we were acting on earlier, or acting on now that this would really address is just that.

It was a follow up to the budget, and we are going to ask some questions.

I agree with the shall, but I think this is just, and all kidding aside, is upstaging what we were doing and I wouldn't mind if this was set for the future and not covering the same ground we are in our action tonight.

I'm finished. I asked. You answer.

DEPUTY SPEAKER ALTOBELLO:

Representative Miner, I think you have your walking orders in line, sir.

REP. MINER (66th):

I do, Mr. Speaker. Mr. Speaker, my response is that I think the Constitution is pretty clear that the Governor makes a presentation of his budget or her budget proposal at the onset of the Session and then the committees of cognizance deliberate the different facets of that budget.

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In fact, the Appropriations Committee met for months, held public hearing on concepts that were brought before the Committee by Members of the Legislature and by the Governor.

And so, I don't think, I don't consider this to be upstaging anyone. What this is, is a deliberative process by which the Legislature will ensure that the State of Connecticut will understand the magnitude of the proposals being made, the changes being suggested and then what the people they elected in addition to the Governor, think about all those proposals.

As I said, we're not trying to upstage anybody, but we have a role in this process, and this makes the process very clear.

If the Governor recommends reductions to federally qualified healthcare centers, we may want to have a public hearing on that, and I think that's our charge. That's our responsibility.

I think it will be a lot easier for us to explain to people back in our districts why those healthcare centers have received less funding than we anticipated through our budget process and I think it's the fairest way to go.

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I can't imagine the Governor would quarrel with this proposal. I think he would welcome the input of the Legislature. He seems to be a guy that's interested in an open process. He held public hearings all throughout the state, so I think we just, you know, need to ensure that we have our place in this process and that's what we seek to do with this Amendment. Thank you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative Miner. Representative Thompson, further on House "A".

REP. THOMPSON (13th):

Thank you for your response. Well, I think the deliberation we were having this evening had pretty much covered this ground, and if it was something that we should do as a matter of practice in the future whenever an issue comes before us, I think we're perfectly able to do that.

But you're very specific in saying not later than July 11th of this year, and that simply is a follow up to, in my humble opinion, a follow up to what we've been doing here this evening.

So I don't think it's necessary. We are going to have a public hearing. We will proceed on that basis,

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and it just seems to me that we're just taking this a step ahead, and I agree with you.

If you want shall in there, then let's do that for the future. Thank you.

DEPUTY SPEAKER ALTOBELLO:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker. I think what we're trying to do here is to point out the ramifications of \$1.2 billion in changes to the budget that was signed back on the 21st of this month.

I don't know what those changes are going to be. I would suspect that Representative Thompson doesn't know what they're going to be. But I think it would be a lot easier for all of us to be able to explain to our constituents and to each other, what we think the implications of those changes might be, and that's why the proposal's before us. Thank you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative Miner. Further on House "A"? Representative Lavielle on House "A"? No? Representative Sawyer? Representative Miner, you're all set. Further on House "A"? Representative Sharkey, you have the floor, sir.

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REP. SHARKEY (88th):

Thank you, Mr. Speaker. Mr. Speaker, what I'm about to say is something that I don't normally do in the context as Majority Leader or in concluding a discussion about a particular amendment or a bill.

But I do feel it's important to say this and say it on the record so that everyone in this Chamber is abundantly clear about the intent of this Bill and of our proposed action.

It is, I want to make it absolutely clear, it is the intent of our leaders in both the House and the Senate to take the Governor's recommendations that are mandated to be presented to us on July 15th, report those and provide those to the Appropriations Committee for a public hearing, and if the Appropriations Committee recommends changes we will be calling ourselves into Session to vote on those proposed changes.

Now, I say that, and I say it in those strong terms because I have had this conversation with the Speaker of the House. The Speaker of the House has had this conversation with the Senate President.

Lest there be no doubt, the Appropriations Committee will be reviewing the Governor's proposed

rescissions that he presents to us on July 15th, and if that Committee makes these recommendations for changes to what the Governor proposes, both the House and the Senate leaders have indicated that they will be calling us into Session to take those actions.

Now, if the argument is, let me just take a step back, if I may. There was a mention that there was, I think, by proponents of the Amendment, and advocates for the Amendment, that without this Amendment we are, there is a threat that the Governor will do what he wishes and we will have no input.

I would propose and suggest to you all that that would be the reality if we did not have Section 13 in this Bill in the first place. Section 13 of the Bill, which lays out the process for the Governor to provide us with his rescissions, for the Appropriations Committee to review and hold hearings and for us to come back and act, was something that we in the leadership, and I will include myself in this, on this side of the aisle, demanded as part of this Bill, because we were equally concerned as our friends on the other side of the aisle, with the potential of allowing the Governor to adopt wide and sweeping

rescissions to the budget without any input from this Legislature.

It is what we fought for. It is what we required and demanded be in this Bill.

Now, this question about may versus shall is, was really, the drafting was done because we wanted to be, first of all, we wanted to be consistent with what we typically do and don't do in this Legislature. It's rare that we mandate in a bill or an amendment, action by us.

We assume that we are adults and we will do what is necessary. We will do what the public expects us to do. We will do the right thing. We don't have to mandate ourselves to do it. That's the reason why the language originally and continues to call for the language may versus shall.

Secondly, from a practical standpoint, if by the end of August when we might be calling ourselves in because we have recommendations from the Appropriations Committee, there, if that's the timeframe within which we might have otherwise done that, we may also have a revised agreement from SEBAC. We may have an approved agreement from SEBAC, and yet

we have a Bill that says we must call ourselves in, even if there's nothing to call ourselves in for.

Because if the SEBAC Agreement is ratified by the end of August, according to this Bill, we revert back to the Bill and the budget that we adopted early during the course of the Session.

So why do we need to also mandate language that we must call ourselves in when we may not need to. So there was also a practical consideration for why we should not use language like shall versus may.

Again, our expectation and our hope is that we won't have to do any of this, that we may have the opportunity to not bother with this if our friends in labor are able to make and agree to the concession package within their own ranks. We don't know that that's going to happen. We don't know if it's going to happen.

And we have to give the Governor this authority that we're granting him today. I think everyone agrees. We have to give some authority for him to create a balanced budget for July 1st, not only for ourselves and for the people of Connecticut, but for Wall Street and everyone else.

But the idea that the Governor would have that unbridled authority to make those rescissions is something that we were not willing to do. We required as part of this Bill that it comes back to us. We do not and will not abdicate our responsibility as a Legislature to review those rescissions and approve or not.

And again, I speak for the Speaker, for the Senate President. We will take that action. Let there be no doubt about it. Thank you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative Sharkey. Further on House 'A'? Representative Cafero, you have the floor.

REP. CAFERO (142nd):

Thank you, Mr. Speaker. Mr. Speaker, and ladies and gentlemen of the Chamber, I do not out of disrespect speak after the Majority Leader. I thought by his additional remarks he was not speaking in summation. Certainly, we're not summing up on the Bill, so therefore I feel compelled to comment, because I think the Majority Leader has just given the best reason for us to pass this Amendment.

If, in fact, it is the true, sincere desire and intention of House and Senate leadership to absolutely

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call us back into Session based on any recommendations the Governor makes to the Appropriations Committee, which they would then pass on to the General Assembly, then do it.

The Majority Leader said, let me be clear. So guess what? Let us be clear. This says we do it.

Representative Thompson had talked about this, with due respect as if it was the exception to the rule. This is the rule. The underlying Bill is the exception.

Never in our history have we passed on taking an opportunity to weigh in on, deliberate, amend, talk about \$1.6 billion of our budget. Never. Ever. Ever.

And I am heartened to hear the Majority Leader say he's spoken to the Speaker and to the President Pro Tem of the Senate and the powers that be there, and it is absolutely not their intention to shirk our responsibilities, and that in point of fact anything that is suggested by this Governor will come before this Chamber, I'm heartened to hear that.

Well, then, let's put it in writing. Just change a may to a shall. That's all we're asking for. That's all we're asking for.

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So as much as I appreciate the assurances by the Majority Leader, let's put into law what we intend to do, and if by chance the SEBAC Agreement is ratified in its current form, which according to the Majority Leader would not necessitate, whatever, necessitate, it's late, us to come back into Session.

But if we have a shall we have to. Well guess what, folks? Come on. There would be about four of us here. We'd call us in and get out in two seconds. It's not going to be a great inconvenience.

Let's make the Bill before us do what we took an oath to do, give us the responsibility over appropriating funds, in this case \$1.6 billion.

And by the way, it should be a friendly Amendment, because from what we've just heard, that's everyone's intent anyway, so let's do it. Let's do it. Because as we sit here right now we have no idea what's going to be proposed.

As has been brought up several times, we don't know what program is going to be touched. We have absolutely no idea, and not for a small amount of dollars, for \$1.6 billion.

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So if in point of fact we're going to do it, then let's put it in the legislation. Changing a may to a shall. It's common sense. Thank you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative Cafero. I have several more speakers that are lined up for House "A" on my board here. Representative Lavielle? Well, then please take your, thank you. Representative Aman. I don't see Representative Abercrombie. Let's vote.

Staff and guests please retire to the Well of the House. Members take your seats. The machine will be opened.

THE CLERK:

The House of Representative is voting by Roll Call. Members to the Chamber.

The House is voting House Amendment Schedule "A" by Roll Call. Members to the Chamber.

DEPUTY SPEAKER ALTOBELLO:

Have all Members voted? Have all Members voted? Please check the board to make sure your vote is properly cast.

If all the Members have voted, the machine will be locked. Will the Clerk please take a tally. And would the Clerk please announce the tally.

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THE CLERK:

On House Amendment Schedule "A".

Total Number Voting 131

Necessary for Adoption 66

Those voting Yea 49

Those voting Nay 82

Those absent and not voting 20

DEPUTY SPEAKER ALTOBELLO:

House "A" is not successful and fails.

Further on the Bill? Further on the Bill?

Representative Miner. Further on the Bill? Not at
this time. Representative Lavielle. Further on the
Bill.

REP. LAVIELLE (143rd):

Mr. Speaker, thank you very much, good evening.

DEPUTY SPEAKER ALTOBELLO:

Good evening, madam.

REP. LAVIELLE (143rd):

If I may, I have a couple of questions for the
proponent of the Bill and possibly for Representative
Sharkey but first for the proponent, if I may through
you.

DEPUTY SPEAKER ALTOBELLO:

Please proceed, madam.

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REP. LAVIELLE (143rd):

Thank you so much. My first question to Representative Walker. On several, I think several hours ago now, Representative Walker made the point in answer I believe to Representative Cafero's question about when the absolute drop dead deadline for the unions would be to come to a definitive decision about a possible agreement, and the date that Representative Walker gave was August 31st.

So the question I have is, why then in this Bill do we have the extension of the Governor's rescission authority until September 30th? Why was that date chosen, a month later than the period that we're discussing?

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Walker.

REP. WALKER (93rd):

Thank you, and I thank the good gentlelady for her question. That is because we felt that that was the end of the quarter. I believe that, I believe one of our other colleagues had questioned that once before and I addressed it then. It's because it is

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the end of the quarter and that we feel is a good
timeframe to cut it off.

Through you.

DEPUTY SPEAKER ALTOBELLO:

Representative Lavielle.

REP. LAVIELLE (143rd):

I thank the Representative for that answer.

And then I have a second question, if I may, and
I'll ask the proponent of the Bill, but I would refer
to Representative Sharkey's remarks, which I found
very useful and very pertinent, and for which I thank
him.

What I still find that I don't understand after
that very instructive commentary is the advantage for
the State of Connecticut and its residents of leaving
our choice to act as a General Assembly on anything
that the Governor might propose whether it's through a
public hearing or an Appropriations Committee vote or
a General Assembly vote.

Leaving that up in the air, why is, what is the
advantage of not simply saying we will do it for the
people we represent in the State of Connecticut? I
would just like to be clear on what the thinking
behind the advantage is.

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Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

We've had an extensive discussion in this with House "A", but --

REP. LAVIELLE (143rd):

I'm afraid I still don't understand what the advantage is for the people of Connecticut. If we could, if I could please ask that, Mr. Speaker, thank you.

DEPUTY SPEAKER ALTOBELLO:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, to the good gentle lady from Wilton, the main reason why we are doing this is to give all of us an opportunity to address this \$1.6 billion.

As many of your colleagues are, I should say, I correct myself. As many of our colleagues have stated tonight, we worked very diligently on the other aspects of the budget and this was one amount that we did not address and now we have to do that.

And with the proposals that will be made to us through the, I mean the recommendations, I should say, that will be made to us through the Governor's office

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that we will have hearings on in our Appropriations Committee that I'm sure you will be participating in, we then will have the opportunity to share that with our colleagues in the General Assembly so that we make sure that again, we are very careful about what we do and very methodical about how we address this deficiency that we have to address.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Lavielle.

REP. LAVIELLE (143rd):

Thank you, Mr. Speaker, and I appreciate that response, and I confirm to Representative Walker that I will participate in those hearings and meetings with great pleasure if we indeed have them.

And my question was simply to addressing the point of what the advantages for the State of Connecticut to leave the language up in the air at all, since we do all have the intent, if I understand properly, of doing that very thing regardless of the outcome of the contract negotiations if there are further negotiations, regardless of what the Governor's proposals may be, regardless of anything, that that is the intent.

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I am still unclear of the advantage of not simply saying so in the language of the Bill, which was my question. Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

That was your previous question. Is it your question again, madam?

REP. LAVIELLE (143rd):

Well, I didn't, I was asking for further clarification.

DEPUTY SPEAKER ALTOBELLO:

Representative Walker, do you care to respond further to Section 13 query?

REP. WALKER (93rd):

Through you, Mr. Speaker, the advantages for us to leave it the way it is, is because of the fact that we might have an adjustment in mid-stream as we go forward in this budget process.

It is not an intent to leave it vague. It is an intent to make sure that all avenues are covered as we go forward to address this \$1.6 billion deficiency we have right now in the budget. Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Lavielle.

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REP. LAVIELLE (143rd):

Thank you, Mr. Speaker. I thank Representative Walker for the answers. I have no further questions.

And I simply would like to say that it is somewhat disturbing in talking with my constituents when I'm asked, will you be taking care of this? Will you be voting on this? Will you be speaking for us?

And it seems that the rules have somewhat changed. I do fervently hope that we will be addressing each further step in this \$1.6 billion deficit with a vote. Our constituents do have that expectation. I would hate to see them dashed, and we all went through considerable effort to become their elected Representatives and I think they do have the expectation that we will be exercising that right that we've had and that I hope very much that in the absence of that, this will not become sort of a travesty of representative government. Thank you very much, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Thank you, madam. Representative Kokoruda of the 101st, you have the floor, madam. Not at this time? Thank you. Representative Sawyer of the 55th, you have the floor, madam.

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REP. SAWYER (55th):

Thank you, Mr. Speaker. We've talked now extensively about Section 13 and the Majority Leader was very eloquent on what we could plan for as expectations.

We talked about the first part, Section a about the Executive Branch and we're talking about having any reductions in expenditures for the Executive Branch.

And then in Section b it talks about detailing any reduction to Judicial Branch expenditures.

But, Mr. Speaker, there's a gap here. Mr. Speaker, the Legislative Branch is not mentioned, and I find that interesting, you know, because you go back to the first page, and at the very bottom in T-6 in very, very bold letters it talks about the budget savings and employee reductions of \$9 million in the first year, \$13 million in the second year.

This morning it was reported in the Hartford Courant that that was going to talk about 50 employees. But ladies and gentlemen, the Legislative Branch right now is not one building. It's not two buildings, but it's a third building. It also includes a museum of the Old State House.

It also includes, Mr. Speaker, CT-N that we're being seen on this evening and this afternoon.

And we don't have anything in here that says we will or shall or may have a public hearing on how we're going to reduce the expenditures. We don't know if that means the valuable folks up in OFA, which is our fiscal analysis, so those people that do that research for us, Mr. Speaker.

It doesn't say whether or not we're going to have to what, close the Old State House? There's no public hearing process. It's not out in the light of day.

Mr. Speaker, I can tell that most of the people in this room probably know, but maybe those few folks at home, that the Legislative Committee doesn't meet. We haven't met this year. We haven't met about bills, proposed bill. We haven't met about our budget or how we're going to handle any of these reductions so far, so I don't imagine that that Committee will be meeting later on about this, now will it come before the Appropriations Committee according to this.

I'm rather discouraged about that because we took on a couple, two years ago, that very important museum of the Old State House, and we also took on the, about

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12 years ago the importance of having the television network in front of you.

So I'm sorry about that, and I think it's one of the major flaws of this Bill. Thank you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Thank you, madam. Further on the Bill? Further on the Bill? Representative Rigby of the 63rd, you have the floor, sir.

Thank you, Representative Rigby. Representative Williams of the 68th, you have the floor, sir.

REP. WILLIAMS (68th):

Thank you, Mr. Speaker, and good evening. Mr. Speaker, ladies and gentlemen, tomorrow, the people of Connecticut are going to wake up to a lot of surprises. They're going to wake up to taxes that have been increased. They're going to wake up to taxes that at one time they didn't pay taxes on certain goods and services, but they're going to wake up tomorrow. They're going to pay taxes on that.

And in fact, certain retailers, I'm sure many of us know these people, don't even know that they have to charge taxes on goods and services that they previously did not have to charge taxes on. So there

are going to be a lot of surprises tomorrow morning when Connecticut wakes up.

One of the things that's not surprising, I don't think to so many of us here in this room, so many in this building, and frankly, so many of the men, women and children that we represent here in Connecticut, in the Connecticut Legislature, one of the things that's not surprising is how bleak things really are for us budget-wise.

You know, we're here voting on an act concerning the budget for the biennium ending June 30, 2013 and we know, we all know how bad things are. We know that we have spiraling debts, out of control. We know that taxes are unduly burdensome here in the State of Connecticut.

You know, Moody's just downgraded us in terms of our outlook from stable to negative and things aren't looking up there. Things aren't looking up for our outlook from bond rating agencies. They know that things are getting worse because we're not able to meet our long-term obligations. We're not able to get control over state spending. We're not able to attract new businesses here to grow the pie, so to speak, to pay for all of the state spending that we do

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here in the State of Connecticut, and all the spending we've done as a Legislature for the past several years.

So things have gotten much worse, and things are getting bleaker and bleaker, not better and better. You know, we're near the top in terms of per capita debt in the country.

You know, Bill Curry who ran for Governor here in Connecticut a few years ago, I think more than once actually, mentioned in a New York Times article yesterday that never has a state done so much, or so little with so many resources. We haven't done what we should be doing. We haven't met our long-term obligations.

We have a lot of work to do. And tomorrow morning when the people of Connecticut wake up and go to get a pet groomed or go to buy clothing or footwear for their kid, they're going to pay taxes on those items.

You know, just yesterday I went to a local package store in Watertown and the girl who was working at the desk happened to be talking about the taxes that she's going to have to pay on income at her full-time job. This was her part-time job that she

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was working at but she was talking about the taxes that she was going to have to pay that were going up as to July 1st.

And I said to her, you realize that your taxes are actually going up even more as of July 1st because you have to pay your income tax retroactive to January 1st, and she said, I didn't know that. I didn't realize that. Oh man, that's terrible. Now I have to pay even more. She didn't know that.

As I walked through the store, the owner of the package store said to me, hey, Sean, you know, I just happened to be inventorying all my wine because I have to pay this floor tax now, which I didn't know that we had to pay.

This morning I happened to go get my hair cut and my barber, Tracy Fenn said to me, hey, can you let me know, am I going to have to start charging sales tax tomorrow on haircuts? She didn't know.

And so the people of Connecticut are going to wake up tomorrow and pay hordes of new taxes that they didn't know that they were going to have to pay on income and on goods and services they previously didn't have to pay.

We all know this. Everywhere we go we hear it from people. Many, you know, maybe some of us live in cities, some of us live in suburbs, some of us are Republicans, some of us are Democrats, but we all hear the same thing. We all have the same constituents. They're all saying, enough is enough. I can't afford it any more. I can't afford to live here anymore.

This is really, really bad. And for the first time in my life I'm hearing people of all ages say, very seriously, say you know, Sean, I'm thinking about moving. I can't stay here. There's nothing keeping me here. I'm retired, or I'm looking for a job. I can't stay here anymore.

And when they go to get the dog groomed tomorrow or they go to buy clothing and footwear for their kids, that's just one more burden, one more reason for people to leave this state, and it's one more disincentive to job creation here in the State of Connecticut.

You know, we do enjoy a really high quality of life here in the State of Connecticut. We enjoy that. We live near the ocean. We can be in Boston in two hours and in New York in an hour and a half, depending on where you live. It's a nice place to live. But

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not at any cost. And that's what we're hearing over and over and over again.

And sales taxes and income taxes hit us all. It hits everybody who has a job, everybody who earns income and everybody who buys goods and services. And the more we discourage people from coming here and the more we discourage them from buying goods and services, the worse our economy gets and the more agencies like Moody's look at the State of Connecticut and say, you know what? You're a big risk. And that's what we are.

Connecticut is a risk. Make no mistake about it. We can't meet our long-term obligations. We can't pay our bills. And if we can't meet our obligations or pay our bills, things are going to get worse and worse.

Mr. Speaker, the Clerk has in his possession an Amendment, LCO 8771. I would ask that it be called and I be allowed to summarize.

DEPUTY SPEAKER ALTOBELLO:

The House will stand at ease.

(Chamber at ease.)

DEPUTY SPEAKER ARESIMOWICZ:

Will the Clerk please call LCO Number 8771.

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THE CLERK:

LCO Number 8771, House "B" offered by
Representatives Cafero, Klarides and Candelora.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Altobello of the 82nd, for what purposes do you rise, sir.

REP. ALTOBELLO (82nd):

Thank you, Mr. Speaker, in order to recuse myself on 'this issue, please.

DEPUTY SPEAKER ARESIMOWICZ:

Thank you very much, sir. The House will stand at ease.

(Chamber at ease.)

The House will return to order. Representative Williams.

REP. WILLIAMS (68th):

Thank you, Mr. Speaker. Mr. Speaker, the Amendment before us deals with the very issue that I talked about in my earlier remarks. It simply restores the property tax exemptions on all of the issues, on all of the goods and services, which were repealed, the exemptions were repealed when we did our budget a few months ago.

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Some of the things are, we know what they are. They're yoga services, they're clothing and footwear, pet grooming, cosmetic surgery, manicure and pedicure services, issues like, goods and services like non-prescription medicine, and I would move adoption.

DEPUTY SPEAKER ARESIMOWICZ:

The question before the Chamber is on adoption of House Amendment Schedule "B". Will you remark on the Amendment? Representative Rigby of the 63rd, you have the floor, sir. On the underlying Bill.

If you'd like to speak on the Amendment, please raise your hand so I could recognize. Representative Williams.

REP. WILLIAMS (68th):

Thank you, Mr. Speaker. Mr. Speaker, what the Amendment does as I said, it restores a number of sales tax exemptions that were repealed under our budget.

Folks, this is critically important as we move into July 1st. Tomorrow, people are going to be paying taxes and saying, oh my God, I didn't know that I had to pay taxes on that particular good or that particular service.

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And you know what we're all going to do? We're all going to go back and say yeah, some of us will say well, we didn't vote for that, and some of us will say well, you know, shared sacrifice, right?

But folks, let's think about what we did in the budget. For all the talk of shared sacrifice and there was a lot of talk of shared sacrifice, the point was well, we're going to raise taxes. We're going to get some concessions out of our unions and we're going to cut some spending, therefore shared sacrifice, right?

People pay a little bit more. We cut some spending and the unions give in a little bit.

Well, we all know what happened. The unions didn't give in much and we didn't cut a whole lot of spending. So now what people are doing, they're going to be forced to pay so much more. The largest tax increase in the history of this state. People are being forced to pay so much more for so much less, because the underlying Bill speaks to the issue of cutting spending.

And so we're reducing services dramatically, whether that means layoffs or whether that means other spending cuts or both. We're reducing services that

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people will receive and we're increasing their taxes dramatically.

That's a lot of sacrifice for some people to share, ladies and gentlemen.

So I would ask when this Amendment be voted on it be voted on by Roll Call.

DEPUTY SPEAKER GODFREY:

The question is on a Roll Call Vote. All those in favor signify by saying Aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER GODFREY:

The requisite number has been met. The vote will be taken by Roll Call.

The distinguished share of the Finance, Revenue and Bonding Committee, Representative Widlitz.

REP. WIDLITZ (98th):

Thank you, Mr. Speaker, good evening.

DEPUTY SPEAKER GODFREY:

Good evening.

REP. WIDLITZ (98th):

A couple of questions through you to the proponent of the Amendment, please.

DEPUTY SPEAKER GODFREY:

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Proceed, madam.

REP. WITLITZ (98th):

Thank you. Through you to the Ranking Member of the Finance, Revenue and Bonding Committee, I think there a few other things in this Amendment that you might like to explain.

Are there any major policy changes that you'd like to point out? Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Williams do you care to respond?

REP. WILLIAMS (68th):

Thank you, Mr. Speaker, yes, I would. I think, through you to Representative Widlitz, what Representative Widlitz is referring to is the way that the elimination or the restoration of the sales tax exemptions is being done. Is that what you're referring to? Through you.

DEPUTY SPEAKER GODFREY:

Representative Widlitz.

REP. WIDLITZ (98th):

No. Through you, Mr. Speaker, actually I see in the fiscal note that there is actually an elimination of the Citizens Election Fund. There is an

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elimination of the EITC that you didn't happen to mention while we were restoring some tax exemptions.

I also see that you're removing a revenue source from the Municipal Revenue Sharing Account that we have instituted to funnel some extra income to our municipalities that are struggling to meet their budgets. That's what I was referring to, Mr. Speaker.

I'd like to ask the proponent of the Amendment to explain those policy decisions, please.

DEPUTY SPEAKER GODFREY:

Representative Williams.

REP. WILLIAMS (68th):

Thank you, Mr. Speaker. Yeah, I'd be happy to, through you, to Representative Widlitz.

The first issue is eliminating the earned income tax credit. What we on this side of the aisle have believed for some time is that the earned income tax credit is a poorly conceived idea especially at this time in our state's history, economic history. We are faced with a massive budget deficit and we are asking an ever-decreasing pool of taxpayers to finance state government.

And so, the thought here is that especially at this time in our state's economic history we should

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not be doing something like an earned income tax credit where in some cases people who earn no income will receive a major credit back from the state. So that speaks to that issue.

The transfer of the Citizens Election Fund accounts again, we have to make priorities here in this state and what we have decided through this Amendment is that we shouldn't be paying for our bumper stickers and out lawn signs, et cetera, through public financing.

Let's face it. Many people do not realize that in this day and age we pay for our political campaigns using taxpayer dollars. And so, rather than charge people for grooming services and taxes, sales taxes on their clothing and footwear, we said, let's eliminate the Citizens Election Fund in this regard.

The third issue that I think you brought up, or certainly through the fiscal note is increasing our savings through increased enforcement of Medicaid fraud. We talked about this ad nauseum throughout the Session and we have good belief that we can do that, and using some surplus funds.

So I don't know if there's additional policy changes that we can discuss. I'd be happy to debate

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with Representative Widlitz if she would like.

Through you.

DEPUTY SPEAKER GODFREY:

Representative Widlitz, you still have the floor.

REP. WIDLITZ (98th):

Thank you, Mr. Speaker. Now, I would like to just comment. I think actually what I was referring to on the municipal revenue sharing grant that we have newly instituted, there is a percentage of the sales tax that would have gone to that. I see that's proposed to be repealed in this also.

But, Mr. Speaker, I would just like to say that you know, the Finance, Revenue and Bonding Committee worked very hard, along with the Appropriations Committee to develop a budget.

We were asked to raise a certain amount of revenue. We agonized over the components of that revenue. We came up with a package that I think was difficult, but reasonable for what the task, you know, the choices we made, eliminated many of the proposals, revised it. So that's a problem, I think with this Amendment.

But further than that, to change major policies eliminating the EITC. As you know, in the Governor's

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proposal he's proposing to reduce the percentage. I think that is negotiable.

To absolutely eliminate the program I think would reverse a policy decision that we had a tremendous amount of debate over, and I'd not like to see that wiped out in one Amendment at quarter after eleven in the evening.

There is also a proposal to eliminate the Citizens Election Fund. That is a major, major policy decision that deserves much more discussion than being just casually cast aside in the middle of the night as an amendment to a bill.

So I would respectfully urge my colleagues to vote against the Amendment. Thank you very much.

DEPUTY SPEAKER GODFREY:

Thank you, madam. Representative Rigby.

REP. WILLIAMS (68th):

Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Williams.

REP. WILLIAMS (68th):

Do I still have the floor?

DEPUTY SPEAKER GODFREY:

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No, you've never had the floor, sir. It was Representative Widlitz had the floor. You were responding to her question.

REP. WILLIAMS (68th):

My mike was still on, Mr. Speaker, so I wasn't sure if I still had the floor.

DEPUTY SPEAKER GODFREY:

Whether your mike is on or not is irrelevant to whether you have the floor. It's the person --

REP. WILLIAMS (68th):

Thank you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

You were just responding. If you want to speak again for the second time on the Amendment, that's certainly within your prerogative, although my personal choice is usually to let people all talk the first time before we do the second, but it's up to you. You'll wait? Very good.

Representative Rigby. You don't want to speak on the Amendment? Then if you would just take yourself off the machine, please and not confuse me.

Representative Aman.

Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker. I rise in support of the Amendment. Certainly, from this side of the aisle we have been concerned with the levels of tax increases that we've seen in this previous budget.

One of the concerns I recently had over the last few weeks is talking with different businesses, and I was sort of shocked that they truly don't know what sales taxes they're subject to.

Within the budget there was significant repeals to items that were traditionally exempt, but also there was applicability to new businesses for the sales tax that they still don't even know about.

I am certainly concerned going forward that the State of Connecticut has not done its job to properly notify these businesses who are obligated to collect this tax, and so I would support this Amendment.

And I would say that there are significant policy changes in this Amendment. But I'd like to point out that this side of the aisle was not part of any deliberation or any discussion, and there was many items that was in the underlying budget that never saw a public hearing. It was negotiated and put on our desks a couple hours before a vote was taken.

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So this is our opportunity being in the minority, to be able to offer solutions, because there was a decision made that we would not be part of the process. And I think that this is a significant proposal; enough for us to be putting out here at 11:00 o'clock at night.

It's not broad sweeping. It is carefully tailored to address the sales tax issues that I think is going to come back to haunt us because we are going to begin to see businesses failing to collect the sales tax because they weren't even aware that they needed to be collecting it.

Thank you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Thank you, sir. Will you remark further on House Amendment Schedule "B"? Will you remark further? If not, staff and guests please come to the well of the House.

Representative Williams for the second time.

REP. WILLIAMS (68th):

Thank you, Mr. Speaker, for the second time. And briefly, just in response to somebody who I admire and respect very much, Representative Widlitz, who's been

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a great pleasure to work with on the Finance
Committee.

I have to say that we're talking about whether or
not we should make a very major policy change, and
she's right. It is a very major policy change to
eliminate the earned income tax credit. It's a very
major policy change to eliminate the Citizens Election
Fund.

But it is also a very major policy change to seed
in the way that we are, such great authority to the
Governor's office in the underlying Bill. We are
giving the Governor extraordinary powers here, and I
take the Majority Leader at his word, that the
Legislature will come back and vote on these changes.

But that is the big policy change that we are
making here tonight, folks, and let's make no mistake
about it. We are making big changes here tonight.

The Amendment that's before you makes changes
that have been discussed for many months, if not many
years. The earned income tax credit finally passed
this year after years of debate. The Citizens
Election Fund passed only a few short years ago into
law. So yes, those are changes, and those are policy
changes, but that's what we do here every day. We do

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it every day. They're not new ideas. The idea that's in the underlying Bill is very new, and I would urge adoption of the Amendment.

Thank you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Thank you, sir. Will you remark further on House Amendment Schedule "B"? Will you remark further on House Amendment Schedule "B"?

If not, staff and guests please come to the Well of the House. Members take your seats. The machine will be opened.

THE CLERK:

The House of Representatives is voting by Roll Call. Members to the Chamber.

The House is voting House Amendment Schedule "B" by Roll Call. Members to the Chamber.

DEPUTY SPEAKER GODFREY:

Have all the Members voted? Have all the Members voted? If so, the machine will be locked. The Clerk will take a tally. And the Clerk will announce the tally. And the Clerk will announce the tally.

THE CLERK:

House Amendment Schedule "B".

Total Number Voting

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Necessary for Adoption	67
Those voting Yea	46
Those voting Nay	87
Those absent and not voting	18

DEPUTY SPEAKER GODFREY:

The Amendment is rejected. Will you remark on
the Bill --

REP. CAFERO (142nd):

Mr. Sneaker.

DEPUTY SPEAKER GODFREY:

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker. Mr. Speaker, for purpose
of a point of order, I guess would be the appropriate.

DEPUTY SPEAKER GODFREY:

Okay, try me.

REP. CAFERO (142nd):

I will. I'll do just that.

DEPUTY SPEAKER GODFREY:

Okay, good.

REP. CAFERO (142nd):

In the past, and I just want to make sure for
clarification when we have people who have pressed
their buttons to speak and an Amendment comes up, what

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some Speakers have done, and I guess I'm trying to learn if it's the prerogative of the Chair, what they've done is said, as they called for people who were going to be speaking on the Amendment, they asked them to either raise their hand because a line-up had already been set up with regard to speaking on the Bill.

We sort of, somewhat that's been changed today in that people are saying please get off the board when we're doing an amendment because it's only the people on the board that should be speaking on the amendment and then re-light back up again, and many times people lose their place in the queue.

Could you for the edification of the Chamber just clarify how that works?

DEPUTY SPEAKER GODFREY:

This really doesn't raise to a point of order in my humble opinion. I remarked on my practice, especially when there's a number of names on here so I can sort out who actually wants to speak on the motion that is being debated as opposed to at a later time.

Mason's gives a chair a lot of flexibility in the order. He or she doesn't necessarily have to follow this. In fact, at one place in Mason's it says, you

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should alternate between people in opposition to the question and people against it, for example, which is not necessarily in the order, to just try and keep some kind of a balance.

And that's all I was asking is just to make life a little simpler.

REP. CAFERO (142nd):

I understand that. I appreciate your answer.
Thank you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Right. Sure. That being dealt with, now Representative Rigby, followed by Representative Aman.

REP. RIGBY (63rd):

Good evening, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Good evening, sir.

REP. RIGBY (63rd):

Mr. Speaker, the Clerk has an Amendment. It's LCO 8769. Would you please ask the Clerk to call it and I be allowed to summarize.

DEPUTY SPEAKER GODFREY:

The Clerk is in possession of LCO Number 8769, which will be designated House Amendment Schedule "C".
Mr. Clerk, please call it.

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THE CLERK:

LCO Number 8769, House "C" offered by
Representatives Cafero, Klarides and Candelora.

DEPUTY SPEAKER GODFREY:

The gentleman has asked leave of the Chamber to summarize. Is there objection? Hearing none, Representative Rigby.

REP. RIGBY (63rd):

Mr. Speaker, the Amendment restores collective bargaining provisions specific to longevity payments and pension calculations. Our Governor included these important concepts in his SEBAC proposal, but Mr. Speaker, they're missing from House Bill 6701.

Mr. Speaker, I move adoption and I ask that when the vote's taken it's taken by Roll.

DEPUTY SPEAKER GODFREY:

The question is on adoption. The question is on a Roll Call Vote. All those in favor of taking a Roll Call Vote signify by saying Aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER GODFREY:

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The requisite number has been reached. The vote will be by Roll Call. Representative Rigby, do you care to remark?

REP. RIGBY (63rd):

Thank you, Mr. Speaker. Section 501 of this Amendment changes the current longevity provisions that apply to non-union employees, Higher Education, Judicial, the Executive Branch and also the Legislative Branch. Longevity payments would be capped at current levels for those that currently have that benefit, and longevity payments would not be available to new hires moving forward.

Additionally, this provision would apply whether or not the SEBAC agreement is ratified.

The Amendment also seeks to eliminate longevity payments from the collective bargaining process. Sections 504 and 505 of this Amendment remove overtime, longevity payments, other fees from calculating a worker's pension income and retirement.

Additionally, it also removes the definition of base salary from the collective bargaining process. And Mr. Speaker, a similar measure passed the Senate

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tonight. It passed as LCO 8746 and it had bipartisan support. There was only a handful of votes against.

As we debate this Bill tonight, the underlying Bill, our state has a very real prospect of 5,500 state employees losing their jobs. These layoffs, these jobs represent in a lot of cases a family, a home, a mortgage, really a way of life in our state.

These folks that are laid off are those people that care for our roads, they keep our families safe after a storm. This Amendment restores concepts that were conceived by our Governor and put into the original agreement.

These savings are critical to make sure that during the next economic downturn we're not faced with the prospect of firing thousands of our state workers.

I ask my colleagues on both sides of the House to support the Amendment. Thank you.

DEPUTY SPEAKER GODFREY:

Thank you, sir. Representative Aman.

REP. AMAN (14th):

Thank you, Mr. Speaker. I also rise in support of the Amendment. As was stated, it did pass in the Senate. The provisions in this is what Governor

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Malloy suggested the other day as being in the long-term benefits of the State of Connecticut.

Anybody that believes that this is the only downturn we're going to have over the next many years, I think is living in a very naive world.

While this may not have a direct impact in the next two years, I think it does set a tone and a standard going forward that will allow the Governor and the Legislature to better control costs, so I urge my colleagues to support this Amendment.

DEPUTY SPEAKER GODFREY:

Thank you, sir. Representative Zalaski.

REP. ZALASKI (81st)

Thank you, Mr. Speaker. I rise to oppose this Amendment. As my good friend, Representative Rigby has already stated, this Bill has been debated up in the Senate and we're waiting to get it down here and when we do we'll debate the Bill at that time.

Thank you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Thank you, sir. Will you remark further on House Amendment Schedule "C"? Representative Cafero.

REP. CAFERO (142nd):

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Thank you, Mr. Speaker. Mr. Speaker, I respect Representative Zalaski and the fact that he indicates that this very Bill, this exact provision, was passed verbatim in the Senate.

Now, a lot of people when it was passed had debated why we're doing this in two bills since the Governor's initial concept was to put all of this in one bill, and that's a very good question.

Now, we could save this Legislature a heck of a lot of time if we adopt this Amendment. It is the exact Amendment the Governor called for and the exact amendment provisions that the Senate passed so that when this Bill eventually does pass this Chamber it goes up to the Senate and gets voted on. No problem.

Why should we turn this Amendment down and wait for the Bill from the Senate to come down when there have been widespread reports that we might not take it up at this time? Why? The Senate did.

So let's adopt the Amendment, send it back up so all they need to do is vote this Bill in and it becomes law with the Governor's signature, which is what the Governor wants.

I stand in support of the Amendment. Thank you, Mr. Speaker.

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DEPUTY SPEAKER GODFREY:

Thank you, sir. Will you remark further on House Amendment Schedule "C"? Will you remark further on House Amendment Schedule "C"?

If not, staff and guests please come to the Well of the House. Members take your seats. The machine will be opened.

THE CLERK:

The House of Representatives is voting by Roll Call. Members to the Chamber.

The House is voting House Amendment Schedule "C" by Roll Call. Members to the Chamber.

DEPUTY SPEAKER GODFREY:

Have all the Members voted? Have all the Members voted? If so, the machine will be locked. The Clerk will take a tally. And the Clerk will announce the tally.

THE CLERK:

On House Amendment Schedule "C".

Total Number Voting	134
Necessary for Adoption	68
Those voting Yea	50
Those voting Nay	84
Those absent and not voting	17

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DEPUTY SPEAKER GODFREY:

The Amendment is rejected.

Will you remark further on the Emergency
Certified Bill? Representative Aman.

REP. AMAN (14th):

Thank you, Mr. Speaker. I do have some questions
regarding the Bill. So far, almost all of the
discussion tonight has been regarding the rescissions
or the changes in the various costs of things that we
have.

But there's also a very other important
provision, Section 11 that deals with the SEBAC
agreement, and through you, Mr. Speaker, I would
request the proponent of the Bill to answer some
questions regarding Section 11.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Please proceed, sir.

REP. AMAN (14th):

Yes. Through you, Mr. Speaker, the agreement
calls for the date of August 31st for a new agreement
to be reached, an outside date of August 31st. And
through you, Mr. Speaker, what occurs if an agreement

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is not reached by August 31st? Through you, Mr.
Speaker.

DEPUTY SPEAKER GODFREY:

Representative Walker.

REP. WALKER (93rd):

Yes, through you, Mr. Speaker, if nothing is
reached by August 31st, then the proposed reductions
or the budget adjustments that we will vote on in the
General Assembly over this process would then take
effect.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Aman.

REP. AMAN (14th):

Yes. In the next line it talks about any such
agreement. Would that be a changed agreement from
what we have already voted on and seen as a SEBAC
Agreement?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Walker.

REP. WALKER (93rd):

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Through you, Mr. Speaker, if I could ask the good gentleman to point to me what line he's talking about so that I could just find it in the Bill, please?

DEPUTY SPEAKER GODFREY:

Representative Aman.

REP. AMAN (14th):

I believe it's approximately 185 or so.

DEPUTY SPEAKER GODFREY:

Representative Walker.

REP. WALKER (93rd):

Thank you, Mr. Speaker. Through you, yes, that is true. Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Aman.

REP. AMAN (14th):

So a new agreement that we have not seen here in the General Assembly, has not been discussed in the press could be signed by the Governor and the unions?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, to the good gentleman from South Windsor. Currently, we have nothing before

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us that is a proposed change or any alternate agreements.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Aman.

REP. AMAN (14th):

Yes. Just to be sure that at this time we have no idea what might be in a new agreement, that there's been no discussions regarding what changes may be made or what might be in a new agreement? Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Walker.

REP. WALKER (93rd):

I thank the gentleman for his question. No, we do not have any proposed language, any ideas, or whatever the good gentleman had asked about. Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Aman.

REP. AMAN (14th):

The agreement uses the word may, that it may be brought back to the General Assembly if there is a new agreement, and through you, Mr. Speaker, what does the

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proponent consider a trigger that would force the agreement, or have the agreement come back for the General Assembly to work.

Basically how much of a change from the current agreement would be required to have it come back to the General Assembly for a vote?

DEPUTY SPEAKER GODFREY:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, we don't have to act if an agreement is achieved with the different 15 units. That is not something that is required here.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Aman.

REP. AMAN (14th):

Just to be clear. So if there are major changes in the SEBAC Agreement that we have currently voted on and it would not necessarily have to come back to us?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Walker.

REP. WALKER (93rd):

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Through you, Mr. Speaker, the agreement is not part of the package that we are voting on before you tonight. We are voting on the process of how we will achieve closing the gap of the \$1.6 billion.

What I think the good gentleman is talking about is if there is a ratification, if there is a proposed agreement that the Governor and the unions have come to, what would happen then? That is not in this discussion.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Aman.

REP. AMAN (14th):

I'm a little confused by the proponent's response, because in line 184 it talks about may call itself into the Special Session for the purpose of approving or rejecting any such agreement.

I would think from that language that that is a part of this Bill, that leaves it open to someone to make the decision whether we accept or reject a new SEBAC agreement.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Walker.

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REP. WALKER (93rd):

Through you, Mr. Speaker, I apologize. I misunderstood what the good gentleman was asking. He is correct. That is in here and that is language that says that we could be called back on rejecting any such agreement or approving it.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Aman.

REP. AMAN (14th):

Yes. Currently we're operating on various provisions that go to 2017. It's my understanding that the SEBAC Agreement that was turned down had provisions going to 2021 and so, I'm looking at a hypothetical of a new agreement that say, goes out to 2025, which I don't think is an unreasonable assumption looking at the current growth of it.

Would this necessarily have to come back to us for a vote if that was the change? Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, no.

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DEPUTY SPEAKER GODFREY:

Representative Aman.

REP. AMAN (14th):

So it's my understanding that this agreement can cover many years. It currently covers many years. It could cover many more years, commit the State of Connecticut to an action indefinitely into the future, and this General Assembly may or may not vote on a type of agreement that would commit us for many years into the future?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Walker.

\REP. WALKER (93rd):

Thank you, Mr. Speaker. If the good gentleman remembers, especially with the Appropriations, when there are agreements that are presented before the Appropriations or the General Assembly, the Appropriations Committee has the opportunity to act on the agreement. If they choose not to act, then the agreement will go into effect.

Through you.

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Representative Aman.

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REP. AMAN (14th):

But again, it's my understanding that's the Appropriations Committee that will decide if a new SEBAC agreement is worthy to come to the full General Assembly or if it's the Appropriations Committee alone that's going to make that decision? Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, if we don't take action, then it is deemed approved.

If there is a conversation about it, if there is a debate, then that would change the discussion.

DEPUTY SPEAKER GODFREY:

Representative Aman.

REP. AMAN (14th):

Yes. I'm looking in that section, 183 to 194 and I honestly do not see where the Appropriations Committee is mentioned as having either a public hearing or even a vote on it. It just seems to talk about the General Assembly.

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So I guess my question is, what is the role of the Appropriations Committee regarding this particular SEBAC agreement, if any? Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, there is no formal role for the Appropriations Committee. Just in this, the Bill itself, the Appropriations Committee will be part of the discussion for the actual line items and the agency funding. Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Aman.

REP. AMAN (14th):

I thank the proponent for her answers. Because of the possibility of a very long-term commitment, the possibility of a long-term cost to the State of Connecticut, I am very concerned about the words may and shall, and therefore, Mr. Speaker, I have an Amendment. It's LCO Number 8772. Would you please ask the Clerk to call it and I be allowed to summarize.

DEPUTY SPEAKER GODFREY:

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The Clerk is in possession of LCO Number 8772,
which will be designated House Amendment Schedule "D".
The Clerk would kindly call.

THE CLERK:

LCO Number 8772, House "D", offered by
Representatives Cafero, Klarides and Candelora.

DEPUTY SPEAKER GODFREY:

The gentleman has asked leave of the Chamber to
summarize. Is there objection? Hearing none,
Representative Aman.

REP. AMAN (14th):

Yes. This Amendment very simply in line 184
changes the word may to shall, meaning that we have to
vote on it.

And it also in line 192 makes the change that
says that if no action is taken the current Bill says
it's approved, my Amendment would say that if no
action is taken, it would be rejected.

Mr. Speaker, I move adoption of the Amendment and
I ask that when the vote is taken it be taken by Roll.

DEPUTY SPEAKER GODFREY:

The question is on adoption of House Amendment
Schedule "D". The gentleman has also asked that the

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vote be taken by Roll Call. All those in favor of a Roll Call signify by saying Aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER GODFREY:

The vote will be taken by Roll Call.

Representative Aman, you have the floor, sir.

REP. AMAN (14th):

Yes. I believe when I summarized it, it's a very, very simple Amendment. Again, it just says that the SEBAC Agreement, which is probably one of the most important things that we are going to do as far as a long-term commitment, if there are changes to the current SEBAC Agreement that we voted on, that it will come back to the General Assembly for a vote, and if we take no action on it, it will be rejected.

DEPUTY SPEAKER GODFREY:

Do you wish to continue, Representative?

REP. AMAN (14th):

No. I think I've summarized it and will gladly answer any questions on it.

DEPUTY SPEAKER GODFREY:

Thank you. Thank you, sir. Representative LeGeyt.

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REP. LEGEYT (17th):

I apologize.

DEPUTY SPEAKER GODFREY:

Quite all right. Will you remark further on House Amendment Schedule "D"? Will you remark further on House Amendment Schedule "D"? Representative Sharkey.

REP. SHARKEY (88th):

Thank you, Mr. Speaker. With all due respect to my good friend, Representative Aman, who I've worked with quite some time in my time here, I would urge my colleagues to reject this Amendment.

I believe that we've addressed some of these issues already with regard to the shall versus may, but I think that what we're trying to do is get to that agreement and get that agreement from SEBAC to be ratified. I think this may have the opposite effect, so I urge my colleagues to reject it. Thank you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Thank you, sir. Will you remark further on House Amendment Schedule "D"? Will you remark further on House Amendment Schedule "D"?

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If not, staff and guests please come to the Well of the House. Members take your seats. The machine will be opened.

THE CLERK:

The House of Representatives is voting by Roll Call. Members to the Chamber.

The House is voting House Amendment Schedule "D" by Roll Call. Members to the Chamber. ...

DEPUTY SPEAKER GODFREY:

Have all the Members voted? Have all the Members voted? If so, the machine will be locked. The Clerk will take a tally, and the Clerk will announce the tally.

THE CLERK:

On House Amendment Schedule "D".

Total Number Voting	134
Necessary for Adoption	68
Those voting Yea	47
Those voting Nay	87
Those absent and not voting	17

DEPUTY SPEAKER GODFREY:

House Amendment Schedule "D" is rejected.

SPEAKER DONOVAN:

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

REP. CAFERO (142nd):

Thank you, Mr. Speaker. Ladies and gentlemen of
the Chamber. In a few short minutes it's going to be
morning time in Connecticut, very early morning time.
And a few hours from that point, there's going to be
millions of Connecticut residents who are going to be
waking up. To them it's another day, a Friday, the
start of a holiday weekend.

Unlike many of us, they are not consumed with
what goes on under the gold dome. We all wish they
were, but they're not, because they're busy getting
dressed and getting to work, taking their kids to
school or camp or the doctor's office or soccer
practice, or maybe they're going to visit an aged
parent in a nursing home or a sick friend in a
hospital. Maybe they go to work with some trepidation
that they might not make enough money that they need.
Let's say they're a waiter or a waitress or a
bartender in the service industry praying for those
tips because the end of the month brings those monthly
bills.

They don't ask for much. They get up in the morning, they go to work, they raise their kids, they run a business. But tomorrow is morning time in Connecticut, July 1st, and it represents a change in life as we know it here in the State of Connecticut.

Most people, I'm afraid don't realize that, but they will. They will when maybe they get up as they do every day and they drive to their local convenience store. Maybe they buy a cup of coffee, maybe a pack of cigarettes, maybe some gum, they might realize it costs a little more than it did the day before.

They might want to get an early jump on some back to school shopping, and when they go to the local store to buy their kids some jeans or a pair of sneakers, they're going to be a little surprised because unlike today, tomorrow those very clothes are going to cost more money.

And they'll soon realize that the sales tax on everything they buy just went up .35 percent. And they're also going to realize that they're now paying a sales tax on things they never paid tax on before, like the clothing and footwear that I mentioned.

And maybe a couple of weeks from now they're going to get that paycheck that they do all the time,

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and many people do direct deposit and they just sort of make an assumption it's in the bank and they base their bills having faith that that certain amount that's been there for so long is still in there, because most of them haven't gotten a raise in quite some time.

You see, it's tough times out there, and many of them work for companies that have probably laid some people off or reduced their hours or cut their health benefits, and they're going to realize that maybe they might get a bounced check or two because the amount they thought that was deposited in their bank is a little less than it was.

And why? Because maybe for the first time they'll realize that their income tax, the tax on their income to the State of Connecticut has just gone up ten percent. And not only did it go up ten percent, it went up ten percent retroactively to January 1st.

Maybe there's an owner of a restaurant who's scrambling to change his software in his cash register system because of all the new laws that take effect.

Maybe there's an owner of a limousine service who, for the first time, has to charge his customers sales tax and has to redo all his invoices.

Maybe it's someone who has to get their license or renew their registration and goes to DMV and says, oh, where did this come from? This fee went up.

That's a new world order in the State of Connecticut, folks, and we have to look them in the eye and say, well, you know what? It was part of a shared sacrifice.

You see, the State of Connecticut was in bad shape. No fault of yours. A bunch of people up in Hartford sort of messed things up for a while but you've got to pay for it.

Then they're going to get really curious and they're going to maybe look a little deeper as to how we got in this mess and what we did to get out of it, and they're going to scrutinize that shared sacrifice and they're going to realize that, wait a minute, I was hurting, man. I was sacrificing already. I couldn't send my kid to summer camp this year because you see we couldn't afford it. My spouse lost their job and my hours were cut back, and every bill I get in the mail is going up. Everything.

The price I pay for food is going up and my electric bill and my gasoline. I mean, I don't mind paying, they'll say. I want to pay my fair share, but where's the shared sacrifice here, because maybe they'll learn that in this tough time when they were told they're going to have to pay a little more, we here in charge of state government didn't reduce what we spend, we increased what we spend.

And maybe in the hustle and bustle of breaking their rear end trying to put food on the table they might have picked up a newspaper or two and read all this business about unions and layoffs and concession, et cetera.

And they might say on July 1st morning time in Connecticut, let me get this straight. I didn't get ourselves in this mess but I'm being asked to sacrifice on every single thing I do, everything I do.

The business I work for is telling me that their taxes increased by double, and I might lose my job. And yet you folks in Hartford, you didn't cut spending? And this whole business about concessions, it never materialized? You mean all those wages and benefits and healthcare that maybe at one time were appropriate that everybody, everybody realized are

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unsustainable. You mean nothing happened? Nothing changed? We didn't even reduce the size of government? Morning time in Connecticut. July 1st, 2011.

And by the way, in a few short minutes we're going to vote on this Bill, and if we pass it, I would ask this. Now you're going to think twice before we slap each other five or celebrate and say we did our job, because we sort of heard that before in this very Chamber, during this very Session.

Well we heard it on May, I believe it was 13th when we congratulated ourselves with passing a budget as early as possible. And we heard it again on May 27th when we congratulated ourselves on successfully negotiating a deal, a concession deal with our state employee unions.

You see, none of those things happened and that's why we're here on June 30th. 'And even on June 30th, folks, we didn't even do our job. Couldn't bear to do it.

So we said to the Governor, you take care of it to the tune of \$1.6 billion. You do it.

Yes, I know I took an oath to stand up, defend this Constitution and do my duty. But that's

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politics. Let the Governor take care of it. We're going to walk away. We're not going to be able to answer the question of whether or not a particular program was cut why and how much. What did you do about it? I couldn't do anything. I gave the keys over to the Governor's office. He was in charge.

Well, didn't you even protest it, and you ask a question. I couldn't, because maybe we won't even have a hearing to have that or deliberate.

And hey, I heard this thing about the unions changed some rules or got back together with the Governor and they came up with a new deal. Can you tell me what the deal's about? No, I can't because you see, we didn't call ourselves back in to even understand the deal. Just got passed.

We don't know how many years maybe that we promised of no layoffs or what benefits we either cut or extended. I thought you were a Legislator? I am. But on June 30, 2011, I handed the keys over to the Governor's office. I said, I'm not going to do that part of my job.

Now there's no mystery. This Bill's going to pass and it's going to go up to the Senate and it's going to pass there. But nobody tomorrow morning,

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morning time in Connecticut, nobody can really feel proud about what we did.

There's a lot of people that are hurting out there, a lot of people that are hurting and I think we let them down. Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative. Representative Brendan Sharkey.

REP. SHARKEY (88th):

Thank you, Mr. Speaker. The Minority Leader's closing comments reminded me of a tradition that I used to engage in when I was a municipal official in the Town of Hamden as their chief budget officer and director of operations and it was that on July 1st we'd all wish each other a happy new year. And as of the clock right now, we're at that time.

So I wish, I wish this was going to be a happy new year, and I am hopeful that it will be.

But as of this moment just a few minutes past midnight, it's not all that happy. We're not happy about the fact that we're here. We're not so happy about the fact that we have to make some of the tough decisions that we have to.

But what we accomplished during the Legislative Session this year was truly remarkable. It did turn the corner, as I said when we had our budget debates. We have turned a corner in the State of Connecticut toward fiscal responsibility, balancing our budget, protecting our cities and towns, keeping property taxes under control and moving on to job development and economic development for our state.

With all due respect, I don't feel that we're letting the people of Connecticut down because something happened that we are sorry did happen, and that was that a concession agreement with our state workers' union was because of the rules that they impose on themselves was not adopted, though the majority of our state workers who voted supported those concessions.

And the reality is that given that fact, we have to do something. I've heard a lot of commentary about how to do this and whether we should do this and how we should go about taking the action that's necessary, and the reality is that we have to send a message to the world. We have to send a message to Wall Street. We have to send a message to the rest of the country

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and to our own residents that we have our house in order.

The only way that we're going to accomplish that is if we grant the Governor, temporarily, the authority to say that our budget is balanced as of July 1st. He needs to be able to say that. We all need to be able to say that, and anybody who thinks otherwise doesn't understand the reality of the fiscal calamity that could occur in our state if we don't take decisive action tonight.

We just heard two days ago from the New York Times. I read it and I think we all saw it, that Moody's downgraded our outlook because of the concessions agreement not being ratified. It puts us in jeopardy and in doubt.

And if we don't take action, the implied threat of that action was that our bond rating could go down, which has huge impacts for all of us in the state. We have to take decisive action.

But that doesn't mean that we as a Legislature need to cede our authority to the Executive Branch, and that in fact is what we have accomplished in the Bill that we're doing tonight.

We have accepted responsibility for those rescissions that we are, that the Governor may be proposing to do and needs to say to the public that he has the authority to do, but we ultimately will have the responsibility and will take the responsibility to review those projected rescissions that the Governor will be proposing to us by July 15th and we will take action on those items that we deem unacceptable.

We are not ceding our authority to the Governor. We are taking decisive action. We have to do both. We have to give the Governor the immediate authority and we have to maintain our authority to oversee what the Governor is proposing.

At the same time when we look and talk to our constituents, and they look at the situation that's happening in the State of Connecticut they're frustrated. We know they are. They're frustrated about the fact that that concessions agreement did not pass. They can't understand it.

I think many of us here in this Chamber, probably most of us feel the same way. But if we do not act now, if we did not take the decisive action we did tonight to protect our municipalities from cuts as part of that rescission package, we're going to not

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only be describing and allowing the Governor to make the layoff and issue the layoff notices that we know he must do so that all of those thousands of state workers, working, working members of our community, our friends, our neighbors, are going to be out of a job. We know that right now.

And on top of that, even if you're frustrated with the unions for not having agreed to this concessions package, if we did not take the action we took tonight, we would have also told all of our constituents who pay taxes that their taxes were going to go up on top of it at the local level. Their property taxes are going to go up. We stopped that. We said no, that's not going to happen.

It is our continued hope and expectation, frankly, for many of us, that our friends in labor will ultimately come to an agreement, that they will ultimately ratify the concessions package, that they will see the light and do the right thing and ensure that we can accomplish what we set out to accomplish during the Session.

If they do that, all of the debate and all the discussion that we went through tonight will become

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moot because we will fill the gap that their lack of ratification has created.

But make no mistake about it. Even though we are not in the best position, and the position we'd like to be in on new year's day in our new fiscal year, we are protecting the State of Connecticut from the fiscal calamity that could occur if we took no action and from rescission authority from the Executive Branch that we do not, may not agree with and should maintain authority over, while at the same time protecting our property taxpayers in the State of Connecticut.

It's not the best position to be in, but we are doing the best that we can under those circumstances for our state, and for that reason, I encourage my colleagues to support this Bill. Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative. Staff and guests please come to the well of the House. Members take their seats. The machine will be opened.

THE CLERK:

· The House of Representatives is voting by Roll Call. Members to the Chamber.

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The House is voting by Roll Call. Members to the Chamber, please.

SPEAKER DONOVAN:

Have all the Members voted? Have all the Members voted? Please check the Roll Call board to make sure your vote's been properly cast.

If all Members have voted, the machine will be locked and the Clerk will please take a tally. The Clerk please announce the tally.

THE CLERK:

On House Bill 6701.

Total Number Voting	134
Necessary for Passage	68
Those voting Yea	78
Those voting Nay	56
Those absent and not voting	17

SPEAKER DONOVAN:

The Emergency Certified Bill is passed.

Any announcements? Representative Sharkey.

REP. SHARKEY (88th):

Thank you, Mr. Speaker. Mr. Speaker, I move for the immediate transmittal of the aforementioned Bill to the Senate.

SPEAKER DONOVAN:

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Motion is on immediate transmittal of the Bill to
the Senate. Objection? Hearing none, the Bill is
immediately transmitted.

Any announcements or introductions?

Representative Noujaim. Good morning, sir.

REP. NOUJAIM (74th):

Good morning, Mr. Speaker, how are you? Happy
new year.

SPEAKER DONOVAN:

Happy new year to you, too.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker. For a Journal notation.

SPEAKER DONOVAN:

Please proceed.

REP. NOUJAIM (74th):

Let the Journal note that Representatives Carter
and Hovey missed votes as being out of state due to
illness in the family.

Representatives Miller, Kupchick and Gibbons out
of state on legislative business. Thank you, Mr.
Speaker.

SPEAKER DONOVAN:

Thank you, Representative. Representative
Charles Don Clemons.

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**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2011**

**JUNE,
SPECIAL
SESSION
JULY
VETO
SESSION**

**VOL. 54
PART 23
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Seeing no objection, so ordered, sir.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, would ask the Clerk to call the single item appearing on Senate Agenda Number 3, under business from the House, Emergency Certified House Bill 6701.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Calling from today's Senate Agenda Number 3, Emergency Certification, House Bill 6701, AN ACT CONCERNING THE BUDGET FOR THE BIENNIUM ENDING June 30, 2011, introduced by Representative Donovan of the 84th and Senator Williams at the 29th.

THE CHAIR:

Good morning, Senator Harp. How are you today?

SENATOR HARP:

Good morning, Madam President. I'm well. Thank you very much.

THE CHAIR:

Good.

It's good to see you, sir -- ma'am.

SENATOR HARP:

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It's good seeing you as well.

I move acceptance and passage in concurrence with the House.

THE CHAIR:

The question is adoption. Will you remark? Will you remark?

Senator Harp.

SENATOR HARP:

Thank you very much, Madam President.

This bill provides for the layoffs that are necessary to balance the budget in all funds and in all three branches of government. The bill reduces the earned income tax credit from 30 percent to 25 percent.

The bill as well gives the Governor, with the approval of the finance advisory committee, the ability to transfer personnel and resources to departments other than those originally budgeted if the reduction in force or lay off requires such transfers in order to provide required services.

The bill also gives the Governor from July 1st, to September 30, 2011, the ability to rescind 10 percent of the total appropriation from any fund or not more than 10 percent of a specific appropriation. It's important to note here that municipal reductions

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are not included in this bill.

The Governor is required to file a report to the Appropriations Committee and the Finance Revenue and Bonding Committee on the reason for rescissions and allotment reductions, according to the bill. As well, the bill gives the Governor at the request of a budgeted agency the authority to move \$250,000 or 10 percent of any specific appropriation within an agency without the approval of the finance advisory committee.

The bill also indicates that if there is a SEBAC agreement filed with the legislator -- Legislature no later than August 31, 2011, the secretary of the Office of Policy and Management has the authority to apply the terms of the agreement to nonunion employees in the executive branch and the chief court administrator has that authority for the judicial branch and the joint committee on legislative management has that authority for the legislative branch.

Finally, the bill requires that the Governor submit a plan to the Speaker of the House and the President Pro Tempore of the Senate detailing allotment reductions and rescissions to balance the biennial budget. The leaders can then refer any provision of the plan to the Appropriations Committee. The

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committee can hold a public hearing and the General Assembly can reject any provision and make any adjustment by August 31, 2011, for the biennial budget. If there is a SEBAC agreement, then changes incurred through this bill will cease to be effective.

That is a general synopsis of the bill and I urge adoption.

THE CHAIR:

Thank you, Senator.

Will you remark? Will you remark?

Senator Kane.

SENATOR KANE:

Good morning, Madam President.

THE CHAIR:

Good morning, sir.

SENATOR KANE:

Happy fiscal new year.

THE CHAIR:

I hope it is, sir.

SENATOR KANE:

Through you, Madam President, and I have a number of questions to the proponent of the bill.

THE CHAIR:

Please proceed, sir.

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SENATOR KANE:

Thank you, Madam President.

My questions, Senator Harp, are in relation to two particular sections of the bill. First is Section 6, if you can go to that. And it says in line 63 that a rescission authority would go until September 30, 2011. Can you speak to why that date?

Through you, Madam President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Madam President.

I note that September 30th is the end of the first quarter and so it's my belief that the rescission authority is limited to one quarter only.

Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Okay. Thank you, Madam President.

So that's typical that it would be one quarter allowed for the rescission authority to take place.

Through you.

THE CHAIR:

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Senator Harp.

SENATOR HARP:

Thank you very much, Madam President.

I think that what we really need to say, the extraordinary rescission authority that this bill allows is limited for the one quarter.

Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

Because that actually was going to be my next question, because this does seem that it is an extraordinary rescission authority that this legislation would provide this administration. Have we given this type of rescission authority before?

Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Madam President.

I believe that there was extraordinary rescission authority given during the Rowland administration. It may not have been as extraordinary as this, but it was

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very close.

Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

See how well Senator Harp and I work together because just she leads me into my next question.

THE CHAIR:

I do appreciate that at this hour of the morning, sir.

SENATOR KANE:

She does.

My next question, Senator Harp, was going to be about the Governor Rowland and his rescissionary authority that was granted under his administration. Can you tell me if that was the same scenario or was that possibly in the middle of a biennial budget. Can you explain the differences possibly?

Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much.

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I think that the, through you, Madam President, I think the most important point is the General Assembly gave the extraordinary rescission authority based upon the economic climate of the time. And whether -- where it fell in our session and our term of office, I don't believe is as meaningful as perhaps others might. But that certainly was enacted by the Legislature in it was due to the economic conditions.

Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

But through you to Senator Harp, it was during the midterm of a biennial budget. Was it not?

Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Madam President.

As I explained before, I think that what really drove it to happen were the economic circumstances at the time, not when it was actually done. It was done because of the economic circumstances that we were in

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at the time, not based upon where we were in our term of office.

Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Madam President, I appreciate Senator Harp's answer and I do understand the economic indications that may have occurred, but my question through you is, was it during the midterm of a biennial budget? That was the question, not the economic indications of the time or what have you. My question was, was it during the middle of a biennial budget?

Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Madam President.

I think that the gentleman is aware that it was at the midterm, but I don't think that the timing made any difference. As I said before, if it had occurred we would've had the same economic issue at the beginning of our term of office and at the beginning of a biennial budget.

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I'm assuming the same would happen because it was the sense of the General Assembly then, as it is now, that it is the responsible thing since we are a part time Legislature, through you, Madam President, that the Governor be given some authority to act when we're not in session.

Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

I happen to disagree and that's the reason for my question. Because under our statute -- and I believe it's 4-85 is the underlying statute -- it says that the rescission authority be given after an adopted budget. And we are not yet in that situation.

So when you mentioned economic activity or the climate, it is a different scenario because what we're doing in this legislation, through you to Senator Harp, is asking this Governor to go out and create this, as opposed to after the fact.

Through you.

THE CHAIR:

Senator Harp.

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SENATOR HARP:

Thank you, Madam President.

I recall having brought out a budget about a month and a half ago and having it passed. So the reality is that, in fact, through you, Madam President, that we did pass a budget.

That so that I'm not really sure that I understand the gentleman, because this is not giving him authority prior to our passing a budget. In fact, the budget has been passed.

Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

Let me rephrase. The balanced budget, because as of right now, our budget is still out of balance. We have a \$1.6 billion hole, that the reason for us to be here today is the fact that we have a \$1.6 billion hole based on a SEBAC agreement that was rejected.

So let me rephrase. The underlying statute says that we give the rescissionary authority after adoption of a balanced budget.

Through you.

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THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much, Madam President.

I believe that the budget was balanced by lapses. And you know, you can argue that perhaps the lapses were mistitled, but the reality is that at the time we passed the budget it was balanced.

In previous administrations where the extraordinary rescission authority wasn't used but there was a problem, rescissions actually occurred when we discovered in the first term, or the first quarter, that the budget would be balanced. This is not unlike that.

Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

So through you, Madam President to Senator Harp, you're comfortable with this rescission authority not be in violation of the underlying statute.

Through you.

THE CHAIR:

Senator Harp.

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SENATOR HARP:

Thank you.

Through you, Madam President, I am comfortable that it is not in violation and that we're the Legislature and we're actually, through this bill, changing that statute for a very short time.

Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Okay. So we are changing the statute. So obviously the necessity for changing the statute means we're not in compliance with the statute, if we have to change it.

According to the fiscal analysis, it says that this is going to increase the rescissionary authority -- rescission authority by 324 million in fiscal year 12 and 322 million in fiscal year 13. The last time the Governor -- and you mentioned the Rowland administration was given rescissionary authority, how much was that?

Through you.

THE CHAIR:

Senator Harp.

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SENATOR HARP:

Thank you, Madam President.

I don't have the number and I'm wondering whether or not the gentleman might share that number with us?

THE CHAIR:

Senator Kane, I'm sure you have that.

SENATOR KANE:

I do have that. I do have that number. Thank you, Madam President. And it was \$35 million the last time something like this occurred. Again, during -- in the middle of a biennial budget after a balanced budget had been adopted and it was a total of \$35 million. We are increasing this Governor's rescissionary authority by \$324 million in fiscal year 12 and \$322 million in fiscal year 13. So this is extraordinary, to Senator Harp's point.

Through you to Senator Harp, if I may? The last time a Governor -- in this case would be Governor Rell -- asked for rescissionary authority, was that approved?

Through you, Madam President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

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Through you, Madam President.

I really don't have the answer to that question.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Well, in 2009 I believe Governor Rell asked for rescissionary authority and it was denied by the Legislature and that's why it brings me to the question. And again, in Governor Rowland's administration it was \$35 million. In Governor Rell's administration it was declined.

And now here we are in this administration giving, as to use your words, the most extraordinary rescissionary authority that we can offer. So can you explain to me possibly the difference how this is maybe changed since the last two times this issue was brought in front of this Chamber?

Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much.

Through you, Madam President, I believe that the economic downturn that we've experienced in our state

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and our country is the worst since the Great Depression. And so as a result, extraordinary measures have to deal with extraordinary problems. The problems that existed previously were minor in comparison to the problem that faces our State today.

Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

I thank Senator Harp for answer on that. I agree. I think this is probably one of the worst economic times in our history possibly since the Great Depression, yet this Legislature still passed \$1.6 million in new taxes. So you know, as far as extraordinary goes I think you're correct, but even in regards to the worst economic time we've seen we're still passing legislation that is negatively going to affect this economy.

My next question, if I may, Senator Harp, through you, Madam President, is in regards to Section 13.

THE CHAIR:

Senator Harp, prepare yourself.

SENATOR KANE:

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Thank you, Madam President.

In Section 13 it talks about the Governor not later than July 15th submitting a plan to the Speaker of the House of Representatives and the President Pro Tem of the Senate. Is this plan going to be submitted to the Senate Chamber that we stand in here today?

Through you, Madam President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you, Madam President.

I don't believe that the bill actually mentions it being presented to the Senate Chamber. As I understand the process, the Governor must present allotment reductions, rescissions and other plan elements to the Speaker of the House and the president Pro Tem of the Senate. Then the President of the Senate -- President Pro Tem of the Senate and the Speaker of the House may refer any provision of that plan to the Appropriations Committee.

The Appropriations Committee then may hold a public hearing on those provisions and submit findings back to the Speaker of the House and the President Pro Tem of the Senate by August 15, 2011. And if a decision

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is made to take those matters up, it must be made by August 31st as long as the General Assembly has called itself into session.

And at that particular point in time it's brought before the entire General Assembly if that is the decision made. And if that's the decision made, legislation must be presented that balances out so that you just can't eliminate cuts. You have to, as well, eliminate cuts and find other cuts so that you actually have balanced expenditure adjustments for the biennium ending June 30, 2013.

Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

I thank the Senator Harp for that detailed explanation. My question however, is the plan going -- there are 36 members of this body. Is the plan going to be submitted to 36 members or to one member?

Through you.

THE CHAIR:

Senator Harp.

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SENATOR HARP:

Thank you.

The plan, based upon the way that, in this Chamber, according to Section 13, goes the President pro tempore of the Senate.

Through you, Madam President.

THE CHAIR:

Senator Harp. I'm sorry -- Senator Kane.

SENATOR KANE:

Thank you, Madam President.

Is this plan going to be submitted House of Representatives?

Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Madam President.

It will be submitted to the Speaker of the House who is the leader of the House of Representatives.

Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

But there are 151 members of the House of

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Representatives. It will be submitted to one member, according to your answer. Will it be submitted to the Appropriations Committee?

Through you, Madam President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much.

In reading this I would say, no. Provisions of the plan may be submitted to the Appropriations Committee.

Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

Through you to Senator Harp, will this plan be submitted to the Finance Committee?

Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much, Madam President.

I have searched through Section 13 and I don't see

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Finance Committee anywhere. So I would say, no.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

And this just leads me to my next question which is the rationale for this. So we have 157 legislators both in the Senate and in the House. We have an Appropriations Committee. We have a Finance Committee, yet this will not -- this plan will not be submitted to all of those legislators. Will the plan be submitted to the Minority Leader in the Senate?

Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much.

Through you, Madam President, it's not required by this legislation to be submitted to the Minority Leader.

Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

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Thank you, Madam President.

How about the Minority Leader of the House of Representatives?

Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Madam President.

This legislation requires it, as you pointed out before, to be submitted to the Speaker of the House who is not the Minority Leader in the House and the President Pro Tempore, who is not the Minority Leader in the Senate.

Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Madam President, thank you.

And the reason for my question, Senator Harp, is because again, this plan will be given to two individuals.

We have 157 -- 187 -- thank you, Senator Prague -- 187 members of the General Assembly. That's 151 in the House and 36 in the Senate.

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I've got it. It's late.

187 members of the Legislature, yet it's only going to be given to two members. Can you explain the rationale of that?

Through you, Madam President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Madam President.

The reality is that once it's submitted to both the Speaker of the House and the President Pro Tem, the elements of the plan become public. And so that actually everyone who's interested in the State will know what that plan is and how it impacts them.

Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Yes. We will all be aware of the plan. We'll probably see it on the Internet or somewhere else. The problem I have, though, Senator Harp, is that it says that two individuals, with due respect to the president of the Senate, the president of the Senate and the Speaker of the House may refer it to the assembly,

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having -- the General Assembly having cognizance -- may hold a public hearing, may call itself into special session and may enact legislation.

To me it sounds like two individuals will decide. And we'll all get to look at it, but two individuals will decide if there's any further action by this General Assembly when there's 187 members representing 169 towns with a two-party system.

Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much.

On the surface of it, it would look to be that way, but the reality is that both the Speaker of the House and the President Pro Tempore of the Senate have an obligation as leaders to the members of each of their chambers. And there is a responsibility between the leaders and those they lead to have open communications.

So that the reality is that the President Pro Tem of the Senate, the Speaker of the House are the conduits of the plan to the various members of each Chamber. So that the fact that it's just going to two people doesn't

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mean that it's blocked from others actually seeing it or commenting to both of the leaders on their impression of the document.

Through you, Madam President.

THE CHAIR:...

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

Yes, you're correct. They may be the conduit to it, but there's 185 other legislators who don't have the decision-making authority, according to this bill, to enact legislation, hold a public hearing or move it forward. We're talking about, you know, what's --

We have, first of all, in this State we have a one-party rule in government with the administration and two houses of the Legislature. Now we're narrowing that even further to two individuals. So on the surface -- it's more than on the surface it's in the bill. The actual legislation says that these two individuals will decide -- or may decide, actually, whether further action be taken by this Legislature. And in my mind that gives up our ability to enact any changes to that legislation.

The last question on this, if I may, through you

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to Senator Harp, Madam President? In line 271 through 274 it talks about calling -- the General Assembly calling itself into special session and may enact legislation; the amount equal to the amount of modifications or reductions proposed in any such provision.

So does that mean we cannot modify the bottom line, but only, you know, make changes to where the expenditures be made, but not adjust the bottom line? Or can anything be done in addition to those reductions that the Governor proposes?

Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much.

Through you, Madam President, the way that I understand it is that the Governor, through his plan, will provide a balanced -- will provide something that will balance the \$1.6 billion problem that we have. And so whatever the solution is that the Legislature comes up with has to be balanced in that same way.

So would we add more dollars to it? We probably could not, because we're -- especially in fiscal year

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12 we are so close to the spending cap. So the reality is we wouldn't be adding any more and likely couldn't reduce more than \$1.6 billion.

And so that's the way that I read it, but whatever it is that we do has to be done within the context of the overall budget, the spending cap and it has to be balanced so that we can't submit -- we can't say, oh, I don't like that cut. And leave a hole that needs to be filled by -- I don't know, someone else. We have to provide a balanced approach so that if we don't like a cut then we have to find another cut to take its place. And we can't spend extra dollars because we just don't have room to do that.

So through you, Madam President, I don't know whether or not that addresses what you're getting at with your question, but if not, I'm open to you refining your question a little bit more so that I can do a better job.

Thank you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

I don't know if I can ask you to do a better job,

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Senator Harp, but what I will say, I guess the long and short of my question is, in the way I read it, it says that we cannot -- we can only make modifications equal to the amount. So there may be changes on certain line items, but not the dollar amount itself.

So I'm asking whether we could possibly cut further if we decided to. I know that's unlikely, but do we have that ability to change the actual dollars?

Through you.

SENATOR HARP:

Through you, Madam President.

I believe that as long as our effort is balanced, that we can do that, that we are the General Assembly after all, but I think what this is saying is that we have to at least have it balanced to the degree that was provided in the Governor's plan. If we want to reduce further, I'm sure that there might be some who would have an objection, but the point is that we must have a balanced plan and that it must address the biennium.

Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

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Thank you, Madam President.

I thank Senator Harp for her answers. I appreciate your knowledge of the bill and of the overall budget itself. And actually, that's part of the reason I have a problem with this section, because we have people like yourself who truly know this budget inside and out. And I think I've learned a little bit along the way working with you this year on Appropriations.

And there's certainly 34 others in the room as well. And not to belabor the point of how many people we have in the House of Representatives, but one of -- the big e-mail or the topic of e-mails that I've received --

And by the way, Senator Harp, I'm done with my questions. You can take a load off.

But the big thing that I got from my e-mails from my constituents is the abdication of responsibility. Meaning, people were e-mailing me saying, you know, you can't allow one person, the Governor, this administration to make all these cuts. And those were e-mails from just overall taxpayers to state employees, you know, up and down the line to some of my first selectman, town council members, what have you.

And they said, you know, Senator Kane, you were

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... elected to a job, do it. You know, you have been elected by our -- as our Representative. You should be able to do that job. You should be able to make those hard choices. You've been working on this since January. You should have the ability.

So I still am very uncomfortable with Section 13, Madam President. And for that reason I would like to offer an amendment. The Clerk is in possession of LCO 8773. I'd ask the Clerk to call the amendment and I be allowed summarize.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO 8773, which will be designated Senate Amendment Schedule "A."

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

I move adoption.

THE CHAIR:

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

SENATOR KANE:

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Thank you, Madam President.

I will, and I'd ask that when the vote be taken it be taken by roll.

THE CHAIR:

It will, sir.

SENATOR KANE:

This is a very simple amendment, Madam President. As we said -- as I said, I should say, during the debate with Senator Harp on this particular section, Section 13, we know that this plan brought to us by the Governor -- and actually not brought to us -- will be brought to two individuals, the Speaker of the House of Representatives and the President Pro Tem of the Senate.

It will not be given to the Senate Chamber in total. It will not be given to the entire House of Representatives. It will not be given to the Appropriations Committee, to the Finance Committee, to the minority leaders even.

So what this says, it just makes a simple change in some of the lines where it says, may refer any provision, may hold a public hearing, may call itself into session, may enact legislation. All we're asking in this simple amendment is the word "may" be changed

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to shall.

So I think it makes a lot of sense. It keeps all of us accountable to our constituencies for our votes. It keeps us accountable for the job we were elected to do. It puts all of us -- the ability to have some type of an effect on these policies, on this plan and. I think it's the right thing to do for 187 individuals that are sitting in this building tonight.

Thank you, Madam President.

THE CHAIR:

Thank you, sir.

Will you remark?

Senator Harp.

SENATOR HARP:

Thank you very much, Madam President.

I guess I urge rejection of the amendment. And I do have a question that I'd like to ask the maker of the amendment.

THE CHAIR:

Please proceed, ma'am.

SENATOR HARP:

Thank you.

On line 23 where it says, no provision of such plan shall take effect without a majority vote by both houses

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of the General Assembly, will that vote actually then be an amendment to the budget? Or will it just be an approval of the plan?

Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

Through you to Senator Harp, the approval of the plan.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much.

And so I think that the General Assembly -- my thought about this is that if we can do a plan that we can informally get agreement for, that it gives us the flexibility to actually move forward more quickly without interrupting people's lives in a way that, dragging the entire General Assembly back, would do.

And I know we have an obligation to do this, but we are a part-time Legislature. And I've got to tell you that when I finally went back to my job after having been here for five months, that I've got to say that

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it was wonderful to be in a room by myself.

And you know, in all honesty, given the numbers that we have here and the varied and different interests, I believe that it would be very difficult for us to pass something in a timely fashion that could be implemented in time to actually create the savings we need in order to move this process forward. So I urge rejection.

THE CHAIR:

Will you remark further? Will you remark further? If not, Mr. Clerk, will you call for a roll call vote. And the machine will be open.

THE CLERK:

An immediate roll call has been ordered in the Senate. An immediate roll call has been ordered in the Senate.

THE CHAIR:

Have all members voted? If all members have voted, the machine will be closed and Mr. Clerk, will you call the tally.

THE CLERK:

Total Number voting	35
Necessary for adoption	18
Those voting Yea	14

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Those voting Nay 21
Those absent and not voting 1

THE CHAIR:

The amendment fails.

Will you remark further?

Senator Meyer.

SENATOR MEYER:

Thank you, Madam President and good evening -- good morning.

THE CHAIR:

Good morning, sir.

SENATOR MEYER:

Good morning.

Colleagues, when I got up here yesterday morning I had in front of me a bill that is markedly different than the one we're voting on tonight. It was a bill you may recall if you saw some earlier versions that gave a -- the Governor the right to cut \$45 million from any appropriation without legislative recourse. It gave the Governor the right to cut 10 percent from any appropriation without any legislative recourse.

It permitted the Governor to oppose a 2 percent cut in municipal aid, which amounted to about \$54 million and that was in defiance of a long-standing

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policy, statutory policy in Connecticut that did not permit the executive to unilaterally cut municipal aid. And that had met with tremendous resistance from my towns and probably for many of yours as well.

I viewed that bill and that version as a totally unacceptable and extraordinary usurpation of the Legislature by the executive. And I intended to vote no on it. Indeed, consistent with my funny sense of humor, I had a tie from Andrew McDonald, our former colleague and friend. And I'm wearing the tie today, which is the tie I wore yesterday when I came up here. It's got rats on it because I view that version, that version of the bill as a rat. And Andrew and I had a big laugh today when we talked about that.

However, as Senator Harp has pointed out, through grade efforts of the majority party primarily, and particularly our leaders, our Senate President and the Majority Leader, Senator Harp, great and significant changes were made in this bill. The \$45 million per appropriation cut that was in the prior version was totally eliminated.

Secondly, a legislative check-and-balance system was put in it for the first time. I had a chance to talk to the Senate President, as others did, and I found

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him very credible in the fact that he will call us into session. He will call the Appropriations Committee into session if there is a substantial and reasonable grievance with respect to any particular cut.

I believe that we can rely on that. This Senate President is a man of good faith and he wants to preserve a check and balance and that check and balance is written into this bill. And even more significantly was that through the efforts of Legislators, this morning, sometime about eleven o'clock the Governor's proposed cut of municipal aid was totally eliminated.

I tell you after seeing what's happened in the last 24 hours, I think we today have a bill that is balanced. I think it preserves the separation of powers between the executive and legislative. I think it's a practical bill and I think it's result oriented. And therefore for those reasons I'm going to be voting yes and urge my colleagues to do the same.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator.

Will you remark further?

Senator Roraback, good morning, sir.

SENATOR RORABACK:

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Good morning, Madam President. Thank you.

I think I heard Senator Harp a couple of minutes ago say that it would be a virtual impossibility for the Legislature to come to agreement about what cuts would need to be made in order to balance our budget.

And that observation, while perhaps true, left me somewhat concerned about what we as an institution have as responsibilities to the people of the state of Connecticut. And it kind of shocked me that we should say, well, because of our collective dysfunctionality the cure to that is to cede that power to a higher authority.

If that was the message that was intended to be conveyed, I can see how that would sow the seeds of potential cynicism on the part of the people of the state of Connecticut who believe that their Legislature has a coequal branch of government, has the obligation to make the tough decisions, notwithstanding group dynamics being what they are.

But that's not why I rise, Madam President. I rise to ask Senator Harp about Section 11 of the bill which appears to give the Governor another crack at finding a resolution with the state employee unions and appears to allow the Governor to renegotiate the terms.

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And if he's successful in coming up with another deal, to allow that deal to become law without this body having a chance to utter a whisper as to the wisdom of the new terms.

And through you, Madam President to Senator Harp, she doesn't have to -- I wouldn't expect her to agree with my language, but would she agree with the substance of what I'm trying to communicate insofar as Section 11 of this amendment?

Through you, Madam President to Senator Harp.

THE CHAIR:

Please proceed, Senator Harp.

SENATOR HARP:

Thank you. Through you, Madam President.

I think that Section 11 basically says that -- that it basically says that after there is an agreement, and before August 31st, the General Assembly can take up that agreement. And that basically if it doesn't, it will become -- it will be approved, will be deemed approved.

But it does give the General Assembly the ability to call itself into special session for the purpose of approving or rejecting the agreement. So that I would think that your assessment is not totally accurate. We

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can do that, or if we don't, then the agreement will be deemed approved. But it certainly does give us the ability to accept or reject.

Through you, Madam President.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Madam President and I'm not -- it's late. I want to go home. And what I'm trying to figure out is, if in Senator Harp's opinion, through you, Madam President, does this amendment give the Governor the latitude to go back and start from scratch and try to find common ground with the unions to achieve the savings that we need to balance our budget?

Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much, Madam President.

I believe that it does, but my understanding is that what is meant by this is that the -- it gives the unions the ability to reconsider the deal that was already in place. So it's my assumption that there won't be a new deal and that this is just a

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reconsideration of what has already been voted on by 57 percent of the union membership in our State.

Through you, Madam President.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Madam President.

And I'm just reading the fiscal note which says, Section 11 could result in a state fiscal impact to the extent that the provisions of a new agreement adopted between the State and SEBAC differ from the original agreement on May, 27th.

So all I'm trying to draw out from Senator Harp, through you, Madam President, is I think this bill says the Governor and the unions have wide berth, complete latitude to go back and see if they can find something they can agree to. And if they do they'll file it with the Clerk of the Senate. And this Legislature may never ever, ever, ever have a chance to comment on the agreement.

And all I'm trying to establish, through you, Madam President to Senator Harp, is am I missing something?

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Senator Harp.

SENATOR HARP:

Thank you very much.

I think that if you sort of look at the word "can" and "may," yes. The executive branch and the unions can renegotiate an entirely new agreement, but if it doesn't meet the same level of savings, then there will have to be cuts as well.

And you know that they have the same bar to meet that we would. It's different. It still has to be balance and address the biennial budget.

Through you, Madam President.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Madam President.

And I do understand all of that and I appreciate Senator Harp's answer. Madam President, I think a lot of us thought it was outrageous when we knew the terms of the deal that the Legislature wasn't going to come back and ratify the deal after the unions had ratified it. That was in the last budget a couple weeks ago that we said we preapproved this because we were so confident that the unions would approve it.

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But this bill says without knowing the terms of the deal, the Legislature is going to preapprove whatever the Governor and the unions come up with. And that to me is a whole different and much more troubling kettle of fish.

And the Clerk has an amendment, which is LCO Number 8775. If the Clerk could please call the amendment and if I might be allowed to summarize.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO 8775, which shall be designated Senate
Amendment Schedule "B."

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Madam President.

I move adoption.

THE CHAIR:

The question is on adoption.

Will you remark further, sir?

SENATOR RORABACK:

Yeah. I only wish it was 1:30 in the afternoon instead of 1:30 in the morning because --

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THE CHAIR:

So do I, sir.

SENATOR RORABACK:

-- if it were 1:30 in the afternoon there might be some hope that mortals would be bearing witness to what's going on in this Chamber at this hour. But suffice it to say that this amendment would, rather than the Legislature saying, Governor, unions, do whatever you want. We don't care. We're done. We have checked out. This amendment says, you know what? The elected members of the General Assembly care. We think we should care and we have a responsibility to know what it is you come up with.

Because the last thing you came up with had a lot of questionable components to it, components that our Office of Fiscal Analysis could not offer an informed opinion as to the credibility as to the savings that were being offered.

So now if the Legislature wants to check out, if we want to put our faith in the other branches of government, vote against this amendment. But if you think we have a job to do to maybe take a quick peek at whatever it is the Governor and the unions come up with, then please support the amendment. I urge

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adoption.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Roraback.

Will you remark?

Senator Harp.

SENATOR HARP:

Thank you very much, Madam President.

I urge rejection of the amendment. If you look on line 184 it's really clear that the General Assembly may call itself into special session for the purpose of approving or rejecting any such agreement. And so the reality is that, you know, we haven't put the sign out checking out or out to launch or on vacation or back to work. We've basically given ourselves the ability to call ourselves back in and address this matter.

My assumption is that what the unions will be looking at is the same agreement that we already understand and that we approved the budget -- based upon. And if there are any minor changes they would be very minor, but that it would reflect a balance in our biennial budget.

So I believe the concern here that is raised by this amendment is unnecessary and that it's been

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addressed by this bill. So again, I urge rejection.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Madam President.

Madam President, I rise in support of the amendment and ask that when the vote be taken, it be taken by roll call.

THE CHAIR:

It will be ordered, sir.

SENATOR MCKINNEY:

You know, Madam President, one of the disappointing parts to the bill before us and the plans submitted by the Governor, not to reiterate, but I will, is that on opening day Governor Malloy said that the Legislature should take up-or-down votes on contracts. We had a debate when the budget -- I don't know if it was a budget -- it was passed. It was certainly not a balanced budget. And we had a debate on whether or not we should vote on the ratification of the SEBAC agreement.

And those of us on our side of the aisle said, yes, we should vote on that contract. And we should wait and see if it's ratified and then have the vote. At

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the time -- and I remember Senator Williams very eloquently and forcefully said, well, we are voting on it. We're voting on it in advance of SEBAC voting on it because we know what those terms are as negotiated by the Governor.

Well, we don't know what the terms are of any new deal. And there will be a new deal. The previous draft of the bill before us referenced the May 27, 2011 agreement. That language was taken out. Why? Obviously, it was taken out because it wasn't going to be limited to just that agreement.

And it's my understanding, as far as what I can hear from the building, that tomorrow we're going to learn that the SEBAC unions will certify the no votes and the deal will not be ratified. That means there's going to have to be a new deal. We do not know what the terms of that new deal are or will be.

So unlike the first debate we had where you could arguably say, we know what the terms are. We're voting to ratify it before it's ratified by the unions. Now nobody can stand up here and say what the terms will be. Maybe there will be slight differences. Maybe there will be major differences, but we do not know that.

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So the question then is, are we going to come back in and vote upon that? Senator Harp says, we may do that. Of course we may do that. We're saying we should do that. And we are again in this circle for the third or fourth or fifth or sixth time this session putting before you, do you want to vote on union contracts? Yes or no.

Or do you want to let a union concession package negotiated by the Governor, which could total as much as \$1.6 billion, go into effect without voting on it? Why do you run for office if you don't want to vote on these issues? It's \$1.6 billion. Not the \$35 million we gave John Rowland. 1.6 billion.

So this says we shall come back and vote on it, not, we may, because that language has been with us forever and I've yet to vote on a union contract as a member of this Senate for 13 years that I can remember in this circle. Because we don't. Because we abdicate our responsibility and simply let the contract become law without coming in to vote on it.

So do you want to vote on it or not? If you do, vote yes. If you don't, vote no.

THE CHAIR:

Thank you, Senator.

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Will you remark further? Will you remark further? If not, Mr. Clerk, will you please call a roll call vote and the machine will be open.

THE CLERK:

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

THE CHAIR:

Have all members voted? If all members have voted, the machine will be closed. And Mr. Clerk, will you please call the tally.

THE CLERK:

Total Number voting	35
Necessary for adoption	18
Those voting Yea	14
Those voting Nay	21
Those absent and not voting	1

THE CHAIR:

The amendment fails.

Will you remark further?

Senator Suzio.

SENATOR SUZIO:

Thank you, and good evening to you, Madam

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President.

THE CHAIR:

Good morning, sir.

SENATOR SUZIO:

Good morning. Yes.

I rise in opposition to the underlying bill and I will not be long in elaborating on it, but I will just say first of all, I agree that I think it's an abdication of our responsibility as elected representatives in terms of our responsibility, the power of the purse. And this of course involves some major spending issues.

But I want to focus for a minute if I can, on the SEBAC provisions of the bill. The current budget which was predicated on the assumption that the SEBAC agreement would be approved by the unions was predicated on over a half a billion dollars of unsubstantiated savings, savings that couldn't be verified in any way whatsoever by the Office of Fiscal Analysis. And I might daresay that they were basically imaginary savings.

Now in light of the fact that the budget itself is only \$1 million below the spending cap, the constitutional spending cap, moreover it contemplates only approximately an \$88 million surplus. I cannot

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... imagine a more embarrassing situation for the Governor and for the Legislature to have to declare a state of fiscal emergency in the very year following the biggest tax increase imposed on Connecticut's people in the history of the state.

But as things are right now, if SEBAC is approved, unless some major, major changes are made, that's not a likelihood. It's a virtual certainty. With only \$1 million to spare in terms of the spending cap and with over a half a billion dollars of fictitious savings, it's going to be impossible to avoid going over the spending cap.

Moreover with only an \$88 million surplus, even though this particular bill provides up to \$21 million of debt service lapse transfer and another 18 million in the earned income tax credit possibly to cover some deficiency, you're still talking only approximately a hundred million dollars on what's a 20 billion-dollar budget. And it's very possible, probably highly probable that we will be in a deficit situation.

How in the world are you going to look at the voters of Connecticut the year after you just enacted the biggest tax increase in the history of the state and say to them, oops, we made a mistake? We don't have

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enough money. The budget is not balanced. Oops. We're over the constitutional spending cap. The embarrassment would be major league and well deserved.

In my opinion, the budget as it was approved contingent on the SEBAC agreement is actually irresponsible and reckless, I might even say. Moreover the SEBAC agreement, if it is eventually pulled like a rabbit out of a hat, won't be effective for many months past when it was anticipated to be effective, which means that the concessions that were sought in the SEBAC agreement can't possibly have the savings that were anticipated in the original budget. So that exacerbates the over half a billion dollars of pure fictitious savings that the budget was predicated on in the first place.

My friends, the budget is actually unreliable and a virtual certainty to fulminate a fiscal crisis next year. We owe it to the people of Connecticut to act in a more responsible fashion, adopt a budget that predicated on a realistic savings and not on an imaginary savings or an agreement that may or may not occur.

The biggest responsibility we're given as elected officials is the power of the purse and for us to act

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recklessly and irresponsibly by making a budget that's a virtual certainty to exceed this constitutional spending cap and has a high probability of being in a deficit next year, unless some miracle occurs and terms of tax collections is the wrong thing to do. And approving this bill as it's been presented to us sets the stage for one of the biggest embarrassments this Legislature and this Governor could have. I would urge you to do the responsible thing, reject it and go back to the drawing board.

Thank you very much.

THE CHAIR:

Thank you.

Will you remark further?

Senator Boucher.

SENATOR BOUCHER:

Good morning, Madam President.

THE CHAIR:

Good morning, ma'am.

SENATOR BOUCHER:

Madam President, I rise in opposition to this particular bill for two of the reasons already stated and a third that has not yet been discussed this evening. In fact, it has not been discussed very much

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and I feel that we should at least bring the issue out on the table.

First, of course, that's been mentioned is that this particular rescissionary authority has never been given in the history of the State of Connecticut for this amount, over a billion dollars. And in the past has been used in only a limited fashion and typically and a second year of a biennium. And I believe one of the times was right after September 11th, an extraordinary moment in our country's history.

Secondarily, that it does allow for a preapproval of a contract without yet knowing what is in the particulars of a contract, and has already been stated, a very bad practice by this Legislature, as the very distinguished chair of the appropriation knows is one of my pet peeves, and that is not doing our duty, our fiduciary duty in actually voting for a contract which we are -- actually should be required to do and have that capability of doing.

And thirdly, something called the EITC that some would say is an earned income tax credit. I call it an unearned income tax credit, because it is for individuals that do not currently pay an income tax. They may pay other types of sales taxes and so forth,

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but this is an income tax credit for those who do not earn it.

And in time right now when we can least afford it, this nearly \$200 million two-year expenditure, a new program, a entitlement program that requires additional staff at the same time that a lot of our proposals anticipate, or the Governor's proposal anticipate a layoff of thousands of state employees. I just wonder how many of those thousands of jobs could be saved if this program was not put in place at this time. And this particular bill addresses this entitlement by taking a look at it, not eliminate it, but just reducing it slightly.

There are critics that say this is a redistribution of income, that it is a disincentive to job creators who are right now desperately needed during these very difficult economic times. I would maintain that a one-time check of a thousand dollars or \$600 does not replace in anyone's view the availability of a steady stream of income from a good job. And that is what we should be focused on and I don't believe it should be in our proposals at this juncture, and is disquieting, in fact, to a lot of folks.

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But for those three reasons I just can't support what we're doing there this evening.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator.

Will you remark? Will you remark further?

Senator Kelly.

SENATOR KELLY:

Thank you, Madam President.

I rise this early in the morning to oppose this legislation for two primary purposes. The first is legal. The second deals with policy.

Regarding the legal aspect I'm going to ask you to just imagine for a moment, imagine America without a constitution. No civil rights, no individual liberty, no freedom of speech, no freedom of religion. Our country is predicated upon laws, not individuals. Once again, our country is built on law, not individuals. We abandoned the king.

And one of the proudest things I do as a Senator happens on those days when I can bring schoolchildren from my district into this circle. And they come in with hope and optimism and it's exciting. And what we talk about is something that happened right here in

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Hartford. Hartford, Connecticut, which was founded by a man named Hooker who preached to his congregation a concept not known on this planet, that people are endowed by their creator with inalienable rights that no government can take away.

It was so powerful that it was the basis of the first written constitution that's known. And it became known as the fundamental orders, which if you go over to the Connecticut Supreme Court you'll see a mural on the wall. And when the king came to take that away from the colonial citizens of Connecticut, guess where they put the document? They put that document in the Charter Oak. And a remnant of that Charter Oak sits in his room right under the clock, behind the lieutenant Governor.

Here we are. How fitting on the Friday before the long 4th of July weekend that we come to a question of constitutional importance in the State of Connecticut. Ironic, you may say, but we should be thinking about this.

What do we have before us? Put aside the partisan discussion, because I'm not talking to you now as a Republican and I'm not talking to anyone here as a Democrat. I'm talking as a Senator to a Senator,

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asking everyone to think about the oath we took and the integrity of the institution under which we serve. It's a constitutional government and we have one branch of the government making and unparalleled, unprecedented request for rescission power.

In my call to the special session today, the Governor quoted Article 3 of the Constitution of our State. Article 3 is the legislative power. It wasn't under Article 4, which is the executive's power. It was under our power. Our power.

And under the separation of powers provision it's granted to the legislative branch, not to the government -- Governor. And as such we have an obligation, a duty, a job to protect this institution. It's my belief that we can't give the Governor what we don't have. We have the power to appropriate the funds. It's our job. Whether we like to do it or not, we have to do it.

The Governor has his powers and we're not just talking about this Governor. We're talking about every governor hereafter. If we give in on this power now -- it started at 35 million I heard before under the Rowland administration. Now we're talking in billions. When will the role of the legislative body

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become obsolete? I don't know. I don't want it to start tonight.

And while we may have had a one-party rule as a result of last year's election, I know that under the constitutional form of government it doesn't say a one-branch rule of government. So I am asking everyone in the circle, as a Senator, before they vote on this bill to think about the integrity of the institution and what it means to the future of Connecticut, our constitutional government and freedom itself.

Getting to my second point, a little less intense but no less important, are the policy reasons why I don't believe that this is the right thing to do.

You know, when I walk around the streets of Stratford or Shelton, Monroe or Seymour and I talk to my neighbors, they are fighting mad. They are demanding transparency. They are demanding protection and I was elected as their representative to do that. I can't in good conscience go back home to my district and tell those folks, hey, I voted to give that job to somebody else, particularly when you know what the consequences of that action may be to the middle-class citizens of Connecticut.

And I know we're here late, and I know we missed

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David Letterman, so I put together my little list of the top ten reasons why you wouldn't want to give the Governor the rescission authority.

Numbered ten, is that we had a \$2 billion concession package that was proposed to us that he could deliver. And guess what? He failed. Failed miserably.

Number nine, when it comes to elders and seniors -- and not only just elders and seniors, but the poorest of the elders and seniors, we reduced a \$69 monthly income to \$60.

Number eight, when it comes to trying to protect mom after dad goes into a nursing home, and we try to allow her some independence and dignity to stay home, last year we created a bill that would allow her to keep \$109,000 so that she would be able to stay at home and this year this governor took half of that away.

Number seven, we asked seniors once again to come to the table to sacrifice in a line item that had a \$26 million surplus. We asked those seniors to come up with another 1 percent co-pay to save 600,000 dollars.

Number five, we want to jump into the pool with a hospital tax that's now going to have winners and

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losers. By the way, we're going to exempt the State's hospital that we're paying \$864 million for. We're going to exempt that out of the equation, but small hospitals that help regional patients like Griffin Hospital in the Lower Naugatuck Valley, that hospital we may lose.

I think I'm on Number five.

He's given us the largest tax increase in Connecticut history.

I've got three left.

Number four, is he has given us a billion dollars in new spending.

Three, we've bonded billions, billions since January.

Number two, we wanted to put the local pharmacist out of business and send our prescription through mail order, out of state and send the jobs with them.

And then last is just like Nancy Pelosi, we need to pass this bill to find out what's going to be in the bill.

I'm not going to pass the buck to the Governor. This is the job my voters sent me to Hartford to do. I come here every day optimistic, hopeful, energized. I'm still ready to go. I know that we're tired. I

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still have a long one-hour drive ahead of me, but I'm prepared to do the job. I'm prepared to roll up my sleeves and work together to do that job and I would ask that we do it together.

This morning in the front page of the New York Times there was an article that stated, for the past two decades the state, meaning, Connecticut, has finished dead last nationally in creating jobs. A recent forecast by a consulting firm IHS Global Insight projected it would also finish last in job creation over the next five years.

Connecticut's finances are among the most troubled in the nation. It is last or close to last in financing pension obligations and retaining reserves for emergencies and near the top in per capita debt. Now I don't know about anybody in this room. Many of us I think would stand up and say that when we compare ourselves to our parents we're probably doing as well as they did, maybe better. But when we look to our children and I look at my own, I look at the immense debt and spending that our governments are doing at every level and I say, what's their future going to be like, saddling our children and their children with debt?

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People across the state are asking us to use common sense kitchen-table economics at balancing a budget. You can't spend what you don't have and you live within your means just like they do. They are calling out for peace of mind and asking us to give that to them. . . .

I'm hopeful for the future, but I'm hopeful for the future if we're a participant in setting the policy for that future. I don't see in this bill that it's mandated that this decision comes back to us and that we are giving our authority over to another branch of government. The people don't want debt and despair in the future. They've asked us to do something about it and I'm prepared to do it. I ask you to join me in that endeavor.

Thank you.

THE CHAIR:

Thank you.

Will you remark?

Senator Harp.

SENATOR HARP:

Thank you very much, Madam President.

I felt like there is something that has been missing in this debate both in the House and in the Senate. You know, the thing that I don't think that

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people understand and it's really -- it really comes across very clear to me when I hear the level of debate.

We talk about the rescissionary authority. We talk about powers, but not one person has talked about what it means for a person who counts on their job for the State of Connecticut to make their life work. 7,500 people who count on their job, who have a sense of service to the people of the state won't have it anymore. And oh yeah. They're going to be on unemployment for a while but we know many of those jobs are going to be gone.

And so I thought that I should at least say that I respect the chaos that it's going to cause in their lives and that it going to cause in our communities. And I think it's really important to think about it. And I wanted to say to the unions, think about your brothers and sisters out there. Think about this chaotic way that we're forced to deal with \$1.6 billion of a problem.

And the reality is that it doesn't have to be that chaotic if there's a way to come up with some kind of a deal. And so yes, we're going to do what we have to do. We have an obligation to do it. That's our obligation to the people of this state, but we need the

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partnership of the unions to find a way to come to the table to understand the degree of chaos that will occur in this economy if we do it this way.

We will do it this way if we have to, but I would say to you that there's a better way. And I'm asking in the sense of the common human condition that we have in this state, that we don't throw our economy into the chaos of \$1.6 billion of people without work and cuts.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Harp.

Will you remark further?

Senator McLachlan.

SENATOR McLACHLAN:

Thank you, Madam President. Good evening -- good morning.

THE CHAIR:

Good morning, sir.

SENATOR McLACHLAN:

I rise in opposition to this bill and I'd like to very briefly ally my comments with those of my colleague, Senator Kelly who so eloquently has shared with us reasons for us to vote no. But I would just like to clarify that in my opinion the Legislature has

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very clear charge. And that charge by the voters of Connecticut is to pay very close attention to the spending and taxing of state government.

And I believe in this case that this Legislature is running away for the summer and passing the bill, passing the buck, passing our job to the Governor's office and that's the wrong thing to do.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator.

Will you remark?

Senator Markley, good morning, sir.

SENATOR MARKLEY:

Good morning to you, Madam President. I also rise in opposition to this bill.

Two months ago, just about exactly two months ago we were here in this Chamber debating the budget bill. And I said at that time that I felt that we were acting in unbecoming haste, that we were moving forward with a budget which really had not been written and that it was a mistake to do so. That we were congratulating ourselves on the early accomplishment when really we had accomplished nothing.

And I believe that the facts have borne me out.

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It's not a popular thing to say I told you so and I don't rise to say that. I suppose there always is a pleasure in saying so, but if you think of the history, Cassandra who is the most famous for saying, I told you so, the Trojans burned her for warning them about the horse. Tiresias was blinded. It's not an encouraging history.

But we are put in a place where what we thought we had achieved I think lies in shambles because of our haste and we're in a worse position than if we had taken time two months ago when we still had time. And now we're being rushed into another worse decision, really to my mind, a frightening decision.

To commit a dereliction of our duty, to surrender our constitutional obligation and our equality as a branch of government. Not to do the very thing that we were most elected to do, which is to participate in the writing of the budget.

Two months ago when that budget was passed, we were told if there's no agreement then the Governor needs to come back to the Legislature and work with us and put together a plan. Well, that's the position we're in, but the Governor isn't coming back to work with us to put together a plan. He's coming back to us to ask

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for the power to put his own plan together, and to implement it, maybe with our approval and maybe not.

There was a substantial debate, for those of you who were watching it down in the House, about why some of the mays in the budget weren't shalls. And there never was, in terms of the budget coming back before the appropriation and before the -- the Appropriations Committee and the Legislature. And there was never an assurance that -- never a good reason for that not being corrected. And to my mind, never the assurance that we need -- that we will see this budget again.

There has been precedent for it. I think it was bad precedent when it took place. I don't -- I don't believe that pointing to errors undertaken by the other party excuses us from making errors now in this case. And again, as I've said before, I'm not particularly concerned about which party is behind it and which party is behind this. We each have our own vote and we each have an obligation to the oath of office that we took and to the people that sent us here.

And that obligation would demand that we wrestle with the questions that are in this budget and that we put together a plan, a budget to give to the Governor to be executed by him, not for him to tell us what he

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wants to do.

Senator Harp spoke, and as she always does, I think very much to the point of the other people who are involved in this, whose pain and anxiety ought to be on our minds as we do this. That is exactly the situation we ought to be attempting to address, I believe. Instead, I think what we are being asked to be is a kind of a pawn in a negotiation that's being undertaken between the Governor and the unions.

I think it is a demeaning roll for the Legislature to be, a kind of a counter, something to be hung over somebody's head, when the real power is in the Governor's hands. And I have to say that so far based on six months of seeing him as a negotiator I'm not reassured.

I hope that you will all consider the seriousness of the decision that you make if you vote to pass this and I urge you to reject it.

Thank you very much.

THE CHAIR:

Thank you, Senator.

Senator Frantz.

SENATOR FRANTZ:

Thank you, Madam President.

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I think it would behoove all of us in the Chamber tonight to think back long and hard to the beginning of time in our country and understand the value of the integrity of the system as well as within our own State here. Because after all, we are the Constitution State.

And there's such a beauty and such an eloquence in the way that the system is set up. Sure it's been tweaked a little bit here and there and there have been constitutional amendments over the decades and over the centuries, but it has served this population incredibly well, both at the state level, but also at the federal level.

And I think that we are the envy of the rest of the world and here in Connecticut. Certainly in the past we've been the envy of the rest of this country in terms of how to organize a government. There's some outstanding logic in the theory that went into the thinking behind creating a constitution for the State of Connecticut as well as the nation, of the entire country. And the division of powers, three equal branches makes infinite sense.

We, over the last 300 plus years have created one of the greatest states in the nation, if not the

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greatest state at certain points in our history.

That's something we can't forget and we have to remember why we arrived at that particular point in time and did it so successfully.

And now we're asking for a decision to be made here tonight imminently that potentially creates a crack in the foundation that has served the people of Connecticut so well for such a long time.

Can you imagine if we were here deciding on whether we would allow the Governor to go into the judicial branch, pick a couple of cases and decide over the next three months what the outcome, what the final decision would be in those particular cases? I think the public would be appalled. I think all of us would be appalled, but it's analogous to what's going on here in this Chamber and down in the House of Representatives as well earlier this evening. We wouldn't dream of doing that, but it's the exact same thing.

Sure, it was \$35 million. Maybe a little bit more the last that this request was made of this Chamber. This time it's \$1.6 billion or more. What's it going to be next time? Is it \$6 billion? It is a 25? Is it 40, 50 percent of that particular annual budget that is going to fall in the hands of the executive branch?

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We don't know, but we know that that's a very slippery, slippery slope potentially.

We're going to make national headlines as a result of what we do tonight, affirmative or negative. Let's make it much better headlines than it could be if we vote for this particular bill. And at the end of the day, my friends, let's not go from being the Constitution State to the state of chaos.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator.

Will you remark?

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Madam President.

Madam President, I rise in opposition to the bill before us. And I guess part of me, albeit naive, was hoping that the debate tonight or early this morning would have been far more refreshing and candid than what it's been.

No one questions the fact that the Legislature is the only branch of government that is authorized to expend money. That's our role and our obligation. We're ceding that authority to the Governor. Now the

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argument by the majority is, well, we have emergency circumstances, a budget deficit of \$1.6 billion, a July 1st deadline and we have to get it done. How refreshing it would be if we just said, you're right. We know it's our job to pass a balanced budget. We tried. We didn't do it. We're going to let the Governor do it. How refreshing that would be if we just admitted what we are doing here.

People have strained to compare this to what we gave Governor Rowland. Are you kidding me? We have never given a Governor extra rescission authority prior to passage of a balanced budget in order to balance that budget which is our obligation to do.

In fact, our own statute which deals with the rescissionary powers of a Governor understands that that power is applied after the Legislature adopts a balanced budget. And as Senator Kane elicited in his questions to the chairwoman of the Appropriations Committee, that's why we're changing that statute, because we're changing it to give this Governor the power we've never given a Governor before.

So then we strain to talk, well, it's not about when it happens. If it's in the second year on the first year, or whether it's before or after we pass a

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balanced budget. It's because of times of economic crisis. Well, then let's take that argument on your part.

\$35 million is the extra rescission authority that was offered to Governor Rowland. 324 million in FY 12, 322 million in FY 13 equals 646 million dollars given to Governor Malloy. Do we really want to say that \$35 million is similar to \$646 million? It is simply ridiculous to make that argument. Why can't we just be candid and refreshing and say yes, we're doing something we've never done before? I don't get it.

You know, I listened to Senator Meyer. I listened to everybody tonight, but I particularly listened to Senator Meyer because I heard Senator Meyer's comments one day at the Finance Committee about why we're doing this the wrong way. We're adopting a budget without knowing where \$2 billion are coming from.

And I believe I heard Senator Meyer mention three changes to the bill before us from the original version proposed by the Governor. One was the \$45 million in appropriation. Now I actually disagree with Senator Meyer's interpretation of what the first bill was. The first bill, as I understood it, was 10 percent and 45 million -- and no more than \$45 million. In effect

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a cap, because I never heard the Governor express an interest in getting more than 10 percent. So of the \$45 million wasn't a cap then he would have been given more than 10 percent.

So I actually see the elimination of the \$45 million as eliminating a cap.

Now as it turns out in practicality, unless the Governor wants to go after entitlements and create deficiencies, he probably can't reach \$45 million. So I don't think that change really is of any moment.

The second thing Senator Meyer mentioned was, well, we've taken away what the Governor requested, was the extraordinary power to cut municipal aid. Well, let's be practical about that. That was taken out because there was not a majority in the House or the Senate to vote for that. There were no Republican votes to cut municipal aid and my guess is there were not a majority of Democrats who are willing to do that as well.

But guess what? Governor Malloy can still cut municipal aid, Senator. Just off the top of my head, he can cut the healthy schools initiative. That's money that's reimbursed to our towns and cities and if he cuts that that's a cut to our municipalities. He

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can cut the education network, which is the fiber optics that's reimbursement to our towns and cities. If he cuts that, he's cut municipal aid.

We have a senior tax, I think it's called, a tax relief for the elderly that reimburses our towns and cities. It's \$26 million. If he cuts that, he's cut municipal aid.

So while we did the right thing by not giving him the authority to directly cut municipal aid, let there be no doubt that there are many state programs that are reimbursements to our towns and cities that this Governor can cut that we're giving him the power to do that will cut municipal aid. Absolutely.

And the third thing I heard Senator Meyer say, well, there's oversight. And he trusts Senator Williams that if something the Governor proposes to do is so grievous that Senator Williams will bring it before the Appropriation -- here's the problem with that. With all due respect to Senator Williams, he's one Senator, not 36. It takes 19 to pass something that we want to spend money on or cut, not one. So I don't see those changes as protecting our role as a Legislature.

Senator Harp, when she rose for a second time

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talked about the 7500 people -- and I guess obviously now we've learned it may be 5500, not 7500. And 5500 is too many. Nobody wants to see people lose their jobs. And how 5500 people who work for the state lose their jobs, our economy is going to be in crisis.

In March 6,000 people lost their jobs in the private sector in Connecticut; one month, 6,000 people in the private sector. Where was the human outcry from this Legislature when that happened? Or are the 6,000 people who lost their jobs who aren't state employees somehow less important than the ones who are? Shame on us for thinking that. They're equally important.

She talked about the chaotic way we're forced to deal with us. My friends, this is a chaos that was self created. We stood here and said, you can't pass a budget without knowing where \$2 billion is coming from without knowing whether the deal is going to be ratified, and it wasn't. I was surprised by that. I certainly predicted it would be, but the fact was we put the cart before the horse.

Why did we wait until the end of session or the end of the fiscal year to have the vote? Couldn't the Governor have negotiated a quicker vote? Couldn't we have waited to pass our budget until we knew what the

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concessions were? This is not chaos that happened to us unexpectedly. This was chaos that the way that the budget was done by the Governor and the majority created.

I listened to some of the debate in the House earlier tonight as well. And I heard the Majority Leader, who I consider a friend -- we went to high school together -- talk about how Moody's had given our State a negative rating and talked about the fact that we don't have a balanced budget and we had to have a balanced budget tonight. And the only way to do it was for the Governor to say, it's balanced. Nowhere in Moody's rationale for their negative outlook does it talk about the fact that we don't have a balanced budget. Nowhere.

Do we need a balanced-budget? Yes. Is it our job to balance that budget? Yes. Is it our responsibility to make decisions on what we spend on and where we cut? Yes.

I did a radio show yesterday, I think yesterday -- yeah. Yesterday with Colin McEnroe and NPR and in the studio with him was Bill Curry, not exactly two Republicans for me to talk with. Right? But both people I like and respect. And the question

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to me was, Senator, we have to have a balanced budget and we have a \$1.6 billion deficit. And how the heck is the Legislature going to get their act together to do this by midnight on Thursday?

And isn't it just easier to let the Governor do it? And isn't it better to let the Governor do it? And my answer to them was, you're right. It is easier to let the Governor do it. It might even be better. I might actually like his results better than what might come out of the majority of the Legislature. I don't know that, but I would concede that it might be better. It's definitely easier. It might be better, but it's not right.

We weren't elected to do things that were easy. I've been privileged to serve in this Legislature for 13 years now. I've been here in times where we fought over how to spend huge budget surpluses and privileged to serve in times where we've struggled mightily with budget deficits.

I didn't run for office just to carve up the pie when times were good. I ran for office because I care about the people I represent and the people of the state of Connecticut, just like all of you do. And we can fight and argue and disagree, but that is our democracy.

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That is our role. That is the system of checks and balances that we have.

And Senator Kelly said it so perfectly well. The Governor himself in his proclamation acknowledges the sole authority of the Legislature to authorize spending and to balance the budget. We didn't do it. We are abdicating our responsibility and our role as a Legislature, ceding that authority to the Governor because we're afraid to make decisions or we're unwilling to make decisions or we can't make those decisions fast enough or a combination of all three.

I respect the fact that Governor Malloy wants to make these decisions, just as I respected the fact that during difficult times under Governor Rell, she asked for extra authority to make difficult decisions as well. The difference was we had passed a balanced budget and times got worse. Here we haven't passed a balanced budget. This Legislature will end the year without passing a balanced budget. We're letting the Governor do it.

Even Former Speaker Lyons who was quoted in this paper the other day, is saying we should not give any governor this extraordinary power. It is nothing we've ever come close to doing before.

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And even if the state employees sit down and have discussions -- we can't call them negotiations. Right? Discussions with the Governor in the coming days and weeks and reach a new agreement whether it looks similar or different to the old agreement. Even if that happens and the rescission authority goes away, this Legislature still would have said for the very first time, we're going to give unprecedented power to the executive branch. And that is something that this Legislature will deal with long past any of our tenure here.

That is a complete erosion of our powers and our ability and our authority as a Legislature in handing it over to one individual. And in my opinion, doing so silences the voices of the constituents who elected us to represent them. We are the people's representatives here to do their -- to work on their behalf, to vote yes or no on bills to represent them.

And now we're saying to them, I've decided to yield my representation over to the Governor. Trust me. He's a good guy. He's going to get it done. It's easier. It's faster. It's simpler. But I daresay that somewhere down the road if there aren't concessions from the state employees and this Governor

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makes the tough decisions that he is going to have to, and I believe he will make, I know there's going to be someone in this State Legislature who's going to be in front of an angry crowd of constituents and they're going to say, oh, I didn't make that cut. The Governor did. And that will be a day of great embarrassment for this Legislature.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator.

Will you remark further? Will you remark further?

Senator Williams.

SENATOR WILLIAMS:

Thank you, Madam President.

I rise in support of this bill because it's time that we move forward, that we address the deficit, that we have a balanced budget. That we do it in a way that gives the Governor, on the one hand the flexibility to get the job done in an efficient and effective way, and at the same time retains the legislative oversight and accountability that we all want. This bill does exactly that.

Let's put it in perspective what the problem is.

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Over the biennium we have about a \$37 billion budget in terms of general government fund spending.

\$37 billion over the biennium. It's about a \$1.6 billion hole now as a result of the failure to ratify the concession package by state employees.

In the first year of the biennium we need to come up with about 700 million dollars, about \$350 million will be made up through layoffs and we need to find an additional approximately \$350 million or thereabouts.

So I wouldn't compare this to the \$35 million rescission authority that was granted to Governor Rowland. I would compare this to the Republican proposed budget that was put out earlier this year, which my friends on the other side of the aisle supported. The proposed Republican budget that was put out counted on and contained the \$1.6 billion in concessions. There was not an alternative list of \$1.6 billion of cuts or layoffs.

In addition, there was 500 million, not 35 million, as was given to Governor Rowland for concessions. There was \$500 million in the Republican budget in unidentified lapse. Does everyone know what that means? Unidentified lapse means, giving the authority to the Governor to make the choice of what

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line items in the budget get withheld and cut.

Was there any provision inside that budget to provide legislative oversight and accountability for that \$500 million of authority handed over to the Governor to make the cuts? No. No.

So if handing over authority without any provision for legislative oversight and accountability is the equivalent of handing over freedom -- and there was a lot of freedom being handed over in the Republican budget. What we have before us today is not handing over legislative authority with no oversight and no ability for us to come back and review, analyze, reduce, cancel or substitute the rescissions proposed by the Governor. That's a fundamental difference in what we are proposing today and what was proposed by my friends and colleagues on the other side of the aisle earlier this year.

We do have the ability when the Governor releases his plan to discuss with the Governor changes, substitutions. Yes, to hold a public hearing if, as my colleague Senator Meyer says, we believe that some of the cuts proposed by the Governor are seriously grievous enough, in Senator Meyer's words, to require intervention and negotiation for alternative cuts.

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Yes, if we feel it's necessary, we can have a public hearing regarding those cuts. And yes, if after all of that and all of the attempted negotiations with the Governor's office, if we still do not have relief to our satisfaction, our, meaning the Legislature's satisfaction, then we can call ourselves back into special session, have an alternative package of budget reductions substituting for the cuts that we, as a Legislature, disagree with, preserving the freedom that we have as Legislators to stand up for the people of Connecticut, not handing that freedom over to the Governor through unidentified lapses to the tune of hundreds of millions of dollars with no ability for the Legislature to come back and do its duty.

This is the right thing to do. This is the responsible thing to do. This preserves our constitutional authority and accountability and it does what the people of the state of Connecticut want, allows us to be part of the process, making the tough choices, balancing the budget now.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator.

Will you remark further? Will you remark

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further? If not, Mr. Clerk, will you call for a roll call vote. The machine will be opened.

THE CLERK:

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

THE CHAIR:

Have all members voted? Have all members voted? If so the machine will be closed.

And Mr. Clerk, will you call the tally, please.

THE CLERK:

Total Number voting	35
Necessary for adoption	18
Those voting Yea	21
Those voting Nay	14
Those absent and not voting	1

THE CHAIR:

The bill has passed.

Senator Looney, good morning, sir.

SENATOR LOONEY:

Yes. Good morning once again, Madam President.

Madam President, would move for immediate transmittal to the Governor of the last enacted

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Emergency Certified House Bill 6701.

THE CHAIR:

Senator Looney.

Can we quiet, please, the Chamber. I know we are all excited about the Independence Day, but please.

SENATOR LOONEY:

Yes. Thank you, Madam President.

Before adjourning would yield the floor for members for any announcements that might be made.

THE CHAIR:

Are there any announcements or personal privilege? Seeing none, sir, Senator Looney.

SENATOR LOONEY:

Thank you, Madam President. And wish all of the members a safe and alert ride home this morning and move that the Senate stand adjourned.

THE CHAIR:

Seeing no objection, the Senate will stand adjourned.

Please drive safely.

On motion of Senator Looney of the 11th, the Senate at 2:30 a.m., adjourned subject to the call of the chair.