

Legislative History for Connecticut Act

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2011**

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Thank you, Mr. Speaker. Mr. Speaker, Memorial Day, Americans across the state and country took time to honor our nation's fallen heroes. Yesterday President Obama spoke at a ceremony at our nations Arlington Cemetery and in his speech the President referred to a letter he had received that was sent to him by our very own clerk, Veteran's Clerk, Paul Tarbox. In the letter Paul talked about the loss of a friend that he had while also serving in Afghanistan. His name was Joe Finuff. His letter was so moving that the President used it to start his speech with and if my colleagues would like to see it, it's on YouTube and right now I would ask that members all rise and give an applause for our very own Paul Tarbox.

SPEAKER DONOVAN:

Paul, thank you for your service and sorry about the loss of your friend.

Will the Clerk please call Emergency Certified Bill 6651.

THE CLERK:

House Bill 6651, AN ACT IMPLEMENTING PROVISIONS OF THE BUDGET CONCERNING GENERAL GOVERNMENT, LCO 7520, introduced by Representative Donovan and Senator

Williams.

SPEAKER DONOVAN:

Representative Toni Walker.

REP. WALKER (93rd):

Good afternoon, Mr. Speaker. I move for passage and acceptance of the proposed bill

SPEAKER DONOVAN:

Question is on passage Emergency Certified Bill, will you remark?

REP. WALKER (93rd):

Thank you, Mr. Speaker. Mr. Speaker, before you is the third of the implementers that we have been working on for the last couple of weeks addressing issues from the budget and policies that we have been working on. This bill is a combination of a variety of legislators and people who had been working on this bill and their multiple things.

We call this one the general government because of the fact that it has so many varying issues in here. It makes varying changes to various topics such as education, government accountability, it merges agencies together, it looks at our education and our education funding and it additionally also handles the consolidation of the higher Ed department. There are

multiple people that worked on this because they did this through their subcommittees and I just want to identify those people so that everybody understands who will be available for questions if they would like to as them.

Under this the sections under, Section three through 49 which addresses the GAP implementation will be handled by Representative Reynolds. The voluntary regional consolidation bonus pool will be handled by Representative Gentile. The interlock provisions, which was also in the other bill that we had earlier today, will be handled by Representative Jerry Fox.

The office of accountability consolidation will be handled by Representative Russell Morin. The office of workforce competitiveness to DOL and DECD and the culture and tourism to DECD including the community investment act adjustments will be handled by Representative Bryan Hurlburt. The education implementation including the caps, grants, the Vo-tech's study, education and findings will be handled by Representative Fleischmann.

The higher Ed consolidation including the new board of regents will be handled by Representative Willis. The campaign finance revisions will

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additionally be handled by Representative Morin and any other additional, I will be playing the backup batter for any of the other questions. So, with that I move passage of the bill, Mr. Speaker.

SPEAKER DONOVAN:

Move passage of the bill. Remark further on the Emergency Certified Bill? Remark further? Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker. If I might, just a couple of questions to the proponent of the bill, through you, please?

SPEAKER DONOVAN:

Please proceed, sir.

REP. MINER (66th):

Thank you, Mr. Speaker. In section three of the Emergency Certified Bill, there is some language that talks about how adjustments would be -- I guess how expenditures would be monitored and than how adjustments would be made. If the gentle lady could share with us what that process might be, that would be in lines 30 through 43, through you, please.

SPEAKER DONOVAN:

Representative Walker.

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REP. WALKER (93rd):

Yes, thank you, Mr. Speaker and I thank the gentleman for the question. This was standard language that we used in this budget to require OPM to recommend reductions for 12 and 13 directly related to the personal services and other expenses, through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker. And, so through you, if there is a need for adjustments to be made, if the gentle lady could explain to us how that process will work given this language, through you.

SPEAKER DONOVAN:

REP. WALKER (93rd):

Just one moment, Mr. Speaker, please. Yes, I thank the gentleman for his question. Basically OPM is going to monitoring the budgets in the personal services and the other expenditures and for those things that need to be moved, he will be able to utilize the 12 million dollars for any purposes during that fiscal year. This is something that we have done before in the past and this is not new, through you,

Mr. Speaker.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker. My recollection of the past is that when we built budgets with what we called lapses in any area but certainly within personal services, a number of people on the Appropriations Committee were concerned that there weren't backfills within agencies that we -- that somebody was making a decision that might be contrary to the policy decisions of the Appropriations Committee or some other committee and that's what I'm trying to figure out here.

Is it understood by the chairman that it would be at the secretary of OPM's discretion as to how those lapses would occur or is that something that was contemplated in section 12 of the underlying budget bill which means those all come back to the legislature, through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Thank you, Mr. Speaker and I thank the gentleman

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for the question. This section specifically will be at the discretion of the Secretary of Office of Policy and Management, through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

And, so if there was a program within the states budget that the secretary aren't necessary and it is in conflict, lets say, with what the Appropriations Committee or a subcommittee might have thought at the time that budget was put together, how will those issues be reconciled, through you.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Yes, thank the gentleman for his question, thorough you, Mr. Speaker. I believe that if there was any many changes, we have a statute that addresses any changes to line items in budgets currently and those would be implemented in those areas. But, when it comes to personal services and other expenses, it would be at the discretion of the Office of Policy Management's determination, through you, Mr. Speaker.

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Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker. So, as a member of the Appropriations Committee, I should not expect that we're going to convene any meeting between now and let's say January 1st, let's say, specifically to deal with reductions in these areas. These will be handled administratively, is that your understanding, through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker

REP. WALKER (93rd):

I thank the gentleman from Litchfield's question and if you'd like to come back and have a meeting, I'm sure that many of the members would love to come back and have that discussion, but currently right now, no he would be handling just the personal services and other expenses specifically, sir, through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker. I'm not suggesting that we need to schedule more meetings than we have had or

will have. I just want to be clear that in the past it's been my recollection, and certainly my understanding, that there has been somewhat of a disagreement between decisions that have been at the administrative level of the Governor's office and the committee level of the General Assembly.

And, on more than one occasion we held public hearings and participated in questions and answers as to why those choices were made, who made those decisions, when they were made and could it have been done another way. So, if this is the way the chairs and everyone here decides that this is going to happen, I get it. But, it is pretty much as you say consistent with what's happened in the past and it has caused conflicts in the past and so we are where we are.

Section four, if I could take you to section four, there's some language that we had discussed previously under Section 12 of Public Act 11-6 and this says that that's repealed at least subsection A and I want to be sure that what I think I read here is correct. It's really that it's just a change in the name of the bargaining unit and not a change in the obligation under section 12 and that is to say that

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there will be a meeting, a convening of the General Assembly to take up whatever that agreement is at such time that agreement is ratified, 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. That is correct. It is just a name change. We're going from unit to agent. This is just in the name of the bargaining agent -- bargaining unit because the latter part that the good gentleman from Litchfield spoke about must come before us, through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker. And, with regard to that agreement and the other changes I think that have been contemplated in what I think the press has reported is option C, I didn't find those anywhere in this agreement, this document, is that correct that they're not -- that option C in terms of making up for the 400 million dollar shortfall, that's not embedded in this,

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through you Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Yes, through you, Mr. Speaker, I again thank the gentleman for his question. That is correct, sir.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker. If we could go to section 43 through 47, actually there's some language in here that deals with GAP and our advancement toward getting on that GAP plan which I think the chamber will remember we supported -- I think your side of the aisle supported it as well, it's my understanding that there's some new language in here in that the way we will disburse surplus instead of going to retiring debt and economic recovery notes, this new language calls for some of those funds being appropriated to the GAP issue that the state faces as well. If the gentle lady could share with us her understanding of what that proposal is, through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

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REP. WALKER (93rd):

Through you, Mr. Speaker, I'm going to ask that the gentleman who is chair of that subcommittee to pick up that question. Is that appropriate, Mr. Speaker?

SPEAKER DONOVAN:

If you want to ask that, Representative Miner ask the question of Representative Reynolds.

REP. MINER (66th):

Mr. Speaker, I would be happy to redirect that.

SPEAKER DONOVAN:

Thank you, Representative. Representative Reynolds anticipate a question from Representative Miner.

REP. MINER (66th):

He may have gotten it, Mr. Speaker.

SPEAKER DONOVAN:

Representative Reynolds.

REP. REYNOLDS (42nd):

Thank you, Mr. Speaker. I did hear the question. The bill before us envisions a 15 year plan to address the long-time accrual of liabilities as a result of our failure to comply with GAP over the years. So, the budget envisions building all future revenue

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estimates to include approximately 100 million dollars a year over a 15 year period to over time pay down the GAP gap, as I call it.

Keep in mind that amount will not appear in the appropriations column, number one it refers to appropriations from past fiscal years; secondly it would then impact our spending cap constitutional requirement. So, starting with FY14, projected surplus will first be used to make the required contribution for the amortized addressing of the GAP and then and only then, would we then go back to our traditional route of using remaining surplus for paying down unfunded liabilities and paying down debt or replenishing the rainy day fund, through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker. And, if my memory serves me correctly, we're currently projecting something on the order of a 630 or 650 million dollar surplus in this fiscal year and I think there has been some press that those dollars would in fact go to supersede a decision that was made part of the last budgetary

process which would have been to securitize some other funding.

So, in this case that surplus will go completely to eliminate that as I understand it and not be used to settle any GAP expenditures, is that correct, through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Reynolds.

REP. REYNOLDS (42nd):

Thank you, Mr. Speaker. That's correct. The bill in essence overrides statutes that require any unappropriated general funds surplus from FY10 through FY17 to be used first to redeem any of those outstanding economic recovery notes, through you.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker. So, to the extent that the FY10 surplus hasn't yet really materialized and we have that 635 million dollar borrowing obligation embedded within our current budget that then would supersede this language, through you.

SPEAKER DONOVAN:

Representative Reynolds.

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REP. REYNOLDS (42nd):

Through you, Mr. Speaker, yes.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

And, the gentleman mentioned early on that the 100 million or so, 150 million of budgeted surplus would not be carried as an appropriation. If he could share with the chamber that mechanism again, through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Reynolds.

REP. REYNOLDS (42nd):

Thank you, Mr. Speaker, be happy to. The appropriations process will not include in its deliberations the inclusion of approximately 100 million dollars a year over 15 years to pay down the accumulative GAP deficit. However, our finance revenue and bonding process will have to take into account adequate revenues to meet that obligation because the finance package will be adopted on the assumption that approximately 100 million dollars will be taken from surplus at the end of each subsequent fiscal year to meet our 15 year amortization plan,

through you.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker. And, as it will not be identified as a line item as an expenditure, did I understand the gentleman to say that it will not be part of the cap consideration as we continue to build our budget in the on-going years, through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Reynolds.

REP. REYNOLDS (42nd):

Thank you, Mr. Speaker, that's correct, through you.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

And, if I could, lastly, this 1.5 billion dollar estimate is there a document, a presentation that will be made to, I'm assuming at least the Finance Committee, if not the finance and the Appropriations Committees, so that everyone will understand which items are out of GAP compliance, by how much and then

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we can see administratively how those pay downs are occurring, through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Reynolds.

REP. REYNOLDS (42nd):

Thank you, Mr. Speaker. Yes, the comptroller and OPM will have to report regularly to the Appropriations and Finance Committees on their implementation of this plan. I'm confident this will be on the agenda during the annual finance accountability session we have every October with OFA and OPM and of course it will be in all of the audited reports supplied by the comptroller on an annual basis, through you.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

Well, thank you, Mr. Speaker and I thank the gentleman for his answers. I think there are a number of individuals here who as well, serve on different subcommittees and may be ranking members on other committees of cognizance so I do know that there are some other questions probably with regard to this implementer bill and I thank you.

SPEAKER DONOVAN:

Thank you, Representative. Representative
Alberts.

REP. ALBERTS (50th):

Thank you, Mr. Speaker. If I may, some questions
to the proponent of the bill.

SPEAKER DONOVAN:

Please proceed, sir.

REP. ALBERTS (50th):

Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Alberts.

REP. ALBERTS (50th):

Thank you, Mr. Speaker. In reviewing the bill in
sections 134 through 135, actually 133 and 135, there
is a mention of a document recording fee and I wanted
to get a little bit more background on this fee and
what the purpose of the fee was. As I understand it,
it increases the document recording fee from \$30 to
\$40 and I just want to make sure I fully understand
how this money would be allocated and would appreciate
the proponent's description of that, through you, Mr.
Speaker.

SPEAKER DONOVAN:

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Representative Walker.

REP. WALKER (94rd):

Just one moment, Mr. Speaker because I believe -- are you talking about the historic tax credit, is that what you're -- through you, Mr. Speaker

SPEAKER DONOVAN:

Representative Alberts.

REP. ALBERTS (50th):

Thank you, Mr. Speaker. No, I was looking at the increase from \$10 -- of \$10 from \$30 to \$40 for each document that's recorded and as I understand, there is a \$10 amount of each of those recording fees that is going to be restricted for agricultural purposes in particular, to provide funding for dairy farmers utilizing a formula and I just want to make sure I understand that, through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Walker.

REP. WALKER (93rd):

Thank you, Mr. Speaker. At this time, Mr. Speaker, I'd like the subcommittee chair for the House for the committee to answer that question,
Representative Hurlburt.

SPEAKER DONOVAN:

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Representative Alberts would you like to redirect your question to Representative Hurlburt?

REP. ALBERTS (50th):

Absolutely, thank you.

SPEAKER DONOVAN:

Representative Hurlburt are you aware of the question or do you need a repeat or are you all set?

REP. HURLBURT (53rd):

Thank you, Mr. Speaker. I'll do my best to answer it. If the answer is insufficient, I'll ask the gentleman to go further on it.

SPEAKER DONOVAN:

Please proceed.

REP. HURLBURT (53rd):

Thank you, Mr. Speaker. Through you, to the representative, what we did here in this section was we made the agricultural sustainability fund that the House put in place two years ago, permanent. The original fund that we set up was to sunset on July 1st of this year. We know that our dairy farms are still having financial problems, that the federal milk price is not where it needs to be to sustain dairy in this state and so this makes the bill that we did permanent from a few years back, through you, Mr. Speaker.

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SPEAKER DONOVAN:

Representative Alberts.

REP. ALBERT (50th):

Thank you, Mr. Speaker. So, am I to understand then that there wouldn't be any diminishment of the dollar amount that would be provided to the dairy farmers, that essentially it would be a function of the number of documents that was recorded in the State of Connecticut, through you, Mr. Speaker?

SPEAKER DONOVAN:

Representative Hurlburt.

REP. HURLBURT (53rd):

Thank you, Mr. Speaker. And, through you, yes, that is the continuation of the proposal before us and the agricultural sustainability fund that we did in 2009.

SPEAKER DONOVAN:

Representative Alberts.

REP. ALBERTS (50th):

Thank you, Mr. Speaker. With the remaining \$30 of the \$40 fees that are collected with each land document, is there a redistribution of those \$30 to other entities, through you, Mr. Speaker.

SPEAKER DONOVAN:

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Representative Hurlburt.

REP. HURLBURT (53rd):

Thank you, Mr. Speaker. Yes, the bill brings us back to the four provisions with each of the four constituent units receiving 25 percent as was previously designated in the Community Investment Act prior to the legislation or the statute that we adopted in 2009.

SPEAKER DONOVAN:

Representative Alberts.

REP. ALBERTS (50th):

Thank you, Mr. Speaker. And, I also understand that some -- a slug of the money that would be allocated to the department of agriculture is going to go to several new entities as well, is that correct, through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Hurlburt.

REP. HURLBURT (53rd):

Through you, Mr. Speaker, it's new in the fact that it's outlined in statute. The constituent units that I believe the representative is talking about are not new in receiving these funds but we are designating a certain amount specifically as opposed

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to the previous way it was allocated, through you.

SPEAKER DONOVAN:

Representative Alberts.

REP. ALBERTS (50th):

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

SPEAKER DONOVAN:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker. If I may, just a couple of questions to Representative Reynolds regarding GAP?

SPEAKER DONOVAN:

Please proceed, sir.

REP. CANDELORA (86th):

Thank you, Mr. Speaker. I just wanted to kind of flush out a little bit of some of the definitions as I read this. And, one of the changes that we're making in lines 1065 through 1069 is dealing with, I believe, the comptroller identifying the unreserved negative balance of each of our funds. I don't see a definition for the unreserved negative balance, but am I to understand that those items are traditional unfunded liabilities that we've heard about? Would that be the negative fund, through you, Mr. Speaker?

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SPEAKER DONOVAN:

Representative Reynolds.

REP. REYNOLDS (42nd):

Thank you, Mr. Speaker. That is one example, yes. It simply acknowledges the fact that by transitioning to GAP, we are moving from a modified cash basis to a modified accrual basis which is now going to require that we account for revenues and expenditures at the time they're earned or due or expended as opposed to the old system which allowed for some manipulation as to when we counted revenues and expenditures. So, this is just requiring that all funds be accounted in that fashion, through you.

(Deputy Speaker Orange in the Chair)

DEPUTY SPEAKER ORANGE:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Madame Speaker. And, just so as an example, if an agency goes out and makes a purchase of computer software and they sign the contract and it's for five million dollars, for that fiscal year it might cost just \$1,000 as a down payment, they've incurred that five million dollar obligation. So, under the comptroller in that fiscal year would

recognize the \$1,000 expenditure and then we would see as an unrestricted negative balance, the balance of that contract in that column, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Reynolds.

REP. REYNOLDS (42nd):

Through you, Madame Speaker, yes.

DEPUTY SPEAKER ORANGE:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Madame Speaker. And, then just in lines 1144, there is also a discussion about a deferred charge and as I read this section, the comptroller is to add up all of our past liabilities and sort of calculate them under GAP and then amortize them over a 14 year period and I was just wondering if the definition, because I don't see a definition of a deferred charge, if that definition just means the amortized payment that's made each year over that 14 year period, though you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Reynolds.

REP. REYNOLDS (42nd):

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Thank you, Madame Speaker. Yes, that's exactly what that refers to, through you.

DEPUTY SPEAKER ORANGE:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Madame Speaker. And, then finally, we see a definition in 1270 of modified accrual and in that section we're of course defining our revenues to make sure that they include the money as it comes in. But, then in lines 1273 we're defining expenditures as being recognized in the period in which they are incurred and would normally be liquidated.

My question for that section is specifically the 1274 which includes and would normally be liquidated. As I understand it with modified accrual, we typically would book the expenditure at the time that it's incurred and I'm wondering what that second section means, what that language means, through you Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Tom Reynolds.

REP. REYNOLDS (42nd):

Thank you, Madame Speaker. No, your understanding is correct. A very simple way to think about is that

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your checkbook would be an example of GAP compliant. That is, you have written a check and therefore it is incurred at that time even if the check has not cleared for 12 months later. And, so this simply says that if that obligation is incurred in that time period, GAP accounting requires that we acknowledge it in that particular fiscal year, through you.

DEPUTY SPEAKER ORANGE:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Madame Speaker. So, if we incur some long term liabilities potentially going back to the example of the computers, if we purchase computers in one year we sign that contract and it's paid out over a period of time, it would be counted as an expenditure in it's entirety because that's at that time that we signed the contract we've incurred the liability even though it might be liquidated over a period of seven years, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Reynolds.

REP. REYNOLDS (42nd):

Thank you, Madame Speaker. It actually depends. If it is for an operating expense within the biennium

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in question, it would be accounted for as you've just described. However, other obligations for example, future pension and retiree health care obligations would simply be accounted for on the balance sheet which would be developed according to GAP principles, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Madame Speaker. And, then I guess, turning to lines 1403 to 1408 which is addressing the way in which our balances would be carried forward, this section seems to suggest that we would be potentially taking expenditures that might be occurring in a particular fiscal year and permitting them to be -- or permitting obligations of prior fiscal years to be paid out.

If the gentleman could just explain that particular provision and how it would relate to the way we would account under GAP, specifically lines 1403 to 1408, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Reynolds.

REP. REYNOLDS (42nd):

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Thank you, Madame Speaker. Yes, that simply provides flexibility needed for the comptroller for the purposes of end of year audited statements. It does not refer to OPM's obligations to pay bills. It simply provides the flexibility necessary for the comptroller to account for all necessary revenues and expenditures for auditing purposes, through you.

DEPUTY SPEAKER ORANGE:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Madame Speaker. So, this is sort of a -- it's a reporting mechanism as opposed to a budgeting mechanism, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Reynolds.

REP. REYNOLDS (42nd):

Thank you, Madame Speaker. Yes, through you.

DEPUTY SPEAKER ORANGE:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Madame Speaker. I appreciate the answer. I guess I'm a little confused with that section because as I read it, it seems as if it is dealing with a budgetary matter and I'm -- it seems as

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if in reading that it is extending out our ability to be able to pay on these obligations and I'm just not sure how that would necessarily jive under GAP. And, in the preceding lines it's also requiring the treasurer to make that payment.

So, I guess I will continue to listen to the discussions. I think it's important that we begin this transition certainly over to GAP. It makes more sense. I think it makes sense that we are looking at using our surplus dollars toward paying some of these unfunded obligations because as we all know, I think the way this is set up, we're looking at billions of dollars -- it's not into the millions and I hope that we continue this discussion and work through this particular provision. Thank you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Thank you, sir. Will you care to remark further on the bill? Representative Hetherington, you have the floor, sir.

REP. HETHERINGTON (125th):

Thank you, Madame Speaker. With respect to a portion of the bill that addresses the citizen's election campaign, I'd like to call amendment LCO 6810 and I don't believe the clerk has that yet and that I

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be permitted to summarize.

DEPUTY SPEAKER ORANGE:

Representative Hetherington, the Clerk is not in possession of that particular LCO numbered amendment, and so therefore you cannot call it at this particular time.

REP. HETHERINGTON (125th):

Okay. I understand that. I apologize, Madame Speaker. I thought it was prepared. I withdraw that at this time. Thank you.

DEPUTY SPEAKER ORANGE:

Okay. Will you care to remark? Will you care to remark further? Representative Hwang, you have the floor.

REP. HWANG (134th):

Thank you, Madame Speaker. As it relates to --

DEPUTY SPEAKER ORANGE:

There you are up there. I didn't see you, I was looking over here.

REP. HWANG (134th):

Thank you, Ma'am. As it regards to the citizens elections program in this implementer I have some questions to the proponent of this bill.

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Please proceed, sir. And you're directing your question to?

REP. HWANG (134th):

No. Let me rephrase that Madame, if I may, Madame Speaker. I would actually like to bring on amendment and that is LCO 7825 and would you please ask the Clerk to call it and I be allowed to summarize it, ma'am?

DEPUTY SPEAKER ORANGE:

The Clerk is not in possession of that amendment, sir.

REP. HWANG (134th):

Okay.

DEPUTY SPEAKER ORANGE:

Will you remark on the bill before us? Will you remark on the bill before us? Representative Hwang, you still actually have the floor, sir.

REP. HWANG (134th):

Yes, ma'am, Madame Speaker. I think the amendment is in process. I think I will wait until it has been filed to speak further on it, ma'am.

DEPUTY SPEAKER ORANGE:

Thank you, sir. Will you care to remark further on the bill? Representative Bacchiochi, you have the

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floor Madame.

REP. BACCHIOCHI (42nd):

Thank you, Madame Speaker. Madame Speaker, if you could direct us to the appropriate person, I'd like to ask a few questions about the auditors of public accounts and their new responsibility regarding whistleblowers, through you.

DEPUTY SPEAKER ORANGE:

This question will be directed to Representative Morin -- no? Representative Walker. Please proceed, Representative Bacchiochi.

REP. BACCHIOCHI (42nd):

Thank you, Madame Speaker. Madame Speaker, I'm unfamiliar with this part and I'd like to know more about what I believe is called the whistleblower provision that is now being switched over to the auditors of public accounts. Do the auditors of the public accounts have any current responsibilities such as this, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Walker.

REP. WALKER (93rd):

Through you, Madame Speaker, I thank the gentle lady for her question. Can you just tell me what

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section we are talking about first, through you,
Madame Speaker?

DEPUTY SPEAKER ORANGE:

Representative Bacchiochi.

REP. BACCHIOCHI (52nd):

I believe it is section 17.

DEPUTY SPEAKER ORANGE:

Representative Walker.

REP. WALKER (93th):

Through you, Madame Speaker -- just one moment.
Through you, Madame Speaker, no this is something that
is new, through you, Madame Speaker. Thank the lady
for her question.

DEPUTY SPEAKER ORANGE:

Representative Bacchiochi.

REP. BACCHIOCHI (52nd):

I'm sorry, Madame Speaker, I did not hear what
the good representative said.

DEPUTY SPEAKER ORANGE:

Representative Walker.

REP. WALKER (93th):

Through you, Madame Speaker. I thank the gentle
lady from Somers. This is something -- this is a new
process for the Board of Accountants, through you,

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Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Bacchiochi.

REP. BACCHIOCHI (52nd):

Thank you. And, I understand that previously it was handled through the Attorney General's office and I'm wondering if any new staff allocations will be necessary through the auditors, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Walker.

REP. WALKER (93th):

Through you, Madame Speaker, currently from the Attorney General's office, they felt that there was not need for any transfer of any staff at that time, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Bacchiochi.

REP. BACCHIOCHI (52nd):

Thank you. And, I see here in section 17 it talks about complaints taking priority and if complaints are not timely, will regulations be developed to give definition to these words through the auditor's office, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Walker.

REP. WALKER (93th):

Through you, Madame Speaker, I thank the gentle lady from Somers and yes, they will be forthcoming, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Bacchiochi.

REP. BACCHIOCHI (52nd):

Thank you, Madame Speaker. And, I thank the gentle woman for her answers.

DEPUTY SPEAKER ORANGE:

Will you care to remark further? Will you care to remark further? Representative LeGeyt, you have the floor, sir.

REP. LeGEYT (17th):

Thank you, Madame Speaker. Good evening.

DEPUTY SPEAKER ORANGE:

Good evening to you, sir.

REP. LeGEYT (17th):

I rise to speak about the higher Ed portion of this implementer bill and make some comments and express some concerns and perhaps ask a couple of questions. In the higher Ed portion of this bill the

whole state system of higher education is being reorganized and it's basically being done by establishing a Board of Regents for higher education, 19 members.

And, that Board of Regents is going to serve as the governing body for the Connecticut State University system, the Connecticut Community Technical Colleges and Charter Oak with some ancillary and small authority over UConn and that Board of Regents is going to replace the Boards of Trustees for those three constituent units and it eliminates the Board of Governors of higher education and also the Department of Higher Education and realigns and reorganizes those employees and those functions under the Board of Regents.

It also sets up an Office of Financial and Academic Affairs for Higher Education which has certain functions outside of the Board of Regents but also is aligned to the Board of Regents for some aspects of what it does. The Office of Financial Academic Affairs would essentially be involved with private institutions and the Board of Regents with public institutions.

There would be 19 members on the Board of Regents

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and among them in varying degrees of length of term and by a variety of people who would specify those members, there is a specialist in K12 education, an alumnus from the Community Technical Colleges, an alumnus from Charter Oak and an alumnus from the Connecticut State University system and then there's a Student Advisory Committee that's going to be formed if this becomes law and the chairperson and vice chairperson of that Student Advisory Committee would also be voting members of the Board of Regents.

In the bill itself, lines 7370 and especially lines 7375, 7376 in talking about the Board of Regents, the bill says that the Board shall reflect the state's geographic racial and ethnic diversity and I could see no reference in the way that the Board of Regents is going to be made up that would require any of that to occur, so if I might, I'd like to ask a question, through you, perhaps to the chairperson of the Higher Ed Committee.

DEPUTY SPEAKER ORANGE:

Representative Willis, please prepare yourself, Madame. Please continue Representative LeGeyt.

REP. LeGEYT (17th):

Thank you. The question would be given that that

reference is in the bill on those lines and yet it doesn't appear to be reflected in any way in the set up of the people that are supposed to be appointed from various members of the legislature and the governor, how would the chairman of the Higher Ed Committee understand that requirement that the Board shall reflect the state's geographic racial and ethnic diversity to be put forward, through you.

DEPUTY SPEAKER ORANGE:

Representative Willis.

REP. WILLIS (64th):

Thank you, very much, through you, Madame Speaker. First, thank you very much to my ranking member in the House, did a beautiful summary of the bill, saved me some time, in terms of the language, that would be really up to -- since the Governor has the majority of the appointments on the Board, to consider those factors when he's making his appointments. And, we frequently use that -- those terms when we construct other boards and commissions in Connecticut. I know when the Higher Education Committee put together legislation for the strategic plan; it used a similar language as that. Thank you, Madame Chair.

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DEPUTY SPEAKER ORANGE:

Representative LeGeyt.

REP. LeGEYT (17th):

Thank you, Madame Speaker. Further along in the bill, lines 7404 through 7406 talks about the chairperson and vice chairperson of the Student Advisory Committee who shall serve as members of the Board of Regents and I'm wondering if that was originally contemplated to be part of this bill and part of the structure of the Board of Regents or did evolve into being, after some discussion, in consideration of the fact that the faculty Advisory Committee that's also being put forward will not have any representation voting or nonvoting on the Board of Regents, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Willis.

REP. WILLIS (64th):

Through you, Madame Speaker. The student advisory council and the chair people to serve on the board was always the intent that there would be student representatives. No different that we've done in the past. University of Connecticut has student members of their Board of Trustees. The faculty

Advisory Committee was something that we added to this after meeting with many members of faculty from the different colleges who expressed their desire to have some sort of input.

Obviously as you know, since there would be a conflict they cannot be voting members so they can report in terms of policy once a year to the Board of Regents and they will report once a year to the legislature on policy. We thought that that would be a very effective way for us to get a sense of the issues that faculty -- and issues that they're grappling with at the different campuses. Thank you, Madame.

DEPUTY SPEAKER ORANGE:

Representative LeGeyt.

REP. LeGEYT (17th):

Thank you, Madame Speaker. And, moving on I'm interested in the make up of the Board of Regents from the standpoint of the control and authority that they would exert over Connecticut State University system and the Community Technical colleges, specifically.

The bill eliminates the Chancellor's positions for those two constituent units but requires the Board of Regents to appoint two vice presidents to serve as

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liaisons to the CSUS and CTC systems respectively. One of my abiding concerns about this bill and the Higher Ed reorganization has been the inequity that I fear exists and will exist if the structure is put forward as it's laid out and I'm afraid that the community colleges are going to get the short end of the stick basically and so I'm wondering by providing a vice president to be a liaison and a representative from the Board of Regents from the Connecticut State University system and one from -- for all of the community colleges, if the good chairman could comment on how that might in her mind remedy the situation that could exist about misrepresentation or lack of representation, even representation by both those constituent units, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Roberta Willis.

REP. WILLIS (64th):

Thank you very much, Madame Speaker and thank you for that question because I think it's very important to articulate that clearly was an issue that many of us in this body were concerned about and that was maintaining -- ensuring that the missions of our very different constituent units were recognized and

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continued to be strong. So, it was very important in looking at constructing this that each constituent unit that's under the Board of Regents would have a vice president under the president, the Board of Regents.

So, there will be a vice president for the CSU system, there would be a vice president for our community colleges and then Charter Oak would remain as it is now with their construct. So, again, I think the idea is that these vice presidents would be the liaisons, would be the voices, would be the -- they would provide the institutional support and be a place that the different presidents would be able to go to, to ensure that their issues were communicated to the president and to the Board of Regents. I hope that answers the gentleman's question.

DEPUTY SPEAKER ORANGE:

Representative LeGeyt.

REP. LeGEYT (17th):

·Thank you, Madame Speaker. Yes, it does but it fails to alleviate my concern regarding the disparity between the CSUS system and the community colleges respecting their access to the Board of Regents and the opportunity for authority to flow down from the

Board of Regents to those constituent units.

A vice president for the Connecticut State University system would have four institutions under his or her authority and the vice president for the community colleges would have 17 I believe, and that to me doesn't balance and I'm sure there will be situations where the community colleges individually perhaps, perhaps as a group aren't going to be able to bring the same weight to discussions by the Board of Regents or apply the same pressure to have decisions considered and made on their behalf especially when it comes to funding, budgeting, authority to manage their missions and the fact that the CSUS and community colleges are so different in respect to their mission and the people that they serve and the focus of the people who are their students, gives me pause and I'm very concerned about that and I understand that that was done to alleviate some of that concern, but I don't think it goes far enough.

Further along in the bill, lines 7435 through 7445 identifies some of the responsibilities that the president of the Board of Regents is going to have, specifically number three, number four and number five. Number three says to build interdependent

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support among the CSUS system and the community technical colleges and Charter Oak. And, that gets to the very issue that I was talking about before.

Even though that's a goal for the president, responsibility for him or her to make happen, I'm concerned that interdependent support may not be equal support and that is going to be a disproportionate benefit one way or the other. Responsibility number four says to balance central authority with institutional differentiation, autonomy and creativity. I like the sounds of that one especially when it comes to a community college's which I'm sure across our state, have a variety of creativity, autonomy and differentiation characteristics and so I'm encouraged that that's put into this statute. Number five, facilitate cooperation and synergy among CSUS, the community colleges and Charter Oak.

I wonder if the representative would comment about how she imagines that might occur considering the very diverse nature of those constituent units, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Willis.

REP. WILLIS (64th):

Thank you, Madame Speaker and through you to the gentleman. First, I want to say on the vice presidents, they are equal in stature so the community colleges and the CSU system would have an equally strong voice when it comes to presenting before the Board of Regents. Many of these qualities are -- one through five, were legislative changes that were made from in the original one and I'm pleased that you like some of the language on creativity and autonomy because that certainly meant a lot to the legislators who were working on this and institutional differentiation, those also were very important.

In terms of facilitating cooperation and synergy, you know one of the issues that we have always tried to get to is the issue of transfer and articulation between our different constituent units and that means amongst the colleges within a constituent unit and between constituent units. And, it is hoped that by having them -- those three units, the CSU system, the state university system, the community college system and Charter Oak, that we will see more cooperation and synergy on those fronts.

That is just one application that I could see that would benefit in a situation like this, through

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you.

DEPUTY SPEAKER ORANGE:

Representative LeGeyt.

REP. LeGEYT (17th):

Thank you, Madame Speaker. There is also established a transition period should this bill become law that would make it easier to make these monumental changes in the structure of higher education in Connecticut. The Board of Regents would take their authority immediately, July 1st but the Boards of Trustees for the Connecticut State University System and community technical college system would retain theirs as well as the Charter Oak, the BSAA, would retain their Boards of Trustees to facilitate the transition and I'm wondering if that was always part of the plan, if it was a hybrid of something else that was suggested early on, or how it came into being, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Willis.

REP. WILLIS (64th):

Thank you, Madame Speaker and through you, that was always part of the plan to ensure that the Board of Regents would begin it's -- to be in existence but

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clearly wouldn't be in a position to run those constituent units from day one, so it's important to this success of this reorganization that the boards continue to exist and to aid the Board of Regents in making the transition.

DEPUTY SPEAKER ORANGE:

Representative LeGeyt.

REP. LeGEYT (17th):

Thank you, Madame Speaker. Additionally, the bill establishes a higher education consolidation committee to facilitate that same transition from boards of trustees to the Board of Regents and that consolidation committee would essentially be receiving updates through the meeting and public hearing process from the Board of Regents president on the progress of the consolidation. I'm wondering if that was part of the initial plan or if it was negotiated in or was it -- is it an evolutionary thing, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Willis.

REP. WILLIS (64th):

Through you, Madame Speaker to the gentleman.
That was a legislative recommendation that we have a

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way of staying on top of what was happening and to monitor the progress and see if there needed to be any issues that needed to be ironed out, but that definitely came from this body.

DEPUTY SPEAKER ORANGE:

Representative LeGeyt.

REP. LeGEYT (17th):

Thank you, Madame Speaker. And, in that regard, I couldn't find anywhere in the language of the bill itself that the Higher Education Consolidation Committee has any authority to do anything with those updates except receive them. So, my question is, is that the case and if not, if there is some authority, I'd like the good representative to enlighten me about that, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Willis.

REP. WILLIS (64th):

Through you, Madame Speaker and to my ranking member, yes, you are correct that it does not have specific authority. Really the point was to monitor progress, see if there was problems and basically hold them accountable to making changes on the process.

DEPUTY SPEAKER ORANGE:

Representative LeGeyt.

REP. LeGEYT (17th):

Thank you, Madame Speaker. I guess I would say that hold them accountable seems to indicate that there would be some authority. I guess that's something that's going to have to play itself out. The -- as I said, it appears that the transition period would be essentially a six month process. As I looked -- and it's stated in subsequent sections of the bill, section 219, 220, 221 and -- was there any plan or any discussion around the drafting of this bill to consider that the transition period may take longer or have some flexibility to it considering that things might occur along the way, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Willis.

REP. WILLIS (64th):

Thank you, Madame Speaker. No, the date was always January 1st that the transition would be completed and in this final version it is still January 1st.

DEPUTY SPEAKER ORANGE:

Representative LeGeyt.

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REP. LeGEYT (17th):

Thank you. Under the bill many of the Board of Governor of higher Ed duties concerning UConn are not transferred to the Board of Regents and UConn is kept somewhat separate except for two specifics -- it requires that the Board of Regents assume responsibility for approving new UConn degree programs and it also requires UConn to submit a quarterly report through the Board of Regents on the expenditures of both UConn and the UConn health center operating funds.

If the representative would share some of the discussion or thinking about the legislative intent about why UConn is separate and how the discussion or process evolved so that the Board of Regents does have the authority to approve new degree programs there, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Willis.

REP. WILLIS (64th):

Thank you, Madame Speaker. Through you to my ranking member of higher education, it was from the beginning of the plan that the University of Connecticut and the health center would stay as they

are now as separate entities. The new Board of Regents will approve the public programs so for both the University of Connecticut and out state colleges and universities, the Board of Regents will do the program approval.

The private colleges and universities in the state of Connecticut will get their accreditation through this new office of Financial and Academic Affairs which is going to be administrative purposes only through the Board of Education.

DEPUTY SPEAKER ORANGE:

Representative LeGeyt.

REP. LeGEYT (17th):

Thank you, Madame Speaker. There are other things that UConn is allowed to retain for their own authority and responsibility. Was some of the feeling about leaving UConn separate due to the fact that there were concerns about one or more of the other constituent units and their governance and bureaucracy that caused this bill to focus on them to the exclusion of UConn, through you Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Willis.

REP. WILLIS (64th):

Through you, Madame Speaker. First, I want to say there also will be a governing council which will include the University of Connecticut and our state colleges and universities, so all of them will still be under an entity working together. In terms of -- for accountability purposes and programs and whatever, but in terms of the discussion about the University of Connecticut, they were never considered in part of this reorganization plan that was put forth by the Governor. So, the discussion never went really beyond that other than many of us in the legislature express concerns about that structure.

