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House	8872-9006	135
Senate	4578-4630	53
		188

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DEPUTY SPEAKER KIRKLEY-BEY:

Will the House please come back to order? Will the House please come back to order?

Thank you.

Will the Clerk please call SB 501, Emergency Certified Bill.

THE CLERK:

Emergency Certified Senate Bill Number 501, AN ACT IMPLEMENTING CERTAIN PROVISIONS CONCERNING GOVERNMENT ADMINISTRATION, LCO Number 5783.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Walker, you have the floor, ma'am.

REP. WALKER (93rd):

Good evening, madam -- Madam Speaker. It's good to see you.

DEPUTY SPEAKER KIRKLEY-BEY:

Good evening.

REP. WALKER (93rd):

Madam Speaker, I move for passage of Emergency Certified Bill Senate Bill Number 501.

DEPUTY SPEAKER KIRKLEY-BEY:

The question before us is passage of the Emergency Certified Bill SB 501.

Would you proceed, ma'am?

REP. WALKER (93rd):

Thank you Madam.

Madam Speaker, this has a variety of items that are government administration and nonbudgeted issues that are required to actually implement some of the things that we had passed and clear up some things that we had begun in last session.

In this bill, they -- we -- we talk about the consensus revenue reports that I think we heard about when we brought out the last bill which was budged -- directly budget related. We talk about revisions to education. We talk about the agriculture experiment station. We talk about insurance holding companies. We talk about the municipal sewer bonds. We also talk about the conveyance bill that was very important to so many people. E-Government, an initiative that we have started -- that we're starting this coming year. Commercial PACE. We also have Project 150 and a variety of others.

I'm just going to quickly talk -- and I'll also bring to your attention that these are a combination of things that have been brought together by many of the chairs and members of the General Assembly. So -- doing on the same format that we did with the budgeted

bill that we did -- implementer, we did previously, I will be calling on several of my colleagues to help present some of the issues that are contained in this bill.

I first just want to just talk about the education issues that are in there in sections 14 to 28. In this bill, we talk about the turn-around schools, and we want to make it clear that a turn-around plan permits the hiring and rehiring of teachers and administrators by a mutual consent and an agreement that is made and an election-to-work contract -- procedures that are something that we have agreed upon.

The intention of the language for this is for the employees who are hired and rehired to -- to work to vote on a tentative agreement. It is possible that some of the schools' existing teachers may want to stay with the school to implement the turn-around plan and select -- and are selected by the school leadership to remain in the school. This is important because part of our reform offers the opportunity for us to have changes in staff in some of the schools that is an agreed upon with the unions at the -- at the local boards of ed. This is a new thing and I

think we should applaud it because it is a collaborative effort that was done by all around the table. We change the direction and way we are working with school reform in the State of Connecticut, and I'm extremely proud of what we're doing.

Madam Speaker, I move adoption.

DEPUTY SPEAKER KIRKLEY-BEY:

The question before us is adoption.

Will you remark? Will you remark further?

Representative O'Neill, you have the floor, sir.

REP. O'NEILL (69th):

Yes, thank you, Madam Speaker.

If I may, a few questions, through you, to the proponent of the bill.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Walker, prepare yourself.

Representative O'Neill, please proceed.

REP. O'NEILL (69th):

Thank you, Madam Speaker.

If I understood correctly from the summary that was given, the bill before us, SB 501, consists of a number of discrete items that some of which were bills that were before us in the previous session and others of which were, perhaps not, but each of which -- or

many of which are a separate piece of legislation in effect or a separate item; is that correct? Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Walker.

REP. WALKER (93rd):

That is correct. I thank the good gentleman for his question. That is correct.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative O'Neill.

REP. O'NEILL (69th):

Thank you, Madam Speaker.

And specifically, with reference to sections 140 through 151 and section 172, were those sections previously a separate bill that was before the legislature and especially before this Chamber? Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Walker.

REP. WALKER (93rd):

I'm sorry, Madam Speaker. Through you, could you ask the good gentleman to please repeat -- I -- I was trying to get through the sections that he -- he cited in the discussion.

DEPUTY SPEAKER KIRKLEY-BEY:

You'll allow more time, Representative O'Neill?

REP. O'NEILL (69th):

Thank you, Madam Speaker.

Yes. I'm looking at sections 140 through 151, as well as section 172. Were these sections taken together at one time a separate bill that was presented to this House during the previous session? Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Walker.

REP. WALKER (93rd):

Through you, Madam Speaker, that is correct.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative O'Neill.

REP. O'NEILL (69th):

Thank you, Madam Speaker.

And, was the -- the section -- were these sections in a bill that is commonly known as the Conveyance Bill? Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Walker.

REP. WALKER (93rd):

Through you, Madam Speaker, that is correct.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative O'Neill.

REP. O'NEILL (69th):

Thank you, Madam Speaker.

Is -- is there anything in the sections 140 through 151, as well as section 172, that is essential to the rest of the bill, the ability of the rest of the bill to be implemented or function if those sections were removed from it? Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Walker.

REP. WALKER (93rd):

Through you, Madam Speaker. I'm going to ask one of my colleagues, the good lady from Wallingford to -- to answer the questions on those sections.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative O'Neill, do you mind if we redirect the question to the lady from Orange?

REP. O'NEILL (69th):

I believe the lady from Wallingford. I'd be happy to send it to the representative from Wallingford. If she needs me to, I will be happy to repeat the question for her.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Fritz, you have the floor, ma'am.

REP. FRITZ (90th):

Thank you, Madam Speaker.

Through you, Madam Speaker, I respectively request that Representative O'Neill repeat his question, please.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative O'Neill, could you repeat your question, please.

REP. O'NEILL (69th):

Thank you, Madam Speaker.

I would be happy to repeat the question.

Through you, Madam Speaker, sections 140 through 151 and section 172 of the bill before us right now were previously known -- or presented to this Chamber as what's known as the Conveyance Bill. Is there anything in these -- I believe it's 12 sections, 148 through 151 and 172, that is essential to the rest of SB 501 that -- the rest of 501 depends on these sections for its operation? Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Fritz.

REP. FRITZ (90th):

Through you, Madam Speaker. I would respectfully request that Representative O'Neill define "essential."

DEPUTY SPEAKER KIRKLEY-BEY:

Representative O'Neill.

REP. O'NEILL (69th):

Well, is there anything in, for example, any of these sections that if -- if they were removed from section -- or from SB 501, would any other section of SB 501 be incapable of being fully implemented or carried out? Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Fritz.

REP. FRITZ (90th):

Through you, Madam Speaker, I'm not sure.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative O'Neill.

REP. O'NEILL (69th):

Is there anything in the rest of SB 501 that is essential to the operation of sections 140 through 151 and 172? Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Fritz.

REP. FRITZ (90th):

Through you, Madam Speaker, I don't believe so, but I do believe the sections that he has mentioned are very important to the members of the General Assembly.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative O'Neill.

REP. O'NEILL (69th):

Thank you, Madam Speaker.

Having perused the bill, it appears to me that sections 140 through 151 and 172 were what was known as the Conveyance Bill from the previous section; is that correct? Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Fritz.

REP. FRITZ (90th):

Through you, Madam Speaker, yes, sir, that's correct.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative O'Neill.

REP. O'NEILL (69th):

And as such, the Conveyance Bill was a separate freestanding piece of legislation; is that correct? Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Fritz.

REP. FRITZ (90th):

Through you, Madam Speaker, yes, sir. That's correct.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative O'Neill.

REP. O'NEILL (69th):

And, the Conveyance Bill had it passed both Chambers and become law, was there anything that was missing from the Conveyance Bill that the Conveyance Bill needed to have as part of it or to support it that is not contained in 141 -- 140 through 151 and 172? Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Fritz.

REP. FRITZ (90th):

Through you, Madam Speaker. I believe there have been three sections that have been removed. And as you so noted, the section on the repealers was embodied in the main section of the bill that passed the House on May 9th and is now a separate section, 172.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative O'Neill.

REP. O'NEILL (69th):

Thank you, Madam Speaker.

But the Conveyance Bill originally, the one that was before the House, contained what is now 140 through 151 plus 172; is that correct? Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Fritz.

REP. FRITZ (90th):

Through you, Madam Speaker. No, Representative O'Neill. The sections that are in the present bill before us are not -- are not the same in the previous bill which was passed on May 9th.

As I stated before, there are three sections that were removed by the Senate.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative O'Neill.

REP. O'NEILL (69th):

Thank you, Madam Speaker.

But, the language that's before us at this moment, those sections 150 -- 140 through 151 and 172, all of them were contained in the original Conveyance Bill; is that correct? Through you, Madam Speaker.

REP. FRITZ (90th):

Through you, Madam Speaker, that's correct.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative O'Neill.

REP. O'NEILL (69th):

Thank you, Madam Speaker.

Madam Speaker, based on the answers to the questions that have been given by the -- the previous speakers, it appears that section 140 through 151 and 172 were in the last session of the legislature -- ended just on May 9th -- a complete separate self-contained piece of legislation. A bill that was able to be passed by this House and presented to the Senate and it was an intact bill. And it further appears that no one has been able to indicate that there's anything in these sections that is essential for the other parts of SB 501. And so, since we all voted for that legislation in the session just passed on May 9th -- I believe it was -- to pass the Conveyance Bill and there are sections of it that everyone in this chamber, I believe, or many people in this chamber certainly have an interest in and that everyone supported. This is a section of the bill before us which we could all support. It could pass unanimously

out of this House with no difficulty whatsoever. And that we could then vote on and -- and I think we would be very able to all vote in favor of it as we did not so very long ago, a little over a month.

So it's unfortunate that the -- this legislation has been crafted the way it is because there are other parts of SB 501 that I and I believe many members of this chamber do not support, and we are faced with the dilemma of attempting to decide whether to support a bill that has many sections we don't believe in or support it because there are other sections, such as the ones that I have just recited, that we do believe in and do believe are worthy of support.

So in order to try to resolve that dilemma, Madam Speaker, I would move that the question be divided pursuant to sections 315 and 316 of Mason's.

DEPUTY SPEAKER KIRKLEY-BEY:

Would the House please stand at ease?

(Chamber at ease.)

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Sharkey.

REP. SHARKEY (88th):

Thank you, Madam Speaker.

Madam Speaker, I just would preface my -- I have a question or two to the proponent of the motion. But before I ask those questions, I -- I do have to say that this is the first time in my 12 years in the legislature that any member, to my knowledge, has made such a motion. So what -- so my first question to the proponent of the motion is, as I heard the motion, it was a motion to divide the question, but it was not specific to me as to how -- how the bill would be -- how the question would be divided and what would the separate sections of the -- of the bill be divided? Through you, Madam -- Mr. Speaker.

(Deputy Speaker Godfrey in the Chair.)

DEPUTY SPEAKER GODFREY:

I have been thinking about this and the motion as it's been stated, as Representative Sharkey has mentioned, is incomplete.

REP. O'NEILL (69th):

Mr. Speaker, I still have the floor as far as I know.

DEPUTY SPEAKER GODFREY:

Yes, yes -- yes, you do.

REP. O'NEILL (69th):

And so I would move that we divide the question by voting separately on sections 140 through 152, as well as -- as part of this separate vote and part of the motion to divide section 172, so that we would be voting on motion -- on sections 140 through 152 of the bill plus section 172 as a separate question and that the remainder of the bill, all the other sections, would be voted on separately. And I suppose would have to be renumbered in accordance with the removal of the sections that are -- would be the motion -- part of the motion to divide, those sections 140 through 152 plus 172 so that would be the complete version of the motion.

DEPUTY SPEAKER GODFREY:

So let me just for my own benefit, you want to divide out 140 through 152 inclusive, and 172, Representative O'Neill?

REP. O'NEILL (69th):

Yes, Mr. Speaker, that's it.

DEPUTY SPEAKER GODFREY:

The House -- the House will stand at ease.

REP. O'NEILL (69th):

Those are the sections that deal specifically with the conveyances.

Mr. Speaker, if I -- still having the floor --

DEPUTY SPEAKER GODFREY:

The House is at ease, Representative O'Neill. Is there something you needed to add?

REP. O'NEILL (69th):

Yes, I misspoke. It should be section -- 151 should be the last section before 172. So it should be 140 through 151 and 172, not 152.

DEPUTY SPEAKER GODFREY:

Thank you, sir.

The House will continue to stand at ease.

(Chamber at ease.)

DEPUTY SPEAKER GODFREY:

The House will come back to order.

The Chair has examined sections 140 through 151 and section 172, which is a repealer of a previous conveyance bills, and rules that this does constitute a question that may be divided at the will of the Chamber.

The motion, then, is to divide the question

separating sections 140 through 151 and section 172 from all of the rest of the sections of the bill.

REP. O'NEILL (69th):

Mr. Speaker?

DEPUTY SPEAKER GODFREY:

Representative O'Neill.

REP. O'NEILL (69th):

Yes, Mr. Speaker, I would like to speak on behalf of the motion.

DEPUTY SPEAKER GODFREY:

There is some conflicting rulings. Mason's clearly says a motion to divide the question is not debatable. However, in the very distant past, there has been extreme limited debate on a couple of occasions. Because this is an area that we have not gone into, unless there's a very strenuous objection, I'll allow extremely limited debate. Hopefully, one person on each side on the question of dividing the question. If that's -- if that's the -- if everybody is content with that?

REP. O'NEILL (69th):

Mr. Speaker, I would then yield the floor.

DEPUTY SPEAKER GODFREY:

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker.

In answer to your question, that would be fine.

Mr. Speaker, the reason for the request is is that, as we have indicated before, and I think as you even pointed out at the Majority -- the sort of issue by the Majority Leader early on in the debate, is that especially this bill is a compilation of several distinct and separate bills, some of which we actually passed out of this chamber during the regular session.

For the most part, one section doesn't have anything to do with the other. They are just put in a large omnibus bill as the Majority Leader indicated for purposes of convenience.

The problem that we face on this side of the aisle is there are many provisions in this bill that's before us that we support. In fact, not only do we support, we voted for in the regular session. However, they have been combined with certain other provisions that obviously we do not support. And unless we're able to divide the question, we can't vote for those bills we support without voting for those that we don't, or in voting for -- those that -- against those that we don't, we would be voting

against the ones we do support. And it was for that reason that we made this motion.

It's my understanding that if, in fact, we do divide the question, and both provisions separately pass, the one we have asked to be removed and the remainder, it would not necessitate the bill going back up to the Senate in that it's considered to be the same bills that were passed in the Senate. I am making a presumption that that's exactly what would happen, meaning that both bills will end up passing. But at very least, it gives certain members of this chamber the opportunity to support those bills that are contained within this omnibus bill an opportunity to vote for them and to vote against those that they feel strongly opposed to.

I think reality is that it will not change the outcome of these bills becoming law, but I do think it plays to allowing the members of this chamber to vote their will.

And it's for that reason the motion was made, and I would respectfully hope that it is approved. I would also indicate that this is not unprecedented. That a member of this chamber on May 31, 2001, and again on April 30, 2006, the late Representative

Belden, also made similar motions to divide the question. So what we're asking for is not to disrupt the apple cart. We're not asking to delay the proceedings. What we're asking for is an opportunity to, at least on this bill which we felt so strongly about and voted in favor of in regular session, to be separated out from the other bills so we can have that opportunity. And we would respectfully request that you grant the motion.

I appreciate your time, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Sharkey.

REP. SHARKEY (88th):

Thank you, Mr. Speaker.

And as I said earlier when I asked my question of Representative O'Neill, I -- this is obviously a -- for me, personally, it's a case of first impression in my time here in the legislature and I think for most of us here.

I would respectfully oppose the motion to divide for a couple of reasons. One, is it's not the way we do things here. Typically, when there is a challenge or a disagreement with a piece of a bill, anyone in the chamber has the opportunity to file an amendment

to strip out or strike certain provisions of that bill that they are not happy with. Dividing the question, I believe, invites some confusion with regard to its -- to a bill passing in accordance with the Senate.

In cases like this, I often rely on my learned staff and -- who have a lot more experience in this than I do -- and what I know of a -- of the -- last time this was done from -- not because I was here, but because others were -- is that it was -- it was a sticky wicket, frankly, when we're taking up a bill that is already been passed by the Senate, dividing the question and then claiming that the bill has been passed in concurrence with the Senate.

It was something that at the time from what I understand our House clerks were very uncomfortable with, and ultimately, it was done but with a -- a bit of trepidation.

I also come back to my first point, which is it's -- this is typically not the way we do things here. While I certainly respect the Minority's right and ability to divide the question, it is within our rules. It is a perfectly legitimate motion to make. I would urge my colleagues to vote no on the motion for the reasons I have just described.

Thank you, Mr. Speaker.

REP. CAFERO (142nd):

Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Cafero.

REP. CAFERO (142nd):

I would ask that when the vote be taken it be taken by roll.

DEPUTY SPEAKER GODFREY:

The question is on a roll call vote. All those in favor, please indicate by saying, aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER GODFREY:

When the vote is taken, it will be taken by roll call.

The question is on whether -- on whether the -- the question is on a motion to divide, the main question to the bill itself into two sections.

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

THE CLERK:

The House of Representatives is voting by roll

call. Members to the chamber. The House is voting the motion to divide by roll call. Members to the chamber please.

DEPUTY SPEAKER GODFREY:

Have all the members voted?

If all the members have voted, the Clerk will take a tally the machine will be locked. The Clerk will take a tally, and the Clerk will announce the tally.

THE CLERK:

On the motion to divide Senate Bill 501.

Total number voting	132
Necessary for adoption	67
Those voting Yea	47
Those voting Nay	85
Those absent and not voting	19

DEPUTY SPEAKER GODFREY:

The motion to divide fails.

The question is on -- on the passage of the Emergency Certified Bill 501.

Will you remark?

Representative Ritter of the 1st.

REP. RITTER (1st):

Through you, Mr. Speaker, a quick question to the

proponent please.

DEPUTY SPEAKER GODFREY:

Please frame your question, sir.

REP. RITTER (1st):

Through you, Mr. Speaker, this is just for legislative intent regarding section 152. Does section 152, Representative Walker, permit the secretary of OPM to contract for work that is currently performed by a state employee? Through you, Mr. Speaker.

REP. WALKER (93rd):

Thank you, Mr. Speaker, no.

REP. RITTER (1st):

Thank you, Mr. Speaker.

And thank you to the good representative for her answer.

DEPUTY SPEAKER GODFREY:

The gentleman from Litchfield, Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

If I might pose a couple of questions to the proponent of the bill, please, through you.

DEPUTY SPEAKER GODFREY:

Proceed, sir.

REP. MINER (66th):

Thank you, Mr. Speaker.

Mr. Speaker, on line 562 of this piece of legislation, it uses the phrase, "consortia of school districts." And if the gentlelady could, for me, through you, explain what that is. It talks about school districts and then consortia of school districts. I'm just trying to get a sense on who this might affect. Through you.

DEPUTY SPEAKER GODFREY:

Representative Walker.

REP. WALKER (93rd):

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

It -- it is a collaboration of school districts, and it's a group that are working together in -- in like issues that are directly being discussed in this item. Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

And so, through you, that's not intended to mean

a regional school district that they could be forced to go through this process. It's meant to be those that would be willing as a consortium of school districts?

Through you.

DEPUTY SPEAKER GODFREY:

Representative Walker.

REP. WALKER (93rd):

Thank you, Mr. Speaker.

Through you, Mr. Speaker, to the good gentleman of Litchfield, that is correct --

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. WALKER (93rd):

-- through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

And, Mr. Speaker, in sections 130 through 133, there are various passages in there that talk about the bonding process for clean water projects. And I think the gentlelady will remember that she and her cochair actually invited me to participate in a kind

of a teleconference where we listened to a presentation made by CPAs, relative to the GAAP accounting process and trying to get a sense of what that meant.

And I think she may remember that I posed a question to the individuals there relative to how the State should treat premiums paid on bond issuances because the State received $45 million on a bond issuance, I think, back in November.

And through you, Mr. Speaker, the way I read these sections, it appears as though we going to provide municipalities the ability to take that one-time premium, which a bond purchaser might pay for I guess the luxury of charging a higher interest and -- and apply that in a one-shot deal against the capital project. Now, I think that's exactly counter to what I had heard and I think she heard from those that made the presentation to us.

So if I could, through you, Mr. Speaker, why would we want to provide municipalities the ability to do what we were both told the State shouldn't even be doing? Through you.

DEPUTY SPEAKER GODFREY:

Representative Walker.

REP. WALKER (93rd):

Through -- through you, Mr. Speaker, I would like to if -- through you, Mr. Speaker, I would like to redirect that question to the chair of the -- lovely chair of the Finance Committee who is so able and willing and excited to answer this question.

DEPUTY SPEAKER GODFREY:

Representative Miner, you have the floor. Do you care to have the question redirected to Representative Widlitz?

REP. MINER (66th):

I would -- I would be willing to have the question redirected --

DEPUTY SPEAKER GODFREY:

Would you care to do that?

REP. MINER (66th):

-- but I -- well, the problem, I guess, that I have in doing that at this time is that I don't believe the co-chair of the Finance Committee was in that meeting. And so I don't think it would be fair to ask her to respond to something she didn't hear, but I do know that this was a group of individuals Representative Walker felt very comfortable in having us speak with.

So, perhaps, you could answer the first part of the question, and I'd be happy to have the Finance co-chair answer the second half.

DEPUTY SPEAKER GODFREY:

And I've already lost track of the two pieces of the question. So why don't you -- let me suggest this, that you ask the question of Representative Walker that you wish to ask of her and then you ask the question of Representative Widlitz that you ask of her. Would that work?

REP. MINER (66th):

Sure.

Thank you, Mr. Speaker.

So my question is why would we, through this implementer bill, want to provide municipalities the option of applying a premium paid for the issuance of a bond, which should be amortized out over the period of the bond once. So if you got a $10 million premium, in essence, the municipality would be able to apply it immediately against the principal and then, presumably, refinance if the interest rates were lower, but I think she heard the same advice I did.

So my question is why -- given the advice we were given, why would we want to this? Through you, Mr.

Speaker.

DEPUTY SPEAKER GODFREY:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, first, I think the -- the discussion was a little bit broader than that. I do -- I do remember the conversation that we had on this item. It was really more encasing more of the procedures of GAAP and -- and cash flow within the -- the state. And not exactly understanding the -- the underlying statue with the municipal sewer bonds, I don't feel that I can really answer that care -- accurately or not.

So I -- I do understand his direction in the -- in the question, but I do believe that I'm just not able to make those -- those two connections.

So, through you, Mr. Speaker, at this point I cannot answer that question. I, again, would like to have the Finance chair talk about it from the perspective of what the underlying bill is. I understand the philosophical, but I think that I would not be fair in making that judgment. Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

And I hope that was helpful, Representative Miner, your -- your second was.

REP. MINER (66th):

Exceedingly, Mr. Speaker.

If I could pose the same question without the reference to the teleconference that Representative Walker and I participated in with the CPAs.

If I could, through you, to the co-chair of the Finance Committee, it seems to me that according to accounting principles, this premium should be amortized for the total period of the bond issuance. Meaning, if it's a ten-year bond, it's one-tenth of the premium per year; if it's a 20-year bond, it's one-twentieth. Why would we allow municipalities to take that bond premium and put it immediately against the project? Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Widlitz, do you care to respond?

REP. WIDLITZ (98th):

Thank you so much, Mr. Speaker.

Through you to the proponent of the question, the only answer I can give you, I think, is to look at the fiscal note. And it would appear that the reason is that this is anticipated to result in a municipal cost

savings on the cost of the project because it permits a municipality to reduce the size of the bond issuance needed to finance those sewer projects. That's the only rationale that I could cite for you. Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

And so, in theory, if this was not paid at a higher interest rate -- I guess I don't know what -- what that analysis -- how that was done and so I don't know whether they looked at the different amortizations and compared what the 20-year cost of a bond would be for the higher interest rate on a smaller amount of money, presumably, or a lower interest rate for a larger amount but anyway.

So based on the advice that we were given as part of this teleconference, it just struck me as strange that we would be perpetuating this notion that paying higher interest rates over time in exchange for getting cash, initially, is necessarily a good thing.

And if I could also, I guess go back to Representative Walker with some questions on section

2, which, I think the good minority leader attempted to, perhaps, equate to the other bill. But this has to do with the change in date for the OPM and Office of Fiscal Analysis Consensus Revenue Estimate, and the date change as I see it is the date change from October 15th to November 10th.

And if the gentlelady could explain to me and the Chamber why that was necessary. Through you.

DEPUTY SPEAKER GODFREY:

Representative Walker.

REP. WALKER (93rd):

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

When discussing this issue with OPM and OFA and talking about the dates, this was a request that was made by the administration. And our Office of Fiscal Analysis looked at it and said that this really -- because some of the deadlines as they -- the fact that they fall on the weekends, this would help them in making those adjustments.

I will be very honest to say that, again, this was one of those issues that we -- as we discussed it, it was also an issue that was discussed with the Finance Committee. So, again, this is a -- something

that was discussed within that committee, and I'm very short in the information on that issue. Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

And so in terms of that communication, is there correspondence that described some of the information that might not have been available on November -- on October 15th but would be available on November 10th for the benefit of the rest of the Chamber who didn't have an opportunity to participate in that conversation? Through you please, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Walker -- I'm sorry.

Representative Widlitz.

REP. WIDLITZ (98th):

Thank you, Mr. Speaker.

As Representative Walker indicated, this was a request from the administration. As I -- I'm trying recall the reason for this, and I believe it had to do with synchronizing certain -- when certain reports were required. Also, by November 10th, they would

have had another month of data to review and they would have had a more accurate picture of where the budget was. Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

And I -- I thank the gentlelady for her answer.

Ladies and gentlemen, I don't think we're out of the financial woods yet. Certainly, we're in a different position than we were two years ago, but it seems to me that making changes like this as part of an implementer bill aren't necessarily the wisest decisions.

We have gotten ourselves in the situation that we're in by moving dates, changing reporting periods. In fact, this Chamber never got much information prior to the last couple of years or requests that, frankly, went through the Finance Committee. And with due credit to the chairs and to Representative Candelora and others, it has provided those of us that are really trying to pay attention to our fiscal house with enough information to have what I think are very logical conversations about we can afford and what we

can't.

And it appears just on its face that by moving dates, again, without some communication of the reason behind it, its motivations are, perhaps -- and I'm not saying in terms of the Chamber -- but motivations are less in terms of reporting periods and -- and more in terms of, perhaps, of less of an issue if it's given it a certain time.

We don't -- we don't necessarily create the information. In fact, we don't create the information that's presented to us. Nobody at OFA does really. They're reporting information of a fiscal importance to us as they get it. They're not responsible for sales tax collection or liquor sales or automobile sales. They just kind of call them as they see them.

And every time we make a change in the reporting information or reporting dates, I think it -- it just kind of falls victim to many more questions about why.

And so I do respect the answer that's been given. I'm sure I'm not going to get any correspondence tonight, but I would love to have some data either from OFA, if the gentleladies could provide it to us or from the administration that chose the reason for doing this and the justification for doing it because

otherwise the date looks pretty convenient.

Thank you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Thank you, sir.

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

If I may, a couple of questions to --

DEPUTY SPEAKER GODFREY:

Proceed, sir.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

My question -- my first question is dealing with section 152, which is lines, I think, 4325 in the bill dealing with the electronic government program and services provision. So if I may, I -- I believe that would be a question for the chair -- House Chair of the Appropriations Committee.

And my question is as I'm -- as I read this I think the intent of this provision is to allow us to provide online application services for our constituents to purchase, maybe, services or license? Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Walker.

REP. WALKER (93rd):

Thank you, Mr. Speaker.

And I thank the good gentleman for -- for that answer. I would like to have this redirected to Representative Morin, the Chair -- the House Chair of GAE.

Thank you.

DEPUTY SPEAKER GODFREY:

Representative Candelora, could direct the question to Representative Morin.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

Yes, I would be happy to if the chair of the GAE Committee could answer that question.

DEPUTY SPEAKER GODFREY:

Representative Morin, do you care to respond?

REP. MORIN (28th):

Through you, Mr. Speaker.

Sure.

Yes, the -- the gentleman's correct.

DEPUTY SPEAKER GODFREY:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

And I -- I guess my next question would be why we would need this particular provision? As I understand it, currently, if you go online, there are many different licenses that we can access online through the state. And I'm wondering what this new language enables the State to do that it couldn't do before? Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Morin.

REP. MORIN (28th):

Through you, Mr. Speaker, how I understand it is that it will allow the Office of Policy and Management to -- the whole concept is to streamline government and make things easier for the general public to have access to a myriad of -- of different opportunities as was stated. I know in -- in the GAE Committee, we talked for -- we discussed a lot of options for E-Government and consolidation and streamlining. And I think this -- this is a specific attempt to -- to make it easier for the general public to get access to state services. Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

And does the representative know if there are any -- if there are currently any situations where we are already doing this through the -- through private entities? Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Morin.

REP. MORIN (28th):

Through you, Mr. Speaker, off the top of my head, I'm not aware. I'm not saying there could or -- or there are not.

DEPUTY SPEAKER GODFREY:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

And was this particular provision, I guess, discussed at the committee level where there might have been public hearings? Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Morin.

REP. MORIN (28th):

Through you, Mr. Speaker, the -- the concepts and ideas and discussion about possibilities were -- were

probably discussed. I don't think this specific aspect was -- was brought out of our committee. Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

And just to, I guess, what I want to kind of drill down on is to -- to what extent -- what the scope of this particular provision is. When we're referencing the public's utilization of government services and programs electronically, does that pertain to the actual registration or applying for those services?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Morin.

REP. MORIN (28th):

Through you, Mr. Speaker, as I -- as I read it seems to be. The gentleman's correct. Through you.

DEPUTY SPEAKER GODFREY:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

So that what we're doing here is -- is relating these services to sort of online-type programs where the person can purchase a license or make an application, but there's actually not the ability to transfer the administration of programs. It's -- it's merely intended for application or procuring of a license? Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Morin.

REP. MORIN (28th):

Through you, Mr. Speaker, that's how I understand it.

DEPUTY SPEAKER GODFREY:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

And would the Chair know if there were any discussions of -- of how this relates to our -- or does it relate or impact our statutes dealing with the privatization of contracts. Did that discussion come up at all in the context of this provision? Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Morin.

REP. MORIN (28th):

Pardon me. Through you, Mr. Speaker, I believe I -- I -- the intent from my -- from my aspect in all our discussions through GAE, not specifically to this, was always for that there is no intent to, you know, privatize and -- and get things done. I believe this -- this bill does allow for -- for other entities to perform some of these duties. But, no, I never -- this never -- this aspect of it never did come through our committee. Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

And then lines -- the sentence in lines 4339 through 4343, which -- which deal with when the State enters into an agreement with an entity, it allows the entity to charge an administration -- an administrative fee, but it requires that that fee get deposited in the General Fund.

As I had first read that provision, I was thinking that we're allowing for administration fee so that these private entities could get paid for their services of providing whatever the government

contracts. But then as I read this, it seems as if this administration fee would -- would go into the General Funds along with the actual application fee.

So I was just wondering if I could get an explanation of that what the intent of that is. Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Morin.

REP. MORIN (28th):

Through you, Mr. Speaker, I -- I would surmise, you know, if any administrative fees would have to be approved by the Finance Advisory Committee. And -- and I think you know how I -- how I read it is strictly so we can -- we can make sure -- ensure that the fees are appropriate. And that, you know, they have to come through a proper -- they, being the private entity, would -- would have to get approval to -- to have these fees. And I'm sure -- I'm sure that there would be issues and matters where they might have to -- obviously, they're going to have to be able collect something to -- to pay for their -- for their expenses and that would have to go through the program as well.

And again, this -- this is a little more than what we discussed during GAE, however, the concept of trying to get things done more efficiently and making it easier for the general public to access state services is not -- is not foreign to our discussions. Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

And just the lines preceding that, I guess, how I'm looking at this relationship is we're allowing a private company to contract with the State for the purposes of providing this type of service. The agreement in line 430 -- 4337 would -- would enable that private company to collect a statutory fee or the regulatory fee, which is subject to the online transaction and then, also, the agreement would allow for an administration fee. And as I read this, all of those fees would then go into the General Fund and be collected by the State?

So I'm assuming, as I read this, what's inferred is that that administrative -- administrative fee that is being charged is the fee then that the state would

remit back to that private company? Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Morin.

REP. MORIN (28th):

Through you, Mr. Speaker, I'm sure before this would go in there would be a contract adhered to between -- entered into between the entity and the State. So those fees would probably be inherently equal and -- and so, I can't say for sure if that's the exact amount, Representative, but I believe that that would certainly be utilized to cover the costs and -- and the agreements of the contract. Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

And I guess that's -- that's one of my concerns with this particular provision the way it's written because I wholeheartedly support the notion of -- of having cost savings for the State and -- and having means in which our constituents could access online services in an easy fashion, apply for license in a

more easily fashion. But as I'm reading this administrative fee, there's no language in here that's limiting that administrative fee to the actual costs of providing the service.

And so what potentially can happen here is that the Finance Advisory Committee can allow for an administrative fee of any amount that could be in excess of the license, if they so choose, and that money all goes into the General Fund.

So we're now creating an FAC Committee that would be able to generate revenue for the State of Connecticut and not all of the administrative fee has to go back to that private entity that we're contracting with.

And so it's just -- it seems minor, but it's just one way I think that we're losing control of our process by allowing the FAC Committee to set -- to set license fees or application fees for the State of Connecticut.

And I -- I had one final question on that if the good gentleman knows. Through you, Mr. Speaker, is there a member of the Finance Committee that serves on the Finance Advisory Committee? Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Morin.

REP. MORIN (28th):

Through you, Mr. Speaker, I -- I don't know the answer to that.

DEPUTY SPEAKER GODFREY:

Thank you, sir.

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

I -- I don't believe that there is any member, chair, ranking of the Finance Committee that serves on the FAC Advisory Committee. And so what we're doing here today is we're circumventing our entire committee process, potentially, which, you know, typically, on any budgetary matter relating to revenue, relating to fees, those matters always go before the Finance Committee and rightfully so.

And so what we're doing now is in statute, we're going to codify a manner in which, a -- an executive and legislative body, which is made up of I think the chairs of the Appropriations Committee, some members of OPM, and -- and other administrators, which are going to now serve and be able to increase fees or --

or applications throughout the state of Connecticut without any input what so ever from the Finance Committee.

I think that's real bad public policy. We had many debates in this chamber about what levels to set the fees at. And when I served on the ranking -- as ranking member of the Finance Committee, there was a lot of discussion of making sure that when we set these fees, we're competitive with our surrounding states.

There some time actually that we went back to the drawing board after we increased fees. We realized that we were becoming uncompetitive and that people actually weren't going to go out and -- and utilize our campsites at Hammonasset and other state parks and so we came back and we rolled back those -- those fees.

We are now giving that whole process away, essentially, to a committee that could set any level. There's -- there's no limitation. And as we all know, the administrative -- administrative fee could eclipse the actual costs of the underlying licensing fee, which arguably could frustrate the entire intent of this underlying provision.

And I think that we should certainly have greater concern for a provision like this in today's time than in other times because given the revenue crunches that we're in this is just not an area I think that -- that this legislature should give up. And I would hope that in the future maybe we can revisit this and, at least, reduce any more ability if the FAC Committee to have control over our budgetary process.

I think we've seen too much turned over just in the last year of the authorities that we have given them, and I think this goes too far.

If I might also just a general question, through you, Mr. Speaker, to the House Chair of the Finance Committee.

The revaluation phase-in process, if we could just have an explanation of what that intent is. I know we've struggled every year dealing with delaying reval, and if we could just get an -- an explanation of sort of -- of how this process in sections 168 through 170, addresses the issues of revaluation. Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Widlitz.

REP. WIDLITZ (98th):

Okay. There we go.

Thank you, Mr. Speaker.

In looking at that section, this is not a section that I had a hand in writing and so I would like to refer this to Representative Lopes for an explanation. Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Candelora, could you redirect your question to Representative Lopes.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

I'm striking out today on guessing who could answer the questions.

If I can redirect that question to Representative Lopes, through you.

DEPUTY SPEAKER GODFREY:

Representative Lopes, would you care to respond.

REP. LOPES (24th):

Thank you, Mr. Speaker.

Sorry I'm a strike out for you.

Can you please repeat the question.

DEPUTY SPEAKER GODFREY:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

In sections 168 through 170, we've established a new process for our revaluation system, and if I could just get an explanation of how that system works. Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Lopes.

REP. LOPES (24th):

Thank you.

Through you, Mr. Speaker, this -- currently under state law, municipalities are allowed to phase in a revaluation when property values increase. This change allows municipalities to do that when there is a decrease in assessed values.

DEPUTY SPEAKER GODFREY:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

So how -- I guess how would that work then? Does it have to be a decrease in assessed values across the board, or is it a percentage decrease because a lot of times in revaluation we may see a decrease in the assessed values for residential property, yet we might have an increase in assessed values for commercial

properties. So would this -- how -- how would this apply in those situations? Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Lopes.

REP. LOPES (24th):

Thank you.

Through you, Mr. Speaker, that's a -- that's a very good question, and it is not entirely clear in some of the language but the legislative intent, as I understand, is if there's an overall increase in assessment, you can phase that in or an overall decrease in assessment you can phase that in, one or the other. That is my understanding of how it works.

DEPUTY SPEAKER GODFREY:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

And when we reference a decrease in assessment, are we talking about a decrease in the total grand list, or are we talking about a decreased in -- in an -- a particular property? Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Lopes.

REP. LOPES (24th):

Thank you, Mr. Speaker.

Through you, another good question, I do believe it is in the grand list.

DEPUTY SPEAKER GODFREY:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

So in a situation where a town would see a decrease in its overall grand list, there could be situations where all the commercial property saw a 5 percent increase, all of the residential property saw a 10 percent decrease. The net value of the decrease would be, say, a minus 2 percent in the grand list. Would that then mean that the decrease of minus 2 percent would be phased in and amortized over the properties that realized the decrease or would that mean that the properties that saw a 10 percent decrease would then have that 10 percent decrease phased in over time? Through you, Mr. Speaker.

REP. LOPES (24th):

Thank you.

Through you --

DEPUTY SPEAKER GODFREY:

Representative Lopes.

REP. LOPES (24th):

Through you, Mr. Speaker -- and I am not certain of this, but it is my understanding that is -- there is a certain amount of permissiveness to each municipality where they will be able to make a decision on whichever works best for that particular municipality.

DEPUTY SPEAKER GODFREY:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

That does concern me a little bit because I think one of the most important things is that our assessment process is uniformly applied. I don't think we've, particularly, have been quick to give assessors discretion in this situation.

Could the gentleman explain a little bit the -- the second method, I guess, that's referenced in this bill as the ratio phase-in bill and how that would work? Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Lopes.

REP. LOPES (24th):

Thank you.

And through you, Mr. Speaker, I -- I don't pretend to be an expert on some of these assessment issues, and they are quite technical. My understanding is this law will not -- it'll be exact same function as currently in law when there's an increase. And this only allows it to be applicable when there's a decrease in assessed values. As to the exact functions of how it works, I -- I am not the expert in that. Sorry.

DEPUTY SPEAKER GODFREY:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

Is there anyone in the chamber that would know the answer to that question? Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

I can't help you.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

I -- I guess -- I guess I'm obviously a little bit concerned with this particular provision. And I -- I started reading it, looking at it and I understand the intent of it. I'm not sure how it's going to

work, but I stand here extremely frustrated.

And I could appreciate -- well, I -- I don't appreciate the comments that because people in the minority party may have voted against a bill that they should be excluded from the process and that's certainly what's happened here today.

And in my experience, the way the two-party process has worked, it's a good thing to have differing opinions. And having those opinions come into a room, I think it makes bills stronger. It makes the process better and we do better work. But it just seems very strange to me that we have created a new revaluation process that is going to affect every single municipality in the State of Connecticut, every single district that we represent. And the House Chairwoman of the Finance Committee was not included in the process. I don't believe the ranking member of the Finance Committee was included in the process. And certainly, no member, except for Representative Lopes, seems to be of the Finance Committee seems to be have been included in this process.

And I know, ladies and gentlemen, we do take our responsibilities very seriously here. This is a huge

policy change for the State of Connecticut. And I know it's driven in part by the fact that year after year we have delays in reval and most recently we had our latest reval bill vetoed. And so I guess this is -- is an attempt to sort of address that and satisfy it, but we've just had a major piece of public policy written without any of the people at the table that should be there.

And my guess is that this probably didn't -- I mean it certainly didn't originate in any of the legislative committees. It never came before Finance, and so my guess is it probably originated over in the Executive Branch and this is just wrong.

I don't know how I'm going to explain how this provision affects my municipality. And I think, hopefully -- but I think they could get quite angry with us because, time and again, when we pass legislation on to municipalities and we give them discretion, frankly, sometimes they don't want that discretion because they're the ones stuck having to figure it out.

And as you know, I served in local office and I used to have to go to the grocery store and listen to every local issue that occurred in town because

everything is local and that's the most important thing to our constituents. And so we've just punted the ball, punted the issue of revaluation to our local municipalities and we've given them a host of options.

I'm not sure if they're good or bad. Maybe they are good, but I can't figure it out tonight and trying to read it and ascertain it in how it works, how it applies to the commercial appraisals, how it applies to the residential assessments.

All of those things are delicate balances and then we're potentially going to leave it in the hands of assessors who, in some cases, like in my town, aren't elected officials, who -- who -- the elected officials are certainly a firewall put in between, and I don't know what impact we've just created by passing this particular provision. And it is -- it is highly frustrating.

So I think going forward, I'm still going to cast my no votes on bills that I think are bad. But I don't think it entitles the other side of the aisle to exclude us from the debate going forward. I think it's not good for any of us in this chamber. And I think it's better public policy, it's better for the residents in the State of Connecticut when Republicans

and Democrats are at the table facing the issues together and trying to come up with the best bills possible.

And in the end, we don't need to agree, but at least we both know we both put our best foot forward in passing this legislation, and we haven't done that here today.

My other concern is that -- Representative Miner pointed out is this provision of allowing municipalities to apply premiums upfront on bond issuances in order to pay for sewer projects. You know, interestingly if you read the --the OLR Report, they reference the fact that we're not sure that municipalities could even do this anyway because they can't issue bonds for premiums. And, in fact, I'm also not sure how this impacts their requirements of -- of meeting GAAP provisions.

When I served locally, again, they had to transition to GAAP accounting much earlier than the State of Connecticut. We don't have that requirement as everybody knows. And I believe, that as Representative Miner pointed out, under GAAP policy, you're not allowed to apply a premium upfront in its first year. It's bad accounting; it's bad economics.

You're supposed to be amortizing it over the life of -- of the bonds.

And so here we are, potentially, passing a piece of legislation that is -- is bad public policy, but we don't realize it because the State of Connecticut, in fact, the Treasurer's Office does apply the premiums into one year and -- and frankly again, it's to help our cash flow. And we don't even realize that it should be amortized over the life of the bond.

So here we are now, potentially putting bad policy down on to the municipalities. My only hope is that the OLR Report is correct, and they're not legally going to be able to do it.

And I had -- had one question, I think this would be a question through the Chair of the Approps Committee.

In lines 448 -- and I think it's beginning in section 14 addressing the payments that are made to the charter schools. We're now having the money go to the towns and then the towns distribute those funds to the respective charter schools that are located within that town. And I noticed that we pushed some dates out by a couple of weeks. As I read that, I'm -- I'm assuming it's to administer this change and allow for

that orderly process of the money flow into the towns. Am I correct? Through you, Mr. Speaker.

And -- and through you, Mr. Speaker, it's sections 19 through 21.

DEPUTY SPEAKER GODFREY:

Representative Walker.

REP. WALKER (93rd):

Thank you, Mr. Speaker.

And I thank the good gentleman for his question.

I think the -- the question that I thought I heard was the dates that were applied for the payments for the charter schools, and I'm trying to find them in the bill -- 448?

Through you, Mr. Speaker, did the gentleman -- did the good gentleman say line 448?

DEPUTY SPEAKER GODFREY:

Representative Candelora, 448?

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

Yes. Actually, it's contained -- the specific part in lines 462. Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Walker, is that helpful?

REP. WALKER (93rd):

Through you, Mr. Speaker.

I thank the gentleman for the question.

Yes, the -- the -- those -- those dates were put in there mainly because they felt that if the -- the way it was set up before, they wanted to give the towns time to process because if you know now with the way we're doing the charter school payments, the payments are not going directly to the charter schools now, they're going to the boards of ed, and the boards of ed are then transferring the dollars to the charter schools. So they knew that it would take some time for the boards of ed to get the money and then it would be processed through that to the charter schools. Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

I appreciate the answer to my question that was very helpful.

And, Mr. Speaker, I do rise against this bill. There are certainly good provisions in it and so it is with some difficulty that I need to -- to vote against the bill, despite those good provisions, but I do feel

very strongly as I've already stated. I think there were certainly room for improvement in many of these areas.

And I think that it's not a matter of wanting to have my cake and eat it, too. I think it's a matter of the State of Connecticut is much better off when the two-party system, Republicans and Democrats, are both at the table crafting legislation and making sure the State of Connecticut puts its best foot forward, and I hope that at some point we will change the way we do our business.

Thank you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Thank you, sir.

Representative Hoydick.

REP. HOYDICK (120th):

Thank you, Mr. Speaker.

I, also, agree with Representative Candelora that there are many good provisions in this bill. And a few of them I'd like to highlight are the ones we worked so diligently on through the Energy Committee.

And originally, in committee, we voted against Senate Bill 415 and then worked for several -- it seems like several months, maybe it was several weeks

in a bipartisan manner where we hosted informational forums with the administration and the DEEP Department and CEFIA to come to the consensus about bonding levels that we can approve and authorization routines, and we developed that consensus and we were very, very pleased to -- to have a final result as a bill that we could pass.

We were also very distressed and frustrated when we were unable to have those bills passed in session. So I was encouraged when I saw Senate Bill 501 that this might actually become a reality and then when I read the revenue estimate changes and the revaluation changes that are proposed in this bill, I realized this was something that I couldn't support.

How we can affect our municipalities and push laws down again without going through the proper channels of the Finance Committee at the very minimum about revaluation is beyond my comprehension.

The revenue estimates changing when we provide our fall estimate from October 15th to after Election Day is reprehensible to me. I can't in good faith go to my constituents and say, yes, I support transparent government as we are doing things in this manner.

So while I appreciate the members of the -- the

Energy Committee's support and how we worked so well together. I appreciate the administration's support and, again, how we can come to consensus for the last two years on major, major legislation when it comes to energy, I cannot support this bill for the lack of transparency that we're providing our constituents.

Thank you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Thank you, ma'am.

Representative Williams.

REP. WILLIAMS (68th):

Thank you, Mr. Speaker, and good evening.

Just briefly and -- and sort of in concurrence with what Representative Hoydick and Representative Candelora spoke about a little bit earlier. I do recall the consensus revenue portion of this bill coming up during the regular 2012 legislative session. I recalled it as the bill, it started -- it wasn't quite the way that it's now written but that the reason we were given as to why we should support the bill back in April was because OFA had requested it as I recall.

And -- and I know that Representative Widlitz also did not recall all of the details, as I do not,

and I think that's another problem with this entire process. The process is such that we're cramming everything that we can into one bill and hoping that everybody can remember all the answers and that everybody can explain all the answers. I can't explain why we're doing this. I know that others cannot explain why we're doing this but it does trouble me, as Representative Hoydick says, that the date has been set for our consensus revenue numbers to be published by the Office of Fiscal Analysis and the Office of Policy and Management, it -- it strikes me that the date that has been selected is after any possible election day that we may have. Right?

Election Days, as I recall, are the first Tuesday after the first Monday in November. We know that we have a budget here in the State of Connecticut. The story that is being written about the budget is one that is very bleak. It's one that is very troubling to so many of us. Every time we have had revenue numbers printed in the media, we have seen them on the decline. Things are not getting better, they're getting worse.

And so to put this section -- to have consensus revenue numbers published after any possible Election

people in the general public would say -- would -- would call common sense. This is an awful way for us to be voting on bills, not in the light of day, oftentimes without the benefit of a public hearing and -- and -- and these omnibus major bills that are so difficult for so many people to digest.

So, as Representative Hoydick said, there are many things in this bill I think that so many of us would like to support, if given the opportunity to do so, separately. I don't think that anyone in the public should construe a no vote as a -- a complete rejection of every single piece that was in this bill. What we're rejecting is the process. We're saying no to a process that is not transparent, a process that does not have -- has not had public hearings in -- in many cases, and a process that has major bills with tens of sections and hundreds of pages all slapped together just so that we could we did our job.

So while I would like to be able to support this before us, Mr. Speaker, ladies and gentlemen, I will not be able to do so, and I would urge members to reject it as well.

Thank you.

DEPUTY SPEAKER GODFREY:

Day is very troubling to me. Maybe that wasn't the intent of this -- this particular legislation and if somebody wants to tell me that it's not, I will take them at their word, but that is the practical implication of this, that the electorate will be going to the polls and electing a new general assembly and a new governor in certain years without the benefit of the very important information of finding out how are revenue numbers are doing, whether we're doing better, whether we're doing worse and whether the policies that the -- that the prior administration and the prior general assembly have enacted have actually worked.

You know, it was stated earlier that those of you who voted against the budget -- essentially, those of you who voted against the budget sort of gave your seat up at the table and -- and these are the choices that we make. Right? These are not the choices that we've made. These are the choices that we are forced to make because of the way that this process has developed over the last several weeks since the end of the legislative session.

We didn't ask for this. We asked for these things to be done in the proper forum in a way that

Thank you, sir.

Representative Shaban of the 135th.

REP. SHABAN (135th):

Thank you, Mr. Speaker.

A few quick questions and a comment or two, I don't want to be too repetitive.

If I may, through you a quick question --

DEPUTY SPEAKER GODFREY:

Proceed --

REP. SHABAN (135th):

-- to the proponent, looking at the sewer bond section, municipal sewer bonds, I guess, sections 130 through 133.

I'm trying to remember, I -- Representative -- well, a couple of folks even said this, we don't -- I remember this came up in finance but I'm not quite sure, you know, how it panned out because it was a while ago. It's been shoved in.

We're allowing -- through you, Mr. Speaker, am I correct in reading this that now we're going to allow sewer commissions, municipal sewer commissions, to issue bonds that have floating interest rates or variable interest rates? Through you.

DEPUTY SPEAKER GODFREY:

Representative Widlitz, do you care to respond?

REP. WIDLITZ (98th):

Through you, Mr. Speaker, yes. This did come -- this was referred from another committee to the Finance Committee. We did not, however, pass it through the committee, but I think the answer to your question is, yes, that it does allow those bonds. Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Shaban.

REP. SHABAN (135th):

Thank you, Mr. Speaker.

And that's -- perhaps that's why I don't have a hard memory of it because even though it got to us, we really didn't chew on it very long, if at all.

Through you, Mr. Speaker, if municipal sewer agencies are allowed to issue bonds with a variable interest rates, will they also be allowed to enter interest rate swap agreements? Through you.

DEPUTY SPEAKER GODFREY:

Representative Widlitz.

REP. WIDLITZ (98th):

Through you, Mr. Speaker.

I don't have the answer to that question. I

apologize.

DEPUTY SPEAKER GODFREY:

Representative Shaban.

REP. SHABAN (135th):

Thank you, Mr. Speaker.

And -- and for the high altitude -- the reason for my question and for those who may or may not know, interest rate swap agreements is a -- is a mechanism, a financial tool, where someone who owes interest on a variable rate instrument, like a bond, can swap it out with someone who will hold or support an interest obligation on a fixed rate obligation. So, i.e., you're going to take your variable rate and swap it out with a fixed rate and hedge your bet, essentially.

And again, the reason I ask this is, A, I actually ran a municipal sewer commission before I got here; and B, I've seen how such instruments have worked to a negative impact of municipalities and different private organizations around the state because of the long prolonged upside-'downness. If that's a -- I know that's not a word -- but, you know, the interest rate situation that's going on now people are ending up owing more on the hedge than they did on the underlying bonds.

And I didn't see it in the fiscal note. We didn't discuss it in finance. No one's quite sure in this Chamber what the answer is but here we go, here we go. One hundred seventy three sections, how many hundreds of pages, let's just let it rip. It's a concern. I mean, I'm obviously repeating some of what we heard but that's the kind of thing that gets teased out in a committee hearing; that's the kind of thing that you actually discuss and think about when everyone's sitting at the table saying, hey, we should discuss and think about this. That's apparently not what happened here. What's not going to happen here.

Moving on, if I may, more a comment than a question because, again, I don't want to be repetitive. The previous speaker hit it and I -- I feel that I have to say it, too.

Section 2, the consensus revenue reports, we're only moving one date. We have consensus revenue obligations, reporting obligations, throughout the calendar year but this bill combined with Oddfellow charters, and social bonds, municipal sewers, and reval phase-ins and conveyances, changes the way we communicate, as a general assembly, with our constituents. It makes a fundamental change in the

way we act as a transparent body.

Now, I don't remember and -- and I know the previous speaker said the same thing, we don't remember what the rationale behind this was other than perhaps they need more time but why only this time? Why only in October? What is the reason? How does this impact the budget? We don't know. Here we go again. Just shove it in there and let it rip.

So while there are many, many, many positive things that -- or concepts in here that are in this bill, some of which, I frankly would like to support. I thought some of the energy work was fabulous. I thought some of the renewable energy efforts are fabulous. I thought requiring power companies to locate and -- and report on where their poles are and where some compromised customers could be. Great idea, great idea. That's why we should do it through a committee process. That's why it should be done on the house floor in daylight during the regular session not jammed into a bill that has -- is plagued with other problems that -- that it ruins the whole batch of apples.

So with that, I'm going to regretfully have to vote no on this, and I urge my colleagues to

reconsider their position, as well.

Thank you, sir.

DEPUTY SPEAKER GODFREY:

Representative Christopher Davis.

REP. DAVIS (57th):

Thank you, Mr. Speaker, good evening.

DEPUTY SPEAKER GODFREY:

Good evening.

REP. DAVIS (57th):

I have a few questions about sections 22 of the bill that deals with ECS funding, and I understand that perhaps the chairman of the Education Committee is not here this evening, but I'm not sure who to direct my questions to on that specific section of the bill.

Through you, Mr. Speaker to the chair -- chairwoman of the Appropriations Committee, perhaps.

DEPUTY SPEAKER GODFREY:

Frame -- why don't you frame your questions and frame -- frame your question and we'll see where we can go with it.

REP. DAVIS (57th):

All right, Mr. Speaker, sounds good.

Well, through you, Mr. Speaker, I understand

under this section 22, the commissioner of Education will be allowed to withhold ESC funds that were previously voted on to be distributed to towns.

Through you, Mr. Speaker, is this new language or currently under the education reform bill was the commissioner able to withhold these ECS funds for alliance districts? Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Walker.

REP. WALKER (93rd):

Good evening, sir.

Through you, the -- the language that the question that the good gentleman had, it was part of the language that was in the original reform bill.

DEPUTY SPEAKER GODFREY:

Representative Davis.

REP. DAVIS (57th):

Thank you, Mr. Speaker.

And through you to the kind lady from New Haven, so now we're empowering the commissioner to be able to withhold these ECS funds from these low -- low performing districts and the alliance districts? Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Walker.

REP. WALKER (93rd):

Thank you, Mr. Speaker.

And I thank the -- the good gentleman from East Windsor for the question, but I'm sorry could he repeat the question again for me. I did not --

DEPUTY SPEAKER GODFREY:

Representative Davis.

REP. DAVIS (57th):

Certainly, Mr. Speaker.

And through you, so under this language, lines 535 to 544 of this bill before us here today, we are now empowering the commissioner of Education to be able to withhold ECS funding to alliance districts? Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, that is correct.

DEPUTY SPEAKER GODFREY:

Representative Davis.

REP. DAVIS (57th):

Thank you, Mr. Speaker.

In -- in line 536, it says that the -- the

commissioner of Education may pay such funds to the town. Through you, Mr. Speaker, if the -- if the commissioner chooses not to pay those ECS funds to the town for whatever reason and I guess in this one they're not meeting the goal set out and what he expects to be their plan of action.

Through you, Mr. Speaker, what then becomes of those funds?

DEPUTY SPEAKER GODFREY:

Representative Walker.

REP. WALKER (93rd):

Through -- through you, Mr. Speaker, those -- the -- the funds would be held by the commissioner and the towns would have the ability to try and redirect and correct whatever things that they are not meeting.

The goal is not to hold the money and -- and not give the towns the money. The goal is to help correct and redirect the way the school is operated or the boards of ed are operating in order to improve the achievement of the -- of the students. This is not meant to be used as a denial method. It's used as a sort of a reward, but it's also a process of helping them to understand what are the things they need to change in the way that they do their school

operations. Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Davis.

REP. DAVIS (57th):

Thank you, Mr. Speaker.

So is it the legislative intent of this bill for the commissioner of Education to be able to set up a program for them if they are initially denied to be have guidelines or processes for them to be able to eventually achieve his action plan and get the funds? Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Walker.

REP. WALKER (93rd):

Thank you Mr. Speaker.

I believe the good gentleman from East Windsor asked if -- if it's -- it's the intent that the commissioner, sort of be the -- the guiding -- the guiding force or the director of the -- the plan because if you remember in the very beginning, the commissioner -- the commissioner will sit down with the boards and they will go over the plan together in an agreement. And at that point and time, I think the benchmarks and all the things that have to be achieved

will then be set.

So, instead of this time having us just automatically giving the -- the local boards of ed the money, we're making sure, through the commissioner, that they are achieving what they are intended to do.

Now, the question is at this point and time it would help us to be able to determine do they have the actual skills and the ability to achieve it? And then if there isn't, then maybe we have to provide them other resources and it doesn't necessarily have to be money to help them to achieve it, but I think it's been -- going to be used as a method of -- of aiding and directing the boards of ed to make sure that they achieve the goals that they set forth. Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Davis.

REP. DAVIS (57th):

Thank you, Mr. Speaker.

And it certainly sounds like a way to try to hold them accountable for this increase in ECS funding but say the school district is determine that, you know, they only received $150,000 in additional ECS funding even though they're an alliance school district and

they really need to hire five reading tutors or three reading tutors and two math tutors, and they don't have that additional funding to do that under this bill.

Through you, Mr. Speaker, would -- would this language in this bill here today, would they be able to increase the ECS funding in those alliance school districts? Through you Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Walker.

REP. WALKER (93rd):

Thank you Mr. Speaker.

And I thank you for -- for the questions because I think this helps us to understand the actual intent of what's going on.

I think the -- the commissioner has resources in other things, and I think some of them are listed here and some of them are listed in the other bill to help each one of the local boards of education. And in a lot ways sometimes the local boards have lofty goals but don't necessarily have all of the abilities, the support, and everything to achieve them. This will help the commissioner narrow it down and actually be able to figure out do they have the ability.

Let's say they need to increase the -- the math scores in two of their middle schools and those are two schools that they've been -- they actually sat down and did a contract with. Maybe they felt they had the ability with the teachers there. Maybe they had -- they thought that they had the skills. This will help the commissioner identify that. And then when they don't achieve it, let's sit down, let's talk about it, figure out what we can do, maybe bring in one of the state universities to work with you to do it, maybe looking at some of the common core practices that need to happen and in the best practices that are necessary, but I think this gives them a better opportunity to be very prescriptive in trying to figure out and determine where they are -- will excel because they're going to be some that are going to excel so I don't want to give the impression that we think all boards of ed are not going to achieve their goals. Everybody's going to achieve their goals. I -- I have faith in that, but it may help having a lot more to support them. So, through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Davis.

REP. DAVIS (57th):

Thank you, Mr. Speaker.

And I deeply appreciate the -- the kind lady from New Haven's answers.

As someone who represents an alliance school district, I wanted to make sure that even though they got a small increase in ECS funding to help battle some of their -- their deficiencies in test scores and student achievement, I wanted to make sure that there was no chance for them to actually not receive that increase and that the proper channels are made for them to ensure they will receive that money.

I just had a quick question about section 31 of the bill. It's on page 28 of the bill and, perhaps, it would be to the -- to the Chairwoman of the Appropriations Committee, too, perhaps, it will not be.

Lines 875 through 880 makes changes to daylight savings time here in the State of Connecticut, and I was just wondering, through you, Mr. Speaker, a little clarification on that section.

My understanding is that we change daylight savings time a number of years ago, and I'm not exactly sure why we're taking it up in an emergency certification bill on -- in special session, why we'd

be attempting to change daylight savings time at this late hour.

Thank you, Mr. Speaker, through you.

DEPUTY SPEAKER GODFREY:

At this late hour, Representative?

I hate it when we lose an hour.

Representative Walker.

REP. WALKER (93rd):

Thank you Mr. Speaker.

And I want to thank the good gentleman for helping me see the light. I have no idea. I'll be honest with you.

Did you like that pun? I thought that was pretty good.

I -- I -- I do not understand why they made that change. I do -- okay. I'm not sure exactly why, but I do believe that Representative Fox could shed light on that answer so I would like to redirect the question to Representative Fox so he could shed light on the answer.

DEPUTY SPEAKER GODFREY:

Would that be Representative Dan or Representative Gerry Fox, Representative Walker?

REP. WALKER (93rd):

Oh, I think --

DEPUTY SPEAKER GODFREY:

Representative --

REP. WALKER (93rd):

-- Fox.

DEPUTY SPEAKER GODFREY:

-- Gerry Fox has stood.

REP. WALKER (93rd):

From Stanford.

DEPUTY SPEAKER GODFREY:

Representative Fox.

REP. FOX (146th):

Thank you, Mr. Speaker.

And actually to be from Stanford alone doesn't help either because --

DEPUTY SPEAKER GODFREY:

Exactly.

REP. FOX (146th):

Because both of us are from Stamford.

While this -- this is part of the -- the tech revisers bill that is a bill that Judiciary Committee does on an annual basis that comes down -- recommendations from our LCO attorneys. And as I understand this -- this one change, it certainly

wasn't a priority in the Judiciary Committee. It was one that the LCO attorneys had -- had felt should be part of a change that would conform. And -- and as I understand it, this is meant to conform standard -- our standard of time to correspond with the federal change that was made and that's the only reason for this -- this provision here. So it's -- it's part of our LCO tech revisers process.

DEPUTY SPEAKER GODFREY:

Thank you for shedding light on the subject, Representative Fox.

Representative Davis, does that help?

REP. DAVIS (57th):

Thank you, Mr. Speaker.

And just real quick so it's safe to say that we were not following standard time for five years now or since 2007 when they changed to federal law? We've actually been operating on a Connecticut time, you could say? Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Which is different from legislative time but Representative Fox.

REP. FOX (146th):

Through you, Mr. Speaker, I think we're always

operating on Connecticut time, but I -- I think it is -- is there may have been like an hour or -- the -- the change that went from the first to the second Sunday in April to March because if you remember several years back, we did change the -- the federal government did change standard time and daylight savings time, and this -- this just conforms to that so that's where we're at.

DEPUTY SPEAKER GODFREY:

Representative Davis.

REP. DAVIS (57th):

Thank you, Mr. Speaker.

And thank you for the clarification from the gentleman from Stamford.

That wraps up my questions on this bill.

I just want to echo what has been said time and time again with the concerns about the consensus revenue estimates dates being pushed back or not dates but singular date. The date that happens to be around the election time which would happen to, perhaps, give not very good information for certain people in certain elections. And I think it's unfortunate that we're sending the message to the people of the State of Connecticut that we want to keep them in dark

during times of an election, rather than showing them the truth in all of the information of all our fiscal health here in the State of Connecticut.

Specifically because of that reason but because of some other sections in the bill that I don't particularly agree with, I would say I'm not supporting the bill this evening. I want to support many of the measures in here, in fact, I, like many of us in the room, have supported many of these measures in this bill earlier during the regular session. But unfortunately, I can't support the bill here this evening due to many of the measures that were put in kind of without any kind of input from the other side, without any kind of input that, perhaps, there is objections to some of this language. And that's the reason why we didn't pass it during regular session.

So, thank you, Mr. Speaker, and I will not be supporting the bill this evening.

(Deputy Speaker Ryan in the Chair.)

DEPUTY SPEAKER RYAN:

Thank you, Representative.

Representative Klarides of the 114th.

REP. KLARIDES (114th):

Thank you, Mr. Speaker, and good evening.

Mr. Speaker, I have a few questions. I'm not really sure, as some of my colleagues were on who I'm directing it to. It is on section 168 of the bill, it's the revaluation section.

DEPUTY SPEAKER RYAN:

As Representative Godfrey suggested earlier, maybe we should ask the question and then we'll see who takes it.

REP. KLARIDES (114th):

Okay. Whatever you say.

Mr. Speaker, in section 168, the bill talks about the change and the revaluation process in our statutes. In line 5688, we add the word "decrease" to the present word "increase" in real property assessment. What was the intention of this language change and this section change? Through you.

DEPUTY SPEAKER RYAN:

Representative Lopes, you've been offered as the possible person who can answer this question.

Where is he?

Excuse me. I believe we're going to refer to Representative Johnson of the 49th District.

REP. JOHNSON (49th):

Hi, thank you for your question.

One of the difficulties that I have in my district and I guess the best way is through example is that almost entirely the entire district has lost value so we are in a situation where if you have across the board decreases and you have no fair market sales. So most of the transactions have been short sales and foreclosures, you don't have a real accurate reading of what -- what is actually going on in the district with respect to fair market value.

So, as you know, you have to have some kind of a reading to back up the assessed values of the properties when you do the reval. So by having such a huge decrease in the market values what will happen in my district because I also have manufacturing in my district, the -- the values of the personal property will stay the same and so they'll be valued at a higher rate if the rest of the residential and commercial buildings go down.

So it will put unfair burden on -- on these businesses, on these manufacturing businesses and create difficulty with the mill rate going up. And so the idea by having these -- these opportunities for

doing a reval and including the word "decrease" as opposed to just increase addresses the problems that we've had with the constriction in the economy and will create a more level playing field for manufacturing businesses.

DEPUTY SPEAKER RYAN:

Thank you, Representative.

Representative Klarides.

REP. KLARIDES (114th):

Thank you, Mr. Speaker.

I thank the lady for that answer.

I guess where my confusion lies is year after year when we write new legislation we always have several municipalities that are interested in delaying their reval process. And it's always a little bit of a tug of war depending on what towns and cities want to be in there, who's interested in and -- and, as a body, we have not been completely supportive of this delay because some towns are continuously interested in delaying it. And I'm not saying that I'm for it or against it, but I know that has been a debate we've had thus far and I know that in prior legislation and prior budget, last month, this was a point of contention.

So, I guess, through you to the lady, if there was concerns about delaying reval in certain municipalities year after year, then how did we get to this "you can delay reval, basically, whenever you want" language? Through you.

DEPUTY SPEAKER RYAN:

Representative Johnson.

REP. JOHNSON (49th):

Thank you, Mr. Speaker.

There's no opportunity for delay at this point in time. What this does is it tries to address the fact that some -- some municipalities were requesting a delay 30 -- 38 municipalities are up for reval this -- this time, you know, because of the -- it's staggered so we have 38 that are up for reval this time.

What it does is it provides continuity to all the -- all the municipalities that are up for reval, and it also gives the opportunity for future municipalities that have these types of difficulties an opportunity to try and make sure that they don't have an adverse impact on one particular part of their economy or another.

DEPUTY SPEAKER RYAN:

Representative Klarides.

REP. KLARIDES (114th):

Thank you, Mr. Speaker.

To the lady, also, in line 5698, we see language that says that these increases or decreases shall not exceed five assessment years. I presume that means five consecutive assessment years; is that correct? Through you.

REP. JOHNSON (49th):

That's my understanding.

REP. KLARIDES (114th):

Thank you, Mr. Speaker.

And so if there are five consecutive assessment years that a town chooses to increase or decrease, does that mean that they can skip the sixth year and then they can do five more years? Through you.

REP. JOHNSON (49th):

No because it's prospective. So if you decide to do the five years, then what you have to do is you have to say you're going to do the five. If you pick one of those options where you're going to do the five years, then you're going to do that for five years. And then when you get through with that cycle because you've been progressively changing the amounts each -- each of those five years, then you have to begin all

over again.

DEPUTY SPEAKER RYAN:

Representative Klarides.

REP. KLARIDES (114th):

Thank you, Mr. Speaker.

And I -- and I just -- that explanation makes sense but I guess the language in this is not as clear as your explanation was because it says "shall not exceed five assessment years." It doesn't say five assessment years total, it doesn't say, you know, five assessment years in the aggregate. It just says "five assessment years." It doesn't say you can't do it again.

REP. JOHNSON (49th):

It -- let me just say -- I didn't mean to interrupt you but there are -- there are three different phase-ins so you -- it depends on which one you're selecting.

REP. KLARIDES (114th):

Through you, Mr. Speaker --

DEPUTY SPEAKER RYAN:

You still have the floor, Representative --

REP. KLARIDES (114th):

Thank you.

The three different phases so give me an example of one where that language is definitive that there is five years and only five years only total. Through you.

DEPUTY SPEAKER RYAN:

Representative Johnson.

REP. JOHNSON (49th):

It would be the -- it's the dollar phase-in; isn't it? I have to look.

The -- the other thing about it is it that the -- it may be discontinued by the legislative body, as well. So they can discontinue it or they can continue it depending on the -- that's how the OLR Report is written.

DEPUTY SPEAKER RYAN:

Representative Klarides.

REP. JOHNSON (49th):

I agree with you --

DEPUTY SPEAKER RYAN:

Oh --

REP. JOHNSON (49th):

-- that the language isn't as clear as it could be but --

DEPUTY SPEAKER RYAN:

Representative Klarides.

REP. KLARIDES (114th):

Thank you, Mr. Speaker.

So these -- the three phase-in options you're talking about: the dollar phase-in, the ratio phase-in and the ratio phase-in by property class, those three can operate in different ways insofar as the five-year time frame, is that what you're saying? Through you.

DEPUTY SPEAKER RYAN:

Representative Johnson.

REP. JOHNSON (49th):

Through you, Mr. Speaker, yes.

DEPUTY SPEAKER RYAN:

Representative Klarides.

REP. KLARIDES (114th):

Thank you, Mr. Speaker.

And through you, you're saying that the -- that the legislative body of the municipality can intervene in this five-assessment year maximum?

REP. JOHNSON (49th):

Through you, Mr. Speaker, yes.

DEPUTY SPEAKER RYAN:

Representative Johnson.

DEPUTY SPEAKER RYAN:

Representative Klarides -- Representative Klarides.

REP. KLARIDES (114th):

I'm sorry, Mr. Speaker.

DEPUTY SPEAKER RYAN:

She said, yes.

REP. KLARIDES (114th):

If the lady could -- thank you.

Well, I guess my concern as I've already expressed is when this talks about exceed five assessment years that does -- that is certainly not definitive enough, in my opinion, for a municipality to be able to go to statute and say this is what the legislature wants. And I guess, to me, if I'm the municipality and I would like to extend it further and I'm an attorney for that town, I'm going to say, Listen this says exceeds five assessment years, it doesn't say that it's consecutive -- we presume it's consecutive, okay. Then it says five years, maybe two years from now we want to do five more years.

And I -- and I appreciate the lady's answers about the different types of -- different types of phase-ins but, you know, we write legislation and this

is what happens, then we end up having trouble down the way and then we end with these, quote/unquote, loopholes, and then we end up coming back and trying to fix them and who doesn't want them fixed and who wants them fixed and the whole thing starts over and over again.

And going back to conversations and debates we've had earlier in this chamber, there are lots of good things in this bill. There are lots of things we all agree on, and there are things we don't agree on. But when we talk about working as a chamber for the best that the State of Connecticut can have, I think everybody out there watching and following what we do, elect us to come to as much consensus as possible. Nobody thinks we're going to agree on everything, you know, that doesn't even -- that doesn't happen at home, that doesn't happen at your job, that doesn't happen anywhere.

But we sit here and we write legislation, we say when we presume or we assume or that's what it look like, it could be five years or maybe it could be another five years if we wait a year in between you know that's not how you write legislation. And it's not -- and the answer for bills like this is not,

that's how we've always done it. That's not why people elect us and that's not what's in the best interest of the State of Connecticut.

Thank you, Mr. Speaker.

(Deputy Speaker Godfrey in the Chair.)

DEPUTY SPEAKER GODFREY:

Thank you, madam.

The gentleman from the extraordinary class of 1988, Representative Piscopo.

REP. PISCOPO (76th):

Thank you, Mr. Speaker, and I agree.

Thank you, Mr. Speaker.

I -- I'll be brief and I'll try not to be too repetitive because we have heard a lot of criticism on the process here tonight and -- and I agree with that. I -- I am one to criticize the process here.

Could you -- and -- and even the Majority Leader mentioned his some level of frustration here tonight with the process. But could you imagine standing here on this side of the aisle and saying, well, it's your right towards the end of the session, the ordinary session to run out the clock, so to speak, and -- and

then we go home, but we're just going to bring these bills back in a month or so after. You know that's just -- a statement like that kind puts one back. I mean talk about being frustrated. That -- there's -- there's a problem there. That's just not right.

Bills die on the first Wednesday after the first Monday in May, a bill will die, and when we get toward the end of that session, there is room for compromise. I mean I've -- I've had many from the other side of the aisle ask me not to put a certain amendment on some of their bills, and I've agreed not so that they could get their bill through. And I've gone over to members of other side of the aisle toward the end of session and -- and been successful in getting some of my bills through that way, and that's the way it works when crunch time happens. Bills die.

We had all of March and April to get these bills out when they were out of committees. We choose for some reason not to go into session. We could have done them earlier but that's what happens. I mean -- and -- and you just can't bring it back a month later. I think it's just bad press that we're setting.

This is a special session. There's no emergency nature of any of these bills. Reasons for a special

session could be the governor is looking at the -- on the horizon and he sees a -- a bad revenue estimate or he sees us getting into trouble with our budget. He or she will call us into a special session. After our region -- our region gets attack, after 911 we had to come in on a special session to streamline our homeland procedure -- security procedures and planning and things like that. Those are reasons for special sessions. We don't come into a special session to do an ominous bill on all the things that didn't pass on the last session.

Maybe we have a disagreement. There are some that want to go toward a full time legislature in this Chamber, I imagine, I vehemently oppose that and I believe in our citizen part-time legislature. Bills do die.

It -- it took me five years or so to get a little bill for retired nurses through with your help, Mr. Speaker, thank you. And -- and that's just the way it works and I'm just -- I can't be critical enough of -- with respect of this whole process so I just -- I just had to I guess vent a little here tonight and -- and I'll be voting no.

Thank you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Thank you, sir.

The dean of the Republican Caucus, Representative O'Neill.

REP. O'NEILL (69th):

Yes, thank you, Mr. Speaker.

And for the second time, if I may, a few questions to the proponent of the bill.

DEPUTY SPEAKER GODFREY:

Proceed.

REP. O'NEILL (69th):

Looking at section 2, it's gotten some discussion earlier today and this evening. First of all, I want to make sure I understand it as the language that's in the bill before us. Does the -- do the dates that are being changed only occur in 2 dash -- yeah, 2-36c? Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

This is for Representative Walker, Representative O'Neill?

REP. O'NEILL (69th):

I believe so, yes. She's the proponent of the bill I believe.

DEPUTY SPEAKER GODFREY:

There are many.

Representative Walker.

REP. WALKER (93rd):

Thank you, Mr. Speaker.

Mr. Speaker, if I may, I'd like to redirect this to Representative Widlitz.

DEPUTY SPEAKER GODFREY:

Representative O'Neill, would you please redirect your question to Representative Widlitz.

REP. O'NEILL (69th):

Okay. To the Chair of the Finance Committee, the changes that are in section 2, do they apply only to section 2-36c of the General Statutes? Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Widlitz.

REP. WIDLITZ (98th):

Through you, Mr. Speaker, I believe so, I -- I can't say with total confidence. However, since you've asked about this question -- this section, it's been bothering me that I knew we had a really good reason for changing this date. OPM had actually only requested that if it fell on a holiday or a Sunday, it be moved to the next day. We actually did substitute

language in committee because the Finance Committee has a -- a meeting, it's called a fiscal accountability meeting and we always have it after November 15th and that is a session, a joint session, of the Finance Committee, the Appropriations Committee, and OFA and OPM both make presentations on the budget. And the reason for moving that date from October to November was so that we had more up-to-date information. It would be more relevant discussion.

So I hope -- I hope -- that's not the question you asked me, but I hope that helps to clear up why we did this piece of legislation.

Fortunately, our senior administrator of the Finance Committee has a much better memory than I do and was very clear in -- in pointing this out to me so I do appreciate that help.

Thank you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative O'Neill.

REP. O'NEILL (69th):

Thank you, Mr. Speaker.

Well, actually, I was going to talk about 2-36b, which is the section of the statutes that relates to that joint meeting because in looking at the dates

that are specified in that section, first of all, it talks about no later than November 30th of each year, the joint committees having the cognizance of appropriations and finance shall meet with the secretary of Policy and Management and the director of OFA and anybody else they deem appropriate to discuss these things. But in this section it still says, in b of 2-36b, on or before November 15th, the Office of Policy -- the secretary of Office of Policy and Management and the director of the legislative Office and Fiscal Analysis shall each submit the following to the joint standing committees of the General Assembly having cognizance of -- of the appropriation budget, and so on. Consensus -- first thing, is a consensus estimate of state revenues developed in accordance with 236 -- section 2-36c.

Now, the problem that I see is that while the first step in the development of the consensus revenue estimates would terminate, at least potentially on November 10th, it would have to be submitted by November 10th. At least sometimes, at least twice every seven years, November 10th is going to fall on a Saturday or a Sunday and, of course, what immediately follows November 10th -- and I'm pretty confident we

can all agree to this is November 11th, which is a legal holiday. And I understand it that we will not see a -- a submission of anything on November 11th. That that's one of the legal holidays that would then call -- cause a roll forward to the next legal -- next day in which the government's open.

So if November 10th hits on a Saturday, November 11th is a Sunday, it's celebrated -- I guess Veterans Day is then celebrated on the following day, which is a legal holiday, which means it'll be the 13th. In a worst case scenario, they have until the 13th. We will not see these submissions until the 13th. And then on the 15th, they're supposed to get all this submitted to the committee. So they've got two days -- and now all of this happening after a three-day legal holiday so when you add these -- look at the calendar this way, the fact that all of this is supposed to be submitted to the committee by the 15th. On a lot of occasions, at least two out of every seven years, you're going to have this submission being required to be made only a couple days after the consensus revenue estimates are agreed upon or at least potentially.

But if they don't agree, what 2-36c calls for is

the comptroller to then work things out and come up with it and then, in effect, say, these are the consensus revenue estimate, which I will now ask another question.

When the comptroller, we -- I don't even know we've actually had this experience but the way the statute set up, when the comptroller is the one, who puts together the consensus revenue estimate, is that what is supposed to be submitted to the joint committees? Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Widlitz.

REP. WIDLITZ (98th):

Through you, Mr. Speaker. Even in that event, the two individual agencies or offices rather, OFA and OPM, would still give their report. So I think although it would not be ideal, I think the -- this would still -- this would still work because they still would give their presentations on the overall fiscal state of the state. Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative O'Neill.

REP. O'NEILL (69th):

Thank you, Mr. Speaker.

Okay. So then in the event that there's no agreement between OFA and -- and OPM, then the -- the actions of the comptroller are going to be, essentially, irrelevant to the session that the joint committees on Appropriations and Finance are going to have. Am I understanding correctly what's going to becoming before the joint committees? Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Widlitz.

REP. WIDLITZ (98th):

Okay. Through you, Mr. Speaker, that would be an interesting situation. I think the comptroller would -- would have certainly his or her opinion available, but I think you could still have OFA and OPM give a very meaningful discussion from their points of view.

And you -- then you would still have -- you would still have the opportunity for the -- the comptroller to validate the consensus revenue or come to an agreement. Through you, Mr. Speaker.

I do -- can see that it's a very tight schedule.

DEPUTY SPEAKER GODFREY:

Representative O'Neill.

REP. O'NEILL (69th):

Thank you, Mr. Speaker.

Well, just so everyone understands, I mean section c, as amended, would allow the comptroller, in fact, almost require the comptroller to delay the making of a consensus or the issuance of a consensus estimate until November 20th, which is past the date that's called for in the first part of b, of 2-36-b and is -- is going to allow almost -- or very, very little time if that -- if that is the consensus estimate. It looks to me looking at the statute like that's the consensus estimates, since there was supposed to be an agreement but it wasn't achieved so a consensus is going to be dictated by the comptroller, which you got to have someone make a final decision, I suppose, for this purpose and then that's going to be issued on the 20th or thereabouts, and then it is possible to get, I suppose, everything together for a meeting, a joint meeting, of the two committees, but it seems to me that that creates an extremely tight schedule as -- as you describe, one where, perhaps, it's going to be less than a week for OFA and OPM to put together their briefings, which are pretty extensive to the committees.

So, I guess, I would ask the question of given

that there was a desire to push off the dates for the reporting this -- the issuance of the joint opinions or the consensus revenue estimates, why weren't the dates for the hearings similarly delayed so that the committee would have the benefit of the information but also of OPM and OFA having an opportunity to put together a coherent briefing? Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Widlitz.

REP. WIDLITZ (98th):

Thank you, Mr. Speaker.

I think this is something certainly, if -- if we experience any -- any difficulty with something like that, we certainly could look in the future at moving that date the comptroller has to come back. But I think, you know, it is a very close time frame. But those reports -- I think the body of those reports basically can be prepared and those numbers can be plugged into the reports by OPM and OFA. It's not as if they would be starting from scratch and compiling that report. A great deal work goes into it. So I think it -- it's certainly a very close schedule. If it doesn't work out, we can certainly look at

adjusting that, but I think, in most cases, you're not going to be running into those holiday schedules moving everything up and certainly we can look at that if we think that we need to expand that time frame and would be happy to do that. Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative O'Neill.

REP. O'NEILL (69th):

Thank you, Mr. Speaker.

But my understanding was that part of -- the reason for the change in the schedule for the consensus revenue estimates being put together was to aid the joint committees of Finance and Appropriations in their review of the condition of the State's finances, and it -- it doesn't appear as -- I mean, certainly the information was fresh but I wonder whether or not it will be effectively analyzed if these estimates are delayed until the times that are set forth in the bill before us.

I guess one question I would ask is for October 20 -- with the October 25th date or the October dates because I think there's one of the 15th and another on the 25th, when the committee was having deliberations, for example, in this past year or in any of the years

since we've started having this system, was there a substantial change in the revenue estimates between October 25th and, say, November 15th or 10th? Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Widlitz.

REP. WIDLITZ (98th):

Through you, Mr. Speaker, I -- I really don't recall, there may have been, I -- I don't recall. Through you, Mr. Speaker.

And also, you know, I think there's a lot of historical trends, and so forth, in those reports that they do. When they get the revenue consensus, they -- it's -- it's not as if their starting from square one doing that report. There's a lot of historical data in there. There a lot of projections and the -- the consensus revenue certainly fits into that, but it's not as if they're starting that -- that whole presentation based on that -- that one number starting that day.

And as I said, if it -- if it appears that in practice this actually is too tight a time frame, then we would certainly look at changing it. Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative O'Neill.

REP. O'NEILL (69th):

Thank you, Mr. Speaker.

I guess one of the factors though it strikes me and it's -- that's important is that one of the things they're supposed to submit is it's item number 7. And that is an analysis of possible use of surplus funds, including but not limited to the Budget Reserve Fund. Number -- that's one of the things the committee's supposed to review. An analysis and revenue of expenditure trends and major cost drivers and including identification of any areas of concern or efforts undertaken to address such areas.

It seems like a lot of this discussion hinges very much on the most current revenue estimates to give us the most current surplus or deficit issue that we have to do deal with. And that the purpose of the meeting -- and I have attended these meeting as a member of the Appropriations Committee and it is very informative and it's really helpful in trying to prepare for the upcoming session -- but that the whole purpose of this is to educate the committee as to what's going on and that depends in large measure on

the ability, particularly, of OFA to analyze the information that -- is what this consensus revenue estimate is a big part of and really the basis is whether we're going to have surpluses, deficits, or if we have additional funds, what to do with them.

I -- I guess, I'm trying to ask, then, was there some sort of problem that occurred this year or last year with respect to the information that was given to the committees? Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Widlitz.

REP. WIDLITZ (98th):

Through you, Mr. Speaker. I don't recall any specific problem. I think we were just trying to assure that we had the most up-to-date information available. Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative O'Neill.

REP. O'NEILL (69th):

Thank you, Mr. Speaker.

Now, there was a similar -- there is a similar kind of section regarding the revenue estimates being made, I believe, it's April 15th. And of course, we know that significant revenues come in, particularly

from folks with substantial tax liability, who delay until the 15th, filing and paying -- making payments and usually those are sent by certified mail.

And I've always suspected that some people express mail their check to Hawaii and then have someone in Hawaii put it in the mailbox on the 15th of April so it takes till the 20th of April or something to get here. But, certainly, we know that there's millions of dollars, sometimes tens or even hundreds of millions of dollars that don't turn up in our post office box until the 16th, 18th, 19th, 20th of April.

Was there a reason why the consensus revenue estimates weren't delayed for the April time frame? Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Widlitz.

REP. WIDLITZ (98th):

Through you, Mr. Speaker.

I think this -- this was targeted specifically at making that meeting, to which we referred, more meaningful. Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative O'Neill.

REP. O'NEILL (69th):

Thank you, Mr. Speaker.

Well, I guess I suspect that it's -- it's likely to have the opposite effect if there is a disagreement between OFA and OPM. And we had had those disagreements in years gone by where there was substantial differences, which is why the bill that requires a consensus revenue estimates was put forward and why we have this section in law right now.

It -- it just strikes me that what's going to happen is that regardless of the consequence of people actually not knowing what the consensus revenue estimates are until after the November election in any given year probably from now on is that the committee will not be well served by having the information be delayed until just shortly before that committee meeting.

One of the things I think we should all bear in mind in when thinking about the calendar is that the November 30th meeting has to occur -- or as the date that November meeting is it by November 30th. Well, something else happens besides Election Day and Veterans Day in November, it's called Thanksgiving. And I'm assuming we're not going to want to have a meeting of the Appropriations and Finance Committees

the day of, the day before, or the day after Thanksgiving. And then there's usually a weekend that comes, there's Thursday, then there's Friday, so you use up a lot of the time between November 20th and November 30th with another holiday.

So there are going to be very few days left and it seems to me OFA, particularly, is going to be scrambling to put together its presentation for the committee. And -- and I know sitting through these presentations that even with everything under the schedule that it is now that it seems like they're struggling to get it together. They always do, but they have, at present, a lot more time to work with the consensus revenue estimates and plug those things into their program and -- and to be able to present the information to the committee.

So -- I -- I really think that I just wanted to have one more question. I don't know if this has been asked previously.

It's my understanding that there was a bill that shifted the dates when the date for reporting fell on a weekend or a holiday and that there was apparently substitute language that just delayed everything.

Was the substitute language subject to a public

hearing? Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Widlitz.

REP. WIDLITZ (98th):

Through you, Mr. Speaker, the meeting at which we provided substitute language would have been held after a public hearing. Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative O'Neill.

REP. O'NEILL (69th):

Thank you, Mr. Speaker.

I was wondering, though, perhaps, was there another bill that this language was in? Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Widlitz.

REP. WIDLITZ (98th):

Through you, Mr. Speaker, I don't believe so.

DEPUTY SPEAKER GODFREY:

Representative O'Neill.

REP. O'NEILL (69th):

Thank you, Mr. Speaker.

Well, as others have indicated, I think that process here isn't the best one, in terms of putting

this language together; that it would have been better for this language since it makes a fairly substantial change in the dates much more substantial than the original bill that did get a public hearing; that it might have been useful to have more comment by more of the people that are involved in the development of these consensus estimates and putting together the -- the information for the presentation to the committee, since that was the objective apparently of this so that we could have had a better discussion about whether or not this is actually going to work and -- and it's going to aid the deliberations of the committee or both committees, both Appropriations and the Finance Committees.

So, Mr. Speaker, I would say that I think that this, unfortunately, because it's all put together in this one bill that this piece alone jeopardizes our ability to properly analyze the State's finances and should be rejected.

Thank you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Thank you, sir.

Representative Lavielle.

REP. LAVIELLE (143rd):

Thank you, Mr. Speaker. Good evening.

I have a couple of short questions, and I guess we'll decide who to direct those to and then some comments.

DEPUTY SPEAKER GODFREY:

Proceed, ma'am.

REP. LAVIELLE (143rd):

My first question, Mr. Speaker, regards the portions of the bill that relate to energy programs is just one big general question.

So you'll -- I guess you'll tell me who to -- to whom to direct it.

As I -- I look at the different portions here, the energy audits, the GIS data sharing, the PACE programs, the Clean Energy Finance Authority, it's my impression that these were all substantially -- the bills that as they were in the last session that we did not get to vote on? Am I correct? Through you.

DEPUTY SPEAKER GODFREY:

Could you tell me who'd would you like to direct your question to? Would you like to --

REP. LAVIELLE (143rd):

I imagine it's Representative Nardello but I -- I was asking you to guide me in case I was wrong.

DEPUTY SPEAKER GODFREY:

You have to have to answer the questions I only point.

REP. LAVIELLE (143rd):

Okay.

DEPUTY SPEAKER GODFREY:

Representative Nardello, do you care to respond?

REP. NARDELLO (89th):

Through you, Mr. Speaker, yes, Representative Lavielle, that is correct.

The only difference would be the GIS mapping that you see, that was actually results of a task force that the Governor had and so those were recommendations from that task force but we did discuss GIS mapping, not exactly in the frame, but it is a result of a taskforce and we did discuss it.

DEPUTY SPEAKER GODFREY:

Representative Lavielle.

REP. LAVIELLE (143rd):

Thank you very much.

And my other question -- and I -- and I don't know to whom to direct this, Mr. Speaker, regards the education portions of the bill.

And my question here is, again, a general one.

If we look at the sections that relate to the numbers of turn-around schools, the -- types of management organizations that can be used in turnarounds, collective bargaining delay changes, deadlines for paying charter schools.

I recognize all of these language because I know -- I know the -- the education bill fairly well. And it seems to me that these are changes so minor that they could almost be construed as technical. They're very -- they're very small and I just want to verify that my impression is pretty much correct. Is there someone I could direct that to?

DEPUTY SPEAKER GODFREY:

I see Representative Walker's on her feet.

Representative Walker.

REP. WALKER (93rd):

Thank you, Mr. Speaker.

Through you, the -- the gentlelady is correct.

Thank you.

DEPUTY SPEAKER GODFREY:

Representative Lavielle.

REP. LAVIELLE (143rd):

Thank you very much.

And -- and I thank the lady from New Haven for

her answer.

I -- I do have a couple of comments. Everyone has remarked on the -- the sort of a hodgepodge nature of the subject matter in this bill. And there's another thing that strikes me that -- that reflects a number of differences in the material.

We've got some things, like the energy portions, that are just bills we, for the most part, that we didn't get to vote on. They were there. We didn't get to vote on them so they're thrown in here. We have a special session.

We have other things that are new, totally new, like the delays, the deadlines for the consensus revenue estimates. And then we have, yet, another sort of case, which is all of the different education sections, which are modifications of a bill that we did vote on and these are some minor changes, which normally we wouldn't call a special session to vote on but here they are.

And, in fact, I -- the thought did occur to me that we did the education bill so fast with so little review in the end -- that was an E-CERT -- that possibly a few things were overlooked and so this was an opportunity to recover them.

And all this to me is sort of indicative of a very disturbing trend in the way that we are offering laws to the constituents who sent us here. We've had in the past a couple of years -- I know before I got here the -- the first energy bill was something that arrived in the middle of the night. The budget bills that we've seen time and time again. Certainly, the education bill that we got around midnight of the evening before we had to vote on it here and the Senate voted on it right away but at least all three of those cases that I -- that were on the tip of my tongue were subjects that at least we knew what was coming.

If it's a budget, you know, it's a budget bill. The education bill, we kind of knew the categories before they came. We had a frame of reference. But this thing here is sort of like the mystery surprise, is it door number one? Number two? Or number three? You bite into it and you don't know what you're going to get. We arrived here and we didn't know what the subject matter was going to be. It's getting worse.

This isn't the way that my constituents think that we do government. They think -- and they've told me this, a lot of them have told me this, you come up

here and someone puts out a bill and then everybody discusses it. And people put in new ideas to it and you comprise a little and you play around with it and everyone looks at it. Some people agree and some people don't and then you vote. That's what they think happens, but it's not. Because as this trend progresses and gets, as I said, worse, what happens is something is sort of thrown at us, and I don't mean necessarily just us but probably a lot of us in this chamber, on both sides of the aisle. Thrown at us at the eleventh hour, not really for change, for review, as an E-CERT, no public hearing, no nothing, no input, it's almost by way of information. The thing we get is the thing we're stuck with no matter what we do with it and that's what our constituents have to deal with.

It's certainly disrespectful to them, but we've said that already. I guess I don't need beat that dead horse but, basically, it's for information. Here's a bill, hope you like it. If you don't, too bad. Let's vote. Okay, it's done.

And I -- I have to say, it's a travesty of the vision that most people I know have of the way government is supposed to work. And so unfortunately,

in this bill, there are some things that I don't feel I can vote for, like the deadlines for the consensus revenue estimates; and then there are some things I don't simply have a chance to review with any decent perspective because there is no time. And it's -- it's not a way that I can, then, go home and say to my constituents look, look what I've done for you, I voted for this.

So there -- these -- a lot of these energy proposals, particularly, I thought were good from the beginning. I'd like to vote for them, and I'm sorry that I can't. I have some constituents who really care about them, and I'd like to go ahead and do that. But under these circumstances, I find it impossible. It wouldn't be a gesture in good faith and it wouldn't be respectful to my constituents on any level.

So, unfortunately, and again to my regret, some of these education proposals may be good, but I don't have time to study them. I'm going to have to vote against the bill.

Thank you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

The distinguished Republican Leader, Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker.

For purposes of wrap up, ladies and gentlemen, we are concluding a very long day. And in this day, call this a special session, we've already reviewed several times sort of the procedural history, if you will, of why we are here and what we have done.

But I think it's important to note that in the bill that's before us, once again, verified with LCO, there are 26 concepts. And I say "concepts" because regardless of the sections, regardless of the fact that this bill is close to 200 pages long, regardless of the fact that it has 173 sections to it, it has 26 unique concepts. Some of them are very good.

You saw earlier how we, on this side of the aisle, were looking forward to voting, once again, I should say because we had already done so in regular session, for the conveyance bill. And there were other concepts within this multifaceted 26-concept bill that we were in favor of but there were some that we were not.

In fact, in total, as I indicated LCO indicates there were 26 concepts in this bill. And LCO verified

that six of the 26 concepts never had a public hearing, never had a public hearing. And as we wrap up not only the discussion on this bill but what we've done today, in the two bills that we voted on in this chamber, we did a total of 137 concepts. And of those 137 concepts, 46 of them did not ever have a public hearing. That's over 33 percent, over a third of what we voted on today never had the benefit of a public hearing.

Some of those things included, literally, changing the way we allow towns do to revaluation, never had a public hearing; 169 towns and cities that could potentially be affected by what we've done today, never had a chance to weigh in.

And the difficulty, for this side of the aisle, is those very bills many of which we -- we did the responsible thing in this chamber, got our business done and voted for them, but they died for whatever reason in the Senate -- were right next to bills that we were very much opposed to.

Earlier, I made the error when -- when told that the consensus revenue changes were in the previous bill, but in reality, in this bill that we're doing now, that we're changing a date from October 15th to

November 10th. Now there might be a whole host of good reasons to do that but God knows because we're changing the date of evaluating our revenue figures from before the election to after the election, you wonder why the public looks at us with cynicism.

Ladies and gentlemen, this is not the way to conduct our business. And what we are so afraid of is that we are setting a precedent here today that when we take that oath and we start our regular session every January in accordance to our constitution in the odd numbered years and complete that session in February to May, in the even numbered years, that those time deadlines mean nothing anymore; that if we want we can do whatever we want when we want. It doesn't have to be an emergency. It doesn't have to be related to implementing the budget. It could just be because we didn't get it done when we should have.

As Representative Piscopo said, maybe if that's the case, we should have a full-time legislature that meets all year long. God forbid if that happens. God forbid if that ever happened. But if we allow this to happen over and over again, essentially, that's what we're doing. People need to rely on what we do when we are prescribed to do it. And if we could change

laws willy-nilly after the fact, without public hearing, when we're telling businesses and individuals rely on the laws of the State of Connecticut as passed and debated by the General Assembly and then in an instant change it and maybe put someone out of business or harm someone, that's wrong. It's wrong; it's wrong. Yet, that's what we did here today.

Of these 137 provisions, are there some good ones? Sure there are. Do they implement the budget whether you voted for it or against it? Sure they do, but there's a lot that don't and that's not fair. It's not fair to some of the members here but, most importantly, to hell with us. It's not fair to the people we represent. It doesn't fall within the -- the concept, the notion of democracy, of an ability for the public to come and weigh in on various bills that will affect their lives.

When we can pass 137 concepts in one day and over a third of them never had a public hearing, there's something wrong with that folks.

I said it before and I'll say it again, today was not a good day for the State of Connecticut.

Thank you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Thank you, sir.

The distinguished majority leader, Representative Sharkey.

REP. SHARKEY (88th):

Thank you, Mr. Speaker.

This is just a personal note if I may.

If all goes well and things go as planned, this will, in fact, be the last time that I will be summarizing a bill as the majority leader here in the House. And I just want to say that I appreciate the confidence that my colleagues on this side of the aisle have placed in me and I appreciate, in particular, the -- the relationship that I built over the last two years with the distinguished minority leader, as well.

And with that in mind, Mr. Speaker, the hour is late. We're all tired. This is a good bill it ought to pass.

Thank you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Staff and guests, please come to the well of the house. Members take your seats. The machine will be opened.

THE CLERK:

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

DEPUTY SPEAKER GODFREY:

Have all the members voted? Have all the members voted?

If all the members have voted, the machine will be locked. The Clerk will take a tally, and the Clerk will announce the tally.

THE CLERK:

Emergency Certified Senate Bill 501.

Total number voting	130
Necessary for passage	66
Those voting Yea	84
Those voting Nay	46
Those absent and not voting	21

DEPUTY SPEAKER GODFREY:

The bill is passed in concurrence with the Senate.

Are there any -- are there any announcements?

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you -- thank you, Mr. Speaker. Good evening, sir.

DEPUTY SPEAKER GODFREY:

Proceed, sir.

REP. NOUJAIM (74th):

For a journal notation, Mr. Speaker.

Representative Frey, Representative Kokoruda, missed votes being business in the district; Representative Perillo, Representative Rigby, out of state on business; Representative Hovey due to illness.

For a transcript: Representative Gibbons and Representative Rowe, out of the chamber on legislative business.

Thank you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Thank you, sir.

For purposes of a motion, Representative Sharkey.

REP. SHARKEY (88th):

Thank you, Mr. Speaker.

Mr. Speaker, I move that we immediately transmit the bill that we just completed to the Governor.

DEPUTY SPEAKER GODFREY:

The question is on immediate transmission of the previously -- the bill we just passed, the Senate Bill 501 to the Governor.

Is there objection?

Hearing none, so ordered.

Any further announcements?

Representative Clemons.

REP. CLEMONS (124th):

Yes, Mr. Speaker, for journal transcript and notation.

DEPUTY SPEAKER GODFREY:

Proceed, sir.

REP. CLEMONS (124th):

Thank you.

For a journal notation: Representative Gentile, medical; Fleischmann, out of state; Lyddy, out of state; Luxenberg, out of state.

Transcript notation, legislative business outside of Chamber: Representatives Hurlburt, Janowski, Lesser, Backer, Dillon, Lemar, Roy, Holder-Winfield, Morris, Schofield, Reynolds.

Legislative business in the district: Representative Hamm.

DEPUTY SPEAKER GODFREY:

Thank you, sir.

Are there any additional announcements?

If not, Representative Sharkey.

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CONNECTICUT
GENERAL ASSEMBLY
SENATE

PROCEEDINGS
2012

JUNE 12
SPECIAL
SESSION

VETO
SESSION

VOL. 55
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SENATOR LOONEY:

Thank you, Madam President.

Madam President, would ask the Clerk now to call the single item appearing on Senate Agenda Number 2, Emergency Certified Senate Bill Number 501.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Senate Bill Number 501, AN ACT IMPLEMENTING CERTAIN PROVISIONS CONCERNING GOVERNMENT ADMINISTRATION, introduced by Senator Williams and Representative Donovan.

THE CHAIR:

Will you remark?

Senator Harp. Good afternoon, ma'am.

SENATOR HARP:

Good afternoon, Madam.

I move acceptance of the Emergency -- and passage of the Emergency Certified Bill.

THE CHAIR:

The motion is on acceptance and passage. Will you remark?

SENATOR HARP:

Thank you, very much, Madam President.

This bill makes adjustments to a number of dates in legislation and, for example, it requires the Child Advocate Board to submit a list of names for a new Child Advocate by July 31, 2012.

On the consensus revenue reports, it moves from October 25th to November 20th or the next business day, if either of days fall on a holiday, the date for our consensus revenue reports.

It also, this bill also allows taxpayers who have missed certain deadlines to file for property tax exemptions through the manufacturing tax exemption.

It makes a number of changes to the education bill that we passed.

It also does a number of technical recommendations that were brought to our attention by the Legislative Commissioner's Office.

It institutes a social bond program.

It allows -- it makes changes to the law allowing municipalities to ensure bonds to finance sewer projects.

It changes our insurance laws, so that the Navy Mutual Insurance Company can come into the State of Connecticut and be available to those who are in the Navy in our state.

It removes a lien from the American School for the Deaf.

It conveys various parcels of property.

It establishes an e-government program to make information more readily accessible to the people of the state.

It provides for GIS data sharing with municipalities.

And it makes a change in the low-income Energy Advisory Board, as well as a number of other changes.

And with that, Madam President, I urge adoption.

THE CHAIR:

Will you remark? Will you remark?

If not -- Senator Stillman.

SENATOR STILLMAN:

Thank you, Madam President.

Just for a point of clarification on the bill that's in front of us and the -- the sections having to do with some minor changes that are really technical in the education bill -- address just changing the turnaround process to a plan -- it is one that will be voted upon by those teachers that are hired or/and also rehired, as of the July 1st school year in whatever year that turnaround plan is moving along. And for everyone's edification, the State Board of -- of Education has already adopted all those guidelines.

And in the sections having to do with validation, I believe the statute as written is clear that there's no conflict between validation and adoption of either guidelines. The sections are purely technical changes, and I urge adoption of the bill.

Thank you.

THE CHAIR:

Thank you.

Will you remark? Will you -- Senator Kane.

SENATOR KANE:

Thank you, Madam President; good evening.

THE CHAIR:

Good afternoon, I hope, sir.

SENATOR KANE:

Yeah, I guess good afternoon. I apologize; it feels like I've been here --

THE CHAIR:

And we'll feel that --

SENATOR KANE:

-- for quite a while.

THE CHAIR:

-- about -- a lot later, too, sir.

SENATOR KANE:

Through you, just a couple questions to the proponent of the bill.

THE CHAIR:

Please proceed, sir.

SENATOR KANE:

Thank you, Madam President.

Through you, to Senator Harp, on the deadlines for consensus revenue estimates, is this something that had been bantered on -- around before, the reasoning we're -- we're moving the dates, if -- if you may, through you?

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you, very much, Madam President.

I believe that it was requested because previously there had been some holidays that had interfered with the -- the date, and so, and I believe as well, that there is some information that will be available past the original deadline that would make the consensus revenue process a little more accurate.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

And through you, to Senator Harp, are you -- are you comfortable with these dates being pushed out as it affects our ability in the Appropriations' process and -- and how we are tracking these certain estimates? Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Madam President, yes, I'm comfortable that this will actually enhance what we do and will not have a negative impact.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

I just had one more question and I -- I can't find it. The technical high school budgets, Section 28, I believe, can you just give me a, just a -- a brief overview on -- on -- on this section, through you, Madam President?

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you, very much.

I will try. Basically, the previous -- in the previous session, we created a new technical high school system board to govern the regional technical high schools, and we gave the board the authority to

approve and disapprove the budgets without modification, as proposed by the high schools' system superintendent. The bill authorizes the board to amend and approve the budget, and it requires the board to submit the approved budget to the State Board of Education and the Office of Policy and Management, following the existing agency procedures. The bill eliminates the provision that if the technical system board disapproves the budget, it must adopt an interim budget that remains in effect until the superintendent submits and the board approves the modified budget.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

And, you know, the reason I asked that question, Senator Harp, is probably more philosophical than anything else. And Senator Stillman is in the Chamber, of course, and, you know, I'd like to continue those conversations, come next session in regards to Vo-Tech versus Vo-Ag. And, you know, we have a -- a specific Vo-Tech system and we have this clarification in how they're budgeted, yet we don't treat the Vo-Ag schools in the same nature.

And I know in my district I have a regional school system that is having difficulty passing its own school budget, and the reason for that or not -- there's a couple reasons, certainly -- but one of the reasons for that is the -- the way the school system is being reimbursed by the State of Connecticut for those Vo-Ag students. And we all know what a great program they have and how many great students come out of these programs, and they attend Texas A&M and Penn State and all these wonderful universities, but the funding is not necessarily kept the same as Vo-Tech versus Vo-Ag. And I guess it's just a four-letter word that's different, with the -- the technical versus the agriculture.

So my question, I guess, is again philosophical, and I hope we can continue these conversations next session

because the receiving towns are in a shortfall for these students as compared to the sending towns and compared to what they receive from the State. So, you know, I don't know if this is something that we can create versus in line with the Vo-Tech schools, but certainly I would love to have those conversations next session in regards to funding. Through you, Madam President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Madam President, currently the Educational Cost Sharing Task Force is taking up the funding of choice schools, and there is a very ardent advocate from the -- the Vo-Ag schools on that board who actually chairs the subcommittee on choice. And in our last meeting, last week, he pointed out the discrepancy between the State's funding of the Vo-Ag schools as opposed to the Technical High Schools and has a proposal that we will be considering to bring the funding up.

So it is something that we are thinking about from a policy point of view in that task force, and I believe that given the testimony, that I'm sure you are beaming with pride when the students from that system come and testify before the Appropriations Committee. It's clear they do an excellent job, and we shouldn't do anything in my mind that makes it difficult, one, for the receiving towns to continue their commitment and, two, for the system to expand.

SENATOR KANE:

Great.

THE CHAIR:

Senator.

SENATOR KANE:

Thank you, Madam President.

I thank Senator Harp for her answer.

Thank you.

THE CHAIR:

Thank you.

Will you remark?

Senator Suzio.

SENATOR SUZIO:

Thank you, Madam President, and good afternoon to you.

THE CHAIR:

Good afternoon, sir.

SENATOR SUZIO:

If I may, through you, Madam President, a few questions to the proponent of the bill.

THE CHAIR:

Please proceed, sir.

SENATOR SUZIO:

Thank you, very much.

Madam President, through you, Section 22 of the bill provides for the payment of extra ECS money for alliance school districts, and there's been, I know, some confusion publicly about how that extra money will be justified. Many of these school districts that are alliance school districts are desperate for increased State funding, and I know that some of them are in my own Senate District, and they're concerned about whether they'll be able to use the funding to help make up their budget shortfalls or whether it'll involve all new programs and all new spending that would be the only thing allowed with this extra ECS money.

Through you, Madam President, could the proponent clarify that issue?

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you, very much.

I'm just going to say something very briefly and then I'm going to yield to the Chairman of the Education Committee.

The new funding for the alliance school districts is conditional, and as a result, it will be based upon the commissioner coming up with conditions that will make him satisfied that the new funding will help reduce the achievement gap and improve the overall scores of that district.

Senator Stillman. Through you, Madam President, if Senator Stillman would like to respond beyond that?

THE CHAIR:

Senator Stillman, will you accept the yield, ma'am?

SENATOR STILLMAN:

Yes; thank you, Madam President.

Senator Suzio, through you, Madam President, all -- this does not change the bill, which is now Public Act 12-116. This, all this does is clarify that when an alliance district receives the monies, the extra EC -- education dollars that the commissioner has already approved, based on a -- a plan that that town will put forward, this -- all this does is clarify that the dollars will go to the town and then to the board of education. It is a not -- not a direct payment to the board of education. Through you, Madam President.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO:

Thank you.

And -- and through you, Madam President, if I may, I have some related questions on the education part of the bill and specifically with Section 24. There is a change in wording on line 583, where it says provide "training," and "orientation" has been substituted for that word. I would like to ask what the significance of that change is, what orientation means as opposed to training, and why that word was changed or modified, through you, Madam President.

THE CHAIR:

Senator Stillman.

SENATOR STILLMAN:

Thank you, Madam President.

Through you to Senator Suzio, that was a recommended change by the commissioner. He felt that it was more appropriate because the -- the tech -- the actual training will be given to school personnel through the principal or -- or someone that is assigned to -- to train the teachers. So the teachers, it's -- it was -- they felt it was more appropriate to say that it's an orientation for the teachers and not a training for them. So as we know, orientation is understanding the -- the evaluation that has already -- process which has already been approved by the State Board of Education, and so it's strictly what they feel is a more appropriate terminology for the teachers. Through you, Madam President.

SENATOR SUZIO:

Thank you.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO:

Thank you.

And through you, Madam President, again, though, for me it's not so clear what orientation means. Could you elaborate a little bit more about what its meaning is in the context of this particular part of the bill, through you, Madam President?

THE CHAIR:

Senator Stillman.

SENATOR STILLMAN:

Thank you, Madam President.

Through you to Senator Suzio, the -- this is in reference to the Teacher Evaluation and Support pilot program, which is in -- so it doesn't change the underlying bill. All it does is change the word "training" to "orientation," so that the teachers who are being evaluated under the Teacher Evaluation and Support program will become oriented to the process, through you.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO:

Thank you.

Through you, Madam President, so let me ask it this way: When I think of the word "orientation" in this context, I think of it as trying to provide an explanation to the teachers as to how the system will work. Is that a -- an appropriate or accurate interpretation of the word "orientation," as it's used in the context of the bill before us? Through you, Madam President.

THE CHAIR:

Senator Stillman.

SENATOR STILLMAN:

Thank you.

Through you, Madam President, could be.

Thank you.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO:

For a minute, I thought I was talking to Senator Daily, with that laconic response.

Through you, Madam President, regarding -- just a few lines down farther, in Subsection 6, it talks about providing funding for the administration of the Teacher Evaluation Support program developed by the local or regional board of education.

Regarding that, my question is: How will the appropriate level of reimbursement be determined for each district? Will there be a strict formula? Will there be individual applications associated with each district detailing the specifics to the cost? Exactly how will the appropriate amount of funding be determined to put into effect the -- the new evaluation and support programs under this bill? Through you, Madam President.

THE CHAIR:

Senator Stillman.

SENATOR STILLMAN:

Thank you.

Through you, Madam President, to Senator Suzio, there is no change. This is -- this is existing law. We're not changing the Bill 12-116, which we -- Public

Act 12-116 -- which we passed previously, overwhelmingly in this Chamber. I believe you supported it as well, Senator Suzio.

SENATOR SUZIO:

Uh-huh.

SENATOR STILLMAN:

So the amount of funding will be determined by the commissioner. Through you.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO:

Thank you.

And through you, Madam President, as -- as Senator Stillman correctly noted, I did vote for the legislation, and I -- I'm happy I did so. But I've been being -- I've been asked questions by certain people regarding this topic, and I've not been able to at least feel like I can adequately explain how the appropriate level of funding would be determined, and I was wondering if the good Senator could.

I understand that the commissioner is going to determine that, but, again, has he got -- does the good Senator have an understanding with the commissioner as to exactly the approach he's going to take with respect to the application for funding under this particular part of the program? Through you, Madam President.

THE CHAIR:

Senator Stillman.

SENATOR STILLMAN:

Thank you.

Through you, Madam President, to Senator Suzio, that would be a -- a question that I think is -- is better answered by the commissioner directly. As you know, this bill that's in front of us doesn't have the entire educational bill --

SENATOR SUZIO:

Right.

SENATOR STILLMAN:

-- here. That question could be in part of the -- the answer to your question could be in -- in the original bill, so I'm sorry I don't have it in front of me. It is, as I said, it is not part of the discussions, the formal discussions, I should say, on this bill that's before us today.

But it is -- does lie within the commissioner's purview as well as the State Board of Education. They will work together. Depending on the size of -- this is a pilot program and will eventually become a program for all schools in another year, but they will determine, depending on the size of the school and how many teachers, et cetera, through you, Madam President.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO:

Thank you.

And there's just one other section of the proposed legislation I would have some questions on, which I would like to, if I may, refer back to the original proponent of the bill, through you, Madam President.

THE CHAIR:

Senator --

SENATOR SUZIO:

And this, this --

THE CHAIR:

-- Harp, will you prepare yourself, please?

SENATOR SUZIO:

Thank you.

This regards to Section 154, which let me see if I can -- Section 154 deals with the program for energy audits of oil-heated homes, and I know that a part of the provision eliminates the cap on the subsidy, which it currently was -- is half-a-million dollars a year. And I would like to ask the proponent what if -- if the cost of the program exceeds the current cap of a half-a-million dollars a year, how will the extra funds be paid for? Through you, Madam President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you, very much.

It's my assumption that if the program exceeds the amount, then it will basically have to -- and even though there is no cap, per se, on the -- so I'm assuming that once they run out of money, the program stops.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO:

Through you, Madam President, perhaps I misunderstand, but let me see if I can find -- I thought that the wording -- I know according to the OLR analysis, quote, The bill eliminates the subsidy cap until August 1st of 2013; and they're referring to the half-a-million-dollar subsidy cap. So I presume that there's an open-ended potential for increased cost,

and I was wondering how that is being accounted for as the budget is being balanced. Through you, Madam President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you, very much.

I believe this comes out of a fund and is not a General Fund cost. So I'm assuming that the fund has more than $500,000 in it. But I would also say that once the fund runs out of money, then the program will have to end.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO:

Thank you.

Basically, Madam President, those are my questions. And I thank the proponent and Senator Stillman for her -- their answers and their patience with my questions.

And I thank you, very much, for the time.

THE CHAIR:

Thank you, Senator.

Will you remark? Will you remark?

Senator Boucher.

SENATOR BOUCHER:

Good afternoon --

THE CHAIR:

Good afternoon.

SENATOR BOUCHER:

-- President -- President Wyman. It's a pleasure to see you this afternoon. It was just a beautiful ceremony today that we all enjoyed.

THE CHAIR:

I'm sure it was.

SENATOR BOUCHER:

I have a few questions on this particular, smaller bill, particularly given that these 200 pages have only been before us just for a couple of hours and were added to the 600 pages of the larger bill that we're going to discuss, nearly, oh, 800 pages of new information that is difficult to absorb in any certain day.

But on this smaller bill, I do have a couple of questions, if I can, on the various components. And, in fact, I was just given the Office of Fiscal Analysis report on the bill which should help, but it raised a few other questions as well.

So, through you, Madam President, may I please --

THE CHAIR:

Please proceed.

SENATOR BOUCHER:

-- form a -- thank you.

Through you to the proponent of this particular bill, in Section Number 2, Deadlines for Consensus Revenue Estimates, it moves the date from October 15th, currently, to November the 10th, almost three weeks. And it certainly raises the questions of why. Why would one want -- I could understand if we were moving it a couple of months or what have you, but we're just talking about three weeks, and it seems to coincide with before an election and after election. So,

through you, Madam President, may I please ask the question of why this date change was proposed?

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you, Madam President.

I don't believe that the date changed had anything to do with elections. I believe that around November 18th of every year the OPM and the Office of Fiscal Analysis come to the Appropriations Committee and the Finance Committee to give a state of the State budget. And I think that one of the thoughts around moving the date is moving the consensus revenue closer to the time that they both provide those reports to the committees of cognizance. And so I -- I don't think there was a political reason for doing it; I think they wanted to have a more accurate number, closer to the time that they report to both of the committees of cognizance, around where we are in terms of our budget and our revenue.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Thank you, Madam President.

And thank you for the very clear answer on the rationale possibly to make this change.

I had another question on another part of the bill that was in Section Number 129. It was a moratorium on the affordable housing land use appeals' procedure for one of our cities in Connecticut, and it begged the question to me, Madam President, of how many moratoriums can a town receive. Since, unfortunately, I don't have the actually language before me, I just have the summary and the Office of Legislative Management's explanation of the bill -- so the actual language isn't there -- and I was concerned about the

number of moratoriums, and there was no limit placed on that. It did say this would be for one year, but is it possible for a community to receive more than one?

So the question, through you, Madam President: How many moratoriums can a town receive, any town in Connecticut, and what are the parameters for a moratorium to be granted, through you? Because I do believe it involves a very controversial statute in Connecticut, 8-30g that we all hear about on -- on a regular basis from our communities; there's quite a bit of controversy over this language. So it would be good for us to know and get clarification of, first, what are the parameters for a moratorium and how many moratoriums could be given to a particular community? Through you, Madam President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Madam President, I'm just going to see if I -- I really don't have expertise in this area, but I'm going to tell you what I know. The Affordable Housing Appeals Procedure is a special judiciary, inclusionary zoning procedure for challenging a zoning denial of an affordable housing application in towns in which there are fewer than ten percent of housing units that meet long-term, affordability criteria. Towns in which there has been a particularly large amount of construction of new housing meeting the affordability standards of the act, usually equal to about one-and-a-half percent of its housing stock, can obtain a four-year moratorium from the use of the Affordable Housing Appeals Procedure in their town.

So far, there are only three towns who have received a moratorium, and Trumbull received a second moratorium based upon deed restrictions, not new construction, which has expired. And Darien is in its initial moratorium; so, so far, there are only three that have achieved this. Berlin has done an excellent job and is very close to meeting the goal that was set, which I believe is about the one-and-a-half

percent; they're about one or two units away from that. And as a result, because they've done such an excellent job moving this policy forward, this amendment addresses their very unique situation and allows them to apply for a second one.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Madam President, I thank the good Chairman for her answer. For someone that professed to not be as familiar with this, the answer was very detailed and explained it very well.

I do have another question or two on this particular bill, and the next question is in Section 138, teacher professional development and IEPs, through you, Madam President. In this -- in the recently received Office of Fiscal Analysis report, it mentioned that this particular section should not have a fiscal impact; however, when reading the summary, it does add additional types of professional development that local and regional boards of education are required -- not suggested or may offer -- but are required to offer their certified employees regarding special education students. It requires boards to offer professional development that includes training in various subcategories. And so it -- I don't know that it is a cost to the State in any way, but I'm -- I'm -- I need to be convinced, through you, if I may ask the proponent of this section if they could explain how this would not be an additional burden or mandate on local boards of education. Through you, Madam President.

THE CHAIR:

Would you like the -- can we refer that to the -- to the Senate Chairman of Education?

SENATOR BOUCHER:

Whoever you think might be the best person to answer that particular question.

THE CHAIR:

I -- I would never choose; I think both people are very adequate but -- and -- and done their best. But I'll go with Senator Stillman, at this point.

SENATOR BOUCHER:

Thank you, very much, Madam President.

Section 138, teacher professional development and IEPs.

SENATOR STILLMAN:

Thank you.

Madam -- through you, Madam President, to Senator Boucher, this makes no change; it's in -- the fiscal note, that I have in front of me, indicates that there will be no fiscal impact, so there is no additional cost. I believe -- and I apologize; I'm trying to turn pages here -- what this change does is actually bring the IEP bill that we passed earlier and its training component, and it actually now makes a technical change that references the Public Act Number of 12-116, but it also does require training in the implementation of student IEP programs, communication of individualized programs, et cetera, for certified employees with an endorsement in special education.

So this references higher ed; this is not within the school, itself. It references training that's appropriate for a teacher who is -- who is studying special education and its related services. Through you, Madam President.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Yes; thank you, Madam President.

And I think -- I thank the good Chairman for her answer.

It may be that she may have the actual language in front of her; however, the summary that we did receive did not seem to identify this language with higher education. I do know that our higher education -- and appropriately so -- teacher programs are now going to be concentrating, at least having some training in special ed, because in all classrooms that teachers are going to encounter those needs in their classroom, it should be trained.

This, to me, appeared to be more at the school level, that in -- and that there was requirements of two components, that there would be training in the implementation of student individualized educational programs, IEPs, and to the communication procedures to parents and guardians of students, which I was under the assumption we were already doing most of that right now but that this may be something in addition. And that was my question, not so much that possibly that it would affect the State Department of Ed or any funding that we might provide education but it, in fact, it might actually add additional cost at the local school level. And those were the reasons for my questions. But thank you, very much, Madam President.

I will go on to my final inquiry, if I could. Through you, I have a question regarding a special capital reserve funds, acronym S-C-R-F-s, for bonds. And I would like to discuss this a bit in -- in both the description of what this is, and what caught my attention was that these bonds, secured by S-C-R-Fs are not backed by the State's full faith and credit and the State undertakes a contingent liability for bonds by allowing the authority to establish these funds.

So, of course, that immediately raised an eyebrow with me, any time that we put the State under any kind of riskier situation than we currently are. Because as you well know, we're already been downgraded by rating agencies; we are at a very high bonding rate, and we are in a difficult financial situation in the state.

So I would like, if I could, through you, Madam President, a more-thorough, detailed discussion, first of description of what these are and, again, to discuss the State's liability and the fact that it is not backing these by the full faith and credit and wondering if that does anything to the cost of going in this direction. Through you, Madam President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you, very much.

These are bonds. I -- you used the initials, so I'm assuming that you're talking about Section 158?

SENATOR BOUCHER:

Yes. Oh, I am so sorry about that; I should have referenced. I'm actually talking about Section 161, what -- it could have been preceded earlier, but I'm actually referencing 161, special capital reserve funds.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you, very much, Madam President.

Basically what this bill does is to allow the Clean Energy Finance Investment Authority to issue bonds, up to $50 million, that are backed by a special -- a special capital reserve fund account. And I believe that these accounts are dollars that come in through a special fund that we used to call the conservation -- wait a minute; let me see if I can dig out of my memory what we used to call it -- I think it was the Clean Energy Fund.

And so what this does is to, I believe, is to maximize our ability to get dollars out there by using the fund

to leverage the bond dollars, and so that will -- I believe ultimately the reason that we're doing it is to get more dollars out there for clean energy product -- projects that would have had to wait on the fund, itself, to sort of refill. This allows us to borrow against those dollars is my understanding, Madam President.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Thank you, Madam President.

And to clarify, then, it's creating a -- a pool of funds from bonds that -- will they be replenished by some other revenue source? Through you, Madam President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Could you hold on for a minute? Because I want to answer the question correctly, and I'm going to have to get some technical --

THE CHAIR:

The Senate will --

SENATOR HARP:

-- information.

THE CHAIR:

-- stand at ease.

(Chamber at ease.)

SENATOR HARP:

Through you, Madam President, I think I have it --

THE CHAIR:

The Senate come back to order.

Senator Harp.

SENATOR HARP:

-- straightened out. The money comes from our electric bill, through the renewable energy assessment that is on that bill and goes into that fund. They back the SCRFs. If there is not adequate dollars, I've been told, the -- then we are required as a state to basically fund those in the next year. And the reason that it's done is to provide low-cost bonding for these projects.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Thank you, Madam President.

And I believe that we all do feel the additional assessment and have seen that on our electric bills; most people have seen them.

My concern is that if this fund is funded by those assessments in our electric bill, the rationale for having to have another source or bonding -- or is it to start up projects in advance of filling that; in other words, doing the projects before the money is actually filling the fund account and then hopefully being paid back by the various assessments on our electric bill? Through you, Madam President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you, very much.

Through you, Madam President, I -- I've also been told that for all of our quasi-publics, for all of the bonding authority we use the same mechanism, so that it's really a mechanism to assure that when they bond for projects -- and I don't know about you, through you, Madam President, but in my area, there are a number of projects that have been waiting from sometimes decades to get accomplished because we haven't had the resources -- this gives us another resource to leverage the dollars that we have so that we have access to a greater amount of dollars. And it's commonly used for all of our quasi-public authorities.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Thank you, very much, Madam President.

I don't know if our esteemed Chairman of the Appropriations Committee knows the answer to this, but do our -- our bond rating agencies approve of these types of accounts -- I'm going to call them SCRFs -- and does it impact their decision making with regards to the rating of our bonds? Through you, Madam President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Madam President, I'm going to say that since this is a common practice, that bonding agencies do approve of it. To my knowledge, there has not been a problem because it's bonded outside of the state and not with our full faith and credit, I would assume that it does not affect our credit rating.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Thank you, very much.

And I thank the good, esteemed Chairman for her answers.

And I believe that that was going to be the final question, but I notice here that I had one more; and this is, indeed, the final question, having to do with Sections 168 through 170, the reevaluation phase-in. And it appears that this is a slight departure from our current practice. In the past, we were able to approve towns phasing in all or part of an increase in property assessments after property evaluation, up to five years. In this case it appears, if I'm reading this correctly -- again, we're all just learning this language today -- and I just want to confirm that this particular bill phases in all or part of a post-evaluation assessment that -- that decreases and establishes a three-phase-in method that is comparable to the existing method for assessment increases. So, in other words, rather than phasing in an increase, this will also phase in a decrease, and as such, the public or business would not feel the effects of reduction in cost of their property taxes right away; it would take awhile for them to do; so through you, Madam President, just for confirmation that I'm reading this accurately.

SENATOR HARP:

Through you --

THE CHAIR:

Senator --

SENATOR HARP:

-- Madam President, my esteemed colleague is reading it correctly.

THE CHAIR:

Thank you.

Senator Boucher.

SENATOR BOUCHER:

Thank you.

Thank you, very much, Madam President.

Madam President, there are -- there's much in this particular proposal that is very agreeable and makes sense and should be done. There's a few areas where we may have some trouble or disagree with. And this particular area, for some of us, causes us a little bit of concern. Some would see this as a real unfair practice to our property holders that also complain -- and I'm sure you've received all these complaints -- when they go to the pump, their gasoline prices immediately increase, just as you might find on Bloomberg News that the cost of a barrel of gasoline just went up. And all of a sudden, they're on their way home from work, and they see that price spike. But yet every time you see a decrease in the price for a gallon of oil, it seems to take weeks for any of it to really percolate down to the pump. I would say that there's probably going to be a similar reaction to this very same reevaluation phase-in, that people that -- and some of us, including myself, have -- have felt the brunt of a reevaluation at the lowest part of the market, and we were still hit by a very high evaluation system.

So I think that from a constituent issue, this may resonate with a number of individuals, and that and the fact that, again, we're still trying to digest a lot of this -- including the other -- would give us some pause in -- in whether or not we would be fully supportive or this when it comes time to a vote.

But I really thank the chairmans of the committees for their answers and look forward to the continuing debate.

Thank you, Madam President.

THE CHAIR:

Thank you.

Will you remark?

Senator Roraback.

SENATOR RORABACK:

Thank you, Madam President.

If I may, through you, a couple questions to Senator Harp.

THE CHAIR:

Please proceed, sir.

SENATOR RORABACK:

Thank you, Madam President.

The -- the first question I have is more in the nature of a general question. I'm looking at this bill and trying to determine if there's any unifying theme to the bill.

And through you, Madam President, to Senator Harp, were there any criteria that were employed in determining what to include in this particular bill? It looks like kind of a hodgepodge of themes and priorities. And I was trying to understand, through you, Madam President, to Senator Harp, if she participated in -- in fashioning the contents of this bill. And if so, what was deemed appropriate to be included? Through you, Madam President, to Senator Harp.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Madam President, I think that most of the things that are included in here had date changes that would impact the way in which either an agency or an organization or a town or a city could operate, so

most of these were about sort of taking care of date issues.

As you know, the conveyance bill didn't pass. There were a number of conveyances that were very important to municipalities that we felt was important to include in a bill. And so I think that they were things that leadership basically felt couldn't wait or it would be inadvisable for them to wait until next session, through you, Madam President.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Madam President.

So what I'm hearing is that, for the most part, it was things that were deemed to be time sensitive that made the cut and were included in this bill.

And I'm looking at Section 128, and I'm just reading the fiscal note because sometimes the fiscal note is easier to comprehend than the -- the language of the bill. And Section 128, according to the fiscal note, allows OPM to enter into a contract with a private, social innovation investment enterprise firm for certain preventive social programs. And through you, Madam President, to Senator Harp, I was wondering if she could shed additional light on what -- first of all, I'm not sure I know what a private, social innovation investment enterprise firm is, but I'll bet Senator Harp does know what one is. And through you, Madam President, to her, I was hoping maybe she could teach me.

THE CHAIR:

Senator Harp, will you please teach the Senator?

Thank you.

SENATOR HARP:

Thank you.

Through you, Madam President, and I am really hoping that I get this right. But typically social innovation enterprises have only occurred in a few states in the United States, but they are common in Europe. And my understanding is that what it allows is for an investment to be made in a specific project that has agreed-upon outcomes for results. And if the results are met, then there is a -- then there is a slight earnings by the -- the enterprise, by the social innovation investment enterprise.

And so in this particular case, through you, Madam President, there was interest from the federal government to pilot that model on reentry programs, setting up agreed-upon criteria for the outcome in terms of the reduction of recidivism, I believe, that would then get the investment of one of these enterprises. And should they meet the mark, after they've invested the dollars in this, then they would be afforded a slight -- they would earn on what they've actually invested in the project.

If they, on the other hand, don't meet the agreed-upon outcomes, then everything that they've invested, they will lose.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Madam President.

I appreciate Senator Harp's giving me private social innovation investment enterprise 101, but I'm -- and it's real -- I'm embarrassed to say I'm not familiar with these entities. But it sounds like it might be a private company that we look to, to perform a public function, and then if they achieve what they advertise, we might give them a kicker for performing in a way that meets our expectations. Am I understanding that correctly, Madam President, through you to Senator Harp?

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Madam President, there is an agreed-upon amount that the organization will earn if they reach the outcomes that have been agreed upon.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

And I'm just trying to figure out, would -- would the entity -- on line 3378, there's reference to investors, and I'm not sure whether investors -- I don't understand whether this entity is a for-profit concern or whether it's a not-for-profit concern. And if it's a for-profit concern, whether -- well, let me -- let me ask that question, through you, Madam President, to Senator Harp, whether she knows whether this concern would be a for-property concern or a not-for-profit concern.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you, very much.

Through you, Madam President, I'm -- I'm just checking, if you'll give me a minute. Through you, Madam President, the language is not clear. I think it can be either a for-profit or a not-for-profit. If you look at the language that starts at line 3354, it says, A social innovation investment enterprise means an entity created to coordinate the -- the delivery of preventive social programs by nonprofit service providers, which has the capability of creating a social investment vehicle, entering into outcome-based performance contracts and -- and contracting with social -- with service providers -- excuse me.

And so it -- it doesn't -- it's not really clear whether it is a -- a for-profit mechanism or -- in our discussions of this particular area, my understanding is that there are some foundations that actually are looking at doing some of this work. So I don't think that not-for-profits are precluded from acting as a social innovation investment enterprise, and the dollars that they earn then go back into the foundation. So I don't think that it has to be a for-profit, through you, Madam President.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Madam President.

And I -- and I read the definition as well, and it is -- it is a mouthful, if nothing else. And -- and if we're talking about a reentry program, I guess that could fall into the -- under the heading of a preventative social program to the extent that what's being prevented is recidivism. And what -- what I'm trying to -- it sounds like this entity would kind of oversee or coordinate the efforts of nonprofits that were charged with meeting certain missions, and if through their oversight or expertise they facilitated nonprofits achieving particular outcomes that they would be rewarded by so doing.

And I guess what I'm trying to draw out of Senator Harp, if she knows, Madam President, is kind of a -- a plain-English explanation of what we might expect if the secretary enters into a contract, without naming any names -- although I wouldn't mind names -- with whom might the secretary enter into a contract and what would we hope they would achieve, specifically? Through you, Madam President, to Senator Harp, if she knows.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Madam President, the project that has -- I've heard discussion about is a project that looks at the Adult Offender Reentry Program that currently is funded through the United States Department of Justice. As you know, we have a vigorous -- initiatives in our state to improve reentry and to reduce recidivism, and it's my understanding that what this program would do, would coordinate those efforts in a hope to make them even more -- to make them reduce recidivism to a greater degree than they already do. And we already have a very good program in our state, through you, Madam President.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Madam President.

And why; does Senator Harp know if it's a -- if the federal government wants to enter into a contract with a -- an entity in Connecticut, why it is we have to change Connecticut law in order for that to take place? Sections -- lines 3379 through 3382 say that if this process goes forward, they have to comply with existing Connecticut law about privatization, and I'm just wondering why we would have to change state law in order to enable a federal agency to contract with a -- a local entity.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Madam President, I believe that we are enabling these entities to operate in the state and the State to operate in conjunction with them. And the State is the recipient, I believe, would be the recipient of the federal resources. So I think that all this says is that in spite of all of that, there's still an expectation that the secretary will comply with our statutes regarding privatization.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Madam President.

And in -- and in reading further, it looks like the Federal Department of Justice money may be passed through OPM and that OPM kind of serves as the fiscal intermediary. So maybe we need to change our law to permit OPM to use these funds in this particular way.

So I thank Senator Harp for her answers. It's I'm -- I'm anxious to learn more about this. It sounds kind of complicated and, you know, hopefully it will achieve its stated objective.

Again, looking at the fiscal note, because it's easier to translate sometimes than the bill, itself, Sections 134 to 137 purport to grant an exemption from the insurance statutes for tax-exempt companies organized before 1880. And it says the one company to which this provision applies already falls outside the jurisdiction of the Department of Insurance. And so I'm wondering, Madam President, through you to Senator Harp, whether she knows if there's a company that already falls outside the jurisdiction of the Department of Insurance and there's only one company, why are we creating an exemption for them? Through you, Madam President.

And poor -- poor Senator Harp has to be a jack of all trades in bringing out this bill because they're, I'm sure, bills that originated in many different committees, and yet she's looked to, to have all the answers. And I'm -- I'm mindful of that and certainly appreciative if she doesn't have all of the answers at the tip of her tongue. I know she has very capable staff at the ready to whisper in her ear, so through you, Madam President, to Senator Harp.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you, very much.

And, you know, maybe staff can -- can -- can help me if I get this not as precise, but my understanding is that Navy Mutual has been operating in the state. There are a number of other states, I believe 16, that are now requiring Navy Mutual to actually be approved by their state insurance improvement infrastructure. So they believed that the same should happen here, although they have operated here for many years. And so that is why they would like to have language that would allow some oversight of our state Insurance Department.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Madam President.

And that -- and that certainly helps me to better understand that section of the bill.

And the last section that I have a question about, Madam President, is Section 154, which is the -- the energy -- the Home Energy Solution audit for oil customers. And I apologize to Senator Harp if that -- if this question has already been asked and answered; I may not have been in the Chamber if it was covered. But I was wondering if she could briefly explain to me what -- what Section 154 is changing vis-a-vis current policy in terms of using these funds to conduct audits on homes which are heated with oil.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you, very much.

I believe that, through you, Madam President, that the bill removes the $500,000 annual cap on the audits. And at some point I'm going to be yielding to the -- the committee chair.

It also basically allows a maximum charge of $99 for the consumer audit. I learned today that those are typically these days around 75, so it gives a slight increase in that. I think that in the overall energy bill, there's a real -- that -- that didn't pass, but the energy policy that we're promoting in the state is helping people get their homes to be a little more energy efficient. This allows more people to be served and more intensive work done.

And with that, Madam President, I will yield to the Chairman of Energy and Technology.

THE CHAIR:

Senator Fonfara, will you accept the yield, sir?

SENATOR FONFARA:

I do, Madam Chairman, if I could ask the gentleman to repeat the question. I was engaged in conversation; I apologize.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

No problem at all, Madam President.

Through you to Senator Fonfara, I'm just looking at Section 154 which seems to be making some changes to the home energy audit program, and Senator Fonfara's obviously the Chamber's leading authority if not the world's leading authority on the -- the workings of these programs.

But I think maybe through the assessment that we all pay on our electric bills, there's the Clean Energy Fund. And I think the Clean Energy Fund or the Energy Efficiency Fund, one of them underwrites a program

through which we encourage residential customers to get audits of their homes so that they don't waste energy. Through you, Madam President, am I right so far, generally speaking, to Senator Fonfara?

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

Thank you, Madam President.

You are, Senator Roraback. And last year, unfortunately, there was a provision added at the end of the session, when we were feverishly trying to finish up the massive energy bill that we passed, that passed unanimously. There was a provision that capped the how much money would be used from that fund for oil customers, by oil customers, and that money was -- would have run out already if we didn't have a mild winter.

And that led -- that would have led to a number of people being laid off who are currently working for oil companies who do these Home Energy Solution audits, a significant number of people. This fix, if you will, will allow for those people to continue in their work and for oil customers to continue to receive that audit through their oil -- oil company, if they so chose.

They could have another entity do it, because every oil customer is also an electric customer, and right now oil -- electric customers pay into the fund. Gas customers pay into the fund, but because oil is not regulated, they do not pay into the fund; we haven't yet figured out a mechanism for that. And so there was a belief on the part of a few that that oil customer should be -- that the audit performed by oil companies should be limited.

Fortunately, we've been able to reverse that by this language, so oil customers, if they choose to get an audit through their oil company can do so. The maximum will be $75. If you're an electric customer, it will be less. If you're a gas customer, it'll be

even less, because as a gas customer, you're paying into the fund twice, as a -- through your gas bill and through your electric bill. Through you, Madam President.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Madam President.

And that helps to -- that definitely clarifies why it is that we would allow for different prices to be charged depending on what source of energy you use to heat your home.

And through you, Madam President, do the -- do the -- I'm -- I'm guessing that what you pay for an audit isn't equal to what the audit, in fact, costs, that the audit is subsidized by the fund to the -- to -- to the degree that you don't pay for what it costs. Is that correct, through you, Madam President, to Senator Fonfara?

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

That is, through you, Madam President, that is correct. And it's pegged at the number it is because it's believed that that would achieve the highest level of participation if -- they've seen that it's over a hundred dollars, that the participation level drops off significantly. Through you.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Madam President.

And I -- and I am a -- a huge fan of encouraging residential energy users to take advantage of this program because all of us benefit when energy is not wasted, and all of us save money when energy is not wasted.

So the last question that I had was: It appears that starting a year from now there will, the cap will be reinstated, that we will at that time reinstitute the $500,000-per-year cap for audits of people whose homes are not heated by electricity or natural gas. And through you to Senator Fonfara, I was just wondering if he could explain if it's not desirable policy now to cap that amount, will it become desirable policy or is it a function of economics? Why are we going to be reinstituting the cap at that time, through you, Madam President, to Senator Fonfara?

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA:

Through you, Madam President, because this is a institution of compromise, and this is one of those examples. The hope is that we will have achieved a mechanism by which all users of the fund will be contributing through their fuel source, including oil. And under that there -- the -- the belief was and is that -- on the part of some -- that if we don't have a deadline, that we won't find the solution that we were close on finding this session but couldn't arrive at.

And I believe all parties are willing. I'm hopeful that next year we'll see language before this body that will create the mechanism for oil companies, oil users to contribute a small portion of their bill towards the fund, and then we will not see the need for a cap. Through you.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Madam President.

And I -- and I appreciate entirely the dynamic that Senator Fonfara is -- has explained to us. And I, like him, hope that a resolution can be achieved which will not limit the availability of this very worthwhile program to individuals who heat their home with oil.

Madam President, that concludes my questions, and I thank Senator Harp and Senator Fonfara.

I will say that as much as many of the provisions of this bill makes sense, the process which has given rise to the creation of this bill is less than ideal from the perspective of those of us who are only seeing it very recently. And I think we could do better in terms of having everybody at the table, but being in the minority, we've learned to count and we understand that sometimes when our votes aren't needed, our input isn't as valued as it might otherwise be. But other than that, I appreciate the answers to -- to my questions.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator, Senator Roraback.

Senator Markley.

SENATOR MARKLEY:

Thank you, Madam President.

Senator Roraback gives me a -- a kind of a lead-in to what I wanted to say, which are a few comments on the implementer bills generally, so I will spear -- spare you this later on in the evening and hope that maybe while you're fresher you'll appreciate them more; plus, I have -- I have the leaders here, anyways, with two, in some ways, are my main audience for what I wanted to mention.

Senator Roraback politely says that the process is not ideal. I'll tell a story to show how much I think the

process has deteriorated. When I was here in 1985, 1986 as Chairman of Human Services, I brought out an implementer bill that had to do with Human Services' bills. And I was a freshman chairing a committee, dependent on staff and without -- everything was new to me. And I said to the OLR fellow, who was a good friend of mine and a great help to me, So what's this? And he said, Oh, it's just a bunch of numbers. It's completely technical; don't worry about it. And then I was approached by the Department of Income Maintenance.

I had worked closely with the Commissioner Steve Heintz, a very able, very intelligent man, and he said, Gee, we have a problem at Income Maintenance, and would you put an amendment on that implementer to correct something, to make a technical correction? And I said, Certainly. And before I stood in the Chamber -- sitting in this same seat -- before the -- the bill was -- was brought up, the Democratic Leader -- who I think sat in Senator Kissel's seat -- Con O'Leary, another man I had a high regard for, walked over and stood in front of my desk and said, Senator Markley, will you swear on your honor that this amendment is purely technical? Because the idea that anything that was not technical could be put into an implementer bill was so verboten in those days. And I said, Yeah, well, they told me it was technical, Con; as far as I know, it is. And that was good enough for him, and I'm sure it was; I don't think the commissioner was up to anything either.

Well, as I've said before, I find myself back here as if I've traveled through time, and I wonder sometimes what the purpose of my return is. And I can't help but think that one part of it is to note the way and things, which things have changed. And I've seen two general changes in the process, which have nothing to do with philosophy and nothing to do with political party, so I feel very -- I feel like I can speak about them very frankly because I accuse nobody of anything.

One has been, to my mind, the deterioration of the committee process, the fact -- the -- the presence of works in progress, and so forth, and the fact that so many bills arrive at the end of the process, that I think it -- it puts the leadership in a strong

position but I don't think it serves -- serves the purpose of creating good legislation. And I think it's also hard on rank-and-file Legislators whose input is largely at the committee level.

And the second change I've seen is the transformation of the implementer bill from what was really, honestly, and truly a purely technical piece of legislation, 25 years ago -- 25 short years ago, I might say from my own perspective -- into something that it basically sweeps up everything that has not gone forward and puts it together into one bill.

And, again, I say I don't believe that this is done with bad intent; I think it's been something that has happened very gradually. In looking into the history a little bit, it sounds to me like it was perhaps more the fault of Republicans at a certain point in the process than of anybody else. None of this, who is at fault either way, doesn't seem to me to be -- matter, and what we should do about it is not entirely clear to me. But I guess what I would say is like so many problems, the first step would be to admit that what we're doing is not good. And I think that is very clear with these implementer bills, partly because not going through -- obviously in some cases they did go through the committee process but didn't pass; other things didn't go through the committee process. And, in any case, we're left with an up-and-down vote on a bill that has so many different pieces that it's impossible, really, to support it wholly or to reject it wholly. We should be voting on these things one at a time and we should be voting on them in the course of the regular session.

And I will oppose this and the other implementer that will be before us. I run the risk in doing so. I've sometimes -- I've voted no a number of times, and every now and then. I think I no-voted, no on a judge and somebody said, Oh, it's the return of Doc Gunther. I served -- I served with Doc; in fact, Doc was the last Legislator from the group I served with in 1985, 1986, to retire from the Senate. And I think I could perhaps do worse than -- than bring some of his spirit here because I think that, by and large, Doc was a serious Legislator, I think taken seriously.

Obviously you run the risk, if you vote consistently against things on a certain ground, of seeming to be a crank; it's something I'd like to avoid if I can, but I'm willing to take the risk in this particular case. I won't support a bill that comes before me in this fashion at this late date, and I wouldn't -- I won't -- I won't support an implementer bill that goes so far beyond what these bills were made to do.

And some of you were here when I was here 26, 27 years ago and I think can confirm, if you cast your minds back, the change that has taken place. And what I ask you, and especially those Legislators who have been here over the long haul, what I ask you is to consider what we have lost and think about a strategy that we can work on together to correct these kinds of errors.

The last thing I'll say, since I'm on this topic, and I'm not keeping anyone up late right now, it also reminds me of it is the first time we've been back here since the end of session last month, and that, too, was a moment of what struck me, whether I call it a breakdown of the process, it was an ending to the session that I was not pleased to participate in, even in the small way in which I was part of it.

And I think, again, we have to think about how we do things. We have to have respect for this institution which has been passed down to us for hundreds of years and try to make it a more reasonable, more effective and more dignified body than we found it when we entered. And I think that we should check what we're doing and consider it before we come back here next session, insofar those of us who are coming back here next session.

So, Madam President, thank you, very much. And I appreciate the attention of the Chamber for this exhortation.

THE CHAIR:

Thank you.

Will you remark? Will you remark?

Senator McKinney.

SENATOR McKINNEY:

Thank you, Madam President.

I rise in opposition to the bill before us, and -- and will try to keep my remarks brief and tempered. We are here to purportedly implement our State budget. Senator Markley talked about, you know, maybe the -- the first step is to acknowledge that you do have a problem. Well, maybe in part there is an acknowledgment, because this bill does not -- the bill we'll take up later does say an act implementing the State budget; this says an act implementing certain provisions concerning government administration. So at least we're not even pretending that anything we're doing in this 192-page bill has anything to do with implementing the budget.

It is 192 pages. I believe it to be 173 sections, most of which have nothing to do with one another. There's something old; there's something new; there's something big; there's something small; there's something we like; there's something we don't like. There are sections in this bill that are entirely new concepts that never received a public hearing. And I find that frightening, because none of us know exactly what those things are going to be or what they're going to do.

There are things like the conveyance bill in here, and it's disappointing to me in my 14th year where I, you know, Madam President, I don't know that the conveyance bill has ever been a partisan bill. It has been a bill that the majority and the chairs of the relevant committee, especially GAE, has always reached out to all parties and all Legislators to work on a conveyance bill, a conveyance bill that we could have and should have passed on time but, to be frank, was held hostage to the House and the Speaker's unwillingness to pass Senate Bill 1. So we're here doing it now, and we're here doing all of these bills that didn't pass during the time where we were required to pass it. And we're doing it because it's an emergency.

I listened in my office to the debate and the questions Senator Harp was asked, I believe by Senator Boucher, about the changing of the date for the consensus revenue estimates. I'm one who happens to believe that I don't think it's a coincidence that the date was chosen to come after an election in November of what our revenue estimates would be, given the fact that our own Office of Fiscal Analysis and OPM project budget deficits out into future years. But regardless of why we need to do that, what's the urgency? There is no -- no emergency to that, yet this bill says its an emergency.

There are other parts of this bill that are pretty good. There are things that were necessary to fix the education bill that we worked on. And -- and, you know, and therein, actually within this bill is a lesson for us that we don't even learn. The education bill, which was long, hard-fought, which we stood up as Senators, Democrats and Republicans, and supported in the House, Democrats and Republicans supported, and as one who does not shy away from criticism of the Governor when I think I disagree, stood up and -- and complimented and supported the work and the leadership on education reform.

But we rushed that through without everybody having seen it. And members of my caucus, all of us, but many people actually stood up on the education reform bill and said I want to vote for this. I want to be part of education reform, but I cannot in good conscience vote for a bill that I -- I have not give -- been given the time to read. And they were all right. And no one in the Circle and no one downstairs and no one on the second floor is willing to man up and stand up and say, You know what? You were right and we're sorry we rushed that bill; because there are section after section here fixing what we did in the education reform.

Just yesterday, walking out of the building I saw Commissioner Pryor, and I asked him -- because the drafts we had been given, through Senator Williams's Office, did not have the education reform fixes in it, as of yesterday. And I said to the commissioner, are we trying to make some changes to the education reform bill? And he said, Yes; they're very important.

They're very important. Well, why do we need to make those changes? Because we rushed that bill so fast, because people didn't have time to read it, and with all due respect, even the Governor at his press conference said I have agreement with the leaders that if there's things we need to fix, we can come back and fix them. Well, I appreciate that; I respect that, but if we had taken our time and done it right, we wouldn't have needed to have done that.

So the very people who could not participate in education reform because we didn't get a read-a-bill, the very people who warned that how can you know what you're voting on when you haven't read it; there may be problems, were right -- were right. And this is proof that they were right.

Yet that lesson is lost on us as we are, again, passing 192-page bill that people haven't read. How many more mistakes are in here? How many more things are we going to realize, oops, that's not the way we intended it? How many things have been snuck in this bill? We caught the language on FOIA that's in the bigger bill, that I'll discuss when that bill is before us.

There's a section in this bill, Section 128, which talks about a social innovation investment enterprise and coordinating nonprofit service providers' deliveries to preventive social programs; it actually sounds like a good concept. It almost sounds like what -- what we know works in the realm of supportive housing for people with homelessness, coordinating all the services that they have so that they will maintain permanent housing for people who are coming off of incarceration. But this concept is entirely new; it never had a public hearing. And we're allowing OPM to engage in a contract.

There's other sections in here where we say notwithstanding whatever any of the laws say, OPM can engage and hire a private or nonprofit entity to do certain things. Well, what are those laws that we're disregarding to allow OPM to do something? We don't know because we haven't read the bill and because it didn't have a public hearing.

There are parts of what were an omnibus energy bill that are in this bill. One part in particular, I like, energy audits for oil-heating homes, and we're lifting the cap. What's frustrating about that -- and I respect all of the work that the Senate Chair on Energy does -- is I implored the Senate President and the Chair in the last couple of days, why are we doing an omnibus bill of hundreds of pages that will never pass the Senate and the House? There are good parts to that bill that have unanimous support. Let's take them out; let's pass them during our session and do the right thing. And it fell on deaf ears. So here we are now doing those things.

But we've lumped all of those concepts into one bill, and it's take it or leave it. It's take it or leave it. And how did these 173 sections get in here? I don't know and not a single Republican knows because we were not including in any meeting on any implementer by anyone in the majority side or the Governor's Office, not one. And what's so shocking about that is I think whether it's Senate -- Senator Williams or Governor Malloy or myself, we have all stood up and recognized and been proud of the fact that whether it was the jobs' Special Session or education, some of the best things that we have done we have done together. And yet when we left Regular Session and we started Special Session and I was free in my public comments that I was dismayed that things like S.B. 1 and other bills didn't pass; the phone never range. The phone never rang and said we want you in these meetings.

So what I am left with? I'm left with saying if this is the way you want to do business, go ahead and do business this way. But if there's mistakes in here, it's all on you. And there are provisions in the bigger bill which might have serious consequences to public safety and other things in this state, serious consequences.

And what do you say to Legislators? We're going to wrap all these different bills and all these different concepts, 173 sections, and we're going to put them in one bill. Maybe when the next Legislature is sworn in, in January of 2013, maybe they should skip the public hearings, skip the committee process, find out

all the bills you want to do, and let's just have one big bill. It'll be like this high. Think of all the money we could save; we don't need staff for the public hearings. We don't need staff for the committees. We don't need to come in from January to June; we could just come in, you know, maybe around May 30th and spend a week drafting one thousand-page or two-thousand-page bill.

It's not okay to say we can pass laws that the public has never had an opportunity to even hear, much less even see, because we like it. It's not. It's not okay to do that.

(Senator Coleman, of the 2nd, in the Chair.)

SENATOR McKINNEY:

Mr. President, good evening. It's nice to see you.

THE CHAIR:

Good evening, Senator.

SENATOR McKINNEY:

Due to your presence, I will end my comments. No, Mr. President --

THE CHAIR:

Strictly attributable to my presence?

SENATOR McKINNEY:

Strictly attributable to your strong presence in the Senate President's chair.

No, Mr. President, again, this is, you know, it's actually frustrating to know that within this 192-page bills there are some bills that did have public hearings, that did go through the committee process, that did happen on a bipartisan basis. Because we all know -- and I've said this before -- the press loves to cover and we tend to fight about the things we disagree upon, but what doesn't get much coverage and what doesn't get much fighting in this Circle are all

the things we work together on. And an overwhelming majority of our committees do work in a bipartisan way.

And so what's frustrating is that there actually are bills in here that were worked on in a bipartisan way, that did go through a committee process, and we're given a take-it-or-leave-it approach. And many members on our side of the aisle now have to vote against some of the things that they've actually even worked on, trying to get passed into law. That is not the right way that we should be doing business.

And my two hopes are that this is the last Special Session we'll have for this Legislature and that the next Legislature and the 36 people who have the great fortune to be elected to the State Senate in January in 213 -- 2013 will agree that it's time to do business in a different way.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, just speaking briefly on behalf of the bill, obviously as has been said, it is a -- a compendium of -- of many issues, and a number of them are issues that have to do with -- with corrections, refinements that are -- that are time sensitive in order to make the process work.

So, for instance, the -- the appointment for the -- the appointment of the Child Advocate in the first section of the -- of the bill has to do with a -- a process of -- of screening and reviewing individuals and allowing time for that vacancy to be -- to be filled and that in reality we know that a process sometimes takes longer than initially anticipated, and

we need to provide for -- for -- for refining and regulating things of -- of that nature.

Another -- another issue, one section of the bill that -- that might need some clarification, some question has been raised for legislative intent on Section 152, on electronic government programs and -- and services. And in this one, Mr. President, there is the -- the intent of the section is -- is not to necessarily privatize or -- or -- or outsource work done by State employees, as some had feared, but the section will allow the Secretary of OPM to -- to enter into contracts with private or nonprofit entities who -- who can perform work that -- that current State employees may not be able to do or -- or have not done currently.

So there are a number of issues of this kind that are better in this -- in this bill. And, again, so much of it is or are elements of things that were considered time sensitive and -- and needed to be dealt with in a way that might prove problematic were we to wait until the next regular session to do.

Obviously, it is not -- not a -- a perfect process since it is a -- a sort of a compendium of subjects that are not necessarily closely related to -- to each other, but it is a response to a -- to a genuine, identified need.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Do you care remark further?

Senator Williams.

SENATOR WILLIAMS:

Thank you, Mr. President.

I rise to speak briefly in support of the bill before us, first of all to thank Senator Harp and all those who have been involved in putting this bill together.

My friend and colleague Senator McKinney on the other side of the aisle talked about efficiency, and I think half in jest in terms of proposing some alternatives. But in poignant fact, in -- in years past, whether this decade, the previous decade or -- or I dare say the decade before that, the implementer process has included many items related to the budget, in some cases items that have not been related to the budget but that have thought to be important priorities to move forward on behalf of the State.

And, in fact, we've had on occasion many implementer bills, four or five implementer bills that I suspect, if you added them all together on the initiatives in those bills or the implementation sections regarding the budget in those bills, might come close if not exceed the -- the items that we're dealing with here today in this bill and the other bill. So I do support this bill and look forward to our passing later this evening the budget implementation bill as well.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Are there any further remarks? If not, the Chair would ask the Clerk to make the Sheridan announcement to inform the Senators that a vote is in progress. And the machine will be open.

THE CLERK:

There is an immediate roll call vote in the Senate. All Senators please return to the Chamber for an immediate roll call vote in the Senate.

THE CHAIR:

Will all Senators please check the board to make sure that your vote is properly recorded? If all Senators have voted, the machine will be closed. And would the Clerk please take a tally.

THE CLERK:

Senate Bill Number 501.

Total Voting	36
Necessary for Passage	19
Yea	22
Nay	14
Absent, not voting	0

THE CHAIR:

The bill is passed.

SENATOR LOONEY:

Mr. President.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, would move for immediate transmittal to the House of Representatives of Emergency Certified Senate Bill 501.

THE CHAIR:

The question before the Chamber is the immediate transmittal. Is there objection? Is there objection? If -- if not, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, I would yield the floor to members, if there are any announcements or points of personal privilege before calling for what I hope will be a brief recess, as we await additional business from the House of Representatives.

THE CHAIR: