

PA12-143

HB5496

Senate	4497A-4497C, 4498-4499	5
House	4794-4812	<u>19</u>
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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2012**

**VOL.55
PART 14
4474 – 4836**

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House Bill 5026

Total number voting	145
Necessary for passage	73
Those voting Yea	145
Those voting Nay	0
Those absent and not voting	6

DEPUTY SPEAKER ALTOBELLO:

The bill passes.

Will the Clerk please call Calendar 364, 364.

THE CLERK:

On page 21, Calendar 364, Substitute for House
Bill Number 5496, AN ACT IMPLEMENTING THE
RECOMMENDATIONS OF THE LEGISLATIVE PROGRAM, REVIEW,
AND INVESTIGATIONS COMMITTEE REQUIRING COMMITTEES OF
COGNIZANCE TO CONDUCT REVIEWS UNDER THE SUNSET LAW,
favorable report by the Committee on Government,
Administration, and Elections.

DEPUTY SPEAKER ALTOBELLO:

Representative Rowe of the 123rd, it's easy as
123, you have the floor.

REP. ROWE (123rd):

Isn't it, though?

Yes. Thank you, Mr. Speaker.

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I move the joint committees' favorable report and passage of the bill.

DEPUTY SPEAKER ALTOBELLO:

The question before the Chamber is acceptance and passage of the bill.

Please proceed, sir.

REP. ROWE (123rd):

Thank you, Mr. Speaker.

This bill changes the process the General Assembly uses when we reviewed the 75 agencies, boards, and commissions that fall statutorily under the sunset commission -- the Sunset Law.

And what it will do, when passed and implemented, it will make workable what really has been an unworkable law since and since its inception about 35 years ago. It transfers from the Program Review and Investigation Committee to the applicable joint standing committee of cognizance responsibility for reviewing programs and agencies and commissions and such over a ten-year period.

And at this point, I'd move passage.

DEPUTY SPEAKER ALTOBELLO:

The question before the Chamber is passage of the bill.

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Will you remark further passage of this bill?

Representative Fleischmann of the 18th, you have
the floor, sir.

REP. FLEISCHMANN (18th):

Thank you, Mr. Speaker.

Through you, a question to the proponent of the
bill?

DEPUTY SPEAKER ALTOBELLO:

Please proceed, sir.

REP. FLEISCHMANN (18th):

So I have to admit I'm not deeply familiar with
this measure not serving on the Program Review and
Investigations Committee. But my understanding of the
reason that we created a Program Review and
Investigations is because committees of cognizance are
generally so busy working on new legislation or
pressing matters that oversight is something that's
difficult for them to exercise. Program Review and
Investigations has extensive staff that other
committees don't have, who are tasked with
investigations and oversight that are simply beyond
the abilities of most committees of cognizance. So,
through you, Mr. Speaker, my question is, why would we
want to consider undoing something that the

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Legislature affirmatively set up years ago in order to provide us with the, sort of, oversight that we have gotten through Program Review and Investigations?

DEPUTY SPEAKER ALTOBELLO:

Representative Rowe.

REP. ROWE (123rd):

Thank you.

Well, first of all, to the gentleman, we haven't done this. It's been a wholly unworkable system that's been set up. The enabling legislation was back in 1977 and it's essentially been ignored. You've been here many years, you know that every year, every couple years, we do a bill at the end session to postpone the Sunset Law because it has been so unwieldy and unmanageable for the PRI staff to do. You're looking at 75 or so different agencies and boards and commissions, and such. And after studying it and trying to make a commitment to implement the law as it is now, the Committee came to the inescapable conclusion that changes had to be made. And the way the changes were made I don't think -- and I think the Committee is confident that will not put much of a burden, at all, on the individual committees

of cognizance. Many committees will not have any additional responsibilities, in fact.

Interestingly a few of the -- a few of the committees will take on much of the responsibility and many will have none. That's just the way things fall, but since we've spread it out over ten-year period, it helps ensure that these reviews will actually be done.

Again, what we're doing is seeking to actually undertake a review. Reviews that were supposed to be done regularly since 1977 and, with few exceptions, have never happened. Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Fleischmann.

REP. FLEISCHMANN (18th):

Through you, Mr. Speaker, I think my good colleague for his very helpful answer. And I guess my follow-up would simply be for a committee of cognizance, what staff does he envision undertaking the responsibilities that have proven too much for the very large staff of the Program Review and Investigations Committee? Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Rowe.

REP. ROWE (123rd):

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It's a good question and the -- through you, PRI will not be divorced entirely from the process. PRI is going to set up a matrix and give to each committee of cognizance the appropriate forms that will -- that will help them with the individual agencies, boards and commissions, and such, so that they're not going to be on their own. That will serve to alleviate much of the initial startup work, and I think that everyone who looked at it, was more than confident that the reviews could be undertaken within -- within available staff, without any difficulties.

DEPUTY SPEAKER ALTOBELLO:

Representative Fleischmann.

REP. FLEISCHMANN (18th):

Thank you, Mr. Speaker.

I do thank my colleagues for that response. I am hopeful that we don't end up trapped in the matrix. Specifically, the Public Safety and Security Committee would have six different sunsets to -- to deal with. The General Law committee would have 14. Again, I guess, I'd like clarification on who precisely would have the time and resources to -- oh -- and the Public Health Committee would have 28. Where would the

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resources come from to go ahead and do all review that hasn't happened today? Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Rowe.

REP. ROWE (123rd):

Thank you.

Well, of course, this is over 10 years, so they're not doing 28 reviews in one year. They're doing -- for example, Public Health has 28 reviews over 10 years. So if you do the math, that's two or three a year, and I think our committee staff do fine work. I also think our committee staff have the ability to do a little bit more work and get this done.

And the bottom line is this is going to get programs looked at that haven't been looked at. We're trying to find a way -- the committee wanted to find a way that we could have meaningful review and get rid of entities that we can't afford and we don't need. And, yeah, it may take a little extra work, a little more elbow grease from the committee staff, but I'm confident they can do it. Through you.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Mr. Speaker.

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REP. FLEISCHMANN (18th):

One final question, so the Program Review and Investigations Committee was created to be a bipartisan good government sort of committee focused on issues like this, which really don't have any partisan import, but really to whether or not we're exercising good government. So I'd be interested to hear whether this measure that's now before us was one that had fairly bipartisan support as it moved to the Program Review and Investigations Committee? Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Rowe.

REP. ROWE (123rd):

I dare say if it didn't have bipartisan support, someone from the side of the aisle wouldn't be bringing out, but you're absolutely right. And, Representative, I -- one thing that bothered me over my 14 years in this hallowed body is that we really congratulate ourselves a bit too much. Hard work this guy, hard work that guy, but I would say that members of the committee did come up in some brainstorming sessions with -- with the solution and Representative Becker was part of it, Representative Mushinsky, even

me, contributed a little bit, but -- so it was bipartisan. Ideas that came around and hopefully -- and Representative Noujaim was a bit of a player, I suppose, but -- but this -- this -- what we're doing here is we -- we've got a problem, and were solving I'd say. Maybe not perfectly but -- but pretty darn good job. Through you.

DEPUTY SPEAKER ALTOBELLO:

Representative Fleischmann.

REP. FLEISCHMANN (18th):

Thank you, Mr. Speaker.

I thank Representative Rowe for his helpful answers and also congratulate him on managing to both the disparage self-congratulation and, yet, get in some self-congratulations, but I'll be happy to -- to support the measure before us.

Thank you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative Fleischman.

Representative Mushinsky of the 85th, you have the floor, madam.

REP. MUSHINSKY (85th):

Thank you, Mr. Speaker.

I have to confess I initially wanted to kill the Sunset Law entirely and almost pulled it off in 2008 but didn't. This is a compromise measure, and I rise to support this measure which those change the process of sunset review for a large number of small, mostly regulatory state programs, boards, and entities.

And the Legislature has, as the Chair has said, repeatedly put off the sunset law into hibernation. We did it eight times because the process, as written, way back in 1977 would use all of the talented staff at PRI for minor boards and commissions, which are better spent on scrutinizing the major items of taxpayer expenditure.

And in addition, the review method has been largely picked up by the results-based accountability oversight and Appropriations. And in the PRI committee, we actually did some of the advanced work for Appropriations and they now use our method. I wanted to thank Representative Becker, who did come with this compromise language. It's carefully drawn. It keeps periodic review. It places that duty with the committee of cognizance, and it stretches out the timeline so it is manageable -- a manageable load each year. PRI, Program Review and Investigations, under

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this bill, will still provide each committee with data collection forms using result-based measures that we have developed or will be developing to obtain up-to-date information from each of these commissions, agencies, and boards, so that they will be able to explain to the Legislature what they've done and how well they've done it.

We would like to -- we seek your support today because we would like to use the talented Program Review and Investigations staff to investigate major taxpayer issues, including one of our recent choices Medicaid fraud, which is a much larger portion of the budget and, also, look at the role of state institutions of higher education and preparing skilled workers among other major expenditure issues.

So this version of sunset review is unanimous recognition of both the -- both sides of the aisle on the committee, and we urge your support for more workable review process.

Thank you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative Mushinsky.

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

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REP. WILLIAMS (68th):

Thank you, Mr. Speaker, and good afternoon.

DEPUTY SPEAKER ALTOBELLO:

Good afternoon, sir.

REP. WILLIAMS (68th):

Mr. Speaker, I rise in support of the bill although I have some questions that I will not post to Representative Rowe. I'm actually glad that he did touch on the issue of self-congratulations that are so common here, in this room -- and so and so work hard, et cetera, because I've never thought Representative Rowe works particularly hard. I do want to stand up here and say that and to be lying here on the House floor. So I -- and I do find it's somewhat ironic that weeks after Representative Rowe has announced retirement that the committee of cognizance from which he chairs is now ceding away all of their powers, giving it away to other committees now to do their work.

But Mr. Speaker, I would rise in support of the bill, and I thank Representative Rowe and others on the committee for their work.

Thank you.

DEPUTY SPEAKER ALTOBELLO:

Cogent remarks.

Representative Davis of the 57th, you have of the floor, sir.

REP. DAVIS (57th):

Thank you, Mr. Speaker.

And I do have a question for the kind gentleman from Trumbull.

DEPUTY SPEAKER ALTOBELLO:

Please proceed, sir.

REP. DAVIS (57th):

Thank you, Mr. Speaker.

Through you, if the committee gets overwhelmed with the work, under this bill, they'd still be able to request PRI staff to assist them in making those reports and audits? Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Rowe.

REP. ROWE (123rd):

Thank you, Mr. Speaker.

Absolutely. If, in fact, there is a problem and it's -- things get away from them, PRI will still be there to back them up, so to speak. Through you.

DEPUTY SPEAKER ALTOBELLO:

Representative Davis.

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REP. DAVIS (57th):

Thank you, Mr. Speaker.

And as the kind gentleman's former intern, I trust his judgment and will be supporting the bill and request all my colleagues to support the bill, as well.

Thank you.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative Davis.

Representative Lawrence Miller of the 122nd, you have the floor, sir.

REP. MILLER (122nd):

Thank you, Mr. Speaker.

I have a question to the proponent of the bill?

You.

DEPUTY SPEAKER ALTOBELLO:

Please proceed, sir.

REP. MILLER (122nd):

These -- the audits that are conducted -- the audits -- audits? Will the committee that has cognizance over the matter, they'll have to perform these audits? Who will perform the audits? Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

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Representative Rowe.

REP. ROWE (123rd):

Thank you, Mr. Speaker.

Through you, yes, the -- after the committee of cognizance is given the matrix, the forms, basically the starting point from PRI on that individual agencies. They will undergo to take the review along with -- of the department itself. And then depending on what they come up with, the full committee will would have a public hearing on it and go from there. Through you.

DEPUTY SPEAKER ALTOBELLO:

Representative Miller of the 122nd.

REP. MILLER (122nd):

Thank you, Mr. Speaker.

Another question, what's the timeframe for these audits to be completed? Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Rowe.

REP. ROWE (123rd):

Thank you.

As we've indicated earlier -- in the big picture, there is a ten year -- ten-year span so as not to overwhelm the individual committees. The -- the

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timeframe itself would be that in the beginning of one year, there would be the data collection form from PRI and that would be given to the individual department. So rather than the committee, if it was the Department of Public Health, for example, would get the form. And that -- that agency itself or the Department of the Public Health, in this case, would -- would have about six months to complete the form and return it to the committee of cognizance, the Public Health Committee. And then the Public Health committee would review it and hold a public hearing and go from there. Is that responsive to the gentleman from Stratford's question?

DEPUTY SPEAKER ALTOBELLO:

Representative Miller.

REP. MILLER (122nd):

I want to thank the Representative from Trumbull for his knowledgeable answers, and I think that's it for me now.

Thank you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative Miller.

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The distinguished Republican leader,
Representative Cafero from Norwalk, of the 142nd,
driving the Toyota Avalon --

REP. CAFERO (142nd):

Thank you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

-- with about 247 -- oh, excuse me -- you have
the floor, sir.

REP. CAFERO (142nd):

Just a question or two to the proponent --
you know, I think he answered all my questions.

Ladies and gentlemen, first of all want to say I
stand in strong support of this bill. But more
importantly I want to thank the Majority Leader and
the Speaker, for allowing Representative Rowe, who is
departing from us, to take out this bill. It is from
the Minority's standpoint, it is rare indeed to have
one of our side, of course, bring out a bill. And I
think he did a fine job.

And I got to tell you something, because of my
love for this chamber, I resisted the following
temptation. We were going to propose our budget as an
amendment and have him say it was a friendly

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amendment. But I thought, people get all ticked off,
so I just didn't do it.

But I think this bill is worthy of the support.
I congratulate the Chairman for bringing it out in
such a fine manner.

Thank you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative Cafero.

Further?

Any further congratulations or other remarks?

Disparaging or otherwise? Last chance maybe?

I guess not.

Staff and guests please retire to the well 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 by
roll call. Members to the chamber please.

DEPUTY SPEAKER ALTOBELLO:

Have all members voted? Have all members voted?

If all members have voted, the machine will be
locked.

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Will the Clerk please take a tally, and will the Clerk please announce the tally.

THE CLERK:

House Bill 5496

Total number voting	148
Necessary for passage	75
Those voting Yea	145
Those voting Nay	3
Those absent and not voting	3

DEPUTY SPEAKER ALTOBELLO:

The bill passes.

Congratulations Representative Rowe.

Will the Clerk please call Calendar 335. That's 335 please.

THE CLERK:

On page 43, Calendar 335, Substitute for House Bill Number 5038, AN ACT IMPLEMENTING THE GOVERNOR'S BUDGET RECOMMENDATIONS CONCERNING THE ALL-PAYER CLAIMS DATABASE PROGRAM, favorable report by the Committee on Appropriations.

DEPUTY SPEAKER ALTOBELLO:

Representative Ritter of the 38th District, you have the floor, madam.

REP. RITTER (38th):

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SENATE**

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HARTFORD, CONNECTICUT 06106-1591
(860) 240-0500

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Bills placed on the Consent Calendar on May 9, 2012

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(860) 240-0500

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STATE CAPITOL
HARTFORD, CONNECTICUT 06106-1591
(860) 240-0500

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Bills from Senate Agenda Number 3 from the May 9th Senate Session that were placed on the Consent Calendar

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HB 5342

rgd/tmj/gdm/gbr
SENATE

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Good evening, Madam President.

I just want to clarify. I thought I heard the Clerk call House Bill 5034? Is that on the consent calendar?

THE CHAIR:

Do you know what page that is, sir?

SENATOR SUZIO:

No I -- he was reading so fast, Madam, I couldn't get it.

THE CHAIR:

It's -- yes it's 53 -- I don't know.

SENATOR SUZIO:

5034.

THE CHAIR:

5034, yes sir.

SENATOR SUZIO:

I object to that being put on the consent calendar, Madam President.

THE CHAIR:

Okay, that will be removed.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Yes, just seeing that -- ask to remove that item from the consent calendar.

THE CHAIR:

So ordered.

rgd/tmj/gdm/gbr
SENATE

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At this time we'll call a roll call vote on the consent calendar.

Mr. Clerk.

THE CLERK:

Immediate roll call has been ordered in the Senate.
Senators please return to the Chamber. Immediate roll call has been ordered in the Senate.

THE CHAIR:

Senator Coleman, we need your vote, sir.

Senator Kissel, Senator Kissel. Senator Kissel, will you vote on the consent calendar please?

All members have voted?

If all members have voted, the machine will be closed.

Mr. Clerk, will you call the amendment -- I meant the tally.

THE CLERK:

On today's consent calendar.

Total Number Voting	36
Necessary for Adoption	19
Those Voting Yea	36
Those Voting Nay	0
Those Absent and Not Voting	0

THE CHAIR:

The consent calendar has passed.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, I believe the Clerk is in possession of Senate Agenda Number 6 for today's session.