DEPUTY SPEAKER ORANGE:

Representative LeGeyt.

REP. LeGEYT (17th):

Thank you, Madame Speaker. Not to push a point, if I might ask again, was the fact that UConn was only considered marginally as far as the structure of this bill because there were concerns about the other constituent units that needed attending to and perhaps it was a feeling that UConn wasn't as needy of a restructuring of a hierarchy and therefore not felt that it was not important to have them under the Board of Regents, through you.

DEPUTY SPEAKER ORANGE:

Representative Willis.

REP. WILLIS (64th):

Through you, Madame Speaker. I really cannot address what or speak to what the motivation behind the initial decision for reorganization was.

DEPUTY SPEAKER ORANGE:

Representative LeGeyt.

REP. LeGEYT (17th):

Thank you, Madame Speaker. I appreciate that answer. I'm pleased to see that in this bill -- I'm pleased to notice that the structure for the Student Advisory Committee exists. Several of us took a trip and went to Western Connecticut State University and talked to students down there and some of those same students came to our public hearing when we put this bill up for public hearing and I can't imagine how a administrative hierarchy, a bureaucracy for higher education could legitimately function and make well thought out decisions without the influence of students who are attending those institutions, so I'm glad to see that that's in there.

The faculty Advisory Committee, seven members, three from the Connecticut State University system and

three from community technical colleges and one from Charter Oak, I understand that they can't be on the Board of Regents, especially not as voting members, but there are nonvoting members on the committee specifically from the Economic and Community Development, the Education Labor and Public Health Departments of our state, and so I imagine that those people, even though they're nonvoting, they're as compromised by virtue of being state employees as these faculty people would be.

I wonder if there was any consideration toward, or any discussion about allowing the faculties representatives to have more voice than they'd have under this bill, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Willis.

REP. WILLIS (64th):

Through you, Madame Speaker, yes, there was discussion but we felt this was a wonderful alternative to have this Advisory Committee. It previously had existed but has never been utilized to its full potential, so I think in essence we've not only put the faculty in a more formal position and more formal with us because now they will report to

the legislature as well.

DEPUTY SPEAKER ORANGE:

Representative LeGeyt.

REP. LeGEYT (17th):

Thank you, Madame Speaker. And, I thank the representative for that answer. Now I'd like to ask a couple of questions about the higher education coordinating council which is going to be put in place and essentially the intent is for them to develop accountability measures for each of the constituent units and their criteria that they're to follow in developing those accountability measures.

And, it says in my notes here that those measures are to be used to assess each public institutions progress toward meeting certain goals. I didn't find that either those measures or those goals were spelled out in the language of the bill, so I would ask if I could be educated about that, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Willis.

REP. WILLIS (64th):

Yes, thank you very much. Thank you for asking that question, representative. As you know, the

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strategic plan was originally part of this proposal that was put forth by the Governor in his initial legislation before us. And, the Higher Education and Employment Advancement Committee had already constructed and proposed a strategic plan bill so it is our hope that the strategic plan when it's formalized will set those benchmarks and goals and what are the missions that we hope our colleges and universities achieve and again, the thing that is important here to not only are we going to have an accountability coming from the coordinating council, but we will also have as a result of this strategic planning board which is not in this legislation is in a separate higher ed bill, but we will have oversight there in terms of those goals and some of the things that we were concerned about. So, I think the strength of that will come from the other legislation.

DEPUTY SPEAKER ORANGE:

Representative LeGeyt.

REP. LeGEYT (17th):

Thank you, Madame Speaker. Now I'd like to speak about the Office of Financial and Academic Affairs for Higher Education. I'm sure that with a name that long the acronym will quickly bubble up to the surface and

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we'll be calling it by some other shortened version if this bill becomes law. But, my question is in my notes it says that this office will be within the Board of Regents for administrative purposes only.

I'm wondering if the chairman of the Higher Ed Committee could explain what administrative purposes only means and how it -- what it limits the Board of Regents to have authority for over this office and what's included. Thank you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Willis.

REP. WILLIS (64th):

Thank you, Madame Chair and through you to my ranking member on higher education. As you know, from the beginning the legislature, members of our committee were very concerned about some of the responsibilities that the present department of higher ed now is responsible for and that's program approval, accreditation, overseeing many financial aid programs both through the private colleges and universities and our state universities as well.

And, we felt that there was an inherent conflict between that program approval and accreditation if this new board of Regents was really overseeing the

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publics but at the same time having to make decisions about potentially competing programs from other schools in the State of Connecticut that would be applying to them for approval. So, it was very important that somehow we came up with some sort of separate entity, not to keep the Department of Higher Ed in existence, but to set up a smaller office and this was basically what we arrived at as a way to ensure that there was that impartiality that would exist with an office such as this between public schools and our private SCHOOLS.

DEPUTY SPEAKER ORANGE:

Representative LeGeyt.

REP. LeGEYT (17th):

Thank you, Madame Speaker. I think I'll end my questions there and make a comment. I appreciate all the answers that I've received today and I've expressed my concerns about this bill. I think that it -- there are so many ways in which the functions and authorities of these various constituent units are being broken out and transferred between one board and another and the elimination of Boards of Trustees and the grouping together of the constituent units even though they have very different missions and serve

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very different clienteles, I'm very concerned that this bill is not going to result in any of the benefits that are hoped for or expected and at a time when it appears that there's no financial savings for doing this as well, I have to put myself on the record as not being supportive of this part of the bill and will be voting against it. Thank you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Thank you, sir. Will you care to remark further on the bill? Representative Pamela Sawyer.

REP. SAWYER (55th):

Thank you, Madame Speaker. In the higher Ed section of this particular bill, it came from the Governor's office and didn't come from the Higher Ed Committee and I can tell you that it did not have a whole lot of republican input. That's I think right up front. So, having said that let me talk about some of the smaller pieces to the larger pieces that are the things that give us the most concern from an educational point of view.

So, we heard just a little while ago that there's going to be voting members on the Board of Regents that are going to be students. How great is that? And, because the Board of Regents is CSU system, the

four colleges there and all of the community colleges as well as our on-line college, they're going to have a student from the -- a CSU student, and they're going to have a student from the community college, two year members.

How does that work for the community college? If most students are there for two years, if it's a two year program and you're going to have a brand new freshman who hasn't even started college become a two year member not only coming from the Student Advisory Committee but going onto the Board of Regents and being a voting member? That's a little odd. A brand new student being a voting member on the Board of Regents. It could happen.

So, you look a little bit further into the bill and you look at some of the other question marks that are there, we're going to take one agency and we're going to dissolve it and we're going to create a new one. The OFAAHE - which is going to be very hard to see on a regular basis. We're creating a whole new agency and that new agency, you know I can certainly agree with some of the functions that they're going to have but they're already in place.

Let's take an example of something that's going

to be coming up and happening -- OFAAHE, the Office of Fiscal and Academic Affairs of Higher Education -- they're going to have oversight of the private occupational schools. But, oh by the way, the licensing of those same schools, those could be the technical schools that are for profit that are out there -- what we're going to find is that the licensing is going to be in the State Department of Education.

Well, that just makes now a much more complicated process for those schools where before they fell under the Department of Higher Education, they now will bounce back and forth between agencies. Not more efficient, ladies and gentlemen. If you look at the creating of this Board of Regents and it puts those two types of schools together, all the community colleges, the CSU system, the four colleges there, UConn's over here until UConn wants to do something and UConn wants to change a program so now UConn has to swing over to the new Board of Regents and get permission.

Well, they don't fall under them. Not very efficient. They're questions about how will the tuition increases happen, how will that work now?

It's not going to change from what we understand. The block grants, they're going to go out the way they did before, that's not going to change. The good chairwoman of the Higher Education Committee did talk about the need for a coordinating council. No question about it. And, then she mentioned the strategic planning that needs to be done. No question about it. But, what are we doing? We're going to do strategic planning after we put all this in place? Then what do you need the strategic planning for?

We have a backwards situation going on here. We're not doing the strategic planning first; we're going to do it second. We're going to take an existing agency, we're going to break it apart and we're going to create a new entity, a new bureaucratic entity. Then we're going on the other side with the colleges, we're going to mush all these colleges together and create a new bureaucratic entity.

Oh, by the way but we haven't done the strategic planning. Backwards, absolutely backwards. And, let's talk about sort of the biggest nut here because the title of this bill is AN ACT IMPLEMENTING PROVISIONS OF THE BUDGET CONCERNING GENERAL GOVERNMENT. Well, I don't think of higher education

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as being general government, but I'll leave that lie. Let's talk about the budget part. In the worst economic times, ladies and gentlemen, you can look at that fiscal note and that change in that fiscal note is the 27th payroll.

There is not the savings that we were told was going to be here. There is not the four million dollars in savings, it is not here. There is not the extra professors that we were told were going to be put into place. That money was not put back into the colleges, no siree, it was not. It is not there. We have a fantastic, fantastic higher education system and this state is the envy of much of the world but I can tell you right now, that putting all these changes in place with not strategic planning first, is backwards. I will not be supporting this bill. Thank you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Thank you, Madame. Will you care to remark further? Representative Tony Hwang, you have the floor sir. No? Okay. Will you care to remark further? Will you care to remark further?

Representative O'Neill is not sitting at his desk, so we will go to Representative Cadelora for the second

time.

REP. CANDELORA (86th):

Thank you, Madame Speaker. Madame Speaker, earlier I had some concerns about the GAP principles and in particular how it related to the section 1406 because what we're doing here today is we're trying to make ourselves be more fiscally responsible. We're trying to account for our liabilities, our expenditures better and we're trying to account for our revenues.

But, what we've done here today is in the definition of expenditure we're trying to capture those unfunded liabilities but then later on in the bill in sections 1406 through 1408, what we're doing is we're going to be allowing the comptroller to pay any bill at any time regardless of when it was budgeted. So, historically the way our budget functions is that we have a biennium as you all know, and the comptroller pays the bills in accordance with that biennium.

And, this provision of our statute requires that the comptroller may a payment on the bills by the end of the fiscal year and those payments however can be no more than one month later. So, if a budge year

closes on June 30th, the comptroller has to close the books by July 31st and any obligations that are supposed to be paid in that previous fiscal year need to be paid within that month. And, what we're doing here today under this bill is we're deleting the requirements. So, we're attempting to delete the brackets for the period of one month. So, we're saying is the comptroller can just make any payment at any time they want on any previous expenditure.

So, our fiscal years aren't going to be closing anymore. So, when the budget year ends, if we have obligations that we have budgeted, the comptroller is under no obligation to make those payments and those payments can occur 12 months from now, 13 months from now, 14 months from now and I really don't think that's what we intend to do. I think the GAP piece is helpful to move forward, but then we're sort of getting into the territories of opening up the can of worms to allow the comptroller to freely write checks whenever they please.

So, on one hand we're doing a good thing and on the other hand I think we're making a mistake. So, with that, Madame Chair, the clerk is in possession of LCO 7895 and I ask that it be called and I be allowed

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to summarize.

DEPUTY SPEAKER ORANGE:

Will the Clerk please call LCO 7895 to be designated as House Amendment Schedule A.

THE CLERK:

LCO 7895, House A offered by Representatives Miner and Candelora.

DEPUTY SPEAKER ORANGE:

The Representative seeks leave of the chamber to summarize, is there objection? Is there objection? Seeing none, Representative Candelora.

REP. CANDELORA (86th):

Thank you, Madame Speaker. Madame Speaker, what this amendment does is it deletes the brackets in lines 1406 and 1407 which would maintain our current law that would require the comptroller to pay the bills by the end of the fiscal year and extending it into one month of the next fiscal year and I would move adoption.

DEPUTY SPEAKER ORANGE:

The question before the chamber is on adoption. Will you care to remark further? Representative Candelora.

REP. CANDELORA (86th):

Thank you, Madame Speaker. Madame Speaker, as I just had said earlier, I'm really concerned with this particular provision and what we're doing here today. It seems like a very minor change when you were looking at deleting the language of one month, but it isn't minor, it's significant. We go through great pains to produce a budget certainly and when we craft that budget it is put into the lap of the executive branch to execute the policies that we require.

And, what we're doing here potentially is taking away the authority that we have as a legislature in crafting this budget because when we create the biennium we're opening up the flexibility for the comptroller to pay the bills at any point in time. So, certainly we have the revenues that are accounted for on the books and we would have our expenditures accounted for on paper, but we're actually then eliminating the requirement of when the comptroller cuts the checks.

And, to me there's just two problems with that. One, it's sort of becomes a little bit sloppy for us to be able to maintain when our bills need to be paid. But, number two, one of the areas that I've always been concerned with is our cash flow and what impact

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that would have on our cash flow. Because certainly as we saw in the last biennium we were slipping into some dangerous areas where our cash flow was dropping. And, there are times when the treasurers office in conjunction with the Governor would be allowed to borrow money to maintain that cash flow on a temporary basis and that borrowing occurs without any control of the legislature and if we delete this language from statute, now we have a third party in the executive branch that could also manipulate cash flow.

So, the comptroller if we're getting into bad fiscal times doesn't necessarily have to cut the checks and doesn't necessarily have to close the books. To me, coupled with the ability of the treasurer to then go out and temporarily borrow with having no requirement of letting the legislature know, I think we're setting ourselves up for a recipe for disaster.

And, many people in this chamber may not have ever realized that two years ago the treasurer under the authority of the Governor went out and borrowed 600 million dollars for cash flow purposes and that never went before this chamber, we never approved it. So, now what could happen is if this bill passes as

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is, the comptroller would have the ability to cut checks or to hold checks and again, manipulate that. So, I think this is an important change and important policy that we're making here and I don't think it belongs in this bill and that's why I would support this amendment. Thank you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Thank you. Will you care to remark on Amendment A? Will you care to remark on Amendment A? If you would like to remark on Amendment A we have Representative Gibbons, Hetherington, Miner -- Representative Craig Miner of the 66th, good evening, sir.

REP. MINER (66th):

Good evening, Madame Speaker. Madame Speaker it was during the questions that Representative Candelora was asking earlier that it seemed to me that this was actually a step away from the principles of GAP and I'm not an accountant so I'm sure someone could correct me, but it seems to me that the way that the legislature had previously crafted this language, it allowed agencies to encumber funds in an effort to appropriate something -- I'll use DLT as an example, that someone would actually make a determination that

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they need to set aside dollars in June for something and the 30 day window contemplated that there may be a point in time where it doesn't get here by the end of the fiscal year or a point in time where the paperwork doesn't clear by the end of the fiscal year.

But, by removing those brackets, Madame Speaker, what occurs to me is that someone within an agency could make a determination that they want to buy something, obligate the state to something and that requisition would have a whole year to clear. So, in theory if the Department of Transportation wanted to order snow plow blades and they had a surplus in their steel account in June, you could theoretically do that.

So, in the year 2010 you could order them and then clear the requisition in December or January and I think under the budget that's before us, House Bill 6651, the implementer bill, that's exactly what this contemplates. So, I'm remembering a conversation that we had in the Appropriations Committee and how concerned members of the committee were about the separation of power that the legislative branch had a duty to make a determination on a budget and that the Executive Committee had an obligation to live within

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those parameters and it seems to me that by opening that last 30 days up to a full 365 days when there was an expenditure, an appropriation incurred that exceeded that 30 day window, theoretically money that would have fallen into the surplus account by the first of September, now might now be liquidated until June of the following year.

And, so all of the decisions that the legislature makes during this monthly about what we can afford and what we can't afford, what programs the Appropriations Committee after public hearing and deliberations on the dollars we have to spend, felt that we had to not do this year, actually were set aside maybe for in favor of some other issues which may have been more money than we really thought they needed or should have had. But, in this case if we had left them up to that 30 day window, Madame Speaker, I think the reality is that we would have found out whether there were surpluses in those agencies.

And, then for all the issues that have been discussed here earlier today, we would have found out if we had a \$150,000 or \$450,000 to do something else with. But with this little change of putting those two brackets on those words does, is it opens it up

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once again to the executive branch through the Commissioners to make decisions, to make expenditures in subsequent fiscal years assigned to let's say 2010 or 2012 in 2011. And, so, that's why I think the amendment, while it's really pretty simple and many people may just dismiss it as problematic, really is in keeping with the Governor's statements very early on in this legislative process which was that we need to develop a budget structure that comports to GAP. We need to be up front with the public about what we're asking for from the standpoint of expenditure and taxation and live within those parameters. Balance our budget, take care of all of our expenditures, don't leave things to run unnoticed year after year and what I think this is going to do between allowing the comptroller to reserve the money and the treasurer to pay for it later, is really up a can of worms that appears to me we had a lid on prior to these brackets being put on here.

So, I would ask the chamber to look at that series of lines and see if you don't come to the same conclusion. It's not a crazy idea that we remove those brackets, all it does is it's going to allow the executive branch to operate the way we intend this

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budget to be which is the way we vote on it. Thank you, Madame Speaker and I would ask that when the vote be taken, it be taken by role call, Madame Speaker, please.

DEPUTY SPEAKER ORANGE:

Thank you, sir. The question before the chamber is when the vote be taken it be taken by roll call. All those in favor please signify by saying aye.

HOUSE:

Aye.

DEPUTY SPEAKER ORANGE:

The 20 percent threshold has been met. When the vote is taken it will be taken by roll call. Will you care to remark further on the Amendment?

Representative Reynolds.

REP. REYNOLDS (42nd):

Thank you, Madame Speaker. I appreciate the Amendment and the spirit in which it is offered. Our interpretation of GAP simply requires that revenues are recognized when they are measureable and available to finance the expenditures in question. However, GASBY does allow in unique circumstances for this to occur as we have proposed it.

For example, if there are taxes on sale of goods

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by a vendor that occur in June but are actually collected by the state in July, that's an example in which there is a tail or a leg that is allowed under GASBY to occur. Same on the expenditures side -- the transaction under GAP would be counted at the time it creates a demand on your current financial resources. So, as an example, if an agency received a computer in June, but paid for it in July, under GAP that would be assigned to the fiscal year in which the computer was received.

So, those are just examples of both expenditure and revenue in which this tail or leg is allowed under GASBY. So, I would urge -- so, we're convinced that the language offered here is in compliance with GAP and would urge rejection of the amendment. Thank you.
DEPUTY SPEAKER ORANGE:

Thank you, Representative Reynolds. Will you care to remark further on the Amendment? On the Amendment? If not, staff and guests please come to the well of the House. Members take your seats. The machine will be open.

THE CLERK:

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

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House Amendment Schedule A by roll call. Members to the chamber please.

DEPUTY SPEAKER ORANGE:

Have all members voted? Have all members voted? If all members voted the machine will be locked and the Clerk will take a tally. Will the Clerk please announce the tally?

THE CLERK:

House Bill 6651, House Amendment A.

Total number voting	142
Necessary for adoption	72
Those voting Yea	51
Those voting Nay	91
Those absent and not voting	9

DEPUTY SPEAKER ORANGE:

The Amendment fails. Will you care to remark further on the bill before us? Will you care to remark further on the bill before us? Representative Gibbons, you have the floor, Madame.

REP. GIBBONS (150th):

Thank you, Madame Speaker. I've got two comments on human services portions of the bill. One, I'd like to address to somebody who would like to answer my questions on sections 1A and the other is just a

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general comment. Is there somebody who could talk about eyeglasses and Medicaid, please?

DEPUTY SPEAKER ORANGE:

I think we can direct our question to Representative Walker.

REP. GIBBONS (150th):

Thank you. I'm so dazzled by the sun coming through our chamber that I'm not sure what I'm saying, but I'll try. Section 1A has to do with eyeglasses and it says that in the budget, the Governor's budget, there was a section that said you cannot have a second pair of eyeglasses if you're under Medicaid within a two year period.

This is a fix or a change to that, that says if a doctor says the eyeglasses are medically necessary, then someone could have a second pair of glasses. I believe the fiscal note on the original budget bill was for \$825,000 worth of savings in FY12 and \$950,000 of savings in FY13. Since this is certainly going to add cost to the eyeglass portion of the budget, can Representative Walker please tell me what would be the cost implemented. Thank you, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

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Representative Toni Walker.

REP. WALKER (93rd):

Yes, through you, Madame Speaker, I thank the gentle lady from Old Greenwich for her question. The actual cost was approximately half of what we had estimated if we had not added the change in that, through you, Madame Speaker.

DSPO:

Representative Gibbons.

REP. GIBBONS (150th):

Thank you, Madame Speaker. Again, through you, can the Representative please tell me how we are going to pay for this cost since the budget was balanced that was passed by this chamber earlier this past month, through you, Madame Speaker.

DSPO:

Representative Walker.

REP. WALKER (93th):

Thank you, Madame Speaker. We have some additional items that are going to be changed in the implementer that will come Thursday that are going to be addressing actual budget items and that is where the adjustment will be made because we had some items that were taken out of the budget that gave us a gap.

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DSPO:

Representative Lile Gibbons.

REP. GIBBONS (150th):

Thank you, Madame Speaker. And, I thank the Representative for her answer. The second comments that I have are really just a comment on part -- one section of the bill. You know, we've all heard the adage that you don't want to know how your sausages and your laws are made because it might not be quite to your liking, and certainly there's a section of this implementer that is not at all quite to my liking.

Section -- Line -- let me see if I can find it, 10872 of this bill before us, section 305 deletes section 164 of SB1240 which is the public health and human services implementer passed by this chamber last week and I want this section deleted, in fact I asked several of my colleagues on the other side of the aisle to help me to see if something could be done, so that this section would be taken out.

I never wanted it in SB1240 in the first place and luckily a lot of people are in agreement. What this regulation says is that children under six or children who have a sibling under six cannot be placed

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in an institution called congregate care. I've been working on this for two years to assure this wouldn't happen with members of the Kids Committee, with Human Services Committee, with DCF with the agency of congregate care within my district and I thought that we had all come to an understanding of how children under six could be properly taken care of with or without congregate care.

Kids in Crisis -- it's a safe-home agency in my district that houses children on a temporary basis aged infant to 18. In fact, it is the only agency in the state that is licensed to take care of newborns. Last year one of the child protection agencies -- and I think through a very good intent -- believed that children under six should not be placed in congregate care.

There are some children at DCF who have been languishing in congregate care for 100 days. This is totally something that should not happen. There's no child under six should be in congregate care for that length of time. The reality of the situation is though, there are not enough foster homes in the state to take care of young children. Many of these children come, are taken from their homes, their

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regular homes by DCF and they have severe emotional or physical needs and the question is what to do with these children especially at two in the morning.

A couple of the variations of this bill said that the only way these children could be placed anyplace was through a court order. Well, try finding a judge at two a.m. who both understands the situation and understands what we should be doing with these children. We managed to get an amendment to a kid's bill to feed it last spring, or not even called that was going to disallow on a black and white basis children under six placed in congregate care.

Over this past winter, Kids in Crisis, the executive director and I invited Commissioner Katz to come down to Cos Cob to visit the agency and see what it was all about and I believe she was very much in agreement that Kids in Crisis was a unique place, that children there were placed in a really much of a family setting, that they got the health care that they needed -- I think that's another issue that with these children who are taken and placed into foster care, they have to go through the regular medical services of foster care doctors or through Medicaid doctors and it could take six weeks or longer for them

to get a thorough medical evaluation.

Kids in Crisis is one of the -- it might be the only agency in the state, it's certainly if not the only, it's one of a very few that has full time professional health care on site and these children are immediately evaluated. Through lots of discussions I thought that we had ended up with a way that was going to satisfy everybody -- that children could be placed in congregate care under the auspices of the Commissioner on a temporary basis if she felt that was the best setting for them.

If the child was still in this congregate care in 30 days, then the Commissioner would have to go back to the courts and figure out where the child should be best placed and how and for how long. Then to my astonishment last week in reading the human services implementer, I found out that this section got put back into the implementer and it said that no child under the age of six and no child with a sibling under the age of six could be put back into congregate care. We were back to square one.

I immediately went to all my colleagues on the other side of the aisle and they were very understanding. They understood the issue; they all

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agreed that there was a problem, this was both in the House and the Senate and not one of them understood how that section got put in the implementer. So, I don't know either but it did get put in the implementer.

So, the question is what to do about it so that we can help the children, help DCF and make a fix that wasn't going to be quite so black and white. And, I have to thank Representative Walker because she thoroughly understood it and said, Lile, I cannot fix it in this bill but I will fix it in the fix it bill and she has stood by her word.

So, the fix is in this implementer and what it does is it removes section -- the section of the implementer from last week -- I'm getting all my implementer's mixed up -- so that we will still have time over the next year or two to work out a way that children under six are not automatically placed in congregate care but are not automatically not placed in congregate care.

The process should be that these bills should be brought out or this policy should be brought out in either the Kids Committee or in the Human Services Committee. We should have a public hearing. Agencies

like Kids in Crisis should be allowed to come up here and testify and say why they really believe that some of these children are better off in their agency. And, why other people could refute it and why some of the child protection agencies could come up and say, I'm sorry this doesn't work, no child should be in a congregate care.

I happen to not believe that because I think the Kids in Crisis is a unique placement; it is a wonderful home for some of these children on a temporary basis. I feel very badly that because I did not vote for the budget and this section is in a budget implementer, that most likely I cannot vote for the fix that I so dearly ask my colleagues to put into this implementer.

I think that there is a better way of doing business, ladies and gentlemen. I think that we should make our sausages a little cleaner, as we should make our laws a little cleaner. We shouldn't be taking implementers for things that some of us legislators have worked on very hard and put them all into a general fix it. I wish that this could have been something attached to a bill that I'm readily going to support rather than put in this bill here

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today. Thank you very much, ladies and gentlemen.

DSPO:

Thank you, Representative Gibbons. Will you care to remark further? Representative Hetherington.

REP. HETHERINGTON (125th):

Thank you, Madame Speaker. Good evening and I have a question to the proponent if I may and that is looking at the text of the bill, it appears that we have in this bill a repeat of the same language that we had in the earlier bill that we considered today, House Bill 6650.

This bill in section 31, pardon me, 51, going forward beginning at line 1450, appears to trace the same language as we adopted earlier today. Is that correct, through you, Madame Speaker, is it the identical language that we passed in the earlier implementer today, though you, Mr. Speaker, I'm sorry, you changed speaker up there.

(Deputy Speaker Ryan in the chair)

DEPUTY SPEAKER RYAN:

I'm just glad you noticed the difference.

REP. HETHERINGTON (125th):

Yes, okay. Thank you.

DEPUTY SPEAKER RYAN:

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Representative Walker.

REP. WALKER (93rd):

Thank you, Mr. Speaker and I thank the good gentleman for his question from New Canaan. And, I'm glad to see that he is very clearly observed both the language in both bills. Yes, that is identically the same language we had in the other bill. I guess we were sort of as they say, hedging our bets, we wanted to make sure that the language was addressed today because we had a very strong promise to the Mothers Against Drunk Driving through the advocacy of Representative Reynolds and some of the things that he's been doing, so that is the reason why you see it in the previous bill and in this bill, through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Hetherington.

REP. HETHERINGTON (125th):

Thank you. Through you, Mr. Speaker, so it doesn't impact the earlier language adopted at all, it's just sort of readopts it, affirms it, whatever, through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Walker.

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REP. WALKER (93th):

Thank you, Mr. Speaker. Again, I thank the gentleman for his question. That is correct. It is totally identical so yes, we reaffirmed the interlock, through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Hetherington.

REP. HETHERINGTON (125th):

Thank you, Mr. Speaker and I thank the gentle lady. I have an Amendment; it is LCO 7809 which the Clerk has in his possession. I ask that it be called and that I be allowed to summarize, through you, Mr. Speaker, thank you.

DEPUTY SPEAKER RYAN:

Will the Clerk please call LCO 7809 which will be designated House Amendment Schedule B.

THE CLERK:

LCO 7809 House to be offered by Representative Hetherington.

DEPUTY SPEAKER RYAN:

The Representative seeks leave of the chamber to summarize the Amendment. Is there objection summarization? Is there objection? Hearing none, Representative Hetherington you can summarize.

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REP. HETHERINGTON (125th):

Thank you, Mr. Speaker. This Amendment is to address the implementer concerning the citizen's election program and it deals with lines 10275 to 10277 and what it says in effect, well it says actually is that campaign of a candidate may continue to hold a surplus until the audit is completed. I think that may be the intent of the language that is here now, but this makes it clear that the time certain for the disposition of campaign surplus funds will not run out while the campaign is still being audited. I move adoption and I ask that when the vote is taken, it be taken by roll call. Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Question before the chamber is adoption of House Amendment Schedule B. The proponent of the Amendment has also asked for a roll call vote. All those who wish to have a roll call signify by saying aye.

HOUSE:

Aye.

DEPUTY SPEAKER RYAN:

The 20 percent has been reached. When the vote is taken it will be taken by roll. Will you remark

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further on the Amendment?

REP. HETHERINGTON (125th):

Thank you, Mr. Speaker. I think that this in everyone's interest to make sure that funds to satisfy an audit are available so long as there is an audit pending and it would appear that the legislation as drafted anticipates the use of those funds for this purpose but the problem or the question is still there that the time for extending the period in which to dispose of surplus funds might run out before the audit is completed. Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Thank you, Representative. Will you remark further on the Amendment? Will you remark further on the Amendment? Would you signify to me if you're remarking on the Amendment because I do have a list of names of people who wanted to speak on the bill? Representative Morin.

REP. MORIN (28th):

Good evening, Mr. Speaker. Thank you very much. And, I appreciate the spirit of the Amendment from the fine gentleman. I don't feel that it would certainly be wise to vote for this at this point. The people that are in this position already will be getting at

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least one month to get going from the notice of the audit and it certainly gives them ample time so again, I would urge my colleagues to vote no on this.

DEPUTY SPEAKER RYAN:

Thank you, Representative. Is there anyone else who would like to remark on the Amendment before us? Remark on the Amendment before us? If not, will the staff and guests please come to the

THE CLERK:

The House of Representatives is voting by roll call. Members to the chamber. The House is taking a roll call vote. Members to the chamber please.

DEPUTY SPEAKER RYAN:

Have all members voted? Have all members voted? Will the members please check the board to determine if your vote is properly cast. If all members have voted the machine will be locked and the Clerk will take a tally. Will the Clerk please announce the tally?

THE CLERK:

House Amendment B on House Bill 6651.

Total number voting	143
Necessary for adoption	72
Those voting Yea	51

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Those voting Nay 92

Those absent and not voting 8

DEPUTY SPEAKER RYAN:

The Amendment fails. Will you remark further on the bill? Representative Hetherington.

Representative Hetherington can you push your button, please?

REP. HETHERINGTON (125th):

I'm obviously disappointed the Amendment failed. I thought that it was beneficial to everyone. However, that is the conclusion and I'll have to consider the fact in deciding whether to vote for the bill, the fact that we've left a landmine in the bill for candidates in the future. Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Thank you, Representative. Representative Hwang of the 134th.

REP. HWANG (134th):

Thank you, Mr. Speaker. The Clerk has an Amendment. It is LCO finally, 7825. Would you please ask the Clerk to call it and I be allowed to summarize, sir?

DEPUTY SPEAKER RYAN:

Will the Clerk please call LCO 7825 which will be

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designated House Amendment Schedule C.

THE CLERK:

LCO 7825, House C offered by Representative
Hwang, Hetherington, Floren and Labriola.

DEPUTY SPEAKER RYAN:

The Representative seeks leave of the chamber to summarize the Amendment. Is there objection to summarization? Is there objection? Hearing none, Representative Hwang you may proceed with your summarization.

REP. HWANG (134th):

Thank you, Mr. Speaker. The underlying bill addresses campaign financing and this Amendment proposes a four year delay to the implementation of the cost of living adjustment, increase the campaign grants to candidates that are participating in the citizens elections program and also as a result return the campaign grant amount back to it's original dollar amount in 2008 when the citizens elections program started. And, I move adoption of this Amendment, sir.

DEPUTY SPEAKER RYAN:

Question before the chamber is adoption of House Amendment Schedule C. Will you remark on the Amendment? Representative Hwang.

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REP. HWANG (134th):

Thank you. And, I ask that when this vote is taken it be taken by roll call, sir.

DEPUTY SPEAKER RYAN:

The proponent of the Amendment has asked that when the vote is taken, it be taken by role. All in favor in having the vote taken by roll call signify by saying aye.

HOUSE:

Aye.

DEPUTY SPEAKER RYAN:

That time, I'm sure it was 20 percent was reached, so when the vote is taken it will be taken by role. Will you remark further on the Amendment before us? Representative Hwang.

REP. HWANG (134th):

Yes, thank you, Mr. Speaker. We've talked much about shared sacrifice in this building and I respect that portions of our governmental spending was properly allocated to protect the safety net of critical social services and ensuring that municipal aid and educational aid was properly allocated. The citizens of this state bear the brunt of this sacrifice.

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I feel their pain and the physical impact is wide spread. But, you know what? Do you know who didn't really suffer? And, I will reiterate that government and the political campaign process did not sacrifice. In fact campaigns were given grant increases in this implementer. Political candidates were given more taxpayer money to run political campaigns. Political campaign candidates will receive increases in their CEP grant in accordance with the consumer price index as published by the US Department of Labor, candidates will actually receive taxpayer supported monetary increases even when the federal government has decided to freeze the social security cost of living index for our seniors and retirees.

Where is that share sacrifice? I applaud my GAE, Government Administrations and Elections colleagues who recognized the importance of campaign finance reform and unanimously joint favorably passed a similar campaign reform bill out of our committee. A bill that contained provisions suggested by this Amendment and I urge your support to this amendment to send a message that we, as legislators in this chamber, value and practice the message of shared sacrifice with our constituents. Thank you, sir.

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DEPUTY SPEAKER RYAN:

Thank you, Representative. Representative Morin of the 28th.

REP. MORIN (28th):

Thank you, Mr. Speaker. Through you, I'm going to ask and urge my colleagues across both aisles to reject this Amendment. I believe that this Amendment was -- this program was put in place not -- the message that's going to be sent is we like and we want and we demand that campaigns are clean, that campaigns have integrity, and I believe the people of Connecticut understand that and I believe the people of Connecticut want and desire that to continue and with this Amendment it will make it more difficult to run good races, it may discourage people from utilizing this program which is a model in the country and you know, when this language was put here and kept in place with the intent to keep these races not only competitive, but keep them above board and give people faith that we were doing the right thing and that there was no special interest involved.

You know, things keep going on. It was mentioned the CIP, everything's going up when you're running a campaign, whether it's the signs or your ads through

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media or radio, in the print, everything goes up and we want to continue to allow our candidates to run good races and clean races, so again, I urge rejection. Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Thank you, sir. Would you care to remark further on the Amendment and once again I'd ask you to signal me? Representative Labriola.

REP. LABRIOLA (131st):

Thank you, Mr. Speaker. I rise in support of the Amendment and I thank ranking member Representative Hwang for bringing it out. It makes perfect sense that we impose a moratorium on the COLA for four years for the citizen's election program. I have been a consistent and strong opponent of the citizen's election program at all. I don't think that we should spend taxpayer money on political campaigns. Philosophically opposed to that idea in general.

And, none other than one of our founding fathers, Thomas Jefferson, was a strong fierce opponent of taxpayer funding for political campaigns. I certainly don't think we should have taxpayer funding for political campaigns this year in the midst of a budget crisis. So, not only is it a bad idea, but it's

really a bad idea this year. And, if anything at the absolute minimum, we should at least not increase the grants in this taxpayer funded citizens election program.

So, because I don't believe in the program at all or that taxpayers should be funding political campaigns at all and certainly not this year, I definitely don't think we should be increasing the grants not this year, not at all and so for all those reasons I urge my colleagues to support the Amendment. Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Thank you, Representative. Representative Alberts of the 50th.

REP. ALBERTS (50th):

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

DEPUTY SPEAKER RYAN:

Please proceed, sir.

REP. ALBERTS (50th):

Thank you, Mr. Speaker. Looking at lines nine through 10 of the Amendment, the dollar reference here is \$1.25 million dollars as I understand it that a qualified candidate committee of a major party

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candidate who is facing a primary would be eligible to receive, is that not correct, through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Hwang.

REP. HWANG (134th):

Yes, sir, through you, Mr. Speaker, yes.

DEPUTY SPEAKER RYAN:

Thank you. Representative Alberts.

REP. ALBERTS (50th):

Thank you, Mr. Speaker. And, what you're proposing here in this Amendment is no decrease in the amount of money which someone would be eligible today to receive. What you're proposing as I understand it, is no adjustment for inflation, is that not correct, through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Hwang.

REP. HWANG (134th):

Through you, Mr. Speaker, yes, sir.

DEPUTY SPEAKER RYAN:

Representative Alberts.

REP. ALBERTS (50th):

Thank you, Mr. Speaker. And, continuing on to

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pages -- to lines 17 through 18 there's reference to the general election campaign for a qualified candidate committee for the office of Governor and the figure of \$6 million. So, am I to understand that in today's world we provide \$6 million dollars through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Hwang.

REP. HWANG (134th):

Through you, Mr. Speaker, yes, sir.

DEPUTY SPEAKER RYAN:

Representative Alberts.

REP. ALBERTS (50th):

Thank you, Mr. Speaker. And, I believe what you're proposing is that not a decrease in this dollar amount, you're just proposing that we don't adjust this potentially higher for four more years, is that not correct, through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Hwang.

REP. HWANG (134th):

Through you, Mr. Speaker, yes, sir and I would offer that \$6 million dollars is enough to run a decent campaign, through you, Mr. Speaker.

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DEPUTY SPEAKER RYAN:

Representative Alberts.

REP. ALBERTS (50th):

Thank you, Mr. Speaker. I thank the gentleman for his responses. I would heartily agree with him that there is nothing in this Amendment which would lower the dollar amounts of support that the state would provide. What we're basically doing and what the honorable ranking member of GAE is proposing is that we don't make adjustments upward in these dollar amounts for four years and I know it may be quite a struggle but I would hope gubernatorial candidates could somehow make due with \$6 million dollars for their general campaign. Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Thank you, Representative. Representative Shaban.

REP. SHABAN (135th):

Thank you, Mr. Speaker. I rise in support of the Amendment. The good gentleman who opposes the Amendment mentions that our public -- our citizens and our constituents want clean elections. Well, of course they do. I mean, I don't think anyone questions that but I think clean elections can be

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affected by reporting as opposed to more funding. I'm not sure anyone in this entire chamber had a constituent call them and say, hey you know what, let's make sure you have a little more money next time you run for office.

I know I certainly didn't get that call and if I had, I'd say, no, I'd disagree with that for the same reasons the good gentleman on my left, Mr. Labriola said. Funding of public elections is problematic for all the reasons you've heard so at a minimum I think this chamber should send a message to our constituents that we're listening. We're not going to spend your money to put our fannies back in these seats because that's the wrong way to do it. Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Would you remark further on the Amendment? Again, would you signal to me if you want to remark on the Amendment. Representative Betts.

REP. BETTS (78th):

Thank you, Mr. Speaker. Very briefly, I rise to also support this Amendment. One of the reasons I do it is I have a lot of constituents that have not had a raise or a COLA raise in their jobs for many, many

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years and I find it very hard to support having a COLA raise for political campaign when they're looking for jobs and not able to get raises themselves. So, in all good conscious, I can't possibly support the COLA given the circumstances that each of our taxpayers are facing and that's the reason I'll be supporting this Amendment. Thank you very much.

DEPUTY SPEAKER RYAN:

Thank you, Representative. Will you remark further on House Amendment Schedule C before us? Again, signal to me. Representative Srinivasan.

REP. SRINIVASAN (31st):

Thank you, Mr. Speaker. I to rise in strong support of this Amendment. Given the climate that we are in, the economic climate, given the highest tax increases we have done in the recent budget that we just passes, I find it very hard to go back and explain to people there was one component that we raised more for ourselves than we run for our campaigns in the years to come.

I think the right thing for us to do, obviously is not on the Amendment, is actually decrease what the funding should be. But, that's not on the agenda, so focusing on the agenda, on the Amendment right now, I

think the bare minimum that we can do is flat fund this and not give ourselves extra money going into the races in the years to come. So, for those reasons, I strongly support the Amendment and I hope that my colleagues on both sides of the aisle will look back and say what is the right thing for us to do in this economic downturn in this climate and make sure we make the right decision. Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Thank you, Representative. Would you remark further on House Amendment Schedule C? Representative Hovey.

REP. HOVEY (112th):

Thank you, Mr. Speaker. I too would rise to ask everyone to support this Amendment. During this last campaign season, I did not take the public funding and at one point my leader said to me, I think that was a little impulsive of you DebraLee but you know, I fundraised every single dime and I believe that every person who donates is a vote and that's a hand that you've shook and in this economic time recession with the monies that we can use in this state and we're looking at different programs and consolidations, I truly do believe this is money that could be better

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spent and the increase is unnecessary. Thank you,
sir.

DEPUTY SPEAKER RYAN:

Thank you, Representative. Representative
Miller.

REP. MILLER (122nd):

Thank you, Mr. Speaker. I rise in support of the
Amendment. I think enough people have talked about
the economic times of Connecticut -- we're in bad
shape, we're almost bankrupt. This is no time to
playing COLA games. First of all, I don't think that
the program itself has really sparked a lot of
interest in people running for the House and the
Senate. There has been some people who wrote that
they don't think it's made a big difference at all if
it made a difference in the first place. So, I would
ask for the chamber to vote for this Amendment and
lets' show the taxpayers that we're concerned about
where the money goes. Thank you.

DEPUTY SPEAKER RYAN:

Thank you, sir. Would you remark further on
House Amendment Schedule C? Would you remark further?
Representative Hwang.

REP. HWANG (134th):

Thank you, Mr. Speaker for the second time. I want to follow up with the good chair of GAE and first I want to applaud him for his tremendous work in our committee and making some productive action that we've had this year, but I also want to add that this Amendment does not in any way adversely impact a clean and fair election. We are simply asking that we show a symbolic gesture to the people that we represent that we understand, we cannot continue to increase spending without any accountability.

We are looking at lowering the level to the standard that was previously acceptable and allow everyone to base their campaign on an equal footing. But, we should not be asking taxpayers to foot this bill. And, I don't think this Amendment has in any way adverse impact on a clean election. It has no impact.

At the end of the day, the elections will be regulated and I would also add as I mentioned prior, that we had an excellent campaign finance bill that passed out of our GAE Committee and I, for whatever the reason, don't understand why it was not called. But, neither here nor there, at the end of the day this is not a bill in regards to clean elections; it's

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a fair and equitable reaction to the taxpayers of our state. Thank you, sir.

DEPUTY SPEAKER RYAN:

Thank you, Representative. Will you remark further on House Amendment Schedule C? Will you remark further. If not will staff and guests please come to the well of the House. Will the members please take your seats? The machine will be open.

THE CLERK:

The House of Representatives is voting by roll call. Members to the chamber. The House is taking a roll call vote. Members to the chamber please.

(Deputy Speaker Orange in the Chair)

DEPUTY SPEAKER ORANGE:

Have all members voted? Have all members voted? If all members have voted the machine will be locked and the Clerk will take a tally. Will the Clerk please announce the tally.

THE CLERK:

House Amendment C on House Bill 6651.

Total number voting	142
Necessary for adoption	72
Those voting Yea	57
Those voting Nay	85

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Those absent and not voting 9

DEPUTY SPEAKER ORANGE:

The Amendment fails. Will you care to remark further on the bill before us? Will you care to remark further? Representative Christopher Davis
REP. DAVIS (57th):

Thank you, Madame Speaker. I have a few questions to the esteemed Chairman of the Government Administration and Elections Committee if I could, through you.

DEPUTY SPEAKER ORANGE:

Representative Morin, please prepare yourself. Please proceed, Representative Davis.

REP. DAVIS (57th):

Thank you, Madame Speaker. I have just a brief question for legislative intent for the Office of Government Accountability. Is my understanding correct that these agencies that are going to be consolidated into that office, that they essentially - there functions remain independent and it would be their administration side that would be consolidated under the executive administrator, through you, Madame Speaker.

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Representative Morin.

REP. MORIN (28th):

Through you, Madame Speaker, you are correct,
sir.

DEPUTY SPEAKER ORANGE:

Representative Davis.

REP. DAVIS (57th):

Thank you, Madame Speaker. And, so my question goes to if there was a conflict between the independent agencies under this office, you know a lot of the times they deal with adjudications between these divisions such as FOI and SEC trying to gather information in order to investigate, I was just wondering how would they deal with investigating each other if they all fall under the same office, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Thank you, Madame Speaker, through you. Representative, thank you for that question and maybe I wasn't with some background noise, maybe I didn't hear you properly but the legislative intent of the Office of Government Accountability certainly will

include the three major watch dog groups and they will have complete autonomy to continue to run the business, the day to day business that they currently do now.

Their boards will remain in tact that oversee them, their directors will remain in place. The executive director I think that you eluded to, was strictly for administrative functions, day to day operations of like human resources, IT, that type of thing. So, I believe -- because there are current cases right now where maybe freedom of information is dealing with something with Office of State Ethics. Those operations will continue to occur as they do right now, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Davis.

REP. DAVIS (57th):

Thank you, Madame Speaker. So, how will one division and another division that have conflicts, they'd be able to still currently sue each other to gain that information even though they're directly under the same office now, under this bill, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Through you, Madame Speaker. As I stated, the intent and the way that the -- all of the nine entities of the Office of Governmental Accountability will continue to operate as they do today. There will be, for lack of a better term, silos put in place so they continue to operate as the independent agencies that they are. They were brought forth under the Office of Governmental Accountability from the administrations office to start looking at performing government more efficiently and I had the same concerns or the same questions that you bring up, sir, and I feel very confident that they will continue to be able to operate and do the good work that they're doing under this administrations, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Davis.

REP. DAVIS (57th):

Thank you, Madame Speaker. And, I thank the kind gentleman for his answers. As he mentioned, as I read through the bill I didn't see those concerns specifically addressed, so I thank him for allowing me

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the indulgence to get that on the legislative record for legislative history purposes and I thank you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Thank you, sir. Will you care to remark further on the bill? Representative Camillo, you have the floor, sir.

REP. CAMILLO (151st):

Thank you, Madame Chairman. A few questions on DCD and a few of the various consolidations within that section.

DEPUTY SPEAKER ORANGE:

Representative Berger, please prepare yourself. Representative Camillo, please proceed, sir.

REP. CAMILLO (151st):

Thank you, Madame Chair. This bill here makes the Commissioner of DECD the new chairman of the state's two quasi-public economic development agencies, it makes him the chairman of that and requires a report to be given to the Appropriations and Commerce Committees, I believe annually, starting in January, 2012. My question to the chairman of the Commerce Committee, why are we doing this transferring -- creating this function here and is it being done to

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-- is it employee reduction based or is it more administrative in nature?

DEPUTY SPEAKER ORANGE:

Representative Jeff Berger.

REP. BERGER (73rd):

Thank you, Madame Speaker. And, just as a clarification for the good Representative's question, that was through you, Madame Chair, for the reporting component, through you, Madame Chair.

DEPUTY SPEAKER ORANGE:

Representative Fred Camillo.

REP. CAMILLO (151st):

Thank you, Madame Chair. Moving on to the Commission on Culture and Tourism. This bill completely eliminates it and places the 28 member commission into DECD. Through you, Madame Chair, why are we doing that?

DEPUTY SPEAKER ORANGE:

Representative Berger.

REP. BERGER (73rd):

Thank you, Madame Speaker. In answer the good Representative's first question on the reporting period, there was the thought and wish to consolidate the reporting into one yearly report instead of

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segregating it out into separate reports. So, the reporting process would be done on a yearly basis. DECD would report back in one report. Consolidation report would be just a one time report due back to the General Assembly in 2012, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Camillo.

REP. CAMILLO (151st):

Thank you, Madame Chair. And, I thank the Representative for his clarification on the reporting. Back to the Commission on Culture and Tourism, again through you, why is that being eliminated and placed into DECD?

DEPUTY SPEAKER ORANGE:

Representative Berger.

REP. BERGER (73rd):

Thank you, Madame Speaker. It was thought that this consolidation would obviously bring efficiency to the function of how we do culture and tourism in this state which we look as an economic driver. Having a place in DECD would accomplish that goal and result in not only savings but improved government efficiency and delivery systems for economic development and culture and tourism which is roughly a \$2 billion

dollar trade to the State of Connecticut, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Camillo.

REP. CAMILLO (151st):

Thank you, Madame Chair. I believe the executive director position is being eliminated in this move and through you, Madame Chair, is that the only paying position of this commission that's being eliminated? Thank you.

DEPUTY SPEAKER ORANGE:

Representative Berger.

REP. BERGER (73rd):

Through you, Madame Speaker to the good Representative, yes, within the language of the bill there is the elimination of that apposition. There is not further wording on any other reduction in staff but it is thought that through consolidation and retirements that there would be a reduction at some point and savings incurred through those reductions and consolidation, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Camillo.

REP. CAMILLO (151st):

Thank you, Madame Speaker. Moving over to section 77, office of workforce competitiveness, that's being moved over to Department of Labor and it was formerly in -- currently in OPM strictly for administrative purposes. Again, through you, Madame Speaker, why are we doing that?

DEPUTY SPEAKER ORANGE:

Representative Berger.

REP. BERGER (73rd):

Thank you, Madame Speaker. The Representative is correct, there are functions of OWC which will be moved to DECD, primarily programs such as the SBIR program, but many programs, actually a majority will be in the Department of Labor in consolidation with DECD through OWC, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Camillo.

REP. CAMILLO (151st):

Thank you, Madame Speaker. One final question on the Culture and Tourism Commission which I forgot to ask, we seem to have consolidated it now to three districts and I would like the Representative to just let us know what the three districts are and how we arrived at that. Thank you.

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DEPUTY SPEAKER ORANGE:

Representative Berger.

REP. BERGER (73rd):

Through you, Madame Speaker. We are going from five districts; we are reducing them down to three which this General Assembly actually had enacted in previous legislation. Those districts would be the Western, Central and Southeastern districts under the consolidation from five to three, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Camillo.

REP. CAMILLO (151st):

Thank you, Madame Speaker. Moving over to the section on historic preservation, it says here that the bill under current law, a grant applicant must file a covenant with the town clerk of the municipality where the historic property is located guaranteeing that it will be preserved forever or for a period that CCT approves. My question to the chairman of Commerce is, is there a minimum time period that was required for that property, through you?

DEPUTY SPEAKER ORANGE:

Representative Berger.

REP. BERGER (73rd):

Thank you, Madame Speaker. Through you, Madame Speaker, there is not a minimum time frame for the covenant to be held in title, but it silent in that regards, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Camillo.

REP. CAMILLO (151st):

Okay. I think that about answers the questions. Madame Speaker, I want to thank the gentleman for his answers and clarifications. Thank you.

DEPUTY SPEAKER ORANGE:

Thank you, sir. Will you care to remark further? Representative Clark Chapin of the 67th, you have the floor. Sir? Clark?

REP. CHAPIN (67th):

Thank you, Madame Speaker. Madame Speaker, I have a question for -- a few questions on section 50 which I think are best addressed to the chair of the Planning and Development Committee.

DEPUTY SPEAKER ORANGE:

Representative Linda Gentile, please prepare yourself. Representative Clark Chapin, please

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proceed.

REP. CHAPIN (67th):

Thank you, Madame Speaker. In section 50 it appears that we're trying to incentivize regional planning agencies or organizations into joining together, I guess kind of a voluntary consolidation through what we're establishing, I guess it's called a voluntary regional consolidation bonus pool. And, as I read the language it looks like a payment will be made to these newly formed districts out of this pool if any two or more regional planning agencies, regional council of governments, regional council of elected officials or any such combination thereof join together, would my understanding be correct that if would appear that this payment would only be made if the entire -- if one entire RPO joined with another RPO, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Gentile.

REP. GENTILE (104th):

Through you, Madame Speaker. No, that is not my understanding of this particular section. This particular section refers to anyone that does not currently have a regional planning agency, a council

of governments or a regional planning organization. But, keep in mind, through you, Madame Speaker, that under existing statute, RPA's will be required to reconform by the end of this year and this is just an additional incentive for them to do that as quickly as possible.

DEPUTY SPEAKER ORANGE:

Representative Chapin.

REP. CHAPIN (67th):

Thank you, Madame Speaker. And, again through you, I know I've seen some bills, I've screened some bills that I think may have talked about consolidating that number, reducing the number of RPO's down to a number similar or if not the same exact boundary lines as our economic development districts. Could the Chairlady of the Planning and Development Committee confirm that for me, through you, Madame Speaker?

DEPUTY SPEAKER ORANGE:

Representative Gentile.

REP. GENTILE (104th):

Through you, Madame Speaker. That is one of the proposals that has been put forth. I don't know if that is the final proposal. There are actually several, but that was one that was being considered.

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DEPUTY SPEAKER ORANGE:

Representative Chapin.

REP. CHAPIN (67th):

Thank you, Madame Speaker. So, is it fair to say that right now we have 15 districts and through this incentive before us in section 50, the goal is to reduce that number to an undetermined number, through you, Madame Speaker?

DEPUTY SPEAKER ORANGE:

Representative Gentile.

REP. GENTILE (104th):

Through you, Madame Speaker. Yes, that would be a fair assessment.

DEPUTY SPEAKER ORANGE:

Representative Chapin.

REP. CHAPIN (67th):

Thank you, Madame Speaker. And, as I recall, the funding for the current fiscal year for the regional planning agencies in 2011, I think originally we had appropriate \$200,000 but through some hold back provisions that we passed last year, I believe the total appropriation is \$90,000 to be split between those 15 regions. Is my recollection accurate, through you, Madame Speaker?

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DEPUTY SPEAKER ORANGE:

Representative Gentile.

REP. GENTILE (104th):

Through you, Madame Speaker. I am not fully aware of that amount, but I know that whatever was there, this is an additional bonus.

DEPUTY SPEAKER ORANGE:

Representative Chapin.

REP. CHAPIN (67th):

Thank you, Madame Speaker. And, again, through you, the number that I just referenced was for the fiscal year, for the current fiscal year, can the gentle lady tell me if we had budgeted anything for the next two years for the 15 RPO's, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Gentile.

REP. GENTILE (104th):

Through you, Madame Speaker. I am not aware of that amount but I know that this bill is for fiscal year 12 and fiscal year 13 for the bonus payment and whatever is budgeted for the RPO's, this would be over and above.

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Representative Chapin.

REP. CHAPIN (67th):

Thank you, Madame Speaker. And, if the gentle lady could just confirm the amount that section 50 is budgeting, I think its \$300,000 per year, is that correct, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Gentile.

REP. GENTILE (104th):

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

DEPUTY SPEAKER ORANGE:

Representative Chapin.

REP. CHAPIN (67th):

Thank you, Madame Speaker. And, I thank the Chairlady of the Planning and Development Committee for her answers. Thank you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Thank you. Will you care to remark further? Will you care to remark further? Representative Klarides, you have the floor.

REP. KLARIDES (114th):

Thank you, Madame Speaker. Madame Speaker, through you, I have a few questions to the Chairman of

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the GAE Committee.

DEPUTY SPEAKER ORANGE:

Please proceed.

REP. KLARIDES (114th):

Thank you, Madame Speaker. Through you, if the Chairman can just briefly explain the purpose of the consolidation of the SEC into the new Office of Government Accountability.

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Thank you, Madame Speaker. Through you, I believe it was the wishes of the administration, the Governor's administration to start looking into consolidation of certain state agencies and creation of the Office of Government Accountability and I would guess that the overall goal was to put the framework in place for us to start looking at how we conduct business, back office functions and getting everybody more together so we can get that framework in place and for years on out to start looking at further consolidations, I would guess. Thank you. Through you, Madame Speaker.

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Representative Klarides.

REP. KLARIDES (114th):

Thank you, Madame Speaker. And, through you, to the Chairman, that terminology that he used, back office functions, how are we defining that or what is his intention in using that term.

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Thank you, Madame Speaker. Through you, to the good Representative, back office functions to me include information technology, day to day operations of human resources, purchasing, those types of functions, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Klarides.

REP. KLARIDES (114th):

Thank you, Madame Speaker. I thank the gentleman for that clarification. So, then the consolidation, one of the main purposes of that was to make more efficient those back office functions, I'm presuming, through you.

DEPUTY SPEAKER ORANGE:

Representative Morin.

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REP. MORIN (28th):

Thank you, Madame Speaker. Overall, I'm not so sure if that were the case I think the whole concept that was brought forth was to bring all the groups together under one umbrella per se and this is one function of them. I know there were some positions that were eliminated in other areas but it is a form of consolidation, it is a form of saving and it is a form of putting everyone together with hopes of creating a more efficient model. Much like I guess what we have here with our legislative management that type of creation, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Klarides.

REP. KLARIDES (114th):

Thank you, Madame Speaker. And, if the Chairman could just explain what his definition or what his explanation of the purpose for the SEC is in his understanding, I'd appreciate that, through you.

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Thank you, Madame Speaker. What do I -- I suppose my definition of what the State Elections

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Enforcement Commission is, is the governing body that oversees the -- our campaigns and the clean concepts of those campaigns and reviews our filings and such, through you.

DEPUTY SPEAKER ORANGE:

Representative Klarides.

REP. KLARIDES (114th):

Thank you, Madame Speaker. We hear the word and we use the word a lot particularly in regard to the SEC as a watchdog commission of sorts. I presume that that's part of what the Chairman was talking about because it's my understanding that that's why it was set up to keep an eye over our elections to make them as clean as possible and to make sure we're doing the right thing. Through you, Madame Speaker, is that the purpose?

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Thank you, Madame Speaker. Through you, I guess there are what we would consider three watchdogs that are in this OGA and yes, I would -- that's a fair summation, through you, Madame Speaker.

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Representative Klarides.

REP. KLARIDES (114th):

Thank you, Madame Speaker. Then I would just like some explanation if the Chairman could. If we are doing these consolidations for the purposes mentioned and if in fact the SEC as we were of the understanding as the Chairman just clarified was one of the commissions that we do consider a watchdog commission, then if he could explain to me why in lines 10762 and further after that we have limited and made smaller the amount of members on the commission from five to three, through you.

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Thank you, Madame Speaker. Again, would you repeat the lines so I could see what she was referring to? Thank you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Klarides.

REP. KLARIDES (114th):

Thank you, Madame Speaker. I actually misspoke. It's line 10763 and I said limited the amount of members. What I meant was limited their terms. Right

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now they're five year terms and this is changing to three year terms. I apologize, through you.

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Thank you, Madame Speaker. And, thank you to the gentle woman for clarifying that because I certainly wasn't finding those original lines. You know, it was taking the -- she's correct that it's taking the board that exists now and lessening the term to three years which is similar to what I believe Judicial Review has.

It's just something after review and discussing with the different leaders, we think that it will be more efficient and help keep people fresh and not have people there for an over extended time but it certainly it's in line with some other of the boards of the watchdog agencies and other groups that are in here, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Klarides.

REP. KLARIDES (114th):

Thank you, Madame Speaker. And, in that vain in that same section another change to the commission has

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been limiting the service of each person to one term so there's no consecutive terms, is that correct, Madame Speaker?

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Thank you, Madame Speaker. If this is pertaining -- and I apologize there was a little bit of background noise, but if it's pertaining to state elections enforcement commission which I believe the good Representative is alluding to, it offers them that they cannot -- they can serve more than one term, they just can't serve them consecutively. So, after they've served their three year term, then they would have to take a break and then they would be eligible for reappointment.

Certainly the ethics committee they have one term and they're not allowed to hold again, so you know, all of -- I think many of these that fall under this jurisdiction have a little bit of a difference, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Klarides.

REP. KLARIDES (114th):

Thank you, Madame Speaker. And, through you, these -- I believe the Chairman mentioned that these determinations on the changes were made from a conversation or conversations with the leaders, is that how these determinations were made, through you.

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Thank you, Madame Speaker. Through further discussions with the leadership, yes. And, we ultimately were looking at how we were going to continue to provide these oversights and we looked at many of them. There are probably five or six that have completely different terms so this was what was come up with, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Klarides.

REP. KLARIDES (114th):

Thank you, Madame Speaker. Madame Speaker, I thank the gentleman for his answers. I presume when he said leadership has made those determinations, I presume he means democrat leadership, through you?

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Thank you, Madame Speaker. Through you, I believe that there were discussions with the Senate and House leadership. I don't know that I was necessarily in that room, so I can't say for sure, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Klarides.

REP. KLARIDES (114th):

Thank you, Madame Speaker. One final question. When -- before these decisions were made by leadership, whatever group that was that was put together, had there been a public hearing on these matters for the public obviously to testify as to whether they thought these were good, bad or indifferent decisions that were being made and in addition, anybody from the SEC or any groups involved, through you.

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Through you, Madame Speaker. No, not for this particular aspect of the OGA but I would certainly state that over the time and through many different

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pieces of legislation that go through here, whether it's through committee, GAE Committee certainly had discussions on what we thought, but this was a proposal that came through the Governor's -- it was a Governor's bill and we've had the discussions and as we go forth through the process, things often change even bills that we've passed out of committee as was previously eluded to by my fine ranking member and during the process adjustments are made as discussions are had. Thank you, though you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Klarides.

REP. KLARIDES (114th):

Thank you, Madame Speaker. Madame Speaker, I thank the gentleman for his answers and his clarifications. I guess my concern about this section of this bill, is this. There has been no confusion about the fact that members of our caucus have not particularly been the biggest supporters of some of the SEC functions. However, what we do believe is whether it's this group, FOI or any of the other watchdog agencies we've spoken about this evening, their first and foremost and only, quite frankly, job is to watch over whatever group their watching over.

In this particular situation, that's elections to make sure they are as clean and as straight forward and on the up and up. That's their job.

So, I guess it's confusing to me and quite frankly, upsetting that words that are being used that have been used before today and were used today by the Chairman that there were back office functions being changed which would imply that they were not particularly substantive and limiting the term of members, limiting whether they can serve a consecutive term, those are particularly substantive changes to me, particularly substantive. And, the fact that time and time again we make substantive changes without a public hearing is a disservice not only to this body, but more importantly to the citizens of the State of Connecticut. For those reasons, Madame Speaker, I cannot support this underlying bill.

DEPUTY SPEAKER ORANGE:

Thank you, Representative. Will you care to remark further? Representative Lavielle.

REP. LAVIELLE (143rd):

Thank you, very much, Madame Speaker, good evening.

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Good evening.

REP. LAVIELLE (143rd):

I have a couple of brief questions for the good Chairmen of the Education Committee, if I may?

DEPUTY SPEAKER ORANGE:

Representative Fleischmann, please clear the aisle. Representative Lavielle, please proceed.

REP. LAVIELLE (143rd):

Thank you so much, Madame Speaker. Through you, I would like to ask Representative Fleischmann if sections 189, 190 and 191 seem to me to be quite substantially similar to sections 17, 18 and 19 of House Bill 6385 that we voted on in the Education Committee and just wanted to clarify that there are no substantial differences between what we see here and what we saw in 6385, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Fleischmann.

REP. FLEISCHMANN (18th):

Thank you, Madame Speaker. And, I thank my good colleague for her question. Section 189 is substantially similar to what was passed out of the Education Committee previously. It strikes a balance and ensures that there are both legislative and

executive appointees who will be looking at the education cost sharing formula and the executive appointees as in the previous iterations of the bill are folks with a great deal of experience with municipal and local school finance.

Section 190, the minimum budget requirement retains the 3,000 per pupil reduction permissible for districts that have declining enrollments. It creates a stop loss that we hadn't had previously to ensure that the total deduction doesn't exceed one-half percent of the prior years budget appropriation but the structure of that 3,000 per pupil reduction remains in place.

It also just addresses just a couple of other issues we hadn't thought of at the Education Committee level. Number one, what happens if a school is closed and we give the Commissioner discretion to figure out what's reasonable in the case of a school district that is permanently closing schools? It also finally takes into account the fact that there are districts that are struggling that in one way or another have not made educational progress for a number of years and for those districts we said whether or not your enrollment is declining given the challenges you've

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had educationally, you should maintain the same level of educational budge effort as in the previous year.

Again, that was considered a policy improvement over what we did in the Education Committee because we don't want struggling districts to be cutting away at budgets that are already thin. Finally, section 191 regarding the vocational technical school system, this is really substantially similar to what we passed out of the Education Committee. There may be minor changes that occurred regarding the composition of the task force, but the charge of the task force, the timing, the gist of it is very much the same as what we passed out of the Education Committee. Through you, Madame Chair.

DEPUTY SPEAKER ORANGE:

Representative Lavielle.

REP. LAVIELLE (143rd):

Thank you, Madame Speaker. I thank the gentleman for those answers. Thank you, Madame Speaker. And, regarding section 189, I did want to ask additionally about House Bill 6103, which we voted on here in the House the other night which dealt with an analysis of or study of special education costs, how the mandates in the state differ from the federal mandates,

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questions regarding burden of proof thresholds and other such matters and I would like to know how that fits in with section 189 here whether it remains a stand alone bill, whether those considerations would apply to this task force, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Fleischmann.

REP. FLEISCHMANN (18th):

Thank you, Madame Speaker. Section 189 is focused primarily on education cost sharing. The group that gathers will also look at other issues that may affect ECS and so to the degree that special education or some magnet grants or other grants have implications and affects upon education cost sharing, they'll be examined. But, those will be secondary to the primary issue of ECS. So, this is really an education cost sharing formula task force. And, the other group that my good colleague refers to is truly a special education task force, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Lavielle.

REP. LAVIELLE (143rd):

Thank you and through you, Madame Speaker. One

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final question for the Chairman of the Education Committee. I'm looking at the fiscal note for sections 174 to 182 of the bill and I have a question for clarification. The fiscal note refers to -- there's a table that details the savings that would be realized by extending the cap on certain grants through fiscal years 12 and 13 and the fiscal note indicates that these are the savings that would be -- that are realized by capping the grants because otherwise the state would be obligated to spend the two numbers they give here, in one year is \$76.6 million the first year and \$96.9 million the second year. I wanted to understand the nature of that obligation, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Fleischmann.

REP. FLEISCHMANN (18th):

Thank you, Madame Speaker. We have a number of formulas in state statute and if those formulas are permitted to operate freely, they lead to increased state commitments in various areas. Sections 174 through 182 of the bill now before us, cap the state's costs in these various areas.

So, another way of putting it is that whatever

the formula may dictate we are putting into statute a stop loss for the next two years to reflect the fact that the state lacks the resources to fully fund formulas that we would like to fully fund formulas that we would like to fully fund. So, the savings that my good colleague is seeing in the fiscal note, reflect the capping of these formulas, through you, Madame Chair.

DEPUTY SPEAKER ORANGE:

Representative Lavielle.

REP. LAVIELLE (143rd):

Thank you, Madame Speaker. And, I thank the gentleman for those answers. My point there was just to check and see whether we were actually saving money by cutting spending or whether we were just not spending money we might have spent in the future which seems to be the case here. I'll just make my final remark on sections 189, 90 and 91, that we addressed earlier.

These are the study of the VoTech schools, the study of the ECS formula and above all, the flexibility on the minimum budget requirement for schools are all measures that I voted in favor of in the Education Committee that I continue to support. I

think that flexibility in the NBR as someone who has served in town government, I know how important that is when a school is declining in enrollment or closes all together, what that means for a towns budget.

I do really support those measures and I regret deeply that I won't be able to vote for them here because they are presented in a large package, a large implementer bill for implementing a budget for which I did not vote and that I still cannot support. But, I do still think these are good measures and I wish that the presentation had been otherwise and that we were able to vote on these things as discreet entities in isolation as a matter of policy. Thank you very much
Madame Speaker.

DEPUTY SPEAKER ORANGE:

Thank you, Representative Lavielle. Will you care to remark further? Representative Rebimbas, you have the floor, Madame.

REP. REBIMBAS (70th):

Good evening, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Good evening.

REP. REBIMBAS (70th):

Through you, Madame Speaker, a brief question to

the Chairman of the Education Committee, please.

DEPUTY SPEAKER ORANGE:

Please proceed.

REP. REBIMBAS (70th):

Madame Speaker, through you, I did have the opportunity to listen to the Chairman discuss section 190. I just needed some clarifications as potentially this may have an impact in the district that I represent. So, through you, Madame Speaker to the Chairman of the Education Committee, he had outlined earlier in response to the other Representative's questions, highlighted the stop loss sections in section one and section two.

My questions going to be regarding section three. In section three if I read this correctly, it says notwithstanding section one and section two, by the Commissioner there is a criteria by which there is an exception to the minimum budget requirement and that exception would be ceasing of operations in closing down of a school or two within the district.

So, through you, Madame Chair, is that the correct understanding that Section three is another notwithstanding one and two and so long as there's a school, one or two schools in the district and it

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ceases operations, that in fact there is an additional reduction that a Commissioner could actually allow, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Fleischmann.

REP. FLEISCHMANN (18th):

Thank you, Madame Speaker, yes.

DEPUTY SPEAKER ORANGE:

Representative Rebimbas.

REP. REBIMBAS (70th):

Thank you, Madame Speaker. And, just to further clarify that, when we talking about ceasing operations, are we talking about the fact of holding classes, kindergarten through high school or would for example if within that school building, prekindergarten classes were held. Would that fall under the definition of ceasing operations, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Fleischmann.

REP. FLEISCHMANN (18th):

Thank you, Madame Speaker. I believe that the approach to understanding of legislation and statutes that we use in this state, relates to simple plain

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English dictionary understandings of the words. So, what it says is, if such district has permanently ceased operations and closed one or more schools, so I take that on its face to mean that a school has permanently ceased all of its operations and closed down and in that event the Commissioner now has power to help a district come up with an appropriate budget adjustment. If a district goes and makes a decision to close part of a school but leave part of it open, they put themselves into a gray area that I would not recommend, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Rebimbas.

REP. REBIMBAS (70th):

Thank you, Madame Speaker. Through you, Madame Speaker, just a follow up on the question and I want to thank the Chairman for providing the clarification if a portion of the building was closed to something other than and had some educational -- just for clarification purposes, is prekindergarten classes considered education, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Fleischmann.

REP. FLEISCHMANN (18th):

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Thank you, Madame Speaker, yes.

DEPUTY SPEAKER ORANGE:

Representative Rebimbas.

REP. REBIMBAS (70th):

Thank you, Madame Speaker. And, just one further clarification. If the former school building was to be open and house administrative offices for the school board or the school officials, would that also allow the reduction of any budgeted allotment under the minimum budget requirement, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Fleischmann.

REP. FLEISCHMANN (18th):

Thank you, Madame Speaker. If I understand the question correctly, if a school system goes and permanently closes down a school and then says, we have a nice facility here and we're going to use it for our school board and administration that is clearly to me, the permanent cessation of the operations of the school.

You've got no educational function happening there, no children showing up, no busses; you simply have administrators now using an empty building for

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another purpose. So, that would be the permanent ceasing of operations of a school and the Commissioner would have latitude to help that school district make an appropriate reduction in its school budget, through you, Madame Chair.

DEPUTY SPEAKER ORANGE:

Representative Rebimbas.

REP. REBIMBAS (70th):

Thank you, Madame Speaker. Madame Speaker and I want to thank the gentleman for his answers because it certainly has provided some clarification as this potentially does have an impact in my district. So, Madame Speaker, thank you very much.

DEPUTY SPEAKER ORANGE:

Thank you, Madame. Will you care to remark further? Representative Craig Miner, you have the floor sir.

REP. MINER (66th):

Thank you, Madame Speaker. Madame Speaker, I had a couple of questions if I might to the proponent of the underlying bill, through you, please.

DEPUTY SPEAKER ORANGE:

Good evening, Representative Walker. Please prepare yourself. Representative Miner you may

proceed.

REP. MINER (66th):

Thank you, Madame Speaker. Madame Speaker, in section 21 of the underlying bill, there's some language in there that talks about the classifications of employees in the Department of Public Safety known as majors and what appears to be an increase of personnel from five to 12 and I don't know if the gentle lady could help me by explaining what the purpose of changing the classification from an unclassified to a classified employee would be and also the additional people, through you.

DEPUTY SPEAKER ORANGE:

Representative Walker.

REP. WALKER (93rd):

Thank you, Madame Speaker. And, I thank the good gentleman from Litchfield for his question. The issue on the majors was a request from the, I believe, the administration and as to the actual foundations of it, I'm not exactly sure what the foundation was. I believe that part of the discussion was related to the state police department, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Miner.

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REP. MINER (66th):

Thank you, Madame Speaker. And, I thank the gentle lady for her answers. If I could try just one more, section 25, I remember during the budget presentation process we had had a couple of conversations about trying to diminish, let's say, the exposure of DMV with regard to people trying to go to a facility to renew a registration and I see in Section 25, there's some language there that talks about getting a temporary registration for someone who may have owed a certain number of traffic tickets or may have been delinquent on property tax payment, and if I could through you, is that the limit to which someone would be able to have a registration renewed at a town hall, through you.

DEPUTY SPEAKER ORANGE:

Representative Walker.

REP. WALKER (93rd):

Thank you, Madame Speaker. And, I thank the gentleman for his questions. No, that would not -- that will not just address having the renewal at town hall, it will address the renewal all together, through you, Madame Speaker, and I believe that is in existence now, through you, Madame Speaker.

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DEPUTY SPEAKER ORANGE:

Representative Miner.

REP. MINER (66th):

Thank you, Madame Speaker. I looked at the statute that deals with this section and currently under law, I'm not aware under our current statutes where someone could renew a registration in the tax collectors office in the Town of Warren.

But, I think what this bill attempts to do is provide that opportunity at least on a temporary basis which I'm not necessary opposed to and I remember at the time the budget was presented, there was a discussion about privatization and whether the Department of Motor Vehicle wanted to expand that opportunity beyond AAA or any other venues, in fact, I think I mentioned dealers are set up to do that now. So, am I right that this passage seems to be the language that would allow that to happen at least with regard to renewals, through you?

DEPUTY SPEAKER ORANGE:

Representative Walker.

REP. WALKER (93rd):

Thank you, Madame Speaker. And, I again, thank the gentleman for his interesting question. Yes, we

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did have this discussion and the department of motor vehicles talked about other ways of addressing sort of the need to go just to the DMV locations trying to spread out the opportunities for people to do many things and yes, they did talk about the AAA renewal process and how successful it was, in fact, I think I even talked about the fact that it took me less than 20 minutes to get my license done.

So, what they've talked about is looking at the potential of maybe even establishing kiosks in come city halls where they have a lot of activity in certain towns and areas and they were thinking about trying to get a pilot to do just what the good gentleman from Litchfield is addressing here in the bill. It's other ways of sort of diverting the need to expand staff, I guess, and also to reduce the costs for overhead for having actual facilities throughout the state, through you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Representative Miner.

REP. MINER (66th):

Thank you, Madame Speaker. And, I thank the Chairman for her answers. Ladies and gentlemen, the first question I asked had to do with majors and while

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I've been sitting here listening to this debate; I've been on the computer trying to research what the implications of adding a major might be. Let there be no mistake that comes with a cost. You may think it's a good idea, you may not think it's a good idea. But, at \$100,000 times five, don't be surprised if a half million dollar program you thought was just as important, doesn't get done.

And, the reason I say that is because this didn't come through the Department of Public Safety, at least not through the appropriations process. I'm not aware that it came through the public safety process. I think the gentle lady just told us it came from upstairs. That this came to the legislature from upstairs, so a half million dollars is being appropriated in this budget, not by virtue of our budgetary process, but because this is what somebody wanted.

So, when we fill those five slots presumably from down below, everybody's gong to move up and the cost in public safety is going to go up. We'll be lucky if it's by \$500,000. There's another passage in here that talks about the certification. The court decision for lieutenants and captains, lieutenants and

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captains made it clear that majors were the next supervisory level and that under majors you couldn't require them, you couldn't hold them to that management level because they weren't actually implementing policy.

But, in this bill, we're going to provide the first step, the first step to unionization for majors. So, don't be surprised when we do that if the cost of government gets to be more. I like the idea of being able to register an automobile somewhere other than motor vehicle and I made it clear here a number of times both in committee and here on the chamber floor, that I've had very good experiences with motor vehicle.

But, boy it sure would be nice to be able to walk into a dealership and while you're buying your new or used car, register something else while your there. That doesn't mean I'm trying to eliminate somebody from a job tomorrow, but I think we all know that we've got to find ways to create efficiencies and frankly, if allows people to do it in a tax collectors office, I think that's done in New York so, it's probably not a bad idea. But section 4E-16 talks about privatization.

It's on the books. Ladies and gentlemen it's a statute that was passed by this chamber when the former administration tried to privatize. I don't know if that pertains to this or not. My guess is most of us haven't even researched it. So, this is not small piece of legislation that we're going to pass here today. This is a big deal just like every part of the budget, there's a lot of stuff in here that's going to affect somebody. Some of it's good; some of it's not so good. But, it's certainly worth a read and it's certainly worth understanding because my fear as the years go on, whether I'm here or somebody else is here, don't be surprised if this becomes a lot less of a legislative process because that's the direction it's headed. Thank you, Madame Speaker.

DEPUTY SPEAKER ORANGE:

Thank you, sir. Will you care to remark further on the bill? Will you care to remark further on the bill? If not, staff and guests please come to the well of the House. Members take your seats. The machine will be open.

THE CLERK:

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

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roll call vote. Members to the chamber please.

(Speaker Donovan in the Chair)

SPEAKER DONOVAN:

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

THE CLERK:

Emergency Certified Bill 6651.	
Total number voting	145
Necessary for adoption	73
Those voting Yea	91
Those voting Nay	54
Those absent and not voting	6

SPEAKER DONOVAN:

Bill passes. Will the Clerk please call Calendar
279?

THE CLERK:

On page 12, Calendar 279, House Bill 6260, AN ACT
CONCERNING THE JEOPARDY COLLECTION OF TAXES.

SPEAKER DONOVAN:

Representative Olson.

REP. OLSON (46th):

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Haven't got the spirit today.

And all against, please say nay.

The ayes have it. The Agenda is adopted by vote.

Senator Looney.

SENATOR LOONEY:

Yes, Thank you, Madam President. Madam President, on Senate Agenda Number One, as previously adopted, is under business from the House, Emergency Certified House Bill 6651. if the Clerk would call that item as the order of the day.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Calling from Senate Agenda Number One, the matter marked order of the day, Emergency Certified Bill 6651, AN ACT IMPLEMENTING PROVISIONS OF THE BUDGET CONCERNING GENERAL GOVERNMENT. The bill is accompanied by emergency certification, signed Donald D. Williams, Jr., President Pro Tempore of the Senate, Christopher G. Donovan, Speaker of the House of Representatives.

THE CHAIR:

Senator Harp, good afternoon.

SENATOR HARP:

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Good afternoon, President, Madam President. It's good to see you.

THE CHAIR:

It's good to see you. Are you ready for a strong day, a long day?

SENATOR HARP:

Unfortunately, yes.

THE CHAIR:

Please proceed.

SENATOR HARP:

Madam President, I move the Emergency Certified Bill in concurrence with the House.

THE CHAIR:

On acceptance and adoption of the bill, will you remark further?

SENATOR HARP:

Thank you, Madam President.

This bill allows for another pair of eyeglasses if there is a change in medical condition. It includes a disparity study for the Connecticut -- for CHR. It requires that the constituent units of higher ed make their best efforts to comply with CORE Connecticut and it creates a task force to study the distribution of state funds to municipalities. It

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also makes some changes to budget submission documents.

It enables direct deposit for employees of our state. And it moves the Board of Accountancy to the Secretary of the State's Office. It increases the number of Board Members for Teacher Retirement Board and it institutes and implements GAAP accounting for the state of Connecticut.

It establishes, as well, a voluntary regional consolidation bonus pool and again, it explains the interlock provisions for those who have DUI convictions in our state.

It establishes the Office of Government Accountability. And it indicates that this agency will have an executive administrator as its head and will include the following agencies; the Office of State Ethics, the State Election Enforcement Commission, the Freedom of Information Commission, the Judicial Review Council, the Judicial Selection Commission, the Board of Firearms Permit Examiners, the Office of the Child Advocate, the Office of the Victim Advocate and the State Contracting Standards Board. These agencies will be in the Office of Government Accountability.

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Each agency will retain their current independent decision making authority, including decisions on budgetary issues and employing necessary staff.

The bill moves the Office of Workforce Competitiveness to the Department of Labor and it moves the Commission on Culture and Tourism into the Department of Economic and Community Development. The bill includes, as well, Community Investment Act adjustments.

The bill implements the education budget and it, as well, includes a plan for higher ed consolidation into a Board of Regents.

There are, as well, campaign finance revisions.

I urge your adoption.

THE CHAIR:

Thank you, Senator.

Senator King.

SENATOR KANE:

Good afternoon, Madam President.

THE CHAIR:

Good afternoon, sir.

SENATOR KANE:

Through you, I have a number of questions to the proponent of the bill.

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THE CHAIR:

Please proceed, sir.

SENATOR KANE:

Thank you, Madam President. Thank you, Senator Harp, for giving us that synopsis. I do have some questions in regards to some of the details of that synopsis you offered. So if I may, through you, Madam President, may as well start with Section 1.

THE CHAIR:

Senator Kane, would you excuse me a moment and ask if we can just have a moment and then for personal privileges and then we'll continue.

SENATOR KANE:

Sure.

SENATOR HARP:

If we could stand at ease, Madam President.

THE CHAIR:

We will stand at ease at this time and at this time I will ask for points of personal privilege.

Senator McLachlan.

SENATOR McLACHLAN:

Thank you, Madam President. I stand for a point of personal privilege.

THE CHAIR:

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awards. We are proud of you in the state of Connecticut.

This time, I will call the Senate session back to order.

And at this point I will slowly announce that Senator Kane, thank you again, for waiting before, Senator. Will you now proceed?

SENATOR KANE:

Thank you, Madam President. It's tough to follow Western Connecticut State University. But I will give it my best.

Just a moment ago, I was going to ask Senator Harp some specific questions in regard to the synopsis she gave on the overall bill. So if I may, through you, I want to talk about Section 1 first which has to do with the prescription eyeglasses. And I do believe that we made this change in the Appropriations Committee and in the Governor's budget, yet we see a change, yet again, and if Senator Harp could speak to that, please. Through you.

HB 6451

THE CHAIR:

Senator Harp.

SENATOR KANE:

Madam President, I will withdraw my -- I just

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can't catch a break here today, huh?

THE CHAIR:

I think you can, sir.

SENATOR KANE:

I will withdraw my question and withhold it
for --

THE CHAIR:

Thank you very, very much. Senator Harp.

SENATOR HARP:

Thank you, Madam President. I didn't recognize
that some of our policy chairs are here and I would
like to yield to Senator Stillman to talk a little bit
about the education portion of the implementer.

THE CHAIR:

Thank you. Senator Stillman, do you accept the
yield?

SENATOR STILLMAN:

Thank you, Madam President. Yes, I do accept the
yield.

THE CHAIR:

Then proceed, ma'am.

SENATOR STILLMAN:

Thank you. Thank you, Senator Harp, for this
opportunity to share with the Circle the various

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implementation provisions having to do with education.

Sections 174 to 182 extend the caps for various grants within the state Department of Education through Fiscal Year 13. So that's a savings and certainly an opportunity for communities to know that there is secure funding for them.

A variety of sections here, I'll just run through some of the high points. We're maintaining the per pupil grants at inter district magnet schools at the FY 11 level through Fiscal Year 13, and yet, also does not allow the Hartford School District to charge tuition for any student enrolled at an inter district magnet school within the city.

It requires the RESC alliance to study issues related to regional school transportation and to develop a uniform school calendar, requires the departments -- the commissioners of Education and Social Services to develop a plan to integrate child daycare services into the readiness program and additionally, the budget contains an additional 1.97 million dollars in both Fiscal year 12 and 13 in the State Department of Education to increase the Department of Social Services school readiness slots so that they can be at the same level as the

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Department of Education rates.

It also makes -- the bill also makes various changes to the open school -- Open Choice program beginning in Fiscal Year 12. It's our hope that the increase in grants that has schools hit certain benchmarks and we increase the funding that we will see more opportunities for students to enjoy an education through the open school choice enrollment.

It also -- the bill also establishes a task force to study the Education Cost Sharing Formula. It also establishes -- there's also language in here regarding the Minimum Budget Requirement for Fiscal Year 12, districts especially. If the school districts have experienced a drop in funding, yet it also does not permit a reduction in funding per pupil, if a school or a municipality is in a position of being challenged, uh, uh, educationally.

The bill also establishes a task force to study issues related to vocational technical schools and also extends through Fiscal Year 13, the Education Department's authority to maintain some school readiness grant dollars. It also -- the bill also extends the \$2,000 transportation grant for magnet schools.

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And a new aspect of this bill of what we're doing here in education which I think is so very important, we're looking at the issue of severe needs schools and we are -- have an opportunity by reducing the threshold so that more children can qualify for school breakfast grant. The money is in the budget, as for all the items I've mentioned. And this is a very important program so that we know that our children, um, have at least one good meal. And sadly we all know that feeding our children is not always the easiest thing to accomplish for some families. The bill continues on to make some per pupil grant amounts for students attending state charter schools. It increases it just very slightly, just a hundred dollars.

And those are sort of the high points in terms of the education issues that are in this bill. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Stillman. Senator Harp.

SENATOR HARP:

Thank you, Madam President. I would like to yield to the Chairman of the Higher Education Committee, Senator Bye, to talk about the higher

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education components of the bill.

THE CHAIR:

Thank you. Senator Bye, will you accept the yield.

SENATOR BYE:

Yes, will, happily. Good morning, Madam President.

THE CHAIR:

Good afternoon.

SENATOR BYE:

I'll review quickly some of the changes with creating the Board of Regents that were addressed it the implementer. What happens is the boards of the CSUs, the Community Colleges Board of Higher Education as well as Charter Oaks State College become one board that is call the Board of Regents.

That Board of Regents will have 19 members. Four are nonvoting. There will be appointed four by the Legislature, one by the Speaker, one by the Senate President, one by the Senate Minority Leader, one by the House Minority Leader.

In addition there will be two students that serve on that board. And there'll be four ex officio members who are nonvoting members who are the

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commissioners of Economic and Community Development, commissioners of Education and Labor, and the Public Health Commissioner.

The Board of Regents will take over as the governing body and there will be an interim president. And then on or after January 21st, 2012, the Board of Regents will appoint a president.

There will be a transition period during which the current board at the CSU system and at the community technical colleges will stay on in an advisory capacity for the Board of Regents.

Additionally, Appropriations will be given by constituent unit and appropriated by constituent unit. And each constituent unit will have a vice President who will be responsible to ensure that the mission of the constituent unit is maintained.

There have been questions about the role of UConn within this reorganization and UConn will be under the Board of Regents for program approval purposes. They will also, and this will be addressed in a later bill, but as sort of part of the big plan is also be a significant part of the strategic plan for higher education for the state of Connecticut so all of our higher education institutions are working together

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toward a goal.

In addition there will be a Student Advisory Committee, made up of students from both, all three of the constituent units and two of those students will be appointed to be voting members. One of those students will need to come from the community colleges and one of those will come from the CSU system. They will also meet annually with the Board of Regents in a one-on-one meeting.

There is also a Faculty Advisory Committee. This came up in the process of doing the bill that they felt like we're here all the time, administrations and students come and go, but we have a lot of important information and they will have representatives from the constituent units as well. And they will meet twice a year with the Board of Regents to give feedback and input.

There will also be a coordinating council made up of the leaders of higher education and they will work together, looking at graduation rates, how the reporting, revenue and expenses, how those compare and how we're doing for students who are transferring.

Another change that happens to the -- at the system level is there is a new office of Financial and

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Academic Affairs for Higher Education. That organization will have an executive director and the purpose of this part of the Board of Regents, which will be for administrative purposes only within the Board of Regents is that we had concerns from private colleges and others that where the Board of Regents was responsible for the success of the constituent units, there were concerns about conflicts of interest for private colleges in going for program approval. And so we created this office, APO, they will also do the ARC and work on scholarships and financial aid. So that was an important change.

That summarizes most of the changes. If Senator Harp would like to add to it, she can, but I'd like to thank the Committee for the work. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Bye.

Senator Harp.

SENATOR HARP:

Thank you very much and I want to thank my colleagues for participating and bringing this bill out and with that, I urge adoption.

THE CHAIR:

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Thank you.

Really, for the first time today, Senator Kane.

SENATOR KANE:

Thank you, Madam President. I learned a long time ago to wait my turn so I'm comfortable with the speaking lineup.

If I might, go back to some of my questions I had prepared for Senator Harp, through you, Madam President.

THE CHAIR:

Please proceed, sir.

SENATOR KANE:

Thank you. Senator Harp, in Section 1, you made mention of the eyeglass benefit. This restoration, if you will, is greater than what was approved in the Appropriations Committee and in the budget. Can you just speak to that for me? Through you, Madam President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you. Through you, Madam President. Through, actually some of the debate that occurred the other night on a human services bill, as well as

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concerns that have been raised, it was thought that if there was medical reason for a person to get eyeglasses more than once every two years, that there should be an option available if a doctor indicates a medical necessity for a person to get those eyeglasses.

And so since -- so we felt that we should put that in this bill. We believe that from the Office of Fiscal Analysis that it will cost approximately \$85,000 and in the next bill that does the overall budget adjustments for CBA as well as other adjustments that have come up and we've discussed here, you will see that figure in our budget adjustment. Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President. And could you explain to me what the medical reasons would be? Through you, Madam President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much. We're thinking now that it

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could be glaucoma and, um, some forms of, uh -- what comes to mind right now is glaucoma and cataract operations, maybe a macular degeneration of some sort. But those kinds of physical ailments that were spiked by an operation might be something that would qualify under medical necessity for another pair of glasses.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President. So they're very specific in the reasons. Not as if someone lost a pair of glasses or broke a pair of glasses. What about, you know, even a change in prescription or something like that? I'm trying to understand the whole gamut of the medical reasons. Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much. It does not include losing glasses. It doesn't include your prescription changing and it doesn't include breaking your glasses. It has to be a medical condition that requires a change -- that foments a change in your vision that would count under medical necessity for this

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particular provision.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President. Moving to Section 3, it speaks about the -- requiring the OPM Secretary to monitor spending to meet specified reductions. Was there a need for this change in language? Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much. It's something that we typically put in every budget to give the Secretary of the Office of Policy and Management. It's typical budget language, and it is language so it wasn't appropriate for the back of the budget and it is included in the overall general government.

THE CHAIR:

Senator Kane.

SENATOR KANE:

So -- thank you, Madam President. So, through you, to Senator Harp, if it's typical language then it is not a change? Through you.

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THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much. I think that what changes is the amounts in each year so you have to -- so every year we would find language like this in an implementer bill, is what I mean by typical language.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President. In Sections 11 and 12, we talk about the funds that would typically go into the Banking Fund. You know, when banks and credit unions fail to pay their assessments and we have violations, things like that, it's going from the -- to the General Fund from the Banking Fund. Was this revenue included in any of the earlier revenue estimates that we spoke about? Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you. Through you, Madam President. I believe that it was. This has been something that has been discussed throughout the budget process and this

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is just language that makes it conform to what we've put in the budget and it is a part of revenue, it is in the revenue estimate.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President. And through you to Senator Harp, how much is that anticipated revenue? Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much, Madam President. I don't have the exact number right now, but could get it to you later.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Um, yeah. No, that's fine. You know, is it a small amount, a rather large amount, you know, anything worth us debating for any further? Through you.

THE CHAIR:

Senator Harp.

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SENATOR HARP:

Thank you, Madam President. I always enjoy the debate but I don't have the answers so I couldn't even guess.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Okay. That's fair. Thank you, Madam President.

Staying in these sections, I believe it's in Sections 12 and 13, the CCEDA executive director position was always an OPM staff person. And I believe this moves that out of OPM. Can you explain that? Through you, Madam President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you. Through you, Madam President. It's my understanding that it was not always a staff person at OPM and that it was moved into OPM two or three years ago.

And as a result, there was -- and I believe this was in the original language, feeling that there was no need for the executive director to be -- of the Capital City Economic Development Authority to be a

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staff member of the Office of Policy and Management.
So -- so that person is being moved into that
quasi-public organization that they basically have the
administrative authority to operate.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President. Through you to
Senator Harp, how many employees does CCEDA have and
of those, how many are OPM staff? Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much, Madam President. I believe
there was only one that was an OPM staff member. And
that was the executive director. And I think that
there are maybe 12 to 15 employees. That's my
understanding.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President. I don't -- I
certainly don't want to disagree with you on the floor
on this issue, but I do believe it may be greater than

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that, but -- I was just more curious about why we're moving it out of OPM.

If I can go to Section 19 -- find my -- which is in regards to the mileage reimbursement, it looks like the auditors of Public Accounts, the mileage reimbursement was taken away. And could you explain the rationale for that? Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much. The mileage reimbursement from home to work of the two auditors of Public Accounts was taken away because they're full time employees of -- I guess the General Assembly in the Auditor position and there was -- they felt uncomfortable receiving it and we felt that it was unnecessary.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President. How much is that typically worth? Through you.

THE CHAIR:

Senator Harp.

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SENATOR HARP:

Thank you very much. I believe that their mileage is done the same way that the Legislature's is and it's set by the federal government. Currently, I believe its 51 cents per mile, so it would depend on where the auditor lives. And so there isn't one set fee, but I would imagine it might be worth -- depending on where you live, as much as \$10,000 to \$15,000 a year. So it has a value, but almost everyone else who works here at the General Assembly and in executive positions does not receive mileage from home to work.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President. That was going to be my next question. How many people in the Legislative Branch receive this money? Are there any other individuals that are full time that work here in the Capitol that also receive mileage? Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you. Through you, Madam President. I'm

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sure that there's some that would argue about whether or not these folks work, but 181 legislators receive that. And I don't know that others do. I don't believe they do.

THE CHAIR:

Senator Kane.

SENATOR KANE:

187, maybe?

SENATOR HARP:

Was it 187? Yes. I'm sorry, I got it all mixed up.

SENATOR KANE:

No, and I wasn't saying -- I didn't say that people do not work. I didn't -- I was curious how many individuals get mileage reimbursement if they are full time employees like you mentioned.

I'm just curious to see how it was just the auditors of Public Accounts, you know, why that particular group? Who else may have fit under this category? Maybe we could have some savings looking at everyone who potentially gets mileage. I'm just -- you know, asking the question. That's all. How it came about that these two individuals were reduced, yet there may be others in the building that get this

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type of reimbursement? Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you, Madam President. It's my understanding that the auditors were unique and they were the only ones who were not elected that receive this mileage.

THE CHAIR:

Senator Kane.

SENATOR KANE:

I'm sorry. Could Senator Harp repeat the answer?

I'm sorry.

THE CHAIR:

Senator Harp.

SENATOR HARP:

It's my understanding that the auditors were unique. I don't believe that any staff persons or nonelected officials who work in the Legislative Branch receive mileage from home.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

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If I can move further into the next section which is Section 20 in regards to the disparity study, the underlying bill said it would be done within available Appropriations yet there is a fiscal note of \$500,000 to a million dollars, I believe. So my question is are these monies budgeted? Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Madam President. Yes, those dollars are budgeted in the Commission on Human Rights and Opportunities.

THE CHAIR:

Senator Kane.

SENATOR KANE:

So they're already budgeted for another purpose?
Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Madam President. No, they are budgeted for the disparity study.

THE CHAIR:

Senator Kane.

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SENATOR KANE:

Okay. I guess I'm trying to understand the language when it says "within available appropriations."

In the next section, Section 21, state police Majors -- I believe we are moving the number of Majors from seven to 12. Through you, is that correct?

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Madam President. That is correct.

THE CHAIR:

Senator Kane.

SENATOR KANE:

And through you to Senator Harp, the reason for that?

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much. I -- when they looked at the number of, um, Majors or leaders, one, there weren't enough in the department and two, and it's probably getting to the next question, because it is a -- an unclassified position, um, a number of people

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who were eligible to become Majors chose, we've been told, not to become Majors because an unclassified position, you basically serve the same tenure as your appointing authority.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Um, thank you, Madam President. When you say there weren't enough, how many do we have currently? Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much. I believe that there are seven.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Are there seven -- through you, Madam President, are there seven or is it just the Safety Commissioner can appoint five to seven more? Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

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Thank you very much. In all honestly, I believe that there are seven and the Commissioner can appoint five more.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President. My understanding is that there were four, but -- so I'm curious in regards to the increase in the positions. Also the cost associated with it. Maybe Senator Harp can speak to the cost associated with this policy change? Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much. I'm going to check the fiscal note, but I don't believe there was a cost because I think that we were told as well that part of the problem was that -- oh, actually there is --

SENATOR KANE:

Hundred.

SENATOR HARP:

It may cost up to \$180,000 to -- to actually move that. But the reality is that many of the people who

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are in the lesser positions that are classified could actually earn up to those dollars, which was another reason that made going to a classified position less attractive and hard to fill those positions.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President. So this, too, is not in the budget? Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much. It will -- I believe it is in the budget. If not, it will be in the budget. We are doing a budget adjustment. But I don't recall this being on our budget adjustment list.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Okay. Thank you, Madam President. And just one last question in this section before I leave it. If you could go back to the classified versus unclassified classifications? Through you, Madam President.

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THE CHAIR:

Senator Harp.

SENATOR HARP:

Madam President, I don't believe I understood the question.

THE CHAIR:

Senator Kane.

SENATOR KANE:

I was trying to discern -- determine the difference. You mentioned how these individuals did not want to be classified, I believe you said, so I was trying to understand the determination between classified and unclassified. Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you. I think it was -- through you, Madam President -- it's just the opposite. They didn't want to remain unclassified, because classified jobs are civil service jobs and they're protected by civil service rules. And so that would mean that they could maintain their job beyond the tenure of the appointing authority.

THE CHAIR:

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Senator Kane.

SENATOR KANE:

Thank you, Madam President.

If I can -- well, I'll continue in that regard. I -- I guess I would have questions in regards to the -- more questions in regards to the need on those positions and especially the move to these classified positions. But I will move on in the sake of time.

Jumping to Section 29, if I could, which is in regards to the electronic business portal. What is the anticipated cost of this endeavor? Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much. I'm going to check the fiscal note.

Thank you very much. The fiscal note indicates that it will cost approximately \$900,000 in Fiscal Year 12. Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President. And this we are bonding, correct? Through you.

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THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much, Madam President, yes. The funding would be provided through a 5.5 million dollar general obligation bond.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President. And the anticipated term of that borrowing is 10 years, 15 years, 20 years? Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much. It's -- the typical amount of time that we normally bond for general obligation bonds -- and I'm not really certain that I know. It's 20 years, I believe, I've been told by staff.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President. And -- I -- uh, Representative Miner and the House and myself have had

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conversations with the Secretary of State in regards to this issue. And -- and -- pretty much I think they alleviated my concerns, but I'll get your take on it as well.

When we bond for software and computers and technology that tends to -- its useful life, its shelf life, if you will, tends to be more rapid than let's say police cars or machinery or other equipment. So I'm just anticipating your response in regards to the policy of bonding for 20 years on these types of software and those type of things. Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you, Madam President. It has been a policy of former administrations as well as this administration to bond for software. It's in many cases -- it's a huge expense, some of our software costs initially in the hundreds of millions of dollars, if you look at the Department of Social Services. And so it has been the practice of this state to bond.

THE CHAIR:

Senator Kane.

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SENATOR KANE:

Thank you, Madam President. And I apologize for going backwards, but I am. Section 15 in regards to the Soldiers, Sailor and Marines Fund, can you tell me what is the balance of that fund currently? Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Um, hold on, I'll see if it's in the fiscal note. I recall it being somewhere around 66 million dollars, but -- I'm not certain what the balance is, but I know it's in the 60 million and change amount.

THE CHAIR:

Senator Kane.

SENATOR KANE:

That's fair. Thank you, Madam President.

And this language, if you could just ex -- I think I had it backwards when we're caucusing it -- in regard to their operating expenses. If the interest earned is not enough then they need to go into the General Fund to help with their operating expenses. Do I have it correct? Through you.

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Senator Harp.

SENATOR HARP:

Thank you very much, Madam President. That is my understanding as well. And that it typically occurs that the General Fund subsidizes the operation of this fund.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President. And do you -- through you -- how long have we been entertaining that practice? Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much, Madam President. Since I've been Chair of Appropriations, it's come to my attention as something that is a slight problem that we have tried to address a number of ways. And the people of the state of Connecticut have basically asked that we continue doing what we've done.

THE CHAIR:

Senator Kane.

SENATOR KANE:

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The fund, I guess, is not doing as well as it could be or should be. Have we looked at -- well, actually, I'll take a step back. Who invests the money for that fund? Is it the Treasurer? Is it the organization itself? Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much, Madam President. I believe it's the Treasurer's Office.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President. And as of right now, how much does this entity owe the General Fund based on the General Fund having to subsidize their operations? Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much. Through you, Madam President, I don't believe that we calculate what they owe the General Fund. I think we -- we just pay it if it's a slight deficiency. We just absorb it.

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THE CHAIR:

Senator Kane.

SENATOR KANE:

Okay.

Um, there are so many sections to this bill,
Madam President.

In Section 22, the Higher Education and CORE-CT
functions are there costs associated with this
transition? Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much. The Controller actually
indicated that there may be some costs for the
individual constituent units to move into CORE-CT.
And I believe that the language asks them -- each of
them participates in CORE-CT to varying degrees and
the language asks them to make their best efforts.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President. But they -- each
constituent unit will use their own accounting system?
Through you.

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THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much. Through you, Madam President, currently each constituent unit uses its own accounting system and they have agreed and we've had discussions with them that they will make their best efforts to convert as much of that as practical to CORE-CT.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President. But at this time they'll do their own accounting practices in addition to their CORE efforts? Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much. Currently that is the case as they move over the next few years to actually become as compliant with CORE-CT as their business allows.

THE CHAIR:

Senator Kane.

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SENATOR KANE:

Sticking with the CORE-CT questions I have. In Section 45 in regards to the GAAP accounting procedures we'll be undertaking, will the CORE-CT system be able to handle this change? Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you. Through you, Madam President. Yes, it will.

THE CHAIR:

Senator Kane.

SENATOR KANE:

And along those lines, will there be additional monies needed for that change? Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much. There are dollars in the biennial budget to hold, to not increase the GAAP deficit and they are set aside and reserved for that amount in Fiscal Year 12, in Fiscal Year 13. And then as of Fiscal Year 14, we will be one hundred percent GAAP compliant and we will begin to reserve

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approximately -- well, we'll begin to reserve a hundred million dollars per year to assure that we alleviate the GAAP deficit that we have.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President. And do you have a specific dollar amount to what the dollars are?

Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much, Madam President, yes. We owe the balance sheet about 1.5 billion dollars.

THE CHAIR:

Senator Kane.

SENATOR KANE:

That's with a "B," right? Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

That's with a "B" as in boy. That's a lot of money.

THE CHAIR:

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Senator Kane.

SENATOR KANE:

Boy, oh boy. That's probably what you wanted to say.

Section 50, if I could, in relation to the Voluntary Regional Consolidation. Is the funding for this program in the budget or is this yet another item we will see in the budget changes you mentioned earlier? Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you. Through you, Madam President. There is -- there are dollars in the biennial budget to establish the pool and I believe that there's \$300,000 in both Fiscal Year 12 and 13. And I believe that there will be dollars that we'll see later in the bond bill that will provide more substantial amounts to encourage cooperation between regions of our state and municipalities.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

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I know I'm bouncing around again.

In Section 133, which -- hopefully you can answer. If you don't, I understand. It's more about the income we take, but it has to do with the Land Document Recording Fee. And I believe this -- is this an increase in the recording fee or is this a continuation of it? Through you.

SENATOR HARP:

Thank you. Through you, Madam President. The current document fee increase sunsets this year and this just continues the program --

THE CHAIR:

Thank you.

SENATOR HARP:

And makes it permanent.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Nothing more permanent than a temporary tax, right?

How much was collected in Fiscal Year 10 from this Recording Document Fee? Would you have that number? Through you.

THE CHAIR:

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Senator Harp.

SENATOR HARP:

Thank you very much. I would have to get that to you. I don't recall how much was -- how much was collected from that fund.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Staying with Section 133, I believe there are three specific earmarks contained in this section. Can you speak to those? Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much. I just need to -- to get that and I will tell you what they are in just a moment.

SENATOR KANE:

Through you, Madam President, I believe it's in line 4782.

SENATOR HARP:

Thank you, yes. There's \$47,500 for the Seafood Advisory Council. \$47,500 for the Connecticut Farm Wine Development Council. And \$25,000 to the

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Connecticut Food Policy Council. Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President. Can -- do you have any detail on what these councils are, you know, the Seafood Advisory Council, and so on and so forth? Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you. Through you, Madam President, the Seafood Advisory Council is a trade organization for the fin fishers and shell fisherman in our state. And it ultimately, again, provides support to that particular group, to that particular business within our state.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President. And when you -- in support -- anything directly or specifically that they will do with these funds? Through you.

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SENATOR HARP:

Thank you. Through you, Madam President. I believe that this basically organizes that group of people, pays some attention to regulations that may be passed that affect this group of people. They have a great concern for the quality of life -- sea or fish life and shellfish life in the Long Island Sound so are very active in those policy issues. That they operate as almost any trade organization would operate.

THE CHAIR:

Senator Kane.

SENATOR KANE:

And these organizations are government subsidized? Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Madam President. Since seafood and ac -- aquaculture is a -- is an important part of the industry clusters in our state it is important -- I think it has felt to be important as a public policy to support the organization that supports the people who do this work and operate those businesses in our

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state.

THE CHAIR:

Senator Kane.

SENATOR KANE:

And -- thank you, Madam President. And through you, I guess, the same question. These dollars were in the underlying budget or is this something that will come in the budget changes that we've been talking about? Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much. These dollars are actually in this area and they come out of the Community Investment Fund. So you would not find them necessarily in the budget document, but they're in this document setting aside some of the dollars from the fees that we talked about earlier to provide support for these various councils.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

And one last question , if I might, it's in

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Section 198, the State School Breakfast Grants. Are we -- I believe reducing the eligibility criteria from 40 percent to 20 percent. Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much, yes. By increasing the number of students who are eligible, more schools can participate in the school breakfast program and that's basically what this section does.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President. But in the -- the, um, 40 percent threshold is set by the federal government, correct? Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Madam President. It is, but the states can always go above the threshold set by the federal government.

THE CHAIR:

Senator Kane.

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SENATOR KANE:

Thank you, Madam President.

And one last question in relation to the cost of this program change over the next two fiscal years. Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much. I'm going to have to check the fiscal note, but I believe that we did budget for it.

The -- through you, Madam President, the additional cost according to the fiscal note is \$586,196 at least, it says. And it was budgeted in the biennial budget.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President. I thank Senator Harp for her answers. You've been very helpful.

I do believe, though, however, that we have had numerous debates on this floor in relation to amendments that I've even offered and yourself have uh, uh, rebutted in relation to the underlying budget

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and putting monies back into the budget with budget changes.

And certainly we have found a number of areas in our discussion of budgetary changes that came about after the budget had been in place. So I thank Senator Harp for her answers. And I appreciate the knowledge and specifics that she has given me. But I still have some very deep concerns with the underlying bill. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further? Will you remark further?

If not -- Senator Welch.

SENATOR WELCH:

Thank you, Madam President.

A few questions, if I may, to the proponent.

THE CHAIR:

Please proceed, sir.

SENATOR WELCH:

If I may, turning to Sections 17 and 18, which deals with whistle blower complaints, I notice that we now have carved out or are proposing to carve out a number of exceptions as to when, one, whether it's an auditor or the Attorney General may reject a

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complaint. And I'm just curious if there's been some thought as to how these exceptions might --

THE CHAIR:

Senator, could you speak a little louder?

SENATOR WELCH:

Sure.

How these sections relate one to another, the first being exemption number one, which I think is found around line 283, where a complainant -- a complaint may be dismissed if a complainant has other available remedies that he or she could reasonably be expected to pursue. And my first question related to that is what types of -- what types of remedies are we contemplating here? Through you, Madam President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much. Oftentimes there are remedies having to do with something as simple as going through the collective bargaining process. So that's a remedy, if it's more appropriate for that process, that's one. There is -- there are also other employee mechanisms through the Department of Administrative Services that an employee can secure as

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well if there are problems. Depending upon the type of problem that might exist.

THE CHAIR:

Senator Welch.

SENATOR WELCH:

Thank you, Madam President. And then, through you, if we jump down to exemption number four -- excuse me, exemption number 5 which has to do with timeliness of the complaint. I just want to be sure we are not contemplating here that pursuing some of those other remedies which then might cause time to pass could then be used as an argument to dismiss the complaint under subsection 5. Just so it's clear. That's not the intent. Through you, Madam President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much. No, that's not the intent.

THE CHAIR:

Senator Welch.

SENATOR WELCH:

Thank you, Madam President. Again, through you, subsection number 4 talks about other complaints having greater priority in terms of serving the public

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good. If I may ask this question through you, Madam President, why wouldn't we just require the auditors and the Attorney General to maybe just throw those complaints in the back of a queue rather than dismiss them outright? Through you, Madam President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much. Through you, Madam President. There may be another complaint that is very similar to that type of complaint that could be being addressed or there may be some sort of group. And it makes sense then, I would think, to go ahead with the complaint that is far more complex, but relates to the same issue.

THE CHAIR:

Senator Welch.

SENATOR WELCH:

Okay. Thank you, Madam President.

Then if I could turn to Section 42, which has to do with fund transfers relative to the Probate Court Administration Fund and the Fiscal 11 surplus to the Judicial Department's Court Services Division. Have we proposed at all to raise probate fees in Fiscal

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Year 12 and 2013? Through you, Madam President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you. Through you, Madam President. I'm not aware of any increasing fees.

THE CHAIR:

Senator Welch.

SENATOR WELCH:

Okay. Thank you. Thank you, Madam President.

And that might be all I have for now. And with that, thank you, Madam President.

THE CHAIR:

Thank you. Senator McLachlan.

SENATOR McLACHLAN:

Thank you, Madam President. I stand for the purpose of questions to the proponent of the bill.

THE CHAIR:

Please proceed, sir.

SENATOR McLACHLAN:

Thank you, Madam President. Senator Harp, the sections related to consolidation and creation of the Office of Government Accountability, can you share with us how many new positions will be created in the

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Office of Government Accountability? Through you,
Madam President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you, Madam President. Through you, it's my
understanding that there will be no new positions.

THE CHAIR:

Senator McLachlan.

SENATOR HARP:

Excuse me, Madam President, except for one and
that is the executive administrative director.

THE CHAIR:

Senator McLachlan.

SENATOR McLACHLAN:

Thank you, Madam President and thank you, Senator
Harp. The Office of the Executive Administrator, will
that office have support personnel? Through you,
Madam President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Madam President. The support
personnel will be garnered from the existing offices

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that will be moved into the Office of Government
Accountability.

THE CHAIR:

Senator McLachlan.

SENATOR McLACHLAN:

Thank you, Madam President. Thank you, Senator
Harp. The -- in the merger of these agencies, will
the new agency be located all in one location and will
that save office space costs? Through you, Madam
President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you, Madam President. Currently most of
the offices are in the government building, the state
office building. And so they are already basically
co-located in a building, by and large, most of them.
And so they are close. They may not be on the same
floor or in adjacent space, but they are, by and
large, in the same facility.

But in the other consolidations that we've done
and there may be one or two of these agencies that are
not in that building. And so what I would say is that
we have a virtual consolidation.

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In this case it's more physical than virtual, but, um, I'm thinking of companies where you have offices in different physical plants. That doesn't really change the line of command or authority. And I believe that that is what we are doing here in terms of providing administrative support. Many of these agencies were SMART agencies and received that support from the Department of Administrative Services and that department provides that support to agencies all across our city here in Hartford and our state. So that physical co-location is not necessary to provide administrative support.

THE CHAIR:

Senator McLachlan.

SENATOR McLACHLAN:

Thank you, Madam President. Thank you, Senator Harp. The issue of the creation of the new executive administrator position, I see that that position is appointed by the Governor after consultation of the membership of the new OGC. What will be the responsibilities of that individual, the executive administrator and how does the authors of this bill perceive the relationship between the executive administrator and the current executive directors of

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all of the sub agencies? Through you, Madam
President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much, Madam President. The
executive administrator provides the personnel -- the
physical personnel operations as DAS would do in the
SMART unit. It provides the operationalization of
payroll services, the affirmative action operation for
that department and other business office functions,
mailing, that sort of thing will all be done in much
the same way that a SMART unit had done it previously.

THE CHAIR:

Senator McLachlan.

SENATOR McLACHLAN:

Thank you, Madam President and thank you,
Senator, for your answer. You raised an interesting
point about the Department of Administrative Services
and the SMART unit concept, which appears to be
working well in state government although it's a very
small part of state government thus far. Did the
authors of this bill consider the idea of allowing the
Department of Administrative Services in the SMART

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unit concept to assume all of the back shop administrative functions without the creation of a new position in state government? Through you, Madam President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you. Through you, Madam President. In this particular case, no.

THE CHAIR:

Senator McLachlan.

SENATOR McLACHLAN:

Thank you, Madam President. Thank you, Senator. And may I ask why that was not considered as an option in the creation of this new agency? Through you, Madam President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you. Through you, Madam President. The idea was to have a department that maintained the independent identities of these various offices, councils, commissions and boards while at the same time coordinating and finding opportunities to reduce

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costs.

Many of these agencies were already SMART agencies. If we had added all of these agencies into a SMART unit we would have had to increase DAS' ability to actually serve all of them and it might have actually cost us more. So the thought was that we would set them up in a system that's very much like the Office of Legislative Management that utilizes some of the existing staff, that already provides those functions and provide it for other departments. So it ultimately saves resources in the Department of Administrative Services, and it, I think, makes more effective and efficient current staff that are doing that for some of these offices.

THE CHAIR:

Senator McLachlan.

SENATOR McLACHLAN:

. Thank you, Madam President. Thank you, Senator Harp. The point of the executive administrator evaluation, who is responsible for the annual evaluation of the executive administrator's performance and who is responsible for any action to be taken on such a review? Through you, Madam President.

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THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you. Through you, Madam President. There is established in this bill a government accountability commission that is a nine member commission and that is the same commission that makes recommendations to the Governor for the executive administrator. But they also have the power to evaluate and terminate the executive administrator

THE CHAIR:

Senator McLachlan.

SENATOR McLACHLAN:

Thank you, Madam President. Thank you, Senator Harp. So for clarification, subordinate employees of state government, collectively as a new commission that's being created by the Legislature has hiring or participation in the hiring process but more importantly the review and/or termination of their boss should there be a problem going forward? Do I have that right, Senator Harp? Through you, Madam President.

THE CHAIR:

Senator Harp.

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SENATOR HARP:

Through you, Madam President. No, I don't believe you do. The executive administrator is not their boss. In almost every situation it's the commission that is the -- really, the -- I feel like I'm in kindergarten -- the boss of them. But -- but, so now, he's not their boss, she's not their boss. It will be the commissions that oversee the operations of these various offices that will actually make determinations about the staff that fulfill the functions of those commissions.

THE CHAIR:

Senator McLachlan.

SENATOR McLACHLAN:

Thank you, Madam President. Thank you, Senator Harp. It seems to me to be an unusual design of a government agency whereby the executive branch has appointment authority of an executive administrator after the appointment a commission of members who are state employees have oversight over their supervisor.

Because as I understand with the structure of this new Office of Government Accountability, the oversight of the executive administrator is by the new commission created. So my point is, it seems to me

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that it's very unusual that we're creating a new organization in state government that allows subordinates to be essentially the supervisors of their boss, for lack of a better terminology. Through you, Madam President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much. I think that the problem here is considering those individuals as subordinates, they're not. They -- and it is the same model as we use here in the Legislative Management Division. All of the caucus leaders or the Committee on Legislative Management can decide to terminate the administrator for the legislative operations. And it would be very much the same model. So it's -- it may seem unusual in the executive branch, but it's based upon the model that we use here in the Legislature.

THE CHAIR:

Senator McLachlan.

SENATOR McLACHLAN:

Thank you, Madam President. The consolidated -- uh, agencies -- the commission created by the consolidation are they authorized to terminate the

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administrator, the new executive administrator that is appointed by the Governor? Through you, Madam President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Madam President, yes.

THE CHAIR:

Senator McLachlan.

SENATOR McLACHLAN:

Thank you, Madam President. And that's my point. My point is that it -- it seems very unusual to me that a supervisory role may be terminated by subordinates. And the reason why I call it supervisory by way of a description of the executive administrator is it's my understanding that the executive administrator just by the description of the title of this position has oversight over the operations of the subordinate agencies that are part of the new Office of Government Accountability. There seems to be inherent conflict in this structure. Can you please shed more light on the -- the -- my concern about this inherent struct -- conflict? Through you, Madam President.

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THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much, Madam President. The executive administrator is an administrator has no impact on policy making and the overall policy goals and -- are set aside in these various offices. So that there really is no relationship in terms of what these various offices do within the Office of Government Accountability. So that that person assists them in getting their work done, but is not someone who governs from a top down. He has nothing to do with their business other than assisting them administratively

And, through you, Madam President, I just want to finish. And so the reason that they can terminate him or her is that if the assistance isn't done well and if there are problems, then that is the value that they're going to use to make a determination about whether or not the job is well done. They all agree that it isn't, they can terminate the executive administrator.

THE CHAIR:

Senator McLachlan.

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SENATOR McLACHLAN:

Thank you, Madam President. Let me try another approach to the -- essentially the same question, but we have a political appointee by way of the Executive branch and the Governor's appointment of an executive administrator following recommendations, of course, from the commission.

It is the executive administrator that has to work through the budgeting process. It is the executive administrator that has to work through some of the personnel issues inherent in operating any state agency or commission. And so it is the executive administrator that is the conduit to the political arm of state government between -- up to this point a individual nonpolitical organization.

So the point I'm trying to make is that we are inserting into this watchdog agency a political appointee who does, in fact, have, I believe, a substantial oversight in the operations of the sub agencies. And I'm trying to understand how does this bill address the inherent potential conflicts of interest that may occur during this merger? Through you, Madam President.

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Senator Harp.

SENATOR HARP:

Thank you, Madam President. I've tried to explain it as best I can. And all I can say is that the offices will continue and their commissions will continue to have the power of policy and hiring for the business of the commissions and the boards.

All the executive administrator is doing is providing support to those combined offices. It has no policy authority whatsoever and has no way to wedge him- or herself into policy discussions. Those are all done through the board. And in the cases where there are protections around budgeting, those agencies continue to be able to submit their budgets without interference from the Executive branch while they are Executive branch agencies and operate in an executive branch system. So there is no power or authority on the business of these various offices at all, aside from the support that is given for personnel, for affirmative action and other administrative responsibilities that every department has. Through you, Madam President.

THE CHAIR:

Senator McLachlan.

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SENATOR McLAČHLAN:

Thank you, Madam President. Thank you, Senator Harp. I would agree with you that the administrative functions of state government can, in many cases, be streamlined in such a way as demonstrated by the SMART unit process. But I still see an inherent conflict. So let me try another way to see if -- if -- if you and I can agree that there's a potential conflict.

The next point, as I understand, is the budgeting process of the new Office of Government Accountability is a little different than the way it is now for the sub agencies as they operate independently now. It's my understanding that the budget request of the independent agencies now submit a budget to the Governor and that budget amount is inserted into the Governor's budget similar to the way it works for the third branch of government, with the Judiciary. Is there any change to that process of budgeting in the merger and creation of the Office of Government Accountability? Through you, Madam President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much. Through you, Madam

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President. Currently, all departments -- in all branches of government submit their budget request to the Secretary -- to the Governor, but it goes directly to the Secretary of the Office of Policy and Management and his budget staff. And there are some areas in the Judicial branch, the Legislative branch and the Office of State Ethics, the Freedom of Information Commission and the state Election Enforcement Commission that transmit their budget estimates as well to the Secretary of the policy -- of Policy and Management.

And law has deemed that when the Judicial branch and the Legislative branch and these watch dog agencies submit their budgets to OPM that they are to appear unchanged when they come to the Legislature and after the Governor has done his work. What has changed is that these budgets now go through the Office of Government Accountability, but the fact that they cannot be changed or altered has not changed in the bill that we're doing. That continues. So that rather than have them submit directly to the Secretary of the Office of Policy and management, they're all submitted through the executive administrator but the executive administrator in the case of the watch dog

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agencies has no authority to alter those budgets. They continue to move to the secretary and they will appear before us as the watch dog agencies wanted them to appear. So there has been no change. There is an extra step only. Through you, Madam President.

THE CHAIR:

Senator McLachlan.

SENATOR McLACHLAN:

Thank you, Madam President. So the executive administrator is just going to add up all the budgets and pass it on exactly as requested by each of the independent commissions so that does answer my question. Is that -- do I have that correct? Through you, Madam President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you. Through you, by and large, yes, especially for the -- for the Judicial branch commissions as well as for the watchdog agencies.

THE CHAIR:

Senator McLachlan.

SENATOR McLACHLAN:

Thank you, Madam President. So there are some

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agencies that are included here that the executive administrator may interact with the budget that is ultimately sent to the Governor? Through you, Madam President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much. Um, I believe that the Board of Firearms Permit Examiners, the Office of Child Advocate, the Office of Victim Advocate and the state Contracting Standards Boards don't have the same protections.

THE CHAIR:

Senator McLachlan.

SENATOR McLACHLAN:

Thank you, Madam President. So in that -- in those cases is it now the executive administrator that makes a policy decision about what budget should be submitted to the Governor? Through you, Madam President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Madam President. No, because I

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think in the legislation it indicates that those budgets will be prepared by those offices. So it's my understanding that in fact he won't, he basically is just a step in transmission. Through you, Madam President.

THE CHAIR:

Senator McLachlan.

SENATOR McLACHLAN:

Thank you, Madam President. And thank you, Senator Harp, I -- this has been very informative and I think what you've just described to me and perhaps to others here in the Circle is that this new executive administrator position seems to mirror in many ways an HR administrator. That this new executive administrator position does not seem to have any policy oversight over the sub agencies, has no input, apparently has no input whatsoever in the policy making of the subordinate agencies. That the subordinate agencies are really still operating independently and so we seem to be creating a new position in state government with support staff that essentially is HR in function, and on a minor level, some office administration function.

It seems to me that an executive director of the

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sub agency is already doing all that work. So I guess I'm confused why we're making this new position, which I assume is over \$100,000 position plus benefits. And also, why it's a political appointment. So I do have concerns and I'm going to listen to further discussion about this bill and the potential for amendments. But I'd like to expand a little bit on the thought process of why wouldn't this merger that we're talking about just be a merger of the back office operations? Because it seems that's really what we're effectively doing here. And if that's the case, why would we need to create a new position?

Through you, Madam President to Senator Harp. Does this bill address concerns of many that we've been hearing about for several months now as it relates to a perception of a lack of a firewall, if you will, between the agencies?

For instance, one of the concerns that has arisen on many occasions in discussions with people who interact with these agencies and people who work with the agencies is the concern that the legal staff for instance, should probably not be sharing responsibilities across agency boundaries, if you will, because of the inherent potential conflict of

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legal matters that could find one agency, in fact, suing another in some cases.

Through you, Madam President to Senator Harp, have the authors of this bill before us considered that firewall and the implications of what could happen if we don't have a clear firewall?

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you. Through you, Madam President. Currently the only areas that are merged are personnel, payroll, affirmative action and administrative and business functions and information technology associated with those functions. The legal staffs remain independent.

What the bill does do, though, it allows the administrator to work with the organizations through the commission that we mentioned earlier to determine whether or not there are other opportunities to merge functions and to report back to the General Assembly to inform us if there are other potential aspects of merger that we might want to pursue in another year to more fully merge them.

But right now the combined work really is the

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back office work, the HR work that you spoke about and some other minor administrative functions. We have not consolidated any of the policy operations of any of their staff, any of their professional staff. But should they come back to us and determine that there might be a way to do that, certainly it would be something for the General Assembly to consider next year. Through you.

THE CHAIR:

Senator McLachlan.

SENATOR McLACHLAN:

Thank you, Madam President. The report we have before us from the Office of Legislative Research talks about the report that is due from the executive administrator that must be submitted to the Appropriations, GAE, Judiciary, multiple committees of the Legislature. And one of the important parts of the report that is being asked for is the process of consolidation of the agencies and how there can be cross training of employees among agencies. Through you, Madam President to Senator Harp, do you see cross training of legal staff of any of these agencies?

THE CHAIR:

Senator Harp.

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SENATOR HARP:

Through you, Madam President. I personally do not. But I don't know the details of the legal business and I don't know whether or not there are portions of the business that can be shared. But with my limited knowledge of what they do it seems like the legal skills that are needed by each of those agencies are specific and would be very difficult to merge.

That's why we're asking the organization, the various components of the new organization to actually plan and study whether or not it could be done, and if so, what aspects could be done. Because I don't engage in that business. I don't -- and I don't think any of us who are here do. And so it would be -- I think it would be unfortunate if any of us made a decision to merge certain aspects of that work, not fully understanding its complexity. And I believe that's why we decided on this model of merger rather than the one that was presented to us earlier in the session. Through you, Madam President.

THE CHAIR:

Senator McLachlan.

SENATOR McLACHLAN:

Thank you, Madam President. Thank you, Senator

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Harp. So one more scenario about concerns about conflicts or this firewall that I mentioned. The makeup of the new Office of Government Accountability, the commission is the executive directors of the sub agencies, the community agencies described in the bill. It is not unusual based upon past history for some of these agencies to be in conflict with one another in court over some pretty important issues.

My concern is how does that translate to these individuals coexisting on the commission that has oversight over the multiple sub agencies and those relationships. It -- it just -- I can't seem to grasp what happens when you have a major conflict and how do they address that issue in the commission structure for oversight decisions going forward. Through you, Madam President, and if Senator Harp could perhaps comment on that viewpoint.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much, Madam President. I believe that the gentleman raises a very interesting and compelling point. And I believe that's why we asked them to come together and create a plant that would

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work best for them if there were any other merging that needed to happen besides the basic administrative function that will be merged under the current structure.

I believe that each of them, while they may disagree in certain areas, are all professionals and can work out administrative structure and possible opportunities for sharing work and look beyond any conflict that they may have based upon their overall policies that may be in conflict with one another. I have the utmost belief that they are professionals and can separate legal strategy and policy from operation of administrative structures within an overall agency that contains all of them. I believe that they're professionals and can manage to work on what it is that they can work on together. And those things that they can't, I believe that they can face them, indicate what they are and take those things off of the table in the plan. Through you, Madam President.

THE CHAIR:

Senator McLachlan.

SENATOR McLACHLAN:

Thank you, Madam President. Thank you, Senator Harp. One more question about potential conflict that

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I still have concern about. And I thank you for staying with me right along with my questions and you've been deliberate and thoughtful in your responses and I appreciate that very much.

The executive administrator has daily interaction with all of the sub agencies. What will be the responsibility of the sub agencies to assure confidentiality of their operations and business in relation to the executive administrator so that there are not breaks in the firewall between sub agencies? Through you, Madam President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much, Madam President. It's my belief that through the process of making a list of recommendations and having a number of discussions with potential hires they can develop through that process a sense of what the expectations are for confidentiality and work together with that administrator to develop policies and procedures and even regulations that would protect confidentiality. Through you, Madam President.

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Senator McLachlan.

SENATOR McLACHLAN:

Thank you, Madam President. Thank you once again, Senator Harp. I think we'll just have to disagree -- agree to disagree, I guess, that that I still have concerns about the potential for conflicts between the sub agencies that may prove to be counterproductive, especially as it relates to an executive administrator with what I perceive to be oversight in some ways over these sub agencies and that there will be inherent conflicts.

And I'm not sure that a report due to the Legislative Committees of the General Assembly is going to fix that next year. I think that trying to merge these agencies so rapidly is an important process. I understand we're urgently trying to save money. I get that. But I'm very concerned that the time constraint that is under the new commission to bring everything together, the time constraint of this new commission to make recommendations to the Governor or an appropriate candidate to be an executive administrator for a position that is yet to be described fully and last but not least, the high likelihood that there could be perception -- and

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that's what we really have to worry about, I think.
There could be a perception that there is not a strong
firewall between the sub agencies when there is a
political appointee at the top.

So Madam President, I would -- at this point I
would like to address that particular issue and ask
the Clerk to call an amendment, LCO Number 7968.

THE CHAIR:

Mr. Clerk. 7968, please call.

THE CLERK:

Madam President, the Clerk is in possession of
LCO Number 7968 copies of which have been distributed. A

THE CHAIR:

Thank you. Senator McLachlan.

SENATOR McLACHLAN:

Thank you, Madam President. I move the amendment
and seek leave to summarize.

THE CHAIR:

The question is on adoption. Will you remark
further, sir?

SENATOR McLACHLAN:

Thank you, Madam President. I'd like a roll call
vote after summary of this, please.

THE CHAIR:

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The roll call vote will be ordered, thank you.

SENATOR McLACHLAN:

Thank you, Madam President.

This amendment addresses the issue of a political appointee participating in our watch dog -- oversight of our watch dog agencies. It seems to me and members of the Republican caucus that the Governor should not be involved in appointed such an -- a position that is clearly and should be nonpartisan and should very much be appointed by the commission solely with oversight by the General Assembly.

This bill asks us to make a change, a small change, but I think a very important change, to assure that politics doesn't come into the process of administering watch dog agencies in state government, that politics does not come into the day-to-day oversight of watch dog agencies. And that politics is not part of this big merger.

Let's face it. There's a lot of people on both sides of the aisle I think, who are a little uncomfortable with this merger before us. Some are very excited about the idea of saving money. Some are very nervous, some are very nervous about merging independent agencies that have operated for years in

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some cases with an independent spirit, with an independent enforcement activity and without political appointees other than those who sit on their independent commission.

Now granted, those commissioners are appointed by the Governor and will continue to be appointed by the Governor. The requirements of those independent commission appointments are representation from different political parties. But this bill is bringing a total political appointee sort of sitting on top of all the other agencies.

Now I'm hearing that it's just an administrator, but I don't get it that way. I don't see it that way. And so this amendment, plain and simple, says let the new commission make the appointment of the executive administrator and send it to the General Assembly.

Madam President, I urge adoption of this amendment and I hope we can pass it. Thank you.

THE CHAIR:

Question is on adoption. Would you remark further? Senator Harp.

SENATOR HARP:

Thank you very much, Madam President. I urge rejection of this amendment. And I just want to point

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out in Section 58, sub D, it says very clearly,
"Nothing in this section shall be construed to affect
or limit the independent decision making authority of
the Office of State Ethics, State Election and
Enforcement Commission, the Freedom of Information
Commission, Judicial Review Council, Judicial
Selection Commission, Board of Firearms Permit
Examiners, Office of the Child Advocate, Office of the
Victim Advocate or the State Contracting Standards
Board." It further says, "Such decision making
authority includes but not limited to decisions
concerning budgetary issues and concerning the
employment of necessary staff to carry out the
statutory duties of each such office, commission,
council or board."

I believe that this fear is unfounded and
unnecessary, and for that reason, urge rejection.

THE CHAIR:

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

SENATOR RORABACK:

Thank you, Madam President. Through you, if I
may a couple of questions to the proponent of the
amendment.

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THE CHAIR:

Please proceed. Senator McLachlan, will you prepare yourself.

SENATOR RORABACK:

Thank you, Madam President. I just heard Senator Harp, her advice that we should not succumb to any fears about the wisdom of asking the Governor or giving the Governor the power to choose the individual to run these agencies.

And through you, Madam President, to Senator McLachlan, would it be fair to say that it's not so much fears but more appearances that, at the very least, this body should be attentive to when passing legislation that pertains to our government oversight agencies? Through you, Madam President to Senator McLachlan.

THE CHAIR:

Senator McLachlan.

SENATOR McLACHLAN:

Thank you, Madam President. Thank you, Senator, for your question. I -- I don't like the terminology of fear although, frankly, that it comes up in politics a lot. But I think this is a sort of a common sense suggestion, that when we're talking

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about government oversight, there's a perception of people on the street, of our Connecticut residents that government oversight will not or as best, will not be interfered with the political process.

And so if we can with this simple move here today take the Governor's appointment authority out of this mix, I think that is going to make it even better by way of perception, as you describe it, that is much more productive in this merger that many people advocates for each of these agencies are gravely concerned about. I think if we can pull the political appointment authority out of the mix it will set many people's minds at ease. Through you, Madam President.

THE CHAIR:

Thank you. Senator Roraback.

SENATOR RORABACK:

Thank you, Madam President. And human nature being what it is my understanding is that this individual for lack of a better expression is going to be the top dog overseeing the Ethics Commission, the State Elections Enforcement Commission, the Freedom of Information Commission and other watch dog agencies. Through you, Madam President to Senator McLachlan, is that a fair characterization of the position?

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THE CHAIR:

Senator McLachlan.

SENATOR McLACHLAN:

Thank you, Madam President. Well, that was sort of my perception, but Senator Harp using the terminology of boss was describing to us that that's not the case. That this individual is not going to have policy discussions or policy input with the sub agencies. But it seems to me that if an administrator is responsible for day-to-day operations of an agency, that is policy and that is clearly the interaction that I think can be perceived by some to be an inherent conflict. Through you, Madam President.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Madam President. And through you to Senator McLachlan, this position presumably is going to be a paid position? Through you, Madam President to Senator McLachlan.

THE CHAIR:

Senator McLachlan.

SENATOR McLACHLAN:

Thank you, Madam President. This is a paid

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position. I haven't seen the salary that is recommended, but I'm assuming there are executive directors of all the sub agencies, I'm assuming that it's going to be somewhere in that pay scale, which is in excess of a hundred thousand dollars per year plus benefits. Through you, Madam President.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Madam President. And so -- no worries, Madam President. Through you to Senator McLachlan, so the Governor is -- and the Governor routinely does this with his commissioners and deputy commissioners. We want the Governor to have the latitude to pick people that he has confidence in and people that are loyal to him.

Quite frankly, Madam President, what Governor wouldn't want loyal people serving him and wouldn't we all agree that it's appropriate and no one more loyal, Madam President, than you. Certainly a fixture for the past six months, everywhere the Governor goes.

But through you, Madam President, there might be one place in state government where someone who is given a job by the Governor, a high paying job by the

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Governor, we might not want that individual to be loyal to the Governor. And I would respectfully submit, Madam President, that that one place would be in those agencies that have oversight over the Governor and all of us.

So, through you, Madam President to Senator McLachlan, is this amendment intended to address the perception that someone whom the Governor bestows a job paying more than a hundred thousand dollars a year upon might -- because he or she is likely to be a human being, be consciously or even subconsciously swayed in terms of any kind of enforcement actions or complaints that would be brought against the very person who is responsible for this individual holding their job. And I apologize for the many pronged question and the run-on sentence. But through you, Madam President to Senator McLachlan, is that kind of what this amendment is attempting to get at?

THE CHAIR:

Thank you, Senator Roraback. Senator McLachlan.

SENATOR McLACHLAN:

Thank you, Madam President. I've been accused of many pronged statements. So I can identify with that challenge. The issue here, I think you have clearly

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stated, is this amendment really is I the best interest of the Governor. Let's just take a step back.

If there were ever an issue where the Governor is the focus of one of these watchdog agencies, an immediate response or reaction from the advocates, from the people on the street that are watching closely what happens in state government is that perception of the Governor has a political appointee at the top of the heap and therefore whatever that sub agency says is political in favor of the Governor.

So what I'm offering by way of an amendment today works in the best interest of all, certainly, I think, for the accountability agencies to remain independent, but secondly, I think it's good for the Administration. Because they won't have that perception by some that these watchdog agencies have a top dog, as you say, who is a political appointee. Through you, Madam President.

THE CHAIR:

Thank you. Senator Roraback.

SENATOR RORABACK:

Thank you, Madam President. Through you to Senator McLachlan. Is it stated anywhere in the bill

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that if a complaint is brought against the Governor or the Governor's office to any of these watch dog agencies that this executive director will have to recuse him or herself from participating in any way in the assignment, adjudication, deliberation, et cetera, et cetera with respect to having such complaint? Through you, Madam President, to Senator McLachlan.

THE CHAIR:

Senator McLachlan.

SENATOR McLACHLAN:

Through you, Madam President. Again, one of the concerns that I expressed earlier in deliberation with Senator Harp is that the job description has not been written for this individual yet. So that's concern number one.

Concern number two is there should be a firewall between this individual and between each of the sub agencies, but we're still not sure how that's going to operate. So I think if you look at current state statute, there is no way that this individual could interfere in the decisions.

But the point is it is still the executive administrator of a merged agency of watch dog sub agencies. It's perception. This is a question of

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perception. And this amendment will eliminate that perception problem on behalf of the Governor by eliminating a political appointee into a group of watch dog agencies that should be way over an arm's length from the political process. Through you, Madam President.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Madam President. And I hope very much that Senator McLachlan's amendment passes. But should it not pass I think it will behoove all of us to codify the obvious, which is that this individual ought not to be permitted to participate in any complaints that have an -- a bearing on the Governor or one could say, any of the Governor's appointees by implication. That each of the Governor's commissioners is an arm of the Governor because they serve at the pleasure of the Governor.

And Madam President, if I were a member of the public who had reason to file a complaint against the Governor's office or the Governor himself, I would certainly insist that this individual who's been chosen by the Governor to hold this lucrative job not

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be allowed to put their finger on any scale because the work that these agencies do is too important for a member of the public to have his or her confidence clouded by the political realities of human nature, that we remember who butters our bread. Thank you, Madam President.

THE CHAIR:

Thank you very much.

Will you remark further? Senator Kissel. Good afternoon, sir.

SENATOR KISSEL:

Madam President, great to see you this afternoon. I stand in support of the amendment. I know we're talking about watch dog agencies here, but my constituents in my neck of the woods understand very clearly you can't have the fox guarding the chicken coop.

That's not to say that the administration and the Governor would act inappropriately. The number of times I've met Governor Dannel Malloy and I've probably met him more before he became Governor than afterwards, always struck me as a gentleperson. Tough in running his city, has a certain approach to government, but I don't question his motives or his

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honesty.

At the same time, when we talk about the chicken coop, we're talking about the watch dog agencies. And people understand that when there's someone in charge that pressure can devolve down from that either explicitly or implicitly. There doesn't have to be a smoking gun. There doesn't have to be a trail of emails. Sometimes it can just be done through the subtle assignment of tasks, responsibilities even office space.

I remember a few years back myself and several of my colleagues here in this Circle felt that the Commission on Aging was important enough so that we worked in bipartisan fashion to bring it over from being stuck over in the Department of Social Services so that it would become under the umbrella of the Legislature as one of our advocacy groups.

And that was because while the Department of Social Services didn't do anything overtly, there was this palpable tension between a group of individuals that were striving for the rights and responsibilities of our seniors and an agency that had directives to have economies of scale and make difficult decisions in farming out resources. And it became very apparent

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over the years that the Commission on Aging belonged over here and not over with the Administration.

I look at some of the concerns raised recently by Common Cause and other advocates, commissioners. And I see that in the underlying implementer bill that to economize several initiatives will be taken. Now, we all have known as legislators if we've availed ourselves of the Clean Elections Fund or the Citizen's Election Program that you would get audited.

It's my understanding that the underlying implementer says that while candidates running for statewide office will still get automatically audited, that amongst all legislators, only 50 percent will be audited. What if it turns out through happenstance that folks that voted against the budget or had some sort of disagreement with the Administration all happen to be the ones that get audited? It could happen by pure accident.

But if the Governor and the Administration has authority over the chief executive at the top and these things happen underneath then the perception will be that there's some kind of bias in this process, either implicitly or explicitly.

We shouldn't put ourselves in a position where

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that can occur. The Governor should not put himself in a position where that can occur. Again, influence, power, pressure can all be exerted in very subtle manners.

We're all experienced legislators to one extent or another. We can walk through the halls of this building and just get a certain glance from a certain powerful individual and you know if you're in the doghouse or you're not. You know if you're in trouble or not.

Now, you may end up standing up to that individual, you may stand on your principles. There may have been important reasons why you did what you did or you may not have done anything and it was just a misunderstanding. This building can be crazy sometimes, especially in the last week. But we know as a practical matter these things occur.

This is a brand new consolidation with a very tight time frame. There's going to be individuals on pins and needles. There's going to be staffers that are familiar with one domain, completely unfamiliar with another domain that are going to be scrambling because they want to do a good job and they want to impress the people that they need to impress to have

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some element of job security.

In that kind of milieu and in that kind of environment, even the perception that the Administration has too much authority can undermine the public's faith in the endeavor we're about to move forward with. This simple amendment offered by my friend and colleague, Senator McLachlan, solves that and nips it in the bud.

We should take this opportunity to do that. So that the public has the utmost faith, not only that the Administration is marching towards their best ends, but that these very important watch dog groups that we've brought into law by the hard work of advocacy groups to protect certain areas and carve out certain areas so that we know folks will be ethical, folks will follow the gambits of the election laws, that information can be provided in a fair and even handed manner, that the advocates for certain individuals can do it without being fettered or feeling that there's any kind of pressure on them to come up with a result that's foregone. These are really important things. And the last thing that we should be doing here in this Chamber is undermining public confidence in government.

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And if your constituents are anything like my constituents, on occasion, they can be jaded about this system. They can suspect the worst, although I know in serving with everybody in this Circle, our motivations are the best. We may disagree on policy. There may have been some bad apples in the past in various areas of our government, but the vast majority of people that serve do it for good and honorable reasons. Let's not do anything this afternoon that undermines the public's confidence in us, in their new Governor, in their Legislature and in their watch dog agencies. Thank you, Madam President.

THE CHAIR:

Thank you. Senator Frantz.

SENATOR FRANTZ:

Thank you, Madam President. Good afternoon. Let me start with the presumption that really everything at the end of the day is political. I stand in favor of this amendment of course, because I think what it does is it addresses squarely the whole issue of politics entering into very, very important decision making, especially when it has to do with the all so important watch dog agencies here in the state of Connecticut.

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I don't like getting FOI'd. I don't like being audited by the SEEC, the Elections Commission at all. None of us do. I think you've been audited numerous times. It's not fun. And it's very, very difficult to get a treasurer for everybody around the Circle has -- it's very hard to get a treasurer because it is such a rigorous ordeal getting audited. However, also at the end of the day, I think, we all agree it is a necessary function to keep the process working smoothly, fairly and squarely.

I think that with the new Governor we've reached out to try to work together on every issue, whether it's jobs, whether it's economic development, whether it's this policy or that policy. And I think what we're trying to do is -- on this front, reach out and work with the Governor as well. I don't think it's a good policy to have a concentration of decision making when it comes to choosing the ultimate decision makers in overseeing these watch dog agencies.

The amendment addresses that. Senator McLachlan is right on the money with this amendment and I stand in support of it because I think the people of Connecticut need to see that there are some people here at least, who do care deeply about the way

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government is run and the accountability. We've been there before. Fairly recently the state of Connecticut has faced ethics crises and the like. We need to prevent that from happening. We also need to have these agencies run by someone who is impartial and someone that we can participate in the decision making in terms of figuring out who that particular person is going to be.

We worked with the Governor when you think about it on executive nominations, on legislative nominations. Nothing really gets done in terms of an individual appointment unless there is an agreement across the table. And occasionally, rarely, there may be an exception to that.

The leaders really should be picked, vetted by the people of Connecticut through their representative government, at least, and this amendment does that. And through you, Madam President, just one simple question to the proponent of the amendment, Senator McLachlan.

THE CHAIR:

Please proceed, sir.

SENATOR FRANTZ:

Thank you, Madam President. Through you, we've

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seen this before in our legislative doings here in the Circle. How many other bills have you seen this in would you estimate where there is the nontraditional approach to allowing the legislative branch to have a say in picking the head of an agency or a board or a commission where there's a tremendous amount of influence that can be exercised by that particular person? How many would you guess?

THE CHAIR:

Senator McLachlan.

SENATOR McLACHLAN:

Through you, Madam President. Thank you for the question, Senator Frantz. I don't see a lot of situations like we see before us today. These are watch dog agencies. And I believe watch dog agencies should have an arm's length minimum, much longer if possible, from direct political appointments, as best we can.

Listen, the Governor of this state has the authorization to make many, many appointments. Policy appointments, commissioners, deputy commissioners, multiple staff positions in state government, in the Executive branch of state government. But those positions are not watch dog in their nature the way

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we're dealing with the merger of these agencies and the creation of the Office of Government Accountability. I believe at least in my short time here in the Legislature, my perception is I don't see another one like this. Through you, Madam President.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you and through you, thank you for that answer, Senator McLachlan, and also thank you for proposing the amendment in the first place.

As I started out by saying everything is political at the end of the day. This seeks to minimize the politi -- politicization of this kind of decision making and therefore I stand in favor of the amendment and thank you, Madam President.

THE CHAIR:

Thank you, Senator Frantz.

Will you remark further? Senator McKinney.

SENATOR MCKINNEY:

Thank you, Madam President. Madam President, I rise in support of the amendment and thank Senator McLachlan for bringing it out.

You know the difference between the amendment

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offered before us and the underlying bill is not that great. In the underlying bill, the commission that's created will interview and look at people to be the executive director and as I understand it, make recommendation to the Governor of three individuals, one of whom the Governor has to appoint.

In this amendment it simply says that that commission, rather than interviewing and coming up with three individuals upon which the Governor would pick one, this commission would just pick one.

In effect the underlying bill gives the commission the right to pick the person, it's just picking one -- you know, the Governor, they basically can pick any of three people and the Governor gets one.

So it's not that big of a difference in terms of technically how this is going to operate. But it's a huge difference in terms of the appearance for our watch dog agencies. The appearance is that the executive director of our ethics, the person who oversees our ethics, the person who oversees our elections and the person who oversees our Freedom of Information is appointed by the Governor. That's technically correct. But that lends to the appearance

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that these watch dog agencies are not independent.

And we know how important appearances are. We know how this building and how this world operate. Something could and should and probably will happen down the road. Decisions will be made by an executive director and people are going question whether or not that decision was made because of pressure or advice or whatever on behalf of the Governor, because we all know the Governor appointed that person. Whether the Governor has the right to hire or the Governor had the right to fire or only the commissioner can fire is not going to be an issue that the public is going to see when something comes up.

So I think for the Governor's office, for the Executive branch, for future Governors and for all of us, we need to say that this is someone who is picked independent of political leaders. It is autonomous and independent and therefore the very most sensitive and difficult issues that can be dealt with, things like ethics, things like elections enforcement will be free from politics.

Again, the language is not a big difference between what's being offered by the Governor's office. But the appearance is tremendous in terms of the

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difference of what it says as a statement. And I would ask my colleagues to support this amendment.

Thank you.

THE CHAIR:

Thank you, Senator. Will you remark? Will you remark? If not, Mr. Clerk will you call a roll call vote and the machine will be open.

THE CLERK:

An immediate roll call vote has been ordered in the Senate on LCO Number 7968. Will all Senators please return to the Chamber. An immediate roll call vote has been ordered in the Senate on LCO Number 7968. Will all Senators please return to the Chamber.

THE CHAIR:

Have all members voted? Have -- not all members have voted?

Have all members voted? If all members have voted the machine will be locked and, Mr. Clerk, will you call the roll -- the tally please.

THE CLERK:

Madam President, total number of voting on LCO Number 7968,

Total number voting

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Those voting yea	15
Those voting nay	20
Absent and not voting	1.

THE CHAIR:

Amendment "A" fails. Will you remark further?

Senator Frantz.

SENATOR FRANTZ:

Thanks, Madam President.

Um, I have several questions for Senator Harp on the underlying bill I'd like to ask through you.

THE CHAIR:

Senator Harp, prepare yourself. And will you proceed, sir.

SENATOR FRANTZ:

Thank you. Through you, Madam President, I'm going to jump around a little bit. I hope that's okay with you, Senator Harp. Why don't we start with the consolidation of the Office of Government Accountability, Sections 58 to 76. The OFA, the fiscal note is a savings of approximately 1.5 million dollars per year for the next two years.

My question for you is does that take into account the expenses associated with consolidations such as conforming the different software programs,

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computer equipment, actual moves that employees have to make, the fact that some leases may have to be abrogated early and there may be some punitive damages for that, fines, and so on. Did that all get taken into account in arriving at that number of 1.5 million dollars in savings per year? Through you, Madam President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you. Through you, Madam President. It did. Actually, over the next biennium there probably will be no moving and no integrating of IT functions, at least initially. So, yes, it took that into consideration.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you. So through you, Madam President, we have a follow up question then that we have a consolidation occurring without the different employee groups coming together and I assume that there are at least a few of these agencies who are not on the most current software system that the state has to offer,

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that there will be at least two or three or four agencies potentially that are left out from an IT perspective because it's not a true, genuine consolidation and that the savings occurs really only from the elimination of 23 positions?

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much, Madam President. The IT savings and any consolidations that occur will occur after there's been a plan to see whether or not in fact there might be a way to consolidate some of those functions and to improve. But it requires a planning process and should there be costs associated with that after the plans have been made, we will hear about that in the budget request in our budget adjustment that comes next year or in the next biennium.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you and through you, Madam President. Thank you for that answer. It does raise the question of how cost effective or helpful is a consolidation plan in the first place unless we can -- unless we can

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really end up saving some serious funding, serious money for the state of Connecticut.

And I know this is a relatively new concept, at least this flavor of consolidation these days. And I would urge anybody involved and especially the Appropriations Committee to take a very, very close look at what the true savings are for the state of Connecticut.

And in fact, that we are not inviting additional costs to the taxpayer as a result of consolidations, which oftentimes at least for a temporary period lead to a period of inefficiency and inability to meet the mission of that individual agency and now the consolidated agency that's supposed to take care of so many different functions.

On to subject number two, through you, Madam President. Through you to Senator Harp, there is in Section 189 an ECS education cost sharing task force study that's called for. And my question, through you, is what is the purpose of the study? Is it a study to see what the fairness level is of the current ECS scheme or what exactly is it?

THE CHAIR:

Senator Harp.

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SENATOR HARP:

Thank you very much. Through you, Madam President, there have been -- the ECS formula itself hasn't really changed but it's been capped, a number of things have happened to it so that the actual amounts that are owed to cities and towns because of one reason or another haven't been paid out. There is concern as well that -- that there's some aspects of the ECS formula that are not fair and that are not -- that don't adhere to the cases that establish the ECS grant initially.

And so there was a thought by both the Executive branch as well as various commissions that have looked at this over the past year as well as legislators that there should be a task force that looks at it to determine the ways in which to perhaps reconfigure it so that it more truly meets our current needs and can actually function and operate in the way in which it's supposed to.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you and through you, Madam President.
Thank you for that answer. Oftentimes when a study is

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requested and if it goes to an outside consultant or even if it is done in house, there is a desired answer. In the process of doing this. And I'm wondering if you could break from being completely objective about this and let us know in the Chamber today if there is a desired answer to the study or a desired conclusion? Through you, Madam President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much, Madam President. Through you, I think that the only desired outcome is that the formula reflect the various cases that it's responding to and that it is fair and equitable. Through you, Madam President.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you. I thank you through you for that answer and I was hoping that was going to be the answer. I knew it was going to be the answer, in fact.

Switching to subject number three, through you, Madam President, there is in Sections 123 to 124,

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there is language in there which requires the Commissioner of the DECD, the Department of Economic and Community Development to become the Chairman of the CDA, Connecticut Development Authority, and CI, Connecticut Innovations.

I've got to tell you that Commissioner Smith is a great commissioner and a great person, totally devoted to the mission of economic development in Connecticut, but, Madam President, I'm very concerned that she's going to be overworked. She's already, I believe, assigned to at least four or five other boards, she has her own shop to run. She has her own board of directors, quote, unquote, to deal with. She has us to deal with, which is pretty daunting.

And then on top of that we're making her chairman, chairperson to the CDA as well as the Connecticut Innovations group, the venture capital arm of the state of Connecticut. I worry that she's going to -- she's -- she's not going to be able to, you know, make all the meetings, let alone do as good a job as she ordinarily does. And so through you, Madam President, the question is are we asking too much of the Commissioner?

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Senator Harp.

SENATOR HARP:

Through you, Madam President. I don't believe that we are. I think that all of our commissioners have the ability to delegate some of their authority, so that they, in fact, can send designees to represent them and it's my understanding that the Governor asked for this so that there would be a way to coordinate through the Commissioner of the Department of Economic and Community Development our overall economic development initiatives and apparatus in our state.

Oftentimes, I've heard from constituents that there seems not to be a link between the Department of Economic and Community Development, CDA and CII, and even CHAFA. So as a result we have not been able to fine tune our policy and our investment in various areas of the state. I agree with the Governor. I think it's really important that we have a tool to do that. And her sitting as chairman is one of the ways in which we can accomplish that integration and actually come up with a better way of utilizing the resources of the people of the state.

THE CHAIR:

Senator Frantz.

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SENATOR FRANTZ:

Thank you, Madam President. Thanks for the answer there.

The only other concern -- that's a good answer and I guess we'll just have to wait and see over the course of time to see if in fact that is going to be a manageable position with all of those responsibilities.

The other concern I have is that the functions of CI versus CA versus DECD and a variety of other economic development efforts in the state are vastly different, you know, by function and by discipline and by experience.

Does it concern you, through you, Madam President, does it concern you, Senator Harp, that we have someone who is looking very closely, making important decisions on credit issues versus early seed and venture capital investing risk, a very different risk profile versus a much more economic urban type oriented development program? Does that concern you as it contrasts with the Governor's desire to bring together a tight economic development policy?

THE CHAIR:

Senator Harp.

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SENATOR HARP:

Thank you very much, Madam President. I am not concerned about it at all. As a matter of fact, I think that it's a reasonable idea to pull together all of our development apparatus to ensure that they're working, one, and that they achieve the goals that are set and that the people assume that they're already achieving. And that probably to a person around this Circle we could raise some question about. So no, I think this is a wonderful way to assure that this apparatus actually begins to function and that we aren't dead last in the country in terms of development.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Okay. Thank you, Madam President. And just one final editorial comment there.

I think the economic development apparati (sic) in the state has actually been doing a terrific job. I can vouch for CDA, for CI, the DECD and thankfully, they have been doing a really good job because we know we've had no new net job growth, but we know that we've lost hundreds of thousands of jobs. Had those

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agencies and commissions and efforts not been doing a good job for us, we'd be in the hole, probably another hundred thousand maybe 150,000 jobs here in Connecticut.

So I'd like to maybe just modify the impression that maybe the good Senator may have left people that it's actually been dysfunctional. It's actually been quite, quite functional in doing its job.

Through you, Madam President, on to the last subject and that is in the area of transitioning to GAAP here in the state.

First question, through you, Madam President, to Senator Harp is what is the current GAAP deficit? I'm looking at two different numbers, 1.5 billion versus 2.3 which is the auditor's most recent number?

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you. Through you, Madam President. The number that our Office of Fiscal Analysis has given us is that the GAAP -- the GAAP deficit is 1.5 billion.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

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Thank you. So the GAAP gap is 1.5 billion.
Okay. And that's through the OFA. Thank you.
Through you, Madam President.

And through you, Madam President, the GAAP deficit account, just so that everybody in the Chamber today and anybody who is watching from the outside, it's -- this is worse than watching (inaudible) talking about rules and standards, but you have a way of bringing some of these concepts to life. And maybe you can give us a plain, simple, colorful example or give us a description of what a GAAP deficit is made up of. I think people understand the basics of GAAP accounting versus cash accrual and modified accrual accounting. It's about timing, it's about matching revenues with expenses, but how is it that we have a GAAP deficit?

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you. Through you, Madam President. The state has been operating on a cash basis. And that's we why have the deficit.

THE CHAIR:

Senator Frantz.

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SENATOR FRANTZ:

Okay. Thank you, Madam President. Can you -- through you, Madam President, can you, Senator Harp, can you give us an idea of what the maybe top two components in the current GAAP deficit of apparently 1.5 billion dollars consists of?

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you. I don't really know what the top two or the top ten might be, but, you know, we have over time, um, budgeted for a 12th payment in the beginning for nursing homes, for example, in the beginning of another budget year. So we've actually budgeted and paid for an expense I the previous year in the next year. And we wouldn't be able to do that under GAAP accounting.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you, Madam President. And through you, it's my belief that at the end of a multiple year period, the cash accounting whether it's modified or not would ultimately cause us to be in a position

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where we don't have any deficits because you can't hide or you can't not pay your expenses. You're going to get called on that at some point. So not so much of a one year period or a two year period, but certainly over a three year period, there should be enough time for everything to balance itself out. Cash is king in a lot of different ways. Cash will always keep you honest. And ultimately unless you're not paying your bills as a state, things should balance out. So I'm curious how we could have built up a 1.5 billion dollar GAAP surplus and over how many years?

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much. The way that I understand it, yes, in fact, we do pay our bills. And the real question is how do we -- what does the balance sheet look like. And I'll give you an example.

If you sort of operate on a cash basis, you know, there's all kinds of jokes about women who can't balance their check book because they look at the balance in the bank and they write checks against the balance, not against what -- not really taking into

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account what they've already written.

Well, basically, what GAAP would do is basically say that you actually balance your checkbook with every check that you write. And so the government accounting standards board believes that this is the best way to budget and to represent what it is that you're going to purchase and what it is that you owe and your revenues, then, have to match ultimately what you're going to spend and you should spend it in that particular year or at least before the controller closes the books in September.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you. Through you, Madam President, thank you for the answer. It -- I think, still remains a mystery to most people why we're in the situation we're in right now with a GAAP deficit of one and a half billion dollars. It really shouldn't be the case, but through machinations of accounting, machinations -- we are here, in fact.

And it's not a pretty picture, I understand the chosen amortization period in 15 years which would leave us with roughly a hundred million dollars per

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year that we'd have to pay into this deficit account to bring things up to snuff for GAAP to be fully -- fully implemented.

This was -- it's been talked about since 1993, through you, Madam President, 1993. That's before many people's time in this Chamber here and it hasn't been put into place, always delayed. It was talked about in various campaigns this last fall.

And in fact, the Governor, who I took my hat off to and most of us in this Chamber took our hat off to for saying we're finally going to make a commitment to going to GAAP. It is the right way to report to the people and the taxpayers of the state of Connecticut, but here we are, looking at a delay. This is not going to go into place until 2014. I know it was his first executive order to issue a -- or to get a plan, a study group going to figure out the plan. But now we're looking at 2014 already which is quite a ways off into the distance. Is there a reason for that that we should know about? Through you, Madam President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

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Thank you very much. I think the real reason is that we're still trying to recover from economic downturn from a recession and so what -- what -- and we needed time for a plan. And so basically what the budget does is to try to hold us harmless so that we don't add to the, um, GAAP deficit, we'll call it. And then we will begin in 2014 to operate on a GAAP -- fully on a GAAP basis. And begin to pay off our GAAP -- our 1.5 billion. And you were correct, it's about a hundred million a year.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you. Through you, Madam President. If we're not going to a full implementation of GAAP until 2014 and some months of that fiscal year, are we not contributing to that GAAP deficit between now and that particular point in time?

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much, Madam President. No, we're not. We've actually set aside dollars that assure that we don't contribute to the enlargement of that

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1.5 billion. So that 2014, we'll still have that 1.5 billion. We'll have to also in 2014 budget so that we will pay for within that year, everything that we've budgeted for and we have to have enough revenue for that as well as reserving an extra hundred million to begin to amortize the 1.5 billion over 15 years.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you and, Madam President, the paint is almost dry. One last accounting question, through you, and that is how are capital expenditures accounted for now and how would they be accounted for under GAAP, if any change?

THE CHAIR:

Senator Harp..

SENATOR HARP:

Thank you. Through you, Madam President. My understanding is that on the revenue side an even with capital expenditures are pretty much on GAAP. So I don't think there's going to be a change.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

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Fair enough. Thank you, Madam President.

And one last question for you having to do with economic development. Through you, Madam President to Senator Harp, could you identify as best you can all of the new funding programs that CI, CDA and DECD -- I'm not talking about minor programs, I'm talking about major new funding initiatives through the new budget -- biennial budget going forward, how much has been allocated to those three groups and any others that you might know of?

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much. CDA and CI are quasi-public agencies. And they are not in our budget.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you. Through you, Madam President. I believe that some of the economic development initiatives that are part of the next biennial budget do provide some funding to the quasi-publics through various programs and if we need to research deeper to get those number, no problem. I don't want to put you

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on the spot, but if you do know any of those numbers, either DECD numbers of the quasi-public numbers, I think it would behoove the Circle.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Madam President. I know that there is a new economic development fund that is in DECD that will start in Fiscal Year 2013, but I'm really not aware of any funding that will go to CDA or CII --

THE CHAIR:

Senator Frantz.

SENATOR HARP:

-- and if there is some, I'd be happy to learn from the gentleman what it is and how much it is, but certainly, in my recollection, and I don't have the budget before me, I don't recall ever sending dollars over to those two quasi-public agencies.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you, Madam President. And in fact, we'll have to wait a few more legislative days here to, I

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think, be able to figure out exactly how much funding will be going to the quasi-publics for DECD. That amount is buried I believe, deep in the budget. It's not a significant amount, but I think it's at least ten million dollars.

And the reason why I ask is that -- well, it is all good from an economic perspective to put our resources into an area where in fact, we're going to get a return, mainly jobs and enhanced revenues to the state of Connecticut by making these investments. It does boil down to who is actually controlling the direction of the state and is that too much concentrated in the hands of one person.

Indeed, the paint is dry, Madam President. I am done. Thank you so much.

THE CHAIR:

Thank you, Senator. Will you remark further?

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Madam President. Madam President, I rise for purposes of an amendment. I believe the Clerk is in possession of LCO 7986. I ask that he call the amendment.

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Mr. Clerk, will you please call the amendment?

THE CLERK:

LCO 7986, designated Senate Amendment Schedule
"B." It is offered by Senator McKinney of the 28th
district.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Madam President. Madam President, I
move adoption of the amendment and seek leave to
summarize.

THE CHAIR:

The question is on adoption. Will you remark
further, sir?

SENATOR MCKINNEY:

Thank you. Madam President, we had a discussion
earlier about the independence of our three watch dog
agencies and the desire on the part of our caucus and
others in the majority caucus, not 18 of us yet, but
some to remove the appearance that a political
appointment would be in charge of what our three
critical agencies and agencies that I think we all
agree should be independent of any political winds
that may shift or blow from time to time in this

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building.

This amendment, Madam President, would strike the Freedom of Information Commission, the Elections Commission, and the Ethics Commission from the Office of Government Accountability. It will allow those three agencies to retain their independence as they currently do. It will continue with the Office of Government Accountability and the consolidation of the other six agencies. But it will keep the three watch dog agencies independent and separate as they currently are. It's that simple.

This clearly, Madam President, Republicans offered a version of a budget that we thought was a better blue print for the state. It was one that also offered to make consolidations in state government. And I don't stand here in criticism of the Governor and his attempt to make consolidations in any way shape or form. It's absolutely necessary. But I think as we continue to look at where we are as a state and where our budget is that some things shouldn't be consolidated. And these three watch dog agencies are one of them.

Again, it's not a criticism of the Governor's attempt to consolidate. In fact, I would say that in

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looking at offering this amendment, knowing whether or not the votes would be there. I think we know the answer to that. But I also had a question as to well, I'm going to be concerned about the fiscal note. The Office of Government Accountability is intended to consolidate and to save money. Yet, this amendment as our Office of Fiscal Analysis indicates has no fiscal impact.

So we can still achieve savings, we can still consolidate some other agencies that are done so in the underlying bill. But we can retain the independence and the -- the -- just the clear independence of the three agencies without hurting our budget. I think that speaks volumes about the underlying consolidation in the amendment before us.

But Senator McLachlan asked a number of questions to Senator Harp and I appreciate and respect her answers. But her answers leave me wanting in many respects. Not that she doesn't know the answers, but that nobody at this time knows the answers. Will there be adequate firewalls to protect confidentiality between these agencies? I think the answer was, well, obviously, anybody would think there would be. But there aren't any in the bill.

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Also, another part of this bill deals with whistle blowers. For years, for years I've been trying to get the whistle blower complaints out of the Attorney General's office. Why? Because when state employees want to blow the whistle on their agency, they have to do so with the very office who is charged with protecting the agency. It's a clear conflict of interest and if you talk to some of the state police officers and others, it has clearly inhibited members from making whistle blower complaints.

So after trying to get this changes -- and as I said, the underlying bill makes some change by taking retaliatory actions away from the Attorney General's office and sending them just to CHRO. But after years of trying to get this changed, former Attorney General Blumenthal said, you know, don't worry, I've got a firewall.

Well, you know, we had a very good conversation with him, his office made Freedom of Information requests and found out that indeed, there was no firewall. That there were two attorneys who worked on whistle blower complaints, but they also worked on many other issues within his office.

So I use that as an example of saying there was

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someone of who I believed had all good intentions, Attorney General Blumenthal, who had thought there was a firewall, but in effect there was no firewall. So I'm sure while people think there should be and may be a firewall, the consolidation plan before us does not provide for one. History tells me that that is very troubling.

We also need to know how conflicts between these agencies will be resolved. That is not in the underlying consolidation before us. We've had lawsuits between these agencies. They've been suing each other. We're now going to consolidate three watch dog agencies who at different times have gone after each other. What are the rules? Who is in charge? What side does the executive director take? How can you as one agency who thinks you need to take a claim against another think that you're going to have some kind of fair hearing with the commission or with an executive director? It's just like asking a whistle blower to go complain about something his boss is doing to the guy who's defending his boss. It doesn't make any sense. There are certain parts of state government where there need to be clearly defined -- clearly defined absolutes. And one of them

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is with ethics. Another one is with our elections, and another one is with the Freedom of Information.

These are about -- and I say that because they are about the very integrity about what we do here. We all know sometimes we talk with much consternation, sometimes we joke about the fact that many people in our society look at public officials and politicians and say on, you're all the same. 99.9 percent of the people I've ever served with have been good, decent, honest, hardworking people who would never think of doing anything unethical or break the law ever.

But every once in awhile there is one bad apple. Anywhere -- whether it's in our towns, our cities, our state, across the country. And the public looks at that one bad apple and thinks we're all the same. The independence of those watch dog agencies allows us to say on matters of election enforcement, on matters of ethics, on matters of freedom of information, this doesn't have anything to do with politics. They're independent, they're separate, we're protected.

It is about the integrity of what we do. And since there is not going to be a fiscal impact, I would urge my colleagues -- again, I don't -- I don't think the Governor had any bad motives. I don't have

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any criticism of his plan to consolidate in any way, shape or form.

We as Republicans looked at all these consolidations. And upon further and further review, I've come to the conclusion that something I thought I would once want to do, we just can't do anymore. So it's not a criticism. I don't think there were bad motives. I don't think there was anything other than a good attempt to try to make government more efficient and to consolidate.

But in my opinion as someone who also considered it and have looked at it so many times and gone back and forth, over the last course of a month or two, I've just come to the -- to the final decisions that these three agencies must be separate.

And that's what this amendment does, Madam President. And I would urge my colleagues to support it. I understand it's a change to the bill. I understand those changes to implementers are rare by amendment. But I think this is something we could do in a bipartisan fashion. And I would ask that when we vote the amendment, Madam President, that we do so by roll call.

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There will be a roll call vote. Will you remark?

Senator Harp.

SENATOR HARP:

Thank you very much, Madam President. I urge rejection of this amendment. I don't believe there's anything in this bill that will give the executive administrator the authority to impact any kind of policy. That authority remains in the directors of the various commissions.

And so I think that this amendment comes out of what I would consider to be a good place and trying to protect the policy initiatives and the protections of the watch dog agencies have, but I would argue they're not under attack and they're not impacted at all by this system. It would be -- it's a similar system to legislative management and it would be just like saying that all of our bills could be contaminated by our executive director here. When in fact, the executive director has nothing to do with our work. And in fact, the executive administrator in this department will have nothing to do with their world, but will just provide administrative support. For those reasons, I urge rejection.

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Will you remark? Senator McLachlan.

SENATOR McLACHLAN:

Thank you, Madam President. I rise in support of this amendment before us. I thank Senator McKinney. He and I have talked about this merger idea almost since I arrived here at the state capitol as a member of the Government Administration and Elections Committee. I've heard lots of testimony about mergers. I've heard a lot of the objections to the ideas of the watch dog agencies being merged and what those objections were, I must admit, primarily from the advocates for the watch dog agencies. And in some cases the executive directors of those agencies.

However, it wasn't until very recently that I started to see it different than I had previously. Because when I came here to the Capitol I felt very strongly about bringing with me some of my business experience and trying to apply some of the best practices of the private sector to the government. And mergers of some state agencies seemed appropriate.

Obviously we're trying to do that in the overall budget this year. And it seemed to me that at the time a number of agencies could be all put together. But after very close review, I agree with Senator

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McKinney, that these high profile watch dog agencies should remain clearly and totally independent.

The issue of the executive administrator, I must admit I'm disappointed that I couldn't convince members of the Senate on the other side of the aisle to take it out of the political realm and remove the Governor's appointment authority to that individual.

And frankly, the argument -- the best argument for doing that was in comments just heard a few moments ago that -- from Senator Harp -- that said that that individual will have no policy input, will have no impact on the -- on the operations of these agencies. And that's all the more reason why it should be the agencies that choose their administrator, not a political appointment authority.

Having said that, I believe that the independence currently enjoyed by these agencies now has worked well, is appreciated. Frankly I believe it's appreciated by even those who are studied by the agency and are subject to their investigation. They are more comfortable with knowing absolutely and positively that politics in the operation of the agency is not coming into play, that their decisions will absolutely positively remain independent.

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So you can stand up and defend the idea of an executive administrator with a government -- a Governor's appointment authority all afternoon and say, nope, not going to interfere, totally independent, this position's not going to interfere. But the bottom line is that the people out there, outside of this building are going to know when the press say some day down the road that the Governor is responsible for this particular individual who has oversight of the Office of -- the Office of uh, -- OGA, the new organization created and that's just going to call into question is it about politics in the decisions they make.

Let us let them remain independent. I think that's the right decision. I don't think it's a financial impact on this budget and I urge adoption. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further? Will you remark further? Senator Suzio.

SENATOR SUZIO:

Thank you, Madam President. I rise in support of the amendment as well. I do so because I think it's extremely important to preserve public confidence in

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the integrity of government and that itself relates not only to the actual independence of these individual agencies, but the appearance of independence as well.

The old saying, you have to be like Caesar's wife. Integrity is important. And it's important that it not only be actually present, but it be obviously present to the public. And I think the proposed agency basically would cloud that issue in the public mind and create a question as to the real autonomy of these watch dog agencies. I think the proposed amendment addresses that and that's why I support it wholeheartedly. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Suzio. Will you remark?
Senator Kissel, good afternoon, sir.

SENATOR KISSEL:

Good to see you as well, Madam President.

Yes, I stand in support of the amendment as well for many of the reasons that I articulated regarding Senator McLachlan's previous amendment. And again, I do believe when it comes to our watch dog agencies that we must take the highest road possible and create

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a government that people can feel confident in.

And as I had indicated, it's unfortunate that our constituents are somewhat jaded when it comes to government. Quite often there are people that are quite ambitious and may take advantage of situations and they're the ones that end up getting all the press and the media attention and sometimes, there are bad apples, as Senator McKinney stated.

Without belaboring the point, I just wanted to go on record with my colleague who stood in support of the amendment. I think it's a good amendment and again, all that we can do is bolster people's confidence in our state government system. And protecting these particular watch dog agencies is of paramount importance. Thank you, Madam President.

THE CHAIR:

Thank you, Senator.

Will you remark? Will remark? If not, Mr. Clerk, would you call a roll call vote and the machine will be open.

THE CLERK:

A roll call has been ordered in the Senate. Will all Senators please return to the Chamber? An immediate roll call has been ordered in the Senate.

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Will all Senators please return to the Chamber?

THE CHAIR:

Have all members voted? Have all members voted?
If so, the machine will be closed. Mr. Clerk, will
you call the tally. Thank you.

THE CLERK:

The motion is on adoption of Senate Amendment
Schedule "B," LCO 7986.

Total number voting	35
Those voting yea	15
Those voting nay	20
Those absent and not voting	1.

THE CHAIR:

Amendment "B" fails.

Will you remark further?

Senator Kissel.

SENATOR KISSEL:

Thank you, Madam President. And I have some
questions regarding the government accountability
section of the underlying implementer bill.

THE CHAIR:

Prepare yourself, Senator Harp.

SENATOR KISSEL:

Thank you. And at the outset, regarding that

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portion of the underlying bill that has to do with whistle blower, while I agree with some of the concerns raised by my leader and friend and colleague, Senator McKinney, I did note that the implementer did incorporate many of the recommendations of the Program review and Investigations Committee.

And for that, I thank you. I think any headway we can make in that direction is very important and we did have ample testimony about a year ago from many state employees that felt that the underlying construct that we had was unworkable and they would tell any of their colleagues in state service, "If you have the least inclination to be a whistle blower, don't do it because you will be haunted by that for years to come." So anything that we can do to encourage folks to come forward is a good thing.

And through you, Madam President, the area that I'm concerned with at this point in time concerns Sections 68, 70 and 302 regarding our two advocates, the Office of the Victim's Advocate and the Office of the Child Advocate.

And before I ask why we're changing things around, I just want to state to my colleagues and friends here in the Circle that I do believe that Ms.

Jeannie Milstein has done an outstanding job as the Child Advocate. And Michelle Cruz, Attorney Michelle Cruz has done an outstanding job as the Victim Advocate. And these are difficult positions to do.

When we charge individuals to be advocates, we charge them to be our conscience. We charge them to take on a significant role in perching on our shoulders and pointing out things that have gone amiss. And that can sometimes be disconcerting. Sometimes it can run afoul of policies that otherwise we have advocated for.

When it's the Child Advocate they may bring to our attention something horrific that happens to one of our dear innocent ones here in the state of Connecticut. When it's the Victim Advocate she may be outspoken in advocating on behalf of victims here in the state of Connecticut.

I have a concern that perhaps at this point in time when there has been a change in policy that we spoke a little bit about last night and last week regarding risk reduction credits and good time, one of the things that myself and Senator Roraback and others pointed out was there are hundreds of victims out there that tacitly if not explicitly agreed to plea

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bargains with the thought and believe that certain criminals would face certain periods of incarceration.

And so here we have today, an implementer that changes the rules of the game of the child advocate and for the victim advocate. And I don't know why. My first question is that is it true that we're changing the number of individuals on the advisory committees regarding the office of Victim Advocate and the Office of the Child Advocate? And if so, what are we going from and what are we going to? Through you, Madam President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you, Madam President. The advisory committees are currently composed of 12 and six members respectively so it would be 12 for the Office of Victim Advocate and six for the Office of the Child Advocate.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you and that's what we currently have and we're now changing that to something different and I'm

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wondering, through you, Madam President, what are we changing it to?

THE CHAIR:

Senator Harp.

SENATOR HARP:

Okay. Thank you. Through you, Madam President. I'm trying to find it. I believe that it's seven for each. Sorry. Through you, Madam President.

THE CHAIR:

It's okay. Senator Kissel.

SENATOR KISSEL:

Thank you very much. And I actually whispered to Senator Harp, "Do you want some help," because in part, that question was rhetorical. I knew the answer.

But we are indeed going from an advisory commission of 12 for the Victim Advocate and six of the Child Advocate to seven and seven. But I have to ask right now, why? Because I haven't seen that these commissions are broken in any way and so I don't understand why we're taking it upon ourselves to change their composition. Through you, Madam President.

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Senator Harp.

SENATOR HARP:

Thank you very much, Madam President. The Victim Advocate and the Child Advocate have statutory authority in and of themselves. And so the idea is that what the advisory commission should do is simply determine and make recommendations round who should be the advocates in both cases. And it takes away their -- their review, evaluation and monitoring.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much, Madam President. And my question is why, why are we changing -- what's the underlying public policy initiative causing us to move from where we've been with zealous advocates on behalf of our kids and victims of crime, where are we embarking to now by making these changes? Through you, Madam President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much, Madam President. There was a sense within the commission there were members that

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had conflicts of interest on those commissions, that there -- and that their point of view actually interfered with, in both cases, the Office of Victim Advocate and the Office of the Child Advocate doing their statutory job.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much. And when do these new commissions have to be up and running? How does that appointment process take place going forward? When do the old members get weeded out and when are the new members appointed and when do they begin doing their duties? Through you, Madam President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much. Through you, Madam President. The initial appointments must be made no later than September 1st, 2011.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much. So for these individuals --

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and I heard some broad brush rationale as to why we don't like what they're doing. I can't comment on that one way or another because I haven't really seen any testimony undermining their good and honest provision of volunteer services to the state.

And so if I'm one of these folks on the commission, I'm going to be a little concerned because everything that I've learned thus far, is that these individuals have done a good job. But I'm happy to have out -- pointed out to me at some point in the future any specifics.

But in, let's see, June, July, August -- in about three months, these new committees have to be up and running. And is it my understanding that these two new advisory commissions, committees rather, have to then make recommendations to the Governor as to who these -- who the Victim Advocate should be and who the Child Advocate should be? Through you, Madam President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Yes. Through you, Madam President, the answer is yes.

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THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much, Madam President. And what's the time frame for that to take place? Through you, Madam President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you. I believe that there has to be a vacancy and -- you know, I don't recall the number of days that they have to make a recommendation. But since there is no vacancy they probably would not be doing that until the end of the term of the Victim's Advocate or the Child Advocate.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much, Madam President. And through you, Madam President, when does the term of the Child Advocate end, through you, Madam President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

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Madam President, I don't have the answer to that question.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much, Madam President. That's really disheartening. If we're going -- if we're going to say that the commission has some sort of broad conflicts of interest or they undermine these folks ability to do their job and we don't even know when their terms end -- it's very, very difficult to be supportive of this kind of implementer. Because this is going to affect at least two people's jobs.

And so we should know when their terms are coming up. And if we think they've done a good job we should advocate for them. And if we think they've done a bad job, we should get that information as well. These folks have very important responsibilities. Do you know, perhaps, when the term of the Victim Advocate ends? Through you, Madam President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Madam President, I indicated that I didn't know

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for either when their terms end.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

At some point in time, their terms will come to an end. Under this bill, I have a concern as to then what takes place. We talked about the potential chilling effect, having the Governor exercise final authority of creating an executive director. I think Senator Roraback characterized it as a top dog in response to Senator McLachlan.

But it's my understanding for both the Office of the Child Advocate and the Office of the Victim Advocate that these advisory committees will provide lists of five to seven candidates and that it is the Governor who will finally select who the Victim Advocate is and the Child Advocate is. And these aren't someone who's up on one (inaudible) and may exercise authority, these are the advocates themselves. Is that correct, through you, Madam President?

THE CHAIR:

Senator Harp.

SENATOR HARP:

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Thank you, Madam President. I believe it is correct. Currently the Governor is the appointing authority for both the office of -- for the Victim's Advocate as well as for the Child Advocate. Through you, Madam President.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much. So would it be fair to state that if perhaps one of these individuals took a position that was not necessarily fully in sync with the Governor's policy initiatives that there is probably a better likelihood than not that even if they were on the list, the Governor would be disinclined to reappoint them to that position? Through you, Madam President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you, through you, Madam President. I don't believe so. My understanding of our current Governor is that certainly he would not want to be branded as someone who would take out a personal vendetta against a child advocate. I believe that he has more

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integrity than that and I don't believe it's something that we should fear.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

It's my understanding that in the underlying implementer that the names on this list, the five to seven names on this list, put forward by the advisory committees -- let me take a step back.

I appreciate where Senator Harp came from with that answer. I don't believe Governor Malloy would take out a vendetta on anyone either. But I do know the administration is strident in pushing forwards its public policy agenda. And if between two equally qualified candidates one disagreed with that agenda and one agreed with that agenda, my guess is that -- and people can say -- this is exactly the way it should be. But my guess is that the advantage goes to the one that agrees with the agenda.

So in our previous discussion regarding executive directors, it was stated they have no control over policy. The advocates do. The advocates are the mouthpiece to articulate these public policy concerns. And what I've said is sometimes their job is really

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difficult. They've got to tell us things we may not want to hear so that we can change the course of public policy.

And what I'm saying is are we now creating a construct where the Governor has ultimate total control over who these individuals are going to be? So in the underlying implementer it's my understanding that these advisory committees give five to seven names to the Governor. But I also see in there that these names are secret. I believe the implementer states that the names of these individuals -- hold on.

The bill specifies that the list must be confidential and is not subject to disclosure. So while the names are given to the Governor and this list of names is prioritized, we don't even -- we'll never even know who's names are on that list, we won't know their priority and the law itself says that it cannot be revealed. Is that -- through -- is that correct? Through you, Madam President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much. Through you, it is and that is to protect everyone on the list.

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THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much. See, again, it's the public policy direction that our state is taking that has me concerned. It's nothing about Governor Malloy. I stated time and time again, the times that I've met with Governor Malloy, I was very impressed. I like him as a person.

But this is a separate and equal branch of government. And I don't like it when we take twists and turns down a course where I've been told we're going to have more transparency and yet when you drill down deep into the public policy, it's complete opposite. This isn't transparency. This is exact -- this is secrecy.

We're going to change the composition of the advisory committee. Okay. The rationale for that is that somehow the folks that are volunteering now have some kind of conflict of interest. I don't know enough about that to comment one way or the other. But that seems like a broad assertion.

And if that came out at a public hearing, I would be surprised, because I would think that the

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individuals would be named who might have that conflict. And by the way, if they do have a conflict, they should go now, not in three months from now. But for whatever reason, we're going to change the composition of this group effective September. So there's going to be a rush to change the composition of the group. That's A.

B, the change in who these folks are going to be is going to take place when their term ends, but advocates for this implementer bill can't tell me when their terms end. We don't know when that is. I guess some researchers could probably figure that out, but suffice it to say that the Victim Advocate and the Child Advocate, their jobs are on the bubble.

Now, the new advisory committees may include them on their list of recommendations or they may not. And the implementer states that five to seven names will be given to the Governor. And that it's the advisory committee's job to prioritize that list. But it's a secret list. Nobody can reveal it. That's in the law.

So white smoke will go up from the Executive branch and we'll find out who the next Victim Advocate is and we'll find out who the next Child Advocate is.

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But we won't know if they were prioritized as number one, two, three, four or five. I hate to say it but wouldn't -- we won't even know if they're really on the list. Now, I don't, for the second, conceive of the Governor's office or someone in the Executive branch putting forward a name that wasn't on that list. But if everything is secret, how would you even know?

So I don't assume that the Executive branch is going to do something wrong. But this is part our responsibility as well. And what if we feel that there's something really wrong with the individuals that was selected? Or what if we feel that someone else was much better qualified? What if the seventh person on the list is selected and there were six individuals more better suited -- that's probably terrible grammar -- better suited to the job?

Shouldn't we know that?

I don't have any further questions for Senator Harp, but again, you know, over the years, I've worked on some of these public policy initiatives -- you know, our elections efforts and the clean campaign funds. There's a lot of disagreement in this Circle regarding that. A lot of strong opinions. I was one

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of the individuals that said, hey, let's give it a try. It is a cumbersome process, but it's a public policy direction that we've decided to go down.

When advocacy groups come up to me and they say we're concerned about the direction the state is taking, I take them at their word. I don't know whether I'm running for reelection, God willing, whether or not my constituents will vote for me, but let's say in a perfect world, I love this Chamber, I love this service so much that -- and my leadership is happy enough with the job that I'm back on the Judiciary Committee. I want to have confidence that when the Child Advocate comes and talks to us about things that are going on at the Department of Children and Families and things that are going on with attorneys that represent children and things that are going on that may have led to the death of a child, that they are doing that freely, based on honest acts. And that they don't feel the least bit hesitant in bringing difficult issues to our attention.

And when the Victim Advocate comes before the Judiciary Committee and says that he or she believes in this public policy initiative because we have it in our state constitution that victims have rights and

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we're still trying to get our arms around how to put meat on those bones, that that Victim Advocate will do so freely and bring difficult decisions right and put them in our lap. Because that's why I run for office. So that I have the ability to make those decisions. And I know what's going on in our state. And it doesn't have even the least bit of tinge as for one direction or another.

Because, guess what? The Governor has battalions of people that will come and testify. There will be people from the Office of Policy and Management. We've heard in past, colloquies regarding criminal justice reform, that we've got an undersecretary, Mike Lawlor, a brilliant guy, who knows public policy one way, up one side and down another. And I will grant former Professor Lawlor that high status. He and I have had disagreements regarding public policy any number of times. But I certainly respect him in his advocacy skills. There will be folks from the state's attorneys office. There will be folks from the Public Defenders Office. There will be the Commissioner of Corrections. There will be the Commissioner of the Department of Children and Family. There will be all these folks, many, many folks from the Executive

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branch.

But when we listen to all the evidence at the public hearings, we're going to want to hear that clarion bell from individuals that are charged solely with advocating on behalf of victims and children. And I think that we could do a much better job of creating a transparent system in that selection process.

And so for the same reasons I supported Senator McLachlan's amendment and for the same reasons I supported Senator McKinney's amendment, while I don't have an amendment on this, this undermines the direction of this implementer bill. And it is yet another step towards a lack of transparency, a ceding of authority to the executive branch and cloaking some of these decisions behind a veil of statutory prohibitions against revealing information.

If someone challenged this in the FOI Commission that would pose an interesting conflict. Because FOI is right in there in this Office of Government Accountability. We had said earlier this afternoon what if one agency is pitted against another? Well, what if somebody -- what if one of us wanted to find out the names on that list saying, yeah, I understand

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what passed but guess what, there's a higher public policy that we should adhere to. We feel that the best person for these jobs was not given a good review. What would the Freedom of Information Commission determine? Would they have to recuse themselves? Would there be a conflict of interest? I just think that given this opportunity we could do a much better job.

It's not a criticism of the Governor's office. It's not a criticism of Governor Malloy. It's actually very respectful of the authority and might of the Executive Branch. But when it comes to zealous advocates, I think they deserve our protection.

We're a separate and equal branch of government. And if they can't count on us I don't know who they can count on. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further? Senator Harp.

SENATOR HARP:

Thank you very much, Madam President. I just wanted to provide some information that I didn't have at the time.

Currently, the Governor appoints the Victim's

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Advocate and the Child Advocate from a list that is currently confidential. So this is no new lack of transparency. And the Victim Advocate's term expires November of this year, 2011 and the Child Advocate's term ends on June -- in June 2012. Just to make clarifications since those questions were asked.

THE CHAIR:

Thank you for the clarification.

Will you remark? Senator Guglielmo.

SENATOR GUGLIELMO:

Just a very few, very quick questions to the proponent on Section 21 of the bill. In the department of Public Safety we're increasing the number of slots for Majors from seven to 12 and I'll give the Senator a chance to find that section. I just was wondering why we did that. And that's a pretty significant jump percentage wise. It almost doubles the number.

THE CHAIR:

Section?

SENATOR GUGLIELMO:

Did I say 21? Yes, Section 21. I'm sorry.

THE CHAIR:

You did say that, sir.

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SENATOR HARP:

Thank you. Through you, Madam President. Currently, there are I believe seven Majors. Um, they are currently unclassified. And we were told that the department is having a hard time because their operational leaders in the department were having a hard time getting people to apply for those positions because of the unclassified. And ultimately, the thought was that if you provide the -- provided the protection of classification more of the persons that could move up that are ready for this new leadership role, would actually apply for those positions.

SENATOR GUGLIELMO:

Through you, Madam President. When Senator Harp started to answer the question, I did remember hearing that as well that apparently because the Majors are unclassified and their salary level is sometimes not much above the people they're commanding, and am I correct in that assumption?

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Madam President. Unfortunately, I really didn't hear what you said. If you could repeat

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that?

THE CHAIR:

Senator Guglielmo.

SENATOR GUGLIELMO:

Yes, thank you, Madam President. Through you, I did recall a conversation with some of the state troopers when you started your answer after you did. And I guess that some -- one of the problems is that the compensation for the Majors is not very much above some of the people they're commanding and that's why the switch from classified to unclass -- or the other way around, unclassified to classified. Am I correct in that?

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Madam President. You are. And that's why we're trying to -- to at least give some protection if salary can't be one of those.

THE CHAIR:

Senator Guglielmo.

SENATOR GUGLIELMO:

okay. Thank you, Madam President. Thank you, Senator Harp.

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THE CHAIR:

Thank you, Senator Guglielmo.

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Madam President. I rise for purposes of an amendment. I believe the Clerk is in possession of LCO 7939.

THE CHAIR:

Mr. Clerk, 7939, please, will you call it?

THE CLERK:

LCO 7939, designated Senate Amendment "C." it is offered by Senator McKinney of the 28th district.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Madam President. Madam President, I move adoption of the amendment and seek leave to summarize.

THE CHAIR:

The question is on adoption. Will you remark, sir?

SENATOR MCKINNEY:

Thank you. Madam President, as I mentioned earlier with respect to our handling of whistle blower

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complaints and issues that I've been trying to work on for years, sadly unsuccessful to this point with how we handle our whistle blower complaints.

We've heard in meetings, we've heard through public hearings that there are state employees who feel some level of trepidation and perhaps even intimidated about bringing a whistle blower complaint and filing it ultimately with the Attorney General's office, knowing that it is the Attorney General's office who also has to defend the agency that they're making a complaint against.

Under current law, if I have a whistle blower complaint it goes to the auditor's office and it then gets transferred over to the attorney General's office. Under the implementer bill there's a change and a positive change. It takes the retaliatory actions out of the Attorney General's office and moves them straight into the CHRO.

I think that that move is evidence of the need for this amendment. If we have come to the conclusion that retaliatory actions can't be handled by the Attorney General's office, I think we logically can reach the same conclusion that whistle blower complaints shouldn't be handled by the Attorney

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General's office when it is again the Attorney General who has to defend them.

It's an issue that I raised with former Attorney General Blumenthal. It's an issue I raised with the current Attorney General, George Jepson. Many of the changes regarding our whistle blower statutes in this bill were put forth by Attorney General Jepson and I applaud them. They're good changes.

In fact, nothing in this amendment changes any of the underlying changes that the Attorney General has put forward to our whistle blower statutes. This makes one simple change.

According to Attorney General Blumenthal -- and I don't believe it's changed under Attorney General Jepson -- there are two attorneys who are tasked with doing -- accepting whistle blower complaints in the Attorney General's office. Now these again, all whistle blower complaints first go to the Auditor's office. This amendment moves those two positions from the Office of the Attorney General into the Auditor's office. So the very people who are tasked with accepting whistle blower complaints in the Attorney General's office will be transferred to the Auditor's office and all whistle blower complaints will be made

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in the Auditor's and remain in the Auditor's office.
That's it.

Right now they're made to the Auditor's office. They go to the Attorney General's office and they're handled by two people. This takes those two people out of the Attorney General's office and puts them in the Auditor's office.

To me this is just common sense. I don't know -- and you know -- and this isn't a partisan issue. It's not Republicans or Democrats. We want our state employees to feel free that they can come forward, whether it's waste, whether it's fraud, whether it's abuse, whether it's something really wrong going on within their branch, their bureau, their department, their agency, their part of government. We want them to feel that they can come forward and tell somebody it's happening without any fear of retaliation, without any fear that they won't get moved forward in their careers, without any fear, quite frankly, of intimidation or trepidation at all. We want to encourage them to do that so we can correct what might be wrong in state government. Not that every whistle blower complaint is correct, because we know that's not true. But there are I think many people who feel

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that they can't come forward.

And think about it. I used the term earlier. Would you be willing to come forward to tell, you know, something about -- something that your boss is doing wrong to the person who has to defend your boss? You would never do it. You would never go to somebody who has to defend your boss and say, "I need to tell you what my boss is doing wrong."

And a lot of these people bring whistle blower complaints that are valid are brave to do so. So I think this is an easy change. I was frustrated for years that Attorney General Blumenthal was unwilling to consider this. And you know, I think part of it is that people are just unwilling to give up some of their turf around here -- and that's human nature.

It just seems to me that this -- again, it doesn't cost any money, it transfers the two people doing the job to a different agency, an agency where whistle blower complaints are already filed so the auditors are familiar with and know how to handle whistle blower complaints. And that's what the amendment does. I think this is common sense. I think it's good government. And Madam President, I would urge adoption and ask my colleagues to vote for

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it and ask that when the vote be taken it be taken by roll call. Thank you.

THE CHAIR:

Roll call vote will be ordered.

Will you remark? Will you remark?

Senator Harp.

SENATOR HARP:

Thank you, Madam President. I urge rejection of this amendment. As it stands now all whistle blower complaints originate in the Auditor of Public Accounts. They do an initial report and investigation. But the in depth investigation is done by our Attorney General's office. And it's done by, from what I gather, more than two people. And then, if there are um, -- a report is done. And then if there are remedies then the individuals are pointed to the appropriate agencies to address the remedies. I think that we have -- we're improving the system through the underlying bill and I believe that this amendment goes too far. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Harp.

Will you remark? Senator McKinney, for the second time.

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SENATOR MCKINNEY:

Just briefly for the second time. I -- I -- I believe we have correspondence from the prior Attorney General that there were two people in his office that did it. If the current Attorney General has a -- a -- more staff doing whistle blowers, we certainly would be willing at a later date to move those people over. I think the answer that comes from others who weren't elected speaks to the fact that we have people in the Attorney General's office who handle whistle blower complaints who also handle other things. And the Attorney General's office, if you look at what it is, would be perhaps the largest or one of the largest law firms in the state of Connecticut.

Whenever any client came into the law firm that I worked for, you had to go through a review to find out if there were conflicts. Someone comes in, they want to file a lawsuit or someone comes in, they're defending a lawsuit, the first thing a law firm had to do was find out do they represent someone on the other side. And whether you're a solo lawyer, one person out with your own shingle or a law firm of thousands, globally, worldwide, that's the very first thing you do. When someone comes to your door and says, "Would

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you represent me," you have to determine whether you have a conflict because attorneys cannot take cases where there's a conflict unless both sides sign off.

That's what happens in every law firm in the world that I know of. But we can't do that for the Attorney General's office. So we're going to say to state employees when you want to blow the whistle on your agency and your boss, you have to go to your boss' attorney.

Senator Harp is right. All whistle blower complaints start in the Auditor's office and there's an initial review. That's why this is more than sensical (sic) to say that let's have them remain in the Auditor's office. Who defends -- who defends the state agency that's being complained against by the whistle blower? The Attorney General.

No one wants to get up here and say that's not true because it is. So there's no talk about that. There's no talk about that whenever I talk about this amendment. They always say, "Well, the Attorney General's office says they can handle it and they have firewalls and it starts in the Auditor's office." Well, who defends the agency? The same Attorney General's office. It's insanity to suggest that one

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office can handle both sides of a case.

And there have been cases. I remember the public hearing where state troopers came before us and I got the emails from those state troopers. I got the phone calls thanking me for talking about this because they were intimidated for bringing cases because they knew they were complaining to the very people who were going to defend against them.

So I don't care whether it's two people or more. Attorney General Blumenthal said it was two. I had a conversation with Attorney General Jepson just after he was elected, congratulating him, lobbying on behalf of this issue and changes in the whistle blower statutes, and he did make some positive changes. But maybe it's three or four or five. Whatever it is we should separate these two functions. I don't care whether it's two people or more. Thank you.

THE CHAIR:

Thank you, Senator McKinney.

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:

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An immediate roll call has been ordered in the Senate. Will all Senators please return to the Chamber? Immediate roll call has been ordered in the Senate. Will all Senators please return to the Chamber?

THE CHAIR:

Have all members voted? Having all members vote, Mr. Clerk, will you call the tally. The machine is locked.

THE CLERK:

The motion is on adoption of Senate Amendment Schedule "C," LCO 7939.

Total number voting	35
Those voting yea	13
Those voting nay	22
Those absent and not voting	1.

THE CHAIR:

Amendment "C" fails.

Will you remark further? Senator Boucher.
Senator -- Senator Boucher.

SENATOR BOUCHER:

Good afternoon, Madam President. Madam President --

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Almost evening.

SENATOR BOUCHER:

Madam President, we are discussing what could be perceived as one of the most comprehensive bills we've been listening to this entire session. It does so many things and a lot of concerns have been recently raised this afternoon with regards to whistle blower protection, putting so many entities under one roof, concern about independence and unfortunately past experience has told us there could be times unprecedented times when even the chief elected official of the state could be investigated by the very entities that he's been put into place or she, for that matter, in the future.

However, we also have just discussed a couple of far reaching bills both in the higher education consolidation programs and also for our state Department of Education as well. When we discussed the higher education consolidation program -- and by the way, this although extremely controversial for some, have been and has been a proposal that has been discussed by both sides of the aisle over the many years.

This does some unique things as it does shut down

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both the higher education governing board, Chancellor's office and instead puts a Board of Regents in place with a president, a president who is chosen by the Governor and then down the road, there's a confirmation process, I do believe, it's subject to legislative confirmation.

It also of course, sets up the budgetary process for them. And although it encompasses the state university system it also encompasses the community colleges and Charter Oak. It does exempt UConn with the exception of transferring to the Board of Regents responsibility for approving new UConn degrees, requiring UConn to submit quarterly reports to OPM through the Board of Regents on the actual expenditures of UConn and UConn Health Center operating funds, which is interesting as well.

And it does also include a coordinating council as well as an office of financial and academic affairs for higher education that has an executive director, something new there.

The higher education coordinating council talks about developing accountability measures, setting goals and measuring those goals. Whereas the Office of Financial and Academic Affairs for Higher Education

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has the oversight of private occupational schools, granting authority to independent institutions to confer academic degrees and licensing and alternate route to certification, other such things as well.

There is a question I do have, if I could, through you, Madam President, regarding and with respect to public institutions. The bill seems to be unclear regarding the Board of Regents' role in approving academic programs. It appears that the Board of Regents issues final approval for proposed program but it is unclear whether it is the Board of Regents or the Office of Financial Affairs, um -- the f -- the OFAAHE, that performs the administrative responsibilities for program approval described.

So is it one group or the other or both? Through you, Madam President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you. Through you, Madam President. The Board of Regents approves the programs for public institutions in our state, should we pass this.

THE CHAIR:

Senator Boucher.

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SENATOR BOUCHER:

Thank you, Madam President. Much appreciate it.

Another question I do have, through you, Madam President, with regards to the Governor appointing the president rather than the Board of Regents, I was unclear in reading through this bill is who has the hiring, firing, evaluation authority for the various presidents of the constituent units now that their own board of trustees goes away?

And also, if those boards of trustees are deleted or can they continue to survive in an advisory role, nonvoting member to give guidance to the various constituent units. And through whoever, through you, Madam President, could better answer that questions, I'd appreciate it. Thank you.

THE CHAIR:

Senator Bye.

SENATOR BYE:

Thank you, Madam President. To my colleague, Senator Boucher, the hiring and firing -- the Governor appoints the president of the Board of Regents. And then each of the constituent units will have a vice president who will work collaboratively with the president and will supervise the presidents of the

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individual colleges. They will report to a vice president. Through you, Madam President.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Let -- okay. Let me see if I can understand this more clearly, through you, Madam President. The president of the Board of Regents hires or will have vice presidents under them responsible for each of the community colleges and state universities who will then supervise the presidents, through you, of each constituent unit.

THE CHAIR:

Senator Bye.

SENATOR BYE:

Thank you, Madam President. Through you, it does get confusing because the word president is used for the head of all of the system and president is what we use in our state for the president of a campus.

So the vice president for the CSU will work in collaboration with the Board of Regents and the president and supervise the presidents. But the presidents will be reporting to the vice president, the presidents of the colleges will report to the vice

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presidents.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Thank you, Madam President. It sounds like we're replacing with chancellors and vice chancellors a president and vice presidents of different constituent units. And so the individual presidents, should they continue to remain in that job title for say, Norwalk Community College or Housitonic Community College or Southern Connecticut State President and so forth -- they no longer will be responsive to a board of trustees.. they will be responsible to this vice president for community colleges or vice president for state universities, who will then be responsible for their evaluation, their hiring, their compensation? Through you, Madam President.

THE CHAIR:

Senator Bye.

SENATOR BYE:

Through you, Madam President. I think it's very different than what exists right now. What exists right now are that each of the constituent units have their own board, their own chancellor, their own

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presidents. This would have one president across all three, if you will, four -- you know, because if you include the board of Higher Education that's doing government approval there's somebody overseeing all of the colleges. And they will be working -- the board will be working with the president and the President with the vice presidents.

The goal of the vice president -- and there was some back and forth about the name -- is that there's somebody who's responsible for the mission of the constituent units. There were concerns about the unique mission of community colleges, concerns about the unique missions of CSU and Charter Oaks State College that we believed and I believed through the committee process, we said it was very important that they maintain those unique missions. This puts someone responsible for their unique mission in the vice president.

But additionally the president is responsible ultimately. Through you, Madam President.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

so Through you, Madam President, again, who hires

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the president of a community college and evaluates and negotiates their wages? Through you, Madam President.

THE CHAIR:

Senator Bye.

SENATOR BYE:

Through you, Madam President. It's my understanding that this would be done -- there would be like any presidential search at the direction of the Board of Regents, a search committee to search for the president of the constituent -- of the individual colleges. And then, you know, the vice president would have a role in that hiring as would the president. I mean, I think that's the idea is we have a coordinated system.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Through you, Madam President. Then it is the -- the Board of Regents President of Higher Education then that literally along with the vice president hires the heads of every one of our community colleges and our state university system? Through you, Madam President.

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Senator Bye.

SENATOR BYE:

Through you, Madam President, yes. In collaboration with the search committee.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Thank you, Madam President. It certainly is a big change. And then further, would an advisory committee still be allowed to participate in the local governance of an individual community college or state university system? Through you.

THE CHAIR:

Senator Bye.

SENATOR BYE:

Through you, Madam President. There would still be the foundation boards, which have been active at all of our colleges and we anticipate that they will continue to be an important and active player in supporting the missions of the colleges.

Additionally in the governing structure and in the appointments we have made it so there have to be appointments from the CSU and there have to be appointments from the community colleges represented

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on the Board of Regents. The original model was a hundred percent Governor appointed. Now we have four legislative appointments. We have student members, we have a faculty advisory committee and then all of these are meant to assure the constituents units are well represented on the governing body. Through you, Madam President.

THE CHAIR:

Thank you. Senator Boucher.

SENATOR BOUCHER:

Thank you, Madam President. It is important to get some of these details out given the magnitude of this particular bill. To further clarify them through you, Madam President, then the foundations that exist in many of these, that do enormous fund raising, some more than others, would they be independent and still dedicated to that particular school or would they then be merging all of their foundation donations money into one pool under the Office of our board of Regents? Through you, Madam President.

THE CHAIR:

Senator Bye.

SENATOR BYE:

Through you, Madam President. I do appreciate

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the questions of my colleague because these are important details that we talked through and I appreciate her questions.

The way we've envisioned it, the boards, the foundation boards at each individual college would be for that individual college. Again, a big concern and motivation was to assure that the individual colleges maintain their unique identity and these foundation boards have done wonderful work helping schools meet their regional needs. Because they're generally made up of community members from that region. Through you, Madam President.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Madam President, I thank the good Chairman of the Higher Education Committee for those answers. It's much appreciated.

I will conclude my remarks regarding the Higher Education Consolidation of this particular bill while questions still remain on cost savings that can actually be realized in the OFA notes, it did show a ten million dollar saving from 2012 to 2013. However many have pointed out that that's just simply an extra

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pay period for that year, the 27th pay period that would not be realized in the coming years as well as additional staffing. So this may be less of a cost savings in the short term, maybe looking into the long term we hope that indeed some savings can be reached.

But also the concern again about retaining the individual distinct missions of the various constituent units still are out there given that pretty much the basic bottom line is the hiring decisions, the evaluation decisions, the compensation decisions that are really oftentimes drive what happens at a particular constituent unit.

I'm going to direct a few of my remarks and then conclude altogether with regards to the educational piece of this particular bill, since we have so much in here.

And there was quite a bit that was included in here that had to do with various programs we have dealing with Sheff versus O'Neill, with school choice programs. There were quite a few freezes put in place with regards to compensating. However, there were also some areas where there was some increases put in there even though they were nominal.

There's also some areas in here that were -- put

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a smile on some of our faces that have been on local boards of education and have fought the battles of you know, a uniform school calendar and regional transportation studies. They go hand in hand and oftentimes, sport activities often drives that inability for the state of Connecticut to come to terms with a uniform calendar. And I see here that instead of detailing what it should be there's going to be a study that will be -- pertain to it.

And as well as some other components such as another interminable ECS study, which this time, I hope, yet though another study, as we've done so many over the years, this one might actually produce a -- a solution or product that would make our situation more equitable.

It is interesting to note that it does increase state rates to school districts that enroll students from the CHOICE programs, although albeit, probably not as much as others would like.

And particularly of interest, I think, to every school system in the state is dealing with the issue of the MBR, the Minimum Budget Requirement. And in this, it does talk about the fact that a town can actually reduce its expenditure but only, only if

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there was a reduction in the number of students or a school was closed, and only to the degree where it was a \$3,000 times that reduction, but not to exceed five percent of last year's budget.

How that will work out is yet to be seen. I know that there are many towns that are experiencing a very difficult situation with regard to the real estate and property taxes and so forth that have not really improved. If anything, they've become more dire than before. And some have predicted that our real estate market may actually take 19 years before it actually will get better.

There was a section in here that perked my interest when we were discussing it in the Education Committee and that is our school Breakfast grants. And I think others have mentioned that schools will now be eligible if only 20 percent rather than 40 percent of their lunches they serve at schools are free or reduced.

My concern on this is that yes, this is a good thing, but in fact the amount of money allocated may stay the same. And what it is is spreading the same amount of money -- and please, if someone is here that can correct that impression, I'd appreciate it. But

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it would take the same amount of support and spread it over many more schools, possibly watering that down.

One of the areas that was of interest as well was the charter school grant increase in here. There is no mystery that we do not fund the charter schools that we have operating in Connecticut to the degree that most other places fund them. In fact, many school systems that spend \$12- to \$18,000 per student, the state allocation to charter schools is only \$9,300. In this bill it is raised by \$100, not a lot, but it is symbolic. It is saying that we at least have a -- a -- an appreciation for the hard work that's being done and the positive results that so many of them are achieving.

And having said that, Madam President, there has been some interest by a number of individuals in our caucus to discuss something that we have been inundated with emails over the last month, maybe two, regarding a practice when it comes to how does a school deal with their budget crisis when they have to reduce and when we talked about the MBR. And should they have to reduce both by the fact that they have a lower enrollment than the year before or they have to

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shut down a school, how do they make that decisions and should it be the current practice, as is often the case, that the last person in the door would be the first person to be asked to leave because of a budgetary problem?

And given that interest, Madam President, I do ask, if you could, Madam President, to move an amendment. And if I could, through you, Madam President, move LCO -- and I would like to move this amendment if I could -- 7994.

(Senator Duff of 25th in the Chair.)

THE CHAIR:

Mr. Clerk.

SENATOR BOUCHER:

Mr. President and fellow seat mate, it is a pleasure to see you there.

THE CHAIR:

I've been here for awhile, Senator. Glad that you noticed.

SENATOR BOUCHER:

Well, now that I have my glasses on.

THE CHAIR:

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Glad that you looked up.

Mr. Clerk, please call the amendments.

THE CLERK:

LCO 7994, which will be designated Senate
Amendment Schedule "D" is offered by Senator Boucher
of the 26th district, et al.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Mr. President -- seems like Senator Fasano and I
suffer from the same -- all of the air that we've been
expending here this week has given us a problem with
our voice.

THE CHAIR:

It's getting a little warm in here.

SENATOR BOUCHER:

Mr. President, I move adoption of this particular
amendment.

THE CHAIR:

On adoption, will you remark?

SENATOR BOUCHER:

Yes, may I have leave to summarize and also, Mr.
President, request a roll call vote, if I could on
this particular amendment.

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THE CHAIR:

Roll call vote will be ordered. Senator Boucher.

SENATOR BOUCHER:

Thank you, sir, Mr. President. Mr. President, this amendment when terminating a contract for employment pursuant to the subsection to a local and regional board of education shall first terminate the contract of employment for those teachers who based on the most recent performance evaluation have been identified as first, needing intensive supervision or assistance, two, having the lowest evaluation rating and three, having a marginal effectiveness. However, one of the things that it specifically states in this amendment is that salary should not be a consideration in making a termination pursuant to the subsection. In addition, a tenured teacher that is rehired within a year should not lose any rights and certainly has the right to a hearing and to an appeal.

Mr. President, the reason for this amendment particularly has to do with Connecticut's largest in the nation achievement gap, that we've discussed before in this Chamber. It is a situation that is now in a crisis stage and we need to deal with it directly. And one of the most compelling issues for

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many of our experimental schools particularly in our bigger cities that are succeeding at a phenomenal rate in our most difficult to teach areas is having a very special teacher in the classroom, effective materials and really great leadership. And one of the things that I hear most often by leaders is their inability to make those employment decisions on a local level and to make sure that the very best teachers, particularly in our most difficult schools so that the kids have the best chance possible to get ahead.

When businesses have to lay off workers they don't just look at the years of service, though they do, without considering the performance and the overall health of the organization. And so for that reason, Mr. President, I think we need to take a hard look and make a drastic move, a bold move in Connecticut by looking at a policy like this and say that in 80 to 88 percent of our school systems, many hands are tied in the ability to really bring the most effective teaching techniques to the areas of our state that have the largest achievement gap. And again, this is a gap that is not just occurring in our inner cities, but also in our more affluent areas because in comparing ourselves to our national peers,

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we are not performing at the same high level.

Connecticut once did. It was number one of the country. It had the top status in the country for many years running. And now we have fallen, not just below the top ten but even now we're in the -- getting down to number 19 in many areas. So again, this is a moment in time when an issue like this that may be controversial needs to be discussed. And again, I ask for the Chamber's support and welcome any discussion on the topic. Thank you, Mr. President.

THE CHAIR:

Thank you. Senator Stillman.

SENATOR STILLMAN:

Thank you, Mr. President. I -- I, um -- no, I agree with a couple of the comments that Senator Boucher has made. It is a very sad day in Connecticut because we do have such a large achievement gap. But I would venture to say that the Education Committee has already -- starting to address this issue, better late than never -- and will continue to do so in bills that have yet to come before the Legislature.

I have a couple questions for the proponent of the amendment, if I may.

THE CHAIR:

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Please proceed.

SENATOR STILLMAN:

Thank you, sir. Through you, Senator Boucher, in lines 143 to 146, could you please share with us the meaning behind those lines?

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Through you, Mr. President. The good Chairman is referring to, um, the contracted employment of a teacher who has attained tenure shall be continued from school year to school year except that it may be terminated at any time for any one or more of the following reasons -- and this is current statute. Inefficiency or income -- provided if a teacher is notified on or before July 1, 2000, that termination is under consideration due to incompetence and the determination of competence based on evaluation of a teacher using the teacher evaluation guidelines, insubordination, moral misconduct --

SENATOR STILLMAN:

Excuse me. I'm sorry, false --

THE CHAIR:

Senator Stillman.

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SENATOR STILLMAN:

Thank you. I'm -- Senator Boucher, I was asking you if you could explain what lines 143 to 146 are since that's the amendment to that section. You were reading the existing law. So I'd appreciate it if the Senator could answer the question for me, please.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Yes, and through you, Mr. President, in order to give it context it is important to know in what section this is being inserted. It's added that in this particular line where we state if no other position exists to which such teacher may be appointed if qualified, provided such teacher if qualified shall be appointed to a position in the school that such teacher is employed. If it is determined that such teacher is more effective and more qualified than the teacher who has not attained tenure based on the criteria in subsection of this section.

So it is adding in the school that a teacher is more effective and more qualified than the teacher who has not attained tenure, they should be put in that position. Through you, Mr. President.

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THE CHAIR:

Senator Stillman.

SENATOR STILLMAN:

Thank you, sir. Through you, to Senator Boucher, I -- I -- when I interpret that section and I think we share -- excuse me -- the new language you're suggesting. It is already in law. As you started to read on lines 129, et cetera, that's existing law that inefficiency or incompetence is a reason that a teacher can be notified that their termination is under consideration.

So I believe that your suggestion there on those lines is rather redundant with current law. And as is lines 151 through 155 that are underlined, that again, I believe that is existing law now and I don't really think you're changing anything there. And so I certainly have concerns about the drafting of the amendment and whether those sections are appropriate.

As we move on through the amendment, um, uh, again on lines 238, uh, through, uh, 268, if you read the whole thing. Again, you're continuing to reflect current law because certainly if a teacher's job disappears because, uh, uh, a school is either shrinking or they're no longer in need of a teacher's,

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uh, job, then, uh, they already, uh, the teacher can already -- a contract can already be terminated.

So I think what we have here are redundancies in existing law. I share with the Senator that we have a problem here in Connecticut, but I also share with the Circle the fact that we have new legislation yet to come before us. Obviously, it's not going to do everything all at once. But I think when we see the achievement gap bill that I hope to bring before this Chamber before the end of the week -- and one that Senator Boucher is familiar with and has been supportive in the Education Committee, I think we'll be able to tackle some of those issues. But for the reasons I've mentioned, the fact that I believe this amendment is flawed, redundant with existing law, I urge rejection of the amendment. Thank you.

THE CHAIR:

Thank you, Senator.

Will you remark further? Senator Boucher.

SENATOR BOUCHER:

Yes, Mr. President. One of the sections referred to earlier in Section 142 to 146, and also the other section that was referred to, it really addresses things such as being bumped. In other words,

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currently you cannot bump someone that has attained tenure for certain positions should something be eliminated. And in addition, the same in lines 238 through, um, through the other section. And there it talks about the fact that the first terminate priority in the past was given to seniority. But in this it actually makes individuals look at not seniority necessarily but performance valuations that were conducted. And as well as the previous section talks mostly about bumping individuals that are tenured.

So in all of those sections it really discusses taking a new look at how we look at layoffs. It's something I believe that the public is very interested in us -- and parents in particular and various school systems -- that that is the reason for that language there.

I don't believe, in fact, it is redundant. It makes a slight change about priorities and what we look at firsts when making those layoff decisions. Thank you. Through you, Mr. President.

THE CHAIR:

Thank you, Senator.

Will you remark further? Senator Harp.

SENATOR HARP:

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Thank you. I call for a roll call vote.

THE CHAIR:

A roll call has already been ordered. Will you remark further? Senator Markley.

SENATOR MARKLEY:

Thank you, Mr. President. I rise in strong support of this amendment. I have been -- as all of us have been, students at one point or another. I've also had the pleasure of being a teacher in several different settings over the years. Here in Hartford at the community college and at St. Joseph's and also at a parochial high school.

And I think we're all in all education settings and in educational settings one can be vividly aware of the difference in teacher quality. And I think fairly confident about the judgments which we make as to which teachers are most effective.

I certainly felt as a student that there was no mystery. Aside from what one's liking for at each or how easy a class was, it was clear when you were in the class who was in control and who got you through the material effectively. It was even more clear to me when I was a teacher. I felt I was a very good teacher at the community college teaching English and

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enjoyed it immensely. The year I spent teaching high school, I would not subject my students to a repetition of -- or myself. A very different situation and one to which I was not so well suited, lecturer that I am.

And in all those cases, I think the maximum latitude should be given to administrators to make judgments based on their observation, based on their sense of what is best for the progress of their students and not to handcuff them in any way. Or handcuff them as little as possible with questions of seniority and tenure.

And let me ask, if I may, through you, Mr. President, to the proponent of the amendment, what -- if the -- if -- if -- if seniority does not become the, um, determining function for these kinds of teachers decisions, how would the administrators take advantage of that latitude? What kind of process might replace it in determining which teachers are laid off and which ones are retained?

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Yes, thank you, Mr. President. Mr. President.

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That is a -- could be a determination set up by a panel of teachers themselves, of peers that could be looking at a multitude of factors, performance evaluation may be just one of those factors. It could be their specialty, their training, their years of service, certainly. The one thing that we wanted to prohibit with this bill is to make sure it wasn't based on salary. It wasn't supposed to be a cost cutting measure. This is about bringing quality and improving of student outcomes as best as we could.

We didn't specifically put in there necessarily student growth and achievement, but it did at least highlight the various components that make a really good teacher. And oftentimes the peers, their own peers, the teachers themselves know who the best teachers are and the ones that really bring up their school and allow them to really score well and be recognized and have an outcome and parents and students that -- that, uh, are there and stand in line to really gain admittance to those schools. Through you, Mr. President.

THE CHAIR:

Senator Markley.

SENATOR MARKLEY:

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Thank you, Mr. President. Thank you for that response and let me say, when you say the teachers are aware themselves of who is effective and who is not, when I was teaching in the high school, I often peeked into the English class next door to mine and felt like I was looking over the Berlin wall from East Berlin to West Berlin in terms of how effectively the classes were conducted.

Let me ask, through you, Mr. President, another question for Senator Boucher, which is, we had -- obviously there's a movement in this direction and there's been proponents in the state raising awareness of it. What have we seen -- do we have any history in other states of, uh, of bills like this going into place and what effect they've had on education?

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Thank you, Mr. President. Yes, I do believe there has been a flurry of activity around this issue in many states, most recently in Florida, as well. And there have been, um, some positive responses to them. And so I think that the public is very well aware and are questioning why we aren't pursuing this

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direction here in Connecticut, especially since we've lost so much ground. I don't think people really complain much about a system when you're really at the top of the heap and you have a great reputation, great scores and individuals although just a few exceptions, minor exceptions in certain places, everybody's doing very well.

When not only are some of the more difficult to teach environments are doing less well, but also in our more progressive schools are also falling behind, that gives everybody pause.

There was a time when the National Merit Finalist organization and scholarship program literally took Connecticut students and bumped up the scores to a much higher level for them to qualify because they could only give 50 scholarships a state. And Connecticut students were so out performing everyone else, they could have given two- or three hundred students that designation. So what they did was they took the score and bumped it up higher. I don't believe that's the case anymore. We are changing in our demographics, but most importantly in our outcomes. And other states are catching on to this. And so they're making some big changes. Just like

they have in their charter school policies for the state, they've done that as well with taking what happens in those schools, looking at their policies, and how they teach and the quality of the individuals that are put in the classroom along with curriculum and making those changes that will give more freedom. In fact, even our state of Massachusetts right next door has made some interesting changes that go -- fly in the face of binding arbitration and the collective bargaining agreements as well.

But when it comes to this issue, it's not about money, it's not about benefits, it's not about retirement. It is about student learning. That is the number one consideration. Is what is happening in that classroom, six to eight hours a day every day and what's the best predictor. The best predictor is the teacher in that classroom and the student body that they have will be the most significant factor in its outcome.

And as such there are a number of states, as I said, that have broached this subject and are being very successful at passing legislation such as this.

THE CHAIR:

Senator Markley.

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SENATOR MARKLEY:

Thank you, Mr. President. And thank you, Senator Boucher for those answers and also for bringing out this amendment. I believe in it very strongly. I would urge everyone here in the Circle to support it. I believe that the public is with us on this. And I think that many teachers support it at this point. And I think it is something that will come. I think these changes have to be made, that we have some rather ossified systems in education and in all the great systems that we deal with here in Connecticut. And I believe that this would be a step in the right direction, which there is no reason to put off. Thank you, Mr. President.

THE CHAIR:

Thank you.

Will you remark further? Senator Suzio.

SENATOR SUZIO:

Thank you, Mr. President. I rise to support the amendment and to, if I may, through you, ask a question or two to the proponent.

THE CHAIR:

Please proceed, sir.

SENATOR SUZIO:

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Thank you. Senator Boucher, I had supported and cosponsored this amendment because I had an understanding that it does expand the current legal authority given to boards. It gives them more flexibility when confronted with a layoff situation of staff, where they're in a situation where there's significant number of staff reductions due to budget tightening or whatever.

And so that in particular that they're not saddled with the restrictions imposed by what people refer to as a seniority system. That, in effect, they will have a little more flexibility in deciding who they will retain or layoff predicated on the effectiveness of the teachers that are involved and their record of effectiveness.

And at the same time it seems to me that it was intended to protect teachers because there is a clause in the amendment that basically says a local or regional board of education shall not consider a teacher's salary in making termination decisions pursuant to the subsection, which to me was the single biggest objection I consistently heard from teachers, that the senior teachers were the one who were afraid that money might become the driving decision making

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parameter for boards. So I see it as an expansion, but is that a correct interpretation of what is being done? And maybe you could elaborate a little bit more on maybe the added flexibility the proposed amendment would give to boards? Through you, Mr. President.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Thank you, Mr. President. Mr. President, I really thank the good Senator for that question because in fact, that line, when it talks about not considering salary speaks to the fact that this really isn't necessarily about last in, first out or what people like to refer to as a LIFO proposal. It is not. It is not about seniority. It's about teacher quality. It's about what's going on in that classroom with children.

And that's what we need to make it on. Because it very well could be the senior, most experienced teacher that is the best qualified, the best performing teacher in that classroom, if not in that school. We just heard a very sad tale about one of our towns in Connecticut that had to lay off their teacher of the year this year because of budget

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constraints. What a shame. Laying off the teacher of the year. And in that case, it may have very well been someone that was there less than four years.

However, the vast majority of the teachers of the year that I know and principals of the year tend to be those with the most time on the job. They happen to be there for a very long time. So it should not be about salary, which is often a reflection of how long someone has been there. In other words the most senior teachers that have attained the highest salary range.

But it should be very clearly based on those that have continuously and with intensive supervision assistance, that have continuously had the lowest evaluation rating, that they are continually marginally effective as deemed by the majority of their peers and the majority of the administration and the parents in that school system.

As I said, it can be done in many creative ways, but in fact, you're absolutely right, good Senator, that this is definitely geared towards making sure that no termination decision is based on a person's salary. Through you, Mr. President.

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Senator Suzio.

SENATOR SUZIO:

Thank you and through you, Mr. President, it's my understanding and perhaps wrongly, I don't know. But that most current law deals with individual teacher situations where a teacher may not be performing up to acceptable standards and as opposed to when you're dealing with situations in which large numbers of staff may be laid off. That this amendment is an attempt to address the second situation and not in any way affect the former situation where you're dealing with a teacher who -- who's tenure may be challenged because of lack of performance regardless of what the situation is at the school, whether the school is expanding or contracting its staff.

So I -- I at least perceive it as an addition to current law, not even so much a modification. Would that be an accurate description in your opinion, Senator? Through you, Mr. President.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Yes. Thank you, Mr. President. Just previously, in discussing the amendment we did outline a few of

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the various reasons that someone could be terminated. And most of it has to do with moral conduct, insubordination, some very serious matters. However, one of the things that is most difficult -- and any school system will tell you this -- is to terminate anyone based on something that is termed not competent or inefficient. That is really open to interpretation. And in fact, I think this all pertains to individuals after, I think, July 1, 2000 -- because this was previously, I don't even believe entertained. But again, from what I understand from most of the school systems that ideal with is that something has to be grossly insubordinate or misconduct, things of a criminal nature.

But when it comes to what is actually going on in the classroom, that's a very difficult thing to be able to ascertain. And it does have to do with and individual teacher. That is exactly correct. When it comes to general layoff because of economic situations that we haven't seen historically as we have had or a large reduction and -- in enrollment that might very well happen or actually a wholesale closure of a school due to a chronically failing system, we haven't done that very often or reconstituting a school, then

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we have a much broader group of individuals we need to deal with. And there I think we do need some sort of a parameter other than just numbers of years put in. Through you, Mr. President.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO:

Thank you, Mr. President.

I have no more questions for the proponent. But I will say that as a member of the Education Committee, there was a bill that had been brought up before that involved the model teacher evaluation system. And I had voted against that. And I voted against it because I was concerned that it didn't provide protections for teachers based on compensation.

Again, I had heard over and over again from many teachers, some of whom I know personally, and who I know are excellent teachers. They were very concerned. They didn't object to the idea of being evaluated on performance. But they were concerned, particularly in situations that we're unfortunately confronting all too often these days, large layoffs of teaching staff. They were very much concerned that

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compensation would become a priority parameter in the decision to dismiss. And they were therefore concerned about any revisions in the law regarding this. And at that point, I didn't think there was enough protection in the bill that was being voted on.

This explicitly gives that protection and it makes me feel a lot more comfortable that teachers will be handled in a fair way and that money won't be the only driving -- it won't be the primary driving factor, that it will be the job that these teachers are doing teaching and educating our students.

And so therefore, I enthusiastically, enthusiastically support this amendment. Thank you, Mr. President.

THE CHAIR:

Senator Stillman.

SENATOR STILLMAN:

Thank you, Mr. President. I just wanted to share with the members of the Senate that as we talk about teacher evaluation which is what this amendment is all about, there are already activities that are taking place due to previous actions we've taken over the last couple of years.

One of them is the performance evaluation

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advisory committee, whose job it is is to establish those parameters around evaluation within the school systems. And they are due to report to us July of next year because we are moving the date up one year with the -- because of the understanding that they will have had enough time, we can't wait. We need to have an appropriate evaluation process in place. I don't think we do yet in this state. And that's why I think the report from that committee is so vitally important. And that's just one of several reasons that I've outlined that I urge rejection of this amendment. Thank you, sir.

THE CHAIR:

Thank you. Will you remark further? Senator LeBeau.

SENATOR LeBEAU:

Thank you, Mr. President. Good to see you, good afternoon.

I would join with the Chairman of the Education Committee in opposing this amendment. We are not ready for this. I mean, in some sense we are ready. In some sense we're not. The committee that's working on these kinds of parameters should be allowed to do its work.

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I just heard discussion about peers knowing how good the teacher in the next room is. Well, I didn't teach one year in the public schools. I taught for 37 years in the public schools. And I had no idea how good the person in the next room was. None. What am I supposed to listen to, the kids? So you give the kids a hard assignment, you make them work, and then that's going to be -- how is the review going to be in the next room after you give them a hard assignment, after you give them a lot of work to do? Is that you're a good teacher?

No, I think we need a fair and balanced method. And I don't think that what we -- that this amendment in front of us -- I think it's premature. We may be looking at this in the future. And I -- I don't see -- I don't see anything here in the amendment that talks about objective criteria. It is all hearsay.

You know, my wife is a principal and I talked to her about this bill last night. And -- because I said, you know, people can be right now laid off. And she said, "Yeah, it's difficult." And I said, "That's correct." Shouldn't it be? Shouldn't it be a difficult process? A person has to go to school in this state, gets a BA, has to have their master's

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degree by ten years of teaching. That's five or six years invested in education. And then through essentially a subjective process, it -- could be let go.

Now, boards of education - the other point I wanted to make is this. Boards of education don't need this law. Boards of education can do this right now. And boards of education can change their criteria for letting people go. That can be negotiated. So what's happening here is that the Legislature is jumping into the process and interposing its will over the boards of education. I wouldn't want to use the word mandate, but that's what we're doing.

The school systems are not ready for this. I hope they will be. And I hope there will be objective criteria. I have -- I have often as a teacher and not all my teacher friends are happy with this -- talked about objective criteria for evaluation of teachers. And part of that is test scores. But then I want to know -- I want to see my test scores. I want to see the beginning of the year to the end of the year. What did those kids learn. And I want to see that over a couple of years. And I want to see that versus

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-- I want to see that versus what those young people are expected to learn and how does that compare to my peers. Those are the kinds of sophisticated testing requirements that we need. We don't have the capacity to do that.

I remember last year voting on a bill that begins to give us that capacity. But we're not there. So I would respect the intent of this legislation and I hate that phrase, well intended, because we hear it all the time. But (inaudible) use it. But I respect the intent, but I don't think we're ready for this at this time. We have a lot more work to do before we are ready to change the evaluation system from the top down.

If the boards of education want to change the evaluation system from the bottom up, they can do it right now and they can negotiate it and I say let them negotiate. And let them do their work as best they can. And let's help them by providing the systems to give that objective data that they need in order to do good evaluations. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator. Senator Roraback.

SENATOR RORABACK:

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Thank you, Mr. President. I rise in support of the amendment and I rise mindful of the concerns articulated by Senator Stillman and Senator LeBeau. I for one, have always been fearful of the risk that teachers should be exposed to arbitrary and capricious dismissal on the basis of subjective criteria.

Sadly, some elected officials, whether they be in this institution or our local boards of education -- we're all people. And so the qualities that affect human nature are found in all of these institutions.

But Mr. President, when I read the language of the amendment, I'm comforted that this is -- these decisions are not going to be made willy-nilly. These decisions are going to be made on the basis of the best available information and then it's hard when you spend any time with representatives of the organization called CONNCAN, the Connecticut Center for Achievement Now -- if you spend any time -- anyone who was watching on CTN, I would invite them to visit CONNCAN's website, Connecticut Center for Achievement Now. These individuals in my experience have no axe to grind, they have no score to settle. They're motivated purely by a scientific desire to afford to Connecticut students the best available education

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possible.

Mr. President, when we witness the phenomenon where enthusiastic, qualified, well regarded teachers are terminated from service purely on the basis of their lack of seniority, I don't think anyone can dispute that that -- that is a subjective -- as subjective and random a phenomenon as that of being terminated because you crossed someone along the way. But the criteria that are articulated in this bill don't lend themselves to being gamed, don't lend themselves to being polluted by political considerations. They're quite explicit, they're quite detailed and they're quite compelling.

Mr. President, few of us, I think would take the position that years of service alone is the -- ought not to be the exclusive criteria for making a decision as to the propriety of continuing one's employment. And when we rely on that criteria alone, at the end of the day, it's the students who pay the price. And I think that's regrettable.

So I urge support of this amendment. I urge people to familiarize themselves with subsection F that's before us. The very specific criteria that have to be followed in making this determination and

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then judge for yourselves whether you think this criteria -- it's imperfect, that's for sure. But so is reliance on seniority alone. So, Mr. President, I urge adoption of the amendment. Thank you.

THE CHAIR:

Thank you, Senator. Senator Suzio.

SENATOR SUZIO:

Thank you, Mr. President. I just want to comment. I totally respect Senator Stillman's reservations, and Senator LeBeau's. And certainly, Senator LeBeau with his 37 years of teaching, I guess that's more than double my 14 years on the board of education.

But I do want to speak now as a member who was -- a member of the board of education in my community for 14 years. And the last few years were particularly difficult because that's when we started having the impact of the financial situation and we had to start letting teachers go. And when you're on the board of education, you do get to know a lot of the teachers and who's -- you know, you get a sense of things, both anecdotally and just talking to people and through personal interaction. You're in your community. You get a good sense of things.

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And I can tell you there were many situations that we felt awful about the fact that we were constrained by an arbitrary standard that has nothing to do with what was best for the student or who was the best teacher. We were hamstrung by an arbitrary requirement based on seniority. Who was there the longest and that was it.

And I can just tell you as a board of education member, I would have welcomed some kind of legislation like this that would give us more flexibility. Boards need this. Senator LeBeau had talked about this as another mandate. To me, this is the un-mandate. It's giving boards more flexibility. Too many times we've had mandates shoved down our throats that took away our -- not only our authority but any choice that we had, any discretion. This would give much more discretion to boards. It would give us the ability to be much more flexible and reflect what's in the best interests of students and what is in the best interests of the school system itself.

And again, speaking as a former board of ed member, I can tell you right now, I think most board members in this state and most boards of education would be mo -- very enthusiastic about something like

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this. They wouldn't have any reservations. They would all recognize it's better. It may not be ideal. It may have its shortcomings, but it's far better than what exists right now, which is bad for students and bad for education.

And so again, I urge all of my colleagues here in the Circle to support this amendment. It's a stride forward. It's not ideal, but it takes us in the right directions, turns us around from the wrong direction we've been headed for too many years. And I will urge everyone to support this amendment. Thank you.

THE CHAIR:

Thank you, Senator.

Will you remark further? Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President. You know, I first was in my office listening to Senator LeBeau speak. And I greatly respect and appreciate his comments. And I think Senator LeBeau probably know, because I've said it a lot over 13 years, my brother is a public school teacher, middle school in Bridgeport is now in his 21st or 22nd year. So clearly, someone whose job is not at risk under last in, first out, should the city of Bridgeport be forced to lay off teachers, and we

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hope that they're not. And someone who might be at risk if a last in, first out rule were done away with.

I also appreciate your comments about just how difficult it would be and will be if we're going to try to figure out how you evaluate teachers. If you have a student who at the beginning of the year scores a 60 on a test and at the end of the year they get an 80 on that test, and I have a student who got an 80 on that test at the beginning of the year and got 85 at the end of the year, who's done a better job? My student scored 85, yours scored 80, yours had a 20 point increase, mine had a five point increase. I don't know.

So evaluating teacher performance is clearly going to be difficult. But -- but it -- and this may not be and probably cannot be the perfect solution because there probably isn't a perfect solution. But there are other important education bills that we did on the charter schools earlier. There's some more -- there's another bill regarding teacher evaluation on our calendar that we did not want to offer the amendment to because there's progress made in those bill and we don't want to stop that progress from being made.

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But this is a conversation we have to be having more. Not just in the committee of cognizance, but here in the Circle and down in the House, too. And it's a conversation we need to have with our constituents and our local boards and our teachers and union representatives and everybody has got a stake in the game.

You know, my youngest goes -- is still in elementary school. And some my window of the world is limited to that one elementary school in Fairfield, Connecticut where she goes. And I have to tell you the number of young teachers -- and at least at this one school appears to be overwhelmingly young women entering into the profession. It's exciting and extraordinary and the dedication and work that they do. And it seems as illogical as it would be for a board of education to say we terminate you because you're the highest paid teacher, it's equally illogical to say we terminate you just because you were the last hired. Neither makes sense.

So the fear of doing in with last in, first out is well, because they have to lay off teachers because of budget cuts, they're going to look at those who make the most and those would be the ones that are --

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that is equally wrong and I'm happy that there's language in here -- and if we ever get to a point where we pass something in this Circle, I would want language in there that said salary cannot be a consideration in layoffs. I think that has to be part of a final solution. I think it has to be a part in a final solution. Because none of us want to see teachers laid off unless the population has declined so much that you don't need the teacher. None of us want to see teacher layoffs because of a bad economic time.

But I think the discussion -- you know, this calls for looking at teachers who are already evaluated pursuant to current state law, 10-151B and teachers who have been identified as needed intensive supervision and assistance. Now, that doesn't mean they're bad teachers. That doesn't mean that they can't be, after supervision, assistance, turn out to be fantastic teachers. But when you're making the decision to lay a teacher off, I don't know where you go.

Just simply saying you're the last one hired so you have to go -- it's difficult to stand up to those parents and those PTA groups and say, you know, why

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did this teacher get let go? Because they were the last one hired. I think most people are going to look at that and say that makes no sense.

So, you know, I understand and I also hear Senator Stillman, as Chair of the Educational -- and I respect your views and opinions as well. We understand that this does not have the votes to pass today. But we wanted to do this just to say that -- and I'm not saying you're not saying this, but this is a discussion that we need to continue to have. We need to continue to have it here, in the House, in committees, in our local communities. And we need to have it now because with this economic recession this is when we're being told that some of our towns and cities may be forced to lay off teachers.

And, you know, maybe when we come back next year the economy will be better and our towns and cities, if they have to lay off will be looking at rehiring and this is a discussion that we can have under much very different circumstances. But we need to do something about this issue. And we need to do it together, working with our towns and cities as Democrats and Republicans, not -- but just as public officials.

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I stand up here and I'm going to vote for this. And I stand up as someone who is not willing to take a back seat to anyone in protection of our public school teachers. My brother's one. My kids are taught by them. I want them to be the best they can be. I want them to have the resources they can be. Candidly, I think when you look at what some people in our world make, they get paid too little for the importance of the job that they do.

And I would always want Connecticut teachers to be paid the best in the nation. But -- and I know that many will be upset with my vote here. But I think we need to make some changes. And those changes only start with a discussion and a continued discussion so we don't forget about the need to make those changes. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator. Will you remark further? Will you remark further? If not, Mr. Clerk, please announce the pendency of the roll call vote.

THE CLERK:

An immediate roll call vote has been ordered in the Senate. Will all Senators please return to the Chamber? An immediate roll call vote has been ordered

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in the Senate. Will all Senators please return to the Chamber?

THE CHAIR:

Have all members voted? Have all members voted? If all members have voted, please check the board and make sure that your vote is accurately recorded. If all members have voted, Mr. Clerk, please announce the tally.

THE CLERK:

Motion on adoption of Senate Amendment Schedule "D."

Total number voting	35
Those voting yea	11
Those voting nay	24
Those absent and not voting	1.

THE CHAIR:

The amendment fails.

Will you remark further on the bill? Will you remark further on the bill? Senator Witkos.

SENATOR WITKOS:

Thank you, Mr. President. You know, we all have our areas of expertise and our areas that we like to zero in on and I guess mine tend to be the public safety arena. And when I was reading through the

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implementer bill I saw a couple of things that raised some red flags to me. And one of those was the fact that we now allow our town clerks or any taxing district to issue temporary registrations to folks that have not paid their parking fines or have not paid their taxes.

And through you, Madam -- Mr. President, to -- I'm not sure who would answer this question. When they say taxing district I would give the example of one of the towns I represent, the town of Simsbury, we have a fire district which is a taxing authority in the town. And under this language would they be allowed to issue temporary registrations to folks that have made good on their five parking tickets or paid their personal property taxes? Through you, Mr. President.

THE CHAIR:

Thank you, Senator.

Before Senator Harp answers the question, could we take the conversations outside the Chamber, please. Thank you.

Senator Harp.

SENATOR HARP:

Thank you. Through you, Mr. Chair -- I mean, Mr.

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President. I believe not. It would have to be a place that actually kept the records in the local area on the parking tickets and the taxes.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you. So through you, Mr. President, that would lead me to believe that those temporary registrations would be issued at a town clerk's office, for example. Is that correct? Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much. Through you, a town clerk's office or the tax collector's office, whichever office could actually assure the verification that the payments were made.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you, Mr. President. And I thank Senator Harp for her answers.

You know, it's concerning to me that while I

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understand maybe the intent behind it is to allow folks to make good on a debt that they owe, whether it be the personal property tax or pay the five parking tickets that they got so they can actually drive their vehicle. But what happens is the town clerk or the tax collector's office doesn't have access to the computerized system that law enforcement would look at to see if their registration is not suspended. So we have instrumentation now, a new age technology that are mounted on the police cruisers that will drive by a marker plate and offer information to the officer saying that this registration is suspended because of -- in this example, a failure to pay personal property taxes. You cannot renew the vehicle's registration. So the officer may use that as the probable cause to stop the vehicle for legitimate reason and then come to find out -- a whole stream of things could happen upon stopping the operator. And one of those by products could be that the operator shows a certificate saying no, I went to the tax collector's office and I paid it. Here is my temporary registration so I'm okay.

I have concerns that -- and I hope it would never ever happen that somebody is stopped and is found to

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be under suspension and they have somebody that they know that works in an office and they post date or predate a temporary registration as a means to circumvent the law. That's my concern on that.

And my other concern is in six -- line 627 where it begins, where we change how the Department of Motor Vehicles issues their drivers licenses.

Now, a drivers license is I would say a universally recognized means of identification. And under the current law it has to be renewed either every four years on your birthday or every six years on your birthday. And you pay the fee according to however long you have your driver's license.

Well, we're removing the time frame in current legislation. We're saying no more four years or six years, the Commissioner will determine what the length of time shall be. And we're removing the mandate that you have to have your vision tested every other year.

But the thing that really is unsettling to me is that if you have an electronic picture of yourself on file, which everybody does, by the way, if you've had your picture taken at the Department of Motor Vehicles recently, you have a digital copy of your face on a hard drive somewhere. So if I were to check you in a

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police cruiser, your picture will come up. I can see that.

And if we, under the new legislation that's being proposed it says you basically never have to go back to the Department of Motor Vehicles to have your picture retaken, you will just use the picture that's on file, the electronic picture that's on file.

And I don't know about you, but I've, unfortunately gotten in the habit of checking the obituary page and I'm flipping through it and I say, oh, that person looks kind of young. And then I see that they were born in 1902. and I'm like, wow, I guess they used an old picture.

And I think that's what's going to happen here with our Department of Motor Vehicles, our drivers license, our identity card, if you will. That if we never have to go back and have another picture taken, you may not look like the same person that you did today when you had it taken. Especially with our teen drivers, they're going to get their drivers license when they're 16 years old. Well, certainly can look a lot different and we know that kids tend to utilize fake IDs. And bouncers and bartenders use the drivers license as a means of saying that we're covered under

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the establishment because they provided us with an identification and does it look similar to the person? Well, if somebody were to take an ID at age 16, they may look remarkably different at age 20 or age 20 and a half in that short period of time, but we will never have to update that according to the change in our laws.

And I look at it as also a means if somebody -- I lost my wallet, and somebody gets a hold of my credit card and goes to make purchases at a store. And the person is suspicious and the bank may call the retail outlet and say this is uncharacteristic of this card holder to make these types of purchases that frequently, could you please check the identification of the individual? And then the person asks for my ID, well, I make look different than I did 20 years ago. And you'll never be able to check because the current law that we're stating here says that you never have to go back to the Department of Motor Vehicles to have your picture taken again if you have it on file.

And I think it's wrong, I would urge -- I would be willing to work with folks to prepare an amendment on a bill later on. I know that it appears that no

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amendments are passing on this bill. But I think this is an important measure that needs to be addressed, that if we -- if you don't have to do it the first two times, by the third renewal you have to have your picture updated, if you look substantially different. It's a consumer protection bill. It's a protection bill for all of our own assets and you'd hate to be accused of something that you weren't responsible for based on a picture, an old picture.

So with that, Mr. President, I will sit down and I would urge my colleagues that we can work on some amendment in the future to address that provision of the bill.

THE CHAIR:

Thank you, Senator. Will you remark further on the bill? Will you remark further on the bill?

If not, Mr. Clerk. Senator Suzio.

SENATOR SUZIO:

Thank you, Mr. President. I'd like to talk about what at least to me is an exciting topic, which I know I take exception to Senator Frantz' comments before about GAAP, Generally Accepted Accounting Principles and I know Senator Harp is getting all enthusiastic now in anticipation of discussing that exhilarating

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topic. But I do want to talk about it because I think it is very, very significant. I know it's a little esoteric, but I think it's very important and I'd like to make some comments about it. I'd like to, through you, Mr. President, also ask Senator Harp some questions if I might. If I may, I should say.

THE CHAIR:

Please proceed, sir.

SENATOR SUZIO:

Thank you. I notice in the bill -- first of all, back when the Governor first was sworn in, one of his very, very first actions was an Executive Order as I understand it to basically order the implementation of generally accepted accounting principles. I think he did it the very first day he was sworn in and I was very impressed and enthusiastic about that because the abusive accounting practices have been used up here for the last decades have really misled the public on the true state of Connecticut's budget and generally accepted accounting principles are definitely a much more accurate representation of what's going on. But in this particular bill, I notice that we don't really transition to GAAP for over two more years, yet the impression I got from the Governor was that we were

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going to transition to GAAP very quickly, as soon as possible, certainly not two years away.

So I would like to ask the good Senator, if I may, does the delay of the implementation by two years contradict what the Governor's intention was and the impression he gave the public when he announced that this -- the new Administration was going to pursue transparent accounting practices and disavow the misleading practices of the past?

So, through you, Mr. President, if the good Senator could comment on that, I would appreciate it, thank you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much. Through you, Mr. President, I honestly don't know the intentions of the Governor and couldn't comment on those. I do know that we're in the midst of one of the worst recessions, in certainly my history, and my understanding is that we are moving towards GAAP and in his budget proposal he indicated that there would be a plan to do that.

And so the biennial budget basically doesn't make the GAAP problem any larger than it is, and by setting

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aside dollars to address this year's -- sorry, '12 and '13's GAAP problem, and then in fiscal year '14 we -- so I would call fiscal '12 and '13 GAAP-lite, and in fiscal year '14 we are fully GAAP operational.

We currently -- in the biennium will be budgeting on a GAAP basis so that while not really understanding the Governor's intentions nor wishing to comment on those, clearly the State is moving towards GAAP and will be fully GAAP operational in 2014.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO:

Thank you, and Mr. President, through you, if I can again to the good Senator. Does Senator Harp have any understanding or concept of how the continuation of the current accounting practices, which have repeatedly mislead the -- public, how their continuation for the next fiscal year and the fiscal year after that, how the continuation of those practices will affect the accuracy of the accounting to the public? Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

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Thank you, through you, Mr. President. The -- while we will not fully be GAAP-compliant in '12 and 13, we will be using GAAP accounting, so the -- I believe that is what provides to the public some sense of one, our ability to move towards this, and a different way of showing our revenues and our expenditures. And it will be reflected through the Comptroller's work on his budget sheet.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO:

Thank -- excuse me. Thank you, Mr. President, and again, through you. One of the elements of this budget is an increase in the income tax which is going to be retroactive to January 1st of this year. That will result in the collection by the Governor's budget estimate of \$145 million of taxes that were due for the first part of the year, but are not going to be collected till the second part of the year, and as a result of the continuation of the misleading accounting system that we've been using for the last decades, we are going to, in effect, incorporate that \$145 million into next year's budget even though GAAP would say it doesn't belong there.

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It belongs in the current year when it's earned, not when it's collected, and a consequence of that would be to wipe out, completely wipe out next year's projected surplus as presented by the -- the Governor in his budget adjustment plan last week.

So I would submit, first of all, it can easily be calculated that continuation of these misleading accounting practices by the Legislature is going to distort next year's budget, inflate the surplus that's projected, and in fact mask a potential deficit. That to me is a very significant impact.

Furthermore, furthermore, because we're going to continue with a system that's been used for the last 20, 30 years, that system, in effect, allows gaming of the accounting because basically if you're running a department and you go out and you purchase supplies or things that are related to your department, you basically, because you're doing it on a cash basis, you can get the money, or the expense, recognized at that point in time.

And so it allows a manipulation, just like has been done for decades on end. Even the Governor admitted to it, that the system was fraudulent; basically you can manipulate when revenues are

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acknowledged and when expenses are acknowledged. And so it not only allows this, it basically encourages this kind of gaming of the system.

As a result, our budget is going to continue the fraudulent misrepresentation of numbers to the public that our Governor rightly condemned, but now apparently the Legislature is a little bit reluctant to change because the consequences are not going to be too positive and the public's going to realize that we still may have a deficit next year if we were doing -- dealing with it in a -- in an accurate way as demanded by GAAP, and in a honest way as well.

Now I do applaud and hope that we can move to GAAP even faster than the next two years. I don't see any good reason why it can't be done at least by next year, but certainly two years is -- is just way too far along. It doesn't require two years to implement.

I do applaud the fact that the Governor has initiated this and advocates it. That's a great move in the right direction, but there's another thing I want to point out about GAAP. It has its own shortcomings in this respect. The Governor was addressing, I believe, the Connecticut Society of Public Accountants -- Certified Public Accountants --

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a week or two ago, and I read a newspaper account of it and -- which the President of the Society asked the Governor, what about using accrual basis accounting as opposed to the cash -- modified cash basis of accounting.

Both are tolerated or recognized under generally accepted accounting principles, GAAP, but the most accurate form of accounting is a full accrual basis of accounting, not the modified cash basis. Even the modified cash basis that is allowed under GAAP itself -- and my understanding is that the Governor has basically advocated a transition to GAAP on the modified cash basis of accounting thereby allowing continued distortion. Let me give you an example of how this occurs. Under the modified cash basis of accounting -- and this kind of goes back to a question that I know was directed to Senator Harp earlier today. Basically when someone goes out and buys supplies, they get recognized as an expense when you pay for them. Under GAAP, under a full accrual basis accounting as opposed to the modified cash basis, you would recognize those supplies as an asset and then you'd expense them as -- and recognize them as a cost when you use the supplies.

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A really good example in my opinion has to do with capital expenditures. Here in the Legislature, how we handle capital expenditures is affected by how we finance the capital expenditure. I became aware of this in -- and I think Senator Harp was in the subcommittee -- the Appropriations Subcommittee meeting on transportation back a few months ago, and I was looking at -- we were spending millions of dollars on equipment that we were expensing -- and I'm talking about heavy-duty equipment, not equipment that's got a very short-useful life.

And typically in the world of accurate accounting, of full accrual accounting, you would say, "Hey, I bought this grader, it's going to have a useful life of 10 years, it's not proper to expense it all in the current year." So if you spent 100,000 or \$500,000 on that piece of equipment, you wouldn't expense it all in the current year.

In the real world, the world of accurate and honest accounting, you'd say, okay, if it's got a five-year life and it's a half a million dollars cost, you'd expense it 100,000 a year. But what I recognized was, and realized that day was that because the department was going to buy it cash, all of it was

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going to be expensed this year, or I should say in the year in which it was going to be purchased. And it was, I believe, about \$12 million worth of expenditures like that in that one department's budget. So basically what we'll have is we'll have a distortion that will occur, in that case it would be magnifying or exaggerating the cost of State government because we'd be failing -- we'd be in effects saying, "That equipment costs us X-dollars next year and we don't get any benefit from it for the succeeding years even though it has a useful life beyond that." So we really, even with the conversion to GAAP, if we continue on the modified cash basis of accounting we'll still have serious distortions in our -- in the accuracy of our financial statements. And I'll tell you what, folks. If we -- if we have the appropriations authority and responsibility here in the Legislature, then I would think we'd want the most accurate accounting possible. We want to know what really is being spent, not what's basically being reflected on the coincidence of timing of cash. We'd want to know what we're really spending every year, recognizing expenses like capital expenditures when the -- when the equipment is used and its useful life

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is over, for example.

So ironically, in the case of capital expenditures, handling it the right way on a fully accrued accounting basis wouldn't actually be adverse to us, it would potentially reduce the amount of expenditures in the budget because it would defer the recognition of the cost of equipment that's being paid for on a cash basis and recognize it over the useful life of the -- of the equipment itself.

So don't assume that by going to GAAP on a fully-accrued basis it's necessarily going to be adverse to the budget and -- and make it worse. It actually in some ways might improve it and it would be more accurate.

Mr. President, the Clerk has an amendment, LCO Number 7988. Will the Clerk please call the amendment?

THE CHAIR:

Mr. Clerk.

THE CLERK:

Mr. President, the Clerk is in possession of LCO Number 7988, which shall be designated Schedule "E", copies of which have been distributed.

SENATOR SUZIO:

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Mr. President, I move --

THE CHAIR:

Senator Suzio.

SENATOR SUZIO:

Thank you. Mr. President, I move adoption by roll call vote and seek leave to summarize.

THE CHAIR:

A roll call vote will be ordered. Senator Suzio.

SENATOR SUZIO:

Thank you very much. Mr. President, the amendment before us is an amendment that would establish a task force to study the most effective means for transitioning from use of GAAP on a modified cash basis to a full accrual basis. If we're going to do this, in my opinion we should do it the right way. If we're going to take the time and delay the implementation of GAAP for two years, then we certainly ought to take a look at GAAP, not from the modified cash basis of accounting, but from the point of view of full accrual accounting which is by far the most accurate way of accounting for the true expenses of the State.

I think it's the only way we can exercise our responsibility under the appropriations authority

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given to the Legislature, and certainly all the citizens of Connecticut and all the taxpayers of Connecticut deserve an accurate and a complete accounting of what we are actually spending up here. An accounting that reflects the true expenses, and not expenses distorted by the modified cash basis of accounting even under generally accepted accounting principles.

I would urge my colleagues to support this amendment and support the establishment of a task force, a bipartisan task force, that can then make a recommendation to the Legislature, which then could be implemented. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Will you remark further? Senator Harp.

SENATOR HARP:

Thank you, Mr. President. I urge rejection of this amendment and -- and I'll tell you why. I've been -- listened to the good gentleman's comment on accounting and accounting practice now on several occasions as we both serve on the Appropriations Committee, and I was so interested in the thought that perhaps there was a better way to actually account for

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our spending and our budgets, that I asked the Director of the Office of Fiscal Analysis to pursue full accrual accounting to determine whether or not it was appropriate for the State of Connecticut to undertake.

And so he called the GASB, or the Government Accounting Standards Board, and asked them whether or not, one, there were other states that engaged in full accrual accounting, and two, whether or not it was something that they would recommend that would be the next step after we fully implement GAAP.

And he reported back to me that through his research, GASB indicated, or the Government Accounting Standards Board indicated, that they do not recommend full accrual accounting for governmental entities, that it is more appropriate in the business sector where things are handled slightly differently.

So we've already done the research on it. GASB is saying that it is not the best form to keep -- to account for our expenditures, our revenues, et cetera, and so I would urge a no vote on this. I believe it is well intended and -- and I believe that the vast experience that Senator Suzio brings to us is -- is important. In this particular case since obviously,

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based upon what GASB indicated, his experience is on the commercial side and government accounting is very different. And so GASB -- and we're trying to impress them to come up to the standard that they use for all of governments -- they firmly back GAAP and say that full accrual accounting doesn't work for governments, so I would urge that we not engage in this task force.

And I just wanted to make another comment because the previous speaker talked about our fraudulent budgets and I know that, you know, like maybe the -- the term fraud and fraudulent was used loosely, but the reality is all of our budgets are audited, and to my knowledge, no fraud has been determined from the perspective of our government entities here in the State of Connecticut. So I would hope that in the future when we use these highly-charged words that we try to make them a little bit more specific and more accurate.

But I want the people of the State of Connecticut to know that our budget and our process is not riddled with fraud, and that ultimately, while the full accrual accounting is something that is done in the business sector, it is not recommended for government purposes. THE CHAIR:

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Will you remark? Will you remark further?

Senator Suzio.

SENATOR SUZIO:

Thank you, Mr. President. First of all, I would like to comment that the good Senator may have questioned GASB, but got no reason for the result. I can tell you unequivocally that full accrual accounting is more accurate than modified cash basis of accounting, and again, the President of the Connecticut Society of Public Accountants asked the Governor that question himself because they all know it's much more accurate. Most governments I know don't use it, and they don't use it because they can't manipulate it like they can the cash basis of accounting and that's why.

I think Connecticut has always prided itself on being a leader. Well, maybe we ought to be a leader in the most honest and the most accurate form of accounting. You know, I didn't realize that Connecticut actually kept two sets of books until I was campaigning a year ago, and it's not an exaggeration. We kept two sets of books. One of them was kept according to generally accepted accounting principles and the other was a budgetary basis of

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accounting. When I -- I didn't realize it at first when I saw what the auditors had and -- and what the budget was and I thought why aren't these in agreement? Then I realized, and it was going on for decades.

So maybe fraud and fraudulent is too strong a word, but inaccurate is definitely dead on, and I think the citizens of Connecticut need an accurate accounting of what we're spending of their taxpayer money, and the only way to give them that honest, accurate accounting is a full accrual basis of accounting.

But again, I'm not even proposing in this amendment that we convert to full accrual. I'm saying we form a committee to study it and make recommendations to the General Assembly. What is the harm in doing that? If each and every one of us wants to do the best job possible and we want to give the most accurate accounting to the citizens of this state, then don't you want to take a look at this at least?

I think we owe it to the citizens of Connecticut to take a hard look at this and if the committee comes back and says, "We've examined it and for X, Y and Z

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we decided it's not the best way to go," fine, I can accept that. But to dismiss it out of hand, to not to even look at it is a major failure of our responsibility to our citizens. Talk to accountants, talk to CPAs, talk to the head of the Connecticut Society of Public -- I shouldn't put him on the spot, I suppose. I retract that.

But basically talk to people who know accounting and understand the subtleties of what I'm discussing. They appreciate and understand how much more accurate full accrual accounting is. Don't take my word for it, get the committee going. Study it, and if the committee comes back and contradicts what I'm saying, I apologize. I'm humble enough to recognize that maybe there's some things I don't see and I don't recognize that maybe I'm overlooking.

But I know, of my 41 years in business, banking, finance and accounting, I know that full accrual basis of accounting is the -- by far the most accurate way to account for true expenses, and I know as a Legislator, I -- to manage the -- State's budget effectively, I want accurate books. I want accurate records. I don't want two sets of books which I guess are going to continue to be maintained, by the way,

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ladies and gentlemen. Since we're not going to GAAP for two more years, I assume we're going to have two sets of books for two more years.

The people of Connecticut deserve to see the second set of books which is GAAP, and not books that are manipulated where cash that's collected after the year's over is put into the current year, et cetera, and that's what's been going on and that's what's going to continue going on. I just pointed out \$145 million of taxes estimated to be collected from January to June 30th of this year will be in next year's budget because we're on the modified cash basis of accounting, even though GAAP says it doesn't belong there. That will put us at a deficit, not based on the latest budget projection by the Governor. That is significant. Maybe that's the reason why we're not going to -- to GAAP for two more years.

But again, I urge you not to vote -- we're not voting on full accrual accounting today. We're voting on appointing a committee to study it and make a recommendation and whatever that committee says will be the rule. Thank you very much. I urge you all to support the amendment.

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Thank you.

Will you remark further? Senator Frantz.

SENATOR FRANTZ:

Thank you, Mr. President. I stand in favor of the amendment, and thank you, Senator Suzio, for proposing it. I also agree that we do owe it to the people of Connecticut to be as forthright and honest about what our -- our books look like and what they will look like in the future in our projections.

The -- the worst thing that was can do as a Legislature is support any initiative that takes us away from full transparency, 100-percent transparency, and again, my hat is off to the Governor for offering this up as -- as a promise to the people of -- of Connecticut to get much better accounting in place so that people understand exactly what's going on.

I think the fact that our GAAP deficit now is somewhere between 1.5 and \$2.3 billion is a true testament to the obfuscating way that we've been running our accounting and running our books here over many, many years going back. It's embarrassing to talk about numbers that large, and again, no one really knows how that -- that deficit -- that gap deficit built up so -- so much and to such a high

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degree.

We need a much, much better way of accounting on a regular basis, because at the end of the day, it's the only tool that we have as Legislators to keep an eye on whether we're being efficient or whether we're wasting money and whether we're doing good by the people of Connecticut and especially the taxpayers. So Senator Suzio's idea of putting together a panel to take a look at this, and to ultimately get to a full accrual accounting approach to -- to keeping the books here in Connecticut, is a very good one because it's complicated. It's a black science, I think we'd all agree, accounting that is, and we need to -- we need to allow the whole idea of full accrual accounting to mature with respect to Connecticut and its own idiosyncrasies. Every state is different, or every entity is -- is different, and that's why you have panels, a balanced panel, that can take a very close look at this and come up with an optimal solution.

And in addition to that, no one's really brought up the whole concept of our longer-term liabilities with over \$20 billion in long-term debt outstanding, with somewhere between 60 and \$80 billion in unfunded pension obligations, and other than pension

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obligations, GAAP doesn't even call for us, under GASB standards anyway, to account for these -- these unfunded -- unfunded liabilities as well as the long-term debt in quote/unquote a balance sheet in many cases other than the -- the straight bond issuances that we've -- that we've undertaken here in years past and -- and currently.

So we do need a panel. We need a panel to look at our basic accounting practice and we need a panel to look at the all-important unfunded pension liabilities and other long-term obligations that put us unfortunately in the number one per capita indebted spot in the country. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Will you remark further? Will you remark further? If not, Mr. Clerk, please announce pendency of a roll call vote.

THE CLERK:

An immediate roll call vote on LCO Number 7988 has been ordered in the Senate. Will all Senators please return to the Chamber. An immediate roll call vote on LCO Number 7988 has been ordered in the Senate. Will all Senators please return to the

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Chamber.

THE CHAIR:

Senator Coleman.

THE CLERK: The Senate is still voting by roll call. Will all Senators please return to the Chamber.

The Senate is still voting by roll call on Senate Amendment Schedule "E". Will all Senators please return to the Chamber.

THE CHAIR:

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

THE CLERK:

Motion is on adoption of Senate Amendment Schedule "E", LCO 7988.

Total Number Voting	34
Those Voting Yea	13
Those Voting Nay	21
Those Absent, Not Voting	2

THE CHAIR:

The amendment fails.

Will you remark further? Senator Markley.

SENATOR MARKLEY:

Thank you, Mr. President. When I served here

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previously, I had the pleasure of chairing the Human Services Committee without too much idea of what I wanted to do with the Human Services Committee being a freshman. It quickly became clear to me that the possibility of reorganizing it was irresistible and had certain advantages.

I remember working with the Legislative research person assigned to the committee, Dan Duffy, excellent staffer and an excellent friend, talking about the ways in which the system could be reorganized. And feeling that there was a tendency -- it was like the -- it was like the Balkans, you didn't know whether to divide it up into smaller units depending on function, or divide it into one big -- put it all together into one big thing.

I've seen this also in the budget this year. I'm -- I almost have a compulsion to want to change those boxes around, and I'm sympathetic to plans which attempt to do that, and I saw a lot of that in the budget that was presented by the Governor. I saw it initially with -- with a certain amount of excitement and enthusiasm, and in the course of the testimony that I heard in the Appropriations Committee, a kind of a sinking feeling.

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I often thought back that I was glad that I wasn't around long enough to try to reorganize Human Services because I'm afraid I would have made a botch of it, and I'm not sure in some cases that what the Governor has suggested is -- is going to be too much better. And I think he's -- Labor's under the same disadvantage I had which is simply a lack of time to get one's thoughts together and find out what you need -- to make a presentation like that.

One in particular that I heard about is the subject of an amendment which I have filed, LCO Number 7902. If I may ask that it be brought to the Clerk's attention.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO 7902, which will be designated Senate Amendment Schedule "F". It is offered by Senator Markley of the 16th District.

THE CHAIR:

Senator Markley.

SENATOR MARKLEY:

Thank you, Mr. President. I would move adoption of the amendment, ask that when it is voted on it be

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by roll call, and beg leave to comment on it briefly.

THE CHAIR:

On adoption. Will you remark, sir?

SENATOR MARKLEY:

Thank you very much. This amendment takes the Community College System out of the higher education reorganization. We heard considerable testimony from the leaders in the Community College System, the Chancellor -- I talked personally with both the President of Tunxis and Naugatuck Valley Community College -- and I was impressed -- and also I heard from many students in the system.

I was impressed with the progress they feel they've made as a system. I was impressed with the savings which the system has achieved over the last few years, and I felt that they've demonstrated that the way that it is currently organized works. And there certainly is reluctance on the part of the leadership, although they're willing to do anything to -- to make the -- to continue the level of education that they've achieved, but I think there's a reluctance to go into a new organization that may not recognize the unique role of the community colleges fully. And for that reason -- because I am not

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myself convinced that this move is right for the educational system, that it achieves necessarily savings sufficient to justify it, and that it's best for the students of Connecticut. For that reason I offer an amendment which leaves alone the Community College System and I would urge the members of the Circle to consider it.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator. Will you remark? Senator Harp.

SENATOR HARP:

Thank you, Mr. President. I urge rejection of this amendment.

THE CHAIR:

Thank you, Senator. And the vote will be taken by roll.

Will you remark further? Senator Suzio.

SENATOR SUZIO:

Thank you, Mr. President. I rise in support of the amendment. I myself have got one community college that's in my Senate District. I've had the good fortune to talk to a lot of people in the administration and the board of that community

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college. There's great concern about the impact of consolidation and the Governor's plan and it affecting the identity and how some of these local schools are -- are run that reflects their unique characteristics. And certainly if the savings were far more significant, I think we'd have to take a hard look at it, but I myself was surprised by the small savings that the consolidation achieves.

In my opinion, preserving the identity and the characteristics of the administration and how these local community colleges are run is far more important than the miniscule savings that are projected to come about as a result of their consolidation. Therefore, I think this -- this proposed amendment serves the best interest of Connecticut and the education -- the higher education system in Connecticut and our local community colleges. So I urge my colleagues to support the passage of the amendment. Thank you.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Mr. President. I too rise in favor of the amendment and thank Senator Markley for bringing it forward. I am a graduate of the Community College

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System and I know that is a totally different customer than what you will get in, whether it be the State University System or UConn.

I do know that a lot of the individuals who attend community colleges come from typically a more humble background and are working towards bettering their lives and it's -- it's not necessarily the traditional college student that you would see at many institutions, and they need their own structure, their own administration, their own background, their own support. So I too support this amendment. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator. Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I rise as well in support of this amendment. I do thank Senator Markley for bringing it forward because it -- it is very important to, not only the students and the administration, but the communities that these institutions serve, and as Senator Kane duly noted, they have a different service that they provide to our youth, different kinds of training, different objectives, different agendas, all of which cries out

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for different administration. So thank you, Senator Markley, for bringing this forward and I -- wholeheartedly support it.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Will you remark further? Will you remark further? Senator Boucher.

SENATOR BOUCHER:

Thank you, Mr. President. Mr. President, I also rise in support of our Community College System. I know that you and I share the same passion for our community college at Norwalk. It is one of the premier -- in fact, most people don't realize, they're in the one percent, one percent of all community colleges in the country, both in their performance and also their fundraising and the support by the communities.

In my conversations with regards to the distinguished Chair of the Higher Education Committee, it became clear that although I do support a consolidation and have supported that for some time, it became clear in our questioning phase of -- of discussion on this bill that the hiring, the

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evaluation, the compensation for our community colleges was now going to be completely centralized here, up in Hartford, without the kind of real direct contact with the constituency and group and board of trustees that -- of its local area and the needs of its local areas which are very distinct throughout the state of Connecticut.

In order to preserve that local control, I think -- and also its ability to respond very well to its local communities and businesses, it might be well to separate them out from this particular plan. So I do support the amendment and I hope that others might consider that our community colleges are unique.

Thank you, very much.

THE CHAIR:

Thank you, Senator.

Will you remark? Will you remark further? If not,

Mr. Clerk, please announce the pendency of a roll call vote.

THE CLERK:

An immediate roll call has been ordered in the Senate. Will all Senators please return to the Chamber. An immediate roll call has been ordered in

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the Senate. Will all Senators please return to the Chamber.

THE CHAIR:

Have all members voted? If all members have voted, please check the board to be sure your vote is accurately recorded. If all members have voted, Clerk please announce the tally.

THE CLERK:

Motion is on adoption of Senate Amendment Schedule "F", LCO 7902.

Total Number Voting	35
Those Voting Yea	14
Those Voting Nay	21
Those Absent, Not Voting	1

THE CHAIR:

The amendment fails.

Will you remark further on the bill? Will you remark further on the bill? Senator McLachlan.

SENATOR MCLACHLAN:

Thank you, Mr. President. The underlying bill includes many changes to our election laws. It includes many changes that have been discussed for many years. I want to commend Senator Slossberg, Representative Morin, the cochairs of Government

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Administration and Elections for their work on this, and many others who have been patient in trying to make some -- some would consider relatively small changes, but important changes to our elections system.

There is one particular question though that I would like to ask of the proponent of the bill for clarification. Through you, Madam -- Mr. President.

THE CHAIR:

Please proceed, sir.

SENATOR MCLACHLAN:

Thank you, Mr. President. Senator Harp, in Sections 286 and 288, the bill talks about de minimis activities of campaigns, and I'm just trying to clarify if possible the point of whether or not a business who hosts a campaign sign for a candidate on their property is considered de minimis activities. Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you, Mr. President. Could you hold on? I'm going to check.

SENATOR MCLACHLAN:

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Thank you.

THE CHAIR:

Senate will stand at ease.

(Chamber at ease.)

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much. And I don't know if this answer is whether or not it's de minimis, but in line 9852, it indicates that the display of a lawn sign by a human being or real property is something that will be allowed.

THE CHAIR:

Senator McLachlan.

SENATOR MCLACHLAN:

Thank you, Mr. President.

Thank you, Senator Harp. I know that was a small issue, but you promptly answered my question. I appreciate that. Once again, Mr. President, I want to thank those who worked hard on the changes that have waited several years in election law in this implementer bill.

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Thank you very much.

THE CHAIR:

Thank you, Senator. Will you remark further on the bill? Will you remark further on the bill? If not, Mr. Clerk -- Senator Kane.

SENATOR KANE:

Thank you, Mr. President. Just one more question to the proponent of the bill, through you.

THE CHAIR:

Please proceed, sir.

SENATOR KANE:

Earlier in the conversation, in regards to setup with the Office of Governmental Accountability, I believe it was yourself who mentioned, or used the analogy with Legislative Management. But the Governor doesn't appoint anyone to Legislation Management, I believe it's the leadership that does, so we can't necessarily use that same model now, can we? Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much. The -- the bones are all in place, but the appointee authorities are different.

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THE CHAIR:

Senator Kane.

SENATOR HARP:

I guess my -- my follow-up question to that is
shouldn't the agency head select the administrator?

Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you. The bill basically has the agency
heads and the chairmen of committees where there are
no agency heads making recommendations to the
Governor.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Mr. President. That's true, but not
the selection as in this bill where the Governor makes
the selection. Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you. I believe that we're both saying the
same thing. They make a recommendation of -- of

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names, at least three, and the -- and they prioritize them and the Governor makes a selection.

THE CHAIR:

Senator Kane.

SENATOR KANE:

No, actually I was saying it's different because the Governor would not make an appointment to Legislative Management. Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much. I think I agreed with that, but the -- the overall status of the Executive Administrator is the same as our administrator for Legislative Management and -- and the fact that the commission recommends the three names from which a person must be selected is a -- slightly a bifurcation of what it is that we do here, but the system is the same.

This person, just like our administrator, doesn't have any role with the Senate Democrats or with the Senate Republicans or the House Democrats or the House Republicans. This person would have -- would not be fiddling in the business of the watchdogs as well as

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the other agencies in the Office of Government
Accountability.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Mr. President. I thank Senator Harp
for her answers and I appreciate her -- her answer to
that, but I -- I still see it differently, I guess,
but I won't pursue it any further. Thank you.

THE CHAIR:

Thank you, Senator.

Will you remark further on the bill? Will you
remark further on the bill? If not, Mr. Clerk, please
announce pendency of a roll call vote.

THE CLERK:

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

THE CHAIR:

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

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members have voted, the machine will be locked, and the Clerk will announce the tally.

THE CLERK:

Motion is on passage Emergency Certified
Bill 6651.

Total Number Voting	35
Those Voting Yea	21
Those Voting Nay	14
Those Absent, Not Voting	1

THE CHAIR:

The Emergency Certified Bill passes.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Good evening, Mr. President.

THE CHAIR:

Good evening, Senator.

SENATOR LOONEY:

Mr. President, the Clerk, I believe, is now in possession of Senate Agenda Number 3 for today's session.

THE CHAIR:

Mr. Clerk.

THE CLERK: