

Legislative History for Connecticut Act

PA 14-217

HB5597

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**CONNECTICUT
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Emergency Certified Bill Number 5597, AN ACT

IMPLEMENTING PROVISIONS OF THE STATE BUDGET FOR THE
FISCAL YEAR ENDING JUNE 30, 2015.

SPEAKER SHARKEY:

Representative Walker.

REP. WALKER (93rd):

Good -- good evening, Mr. Speaker.

Mr. Speaker, I move for passage of the Emergency
Certified Bill.

SPEAKER SHARKEY:

Question is passage of the Emergency Certified
Bill.

Will you remark, madam?

REP. WALKER (93rd):

Mr. Speaker, the -- the bill before you
implements the budget and it addresses many of the
issues that we were -- we've been discussing this --
this session.

I move adoption.

SPEAKER SHARKEY:

Question is passage -- adoption and passage of
Emergency Certified Bill 5597.

Will you remark?

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker.

Ladies and gentlemen of the Chamber, the long awaited implementer bill. By definition an implementer is put forth to implement the budget that this Legislature passed Saturday.

With fault assigned to no one but human nature, that is not typically what the implementer bill turns out to be. In this particular case we have over 200 and -- roughly 250 sections of a bill. We have approximately 300 and some odd pages.

Subjects matters ranging from true budget implementers to things that maybe were not accomplished during the session thus far. There are many things in this implementer that folks on this side of the aisle think are very, very good and, truth be told, there are many things that this side of the aisle fought to get in the implementer and some things to come out of it.

But when you look at the document as a whole, to say to the public that this document implements the budget and give them the impression that that's all it does would be a misrepresentation because it does far more than that.

Now I'm sure like every other bill there's good parts to some and bad parts to others and we always have that dilemma what do we do. I love this particular part. For instance in the implementer that's before you, the issue that we all talked about when we did the Judicial nominations is addressed for those people prospectively who are appointed to be judges when they have exceeded the age of 60 years old.

There's a pro rata system that is more fair and equitable than the one that was in place. That's a good thing. And there's so many other good things but there are a lot of bad things as well.

The good members of my caucus will take some time to point those things out. But I think it's important to note, in all seriousness, that I hope someday we get back to the tradition, we get back to the original purpose of a budget implementer in its purest form and that the budget that we pass in this General Assembly, whether it was a bipartisan budget or a partisan one, is truly implemented by the document called a budget implementer.

I'm afraid to say that we have not reached that point yet. But I think we need to be candid and

honest with the public as to what it is that is in this document so that all of us can explain our votes, those things we like and applaud and those things that we do not.

Thank you, Mr. Speaker.

SPEAKER SHARKEY:

Thank you, sir.

Would you care to remark? Would you care to remark further on the bill before us?

Representative Ziobron.

REP. ZIOBRON (34th):

Thank you, Mr. Speaker.

And I have a few questions to the proponent please, through you.

SPEAKER SHARKEY:

Please proceed, madam.

REP. ZIOBRON (34th):

Thank you very much.

I -- I've had, you know, limited time to go through the document. I've -- I've just been reviewing it based on some drafts that were sent earlier today and I have a -- a couple of comments and then a couple of questions and my first comment is I want to echo my leader's appreciation for the fix for

the judges pension. I think that was an important issue for our constituents across the state. It's not a district issue. I think it's a fairness issue across the state and I appreciate seeing that in there.

My question that I have relates to Section 254 and the armed security guards for schools. If the good Co-Chairwoman of the Appropriations Committee can answer a simple question and that is was there ever any -- any thought given to helping our veterans have some ability to also take advantage of potential employment and that's our military police that were in the service?

There's a carve out only for police officers. I think I saw something about out-of-state police officers but nothing specifically about our veterans and I'd like to know if that was ever considered in that section.

Through you.

SPEAKER SHARKEY:

Representative Walker.

REP. WALKER (93rd):

Thank you, Mr. Speaker.

And I thank the gentlelady from East Haddam for the question. I -- I do not believe that that was one of the topics. I don't think that anybody would be against it and I think it would be something that should be brought up in the next session.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Ziobron.

REP. ZIOBRON (34th):

Thank you, Mr. Speaker.

And -- and I look forward to -- hopefully if I have that honor I look forward to having that discussion with you because I think our veterans have unique capabilities that we certainly should be tapping and that's one of them.

My next question has to deal, I believe it's in Section 231, I'm not positive, as it relates to lock boxes for prescription drugs and I know we talk a lot about this. Actually over the last couple of sessions it came up in a variety of places, the Moore Commissioner, the Environment Commission, the Public Health Commission -- Committee and it specifically deals with allowing folks to dispose of their

prescription drugs in lock boxes at municipal police stations.

But for rural districts like mine that don't have a municipal police station, I'd like to know what it is my community will have to do to -- in order to abide by that law?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Walker.

REP. WALKER (93rd):

Just one moment, Mr. Speaker. I have the wrong number.

SPEAKER SHARKEY:

Take your time, madam.

REP. WALKER (93rd):

Through you, Mr. Speaker, could you ask the gentlelady from East Haddam to please reframe her -- her question to me please?

SPEAKER SHARKEY:

Representative Ziobron, could you reframe your question, or repeat it?

REP. ZIOBRON (34th):

Thank you, thank you, Mr. Speaker, I'd be happy to.

I'm looking through and of course now I've missed -- I've -- I've set aside the page so I apologize. I don't have the correct section in front of me but I know it's there and I'm hoping the good Co-Chairwoman of -- of the Appropriations has it.

But my question has to do with the lock boxes for unwanted prescription drugs. It's such an important issue throughout the state. In my district we certainly have an issue with prescription drug abuse. It leads to heroin abuse. It is not a city problem. It is definitely a youth problem all over this great state.

And I support the idea of finding an ability for our youths to be able to dispose of their prescription drugs but my concern is the mandate to municipalities that do not have a municipal police station and I think the language that I saw was municipal police station.

So I'm looking to know what small communities like mine who have a regional troop would have to do to -- in order to comply with this law.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Walker.

REP. WALKER (93rd):

Thank you, Mr. Speaker.

And to the good gentlelady from East Haddam, it is going to be voluntary throughout the -- throughout the -- the towns. They can bring the -- any of the prescriptions through the police, the fire department, any of those. So it's up to the discretion of the community but we just wanted to have the vehicle to allow them to accept those.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Ziobron.

REP. ZIOBRON (34th):

Thank you, Mr. Speaker.

And just to clarify, through the good Chairwoman, you said it was voluntary so it's not a mandate for towns to do that. Is there a grant or something available? Is there money available from the state for these communities who do have a municipal police station in order to help them help their communities get rid of these prescription drugs?

Through you.

SPEAKER SHARKEY:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, each town -- there is a grant that's available up to \$1,000 for each -- for each town.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Ziobron.

REP. ZIOBRON (34th):

Thank you, Mr. Speaker.

And -- and I appreciate that because I think we have to recognize and be truthful about what's going on in our communities and I believe that prescription drug abuse is the most pressing issue in most of our communities and how that leads directly to heroin addiction and it's really just hurting not just our cities but our rural districts as well.

In Section 225, I noticed we have an addition from the other day where we are giving a carve out for the XL Center and not having to collect sales tax on the admissions and I see that we've added the Webster Arena to that section and I'd like to understand what the purpose of that is.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, that is a -- if you'd wait one second, sir. That is the -- it's a -- it's a carve out for the Webster Arena and it is a I believe -- it frees them of the admissions tax.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Ziobron.

REP. ZIOBRON (34th):

Thank you, Mr. Speaker.

And I appreciate the good Chairwoman's answer. And I certainly understand that that's what it does. My question though, through you, Mr Speaker, is why? What is the purpose for this additional special exception for this -- for this facility?

Through you.

SPEAKER SHARKEY:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, I -- this is a finance question so I was wondering if I could let the gentlelady from Guilford answer that question if it would be all right.

SPEAKER SHARKEY:

Representative Ziobron, maybe direct that question to the Chairman of the Finance Committee.

REP. ZIOBRON (34th):

Thank you, I'd be grateful. Thank you.

SPEAKER SHARKEY:

Thank you.

Representative Widlitz.

REP. WIDLITZ (98th):

Thank you, Mr. Speaker.

My understanding of the question is why is the Webster Arena area in there. We had a provision in there for the XL Center in Hartford to be exempted from the admissions tax to generate economic activity there. To encourage more people to come. It is -- it is extending this same privilege to the Webster Arena in Bridgeport.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Ziobron.

REP. ZIOBRON (34th):

Thank you, Mr. Speaker.

And so going forward because I -- what I find is when we open the door a little bit, pretty soon it

becomes open wider and wider. So is there a process for yet another facility to come to the state asking for this ability? Where -- what is the process for this to happen?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Widlitz.

REP. WIDLITZ (98th):

Thank you, Mr. Speaker.

Through you, it would require legislative action.

Thank you.

SPEAKER SHARKEY:

Representative Ziobron.

REP. ZIOBRON (34th):

Thank you, Mr. Speaker.

And I appreciate the good woman's answer. You know I -- I had a chance, although briefly, to go through this implementer and I've watched it transform a little bit. The latest -- the latest sheet we have to go through to see which sections actually implement the budget, there was a lot of sections that did not implement the budget.

It's a very comprehensive document that deals with a lot of policy issue. There's also a very large

issue in Section 230 called Youth Service Prevention Grant Allocations where there is hundreds of thousands of dollars been allocated to cities across the state.

And I point that out because I think a lot of us, especially people who are new to the process, wonder how do you -- how does this happen? How -- how do we do this? And it's a question I -- I'll still be asking myself but I appreciate the work of everyone involved.

Of course I couldn't support the budget because we're spending money that we don't have, policies that are not beneficial to the taxpayers and citizens of Connecticut, therefore, I won't be able to support the implementer as well.

Thank you for your time, Mr. Speaker.

SPEAKER SHARKEY:

Thank you, madam.

Would you care to remark? Would you care to remark on the bill before us?

Representative Lavielle.

REP. LAVIELLE (143rd):

Good evening, Mr. Speaker.

SPEAKER SHARKEY:

Good evening, madam.

REP. LAVIELLE (143rd):

I have quite a lot of questions and comments on the implementer but I'm going to confine them to Sections 180 to 185 which concern the development of a state-run retirement plan for private sector employees and I have a couple of comments to start with and then I'll have some questions.

Many of us were somewhat disturbed by the idea of implementing this plan and I think, for that reason, in the implementer it has become a study. But it's quite what I would call an evolved study. It seems to have the resolve to arise somewhere the way that it's written.

It talks about creating a board to develop the study then basing a plan following the report of the feasibility study and then there's an implementation plan that has to be submitted by April 2016 which really implies that this is going to culminate in the setting up of a state -- state retirement plan for private sector employees.

There's a number of problems with this if it happens. We're very concerned, I certainly am, many of us are, about competition by the state with private providers in the financial sector. We're concerned

with the costs that this would entail for private companies who must facilitate access to this plan by their employees.

It's concerning that employees will be automatically enrolled unless they opt out. And it will be costly for the state to administer somewhere to the tune of \$8 million.

And then I have other questions about investment by the plan and Connecticut state government securities.

But having said all that, I have some questions about the way that this section of the bill is written through you, Mr. Speaker, for the proponent.

SPEAKER SHARKEY:

Representative Tercyak.

REP. TERCYAK (26th):

I'm ready, thank you very much, Mr. Speaker.

SPEAKER SHARKEY:

Please proceed.

REP. LAVIELLE (143rd):

Thank you so much, Mr. Speaker.

I'll begin with lines 7618 to 7623 approximately. This is in the part of the bill where it explains the questions that the study will examine. And one of the

things it says that is -- -- is that the study will aim to ensure that the plan can be not subject to or exempt from ERISA requirements.

And I'd like to ask the -- the good representative why we want to be sure that the plan is exempt from ERISA?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Tercyak. Representative Tercyak.

REP. TERCYAK (26th):

Thank you very much.

Through you, Mr. Speaker, because ERISA would preempt the state law unless we specifically said that this will be exempt from ERISA.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Lavielle.

REP. LAVIELLE (143rd):

Thank you, Mr. Speaker.

Which state law would that be?

Through you.

SPEAKER SHARKEY:

Representative Tercyak.

REP. TERCYAK (26th):

Thank you very much, Mr. Speaker.

Through you, while we have the protection so that state law is not interfered with by saying that ERISA -- that this shall not be treated as an employee benefit plan under ERISA, the state law that would interfere is what we're going to pass to create this investment plan that will not be treated as an employee benefit plan under ERISA, the Federal Employee Retirement Income Security Act of 1974, as the good speaker knows.

Thank you very much.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Lavielle.

REP. LAVIELLE (143rd):

Thank you, Mr. Speaker.

Maybe just to make this a bit clearer for anyone listening or watching, it's my understanding that when a plan is exempt from ERISA, it is less costly to administer, less exposed to liability for the state but offers fewer protections to participants in the plan than a plan that is compliant with ERISA. Is this correct?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Tercyak.

REP. TERCYAK (26th):

I don't know if I would agree that -- that it offers, in this bill with the protections that are in this bill, fewer protections than are offered under the Federal Employee Income Tax Act -- Federal Employee Retirement Income Security Act of 1974. This bill contains new protections.

Through you, Mr. Speaker, thank you very much.

SPEAKER SHARKEY:

Representative Lavielle.

REP. LAVIELLE (143rd):

Thank you, Mr. Speaker.

I know this has been a concern for Connecticut for a long time and also for a number of other states that have tried and failed so far to implement a plan like this. But I'll -- I'll move on to my next question.

In line 7636, the bill -- the bill says that once the -- the board that's created to develop the plan -- to do the feasibility study, pardon me, once they've completed the study, they shall develop the implementation of the plan.

What do we do if the feasibility study says that the plan is simply not doable?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Tercyak.

REP. TERCYAK (26th):

Thank you, thank you very much, Mr. Speaker.

If you could please, through you, Mr. Speaker, repeat the line that it is on.

SPEAKER SHARKEY:

Representative Lavielle, could you repeat the line?

REP. LAVIELLE (143rd):

Thank you, Mr. Speaker.

Seventy-six thirty-six, 7636.

SPEAKER SHARKEY:

Thank you, madam.

Representative Tercyak.

REP. TERCYAK (26th):

Seven six three (inaudible). Thank you very much, Mr. Speaker, 736 it is. This is referring to the market feasibility study and the shall is in the part that I'm reading in 7637, making sure that part of the people conducting the study and being consulted

will be qualified employers and potential plan participants and the representatives of different things. That's what the "shall" refers to that I can tell.

Thank you very much, Mr. Speaker.

SPEAKER SHARKEY:

Representative Lavielle.

REP. LAVIELLE (143rd):

Thank you, Mr. Speaker.

I thought I might be a bit off because I was working on a working draft before but actually what it says here is that after completion of the market feasibility study, the Connecticut Retirement Security Board shall develop a comprehensive proposal for the implementation of the plan.

And I just wondered if the feasibility study said it wasn't feasible we still have a shall there. Would they still have to implement one?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Tercyak.

REP. TERCYAK (26th):

Thank you very much, Mr. Speaker.

Through you, that is why line 7640, when it talks about what the complements -- comprehensive proposal shall include, it also says it would not be limited to the follow -- the goals and design features listed there and not be limited to would include sorry this plan will not work.

Through you, Mr. Speaker.

Thank you.

SPEAKER SHARKEY:

Representative Lavielle.

REP. LAVIELLE (143rd):

Thank you, Mr. Speaker.

I -- I know it's very difficult to hear in here but that -- that really wasn't my question. But I -- I appreciate the good representative's attempt to answer it and I will -- I will move on. I know it's very difficult hear.

In line 7646, which is Subsection 3 of Section 185, it says that one of the things that the study is to investigate is how do arrange for a minimum need for financial sophistication in plan participants.

So does this assume that people who are enrolled in this plan will not need to follow how the investments are made and can simply resign the

decisions about their money and their investments to the state without having to follow it at all or worry?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Tercyak.

REP. TERCYAK (26th):

Thank you very much, Mr. Speaker.

The question of need, no this doesn't assume that people do not need to follow the plan. Can people choose not to follow their investments in the plan just like many of us in this room make our choices for retirement and do not carefully follow our -- our plans every day? No but folks should not have to be Wall Street wizards in order to have a secure retirement. That is what this line refers to.

Regular people getting a secure retirement so that they can be comfortable and safe after they're no longer working so that they can participate in Connecticut's economy and afford to live here as retirees. Regular people should be able to do that. They should not have to be the wizards of Wall Street or the kings of finance.

Thank you very much, sir.

Through you.

SPEAKER SHARKEY:

Representative Lavielle.

REP. LAVIELLE (143rd):

Thank you, Mr. Speaker.

And I certainly agree with Representative Tercyak that retirement plans ought to provide a level of confidence to those who invest in them. But I don't believe that the State of Connecticut is the only potential provider that could provide that peace of mind and that it's everyone's choice.

Finally one more question. Line 7675, the study would -- would include investigating a process to determine the eligibility of an employer and to ensure -- it's line 7677 to be precise, to ensure mandatory participation by any qualified employer that does not offer its own sponsored plan to its employees.

Does this mean that it will be mandatory for businesses with more than five employees to participate in this even if no employee at the company wants to participate?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Tercyak.

REP. TERCYAK (26th):

Thank you very much, Mr. Speaker.

Should every employee opt out during the --
during the period to be opting out, then the company
will not have any further requirements of
participation until another period for opting out or
an employee choosing to opt in should arise.

But one of the things this plan does purposely,
and this refers back to ERISA, the employers have much
less responsibility and liability under this plan than
under -- then one would say under a normal retirement
plan should it be offered.

I'm sorry for going on so long, Mr. Speaker.

Through you.

SPEAKER SHARKEY:

Not at all, sir.

Representative Lavielle.

REP. LAVIELLE (143rd):

Thank you very much, Mr. Speaker.

I do actually have one final question. Is there
any provision for this study? I don't see it in the
bill myself but it -- it seems to me that a plan that
is run by the State of Connecticut were it to invest a
very high percentage of its assets in the securities -
- in government securities of the state or

municipalities of Connecticut, that there could be a potential conflict of interest.

There could be a -- an influence exerted over the price of those securities in the open markets and there could also be a lower rate of return because those would tend to be tax-exempt securities through the investors.

So I wondered if there was any attention that was intended by legislative intent here to give some thought to a limit on the percentage of the fund that could be invested in Connecticut government securities?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Tercyak.

REP. TERCYAK (26th):

Thank you very much.

Through you, Mr. Speaker, yes there was thought given to that and it is not supposed to be over-invested in Connecticut securities. These are supposed to be investments that are tracking the large -- the larger investment package of Connecticut retirement plans. For example, it is not about -- it

is not a safe haven to be selling Connecticut securities.

Thank you very much, Mr. Speaker.

SPEAKER SHARKEY:

Representative Lavielle.

REP. LAVIELLE (143rd):

Thank you very much, Mr. Speaker.

I thank Representative Tercyak for his patience and for his answers. This -- this section is still of -- of very, very great concern to me because first, while it does describe a study, the way again that the -- that this is written there seems to be absolute intent for the -- the study to proceed to implementation that's already to go by April of 2016.

The implications of the way that the objections of the study are written are many. One is that the -- everything should be done to disincentivize an employer from offering the -- this plan and from making it quite enticing for employees to invest.

This is -- this is very competitive with the entire financial sector that is a key part of Connecticut's economy. Financial advisors that I know from towns all over the state are extremely worried about this.

There is also the potential for overinvestment in Connecticut government securities and I'm glad to hear that there is some intent to think about limits but I would want to think that there would be very circumscribed clearly defined limits placed on those investment allocations.

What is really troubling is the assumption that - - that employees in the private sector ought to have this option as an alternative to a thriving financial retirement planning sector that already exists.

And in fact the way this is written, there is a moment when the bill says that it would be ideal if there were no need for financial sophistication. No need for extremely tight protections and I wonder actually whether it isn't a bit of a fool's journey.

It looks really as though this is a way of -- it's almost a slap in the face to individual responsibility, ladies and gentlemen, and a way of asking people to consign their financial future to the wisdom of the State of Connecticut and I find that troubling. I'm not sure that should really be the role.

So with that, I'll conclude, Mr. Speaker. I have a -- a number of concerns with the implementer. There

are some things that I find that are -- that are good here. But anything that celebrates the abdication of personal responsibility is -- is a bit tough to take and that's what I find happens in these sections.

Thank you so much.

SPEAKER SHARKEY:

Thank you, madam.

Would you care to remark on the bill before us?

Representative Sampson.

REP. SAMPSON (80th):

Thank you, Mr. Speaker, and good evening.

SPEAKER SHARKEY:

Good evening, sir.

REP. SAMPSON (80th):

Mr. Speaker, when we are back home in our districts, we all get, you know, questions about what our jobs are like up here, the things that we like, the things that we dislike. And one of the things I always talk about when I'm asked about things that are good and bad is the type of bills we get to vote on.

And sometimes it can be extremely difficult to make a decision on a particular bill because it might affect you and make you think that some part of it is a positive and something good that we ought to be

doing while, at the same time, there might be some negative aspect of that bill that you find troubling.

So consequently you have a tough decision on that particular bill. And that is true for bills that contain many, many sections as well and the bill that's before us I think has 250 some odd sections. And I always tell people I'll say, you know, look it is really difficult sometimes because the bill's got all of these sections and I like 100 of them and I really don't like 50 of them and some of them are okay but at the end of the day I've got to make a decision on how I'm going to vote on this thing in its entirety.

So I'm going to ask some questions about just one section of the bill because, after looking at it, I -- I thought to myself what is the one piece of this bill that I have the most trouble with that I feel like I deserve to dig deep and find out what I can about it so that I can properly inform the constituents back home in my district about why I voted a certain way on this entire bill.

So with that, Mr. Speaker, I have some questions regarding Section 159 and it's a very small section but it's not a small issue.

SPEAKER SHARKEY:

Please proceed, sir.

REP. SAMPSON (80th):

Thank you, Mr. Speaker.

The first question I would like to ask the proponent of the bill is really if they could describe for me what Section 159 is and what its purpose is.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Tercyak.

REP. TERCYAK (26th):

Thank you very much, Mr. Speaker.

Like every other section in this bill the purpose of the implementer is to provide direction for the funds that we have already passed into law to be spent for these subjects and that is what this part of the bill is for also.

Thank you very much, Mr. Speaker.

Through you.

SPEAKER SHARKEY:

Representative Sampson.

REP. SAMPSON (80th):

Thank you, Mr. Speaker.

And I thank the gentleman for his answer and I find his answer confusing because I don't see any mention of dollars and I'm wondering if this kind gentleman would be could enough to point out for me where in the section it explains how the budget would be implemented and how money would be spent.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Tercyak.

REP. TERCYAK (26th):

Thank you very much.

If I understood the question, and there was a little bit of noise, but I'll try, we passed the budget on Saturday that has the -- the money included in this. This section refers to some laws and regulations that will need supercedence in order for it to apply.

For example, many of the programs that people who -- that the consumers who will hire -- who do now and who will continue to be responsible and solely responsible for hiring and firing their personal care attendants and for setting their schedules or -- for how much or how -- how little they work, there -- this

includes sections that will have to be changed or modified or referred to in order to make that happen.

There are a few federal labor programs and one state program that apply here and that's cleaning up what we have to do to be able to make the budget that we already passed on Saturday come to life in this area.

Through you, Mr. Speaker.

Thank you very much.

SPEAKER SHARKEY:

Representative Sampson.

REP. SAMPSON (80th):

Thank you, Mr. Speaker.

A wise person once told me never to ask any questions you don't already know the answer to and I appreciate the -- the gentleman's answer but Section 159 doesn't do anything having to do with money in any way shape or form.

It's actually quite clear. It says that it would require supercedence of a law or a regulation submitted to the General Assembly for approval and I'd like to know first, through you, Mr. Speaker, what exactly a supercedence is and what we are superceding.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Tercyak.

REP. TERCYAK (26th):

Thank you very much, Mr. Speaker.

Now without going to our -- without going online to a Wiki dictionary or something or looking up things, I would believe that supercedence means that this part will count instead of that part. When one - - when A supercedes B, that means that A is what matters and has the decide -- has the decisions based on it and not in fact B.

Thank you very much, Mr. Speaker.

SPEAKER SHARKEY:

Representative Sampson.

REP. SAMPSON (80th):

Thank you, Mr. Speaker.

And I again thank the gentleman for his answer although again I knew the answer to the question. I just want to make --

REP. TERCYAK (26th):

Mr. Speaker --

REP. SAMPSON (80th):

-- sure that we were on the same page as to what this section does. And I'm going purely by the language that's before me and it understandably can be confusing because it contains some language that is not in common usage dated -- on a day-to-day basis but what it's saying is that we are superceding existing law or regulation.

And I wanted to know, and my question was, what law or regulation we are superceding with this section of the bill?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Tercyak.

REP. TERCYAK (26th):

Thank you very much, Mr. Speaker.

As part of the comments in this question was a statement that the questioner knew the answer to some of the questions he was asking. I wonder if he has the answer to this one too.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Sampson.

Gentlemen, if I could stop the question for just a second. I think both the -- the person answering

the question and asking I think it's been a little -- there's been a little bit of sarcasm on both sides. I think if we can keep it to quorum in the question asking and answering, I think we can all get a lot further along.

So with that, Representative Sampson.

REP. SAMPSON (80th):

Thank you, Mr. Speaker.

And I assure you I had no intention of being sarcastic in any way shape or form. I just believe that we have a serious section of this bill before us and I really would like to get to the bottom of it so that I can feel confident about what it does and what it says.

And from what I can tell the section basically says that we are going to take the provisions of a contract that was developed by the Connecticut State Employees Association and the Office of Early Childhood, which is a representative of the State of Connecticut, and they drafted a contract and that contract will supercede existing laws or regulation.

And I just wanted to confirm that that is indeed what this section does and if I could have that, through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Tercyak.

REP. TERCYAK (26th):

Thank you very much, Mr. Speaker.

That's much clearer and I'm better able to answer it. What will be superceded is Connecticut General Statute Section 17b-260a which deals with the acquired brain injury waiver. This will also supercede the personal care assistance wavier in Section 17b-605a.

It will also supercede the home care services to disabled persons pilot program waiver in Connecticut General -- in Section 17b-617 and the Department of -- of Developmental Services. This will supercede the individual and family support waiver programs as well as the comprehensive waiver program.

Back to the Department of Social Services, the Connecticut Home Care Program for the Elderly, CGS Section 17b-342, is not a wavier program but is a state program and that too will be superceded.

Thank you very much, Mr. Speaker.

Through you.

SPEAKER SHARKEY:

Representative Sampson.

REP. SAMPSON (80th):

Thank you, Mr. Speaker.

And -- and thanks to the gentleman for his answers. I would say that that is the first concern that I have is that when we write a section that says that we are going to supercede an existing law or regulation, it concerns me because that means that something else is going to take precedence of existing law.

That means that, in essence, we are going to potentially violate what is existing law and I think before we make an endeavor that might -- might reach -- reach into existing law for the purpose of enacting a policy, we should be very, very careful about it.

This right here is -- may be the final step in a very, very long process that has taken several years to enact a policy in this state and I've been involved in it every step of the way. And just briefly for the people that are listening, the process is the unionization of two distinct groups of folks in the State of Connecticut.

The first group are daycare providers. These people are either independent business owners that might own a daycare or they could be people that

merely take care of their own children or the neighbor's children, something like that.

And the State of Connecticut has a program called the Care 4 Kids Program. In this program, which I think is a very valuable program, the state appropriates money to put into this program for the purpose of giving to families who cannot afford to send their children to daycare.

So people apply for this program and, if they are eligible, funds are placed on their behalf with daycare providers in the state so they can send their children to daycare.

The concern I have with regard to the entire unionization issue from the very beginning with the case of the daycares is that there is some confusion about who is an employee, who is an employer, who is negotiating with who and whether or not this is a proper avenue for the State of Connecticut to get involved with.

You see the recipient of the money is the parent of the child that needs to go to daycare. The final person who gets the money in their pocket is the daycare provider but merely because they're being hired by this person.

So we decided when we passed the law in 2012, Public Act 12-33, which I remain opposed to because of this fundamental concept, that we said for the purpose of only collective bargaining that that person was an employee of the state because they were the final recipient of that money.

But, in fact, that person is in no way shape or form an employee of the state. They are merely the person who is being hired to perform a service and the idea that we would take people that own their own small private businesses and put them into a union because they were the final recipient of money that was for someone else, to this day, is something that I cannot understand.

The other group of people are personal care attendants and personal care attendants are the people that, in general I would say just to describe them, are people that might take care of someone that is disabled and, in some cases, they are family members that take care disabled people in their families.

In this case, in an effort to keep people in their own homes, the Medicaid Waiver Program was developed so that people could hire personal care attendants to help them take care of themselves, to

dress themselves, go to the bathroom, what have you, and this allowed them to stay in their homes.

But the recipient of the money from the Medicaid Waiver Program, another very important program in our state that I believe very strongly in, is the disabled person and the disabled person is the person hiring the personal care attendant.

And here again the state decided in Public Act 12-33 that we were going to say that that personal care attendant is an employee just for the purpose of -- of negotiating the amount of money that they receive.

Sorry, Mr. Speaker, my -- my sound cut out for a moment but it seems to be back.

So it's been a long road and a lot of things have happened along the way and I don't want to delve too far into the entire process. I just want to give you a sense of my feelings more than anything because this is something I said at the outset that I struggle with bills sometimes because I like parts and I dislike different parts of the bill and you have to make a decision on the whole.

Well in this particular case, I very, very strongly believe specifically in the Medicaid Waiver

Program. I believe this is something that is absolutely invaluable to the communities in our state and the people that are served by this particular program.

And it has always been the case that this Legislature had the authority to appropriate money for that Medicaid Waiver Program and we get to decide exactly how much we're going to expand that program or how much we're not going to expand that program in a given year.

I could go into the values of the program about how it allows people to keep themselves in their homes. It could potentially save taxpayers money in the long run because we're keeping people from being institutionalized and so forth.

There are tremendous advantages to this program and I have always been in favor, as I sit on the Appropriations Committee, in increasing the funds to this program because I believe that personal care attendants deserve to be paid more and I believe that the people on the Medicaid Waiver Program have tremendous difficulties making ends meet and being able to get the proper service that they can.

And I also understand that they've been before the Appropriations Committee year after year after year without any increase for a long time. But this is where it gets sticky and my point overall to this Body would be that we have always had the opportunity to increase the funding for this program.

Any time, any year, we could have put more money in the line item for the Care 4 Kids Program and the Medicaid Waiver Program but it took a union being established and not by the people themselves. No two daycare providers got together and said let's form a union and we can petition the state because they are not recipients of the money other than the fact that they are providing the service for the parent who is.

And no two personal care attendants got together to form a union. A union came to them and said we can make an arrangement with the State of Connecticut that will benefit you and that may or may not end up being the case.

But I would just caution us to think about the fact is that if the union does negotiate with the state and come up with a contract, and it does require us to increase the appropriation for this particular account or accounts, the Medicaid Waiver Program or

the Care 4 Kids Program, the fact is money is still coming out of that program that would have gone directly to those people if we had just appropriated the money ourselves and this is a tremendous concern.

As I said there is tremendous confusion about these relationships between people and this has generated litigation in every state that this has been attempted in. And so far, I don't have the exact numbers, I tried to find that today, there's maybe 15 or 18 states where this process has been attempted and it's been successful in some and that they have actually formed a union and developed a collective bargaining agreement and have negotiated with the state.

And there are other places where they did -- they failed because it did not work legislatively and, like here in Connecticut when it failed legislatively, the governors of those states attempted to enact it through an Executive Order as happened in Connecticut and in some cases that worked and in some cases that did not work.

However, since some of these have formed, there have been lawsuits and there have been labor challenges and complaints. And, in fact, there is a

major lawsuit pending in the Supreme Court where arguments were heard earlier this year.

It's called Harris v. Quinn and we expect a decision in Harris v. Quinn any day now and this has the potential to basically rewrite the history on this forced unionization issue for the entire country.

In Michigan, at the end of April, the state changed from being a -- a state like Connecticut where even nonmembers of the union are required to pay agency fees to becoming a right to work state and, when they did, the members of the union that belonged to the home healthcare aids in Michigan left in droves, 80 percent of them left the union immediately when they realized they could because they saw no benefit in it, 44,000 people left the union.

So, Mr. Speaker, I guess I would say is this the type of legislation that we should be passing? Legislation that has been challenged in the courts, continues to be litigated, is clearly creating problems in other states where the outcome is uncertain, where there is a distinct possibility that all of this may be for not and in a case when we could have just done the right thing to begin with and appropriated the money for these programs.

This is our final say on this, more or less, as a Body. And I think we should rethink whether or not it should go forward especially when making these programs a priority has always been within our power.

With that, Mr. Speaker, thank you very much.

SPEAKER SHARKEY:

Thank you, sir.

Would you care to remark? Would you care to remark? Representative Betts.

REP. BETTS (78th):

Thank you very much, Mr. Speaker.

A question through you to the proponent of the bill if I may.

SPEAKER SHARKEY:

Please proceed, sir.

REP. BETTS (78th):

To the Gentle Chairlady, if you could turn to Section 176. I'd like to ask a couple of questions dealing with the Go Back to Get Ahead Program. So when you're at that section please let me know and I'll be happy to -- are you there now, ma'am?

SPEAKER SHARKEY:

Please proceed, ma'am -- sir.

REP. BETTS (78th):

Thank you very much.

If I'm reading this correctly, I understand the -
- the motivation for this program but I just want to
be clear about it. There is an incentive to try and
get kids to complete their -- their college degree,
Associate Degree, and that incentive is to open -- is
to provide three free three-credit courses at a state
university or community college. Is that correct?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Walker.

REP. WALKER (93rd):

Through -- through you, Mr. Speaker, I thank the
good gentleman from Bristol for his question. I --
yes, as you recall, the Governor proposed this a few -
- about a couple of months ago. He believes that
there are about 7,000 people out there who have
started in the community colleges and what this is
trying to do is incentivize people to come back to
college.

It is up to three classes that people are able to
qualify for through their community colleges to
participate in and we will -- the state will assist

them in obtaining those -- those courses through this grant.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Betts.

REP. BETTS (78th):

Yes, thank -- thank you, Mr. Speaker.

Thank you for that answer and how much approximately would a three-credit course cost?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, I thank the gentleman for his question. It depends on the institution that you chose to go to. I believe it ranges from approximately \$198 up to as much as \$300 a credit.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Betts.

REP. BETTS (78th):

Thank you.

So that would be for a three-credit course, it would be approximately \$900 to \$1,000. So we're

talking about here \$1,000, so three credits, nine credits, we're talking about I believe \$10,000.

Through you, Mr. Speaker; am I correct with that?

SPEAKER SHARKEY:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, I didn't mean per -- per credit, I meant per class. So I just wanted to clarify for the good gentleman from Bristol on that -- on my error.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Betts.

REP. BETTS (78th):

Thank you for that clarification. The reason why I bring it up is I had a couple of constituents contact me when they heard about this program and for them it was an issue of fairness.

Several of them have loans in excess of \$50,000 and it is their feeling that they had worked very hard. They've been working jobs and they did not have an opportunity to be able to get a program like this and yet they're graduated, they've gotten their degree

but they're -- they're now saddled with an issue of trying of pay off maybe 60-70 thousand dollars.

These folks are -- are feeling very disenfranchised because they did all the hard work and they -- the people I talked to stayed in Connecticut. Under this program, through you, Mr. Speaker, are these students required to -- or is there any stipulation to stay in Connecticut after you get these -- after you get this degree?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Walker.

REP. WALKER (93rd):

Through you -- through you, Mr. Speaker, I think the good gentleman is asking are -- is the requirement that each person be a resident of the State of Connecticut and maintain residency in the State of Connecticut. If that's the case, I do not know about the maintain the residency in the State of Connecticut.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Betts.

REP. BETTS (78th):

Thank you very much.

I -- I know you have to be a resident in order to qualify but that was the issue -- is, you know, someone could go to UCONN, for example, they drop out, they come back, they get their degree, they get the free tuition and yet they have no obligation necessarily or requirement to remain in the state yet the state will have provided the money needed for them to be able to graduate and then they could possibly be leaving out-of-state.

So that again is another issue where, you know, you're giving out free tuition and there's really no return necessarily if they decide to move out of the state but they did get their degree on us.

Through you, Mr. Speaker, I know this money is in the budget. Could the good gentlelady tell me approximately how much money has been set aside for this program?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, I thank the gentleman for the question. There is approximately six -- there

is \$6 million in the budget for this item. But I want to clarify to the good gentleman that we're talking up to three credits and I believe that if -- in order to get an Associate's Degree, I believe it's between 35 and 60 credits in order -- just to get an Associate's Degree.

So this is not giving them a free -- a free degree. This is just trying to get people to come back where they've already been playing in the past. So in order to get people back to make sure that they understand -- and also for a lot of the businesses out there.

Many of the businesses have come up and testified to us about the fact that they have -- they need people more qualified in certain areas. So to me a business who wants to improve the quality of skills of their employees would -- I would hope try to get people to go back for an education and maybe this would help with some of those -- those items.

So I think that this is a good thing and I think the Governor is trying to make sure that we improve and employ our people to go back and -- and obtain those -- those skills that are necessary to improve

the quality of our workforce in the State of
Connecticut.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Betts.

REP. BETTS (78th):

Thank you very much to the gentlelady for that
answer. I wonder if she could just clarify. Maybe
perhaps we misheard it on this side of the aisle. Did
you mean three credits or three free three credits
which is a total of nine credits?

Through you, Mr. Speaker, because in the bill it
appears to be nine credits total.

SPEAKER SHARKEY:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, the good gentleman is
correct.

SPEAKER SHARKEY:

Representative Betts.

REP. BETTS (78th):

Thank you very much.

And I agree with the idea of the businesses
helping out a lot of employees improving their skills.

I know it's been going on in the manufacturing sector and there's been a very, very big success for this.

But again it's a question of providing free tuition and for those students who've been borrowing money, working hard and now have graduated and have very sizable loans, again they feel very disenfranchised and I also wonder whether this state is really financially able to start providing this program and sustaining it given what the fiscal forecasts are over the next couple of years.

I think it's a very important idea and a very good idea to get people to complete their degrees and I think businesses, or at least the ones I've been talking to in the Chamber, would be more than happy to invest in making sure somebody not only finishes their degree but also to upgrade their skills.

So I thank the gentlelady for -- for her answers to the questions. I just wanted to share to the Chamber that there are people who view this issue much differently than what the motivation is for this and I thank you very much for your time.

SPEAKER SHARKEY:

Thank you, sir.

Would you care to remark further on the bill before us? Representative Miner.

REP. MINER (66th):

Thank you -- thank you, Mr. Speaker, good evening. Okay now we're -- now we're on a roll. Thank you, Mr. Speaker, and good evening.

SPEAKER SHARKEY:

Good evening, sir.

REP. MINER (66th):

If -- if I might a -- a few questions to the proponent of the underlying emergency certification bill.

Through you.

SPEAKER SHARKEY:

Please proceed, sir.

REP. MINER (66th):

Thank you, Mr. Speaker.

Mr. Speaker, there's a section of the bill that deals with FQHCs. I believe it's Section 192 and what I'd like to know is we've had a number of discussions about FQHCs over the last year and if the gentlelady could tell me what the language is intended to do in that Section 192 please.

SPEAKER SHARKEY:

Representative Walker.

REP. WALKER (93rd):

Thank you. Thank you, Mr. Speaker.

And I -- I thank the good gentleman from Litchfield for this question. As he knows we've been talking many times about trying to understand how we share and fund the -- the federally qualified health centers around the State of Connecticut.

And we have asked for, at least one time, we've asked for data on who they serve, how many people they serve, what types of services they do and -- and how long their hours are and the depth of their -- their services.

And unfortunately we have not yet received that so I guess in the information that we have here before us in this implementer we are attempting to clarify a little bit better some of the things that we are looking for, especially in Approps, because as the good gentleman remembers we have been looking at rates and how we distribute the state dollars through the federally qualified health centers and we were trying to make sure that what we do is getting to the people who we want to serve.

So this hopefully will give us the information and the data that we will use to go forward with the Department of Public Health and Department of Social Services in our working group coming up this fall on the federally qualified health services and trying to set rates that are going to support them but also make sure that the people that we are here to represent get those services.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Miner.

REP. MINER (66th):

Thank -- thank you, Mr. Speaker.

And as I recall part of the funding that goes to the federally qualified health care centers comes from the State of Connecticut. I think there's a partial Medicaid reimbursement but there's also a portion which is a grant from the State of Connecticut.

Would it be the hope that the findings in these reports would help us perhaps balance in a different way what that grant from the state is to the FQHC?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, that is correct.

SPEAKER SHARKEY:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

And in Section 136 I have a couple of questions as well if I might, through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Walker.

Oh I'm sorry, this is a question directed to Representative Abercrombie?

Would that be sufficient, Representative Miner?

REP. MINER (66th):

Absolutely, Mr. Speaker.

SPEAKER SHARKEY:

Representative Abercrombie.

REP. MINER (66th):

So -- so my question in this -- in this section is it refers to private psychiatric treatment and is that language that's intended to establish what benefits might be available through private insurance plans as opposed to state-run or Medicaid reimbursed plans?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Abercrombie.

REP. ABERCROMBIE (83rd):

Thank you, Mr. Speaker.

And thank the gentleman for the question. What this is is a private facility that does services for youth and it would be done within Medicaid. So the DSS would have to apply for a state plan amendment.

Through you, Mr. Speaker. .

SPEAKER SHARKEY:

Representative Miner. .

REP. MINER (66th):

Thank you, Mr. Speaker.

And so that state plan amendment is done by the federal government?

Through you.

SPEAKER SHARKEY:

Representative Abercrombie.

REP. ABERCROMBIE (83rd):

It's done through us but it has to be approved through the federal government because it's Medicaid reimbursement.

Through you, sir.

SPEAKER SHARKEY:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

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

I just have some general comments about a few things here that are in this rather large bill that is intended to do a number of things.

One of course is implement the budget that we passed but another tends to deal with some other issues.

In Section 55 I think there's some language in there, my little cheat sheet here says metals, m-e-t-a-l-s for the Department of Veterans Affairs but my read of the -- of the language in the implementer bill, Mr. Speaker, is that there's some direct guidance as to how financial institutions will transfer those medals, war medals theoretically, as opposed to let's say coins and I think that's an important goal for the State of Connecticut to be establishing.

Sections 48 through 54 I think in both of the budgets that had been presented, both the budget that came out of the Chamber and the recommendations that

have been made from this side of the aisle, we felt that the renter's rebate program was an important initiative. I think the Governor supported that as well and I'm happy to see that that's in the implementer language.

There's also some legislation, I guess it was House Bill 5542 I think is embedded in Sections 19 through 22, and I'm not sure who can answer this question but I'll -- I'll -- I guess I'll ask it, through you, Mr. Speaker, and then who you want it directed to I would leave up to you.

So if I might ask that question, Mr. Speaker.

SPEAKER SHARKEY:

Please proceed, sir.

REP. MINER (66th):

Thank you, Mr. Speaker.

My -- my question is I believe in lines 19 -- or Sections 19 through 22, if I'm correct, that would be the language that was embedded in the House Bill 5542 and if someone could tell if that, in fact, is correct?

Through you.

SPEAKER SHARKEY:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, could the -- good gentleman -- is this about the PSA?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Miner.

REP. MINER (66th):

Yes, in fact it is, Mr. Speaker.

SPEAKER SHARKEY:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, that is correct.

SPEAKER SHARKEY:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

And I thank the gentlelady for her answer. Given the hour I think that's probably a safer place to put that piece of legislation. I know there was a lot of work spent on that bill. It's very complicated.

I think it was an effort to try and recognize that there may be some differences of opinion and not always are they related completely to service.

Sometimes it's just about money but anyway Section 19 and 22 I understand what those are.

I think Section 78 deals with the increases to the home care programs. Section 86, as I understand it, provides a little bit of a different funding mechanism for the Norwich Water Treatment Facility and I think it's one of the major treatment facilities in the State of Connecticut and while I'm not necessarily excited about that municipality getting something more than others do, I think we've all understood that maybe some assistance in that regard at this time of Norwich's life is probably a good thing.

I mean the last thing I think any of us is -- citizens of the State of Connecticut want to have is a -- a failing sewer treatment facility in a community that may not be able to pay their share of what that facility might cost to upgrade.

Sections 89 to 119 involve a number of things, Mr. Speaker, that have to do with education and I don't remember, I think it might be Section 119 deals specifically with the vocational agriculture program and I want thank the House Chair and the Senate Chair, along with the Ranking Member in the Senate and the rest of the Committee members, for supporting what I

think came out of an education task force decision almost a year ago which was recognizing the disparity in funding between vocational agriculture and magnet schools and of course charter schools.

It's not easy for us to continue to afford all these things and I understand that in -- at certain times it's difficult to do even what task forces recommend. I think this still leaves some gap between the funding of this vital program in the State of Connecticut.

They accept students from throughout the state but I think it's another step in the right direction and so I just wanted to point that out.

Section 131, unwanted meds, I know that in Environment Committee I think it was maybe two years ago we talked about an initiative that is done in many communities on a voluntary basis throughout the state. In fact I know the Connecticut State Police had a collection just this past week I think in the Town of Litchfield where people could drop off their unwanted medications.

I think most of us know that there are two problems that can occur when you have unwanted, unneeded, unused medications. One is that they can

fall in the hands of people that were not prescribed to use them. They call that the secondary market and, in some cases, it's the beginning of a drug dependency that goes on to other things.

But also I mentioned the Norwich Sewer Treatment Facility and that's the other place where things go awry I guess in the -- in nature. So what happens is you throw the drugs into the toilet, you flush the toilet and they end up in a sewer treatment facility and where do they go? They do into Long Island Sound.

And there's a lot of silent -- a lot of science behind the practice of trying to get those substances out of our wastewater, whether it's in a septic system that gets pumped and then transferred to a sewer treatment facility or whatever, and I -- I do think that while I'm not convinced that we needed to appropriate any money to do it, I think there are good people in this state that may have been able to find their way to do it on their own. It's still an important initiative and that's in Section 131.

Mr. Speaker, in Section 177 I believe that this is language that deals not only with the Town of Wallingford but I think the Town of Thomaston as well and I think all of us are aware that -- I think it's

out on Research Parkway that there was a closure of the U.S. Post Office facility out there.

And so again I think these are initiatives that will help people, will help the -- the towns in which they are situated and it's probably worthy of support.

If I could speak just briefly about Sections 180 through 185, I know this initiative is -- is one that's important to the Majority Leader and I think the Majority Leader in the Senate, and we had the bill in the Labor Committee, and had what I thought was a very good conversation about it, some great testimony.

The industry itself believed that they had a role to play here. I don't think anyone who attended that hearing felt that this was an issue worthy of doing nothing. So I understood why the bill continued to move forward through the system, Mr. Speaker.

I -- I have one question with regard to that initiative and I guess it's in the last section so if I could pose one question to the proponent of the bill please, through you --

SPEAKER SHARKEY:

Please proceed, sir.

REP. MINER (66th):

-- on Sections 180 through 185 to whomever.

SPEAKER SHARKEY:

I believe that would be Representative Tercyak?

Please prepare yourself for the question.

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

What I think I wanted to be sure of and I know that -- that -- this bill has gone through a number of renditions and setting aside for a moment whether or not we believe that this is initiative that the state should be involved in at this level, I understand it's going to be a working group through a task force and a study I guess. I'm not sure that those words are exact.

But in terms of what happens at the end, if the gentleman could tell me is it in -- is it explicit in the language here that whatever is the outcome of that effort between now and the beginning of the next Legislative Session, than whatever that effort -- whatever fruit that effort bears will be presented as a bill to the Committee of Cognizance under which all the hearings and voting would take place?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Tercyak.

REP. TERCYAK (26th):

Thank you very much, Mr. Speaker.

And I believe the answer is no, that it is possible for them to have a result that will not turn into a bill.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

And if the gentleman could I guess enunciate on what that outcome would be. Could that be an outcome that makes a recommendation directly to the House Floor or to the Senate Chamber?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Tercyak.

REP. TERCYAK (26th):

Thank you very much, Mr. Speaker.

The section of the bill we are referring to includes the possibility that it will be decided through the people doing the work, through the possibility of different laws that were mentioned

could happen, that the answer will be that this is not what we want to do at this time.

If that's what it is, we don't need to pass a law to say that we haven't come up a plan. That's within the realm of possibility.

This is a true study, a true -- a true working group and anything is possible. We are not defining success ahead of time and guaranteeing that it will happen. That's why we have so many professionals on the group.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

And while -- while I'd like to be a little more optimistic and anticipate some success because I do remember the public hearing, I do remember commitments made on behalf of the industry. Certainly there was a lot of interest on the part of individuals who testified. I think AARP may have even spoken once or twice in favor of this legislation.

Except that it may not make a recommendation to move forward, I presume based on some legal standard

or something else, is -- is it possible that the good work of that group could be presented directly to this Chamber or the Senate without some form of bill to which a Committee of Cognizance would provide an opportunity for public hearing?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Tercyak.

REP. TERCYAK (26th):

Thank you very much, Mr. Speaker.

It's possible to have a public hearing at any time, with or without a bill and the Committee of Cognizance is more than willing to do that even if there isn't a recommendation for -- for a bill. Anything is possible and we're looking forward to hearing the results.

Thank you very much, Mr. Speaker.

SPEAKER SHARKEY:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

I just have I guess a couple of more comments on that section and then a few more and then I'll sit down.

As I said earlier, Mr. Speaker, I don't think there was anybody involved in that conversation that didn't recognize that a number like 60 percent, which I think is the claim, that 60 percent of Connecticut's residents don't have a retirement plan. Don't have any savings sufficient to some level presumed to carry them into their later years in life.

So I do understand the reason why this conversation is going on. I think there has been some representation that perhaps the industry is at least, in some way, part of that problem that, if I remember the conversation, some of the costs associated with some of the smaller investment vehicles actually were pretty expensive in the view of some folks who were interested in pursuing this -- this effort.

I sincerely hope that after all this good work, Mr. Speaker, we don't find a bill just being presented here in the House or the Senate. I think it would be unfortunate. I understand it's a possibility. I gather that, based on the answers that I have received, that it could be a distinct possibility.

I have one more section I guess that I'll comment on and that is the financing of pensions in Hamden. I know that that's an effort that was pursued here with

the State of Connecticut. I think we actually did it with the teachers' pension. It wasn't something that I thought was a good idea there. I'm not convinced that it's a good idea here -- here either, Mr. Speaker.

I think this -- this kind of allows for a pattern. I understand that there are municipalities just as we in the State of Connecticut have underfunded pensions, but I can't imagine a municipality being able to fund both the -- what I'd call the catch up payment and staying on the road to keeping that payment current for future generations is going to be possible.

So I'll listen to the rest of the debate, the rest of the comments. Aside from the fact that there are some parts of the budget itself that I think this Chamber knows that I had questions about with regard to sustainability, I do recognize that the basic purpose of the implementer bill is to put the language behind the dollars whether I agree with them all or not.

But certainly there are some areas of this implementer bill that I support and some areas that I don't.

Thank you, Mr. Speaker.

SPEAKER SHARKEY:

Thank you, sir.

Would you care to remark? Would you care to
remark further on the bill before us?

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

Mr. Speaker, I do rise to support one provision
in the bill. I think there are a lot of good things
in this implementer. There are some things that bring
me some concern but one of the pieces in the bill that
I think is very important, and probably one of the
most important things that we do this session, is the
tax incidence study that we passed out of the Finance
Committee.

And -- and I do want to sincerely thank
Representative Widlitz for pushing this initiative and
I hope that it bears some fruit for the State of
Connecticut.

One of the areas that we are -- this group is
going to be focusing on is income volatility in the
State of Connecticut and I think having served on the
Finance Committee through some very difficult times it

really demonstrates the -- the real integrate issues that the State of Connecticut faces from a tax collection standpoint.

In the State of Connecticut, as we all know, we're very much blessed with the money that's derived out of Fairfield County, many -- much of which comes out of the stock market, and when we see the stock market underperform, we see a dramatic decline in our revenues.

And even as we stand here today, we thought things were going well. We were projected at having a surplus and that surplus disappeared by April 15th. Part of that could have come out of the lack of receiving the capital gains from the market but it also came from areas like withholding and some underperformance in those areas.

And I think until we fully understand all of our revenue streams in the State of Connecticut, how those revenue streams can become volatile and how we can minimize that volatility, that's when I think we could start to have better budgeting practices.

So often we hear about the spending cap. When I was first elected that was one of the big discussions about whether or not to eliminate that spending cap

and I think the real issue isn't necessarily that cap but how we see the revenues that can increase by 20 percent in one given area and then in the next it can decrease.

And in the years of great increase we can increase spending and then when we have that decline we -- we come into difficulty and so I'm very pleased that we have adopted it.

Again standing here it's difficult for me to -- to have to vote against the implementer for some of the other issues that were raised because like I said there are some good provisions.

In looking at the income volatility in the state, you know I do hope we continue to look at our bonding practices. We most recently have been looking at various cash flow reports and one of the concerns I have is I -- I think we -- we hedged our bets on the economy recovering and so we shifted a lot of our -- a lot of our spending we shifted to bonding to try to minimize the impact of our -- the budget cuts that we had to make and some of us were critical of those decisions.

And I think what we're seeing happening right now is, because the revenues have declined, we need to

look at reducing the budget. We have greater pressure being put on bonding and we've actually seen an uptick in bond approvals going from about 2.2 billion upward to 2.7 billion annually.

Our -- our approved projects that are now funded, approved by the Bond Commission but yet to receive funding, has increased from roughly 3 billion to about 6 billion. In one year alone we've seen an additional billion dollars of projects that we have not yet funded in the State of Connecticut.

And so I point those out because there is added pressure being put in another area which is going to come back to haunt us in future years. It's going to put more pressure on our debt service which is going to be another line item that we're going to continue to have to struggle to pay.

So this is a provision I'm very pleased to see in -- in the budget. One of the general concerns I have frankly in this implementer is the -- the pursuit of creating a private pension in the State of Connecticut.

We saw the private pooling initiative occur many years ago to find that ERISA created some problems with that and I think we are going to run into the

same problems with implementing a -- a private pension at the government level and so it's -- it's provisions like that that cause me to have grave concern of the implementer.

But I do certainly want to just stand in support of the tax incidence study because I think it's probably one of the best pieces of legislation that -- that could have come out of this General Assembly and certainly it's apropos with Representative Widlitz retiring this year that she championed such a great piece of legislation. We're able to see it through tonight.

And with that I have no further comments. Thank you, Mr. Speaker.

SPEAKER SHARKEY:

Thank you, sir.

Would you care to remark further on the bill before us? Representative Perillo.

REP. PERILLO (113th):

Good afternoon, Mr. -- or good evening, Mr. Speaker.

I'd like to in short echo some of the comments made by others who have spoken on this bill tonight. You know it is always a shame when we see so many

different pieces of legislation that have been included and discussed and, in fact, in many cases, debated already, to see them all included in one bill because there so many pieces of this legislation before us that really are outstanding, that are important.

Representative Candelora spoke about some of those and as -- as an individual all of us who have to vote on this one piece of legislation, one vote yes or one vote no, you're in a situation where you're, in many cases, supporting or not supporting something you really like and it's -- it's tough to be in that situation.

You know there are many aspects of this bill that I think are truly great. Yet from 50,000 feet I find ourselves in a situation where we are spending more than we should be spending and that was even before some of the changes that we've seen in this implementer.

You know and -- and I think perhaps one of the clearest examples that I can find is in Section 225 of the bill. You know this is the section that originally only included the XL Center here in Hartford and it was a special exemption for the XL

Center such that their admissions tax, that 10 percent, would not come into play for those folks attending the XL Center and that, of course, is a revenue loss. We all know that. And of course, personally, and many would agree, we're in a situation where perhaps we can't afford revenue losses, we simply can't do it.

So it's difficult enough that we're changing the exemption and creating an exemption for the XL Center. Yet the language we have before us today goes beyond that, goes beyond that one facility that's not too far from here.

We go south to the City of Bridgeport and the Webster Bank Arena and that exemption from that admissions tax is extended to the Webster Bank Arena. Again that's something that was not contemplated previously, something that will have a negative impact on the revenue that we receive as a state that we can spend on programs, that we can use to help seniors, that we can use to help those who aren't as fortunate as others.

That's less money and something we hadn't discussed before yet it's something we see here in

this implementer bill that's before us. So it's a very, very slippery slope.

We want to help people. We want to make people's lives better. We want to make their lives easier whenever we can.

But when we see changes like this, when we see aspects of a bill, like this, that honestly weaken our ability to help people, weaken our ability to change people's lives for the better, that's a problem. So, you know, from my personal standpoint, though there are so many parts of this bill that really are outstanding -- and we've heard about many of them. I'm not going to rehash -- it's a shame that many of us will choose to vote against this bill today because we're leaving ourselves in what is an unsustainable situation. We cannot continue to provide the services we want to provide when we're, then, removing revenue sources, or on the flip side of that, we can't continue to spend more money than we have. You can't do both. And I believe that's what this bill does. I believe that's what our budget does overall. And, you know, unfortunately, because of that, I'm in a situation -- and I know many share my opinion, where I can't support this bill.

Although many aspects of it, as I said, I would love to support, and I do support in my heart and in my mind, but that's the situation that we are in. We're in this situation very often. Every year, we seem to be in the same boat. But, with that, Mr. Speaker, I just wanted to share my thoughts on this. I do have no questions, at this time for the proponent, and I thank the Chamber for its time.

SPEAKER SHARKEY:

Thank you, sir.

Would you care to remark on the bill before us?

Representative Carter.

REP. CARTER (2nd):

Thank you very much, Mr. Speaker. Good evening.

Mr. Speaker, just a few questions, through you, regarding --

SPEAKER SHARKEY:

Please proceed, sir.

REP. CARTER (2nd):

-- sections 57 through 65, the limitations to the Soldiers' and Sailors' and Marines' Fund. I'm not exactly sure -- to ask -- where to ask that question.

SPEAKER SHARKEY:

Sir, I believe that would be Representative Walker, the Appropriations chair.

REP. CARTER (2nd):

Thank you very much, Mr. Speaker.

Through you, Mr. Speaker, I was looking at the new information here in sections 57 through 65, and it says there's going to be an annual benefit now of \$2 million. I wanted to double-check. Is that any more or less than what was in the previous years?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker. That amount is going to be the floor. This year it was 2.2 million, and now it's going to be \$2 million.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Carter.

REP. CARTER (2nd):

Thank you, Mr. Speaker.

And, through you, one of the questions came up with my constituents as far as how we're administering that fund and what monies were available. I noticed

in the bill here that it does not allow the -- any of that fund to be used for the administration of the fund through the American Legion.

Through you, Mr. Speaker, I guess, my question is how is the American Legion able to hire people and fund this?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker. They have been budgeted \$635,000 in this year's budget.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Carter.

REP. CARTER (2nd):

Thank you, Mr. Speaker.

I know there was some controversy about that earlier in the year. My constituents had called me. I was told at one point there was 900,000 that went to 300,000. Is 600,000 a new number?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, to the good gentleman from Bethel, that is correct.

SPEAKER SHARKEY:

Representative Carter.

REP. CARTER (2nd):

And through you, Mr. Speaker, do we know how the response was from the American Legion, are they okay with this, or have they figured out a way to administer this fund starting in 2015?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker. They worked with the committee who works with the fund, and they've tried to come up with some solutions that were going to work within the constraints of the budget.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Carter.

REP. CARTER (2nd):

Thank you very much, Mr. Speaker. And I thank the good chair of the finance committee there for -- Appropriations Committee, rather, for her answers.

This is, actually, I think, a very critical issue for a lot of folks in a lot of districts because we want to make sure that we're utilizing that fund to its maximum amount. And I know that a lot of the veterans contacted many of us in this room back when that money was cut. So I just wanted to make sure that that was there and they're able to do this as part of this implementer budget.

So I, also, just wanted to make a couple of questions regarding sections 1 through 18, regarding the False Claims Act, the Human Services programs. I believe that would probably with be chair of the Labor Committee?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Tercyak, please prepare yourself.

REP. TERCYAK (26th):

Thank you very much, Mr. Speaker.

SPEAKER SHARKEY:

Representative Carter.

REP. CARTER (2nd):

Thank you, Mr. Speaker.

Through you, Mr. Speaker, I've noticed here that with the Medicaid -- I should say the expanding the application of the False Claim Act, we're looking to have more, I'd say, more people prosecuted under the False Claim Act. Is that the way I read this?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Tercyak.

REP. TERCYAK (26th):

This -- I'm sorry, Mr. Speaker. I believe this is a question for Representative Walker, but I have enjoyed participating. Thank you very much.

SPEAKER SHARKEY:

As we have enjoyed your participation, too, sir.

If that's all right -- if it's okay with you, Representative Carter, could Representative Walker answer your question?

REP. CARTER (2nd):

Mr. Speaker, I would be honored to have Representative Walker answer my question.

SPEAKER SHARKEY:

I believe we all would be, sir.

Representative Walker.

REP. WALKER (93rd):

I would be honored to answer that question to the good gentleman of Bethel.

I'm sorry, but I did not hear the whole part of it. I believe you asked about whether this was just going to be encompassing Medicaid, but could you -- through you, Mr. Speaker, could the good gentleman from Bethel repeat his question please.

SPEAKER SHARKEY:

Representative Carter.

REP. CARTER (2nd):

I certainly will. And -- through you, Mr. Speaker, I'm looking at sections 1 through 18. It expands the application of the False Claims Act. And it seems like we're, actually, trying to go after more people who may be fraudulently obtaining services.

Through you, Mr. Speaker. I want to make sure that I understand that correctly. Is that the truth?

SPEAKER SHARKEY:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, that is correct.

SPEAKER SHARKEY:

Representative Carter.

REP. CARTER (2nd):

Thank you, Mr. Speaker.

One of the things that I was looking at in the bill, it talked about whether or not anybody was -- was knowingly or knew or were aware of any kinds of fraud. I guess my question is: If I, as a regular layperson, found out that there was somebody who was fraudulently obtaining services, am I somebody -- if I don't report that, am I somebody who could be prosecuted under this False Claims Act?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker, I do not believe so.

SPEAKER SHARKEY:

Representative Carter.

REP. CARTER (2nd):

Thank you, Mr. Speaker.

And one final question with respect to this is, through you, Mr. Speaker, have we hired any more investigators? I know in previous budgets we talked about hiring fraud investigators to find more fraud.

Are there more people being like boots on the ground and hired for this? Mr. Speaker.

SPEAKER SHARKEY:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker. We have expanded the people that are working in the Attorney General's Office. We also contacted an outside agency -- oh, oh, through you, Mr. Speaker, we have had a contract done with an outside agency to support the Attorney General's Office and the Department of Social Services in this process.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Carter.

REP. CARTER (2nd):

Thank you very much, Mr. Speaker.

And I really thank the good chair for her answers. You know, there have been many times, in budgets that we've looked at, some of these Human Services budgets, and the amount of fraud and waste and abuse that we find in these budgets, and I know in the past we've looked at hiring more investigators. And the more times we've hired these investigators,

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we've actually had more people brought into the system and they actually paid for themselves.

So I'm not sure how this is going to work under the Attorney General's Office, but if we're out there trying to make sure that people are not taking advantage of the system in some way, I'm all for that. And I think that's a good part of this -- this implementer.

With that, Mr. Speaker, I'll rest and I'll wait for -- listen to the debate. Thank you.

SPEAKER SHARKEY:

Thank you, sir.

Would you care to remark further on the bill before us?

Representative Srinivasan.

REP. SRINIVASAN (31st):

Good evening, Mr. Speaker.

SPEAKER SHARKEY:

Good evening, sir.

REP. SRINIVASAN (31st):

Mr. Speaker, I'll keep my comments very brief looking at the time that we have ahead of us before the end of session.

I definitely share the sentiment, Mr. Speaker, of my colleagues on this side of the aisle. There are parts of this bill that I support wholeheartedly. And, then, of course, there are parts that we have significant difficulty with. And I find myself, in the four years that I've been here so far, in this position year after year. It is my fervent hope, Mr. Speaker, that in the future that this bill will contain and pertain only to those matters that are directly related to the budget, Mr. Speaker. I hope that will happen sometime.

There are two sections I just want to make brief comments on, Mr. Speaker, sections 19 to 22. Implements or recommendations of the EMS/PSA Task Force. This section, as you're well aware of, Mr. Speaker, passed in this chamber after it went -- a very lengthy debate.

Section 158, this section pertaining to APRNs was also debated extensively in this chamber, and what is done here in this section, Mr. Speaker, is that information will be collected so that an individual profile can be maintained by DPH for APRNs, as well as physicians. This information can be disseminated to the public. And, also, in this profile, it will be

indicated whether the APRN is practicing in a collaborative agreement, or is he or she practicing independently.

Thank you, Mr. Speaker, for giving me this opportunity to make a few comments.

SPEAKER SHARKEY:

Thank you, sir.

Would you care to remark? Would you care to remark further on the bill before us?

Representative Williams.

REP. WILLIAMS (68th):

Thank you, Mr. Speaker, and good evening.

SPEAKER SHARKEY:

Good evening, sir.

REP. WILLIAMS (68th):

Mr. Speaker, just briefly on the implementer, you know, the process that leads us here is not unlike the old saying, it's such a cliché, but about how making laws sometimes is like making sausages, and nobody should at anytime want to see either. But, regardless of the final vote on the implementer here tonight, the -- some of the ideas in here, many of the ideas, are the product of a bipartisan effort that happened throughout the session. I don't know that I think

that we should always be taking bills that we voted on during the committee process and including them in the implementer if they were not -- in other words, I think they should be passed in the House or the Senate on their own and of their own right rather than being shoved into the implementer. But this is, for better or for worse, the product of bipartisan negotiations.

There's a lot of good things in here that many of our members on both sides of the aisle have asked for. Some things that aren't so hot, from my perspective and from many folks' perspective here on this side of the aisle.

One thing I think that I would comment on is the -- and may ask a question on -- is the tax study in section 137 that was sort of the centerpiece of the Finance Committee's work this year. The budget is clearly the purview of the Finance Committee and the main focus, I should say, of the Finance Committee. In both years, of course, the first year of the two-year term in the biennium, is the long session and that particular session is when we actually put the budget together, and then the second year of the biennium is when we make adjustments to that budget, and there's various other things that we take into

consideration in the shorter session even though many, many years ago that had not been our practice.

So that being the case, I think this tax study is a good idea. I think it is the product of bipartisan work. I thank Chairman Widlitz -- Representative Widlitz and Vice Chairman Roland Lemar on the House side, as well as Senator Fonfara, the co-chair in the Senate and others, for making sure that this tax study gets included in the bill that is before you.

Mr. Speaker, if I may, through you, a question to Representative Widlitz.

SPEAKER SHARKEY:

Representative Widlitz, please prepare yourself.

Please proceed, Mr. -- Representative Williams.

REP. WILLIAMS (68th):

Thank you, Mr. Speaker.

Through you to Representative Widlitz, the tax study that is involved in section 137 appears to have changed in the makeup of the group that will be studying it from where the underlying bill started way back in February or late February of this year when the session began. If Representative Widlitz might give us a summary, an overview, of what the makeup of

that committee looks like and how it has differentiated from how it started.

Through you.

SPEAKER SHARKEY:

Representative Widlitz.

REP. WIDLITZ (98th):

Yes. Thank you, Mr. Speaker, through you. We had some discussions about the makeup of that committee and what we thought would be the most effective committee to come back to the Legislature and make recommendations.

The decision was to not include members of the General Assembly as voting members of that committee for several reasons. Foremost, because all of us have a constituency and we would like to convene a panel of experts in the economy and tax policy so that we have a very experienced, impartial group of experts coming back to us having examined our tax study -- our tax structure -- pardon me -- and all of the items listed in this -- in this bill and come back to the Legislature with a recommendation. At that point, the Legislature has the choice to accept or reject or modify any of those recommendations.

Added to that group, the panel, would be ex officio members. That would include the ranking members of the Finance, Revenue and Bonding Committee along with the co-chairs. It would include someone from DRS and OPM, the Speaker of the House and the President of the Senate. So it would -- those would be ex officio members so that they would be there to contribute any input that might be valuable to the voting members, but again, they would not have a say in the final recommendations. Those would go back to the legislatures.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Williams.

REP. WILLIAMS (68th):

Thank you, Mr. Speaker, and just one additional question.

First of all, thank you, Representative Widlitz. I happen to very much agree that not only should we have experts in the particular fields of study who are on this panel -- and frankly, I think a lot of times many of us in the legislature think that we're experts in various different things -- but having real experts, people who are not necessarily elected to

office, is a good thing. I'm appreciative of the work that Representative Widlitz did to make this happen and so I appreciate that. Thank you for your hard work on that.

Additionally, Sharon Hospital -- I don't remember what section this is, but I know there's a section having to do with Sharon Hospital. I think it's section 223 and it has to do with the sales tax and exempting Sharon Hospital from certain sales tax requirements. And if someone here may answer that question. I don't believe Representative Widlitz is the appropriate person to answer that question, but someone else may be, if I may ask the Speaker to direct this to the appropriate person.

Through you.

SPEAKER SHARKEY:

Representative Walker.

REP. WALKER (93rd):

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

I believe -- I don't believe there was a question proposed. I think there was a question --

REP. WILLIAMS (68th):

Yes. How would that work?

SPEAKER SHARKEY:

Representative Walker.

REP. WALKER (93rd):

Through you, Mr. Speaker. This is a three-year tax exemption for the Sharon Hospital for sales tax. It's putting -- part of the problem we've had is some of the hospitals have had some difficulties, and this one, in particular, has been struggling so this would put them on an equal footing with all the other nonprofits right now because it is the only for-profit hospital we have in the state.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Williams.

REP. WILLIAMS (68th):

Thank you, Mr. Speaker. I thank Representative Walker for that answer, and I look forward to hearing the rest of the debate on the bill. Thank you.

SPEAKER SHARKEY:

Thank you, sir.

Would you care to remark? Would you care to remark further on the bill that's before us?

If not, staff and guests to the well of the House. Members takes your seats. The machine will be open.

THE CLERK:

The House of Representatives is voting by roll.

This is the Implementer. The House of Representatives is voting by roll. Members please return to the chamber immediately.

SPEAKER SHARKEY:

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

The Clerk please announce the tally.

THE CLERK:

House Bill 5597	
Total Number Voting	147
Necessary for Passage	74
Those voting Yea	91
Those voting Nay	56
Those absent and not voting	4

SPEAKER SHARKEY:

The Emergency Certified Bill is passed.

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Representative Aresimowicz.

REP. ARESIMOWICZ (30th):

Thank you -- thank you very much, Mr. Speaker.

Mr. Speaker, I move we immediately transmit any items acted upon in the House waiting further action in the Senate.

SPEAKER SHARKEY:

The motion is for immediate transmittal of all bills needing further action in the Senate.

Is there objection? So ordered.

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker.

I know we're not done yet, but for a journal notation just to record that Representative Larry Miller is ill and is not voting today. Thank you, sir.

SPEAKER SHARKEY:

Thank you, sir.

Mr. Clerk, will you please call Calendar 544.

THE CLERK:

House Calendar 544, favorable report of the joint standing committee on Judiciary, Substitute Senate Bill 35, AN ACT CONCERNING NOTICES OF ACQUISITION,

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**PROCEEDINGS
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Environmental Protection to establish a fishing season for glass eels. Go with it.

THE CHAIR:

Will you remark?

SENATOR MEYER:

I urge passage.

THE CHAIR:

Will you remark? If not, we have, a Roll Call Vote will be had on the bill. The machine will be opened.

THE CLERK:

Immediate Roll Call has been ordered in the Senate.
Immediate Roll Call ordered in the Senate.

THE CHAIR:

All members have voted? All members have voted? The machine will be closed. Mr. Clerk.

THE CLERK:

House Bill 5417.

Total number voting	36
Necessary for passage	19
Those voting Yea	36
Those voting Nay	0
Those absent and not voting	0

THE CHAIR:

The bill passes. Senator Looney.

SENATOR LOONEY:

Thank you, Madam President. Madam President, ask for suspension, or actually emergency certified bill, ask that the Clerk call the item, single item appearing on Senate Agenda Number 3, ask for suspension to take it up immediately, House Bill Number 5597 AN ACT

pat/gbr
SENATE

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May 7, 2014

IMPLEMENTING PROVISIONS OF THE STATE BUDGET FOR THE
FISCAL YEAR ENDING JUNE 30, 2015.

THE CHAIR:

Seeing no objection, Mr. Clerk.

THE CLERK:

From Senate Agenda Number 3, House Bill Number 5597 AN
ACT IMPLEMENTING PROVISIONS OF THE STATE BUDGET FOR
THE FISCAL YEAR ENDING JUNE 30, 2015.

THE CHAIR:

Senator Bye.

SENATOR BYE:

Thank you, Madam, President. I move acceptance of the
Joint Committee's Favorable Report and passage of the
bill in concurrence with the House.

THE CHAIR:

Motion is on acceptance and passage in concurrence.
Will you remark, please?

SENATOR BYE:

Madam President, this bill implements the budget.

THE CHAIR:

Thank you. Will you remark? Senator Kane.

SENATOR KANE:

Thank you, Madam President. I rise for about 400
questions to the Chair of the Appropriations
Committee.

THE CHAIR:

Yeah? Sit down.

SENATOR KANE:

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No, thank you, Madam President. I appreciate the good Chairman's work on the Appropriations Committee and on this implementer. I do have some issues with non-related budgetary items being in it, but I will support the underlying bill. Thank you, Madam President.

THE CHAIR:

Thank you. Thank you, Senator. Will you remark? Will you remark? Senator Markley.

SENATOR MARKLEY:

Thank you, Madam President. I have some issues with non-related budget items being included in this as well, and let me say nothing would be easier than for me to talk for 15 minutes on this bill or to ask Senator Bye very appropriate questions about this bill until midnight.

I think it is something we should be very concerned about, passing a bill with 260 sections in it that we haven't had any time to review, many concepts in it, which are new to us, or which we don't fully understand, and it might have been wisdom in the writers of this Constitution to limit us until midnight tonight to do this business.

But we should be doing this business in a better manner and I'll say just this much about it. I'm not going to throw a wrench into the motion of this Body at this point, but should I be back here next year and it be quarter of twelve and the implementer bill be brought forward, I make no promises, and I will oppose this bill. Thank you.

THE CHAIR:

Thank you. Will you remark? Will you remark? If not, Mr. Clerk, will you please call for a Roll Call Vote and the machine will be opened.

THE CLERK:

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An immediate Roll Call ordered in the Senate. An immediate Roll Call has been ordered in the Senate.

THE CHAIR:

Have all members voted? All members voted? The machine will be closed. Mr. Clerk, will you call the tally.

THE CLERK:

E-Cert.

Total number voting	36
Necessary for passage	19
Those voting Yea	23
Those voting Nay	13
Those absent and not voting	0

THE CHAIR:

The bill passes. Senator Looney.

SENATOR LOONEY:

Thank you, Madam President. We have three additional items to place on Consent for a final Consent Calendar. The first of these is --

THE CHAIR:

Please keep the noise down so we can hear this. Thank you.

SENATOR LOONEY:

Thank you, Madam President. Calendar Page 27, Calendar 577, House Bill 5049, move to place on the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered.

'SENATOR LOONEY: