

**S – 611**

**CONNECTICUT  
GENERAL ASSEMBLY  
SENATE**

**PROCEEDINGS  
2010**

**VETO  
SESSIONS**

**JUNE,  
JULY  
SPECIAL  
SESSIONS**

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THE CONNECTICUT GENERAL ASSEMBLY

SENATE

June 21, 2010

On Monday, the 21st of June, 2010, in accordance with the Constitution of the State of Connecticut and the Call of the Secretary of the State, the Senate reconvened at the State Capitol at 10:52 a.m., the President in the chair.

THE CHAIR:

The Senate will come to order. Members and guests please rise and direct your attention to Rabbi Lazowski, who will lead us in prayer.

Rabbi.

DEPUTY CHAPLAIN RABBI PHILIP LAZOWSKI:

Thank you.

Our thought for today is from the book of Proverbs, Chapter 13, Verse 10. Quote, Pride only breeds quarrels, but wisdom is found in those who take advice, end of quote.

Let us pray.

As we reconvene this session to discuss a few unfinished bills, instill in our Senators a sense of

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fairness and responsibility. Give them wisdom to make their decisions which shall be good for the people of this great state of Connecticut. Help them to have consideration and be attentive to the voice of reason.

And dear God, we also ask a special blessing of healing for Tom Sheridan. May the Holy One in mercy strengthen him and heal him soon, body and soul together with others who suffer illness. Bless and keep all who serve in government in the state and in our nation. Protect and care for our defenders of freedom. Here us, O God, as we pray.

And let us all say, amen.

THE CHAIR:

Senator Boucher, could you come up and lead us in the pledge, please.

SENATOR BOUCHER:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

THE CHAIR:

At this time, I will entertain points of personal privileges or announcements.

Senator Looney.

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SENATOR LOONEY:

Yes. Thank you, Mr. President. Good morning,  
Mr. President.

THE CHAIR:

Good morning, sir.

SENATOR LOONEY:

Mr. President, the Clerk is in possession of  
Senate Agendas Numbers 1 and 2 for the reconvened  
session, Monday, June 21, 2010.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Mr. President, the Clerk is in possession of  
Senate Agendas Numbered 1 and 2 for the reconvened  
session dated Monday, June 21, 2010. Copies have been  
distributed.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, I move all items on Senate Agendas  
Numbers 1 and 2 to be acted upon as indicated and that  
the agendas be incorporated by reference into the  
Senate journal and the Senate transcript.

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THE CHAIR:

There is a motion on the floor to move all items on Senate Agenda Number 1 and Senate Agenda Number 2.

Seeing no objection, so ordered, sir.

Senator Looney.

SENATOR LOONEY:

Yes, Mr. President.

Mr. President, I would ask the Clerk to read the call reconvening the May 2010 Special Session of the General Assembly, which appears on Senate Agenda Number 1.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Call reconvening the 2010 regular session of the General Assembly.

Whereas, the regular session of the 2010 General Assembly adjourned on May 5, 2010, in accordance with the Constitution of Connecticut;

Whereas, the Governor has disapproved certain bills passed by the regular session of the 2010 General Assembly and has transmitted same to the Secretary of the State with her objections;

And whereas, said bills were not reconsidered by

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the General Assembly or so disapproved by the Governor after said adjournment;

Now therefore, as required by Article Third of the Amendments to the Constitution of Connecticut, I hereby call the 2010 regular session of the General Assembly to reconvene in session at Hartford on June 21, 2010, ten o'clock in the morning for a period not to exceed three days following such reconvening for the sole purpose of reconsidering, and if the General Assembly so desires, repassing said bills.

Given under my hand and Seal of the State and City of Hartford, this 15th day of June, 2010.

Signed, Susan Bysiewicz, Secretary of the State.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Mr. President, we are, of course, reconvening this veto session for purposes of considering items that were vetoed by the Governor. Senate Agenda Number 2, previously adopted, contains the Governor's veto messages regarding the bills that she has taken action on.

So, Mr. President, I would yield the floor to any

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members for purposes of announcements or points of personal privilege before calling for a recess. We are waiting for items from the House of Representatives. They will be adopting the rules and other standard boilerplate measures that we need to proceed, and once we receive that from the House, we will then reconvene.

THE CHAIR:

Thank you, sir.

At this time, I will again ask for points of personal privileges or announcements.

Seeing none, I'd like to remind everyone that this is the official longest day of the year. Let's hope this session doesn't follow that.

Senator Looney.

SENATOR LOONEY:

Yes. Thank you.

Thank you, Mr. President. From your mouth to God's ears, Mr. President, on that point and I would ask that the Senate stand in recess awaiting the business from the House.

THE CHAIR:

The Senate will stand in recess subject to the call of the Chair.

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On motion of Senator Looney of the 11th, the Senate at 10:58 a.m., recessed.

The Senate reconvened at 11:27 a.m., the President in the Chair.

THE CHAIR:

The Senate will come back to order.

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Governor.

Mr. President, this morning we now have business from the -- from the House. The -- we are in possession of Senate Agenda Numbers 3 and 4. If the Clerk might call those items.

THE CLERK:

Mr. Clerk.

THE CLERK:

Mr. President, the Clerk is in possession of Senate Agendas Numbered 3 and 4 for the reconvened session of Monday, June 21, 2010. Copies have been distributed.

THE CHAIR:



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Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Mr. President, I move all items on Senate Agendas Numbers 3 and 4 for the reconvened session dated Monday, June 21, 2010, to be acted upon as indicated and that the agendas be incorporated by reference into the Senate journal and the Senate transcript.

THE CHAIR:

The motion on the floor is to accept all items on Senate Agenda Number 3 and 4. Seeing -- hearing no objections, so ordered, sir.

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President.

The first item to take up appears on Senate Agenda Number 3, under Senate resolutions.

If the Clerk would call Senate Resolution Number 25.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Calling from Senate Agenda Number 3, Senate Resolution Number 25, LCO 5810, RESOLUTION CONCERNING

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THE RULES OF THE SENATE FOR THE RECONVENED SESSION OF  
THE 2010 GENERAL ASSEMBLY, introduced by Senator  
Looney of the 11th District.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Mr. President, I move adoption of the resolution.

THE CHAIR:

There is a motion on the floor for adoption of  
Senate Resolution Number 25.

Will you remark further, sir.

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Mr. President, these are our standard Senate  
rules for reconvened for veto sessions, and I would  
move that we adopt these rules to proceed with our  
business.

THE CHAIR:

The Senate will stand at ease for one second.

(Chamber at ease.)

THE CHAIR:

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The Senate will come back to order.

Will you remark further on Senate Resolution  
Number 25? Will you remark further on Senate  
Resolution Number 25?

If not, let me try your minds. All those in  
favor, please signify by saying, aye.

SENATORS:

Aye.

THE CHAIR:

Opposed, nays.

The ayes have it. The resolution is adopted.

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Mr. President, continuing on Senate Agenda  
Number 3, under Number 2, business from the House, I  
would ask the Clerk to call House Joint Resolution  
Number 201.

THE CHAIR:

Mr. Clerk.

THE CLERK:

House Joint Resolution Number 201, LCO 5812,  
RESOLUTION CONCERNING THE JOINT RULES OF THE  
RECONVENED SESSION OF THE 2010 GENERAL ASSEMBLY,

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introduced by Senator Looney of the 11th District,  
Representative Merrill of the 54th District.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Mr. President, I move adoption of the resolution.

THE CHAIR:

There is a motion on the floor for adoption of  
House Joint Resolution Number 201.

Will you remark further, Senator Looney?

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, House Joint Resolution Number 201  
contains the joint rules for our reconvened veto  
session. These are the rules under which we have  
operated under prior veto sessions.

THE CHAIR:

Thank you, sir.

Will you remark further on House Joint Resolution  
Number 201? Will you remark further?

If not, let me try your minds. All those in  
favor, please signify by saying, aye.

SENATORS:

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Aye.

THE CHAIR:

Opposed, nays.

The ayes have it. The resolution -- House joint resolution is adopted.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, I would ask the Clerk to call from Senate Agenda Number 3, House Joint Resolution Number 202.

THE CHAIR:

Mr. Clerk.

THE CLERK:

House Joint Resolution Number 202, LCO 5813,  
RESOLUTION CONCERNING THE EXPENSES OF THE RECONVENED  
SESSION OF THE 2010 GENERAL ASSEMBLY, introduced by  
Senator Looney of the 11th District, Representative  
Merrill of the 54th District.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Mr. President, I move adoption of the resolution.

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THE CHAIR:

There is a motion on the floor to adopt House  
Joint Resolution Number 202.

Will you remark? Will you remark further?

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Mr. President, this is our standard veto session  
resolution providing that the Legislative Management  
Committee will be authorized to pay the necessary  
expenses of this reconvened veto session.

THE CHAIR:

Thank you, sir.

Will you remark further on House Joint Resolution  
Number 202? Will you remark further?

If not, let me try your minds. All those in  
favor, please signify by saying, aye.

SENATORS:

Aye.

THE CHAIR:

Opposed, nays.

The ayes have it. The resolution is adopted.

Senator Looney.

SENATOR LOONEY:

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Yes, thank you, Mr. President.

Mr. President, if the Clerk would call from Senate Agenda Number 3, under business from the House, House Joint Resolution Number 203.

THE CHAIR:

Mr. Clerk.

THE CLERK:

House Joint Resolution Number 203, LCO 5814,  
RESOLUTION CONFIRMING THE PRINTING OF THE JOURNALS OF  
THE SENATE AND THE HOUSE OF REPRESENTATIVES OR THE  
RECONVENED SESSION OF THE 2010 GENERAL ASSEMBLY,  
introduced by Senator Looney of the 11th District,  
Representative Merrill of the 24th District.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Mr. President, I move adoption of the resolution.

THE CHAIR:

There is a motion on the floor to adopt House  
Joint Resolution Number 203.

Will you remark further?

Senator Looney.

SENATOR LOONEY:

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Yes. Thank you, Mr. President.

Mr. President, this is our standard resolution providing for the printing of the journals of the House and Senate to record and memorialize the proceedings of the special session.

THE CHAIR:

Thank you, sir.

Will you remark? Will you remark further on the resolution before us? Will you remark further?

If not, let me try your minds. All those in favor, please signify by saying, aye.

SENATORS:

Aye.

THE CHAIR:

Opposed, nays.

The ayes have it. The resolution is adopted.

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Mr. President, on Senate Agenda Number 4, for today's session, I would ask the Clerk to call Senate Joint Resolution Number 49.

THE CHAIR:

Mr. Clerk.



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THE CLERK:

Senate Joint Resolution Number 49, LCO 5870,  
RESOLUTION CONCERNING -- CONVENING THE GENERAL  
ASSEMBLY IN SPECIAL SESSION, introduced by Senator  
Looney of the 29th District -- or correction, Senator  
Williams of the 29th District, Senator Looney of the  
11th District, et al.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, I move adoption of the resolution.

THE CHAIR:

There's a motion on the floor of adoption of  
Senate Joint Resolution Number 49.

Will you remark further?

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Mr. President, this is a resolution convening the  
General Assembly in special session to deal with a  
number of items, in effect, left over from the regular  
session, clarifying certain items and taking action in  
a number of areas requiring action by the General

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Assembly to conclude matters related to the regular session.

THE CHAIR:

Thank you, sir.

Will you remark further on Senate Joint Resolution Number 49? Will you remark further?

If not, I will try your minds. All those in favor, please signify by saying, aye.

SENATORS:

Aye.

THE CHAIR:

Opposed, nay.

The ayes have it. The resolution is adopted.

Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, having adopted Senate Joint Resolution Number 49, I would move for immediate transmittal to the House of Representatives of Senate Joint Resolution Number 49.

THE CHAIR:

There's a motion on the floor to immediately transmit Senate Joint Resolution Number 49 to the House. Seeing no objection, so ordered, sir.

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Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Mr. President, I would yield the floor for any members seeking recognition for announcements or points of personal privilege.

THE CHAIR:

At this time, I will entertain any points of personal privileges or announcements.

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Seeing no other members seeking recognition, I would move that the Senate stand in recess for purposes of preparing the substantive business of the day.

THE CHAIR:

Thank you, sir.

The Senate will stand in recess subject to the call of the Chair.

On motion of Senator Looney of the 11th, the Senate at 11:37 a.m., recessed.

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The Senate reconvened at 1:42 p.m., the President in the Chair.

THE CHAIR:

The Senate will come back to order.

Senator Looney.

SENATOR LOONEY:

Thank you very much, Mr. President.

Mr. President, begin -- to begin this process today, appearing on today's calendar, under bills vetoed by the Governor on calendar page 2, Public Act 10-106, which was Senate Bill Number 124 from the 2010 session, a bill vetoed by the Governor on June 8, 2010, AN ACT CONCERNING LONG ISLAND SOUND COASTAL PERMITTING AND CERTAIN GROUP FISHING LICENSES AND PERMITS FOR SOLID WASTE FACILITIES, which was amended by Senate Amendment Schedule "A" and "B." And this bill, Mr. President, was reported favorably by the Environment, Planning and Development, and Finance Committees.

Mr. President, having been on the prevailing side on that vote, when it was passed in this chamber, I would move for reconsideration of that bill.

THE CHAIR:

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There's a motion on the floor to reconsider  
Senate Bill 124.

Would you like to remark further on the  
reconsideration of this bill, sir?

SENATOR LOONEY:

Yes, Mr. President.

It's that this bill is the first of the bills  
that we intend to take action on today. The other  
items I believe will be House bills that we will have  
to wait on later.

Mr. President, again, this is a bill that was  
approved by three committees of the General Assembly  
as well as both Chambers, and I would move for  
reconsideration so that it might be brought before the  
Chamber again for repassage.

THE CHAIR:

Thank you, sir.

Is there any further discussion on  
reconsideration?

If not, I will try your minds. All those in  
favor, please signify by saying, aye.

SENATORS:

Aye.

THE CHAIR:

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Opposed, nays.

The ayes have it. The bill before us is under  
reconsideration.

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Mr. President, I would now yield to Senator Meyer for purposes of the motion to repass Senate Bill 124, which was Public Act 10-106 of the 2010 session.

SENATOR MEYER:

Thank you, Mr. Majority Leader.

Mr. President, I move --

THE CHAIR:

Senator Meyer, do you accept the yield, sir?

SENATOR MEYER:

Yes, sir. I do accept the yield.

THE CHAIR:

Yeah. I think what we probably want to do is have the Clerk call the bill and then you can get into it.

Mr. Clerk.

THE CLERK:

Calling from the Senate calendar for Monday, June 21, 2010, bills vetoed by the Governor. Calendar

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page 2, Public Act 10-106, Substitute for Senate Bill 124, AN ACT CONCERNING LONG ISLAND SOUND COASTAL PERMITTING AND CERTAIN GROUP FISHING LICENSES AND PERMITS FOR SOLID WASTE FACILITIES, as amended by schedules -- Senate Amendment Schedules "A" and "B," receiving favorable reports of the committees on Environment, Planning and Development, Finance, Revenue and Bonding. The bill was vetoed by the Governor on June 8, 2010.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Mr. President, I respectfully moved to repass Senate Bill 124 with permission to explain.

THE CHAIR:

There's a motion on the floor to repass Senate Bill 124.

Senator Meyer.

SENATOR MEYER:

Thank you.

Mr. President, colleagues, this bill passed the Senate 34 to nothing in May, and it passed the House unanimously as well. It has three parts to it that I'll explain briefly. The first part is that any

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recipient of a permit from DEP that relates to dredging or wetland activity, that permit has got to be filed with the land records of the municipality. And that is to give buyers and purchasers notice of the fact that there is a permit that's going along with that activity.

The second part of the bill relates, in effect, to fishing licenses for special categories of disabled people, in this case, disabled vets who are unable, many of whom are unable to pay a fishing license. And this allows those groups of people to tie into a nonprofit organization from which they could be exempted from having to pay the fishing license.

The third part of the bill relates to the construction of solid waste facilities like a transfer station, a garbage dump or whatever, within a thousand feet of an aquifer. And that part of the bill says that if you're going to build a solid waste facility within a thousand feet of an aquifer, you've got to comply with the Solid Waste Management Act.

So that is, in effect, what this bill does in three parts, and I urge its favorable consideration. Thank you, Mr. President.

THE CHAIR:



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Thank you, sir.

Would you like to remark further on the repass of Senate Bill 124? Would you like to remark further on the repass of Senate Bill 124?

If not, Mr. Clerk please call for a roll call vote. The machine will be open.

THE CLERK:

Immediate roll call vote has been ordered in the Senate. Will all Senators please return to the chamber. Immediate roll call vote has been ordered in the Senate. Will all Senators please return to the chamber.

THE CHAIR:

Have all Senators voted? Have all Senators voted?

If all Senators have voted, please check your vote. The machine will be locked. The Clerk will call the tally.

THE CLERK:

Motion is on repassage of Senate Bill 124, Public Act 10-106.

Total Number Voting	36
Necessary for Adoption	24
Those voting Yea	36

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Those voting Nay 0  
Those absent and not voting 0

THE CHAIR:

Senate Bill 124 is repassed.

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Mr. President, I would move for immediate  
transmittal to the House of Representatives of the  
repassed bill, Senate Bill 124.

THE CHAIR:

There's a motion on the floor to send Senate Bill  
124 down to the House.

Seeing no objection, so ordered, sir.

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Mr. President, I would yield to any members  
seeking recognition for announcements or points of  
personal privilege.

THE CHAIR:

At this time, I'll entertain any points of  
personal privilege or announcements.

Senator Looney.

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SENATOR LOONEY:

Mr. President, at this point, I would call for another of what I hope will be a brief recess waiting for items to come to us on an agenda from the House.

THE CHAIR:

Thank you, sir.

The Senate will stand in recess subject to the call of the Chair.

On motion of Senator Looney of the 11th, the Senate at 1:50 p.m., recessed.

The Senate was called to order in Special Session at 2:28 p.m., in accordance with Senate Joint Resolution Number 49, which was adopted earlier today. President in the Chair.

THE CHAIR:

The Senate will come back to order. Will the members and guests please rise and direct your attention to Rabbi Lazowski will lead us in prayer.

Rabbi.

DEPUTY CHAPLAIN RABBI PHILIP LAZOWSKI:

Thank you. Thank you, so kindly.

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Our thought for this afternoon is from Psalms 20, Verse 5, quote, May he give you the desire of your heart and make all your plans succeed, end of quote.

Let us pray.

Almighty God, I pray on behalf of all our Senators assembled at this extra session. We ask you, O God, to create in us a spirit of mercy and understanding towards each other and of those whom we serve.

Secure us for every insecure venture. Enable us to work together and support each other. Protect our men and women in the armed forces. Support our leaders to be wise and courageous in these times. Give us the knowledge to stop the catastrophic spill in the Gulf of Mexico.

Hear us as we pray and let us all say, amen.

THE CHAIR:

Senator Coleman, would you lead us in the pledge.

SENATOR COLEMAN:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

THE CHAIR:

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Are there any points of personal privileges or announcements before we get started with our work?

If not, Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Mr. President, the Clerk is in possession of Senate Agenda Numbers 1 and 2 for the June Special Session, as opposed to the reconvened session.

THE CHAIR:

Got it.

Mr. Clerk.

THE CLERK:

Mr. President, Clerk is in possession of Senate Agenda Numbered 1 and 2 for the June Special Session, dated Monday, June 21, 2010. Copies have been distributed.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Mr. President, I move all items on Senate Agenda Numbers 1 and 2 dated Monday, June 21, 2010 for the June Special Session to be acted upon as indicated and that the agendas be incorporated by reference into the

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Senate journal and the Senate transcript.

THE CHAIR:

Thank you, sir.

There's a motion on the floor to move all items on Senate Agenda Number 1 and Number 2. Seeing no objection, so ordered.

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Mr. President, on Senate Agenda Number 1 for the June Special Session, under Number 1, Senate resolution, I would have Clerk to call Senate Resolution Number 35.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Calling from Senate Agenda Number 1, Senate Resolution Number 35, LCO 5856, RESOLUTION CONCERNING THE RULES OF THE SENATE FOR THE JUNE SPECIAL SESSION, 2010, introduced by Senator Looney of the 11th District.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

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Yes. Mr. President.

Thank you, Mr. President. I move adoption of the resolution.

THE CHAIR:

There's a motion on the floor to adopt Senate Resolution Number 35.

Would you remark? Will you remark further?

Senator Looney.

SENATOR LOONEY:

Yes. Mr. President, thank you.

These are substantially the rules that we have used for -- Senate rules for prior special sessions. There is one change that I wanted to draw the attention of the members to, and that is, under Rule 37, the language now specifies that only those bills and substantive resolutions specified in paragraph 1 of Rule 7 and so on, previous language had said only those bills. We've added language "and substantive resolutions." And this will conform language of the Senate rules to the joint rules and allow for resolutions in future special sessions.

This is the only change from the language of our prior special session rules.

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Thank you, sir.

Will you remark further? Will you remark  
further?

If not, let me try your minds. All those in  
favor, please signify by saying, aye.

SENATORS:

Aye.

THE CHAIR:

Opposed, nays.

The ayes have it. Senate Resolution 35 passes.

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Mr. President, continuing on Senate Agenda  
Number 1 for the June Special Session, under Number 2,  
business from the House, would ask the Clerk to call  
House Joint Resolution Number 301.

THE CHAIR:

Mr. Clerk.

THE CLERK:

House Joint Resolution Number 301, LCO 5849,  
RESOLUTION CONCERNING THE JOINT RULES OF THE JUNE  
SPECIAL SESSION 2010, introduced by Senator Looney of  
the 11th District, et al.



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THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, I move adoption of the resolution.

THE CHAIR:

There's a motion on the floor on adoption of  
House Joint Resolution 301.

Will you remark? Will you remark further?

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

These are our standard joint rules for special  
sessions, which we will be adopting in concurrence  
with the House.

THE CHAIR:

Thank you, sir.

Will you remark? Will you remark further on  
House Joint Resolution 301?

If not, let me try your minds. All those in  
favor, please signify by saying, aye.

SENATORS:

Aye.

THE CHAIR:

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Opposed, nays.

The ayes have it. The joint resolution is  
adopted.

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Mr. President, if the Clerk would call on Senate  
Agenda Number 1, under business from the House, House  
Joint Resolution Number 302, RESOLUTION CONCERNING THE  
EXPENSES OF THE JUNE SPECIAL SESSION 2010.

THE CHAIR:

Mr. Clerk.

THE CLERK:

House Joint Resolution Number 302, LCO 5805,  
RESOLUTION CONCERNING THE EXPENSES OF THE JUNE SPECIAL  
SESSION 2010, introduced by Senator Looney of the 11th  
District, et al.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Mr. President, I move adoption of the resolution  
in concurrence with the House.

THE CHAIR:

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There's a motion on the floor for adoption of  
House Joint Resolution 302.

Will you remark? Will you remark further?

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President.

This is our standard resolution authorizing the  
Joint Committee on Legislative Management to pay the  
necessary expenses of the special session.

THE CHAIR:

Thank you, sir.

Will you remark further on House Joint Resolution  
Number 302? Will you remark further?

If not, let me try your minds. All those in  
favor, please signify by saying, aye.

SENATORS:

Aye.

THE CHAIR:

Opposed, nays.

The ayes have it. The joint resolution is  
adopted.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

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Mr. President, continuing on Senate Agenda Number 1, under business from the House, House Joint Resolution 303, I would ask the Clerk to call that item.

THE CHAIR:

Mr. Clerk.

THE CLERK:

House Joint Resolution Number 303, LCO 5804,  
RESOLUTION CONCERNING THE PRINTING OF THE JOURNALS OF  
THE SENATE AND HOUSE OF REPRESENTATIVES FOR THE JUNE  
SPECIAL SESSION 2010, introduced by Senator Looney of  
the 11th District, et al.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, I move adoption of the resolution  
in concurrence with the House.

THE CHAIR:

Thank you, sir.

There's a motion on the floor for a resolution --  
House joint Resolution 303. Will you remark? Will  
you remark further?

Senator Looney.

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SENATOR LOONEY:

Yes. Thank you, Mr. President.

This is our standard resolution providing for the printing of the journals of the House and Senate to create a record of these proceedings.

THE CHAIR:

Thank you, sir.

Will you remark? Remark further?

If not, let me get one of your standard ayes.

All those in favor, please say, aye.

SENATORS:

Aye.

THE CHAIR:

Opposed, nays?

The ayes have it. The resolution -- the joint resolution is adopted.

Mr. Looney -- Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, if we would proceed now to Senate Agenda Number 2 for the June Special Session and on Senate Agenda Number 2, we have three emergency certified bills or two bills and a resolution. I would ask the Clerk to call the first item under

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number two, under emergency certified, Senate  
resolution, Senate Joint Resolution Number 101.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Calling from Senate Agenda Number 2, Emergency  
Certified Resolution Number 101, RESOLUTION CONCERNING  
THE DISPOSITION OF CERTAIN CLAIMS AGAINST THE STATE  
PURSUANT TO CHAPTER 53 OF THE GENERAL STATUTES. The  
resolution is accompanied by emergency certification,  
signed Donald E. Williams, Jr., President Pro Tempore  
of the Senate; Christopher G. Donovan, Speaker of the  
House of Representatives.

SJ 101

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Thank you, Mr. President.

Mr. President, I move adoption of the emergency  
certified resolution.

THE CHAIR:

Acting on approval and adoption of the  
resolution, sir, would you like to mark further?

SENATOR McDONALD:

Thank you, Mr. President.

Mr. President and members of the circle, the resolution before us would confirm certain actions by the Claims Commissioner with respect to two claims, 21614 and 21615. Additionally, under two additional claims, 21727 and 21806, the actions of the Claims Commissioner would be vacated and a litigant would be authorized to proceed to file a lawsuit against the State.

Additionally, Mr. President, under Section 3 of the resolution, when a recommendation of the Claims Commissioner to award a certain sum of money would be confirmed, and under Section 4 and 5, two additional claims against the State, where the Claims Commissioner had ordered a dismissal of a claim, would be vacated and remanded to the Claims Commissioner for a hearing on the merits.

THE CHAIR:

Thank you, sir.

Will you remark further on Senate Joint Resolution Number 101? Will you remark further on Senate Joint Resolution Number 101?

If not, Mr. Clerk, please call for a roll call vote. The machine will be open.

THE CLERK:

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Immediate roll call vote has been ordered in the Senate. Will all Senators please return to the chamber. Immediate roll call vote has been ordered in the Senate. Will all Senators please return to the chamber.

THE CHAIR:

Have all Senators voted? If all Senators have voted, please check your vote. The machine will be locked. The Clerk will call the tally.

THE CLERK:

The motion is on adoption of Emergency Certified Resolution Number 101.

Total Number Voting	36
Necessary for Adoption	19
Those voting Yea	36
Those voting Nay	0
Those absent and not voting	0

THE CHAIR:

Senate Joint Resolution 101 passes.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, I would move for immediate transmittal to the House of Representatives of Senate



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Joint Resolution Number 101.

THE CHAIR:

So ordered, sir.

Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, if the Clerk would call as the next item from Senate Agenda Number 2 for the June Special Session, Emergency Certified Senate Bill Number 501.

THE CHAIR:

Let's keep our voices down. We've got business to do.

I'm sorry. But, Senator Looney, please proceed again.

SENATOR LOONEY:

Yes, thank you, Mr. President.

If the Clerk might call, as the next item, on Senate Agenda Number 2 for the June Special Session, Emergency Certified Senate Bill Number 501.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Calling from Senate Agenda Number 2, Emergency

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Certified Bill 501, AN ACT CONCERNING THE REAL ESTATE CONVEYANCE TAX, THE CONVEYANCE OF CERTAIN PARCELS OF STATE LAND, ADJUSTMENTS TO CERTAIN PROGRAMS IMPLEMENTED THROUGH THE DEPARTMENT OF SOCIAL SERVICES, A REPORT ON TAX CREDITS, JUVENILE JUSTICE, ABSENTEE VOTING BY MEMBERS OF THE MILITARY, REVISIONS TO VARIOUS TASK FORCES, COMMISSIONS AND COUNCILS, AND AMENDMENTS AND MINOR AND TECHNICAL CHANGES TO CERTAIN SPECIAL AND PUBLIC ACTS OF THE 2010 REGULAR SESSION. The bill is accompanied by emergency certification signed Donald E. Williams, Jr., President Pro Tempore of the Senate; Christopher G. Donovan, Speaker of the House of Representatives.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Mr. President, I move for adoption and passage of the emergency certified bill.

THE CHAIR:

Acting on approval and passage, sir, would you like to remark further?

THE CHAIR:

Yes. Thank you, Mr. President.

This bill, as you might tell from Clerk's reading of the title, contains a variety of subjects on matters that were unresolved or unpassed in both chambers at the end of the regular 2010 session and that they are now brought together in this one bill for purposes of clarification and completion.

The significant item is the extension of the expiration date of a higher municipal real estate conveyance tax rate for one-year. It also exempts foreclosures by sale and short sales from that conveyance tax.

It makes some changes to the Fiscal Year '11 Budget Act as well as two other laws enacted in the 2010 regular session that relate to Medicaid and HUSKY plus juvenile justice, various tax credits, school construction projects and appointments to commissions and task forces. It also authorizes certain conveyances of state property, establishes temporary high risk pool in conformance with the federal health care reform law and changes state election law to comply with the Federal Military and Overseas Voter Empowerment Act.

And also, finally Mr. President, the bill does make some minor and technical changes and corrections

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in public and special acts including bond acts that were passed in the 2010 regular session.

Mr. President, one of the -- just, I will conclude my remarks after one additional notation. And then since these components of this bill came from various committees during the session, I believe that the chairs of the various committees of cognizance will answer any questions that may arise.

But just wanted to point out in terms of the exemption of sales -- foreclosures by sale and short sales from the real estate conveyance tax, the revenue shortfall for that is adjusted under Section 3 of the bill under Fiscal Year '11, unallocated lapses in which the bill increases the unallocated General Fund lapses by -- for fiscal '11, by 1.73 million and clarifies that what would otherwise have been a state revenue loss of 1.73 million have been a state adjustment an exemption to the real estate conveyance tax.

Thank you, Mr. President.

THE CHAIR:  
Thank you, sir.  
Will you remark further?  
Senator Duff.

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SENATOR DUFF:

Thank you, Mr. President. Good afternoon.

THE CHAIR:

Good afternoon, sir.

SENATOR DUFF:

Thank you, Mr. President.

Mr. President, I rise in support of this legislation today, one brief section and I'll make it quick. Many in the circle know that I am certainly no fan of the conveyance tax, and I certainly am not today, even though we have a one-year extension of it. Though I will mention to members of the circle that I am very, very pleased and happy that we are taking action today to exempt foreclosures and short sales from the conveyance tax.

This was a priority of the Banks Committee earlier this year. We unanimously passed legislation in our committee to exempt foreclosures and short sales. The Finance Committee passed legislation as well, and I know for many of us in the circle today that it is something that we see on a day-to-day basis where friends and neighbors and others are hitting on tough times and not only are they getting foreclosed on or they have a short sale, they kind of get kicked

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while they're down with the conveyance tax.

And while lots of times in this building people like to take credit for ideas, this is not one that people would like to take credit for, putting the conveyance tax on foreclosures and short sales. So I am pleased today that we are going to give people who are, at times at their worst, a little bit of relief from this tax and appreciate the fact that it is in this large bill that we have here today and is something that we can make sure we remind those of our constituents who are hitting these tough times that we have taken the appropriate action here today to exempt them from the conveyance tax.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Senator Boucher.

SENATOR BOUCHER:

Thank you, Mr. President.

Mr. President, in discussing this particular bill, I agree with my colleague, my distinguished colleague and seat mate, that it was a very good thing to exclude certain sales from this particular onerous tax.

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But all in all this bill that includes so many different issues, some of which we may agree with, and some of us may disagree; however, this particular tax, the conveyance tax, we should remember was enacted some years ago at a time when we thought we couldn't get worse, when we had the tech bubble and we had September 11th and they were trying to find another way to close a very serious shortfall, and it was supposed to be enacted for a very short period of time.

It was added to many other taxes that Connecticut is infamous for, including the estate tax, tax on pensions, car property taxes and other such taxes that make Connecticut a very attractive state for people to live and retire in particularly.

And unfortunately, this extension has continued year after year. There has been several amendments that have been filed. I'm not going to call any of them. However, one in particular should be mentioned even though it does not have the votes to pass and that's why I'm not bringing it on. And that is the possibility that maybe this Legislature should move to, and that is eliminating the state portion of that tax. If we go back to its beginning, there was only a

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state portion of that tax at one time, but we added a municipal portion and we increased the tax, thereby communities becoming dependent on it.

Our communities this year have worked extremely hard to close their budget shortfalls. They have cut. The State unfortunately has come up short in that regard. It's much recognized throughout our state in that the towns have worked very hard, but the State has only made less than meaningful cuts to a very expensive budget that is being put forward. And that is the most responsible action to take. And that is removing the State's portion of it going forward and allowing the municipalities to keep their portion. Again, because they would come up short this year.

But long-term, I think it's something the State should look at because in extending it this one year we all know full well that we're going to be back at this again next year, and they're going to have a very hard time eliminating this tax altogether. It should go away because, in fact, this is a tax on people's equities in their home and when they go to sell it, it is an equity that they have paid on property taxes year after year. And so we're taxing them once again going out the door.



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So as I said, this is reluctantly -- we see this extension again. I feel it should go away. There are many that agree with us. I understand the difficulties of our communities and as such, I hope that in the future that they will consider eliminating the state portion and thereby bringing it back to where it used to be before we increased it so much on our very tired and burdensome taxpayers who think that we haven't been responsible fiscally.

In fact, they would like to see us change that terminology and bring about some fiscal austerity. I think they've had enough of what they've had to go through in these last couple of years. Thank you very much for your indulgence, Mr. President, and I'll leave it to others to comment further.

THE CHAIR:

Thank you, ma'am.

Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President.

Mr. President, I rise to associate my remarks with Senator Boucher's. But first I actually go back to something Senator Duff said, which is we don't want to kick people when we are down. And I think the

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compromise that was reached is a smart one because people who are the furthest down are not being kicked, those who are in foreclosure, but those aren't the only people who are down right now.

People have seen the prices of their homes drop 10, 20, 30 percent since when they purchased them. And now we're going to hit them with an extra tax. I don't think that's the right thing to do, to be kicking people when they're down. That is what this additional conveyance tax does.

And Senator Boucher is absolutely right. We could today be voting on a bill that cuts state spending by just \$40 million and transferring that over to our municipalities to keep them whole. Municipalities wouldn't have to raise a dollar of property taxes if we in state government had cut just a miniscule amount, \$40 million out of an \$18 billion budget, but yet again, we have failed to cut spending to help our municipalities.

And unfortunately, Mr. President, I cannot do this to the homeowners of Connecticut to extend this tax, and I will be voting no today. Thank you.

Thank you.

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Thank you, sir.

Will you remark further?

Senator Guglielmo.

SENATOR GUGLIELMO:

Thank you, Mr. President.

I'll be very brief. I just want to associate myself with the remarks of, actually, all three speakers who preceded me.

I think it's a very unfair tax, a conveyance tax. I've always opposed it. Most people don't expect it when they go to the closing. I mean, you've got situations where you've got individuals selling their homes in order to downsize, maybe moving to a condominium because they can't afford the upkeep or the property tax on the family homestead, and then we whack them with a pretty heavy burden.

So I think it's -- I think it's unfair. I agree with what Senator Boucher said that we should remove the state portion of the tax at some point. I think the towns, and I know from first-hand experience that the 13 towns I represent, whether they -- whether their chief executive officers be Republican or Democrat, they have done an extraordinary job of controlling expenses, and I think that is the reason

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that so many of these budgets have gone through without a whole lot of opposition in most of the towns, as opposed to a few years ago when they had referendum after referendum.

So I agree with my colleagues. I hope that someday we focus and do the right thing. Thank you, Mr. President.

THE CHAIR:

Thank you.

Will you remark further? Will you remark further on Senate Bill 501?

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President.

I just wanted to add one other note to call attention to the members to Section 18 of the bill which allows employees who are receiving vocational training for the Board of Education and Services for the Blind to qualify for the new job tax credit, which was established in Section 9 of Public Act 10-75, the jobs bill enacted earlier in the regular session.

In that bill, we provided for a credit for employers who hire people through the Bureau of Rehabilitation Services. We had also intended to have

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it cover people who receive services from the Board of Education and Services for the Blind.

We had passed a bill in the Senate dealing with that correction that didn't make it through the House in the last night, and that provision is incorporated into this bill to have a broader tax credit for the hiring of persons with various disabilities.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark? Will you remark further on the bill? Will you remark further?

If not, Mr. Clerk, please call for a roll call vote. The machine will be open.

THE CLERK:

An immediate roll call vote has been ordered in the Senate. Will all Senators please return to the chamber. An immediate roll call vote has been ordered in the Senate. Will all Senators please return to the chamber.

THE CHAIR:

Have all Senators voted? If all Senators have voted, please check your vote. The machine will be locked. The Clerk will call the tally.

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THE CLERK:

Motion is on passage of Emergency Certified Bill  
501.

Total Number Voting	36
Necessary for Adoption	19
Those voting Yea	32
Those voting Nay	4
Those absent and not voting	0

THE CHAIR:

Senate Bill 501 passes. Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

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

THE CHAIR:

So ordered, sir.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, I would ask the Clerk to call from  
Senate Agenda Number 2, Senate Bill Number --  
Emergency Certified Senate Bill Number 502.

THE CHAIR:

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Mr. Clerk.

THE CLERK:

Calling from Senate Agenda Number 2, Emergency Certified Bill 502, AN ACT MAKING ADJUSTMENTS TO THE BUDGET AND TO CERTAIN PUBLIC ACTS, AND ESTABLISHING THE HOMEOWNER'S EQUITY RECOVERY OPPORTUNITY LOAN PROGRAM. The bill is accompanied by emergency certification signed Donald E. Williams, President Pro Tempore of the Senate; Christopher G. Donovan, Speaker of the House of Representatives.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, I move for passage of the emergency certified Senate bill.

THE CHAIR:

Acting on approval and passage of the bill, sir, would you like to remark further?

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Mr. President, this bill makes various changes to implement the Fiscal Year '10 deficit mitigation and Fiscal Year '11 budget adjustment acts. It also

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allows the Connecticut Housing Finance Authority to provide mortgages to eligible buyers of distressed, foreclosed or abandoned property and repeals duplicative property tax exemption deadline extension. I would urge passage of the bill.

THE CHAIR:

Thank you, sir.

Will you remark further on Senate Bill 502?

Senator DeBicella.

SENATOR DEBICELLA:

Thank you, Mr. President.

Mr. President, through you, some questions to the proponent of the bill.

THE CHAIR:

Senator Looney.

SENATOR DEBICELLA:

Mr. President, through you, just looking at the fiscal note for this bill. The fiscal note says see below for the impact, and as I'm looking through the different sections, some say there's no fiscal impact; others don't make a note of it.

I'm just wondering, through you, Mr. President, if we have an idea of the net fiscal impact of all the changes in this bill. Through you, Mr. President.



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THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, I would yield to Senator Harp, the  
Chair of the Appropriations Committee.

THE CHAIR:

Senator Harp, do you accept the yield, ma'am.

SENATOR HARP:

I do.

THE CHAIR:

Please proceed, ma'am.

SENATOR HARP:

But I do not have an answer to that question.

THE CHAIR:

Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President.

Mr. President, if I may then, in just looking at  
this, I want to just make sure that this bill that is  
before us today, I think it is meant to be  
implementing language and not something that actually  
changes the underlying budget.

And I don't believe in looking at the language

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that it does, but before voting on it I just want to make sure that we all know what we are voting on in terms of this does not have any net fiscal change that would put the budget out of balance for the next few fiscal years. Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much. There is no fiscal changes that will put the budget out of balance in the next fiscal year.

THE CHAIR:

Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President.

And I thank Senator Harp for the answer to her question.

THE CHAIR:

Thank you, sir.

Will you remark further on Senate Bill 502? Will you remark further on Senate Bill 502?

If not, Mr. Clerk, please call for a roll call vote. The machine will be open.

THE CLERK:

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Immediate roll call vote has been ordered in the Senate. Will all Senators please return to the chamber. Immediate roll call vote has been ordered in the Senate. Will all Senators please return to the chamber.

THE CHAIR:

Have all Senators voted? Have all Senators voted? If all Senators have voted, please check your vote. The machine will be locked. The Clerk will call the tally.

THE CLERK:

Motion is on passage of Emergency Certified Bill 502.

Total Number Voting	36
Necessary for Adoption	19
Those voting Yea	24
Those voting Nay	12
Those absent and not voting	0

THE CHAIR:

The bill passes. Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, I would move for immediate transmittal to the House of Representatives of

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Emergency Certified Senate Bill 502.

THE CHAIR:

Without objection, ordered, sir.

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Mr. President, I would yield the floor to any members for purposes of announcements or points of personal privilege.

THE CHAIR:

At this time, I'll entertain any announcements or points of personal privileges from the floor.

Senator Looney.

SENATOR LOONEY:

Yes, Mr. President, thank you.

Mr. President, that concludes our business for the time being in the June Special Session. It's our intention to recess that session and then to reconvene the veto session to -- because we believe that there is now items coming to us on an agenda for that session, which have come to us from the House of Representatives, or at least they are in transit.

So it's our intention, Mr. President, to call for a recess of the June Special Session and then shortly

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we will reconvene in the reconvened session.

THE CHAIR:

Thank you, sir.

We will recess the June Special Session subject to the call of the Chair.

SENATOR LOONEY:

Thank you, Mr. President.

On motion of Senator Looney of the 11th, the Senate at 3:00 p.m., recessed.

The Senate reconvened at 3:23 p.m., the President in the Chair.

THE CHAIR:

The Senate will come back to order in the veto session. Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President. Mr. President, good afternoon.

THE CHAIR:

Good afternoon, sir.

SENATOR LOONEY:

We are back in, as you said, the reconvened veto

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session. The Clerk is in possession of Senate Agenda Number 5 for the reconvened session.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Mr. President, the Clerk is in possession of Senate Agenda Number 5 for the reconvened session for Monday, June 21, 2010. Copies have been distributed.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, I move all items on Senate Agenda Number 5 for the reconvened session, dated Monday, June 21, 2010, to be acted upon as indicated and that the agenda be incorporated by reference into the Senate journal and the Senate transcript.

THE CHAIR:

There's a motion on the floor to move all items on Senate Agenda Number 5.

Seeing no objection, so ordered, sir.

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Mr. President, on Senate Agenda Number 5, under

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business from the House, we have four items:  
Governor's veto, was overridden by the House. It's  
our intention to take up those items.

The first of those, Mr. President, is substitute  
for House Bill Number 5207.

THE CHAIR:

Thank you, sir.

Just as a reminder, the override is a two-part  
step to override the Governor's veto. Obviously, the  
first motion is to consider the vetoed bill from the  
individual, an individual who's on the prevailing side  
and then the motion that is brought before the body  
for a majority vote. And then assuming that motion to  
reconsider passes, then the motion must be made to  
repass the bill. We've done one earlier, but I just  
thought it would be important to remind everyone.

SENATOR LOONEY:

Yes, Mr. President, thank you.

Mr. President, in accordance with that -- that  
instruction, Mr. President, I was on the prevailing  
side when the Senate considered Substitute House Bill  
5207 and was subsequently vetoed by the Governor.

And having been on the prevailing side, I would  
move for the reconsideration of that bill.

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THE CHAIR:

Okay. Mr. Clerk, do you want to call that bill and -- don't get up on the board. There we go. We're up on the board. Okay. We're good.

There's a motion on the floor by Senator Looney to reconsider House Bill 5207. Is there discussion?

Senator Looney.

SENATOR LOONEY:

Yes. Mr. President, I would move, having been on the prevailing side, I would move for reconsideration of that item.

THE CHAIR:

Thank you. Will you remark further on reconsideration of House Bill 5207?

If not, we'll try your minds. All those in favor, please signify by saying, aye.

SENATORS:

Aye.

THE CHAIR:

Opposed, nays.

The ayes have it. House Bill 5207 is before us for reconsideration.

Senator Looney.

SENATOR LOONEY:



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Yes, thank you, Mr. President.

Now that the bill is before us for reconsideration and it was a bill of the Labor and Public Employees Committee, I would yield to Senator Prague for purposes of a motion to repass the bill.

THE CHAIR:

Senator Prague, do you accept the yield?

SENATOR PRAGUE:

Yes, Mr. President. Thank you. I do accept the yield. And I make a motion --

THE CHAIR:

Senator, yeah. Okay. I'm sorry. Let's call the bill first, Senator Prague, and then we'll --

THE CLERK:

Calling from Senate Agenda Number 5, which is Public Act 10-142, Substitute for House Bill 5207, AN ACT CONCERNING CRIMINAL BACKGROUND CHECKS FOR PROSPECTIVE STATE EMPLOYEES, as amended by House Amendment Schedule "A." The bill was vetoed by the Governor on June 8, 2010.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Thank you, Mr. President. Mr. President, I move

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to repass this legislation.

THE CHAIR:

Thank you, ma'am.

There's a motion on the floor to repass House  
Bill 5207.

Would you like to remark further, ma'am?

SENATOR PRAGUE:

I would, Mr. President. Thank you.

This bill came out of the Labor Committee.  
Today, as things stand, people don't even get a chance  
for an interview. This bill gives folks a chance to  
get an interview for a job. And if they qualify for  
the job, they answer all the questions, everything  
is -- shows that they truly would make a good state  
employee, they're well-qualified, it's at that point  
in time when they can ask for a criminal background  
check.

As it stands now, people don't even get the  
chance to get in for an interview. It's a very good  
bill, and I hope this Chamber will see fit to override  
the veto. Thank you.

THE CHAIR:

Thank you, ma'am.

Would you remark? Would you remark further on

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repassage of House Bill 5207? Will you remark further?

If not, Mr. Clerk, please call for a roll call vote. The machine will be open.

THE CLERK:

An immediate roll call vote has been ordered in the Senate. Will all Senators please return to the chamber. An immediate roll call vote has been ordered in the Senate. Will all Senators please return to the chamber.

THE CHAIR:

Have all Senators voted? If all Senators have voted; please check your vote. The machine will be locked. The Clerk will call the tally.

THE CLERK:

Motion is on passage of House Bill 5207.

Total Number Voting 36

Necessary for Adoption 19

Those voting Yea 31

Those voting Nay 5

Those absent and not voting 0

THE CHAIR:

House Bill 5207 passes.

Senator Looney.

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SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, continuing on Senate Agenda Number 5 of the reconvened session, the second item is substitute House Bill Number 5248, AN ACT ESTABLISHING A SENTENCING COMMISSION.

Mr. President, this bill is also vetoed by the Governor. The House has voted to override that veto. I was on the prevailing side when the Senate considered that item and now would move for reconsideration of Substitute House Bill 5248.

THE CHAIR:

There's a motion on the floor for consideration of Substitute House Bill 5248.

Will you remark? Will you remark further?

If not, I will me try your minds. All those in favor, please signify by saying, aye.

SENATORS:

Aye.

THE CHAIR:

Opposed, nay.

The ayes have it. House Bill 5248 is before us  
for reconsideration. Senator Looney.

SENATOR LOONEY:

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Yes. Thank you, Mr. President.

Mr. President, since that was a bill proceeding from the Judiciary Committee, I would yield to Senator McDonald for purposes of a motion to repass the bill.

THE CHAIR:

Senator McDonald, do you accept the yield, sir?

SENATOR McDONALD:

I do, Mr. President.

THE CHAIR:

Please proceed.

SENATOR McDONALD:

And thank you, Mr. President. Mr. President, I move to repass House Bill 5248.

THE CHAIR:

There's a motion on the floor to repass House Bill 5248. Seeing no objections, please proceed, sir.

SENATOR McDONALD:

Thank you, Mr. President.

Mr. President, this legislation is an outgrowth of a series of different pieces of legislation that began in 2006 in the Judiciary Committee to create a sentencing task force to systematically review our state's criminal justice statutes and to create a more comprehensive and uniform practice in our criminal

justice sentencing.

And in particular, Mr. President, this legislation outlines a series of ways in which the members of this commission would develop a database of information, have access to privileged documents to generate reports and to analyze our criminal justice statutes.

It would be a collaborative effort between the executive branch and the judicial branch, as well as involving law enforcement agencies at the local and state level.

THE CHAIR:

Thank you, sir.

Will you remark further on the repassage of House Bill 5248? Will you remark further?

If not, Mr. Clerk, please call for a roll call vote. The machine will be open.

THE CLERK:

Immediate roll call has been ordered in the Senate. Will all Senators please return to the chamber. Immediate roll call has been ordered in the Senate. Will all Senators please return to the chamber.

THE CHAIR:

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Have all Senators voted? If all Senators have voted, please check your vote. The machine will be locked. The Clerk will call the daily.

THE CLERK:

Motion is on re-passage of House Bill 5248.

Total Number Voting	36
Necessary for Adoption	19
Those voting Yea	27
Those voting Nay	9
Those absent and not voting	0

THE CHAIR:

House Bill 5248 passes.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, continuing on Senate Agenda Number 5 for the reconvened session, the third item on the agenda is Substitute House Bill Number 5286. This item also, Mr. President, was vetoed by the Governor, and the House of Representatives has already voted to override that veto.

Mr. President, I was on the prevailing side when the Senate considered that item and would move now for reconsideration of House Bill Number 5286.

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THE CHAIR:

There's a motion on the floor for reconsideration of House Bill 5286. Seeing no objection, so ordered.

Senator Looney.

SENATOR LOONEY:

Yes. Mr. President, I would move the reconsideration.

THE CHAIR:

Thank you, sir.

I will try your minds. All those in favor, please signify by saying, aye.

SENATORS:

Aye.

THE CHAIR:

Opposed, nays.

The bill is before us for reconsideration.

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Now that the bill is before us, I would yield to Senator Harris, since the item originated with the Public Health Committee, and would yield to Senator Harris for purposes of a motion to repass the bill.

THE CHAIR:



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Senator Harris, do you accept the yield, sir?

SENATOR HARRIS:

I do, Mr. President.

THE CHAIR:

Please proceed, sir.

SENATOR HARRIS:

Thank you, Mr. President.

I move to repass Public Act Number 10-38, AN ACT  
CONCERNING LICENSURE OF MASTER AND CLINICAL SOCIAL  
WORKERS.

THE CHAIR:

There's a motion on the floor to repass House  
Bill 5286.

Will you remark further?

Senator Harris.

SENATOR HARRIS:

Thank you, Mr. President.

Mr. President, this bill passed the Senate in our  
regular session 34 to 1; and the House, 143 to 6.

Mr. President, this bill sets up a two-tiered level of  
licensure for clinical social workers.

We would, with the override of this veto, join 45  
other states that have multilevel licensure, including  
New York, Massachusetts and Rhode Island.

This bill, when it becomes law, does a couple of things that are very important to the people of Connecticut and to our social workers.

First of all, because there's licensure, it provides consumer protection for our citizens to have recourse against clinical social workers that are just masters before they finally get their licensed clinical social worker status, so that there's recourse and consumer protection. It would enable those with masters of social work to work in other settings where they now cannot work, in particular, the medical setting.

A lot of hospitals require a license to be able to work, and it would help keep our masters of social workers here working in the state of Connecticut as opposed to going to other states, including our neighbors, as I said, that have this multilevel licensure.

Mr. President, I urge repassage.

THE CHAIR:

Thank you, sir.

Will you remark further on the repassage of House Bill 5286? Will you remark further?

If not, Mr. Clerk, please call for a roll call

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vote. The machine will be open.

THE CLERK:

Immediate roll call vote has been ordered in the Senate. Will all Senators please return to the chamber. Immediate roll call vote has been ordered in the Senate. Will all Senators please return to the chamber.

THE CHAIR:

Have all Senators voted? If all Senators have voted, please check your vote. The machine will be locked. The Clerk will call the tally.

THE CLERK:

The motion is on repassage of House Bill 5286.

Total Number Voting	36
Necessary for Adoption	19
Those voting Yea	34
Those voting Nay	2
Those absent and not voting	0

THE CHAIR:

House Bill 5286 passes.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, continuing on Senate Agenda

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Number 5 for the reconvened session. The fourth item on the agenda is Substitute House Bill Number 5455. This matter also was passed by the General Assembly. It was subsequently vetoed by the Governor. The House of Representatives has voted to override that veto.

Mr. President, I was on the prevailing side when that matter was considered in the Senate and would move for reconsideration of House Bill -- Substitute House Bill 5455.

THE CHAIR:

Thank you, sir.

Will you remark? Will you remark further on the reconsideration of House Bill 5455?

Will you remark further? If not, I will try your minds. All those in favor, please signify by saying, aye.

SENATORS:

Aye.

THE CHAIR:

Opposed, nays.

The ayes have it. The bill is before us for reconsideration.

Senator Looney.

SENATOR LOONEY:

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Yes. Thank you, Mr. President.

Mr. President, now that the bill is once again before us, I would yield to Senator DeFronzo the chair of the Transportation Committee for a motion to repass the bill.

THE CHAIR:

Senator DeFronzo, do you accept the yield, sir.

SENATOR DeFRONZO:

Thank you, Mr. President, and I do.

THE CHAIR:

Please proceed, sir.

SENATOR DeFRONZO:

Thank you, Mr. President.

I would like to make a motion to repass Public Act 10-159, House Bill 5455.

THE CHAIR:

There's a motion before the Chamber for repassage of House Bill 5455.

Would you like to remark further, sir.

SENATOR DeFRONZO:

Thank you, Mr. President.

This is a fairly innocuous bill. It concerns the master transportation plan process facility, assessment reports and the Department of

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Transportation, the Connecticut Pilot Maritime Commissions. It requires a review of the procedures of state. It makes changes to the authorization and bonds for the Stamford Transportation Center and requires new crosswalks. And the state of Connecticut to provide adequate time for the safe crossing of pedestrians.

Mr. President, this bill passed both houses of the Legislature unanimously and was overridden in the House earlier today by a margin of 138 to nothing. I would urge members of the Senate to join our colleagues in the House. Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Would you like to remark further on the repassage of House Bill 5455?

Senator Boucher.

SENATOR BOUCHER:

Yes. Thank you, Mr. President.

I do wish to remark on this particular bill, although it may be explained as an innocuous bill, but there is a portion of this bill that appears to be somewhat controversial, and it has to do with a parking garage in the Stamford Train Station, which is

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considered to be one of Metro-North's busiest stations outside of Grand Central Station.

In fact, it serves a good portion of Southwestern Connecticut and certainly a good portion of a lot of our districts as well. There are representatives here that directly represent the area that I'm sure will be further giving a position on this particular part of the bill.

I do understand that some of the issue with the Governor's veto on this is that there's some concern that this particular language that was included in this bill would sharply limit the use of state bonds funds for alternative parking. As I understand it, this parking garage situation has been addressed on a number of occasions: Back in 2007, when the actual appropriations was addressed to put \$35 million aside that would be used for this parking garage that serves such a large population and apparently is in pretty bad shape right now.

In 2009, there was further language, that I'm sure will be explained a little bit later this afternoon, that actually restricted to any improvements or rebuilding of this particular facility. It restricted it unless there were provided

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equal number of spaces within the vicinity for those displaced commuters that would be parking in that facility. And it had to be spaced within the vicinity of this particular parking garage.

I understand that there were several options that were under consideration, some immediately adjacent that at one time might have provided the -- between 7 to 800 spaces required to have a one-to-one replacement of those spots, but now is only able to offer 200 spaces and another piece of property by another owner that could have provided 500 spaces. Again, short of the 750 to 800 spots needed.

Lately, there has been an opportunity to provide all of those spaces, 800 spaces, that would be within the vicinity, but would be a walk of one to two city blocks that could be internal and the offer was made that there would be a pedestrian walkway and that it could be built for the \$35 million set aside while the parking garage was replaced. The biggest concern I have is not necessarily for the political issues surrounding this in the city of Stamford, but for two reasons: one for the commuters of our district that would be displaced should this parking facility be closed.



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And I bring that up -- is because that apparently in the last few years, it has been slowly falling apart and, in fact, some have said that there have been pieces of that garage that have fallen on some of those vehicles that had to be then compensated for. That opens the State to a number of risks, financial risks. And if this continues to happen and that parking facility should be closed in the next year or two, then we have 800 very irate commuters that have no place to go, particularly as the additional space -- excuse me, spaces throughout the city of Stamford are extremely limited, if nonexistent. And if so, if there were some spaces, they would have to be bussed quite a distance through rush-hour traffic to that one parking facility.

So it seems like there's very few options left other than to use the \$35 million to build this alternate parking facility while the renovations take place at that particular spot. I am concerned about the liability issues, and I'm concerned about the possible closure of that particular facility. However, there are many here that have more to add to this that are very close to the situation. I'm very anxious to hear their point of view on this, but it

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has been discussed extensively since the first time this bill was enacted and after the veto message was provided to us.

So those are the facts as I have learned to date, and as I said, you will hear a lot more from my colleagues that do represent Stamford directly. But as ranking member of the Transportation Committee, I felt it was important for me to point out some of the issues as I have learned them and why I feel that it is important to sustain this veto so, in fact, we can move forward within the next 18 months to provide the additional spaces necessary so that the main parking facility could be addressed and be either replaced or renovated. I understand renovation may be out of the question as things have deteriorated so badly.

Thank you very much, Mr. President.

THE CHAIR:

Thank you, Senator Boucher.

Senator Frantz.

SENATOR FRANTZ:

Thank you, Mr. President.

I think you know a little something about this particular facility, and I do as well. It's in the southern part of Stamford. I know most of you have at

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least driven by the facility that is in question here today if you've come down I-95 going towards New York City.

And I'll say this, that we, as a legislative body, are serious about mass transit and increasing the efficiency of the roads, the rails, of transportation in general. We absolutely have to make the right decisions in terms of how we deal with an issue like this.

And as most of you know, the transportation center in Stamford has been plagued for the last 30 or so years with problems, especially in the beginning of the particular buildings and facilities that were built in the early eighties and early nineties. And it's a shame.

Personally speaking, I think when you build something like a parking garage, there's no reason why it shouldn't last 40 or 50 or even 60 or 70 years if it's done properly. And unfortunately, we're dealing with a building that was not built to the standards that we would have liked to have seen, and we are faced with a bit of a dilemma here.

And as we all know that Stamford is one of the shining stars these days in terms of economic

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development. There is no question that getting around that city is becoming more and more difficult for people who live there, who commute there, who are trying to do business there. It has great potential to do great things for the state of Connecticut by acting as more of a magnet than ever before for not only the financial services business, but the studio business, the film business, digital film business, et cetera, et cetera. So we've got to get this right.

At first blush, because I was in favor of the amendment that was put forth on this bill in the regular session, it seemed that the proper sequence of events should include addressing the existing problem, the garage, which unfortunately has rebar in it that's rusting. It has chunks of cement falling from the ceiling onto people's cars. The State of Connecticut is liable for this to the commuters, who unfortunately have their cars pounded by the cement. And at first blush, it seemed like the proper thing to do to address the building; do it in sequences so that you can shut down maybe 10 percent at a time; make the necessary repairs and open them up; and continue on throughout the rest of that particular structure. And especially with money so tight these days, you want to

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do the right thing.

Upon much further investigation, numerous visits to the garage itself, looking at this exposed rebar, which is, in fact, rusting unfortunately, it's a white elephant at this point and has unfortunately outlived its useful life and will have to come down.

Given that it's a near certainty at this particular point in time, the sequencing has to be done very intelligently, and I'm not sure we have much of a choice but to look at an alternate spot to have up to, perhaps as many as a thousand, they're saying, but it looks like more like 750 to 800, but it could be a thousand -- within a reasonable distance of the transportation center.

And I know none of us like hearing that you have to walk a block and a half or two to get from your car to the train station, especially on a day when there's inclement weather, but as far as I understand it, the developer -- and I know this is in a very early stage at this point, no MOUs or anything like that -- but in the minds of the developers and the state officials and DOT, the idea is to create a little bit of Faneuil Hall type atmosphere; have a covered walkway where you need to go outside, which would only be for a short

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portion of one block. The rest of it would all be internal with a retail component to it, all in a very attractive fashion.

So the more I think about, if we don't take the proper course, which is to provide for the additional 750 plus parking spots in this new location and spend the money there, we're putting ourselves into a very serious corner in that if we don't do that and we have to take the other one down because of some catastrophic event here in the not-too-distant future or because it's the right thing to do, what do we do?

We end up busing people from as far away as three or four miles where they're able to park their cars to get down to the transportation center. And this goes against the grain of what modern-day public transportation is all about.

And by the way, if you haven't come down to our neck of the woods recently, it looks as though the recession is over. The roads are jampacked with all the development that's going on down in Stamford, particularly the south end of Stamford. It's a logjam down there.

So we need to do the right things. We're asking for your help, and I believe that this is the proper

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course of action.

Thank you very much, Mr. President.

THE CHAIR:

Thank you, sir.

Senator McDonald.

SENATOR McDONALD:

Thank you, Mr. President.

Mr. President, just briefly, as the Senator who represents the area where the Stamford Transportation Center is located, I think that my experience differs from those who have commented about the transportation center before me.

Let me just say to the members of the circle, I appreciated your unanimous support when this legislation was passed during the regular session. I appreciate the unanimous support of the House in overriding the Governor's veto today.

And I think that override is particularly important because what we have heard about the proposal by the Governor is nothing more than a press conference. We have never seen any firm plans for this project. There has never been any public hearing.

When I asked the commissioner of transportation

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whether he had a memorandum of understanding with this proposed developer, the answer came back, no, I do not. When I asked the commissioner of transportation whether he had a term sheet for this development, the answer was, no, I do not.

Mr. President, there's not even an executive summary of what this thing is. We had a pretty picture put in front of us and told that's how we should invest \$35 million in Stamford. The fact of the matter is, Mr. President, the commissioner of transportation has acknowledged that this proposal by the Governor is underfunded by at least \$60 million. What she has launched is not ready for implementation.

Mr. President, the Governor, I understand, feels strongly about this subject, but in my opinion she stands alone in that view. The business community of Stamford does not support this proposal. The Commuter Rail Council does not support this proposal, and until today, no Legislator who represents any portion of the city of Stamford has ever supported this proposal.

The fact is that the garage is decaying. That's why we are asking for this \$35 million dollars to be dedicated to the repair or replacement of that garage. The Governor has never shared with any of us what she



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proposes to do with the existing garage because there is no plan. Senator Frantz is exactly right. This garage has had problems for a long period of time. That's why we need to fix it now.

That's why kicking the can down the road is unacceptable, and that's why I ask all of you to support this override effort. Thank you, Mr. President.

THE CHAIR:

Thank you.

Senator DeFronzo.

SENATOR DeFRONZO:

Thank you, Mr. President. I just want to add a few comments to those of Senator McDonald's. In background, you know, we spend a lot of time in the session just concluded. Going through the bond act, we deauthorized \$422 million dollars' worth of projects. We spent all of February, March, and April looking at those projects. Not once was the issue of the Stamford parking garage raised. Not once was there a discussion about that authorization.

If this project was so important, perhaps the commissioner of transportation or the Governor's office might have deemed it appropriate to have a

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discussion with the chairs of the Transportation Committee or the Finance Committee. That did not happen.

The Governor's veto message indicates a timing issue that the amendment put on this bill was attached in the last several days of the session. And that is correct. And that is because her proposal on this came in the closing days of the session. And in order to clarify and reassert the legislative intent of the original authorization, an amendment was needed.

This is an important issue. It's a big issue, and the Governor's proposal represents a piecemeal approach to it. To take the \$35 million we allocated for the state-owned garage and moved it to a private developer's garage without, at the same time addressing the broader need of the entire comprehensive parking picture down there, leaves us in a bit of quandary. We may have \$35 million for part of the project, but where are going to come up with the money to fund the entire project.

So before we go down the line of the Governor's proposal, we ought to know how much it's going to cost, what the full commitment will be, how much is this going to require in terms of debt service.

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Nothing in here precludes the Governor from making additional authorization requests for parking facilities down there. Nothing is inconsistent with the concept of providing alternative parking prior to the work on the state owned garage. And for all these reasons, Mr. President, and I think it's imperative that the Legislature reassert its will and its intent on its original authorization and override the Governor's veto.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President.

Mr. President, I rise in support of the Governor's veto having voted for the bill towards the end of session, but I think it's important to explain what we've learned in hindsight. And I think I would start by saying that both sides are essentially correct in their arguments. And so then the question is with a problem at the Stamford Train Station with respect to parking, which of the solutions presented are better, or what is the way to solve the problem?

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Things that both Senator McDonald and Senator DeFronzo have said no public hearings; not a lot -- not a lot of talks, more information; it all came at the last minute -- are correct.

Folks, we've passed a lot of bills without public hearings. We've done a lot of things at the last minute. And folks from Stamford and not only the people in the circle who weren't invited to press conferences held by the Governor, that's not a reason to get upset and change state law.

Now, I know a little something about the Stamford Train Station, as well, because it bears my father's name because he brought in the federal money to build the transportation center in the first place. And from the very first day of the first parking garage there was built, it's been a mistake. And I remember him telling me about meetings with the former mayor of Stamford, Tom Seranni, about trying to get the mayor of Stamford not to file a lawsuit originally because it would have stopped construction, hurt commuters. Let it be built and try to solve the problem later. Well, it's been more than 20 years, and we still have a problem with the parking garage at the Stamford Train Station.

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Now, there is \$35 million that was originally allocated to the existing garage. It was transferred by the Governor to get replacement parking. Why was that done? Because this Legislature passed a law that required replacement parking to be put in place before you could work on the existing garage. Guess what? That's good policy. You can't -- if you have to tear down the existing garage, and I guess there's some debate whether or not you could work on it piecemeal and keep part of it open or tear the whole garage down. My assumption is you're probably going to have to tear the whole thing down. If you're going to have to do that, you need parking for those commuters in place first. And as someone who -- along with Senator Boucher and Senator Duff and Senator McDonald and Senator Frantz, most of our constituents rely on that mass transportation system to Stamford or to New York. This is a huge issue. You cannot leave commuters without parking spaces or you will cripple our economy.

So you have to find that replacement parking. Where do you go? There are private building owners right next to the existing garage owned by the State. The State, as I understand it, did attempt to

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negotiate with them and were quoted prices in excess of a hundred million dollars. Simply unaffordable for the State.

Real estate, commercial real estate in Stamford, Connecticut, near the train station are some of the highest prices in the country, I imagine.

So the State DOT had to come up with an alternative. We can't buy it next to this garage. We need to get our own space. They found space, I think on Atlantic Street or Atlantic Avenue. It's not right next door. It is somewhat more inconvenient, there is no doubt. But it can be built as replacement parking within 18 months. That does sound ambitious, but within 18 months for \$35 million as opposed to the hundred million they're quoted by existing building owners.

Now, what do we do with the existing garage? Can you solve both problems with \$35 million? Absolutely not. Governor Rell, Commissioner Marie will be the first to tell you that you can't build replacement parking and fix the existing garage for \$35 million. But the law says build replacement parking first, then fix existing garage. This veto override says take the \$35 million to the existing parking, not to the

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replacement parking. It doesn't make logical sense.

The \$35 million, which will go to the existing garage, falls short of what will be needed if the entire garage needs to be demolished. So in fairness, the very reason why Senator DeFronzo argues this plan falls short, this plan falls short because you cannot demolish that existing garage and build a new one for \$35 million. The ultimate solution will come from the next Governor of the state of Connecticut and the next Legislature.

I would argue that all five individuals running for Governor have a pretty good handle on what's happening in mass transportation in Stamford. I know the Lieutenant Governor knows those problems, and he'll solve them probably in its first day at office. My guess this the mayor of Stamford would probably solve those problems pretty well, but I like your chances better.

But seriously, I think all five candidates, one who is chairman of the Transportation Strategy Board, they all know the issues. Those of us in this circle of Republicans and Democrats from Fairfield County support the issue. I was asked by a reporter earlier today -- we're in economic troubles. You've talked.

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Candidates for Governor have talked. Others have talked about the need to not borrow so much money -- what if they can't borrow that much money to help Stamford?

And I informed this reporter that I think he's misheard what I've said. What I've said is you cannot earmark and bond as much as we've bonded because we need the capacity we have left for critical, important state obligations, none of which are more important than mass transportation because all of us understand that we need mass transportation capacity to grow our economy, especially in Fairfield County.

So increasing capacity with this replacement parking and building a new garage, not only just helps Stamford and the greater Stamford area; it helps our state's economy grow. And it has my support, and I imagine it has the support of a majority of Legislators in this Senate and this House.

Wouldn't it be nice if there were one solution to solve the whole problem put forward? Of course it would. But we don't have that. We don't have that under your solution, and we don't have that under ours. So if the best scenario is one overall solution, that scenario is not available. Then we



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have two scenarios left: The Governor's proposal, which is to build a replacement parking and do it within 18 months or yours, which jeopardizes that the replacement parking doesn't happen until there's a next Governor, which delays the project at least until next January.

Neither option is a full solution. Both options have their faults, but the Governor's option is to build that replacement parking, build it now and build it at a price that is about one-third of what has been quoted at other locations.

There are limited options in terms of land for parking in Stamford, Connecticut, near the train station. You cannot tear down the existing garage and build new parking there as the solution. You need to first have parking somewhere else. If you don't build it at this spot you are looking at being held hostage by developers and building owners to the tune of over to two to three to four times what this replacement parking would cost.

So I respect the position of Senator McDonald. I know he's worked hard on behalf of his constituents, but we have two options with flaws. The Governor's option is the better avenue, and I would ask members

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to sustain her veto.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President.

I, like those who are not from Fairfield County know little about the history of the Stamford parking issues, how we got to where we are and where we're going from here.

And through you, Mr. President to Senator McDonald, I'd like to pose a couple of questions.

THE CHAIR:

Senator McDonald.

SENATOR RORABACK:

Thank you, Mr. President.

Through you, Mr. President to Senator McDonald, was Senator McDonald listening to Senator McKinney as he laid out the reasons for sustaining the Governor's veto. Through you, Mr. President to Senator McDonald.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Ardently.

THE CHAIR:

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Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President.

And through you, Mr. President to Senator McDonald, does Senator McDonald disagree with any of the facts that were laid out by Senator McKinney in his presentation? Mr. President, through to Senator McDonald.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

I do, Mr. President. And I guess apologies to the circle to get into the nitty-gritty of these facts, but I do disagree with many of the facts that were set forth, particularly with respect to the notion that the legislation that was already passed would require the Governor to build an entirely new parking garage two blocks away from the existing train station. It simply doesn't say that. It simply requires that there be alternative temporary parking before the existing garage is torn down and replaced.

So unless the proposition is that the Governor intends to build an 800-car garage for \$35 million and characterize that as the temporary parking necessary

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in advance of her placing the existing parking garage, I think the characterization of the nature of that replacement parking on a temporary basis is misplaced.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President.

And again, as one who is, but not be less familiar with the problems that confront the parking situation in Stamford, is it the case today that there's adequate -- well, there's never adequate parking for a train station, I guess, it's the -- for those of us to travel from afar, we know that we can never get a parking -- or rarely get a parking place in a Fairfield County train station.

But through you, Mr. President to Senator McDonald, is the issue one of repairing an existing facility which is deteriorated or of the need to build a new facility. Through you, Mr. President to Senator McDonald.

THE CHAIR:

Senator Roraback -- I mean, Senator McDonald.

SENATOR McDONALD:

Thank you, Mr. President.

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Mr. President, the part of the problem here, the administration has never shared, at least with me, any information to disclose that any systematic engineering study has ever been undertaken which would require that the building must be demolished as opposed to repaired. It could potentially be repaired in place.

But to answer Senator Roraback's question, there was, as I think I mentioned earlier, there was never any RFP pursued by the Governor with respect to the Stamford Transportation Center. There had been something I had never heard of called an RFEI, a request for expressions of interest, and they got no response. There was no expression of interest when the administration rolled out its plan, or rolled out its proposal I should say.

So as we sit here today, there still isn't a comprehensive plan by the administration that has been set forth or presented to this Legislature, to the Transportation Committee, or certainly to my constituents.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

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Thank you, Mr. President.

And through you to Senator McDonald, just trying to get a grasp on the underlying issue. How many spaces, through you, Mr. President to Senator McDonald, does the existing parking garage have in Stamford, if Senator McDonald knows.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Thank you, Mr. President.

There are actually two parking garages. One is approximately 750 parking spots. The newer parking garage, which is not affected by this proposal, has approximately 1200 parking spots.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President, and is it commonly recognized that the garage with 750 spots has to undergo substantial either repairs or reconstruction?

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

I would agree with that, Mr. President.

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THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

And is it currently being used today, the 750 spots?

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Yes, it is. And we have been assured repeatedly by the Department of Transportation that it's continued utilization is safe for the commuting public. They've actually included several hundreds of thousands of dollars in the last year or so in repairs to the garage.

So much of the exposed rebar that Senator Frantz was commenting about is no longer exposed. There have been substantial repairs made. And frankly, nobody has told us what the real longevity of the garage is for the remainder of its life.

THE CHAIR:

Roraback. Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President.

I guess --

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THE CHAIR:

I'm going to start calling you Roraback now.

SENATOR RORABACK:

Thank you, Governor.

The -- I think from a distant observer's point of view, if it is the case that we might be able to limp along with perhaps an unattractive parking garage, but one that remains functional, through you, Mr.

President to Senator McDonald, I don't know the degree of urgency that needs to attach to the work that needs to be done or whether, in these times, we can squeeze a few more years out of this facility without compromising public safety and with continuing to provide adequate parking.

Through you, Mr. President to Senator McDonald, I think it was John C. Calhoun, or maybe -- or Henry Clay, someone who said a strong conviction that something must be done is the parent of many bad measures. And Mr. President, through you to Senator McDonald, I don't know if there is a strong conviction that something must be done or whether we could get by with what we've got.

THE CHAIR:

Senator McDonald.



SENATOR McDONALD:

Certainly, Mr. President. Everybody wants a solution to this problem, but we want one comprehensive, integrated solution, not this piecemeal approach that has been advanced thus far.

In my opinion, we need to have that comprehensive solution. We have been repeatedly told by the commissioner of transportation that there is no immediate safety need that would require this type of urgency, which -- or speed with which the Governor has been pursuing this plan, particularly when there is no plan in place.

I should also mention, if it's relevant to anybody, that nobody has actually talked to anybody in the Planning and Zoning Department about the development of the site. And so how it is conceived that this could be rushed through before January of this year is something that has been lost on me.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President.

I'm very grateful to Senator McDonald for the education. And it's regrettable that there isn't --

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hasn't been an opportunity for everyone to arrive at the same place, but I appreciate the Chamber's indulgence in having some of my questions answered.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark further on the repassage of House Bill 5455?

Senator Frantz, for the second time.

SENATOR FRANTZ:

Thank you, Mr. President.

If any of you are familiar with the south end of Stamford or even just the central part of Stamford, you'll appreciate some of the logistical and transportation problems that we face down there. It is, as I said before, it's a shining beacon in terms of economic development. There are several new corporations moving to that particular area, some of whom you know and some of whom are under wraps right now. And I see it as a critical exercise in the -- in good decision-making in terms of working out this transportation problem.

You have, in essence, the entire south end leveled and spoken for in terms of the buildings that

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are going in, the different facilities and all the infrastructure to support that. In order for all of that to work, we have to address a whole slew of other problems. You have to deal with the underpasses that go underneath I-95 and also the railroad tracks, Metro-North tracks, to get to the south end. We have existing corporate tenants now, Pitney Bowes in particular, who are throwing their arms up in the sky saying, please, get this right in terms of reconstructing the transportation route down there, and particularly those underpasses, and please, for God's sake, please get the parking situation right so that the flows are correct and so that we have the capacity there so we have a good, viable mass-transportation system and an easy way to access it and get out of the area to where either people are working or where they're living.

It is one of the most busy places I've ever seen outside of a JFK airport or a Grand Central Station or Penn Station, anywhere in this country. You ought to see it during rush hour. It's really, really incredible.

So, again, we have to -- we have to make the right decisions here, and if you think about the,

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again, the sequential schedule of this particular project is one that has to be done correctly. If we waver on this decision, if we decide that the \$35 million has to go into the existing garage then a lot other steps need to be taken before any reconstruction or demolition can take place. That's going to take a long period of time as well. And in the backdrop, you have an increasing demand, perpetually it seems like in Stamford, for additional parking in that area. It's not just the transportation center that needs that sort of capacity. It's a lot of the other facilities down there. There's a lot of residential that's going in in the south area -- South End area as well as retail. There's shopping centers going in, big food shopping markets are going in as well. So the additional parking in that area is vital, and there's going to be a high price or a high value placed on it.

And so when the price is right, like that guy in the Staples ad who -- when I heard 35 million, I said, yeah, that's a low price. If we can, in fact, do that -- and I know there's some question marks about it. Senator McDonald is absolutely right. There isn't even an MOU in place, but if we -- if we have a

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little bit of a bridge of faith here, the mayor is highly encouraged and highly confident that this will, in fact, be a reality in as little as 18 months or so if everything comes together as according to plan and he's pretty sure that it will.

So I think it's something that we have to take into account, this big demand for parking. If you have two garages in that particular area, it's going to help a lot of the problems. And again, the backdrop is we have so many chokepoints and so many bottlenecks down there, if we don't get this particular decision right, it's going to contribute to that and lead to a worsening situation. So again, I'd highly recommend everybody have an open mind about this to move forward.

Times will get better, and there's no question that the funding will be available to rehab the existing garage. Hopefully, it is good for at least a few more years, but there seems to be some differing opinions about it. And yes, the DOT, the commissioner did say that we could probably get through a few more years, but we really don't know. He can't say that with a great deal of certainty.

So I know you don't want to hear about the

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parking garage for the rest of the day and the rest of the night, but I do want you to have an open mind about this and continue to consider this going forward. Again, making the right decision here is critical. With that, Mr. President, thank you.

THE CHAIR:

Thank you, sir.

Senator Boucher for the second time.

SENATOR BOUCHER:

Yes. Thank you, Mr. President.

For the second time for clarification, I just want to get the facts straight as possible. Through you to distinguished Chair of the Transportation Committee.

THE CHAIR:

Senator DeFronzo.

SENATOR BOUCHER:

Through you, Mr. President, I understand that there is language that is in the statute that was proposed by the Stamford delegation that does restrict any work on the parking garage in question so that there must be provided equal number of spaces within the facility if any work were to be done on this facility.

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Through you, Mr. President.

THE CHAIR:

Senator DeFronzo.

SENATOR DeFRONZO:

Thank you, Mr. President.

We passed that a couple years ago so I can't -- can't recall whether that's a one-for-one replacement requirement, but I do know that you are correct.

There is a -- essentially a basic requirement that alternative parking be in place, not necessarily a permanent structure, but alternative parking be in place before the state-owned garage, which is the garage that we're talking about here, is closed so that the commuters there will be able to have parking and their needs be facilitated through the construction period. Through you, Mr. President.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Thank you, Mr. President.

I do understand, at least it was explained to me that it would be either equal or better parking be provided. And I see this is a Catch-22 you know, which came first, the chicken or egg? Or can anyone

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move off of first base to get this moving forward?

Through you, Mr. President, may I ask a further question? Has there been any negotiations in maybe changing that language so that there is some flexibility so that other situations or opportunities or alternatives could be considered? Through you, Mr. President.

THE CHAIR:

Senator DeFronzo.

SENATOR DeFRONZO:

Thank you, Mr. President. Through you, no one has ever approached me with any proposal to reopen those discussions. Through you, Mr. President.

SENATOR BOUCHER:

Thank you for the clarification, Mr. President.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

It sounds to me like there might be some work that could be done on fashioning new language that might allow for a different outcome. Because right now, it appears that alternate parking should be found before any work would actually be done on that facility directly.



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If the money were appropriated just for the facility, it may have to take some spaces off-line when any work to be done in -- particularly in a safe way and particularly since we understand that as the deterioration is occurring, and it's occurring more rapidly right now.

So it does present quite a problem, and I can well understand why a veto was requested for this particular project, and I think there's good intentions of wanting to move this forward for the -- for the commuters of our state and particularly, as the issue of liability still is out there. Thank you, again, for the second time, Mr. President.

THE CHAIR:

Thank you, Senator Boucher.

Will you remark further on the repassage of House Bill 5455?

Senator Daily.

SENATOR DAILY:

Thank you very much, Mr. President.

Senator McKinney said we had two imperfect options. He's right. We owe the state better than that. We can't be doing projects that we can't afford. We can't throw money away without a solid

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plan behind it.

Senator DeFronzo outlined for the circle the work that went in to the revision to the bond package this year. This project has never been mentioned in the Transportation Committee meeting, nor in a Finance Committee meeting. And I think it's time that we just took stock. We know that we need improved transportation statewide. We know that there are needs in Stamford, but this is not the way to accomplish it. Thank you, Mr. President.

THE CHAIR:

Thank you, madam.

Will you remark further on the repassage of House Bill 5455?

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President.

Mr. President, through you to Senator McDonald, if I may, Mr. President. With respect to the underlying bill, the \$35 million -- that the money that's allocated to build the new parking spaces, is it the understanding that that money is to be used to rehab the existing Stamford parking garage? Through you, Mr. President.

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THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Thank you, Mr. President.

Through you, and the underlying bill and Senator DeFronzo can certainly correct me if I'm wrong, it allows for the use of the money to be used for either the repair or the replacement of that -- of those parking spots on that site.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

And that is -- thank you, Mr. President. Through you, when you say on that site -- so where the existing garage that's deteriorating from my understanding -- I've never been there -- the underlying bill would allocate that money solely to be used to repair that existing garage.

Through you, Mr. President.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Through you, either to repair or replace that existing garage.

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THE CHAIR:

Senator Fasano.

SENATOR FASANO:

And through you, Mr. President, do we have an understanding or was there a document or public hearing to indicate how much that would cost to repair that garage? Through you, Mr. President.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Through you, Mr. President, there was nothing that I'm aware of where they presented us with a cost study. Again, as I've indicated, there was -- there's not any memorandum of understanding that's been developed. I haven't seen any cost estimates nor have my constituents.

The department has simply not presented that level of detail to us.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

And through you, Mr. President, that would be for either site, either the sort of -- there's no estimates with respect to the existing garage, and

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there are no estimates are memorandums of understanding with respect to the other properties. So neither one of them have a plan. Is that my understanding? Through you, Mr. President.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

That's my understanding, Senator Fasano.

In talking with developers. I've been told that parking spots roughly, in my part of the state at least, cost roughly, 35 to 40 thousand dollars per parking spot for construction. So under that theory, the \$35 million would simply be approximately enough for the 800 cars that the Governor is contemplating with no additional funds left for anything of the existing parking garage.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President. I thank Senator McDonald for his answers. And thank you very much, Mr. President.

THE CHAIR:

Thank you. Will you remark further on the repass

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of House Bill 5455? Will you remark further?

If not, Mr. Clerk, please call for a roll call vote. The machine will be open.

THE CLERK:

Immediate roll call vote has been ordered in the Senate. Will all Senators please return to the chamber. Immediate roll call vote has been ordered in the Senate. Will all Senators please return to the chamber.

THE CHAIR:

Have all Senators voted?

Senator Gomes.

Have all Senators voted? If all Senators have voted, please check your vote. The machine will be locked. The Clerk will call the tally.

THE CLERK:

Motion is on repassage of House Bill 5455.

Total Number Voting 36

Necessary for Adoption 24

Those voting Yea 25

Those voting Nay 11

Those absent and not voting 0

THE CHAIR:

House Bill 5455 repasses.

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Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, the Clerk is now in possession of Senate Agenda Number 6 for the reconvened session.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Mr. President, Clerk is in possession of Senate Agenda Number 6 for the reconvened session, dated Monday, June 21, 2010. Copies have been distributed.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Mr. President, I move all items on Senate Agenda Number 6 for the reconvened session of Monday, June 21, 2010, to be acted upon as indicated and that the agenda be incorporated by reference into the Senate journal and in the Senate transcript.

THE CHAIR:

We've got one more, folks. Please keep it down.

Senator Looney.

SENATOR LOONEY:

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Yes, thank you, Mr. President.

Mr. President, there is a single item under business from the House, on Senate Agenda Number 6. It is House Bill Number 5236.

Mr. President, this bill was passed, obviously, in both chambers of the General Assembly. The House of Representatives has voted to override the Governor's veto. I was on the prevailing side on this matter when it was passed in the Senate, and I would move for reconsideration of that item.

THE CHAIR:

There's a motion on the floor by the prevailing side to reconsider House Bill 5236.

Will you remark further?

If not, I will try your minds. All those in favor, please signify by saying, aye.

SENATORS:

Aye.

THE CHAIR:

Opposed, nays.

The ayes have it. The bill is before us for reconsideration.

Senator Looney.

SENATOR LOONEY:



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Yes, thank you -- thank you, Mr. President.

The bill now before us for reconsideration, I would yield to Senator Stillman, the Chair of the Public Safety and Security Committee, from which the bill originates, for a motion to repass.

THE CHAIR:

Senator Stillman, do you accept the yield, ma'am.

SENATOR STILLMAN:

Yes, I do, sir.

THE CHAIR:

Please proceed.

SENATOR STILLMAN:

Thank you. I move to repass Public Act 10-128 which was previously vetoed by the Governor on June 10th.

THE CHAIR:

There's a motion on the floor to repass House Bill 5236.

Would you like to remark further, ma'am?

SENATOR STILLMAN:

Yes. Thank you, sir.

THE CHAIR:

Please proceed.

SENATOR STILLMAN:

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I think this bill is self-explanatory and even though I will continue to oppose the bill, in fairness to all who are concerned about it, I will let it run its course and not block it in any possible way.

Thank you, sir.

THE CHAIR:

Thank you, ma'am.

Will you remark further on the passage of House Bill 5236.

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President.

I'm not going to take too much of the circle's time, but as one who voted against this bill when it came before us and who supports the Governor's veto, I think it's important to put on the record my concerns about this bill, but also my concerns about the future.

I say that because there have been reports in the press, calls from different advocates and people concerned seeking to override this veto that regard the future success of a restaurant or several restaurants. And restaurant owners claiming that if they can't get OTB in their establishment or OTB near

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their establishment, that their restaurant is going to go out of business.

Well, I'm here to predict that when this gets overridden and OTB comes in, those restaurants which are failing now will still be failing in the future. Are we really going to say that the future of our economy in a state of Connecticut rests on expanding gambling with OTB facilities so much so that is a key to the success of restaurants.

Our economy is hurting. We want to put as many people into jobs as possible, but I ask you, how many of you have gone to an OTB facility? How many of you have seen especially the ones that aren't simulcast?

We're expanding gambling, increasing opportunities to tax people who are lower income brackets, and we're using that as a way to help restaurants and build our economy. It is the wrong direction for the State of Connecticut to go. Everybody who stood up and said we can't have keno because we're expanding gambling can't say, but OTB is okay.

Eighty-something percent of the people of the state of Connecticut said we didn't want to see keno in our restaurants and our convenience stores, but OTB

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is okay. It's a huge mistake. And let me just say to the OTB owners, you may have won this one, but I sat down with them several years ago when many of us had concerns about their expansion of simulcast. And Senator Duff, Senator McDonald, several others had objected to their bill. And at the 11th hour on the closing day of sessions they made a deal and promised not to come back to increase simulcast, not to expand beyond what they had under law. And a deal is a deal, and they've broken it. And they may have got a majority to agree to it today, but shame on all of them. Their word is worth nothing.

And so what we are doing in standing up here as a state of Connecticut is saying, let's have more gambling. Let's expand the swath of gambling in the state of Connecticut, and we're saying we're going to do that because it's going to help a restaurant stay in business and boost our economy. Well, shame on us if gambling is the success to our economic prosperity in the state of Connecticut.

THE CHAIR:

Thank you, sir.

Will you remark further?

Senator Prague.

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SENATOR PRAGUE:

Thank you, Mr. President.

Mr. President, I am very sensitive to what Senator McKinney just said. I voted against this bill when it came before us. But, you know, jobs in this economy are critically important, and I had to choose between more jobs, particularly in the little city of Willimantic, where I lived for 15 years. It's right next to the town I live in. It just seems that this OTB will create more jobs, and I have come down on the side of supporting this. I wish there were other ways that we could create more jobs.

I'm very disappointed that Senate Bill 1 isn't before us today. That would have given small businesses, with a tax of \$250 a year, a break so that they would have had a little more money, but it's not before us. But this is before us. Even the Southeastern Council of Governments sent us a letter asking us to support this because it means more jobs.

So I guess I have to choose between my dislike of expanded gambling and the creation of jobs. So I am going to support this override. Be that as it may, but I can understand what the others are saying about opposing the extension of gambling in the state.

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Thank you.

THE CHAIR:

Thank you, ma'am.

Will you remark? Will you remark further on the  
repass of House Bill 5236? Will you remark further on  
the repass of House Bill 5236?

If not, Mr. Clerk, please call for a roll call  
vote. The machine will be open.

THE CLERK:

Immediate roll call vote has been ordered in the  
Senate. Will all Senators please return to the  
chamber. Immediate roll call vote has been ordered in  
the Senate. Will all Senators please return to the  
chamber.

THE CHAIR:

Have all Senators voted? If all Senators have  
voted, please check your vote. The Clerk will call  
the tally.

THE CLERK:

Motion is on repassage of House Bill 5236.

Total Number Voting	36
Necessary for Adoption	24
Those voting Yea	26
Those voting Nay	10

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Those absent and not voting 0

THE CHAIR:

House Bill 5236 passes.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, we have completed our business for the reconvened session. And I will -- before wrapping things up in that session, would yield the floor for announcements or points of personal privilege from the members.

THE CHAIR:

At this time, I will entertain any point of personal privileges or announcements.

Seeing none, Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, it's our intent to conclude the reconvened session and would then ask the Chair to reconvene the June Special Session, which was in recess for purposes of formal adjournment.

So, Mr. President, I would move that the reconvened session, that is the veto session, be adjourned sine die.

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THE CHAIR:

The reconvened veto session is adjourned sine die.

On motion of Senator Looney of the 11th, the Senate at 4: 37 p.m., adjourned Sine Die.

The Senate reconvened at 4:38 p.m., the President in the Chair.

THE CHAIR:

The Senate will come back to order to reconvene for the special session.

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Now, in the June Special Session, which was recessed earlier, obviously, there were three bills adopted here in the Senate, which have been sent to the House. It's our intent to adjourn that session and before making that motion would again yield for any announcements or points of personal privilege that the members may wish to offer to the Chamber.

THE CHAIR:



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At this time, I will entertain any announcements or points of personal privilege.

Seeing none, Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President. Just one note. For journal notation or just for -- actually just for a point of personal privilege.

THE CHAIR:

Please proceed.

SENATOR LOONEY:

Mr. President, thank you.

Yes, our chief counsel, Joe Quinn, as many know, has been ill for the last couple of weeks. He is starting to feel a little bit better, but we miss his presence -- with him here today.

THE CHAIR:

We send him our best wishes, Senator Looney.

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Mr. President, if there are no further announcements or points of personal privilege, would move that the June Special Session be adjourned subject to the call of the Chair.

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THE CHAIR:

The June Special Session is adjourned subject to the call of the Chair.

On motion of Senator Looney of the 11th, the Senate at 4:39 p.m., adjourned subject to the call of the chair.

## THE CONNECTICUT GENERAL ASSEMBLY

## SENATE

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The Senate was called to order at 12:26 p.m. , in accordance with Senate Joint Resolution Number 48, which was adopted May 5, 2010, in the regular session the President in the Chair.

THE CHAIR:

The Senate will please come to order. Members and guests please rise and direct your attention to Reverend David Baird, who will lead us in prayer.

Reverend?

DEPUTY CHAPLAIN REVEREND DAVID H. BAIRD:

Let us be in prayer.

O God of Truth, who alone can lead men and women into the truth, be our Teacher, Guide and Friend this day as we seek to find the ways that lead to life. In the midst of times that bewilder and challenge, grant us Your sacred wisdom, courage and peace.

Gracious Creator, teach us to better know ourselves, that knowing our own weaknesses we may be

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on guard. Teach us better to understand other people, that we may view their shortcomings with charity and compassion, their virtues with appreciation, and their kindnesses to us with gratitude. Grant us wisdom, grant us courage for the living of these days that we might live them as Your people with integrity and as Your people of justice.

Almighty Sovereign, we dedicate this Special Session to You that we might be a people who genuinely listen to each other with respect and understanding. Remind us that this task we call governance is a sacred trust that You have put into our hands. Fill us with a single uniting passion and commitment that we all have been called to act for You and Your people, for the common good of all.

Be with all Your servants in this place, in all things great and small, so that small things become great and great things become possible, Great Architect of all Goodness, bless our Senators and their staff this day, bless their loved ones and their families and make their homes sanctuaries of love and peace.

Grant us now, Your spirit to guide and direct our thinking, our speaking and our listening in the hours that are ahead, and when this day's work is complete

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may we all go to our various places of rest with Your words "Well done good and faithful servant" in our hearts.

We ask these things in Your holy and awesome name.

Amen.

THE CHAIR:

Thank you, Reverend.

Senator Kissel, will you come up and lead us in the pledge, please.

SENATOR KISSEL:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

THE CHAIR:

Thank you, Senator Kissel.

Senator Looney.

SENATOR LOONEY:

Good afternoon, Mr. President.

THE CHAIR:

Good afternoon, sir.

SENATOR LOONEY:

Mr. President, I believe the Clerk is in possession of Senate Agenda Number 1 for the July .

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Special Session.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Mr. President, Clerk is in possession of Senate Agenda Number 1 for the July Special Session dated Friday, July 30, 2010. Copies have been distributed.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, I move all items on Senate Agenda Number 1 for the July Special Session dated Friday, July 30, 2010, to be acted upon as indicated and that the agenda be incorporated by reference into the Senate journal and the Senate transcript.

THE CHAIR:

There is a motion on the floor to move all items on Senate Agenda Number 1.

Seeing no objection, so ordered, sir.

Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, beginning with the first item on Senate Agenda Number 1 under introduction of Senate

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resolution, I would ask the Clerk to call Senate Resolution Number 51.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Senate Resolution Number 51, LCO 5905, RESOLUTION CONCERNING THE RULES OF THE SENATE FOR THE JULY SPECIAL SESSION 2010, introduced by Senator Looney of the 11th District.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, I move adoption of the resolution.

THE CHAIR:

Acting on adoption, sir, would you like to remark further?

SENATOR LOONEY:

Yes, Mr. President, just briefly. Mr. President, these are our standard Senate rules for special sessions.

THE CHAIR:

Thank you.

Will you remark further on Senate Resolution Number 51? Will you remark further?

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If not, I will try your minds. All those in favor please signify by saying aye.

SENATORS:

Aye.

THE CHAIR:

Opposed, nays.

The ayes have it. The resolution is adopted.

Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, continuing on Senate Agenda Number 1, under business from the House, under introduction of House Joint Resolutions, I would ask the Clerk to call House Joint Resolution Number 401.

THE CHAIR:

Mr. Clerk.

THE CLERK:

House Joint Resolution Number 401, LCO 5906,  
RESOLUTION CONCERNING THE JOINT RULES OF THE JULY  
SPECIAL SESSION 2010, introduced by Senator Looney of  
the 11th District, Representative Merrill of the 54th.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President.



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Mr. President, I move adoption of the resolution in concurrence with the House.

THE CHAIR:

Acting on adoption of the resolution, sir. Would you like to remark further?

SENATOR LOONEY:

Yes, Mr. President, again, briefly, these are our standard joint rules, which have already been adopted earlier today by the House of Representatives.

THE CHAIR:

Thank you, sir.

Will you remark further on House Joint Resolution 401? Will you remark further?

If not, I will try your minds.

All those in favor please signify by saying aye.

SENATORS:

Aye.

THE CHAIR:

Opposed, nays.

The ayes have it. The resolution is adopted.

Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President.

Continuing under introduction of House Joint Resolutions, I would ask the Clerk to call House Joint

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Resolution Number 402.

THE CHAIR:

Mr. Clerk.

THE CLERK:

House Joint Resolution Number 402, LCO 5904,  
RESOLUTION CONCERNING THE EXPENSES OF THE JULY SPECIAL  
SESSION, 2010, introduced by Senator Looney of the  
11th District, Representative Merrill of the 54th.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, I move adoption of the resolution  
in concurrence with the House.

THE CHAIR:

Speaking on the adoption of the resolution, sir,  
would you like to remark further?

SENATOR LOONEY:

Yes, Mr. President, this is our standard  
resolution providing an authorization for the  
Committee on Legislative Management to pay the  
necessary expenses of the session -- of the special  
session.

THE CHAIR:

Thank you, sir.

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Will you remark? Will you remark further on  
House Joint Resolution 402? Will you remark further?

If not, let me try your minds, all those in favor  
please signify by saying aye.

SENATORS:

Aye.

THE CHAIR:

Opposed, nays.

The ayes have it. The resolution is adopted.

Senator Looney.

SENATOR LOONEY:

Yes, thank you -- thank you, Mr. President.

Mr. President, continuing on Senate Agenda Number  
1, under House Resolution, House Joint Resolutions, I  
would ask the Clerk to call House Joint Resolution  
Number 403.

THE CHAIR:

Mr. Clerk.

THE CLERK:

House Joint Resolution Number 403, LCO 5902,  
RESOLUTION CONCERNING THE PRINTING OF THE JOURNALS OF  
THE SENATE AND HOUSE OF REPRESENTATIVES FOR THE JULY  
SPECIAL SESSION 2010, introduced by Senator Looney of  
the 11th District, Representative Merrill of the 54th  
District.

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THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, I would move adoption of the resolution in concurrence with the House.

THE CHAIR:

Acting on adoption, sir, would you like to remark further?

SENATOR LOONEY:

Yes, Mr. President.

This is our standard resolution providing for the printing of the journals to memorialize the proceedings of the Senate and the House during this special session.

THE CHAIR:

Thank you.

Would you like to remark further on House Joint Resolution 403? Would you like to remark further on House Joint Resolution 403?

If not, let me try your minds, all those in favor please signify by saying aye.

SENATORS:

Aye.

THE CHAIR:

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Opposed, nays.

The ayes have it. The resolution is adopted.

Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, I would now yield the floor to members seeking recognition for points of personal privilege or announcements.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Thank you, Mr. President.

Mr. President, I rise for a point of personal privilege.

THE CHAIR:

Please, proceed, sir.

SENATOR McDONALD:

Thank you, Mr. President.

It's good to see you and my colleagues up here in a late-July afternoon when many of us have -- have spent time at home with friends and family. I have the privilege of spending time with friends and family like everybody, but some of my family came from Maryland to spend time with me this week, and I -- when I told them I was going to have the privilege of

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being up here with all of you, they wanted to join me up here.

So Mr. President, I'd like to take just a moment and introduce to members of the circle my sister Annie McDonald and two of my nieces, Alexandra Marcucio and Melissa Marcucio. And if they would all please stand, and would all the members of the circle give them a welcome.

THE CHAIR:

Welcome to the Senate.

Senator Gomes.

SENATOR GOMES:

Thank you, Mr. President.

I rise for personal privilege for recognition of two fireman, who lost their lives in the city of Bridgeport.

First being, Steven Velasquez, a fireman who started his career in Prince Georges, Maryland in 1990 and served four years down there. He came up to Bridgeport, and five years later, he made lieutenant. The second one is Michel Baik, who I happen to know personally. As I was going through the line yesterday, his wife referred to me as her neighbor even though that we were a couple of streets apart. I used to have conversations with him. Very nice guy.

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He chose to become a fireman at the age of 45, and that was two years ago.

Both of them lost their lives on July -- I mean July 24th, and I just would hope that we could give them a moment of silence here in the Senate.

THE CHAIR:

Will everyone please rise for a moment of silence.

Thank you, Senator Gomes.

Are there -- Senator Musto.

SENATOR MUSTO:

Thank you, Mr. President.

Mr. President, yesterday, as Senator Gomes said, we had funerals today for those two firefighters. And obviously, we're here trying to our duties; they were doing theirs. But it was touching yesterday at the wake of these two firefighters to see people from all over the country, as far away as Canada, coming to honor those men, and I just wanted to thank the people from all over the country who did come to Bridgeport to the Klein Memorial and to the funeral home in Trumbull to honor these two men who did lose their lives doing their duty as we're always concerned that fireman would.

Thank you, Mr. President.

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THE CHAIR:

Thank you, Senator Musto.

I was there. We ran into each other amazingly -- the number of people from throughout the country, let alone the tristate area, who were there to honor men -- these men for their service and their sacrifice.

Senator Stillman.

SENATOR STILLMAN:

Thank you, Mr. President.

For a point of personal privilege.

THE CHAIR:

Please proceed, ma'am.

SENATOR STILLMAN:

Thank you, sir.

I, too, rise to recognize these two gentlemen from Bridgeport who gave their lives to protect all of us and the people of Bridgeport especially. As the chair of the Public Safety and Security Committee, I can tell you that we are all in mourning for the loss of these two wonderful gentlemen and keeping the thought -- our thoughts and prayers for their family in mind. You know, they, like all people, especially in the public safety community, every day they never know what they're going to face. I would say that's



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true for all of us, but they are certainly in a situation many times where their lives are really on the line, and these two gentlemen have made the ultimate sacrifice for the people of Bridgeport and the greater public safety community.

So on behalf of the committee that I cochair, I, too, wanted to express the committee's condolences and my own, personally, for two gentlemen who will be sorely missed by so many. Thank you.

THE CHAIR:

Thank you, Senator Stillman, for those words.

Are there any other points of personal privileges or announcements at this time?

Senator Williams.

SENATOR WILLIAMS:

Thank you, Mr. President. Good to see you.

THE CHAIR:

Good to see you, too, sir.

SENATOR WILLIAMS:

For purposes of an announcement, when we conclude the announcements and points of personal privilege and stand at ease, there will be an immediate Senate Democratic caucus.

THE CHAIR:

We'll have the Clerk also make that announcement.

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Any other announcements or points of personal privilege at this time?

If not, Senator Looney.

SENATOR LOONEY:

Yes, thank you -- thank you, Mr. President.

If no other members are seeking recognition, I would move that the Senate stand in recess to wait to prepare the day's business.

THE CHAIR:

Thank you, sir.

The Senate will stand in recess subject to the call of the Chair.

On motion of Senator Looney of the 11th, the Senate at 12:39 p.m., recessed.

The Senate reconvened at 4:29 p.m., Senator Duff of the 25th in the Chair.

THE CHAIR:

The Senate will come back to order.

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Good afternoon, Mr. President.

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THE CHAIR:

Good afternoon.

SENATOR LOONEY:

Mr. President, the Clerk is in possession of Senate Agenda Number 2 for today's July Special Session.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Mr. President, the Clerk is in possession of Senate Agenda Number 2 for the July Special Session dated Friday, July 30, 2010. Copies have been distributed.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, I move all items on Senate Agenda Number 2 for the July Special Session, dated Friday, July 30, 2010, to be acted upon as indicated and that the agenda be incorporated by reference into the Senate journal and the Senate transcript.

THE CHAIR:

Is there objection?

Without objection, so ordered.

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SENATOR LOONEY:

Yes. Thank you, Mr. President.

Mr. President, the single item appearing on Senate Agenda Number 2, under emergency certification, is a Senate Bill Number 551, AN ACT CONCERNING CLEAN ELECTIONS. If the -- I would mark that item go when asked and would ask the Clerk to call that item as our order of the day.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Calling from Senate Agenda Number 2, Emergency Certified Bill 551, LCO 5943, AN ACT CONCERNING CLEAN ELECTIONS. The bill is accompanied by emergency certification signed Donald E. Williams, President Pro Tempore of the Senate; Christopher G. Donovan, Speaker of the House of Representatives.

THE CHAIR:

Senator Slossberg.

SENATOR SLOSSBERG:

Press the button -- thank you, Mr. President. So nice to see you in a Chair today.

I move acceptance of the emergency certified bill.

THE CHAIR:

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On acceptance and passage of the emergency certification bill.

Will you, remark?

SENATOR SLOSSBERG:

Yes. Thank you, Mr. President.

We're here today in the midst of an election cycle because the Second Circuit has declared that certain portions of our campaign-finance system are unconstitutional, and the legislation before us today addresses those matters and a number of other things -- of other small things.

Before I go through the bill with the Chamber, I wanted to just go and have a quick review of how we got here today. The Campaign Finance Reform Act, which includes the Citizens' Election Program, arose out of several corruptions -- of corruptions, scandals in our state, the most widely publicized scandal involving Connecticut's former governor, John Rowland.

In 2004, Governor Rowland was accused of accepting over a hundred thousand dollars' worth of gifts and services from state contractors. Unfortunately, the public corruption scandals weren't limited to just the Governor's office, and our state earned the nickname, Corrupticut, not just because of the actual scandals, but also because of the

perception of corruption in our state government.

The response by the Legislature and then a new governor, Jodi Rell, was the enactment of the Campaign Finance Reform Act, again including the Citizens' Election Program, which we're discussing today. And the purpose of the program was to restore public confidence in our government by removing special interest dollars and eliminating corruption and the appearance of corruption.

Basically, our clean elections system works like this: We look at what candidates raise and would have -- and what they have raised, and then we take that amount and we take out the special interest dollars that we have deemed to be a corrupted -- a corrupt and corrosive influence. And we supplant those special interest dollars with public dollars, with small contributions from people in our districts, from people in our state for statewide offices, and we call that clean.

And as a result of that, the intent is to have -- take the corrosive influence of money out of our elections. It eliminates the potential influence of large donations and the appearance of those influences.

Now, as we all know, we've been dealing with a

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number of court challenges. It went to the district court -- our case -- our cases and then to the Second Circuit. Most recently, the Second Circuit upheld the fundamental structure of the Citizens' Election Program, including our funding mechanisms. And in large part, while we don't think about it and we don't talk about it, and we're probably not going to talk about it too much today, we actually did win a large portion of this case.

However, what brings us here today is that the Second Circuit struck down two basic provisions. First, our lobbyist ban, which banned both contributions and solicitations by lobbyists, which also included a striking of the contractor solicitation ban, as well as what we call the "trigger provisions," which are the provisions that allow for supplemental grants in the case of excess -- high-spending, nonparticipating opponents when you're facing a millionaire opponent and also if a candidate who's participating is hit with an independent expenditure from an outside organization. And those items which are called the "trigger provisions," were both -- were struck down.

And as I said, the reason we're here today is to address those. If we don't address these, this system

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will fail and we will not have a citizens' election program. And I think that everyone in this room believes that that would be a huge loss to us in the State.

So if I may, I'm going to go through the draft of the bill in front of us so that we all know it's in there.

Section 1 simply repeals the severability language. As people may know, in the previous legislation, when the program was drafted, it was drafted as a whole with the idea that if one piece of it fell, the entire program fell. Now that we've been through our various court challenges, we are repealing that language and we are replacing that with traditional severability language, which states that if a provision in the statute related to this program should fail, then that particular piece is severable and goes away, but the rest of the program will continue to stand.

The next change, lines -- is -- the next change of the end of Section 1 is clarifying language, which says that even after this legislation, if you have received your grant already, you may keep the grant that you have and the program will continue to function.



Section 2 reveals references to the trigger provisions. Section 3 adjusts the grant amount for gubernatorial candidates from the base amount from 3 million to 6 million dollars, and I know that we're going to be talking about that some more during the day today. But the reason for that again, going back to how this was all drafted in the first place and how we came to the elections program is the purpose of this program is to supplant special interest dollars with clean dollars, with public money. And it is the grant amounts that were originally set were based on historical data.

And the average amount for our gubernatorial races over the last number of years for the winning candidates was over \$6 million. So in order to have a system that is viable that people will actually be able to participate in, we need to adjust the grant amount for gubernatorial candidates from 3 million to 6 million, remembering, though, that under the current system, a gubernatorial candidate could potentially get \$9 million if they were -- if the trigger provisions continued to exist, they would get a \$3 million supplemental grant. And then if there were independent expenditures against them, the potential exposure for the fund was up to nine. This grant is

not being adjusted up to nine. It's being adjusted to six to reflect the historical data.

Section -- the next section is Section 4. Section 4 also deals with repealing the trigger grants. Section 5, again, repealing the trigger grants. Section 6, also in the same vein. Section 7 is new language.

Section 7 creates and discusses the concept of bundling. As I had said, the court struck down our prohibition -- on our ban on lobbyist contributions. What we are doing here is creating this concept of bundling, and that is the idea that prohibits a lobbyist from going and either having a fund-raiser at their house or from putting together a big package full of checks. And there are a lot of people who could look at this right now and wonder what this is all about, but it's really pretty simple.

If you think about it, if I were to go and show somebody from the public a picture of a lobbyist giving a candidate an envelope full of checks, I think your average citizen in the state of Connecticut would look at that and think that somehow that doesn't look -- that has the appearance of corruption. It doesn't look honest. It looks like there's something going on, and one of the really important pieces here

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is to try to address the appearance of corruption.

The record is replete with evidence of the deleterious effects of bundling or results of bundling and lobbyist solicitation on the legislative process. In 1986, the General Assembly commissioned a report from the State Elections Enforcement Commission and the State Ethics Commission to evaluate the relationship between lobbyist contributions and the legislative process.

In a survey of Legislators and lobbyists, the Joint Elections ethics study found, among other things, that 25 percent of Legislators responding felt there was a relationship between a lobbyist solicitation of contributions and the success of the legislation that the lobbyist supported. Sixteen percent of Legislators responded that they had heard a Legislator state or imply that a bill's fate depended upon a lobbyist's contribution or solicitation. Thirty-seven percent of Legislators responding were aware of political fundraisers held soon before a committee deadline for taking action on proposed bills.

The 1986 study also found that the lobbyists felt this pressure to deliver contributions as well, but 81 percent of the lobbyists responding were not

willing to testify at a public hearing about the relationship between political contributions and lobbying for fear of reprisals from lawmakers.

As Doctor Robert Howard of Common Cause testified before the GAE Committee in 1990, that in 1988 more than \$311,000 changed hands during the session between lobbyists and their PACs and either campaigns or legislative caucus PACs. That's over \$100,000 a month during the session when citizens expect Legislators to be enacting legislation and allocating resources, not campaigning or fund-raising.

The record is replete with instances of bundling and concerns with regard to lobbyist contributions. And although the court struck that -- struck down our ability to ban all contributions, it did leave the door open to deal with bundling, and that is what we do in Section 7. Subsection 28 of Section 7 is also -- provides a definition of a slate committee and deals with the Section in the back -- I think it's Section 13 -- with regard to de minimis contributions.

Section 8 adds client lobbyist to the definition of lobbying. Section 9 -- very important -- restores the sessional ban on lobbyists. Since there will no longer be a complete ban, we are restoring the sessional ban on lobbyist contributions.

The next section limits our lobbyists' contribution and makes them like everyone else, that they can contribute a hundred dollars, just like any other contribution both for -- however, they are limited and for candidates that are participating in the system and also for nonparticipating candidates. There is still a limit of a hundred dollars.

And again, based on the appearance of undue influence, we believe that it makes sense to restore the public confidence to be able to show that our lobbyists are being treated the same as everyone else with regard to participating candidates and that there is still some limit on them, but that there is a balance between that appearance of corruption and the State's compelling interest in -- as their right to free speech and the State's compelling interest in preventing the appearance of corruption.

Section H provides that on or after January 1, 2011, and we will prohibit communicator lobbyists from soliciting client lobbyists. And again, the court left that door open, and that is to -- still to prevent the appearance of corruption of influence. After January 1, 2011, we are also going to be prohibiting contractors from soliciting their subcontractor principals or employees of contractors

and their subs.

Section 11 are contributions. This is conforming language to deal with the court's opinion. Section 13 is -- probably is one of two things that didn't come out of the court case, but what it does is it provides for -- one of the things that we've been asked about an awful lot at GAE was that small amounts of food being brought to candidate meetings or an event or an activity, that's not a fund-raiser that if it's under \$50. So if someone brings the doughnuts to your campaign event, that's not a fund-raiser. It's not considered a contribution. And also there's language here that, for de minimis campaign activity on behalf of the political committee or the, you know, your campaign, that's also not considered a contribution. That would include e-mails or cell phone calls as long as they're not being reimbursed by the campaign. Those are things like somebody brings the paper clips, somebody brings the stapler from home. We no longer have to deal with that. And finally, the display of a lawn sign, put the sign on someone's lawn or in somebody's window. That is no longer a contribution.

And the final provision here requires that the State Election Enforcement provide a report with regard to the amount of grants and other information

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that they generally report to us, as well, but  
clarifies what we are looking for.  
With that, I believe that I have covered just  
about everything in this bill, and I look forward to  
making -- passing this bill as fast as we can.

Thank you, Senator.

THE CHAIR: Thank you, Senator.  
Will you remark further?

Senator McLachlan.  
Thank you, Mr. President.

SENATOR McLACHLAN: Thank you, Mr. President.  
this afternoon.

THE CHAIR: Thank you. You as well.  
SENATOR McLACHLAN: Nice to see you there

I rise to express concern about the bill before  
us for a number of reasons, but I think the primary  
concern that I'd like to express to members of the  
Citizen Election Program is unconstitutional. We have  
circle is that a federal court has decided that the  
known that for some time. The appeal failed  
essentially on the biggest points. We have  
and I think that what this legislative body  
focused on today is to respond to the

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federal court decision and go home. I don't think it's appropriate for us to be considering spending more taxpayer dollars by way of adding grants to gubernatorial candidates.

And so I would like to get clarification from the proponent of the bill, through you, Mr. President, to the chair of GAE.

THE CHAIR:

Senator Slossberg.

Senator McLachlan, please prepare your questions.

SENATOR McLACHLAN:

Thank you, Mr. President.

And thank you, Senator, for your presentation of the legislation before us.

I guess I would just like to begin by asking if you might clarify what in Bill 551 would specifically address the court decision? I would like to peel away all of the other language in the bill -- just for this conversation -- that does not relate very directly to what the court stated this Legislature should address as it relates to the Citizen Election Program.

So I wondered if you could just peel away everything else and just give us what is it that the court needs for us to proceed and be in compliance with the decision.



Through you, Mr. President.

THE CHAIR:

Senator Slossberg.

SENATOR SLOSSBERG:

Thank you, Mr. President.

Through you, Section 1, in that it repeals the severability language, anything that deals with repealing severability has to be addressed. The trigger provisions have to be addressed. The lobbyist ban has to be addressed. The contractor solicitation ban has to be addressed.

THE CHAIR:

Senator McLachlan.

SENATOR McLACHLAN:

Thank you, Mr. President.

And through you to Senator Slossberg, could you clarify a little more what you mean by "be addressed" in that some of the language that I'm reading goes beyond what the court is looking for in their decision.

So could you clarify: Is there any part of the language on those issues you've just shared with us that goes beyond what the court has asked for?

Through you, Mr. President.

THE CHAIR:

Senator Slossberg.

SENATOR SLOSSBERG:

Through you, Mr. President.

If I understand your question with regard to severability, we have to, you know, we have to change that language in the event that the district court, as it's been -- as the case has been remanded to them, were to uphold a piece of this unconstitutional -- which we believe that's possible, and so we have the severability language -- has to be revealed and then restored to traditional severability.

With regard to the trigger provisions, that language was struck down. So that needs to be repealed in order to address the State -- the court's case.

With regard to the lobbyist -- the ban on lobbyist contributions, that was held unconstitutional and the solicitation ban was held unconstitutional. So that needs to be repealed.

If there's something else, through you, Mr. President, that I've missed, I'm more than happy to try to address the Senator's question.

THE CHAIR:

Senator McLachlan.

SENATOR McLACHLAN:

Thank you, Mr. President.

Thank you, Senator Slossberg, for your response.

And I think that you've fairly accurately stated what my perception is of the issues that need to be directly addressed today. And I suspect that there is somewhat uniform agreement among all the members of this circle that we should address those issues.

I think that severability is a -- has been an agreement essentially of all the members of this circle right from the beginning of the court decision. I believe that back in August of 2009, we were hopeful to address this issue much sooner. And so severability is not a contentious issue at all.

I think there are some questions about the way that we approach further restrictions of adding lobbyists to the mix that have not been part of the Citizen Election Program in the past. Certainly, we can have some more discussion about the specific details of that, but I think that the way that I am assessing this legislation before us, is that we are going way beyond what has been suggested by way of a court decision and, namely, we are spending more money.

And may I remind my fellow Legislators here at the State Capitol in Hartford, Connecticut, that this

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State is broke. We don't have any money to spend, and we should not be talking about expanding state spending for anything, especially not expanding state spending for TV advertising in a gubernatorial campaign.

So my point is, and I would suggest to my colleagues here in the circle, that we should consider very carefully any proposal before us that does, in fact, increase spending. That is headed in the wrong direction.

I think that we should focus today, on this warm summer day, on the items of agreement. Those items that the federal court judge has ruled that need to be addressed, we should agree on fixing those items as part of our state statute and move on. This is not the right time for us to consider additional spending.

I also am frankly a little concerned that there is -- seems to be some type of a justification that additional monies are needed in the absence of the triggers of the original Citizen Election Program. And I heard -- I believe from the presenters' remarks that that an average gubernatorial campaign was somewhere around \$6 million. And I think that the last gubernatorial campaign before the Citizen Election Program became available to candidates, the

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successful candidate who is our incumbent, Governor Rell, spent somewhere around \$4 million without contributions from lobbyists or state contractors.

And so I suggest that that is a good example of the cost to run a campaign in Connecticut. And if we are looking even at adding a certain amount of money for inflation from 2006 to 2010, there is no reason why we should now be entertaining 5 and a half or even 9 million dollars as a potential cost to run a campaign under a taxpayer-funded citizen election program as proposed in this bill.

So it's clear to me, and I hope it's becoming clear to the rest of us here in the circle, that we should back up, take a step back, strike out this idea of expanding spending taxpayer funds for political campaigns and focus on what's most important, compliance with the federal court order and move on.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Will you remark further?

Senator Kane.

SENATOR KANE:

Thank you, Mr. President.

Good afternoon.

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THE CHAIR:

Good afternoon, sir.

SENATOR KANE:

I tend to agree with my colleague, Senator McLachlan, in regard to the spending and the increase of spending, especially at a time in this economic situation that we have here in the state of Connecticut.

So through you, Mr. President, I do have a couple questions for Senator Slossberg in regard to the proposal -- proposed bill.

THE CHAIR:

Please prepare your question, sir.

SENATOR KANE:

Thank you, Mr. President.

In your initial remark, Senator Slossberg, you said that you referred to the 2006 election, I believe, and I think you were talking about how much was spent on that campaign by the victor. Can you tell us, do you have information on how much was spent by each candidate in that campaign?

Through you, Mr. President.

THE CHAIR:

Senator Slossberg.

SENATOR SLOSSBERG:

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Yes. Thank you, Mr. President.

Through you, actually, I didn't talk at all about the 2006 election. I believe the previous speaker spoke about the 2006 election. What I had spoken about were the figures I was given by Election Enforcement that show historically that the average number for the winning gubernatorial campaign for governor over the last three cycles was \$6 million.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you. Thank you, Mr. President.

Because I guess that goes where my question is, because in regards to this section, first of all, we are increasing the figure from the 3 to 6 million dollars, and I'm assuming that's based on those numbers that you were given saying, well, the average was \$6 million.

So is that where this 6 million came from?  
Through you, Mr. President. Because of that?

THE CHAIR:

Senator Slossberg.

SENATOR SLOSSBERG:

Yes. Thank you, Mr. President.

Through you, the idea here was to make sure that

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we have a grant that is competitive. And so in the past three gubernatorial election cycles, the average spent by a gubernatorial -- by a winning governor -- lieutenant governor team was just over \$6 million.

THE CHAIR:

Senator Kane.

SENATOR KANE:

And do we know what the average was spent by the losing campaign?

Through you, Mr. President.

THE CHAIR:

Senator Slossberg.

SENATOR SLOSSBERG:

In some, yes, actually, we do. And those numbers are less. Although in 2006 the DeStefano/Glassman race was about -- was about four points -- well, actually, 4.7. Adding the numbers up, 4.7.

But again, the idea here is to make sure that the grants we are putting forward are competitive, but that someone would participate in the system based on getting a grant that allows them to actually compete in the program -- in the election.

THE CHAIR:

Senator Kane.

SENATOR KANE:



Thank you, Mr. President.

I guess where I'm going with this is -- it also -- in line 184 it says that thereafter, said amount shall be adjusted under subsection of this section, which I guess in my mind, if in 2010, the winner spends \$10 million, are we going to come back here next year and say, well, the winner spent \$10 million. We have to give the next person \$10 million. Is that the thinking here? Through you, Mr. President.

THE CHAIR:

Senator Slossberg.

SENATOR SLOSSBERG:

Thank you, Mr. President.

Through you, no, not all. Actually, that refers to the cost-of-living adjustment that addresses all of the grants, including the legislative grants that are currently -- that we currently have that's in conformance with the rest of the program. That's nothing new and does not at all reflect a review, again, to adjust grants.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Okay.. That's good, because I guess, again, your

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point was that we looked at an average of typically what they were spending for the last three cycles. And if we throw 2010 into that average, it's obviously going to boost that up. I don't know what each candidate is going to spend this year, but I can imagine it could be greater than \$6 million. So if that's the case and we're using that criteria, then I just might be afraid of what we are going to increase this to the next time, but if you say it's cost-of-living, then that's reasonable. But I just wanted to clarify that.

I just want to ask you one more question, if I might, you talked about the lobbyist, how, obviously, the court said that they're able to give. And then there's a section, and I don't remember which -- I believe it's Section 7, if I'm wrong, I apologize -- in the change coming in January -- it is Section 7 line 833 -- January 1, 2011. Can you speak to that again in regards to how we're changing the lobbyist come January 1.

Through you, Mr. President.

THE CHAIR:

Senator Slossberg.

SENATOR SLOSSBERG:

We're actually not changing the lobbyists come

January 1. The changes that come January 1 are with regard to -- let me get back to that contractor.

Let's see, Section 7 with the bundling, that's effective from passage. Hang on one second.

January 1, we deal with the -- actually, it's the communicator lobbyist from client lobbyists. But it's just an individual who is -- it prevents a communicator lobbyist from soliciting any individual who is a member of the board of directors of an employee or a partner and who has an ownership interest of 5 percent or more, any client lobbyist that the communicator lobbyist lobbies on behalf of pursuant to the communicator lobbyist's registration. So that's a communicator lobbyist being restricted after January 1, 2011, from soliciting their clients directly.

They can now -- they would -- they'll still be able to solicit their family, their friends, their neighbors, whoever else. They just can't solicit their client, so we now have a much more narrowly tailored ban. In addition to that, we have some changes January 1 with regard to contractors and solicitations, but I don't believe your question was addressed to that.

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Senator Kane.

SENATOR KANE:

Thank you, Mr. President.

So if that's the case, then for this election cycle come November, these same communicator lobbyists can solicit their clients.

Through you, Mr. President.

THE CHAIR:

Senator Slossberg.

SENATOR SLOSSBERG:

Yes, as a result of the court striking down the general lobbyist ban, that would be true.

THE CHAIR:

Senator Kane.

SENATOR KANE:

So through you, Mr. President, why not change that now? Why wait till January 21st of 2011?

THE CHAIR:

Senator Slossberg.

SENATOR SLOSSBERG:

Thank you, Mr. President.

Through you, you know, the court left the door open for us to address this, but it is not clear as to whether that would survive a legal challenge. We believe it would.

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I think it's important that we continue to try to uphold the bans to the extent that we can to prevent the appearance of corruption. However, it may -- it raises some questions. We are in the midst of an election cycle, and I don't believe that anyone would like to, you know, have any unpredictability or a lack of stability in the system that we have now.

We believe that this is strong and defensible, but we believe that the full ban was strong and defensible. You know, three months before the election is not the best time to be making those sorts of decisions.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you. Thank you, Mr. President.

I thank Senator Slossberg for her answers. I appreciate them very much. I'll continue to, you know, read through this bill. Obviously, there's a number of pages that we have to go through, but I still have some very deep concerns with regard to the dollar aspect.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

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Will you remark further?

Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President. Good afternoon.

THE CHAIR:

Good afternoon, sir.

SENATOR DEBICELLA:

Through you, Mr. President, one question to the proponent of the bill.

THE CHAIR:

Please prepare your question.

SENATOR DEBICELLA:

Mr. President, through you, when we were debating the biennium budget just a short 18 months ago, and even our budget adjustment bill just a short six months ago, we actually swept the Citizens' Election Fund in both instances to the tune of some \$15 million. And my question is, at that point, the responses to could we sweep more was no. We required every single dollar to meet the obligations of the Citizens' Election Fund.

My question is, if we are going to up the grants from 3 to 6 million dollars, where is that money going to come from to pay for that?

Through you, Mr. President.

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THE CHAIR:

Senator Slossberg.

SENATOR SLOSSBERG:

Yes, thank you, Mr. President.

That money has already been appropriated into the fund. It's already there. So it's not new money. It's money that is sitting in the fund.

THE CHAIR:

Senator DeBicella.

SENATOR DEBICELLA:

Through you, Mr. President.

So that contradicts what was said on this floor just a few months ago when we said, the question was, could we sweep more out of the Citizens' Election Fund? The answer was no, we could not. We need all of it to meet current obligations, which at that point was \$3 million.

So if we're now going to raise it to \$6 million, either the statement before wasn't true and there was extra money in the fund, or right now we have to appropriate more money to make sure we cover this, or there could be another possibility that I'm not thinking of, Mr. President, so through you.

THE CHAIR:

Senator Slossberg.

SENATOR SLOSSBERG:

Thank you. Through you, Mr. President.

I think the question speaks for itself. You were talking, at the time that discussion was going on, it was to meet current obligations. The court had not handed down their decision. We had a program in existence as it did, the trigger provisions were in existence. The potential for supplemental grants or for independent matching grants existed.

And so the exposure to the fund was exactly the amount that needed to be in there. If we had taken more, we would have been in a position of underfunding the fund. And there, had the court not struck it down, perhaps we would not have the money to actually address that aside from the fact that at the point that we made that decision we didn't actually know which candidates were running and how many -- or not that which candidates were running -- but how many people were potentially running and what the actual exposure was.

So the sufficiency report provided and created by elections enforcement that they are required to do pursuant to our general statutes to determine whether they have enough money provided for various different scenarios. And they were very clear with us that if



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we, at that time, had taken more money, they would have had to declare an insufficiency.

Obviously things have changed now with the trigger provisions being eliminated. It changes the way the entire system operates, but in order to have a viable system you have to have competitive grants.

THE CHAIR:

Senator DeBicella.

SENATOR DEBICELLA:

Thank you, Mr. president.

And I thank Senator Slossberg for the answer to that question.

I do agree with her that, at the time, it was absolutely what the SEEC said. It was that we had enough money to cover those current obligations. However, the eliminations of the triggers will not provide enough extra resources to cover an extra \$6 million, should we need to spend that, should you have two qualified candidates who would actually receive that in the general election.

So Mr. President, with that in mind, I'd like to call LCO 5954.

THE CHAIR:

Will the LCO -- will the Clerk please call LCO 5954, please.

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THE CLERK:

LCO 5954, which will be designated Senate  
Amendment Schedule "A." It is offered by Senator  
McKinney of the 28th District, et al.

THE CHAIR:

Senator Debicella.

SENATOR DEBICELLA:

I move the amendment.

THE CHAIR:

I move -- will you remark further?

SENATOR DEBICELLA:

Thank you, Mr. President.

Mr. President, the amendment will simply strip,  
in line 182, the word "six" and will actually return  
the grant to what it was originally intended to be,  
which was \$3 million.

And Mr. President, there are five reasons why I  
actually think this is the sensible thing for us to  
do. The first is what we just talked about, is  
there's actually a risk of the fund not having enough  
money to cover this and the need for us to go into the  
General Fund or elsewhere to get this money.

Second, we have a deficit of approximately  
\$6 billion for the next two years. We are going to  
need every single penny available to cover that to say

now is the time to increase the grants for the gubernatorial election that happens in three months, I think is fiscally irresponsible.

The third point was brought up by Senator Kane and Senator McLachlan -- there is, based on historic precedent, no need for \$6 million to run a gubernatorial campaign.

Fourth -- and I think this is important -- is changing the rules of an election midstream is inherently biased. In reality, there are five major candidates for governor right now, two of whom are taking public financing. Doing this inherently benefits those two candidates, one a Republican and one a Democrat, at the expense of the other three. That is just a reality of changing the rules midstream. It's not something we should be in the business of doing.

And fifth and finally, it isn't required. There is nothing in what the court said that even hinted that we should double the amount that this grant should be. So what we've done is we've actually turned a technical bill to conform with the court into something that's changing the rules midstream.

So, Mr. President, let's not turn what I think is an otherwise good bill into an excuse to once again

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simply increase government spending. I urge adoption of the amendment.

THE CHAIR:

Senator Slossberg.

SENATOR SLOSSBERG:

Thank you, Mr. President.

I rise in opposition to the amendment to address the five points. First, the fund has sufficient money. We've received documents from OFA as well from Election Enforcement. The money is sitting there. It is set aside. It is already there. It has been there. In order to address it, we've very carefully protected it through the session to make sure that the fund has sufficient money. It's there.

Secondly, we're not increasing the grant at all. We are adjusting it in regard to the court's decision. Our current exposure is to \$9 million. You could actually argue we're decreasing the grant by the same argument because the exposure is to \$9 million and we are addressing it at 6.

Third, with regard to historical precedent, we've got to actually deal with the facts here. The facts are competitive race for governor historically has cost, on the winning side, over \$6 million. Those are the facts.

Fourth, changing the rules midstream, that's exactly what we would be doing if we didn't adjust the grant at that -- at this time because it is election season. It is election cycle and people on both sides of the aisles have known what the program is. It's been out there and known what their expectations were with regard to how much money was potentially available.

Fifth, it's not required. I would disagree. I believe it's very much required. In fact, if we have a system that does not have competitive grants, then we might as well not have a system at all. It makes a mockery of the program if you don't actually have grants that allow people to run at a competitive level.

I urge opposition.

THE CHAIR:

Thank you.

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President.

Mr. President, I speak in favor of the amendment. And let me sort of rehit the five, or four out of the five points. You see I couldn't remember the fifth one, but the money is already there, and I believe

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Senator Slossberg said we've protected it. At what cost? At what cost do we protect it?

We made cuts to the elderly. We made cuts to the RIDE programs. We made cuts to programs, to education. And what cuts -- and what costs -- we deferred \$200 million in a pension plan. So yeah, we protected it. We protected it so we could give it, our taxpayers' money, to run a political campaign, more money to put on the ads that we saw, more money for pencils, more money for balloons. Do we balance when we put that away?

So yeah, we protected it, but what was the cost of that protection and why are we continuing to protect that when we need it for the school system. We need it for our public school system.

Point number two is that it doesn't really increase the grant. It does. I'm going to let Senator McKinney talk about that because he expressed to me his philosophy, and I'm not going to do it -- as much justice as Senator McKinney will.

Number three, historically, remember why we put in campaign financing, which I supported, I voted in favor of it back when. We said, number one, campaigns are getting out of control. We're spending too much money on campaigns. We're out there beating the

bushes trying to get money.

Let's control the cost of campaigns. And now we're saying, well, now that we control the costs, because, 2006, when Governor Rell said, I'm not going to take special interest money, \$4 million, and the DeStefano other side did about 4.7 million. So in 2006, it was reasonable, about \$4 million each. And that's 2006.

The latest statistics -- 2006, and we wanted to keep the money low because we wanted people spending tons of money. And now here we are saying, well, we've got to get more money. Logic doesn't flow.

With respect to changing the game, it's correct, we are changing the game midway through. These candidates that are running knew that the campaign financing law was under appeal. They knew it was challenged. They knew that supplemental grants were part of that challenge. They knew what the lower court had stated. They knew what the cards were in front of them, and they knew that we were going to have to try to fix it at some point.

There was no certainty that they walked in, that they're definitely going to get all this money because they knew that there was a challenge. So they assumed the risk and went forward. I don't think any one of

them would have said, gee, had I known I wouldn't have run. I don't think any one of the candidates would have said that.

I understand the candidates out there that would want the money, who are in the program would want the money. I get that, but it's not the right thing to do. It's not the right thing to do. We have a fiscal problem.

Last session, we looked between -- we joked in this chamber when we talked about trying to find 200 million between the cushions of the couch. We shook everybody's bank account out. What do you have? What do you have Transportation? What do you have Citizen Election?. And everybody was clinging to their money because they knew that we were coming to get it, but we protected this money.

And who lost because we protected this money? And who is going to lose because we continue to protect this money? We have to be fiscally responsible. It's got to start now. So I stand here and I ask your support for this amendment.

Thank you, Mr. President.

THE CHAIR:

Thank you.

Senator Looney.



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SENATOR LOONEY:

Thank you, Mr. President.

Speaking in opposition to the amendment, I wanted to second the comments of Senator Slossberg in that what we are trying to do in the -- on the underlying bill is actually to honor the intent of the original legislation within the context of the recent decision by the -- by the Second Circuit.

And it's in line with what was recommended today in the Hartford Courant editorial, which said when the General Assembly meets today in special session to fix constitutional flaws in the State's campaign finance reform program, lawmakers should take care to honor the reform's original intent. And that is what we are trying to do in order to set the grant levels at those that we think meet the expectations with which the candidates that went into the program potentially and to preserve the program along with original intent.

In a -- in a discussion yesterday in the Connecticut Mirror, our own lieutenant governor, Lieutenant Governor Fedele, noted that he had made the decision to participate in public financing with the assumption that matching grants would be available. Now, obviously, the matching grants are struck down by virtue of the -- trigger mechanism has been struck

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down by virtue of the Second Circuit decision. His comments in the -- in that article yesterday said they have to provide a venue for a clean election candidate.

What you signed up for is not going to be there. You have to at least, in this election cycle, provide something. So I think that what we are trying to do, in an equitable way, is to restore the balance that was anticipated in the original bill. Exactly what we are trying to do, I think, in all of the elements of the underlying bill is to provide a system that is true to the original intent of the legislation, which I think this amendment would undermine, but which the underlying bill, I believe, preserves.

Thank you, Mr. President.

THE CHAIR:

Thank you Senator.

Senator McDonald.

SENATOR McDONALD:

Thank you, Mr. President.

Mr. President, just briefly, I rise in opposition to the amendment, and I perhaps come at this from a slightly different perspective as a State Senator from southwestern Connecticut.

Ladies and gentlemen, in the last election most

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of my constituents thought that Elliott Spitzer was running for governor because that's the media market in which my constituents primarily see advertising. The fact of the matter is that \$3 million is absolutely insufficient for running a statewide campaign and reaching out to all aspects of the state.

Fully one quarter of our citizens don't watch the Hartford media market or the New Haven media market. They are excluded from our public debate because there's not enough money to reach them with the messages that candidates, be he or she, Democrat or Republican, are trying to convey.

I'm opposed to this amendment because it denies the realities of the costs of running a campaign. It denies the costs of actually connecting with votes. It denies my constituents an equal ability to participate in that electoral process.

This money, as has been pointed out, has already been budgeted, but I do think it's important to remember that in 1998 the successful candidate for governor spent \$6.9 million.

I jumped on my handy-dandy computer here and used the inflation calculator to tell -- to find out what that would have been in today's dollars. It's \$9.28 million, and that's roughly the amount of money

that was spent -- 6.5 million was spent by the successful candidate for governor in 2002.

Denying the costs of what it actually takes to effectively communicate with constituents does a disservice to our constituents. And I haven't yet found the post office who's willing to send mail for free. I haven't yet found the printer who cuts costs for political candidates.

The fact of the matter is a participatory democracy takes a certain amount of money. And in our system, we've already allocated this money. It's just not accurate or equitable to claim that this is new money. It's always been budgeted.

Let's be honest. We've always known that a candidate running for governor in this cycle might expend \$6 million. The underlying bill creates the equity, creates the parity that we need for an effective system and, therefore, I oppose the amendment.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President.

Good afternoon.

THE CHAIR:

Good afternoon, sir.

SENATOR RORABACK:

Mr. President, I rise in support of the amendment and would urge my colleagues to give the public in the state of Connecticut a little bit of credit.

Mr. President, I can't speak for others, but I can tell you that my constituents are no fools. And my constituents are not going to vote for the guy that has the most money. And for any of us to translate election victory to who, the guy that has the most money is, I think belies the lessons of history, the lessons of campaigns nationwide.

Ask Jon Corzine if the person who spends the most money independently will win. Ask the voters of New Jersey, were you won over by the raw expenditure of independent wealth as the deciding factor in how to cast your vote?

Mr. President, we have to give the public some credit. This debate is not taking place in the abstract. Next week, there's a primary and it could well be that the two winners of both the Republican primary and the Democratic primary will be participating candidates in the publicly financed program. And should that be the case, what we're talking about today is, are those individuals going to

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have \$5.5 million to spend on TV ads, which drive many of us to distraction, or are they going to have \$8.5 million, public dollars, each to run TV ads to drive us all nuts?

Mr. President, I would respectfully encourage my colleagues, if the premise here is that we need to have equity and equilibrium and all this stuff, let's wait and see who wins the primary, because I for one am not going to sleep very well at night knowing that we took \$6 million that I could use to help my soup kitchen restock its shelves and instead dumped it into a black hole where two participating candidates are now going to blow \$6 million, 6 million public dollars on an endless barrage of distasteful, often distasteful, often distortive, often -- you want to talk about a mockery, I think the television commercials that our public dollars are buying are not elevating the public discourse.

And, Senator McDonald, if your constituents are fortunate enough to be insulated from them, I might take the position that they're going to be better educated voters than those of us that are subjected to them constantly.

Listen, we aren't even at the primary yet, and people are sick and tired of these television

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commercials. I think they know who the candidates are, the ones up are up on TV. They know who they are. They haven't even spent two and half million dollars yet. Everyone knows who's in the game and I, for one, hope that the determining factor for who wins the election in November isn't the person that spends the most dough.

So shame on us for -- particularly, if the two winners of the primaries are participating candidates, shame on us for dumping 6 more million dollars into this black hole when I think it could be used for a lot more socially beneficial purposes.

I urge support of the amendment.

Thank you, Mr. President.

(President in the Chair.)

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Thank you, Mr. President.

Mr. President, I rise to support the amendment. I do so as one of the few people in the House on my side of the aisle that actually originally voted for this campaign-finance law with the understanding that

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it would set guidelines, rules, and create a more even playing field, not with the supposition that the rules would change at any given time to advantage one side or another or one candidate for another.

I also do remember as well we had a candidate who was incredibly wealthy, Brook Johnson, that was running for a U.S. Senate seat and did not -- and was not successful in that race no matter how much money they had going into it. It is an unhappy day that we're here today to even address this, but I strongly support this amendment. I think it's the right thing to do, and I think the public would be behind us in this direction.

Thank you, Mr. President.

THE CHAIR:

Senator McLachlan.

SENATOR McLACHLAN:

Thank you, Mr. President. Nice to see you there this afternoon.

I am standing in support of the amendment. I'd like to thank Senator Debicella for bringing this very simple amendment forward. In fact, isn't this wonderful how we can have a piece of legislation be fixed and save \$3 million with such few words. I think this is wonderful.



I'm really standing -- I've already expressed my concerns about the spending, but I'm standing now just to shed light on statements that I think are problematic in government, and that is that the money is sitting there so that justifies us spending it, and ask my constituents in Danbury, Bethel, Sherman or New Fairfield, and if I said that to them, they'd say, go home.

Just because the money is there, doesn't mean we spend it. A federal judge said that the current program that it was budgeted for was not right. We have an opportunity to spend less money. Let's do it.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President.

Mr. President, I rise in support of the amendment before us, and I just want to briefly address some of the arguments made in opposition to the amendment, because if I think you listen to the words used and the words not used, you'll understand the spin that has been given.

First, as Senator McDonald very correctly noted,

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the winning candidates in the 1998 and 2002 gubernatorial campaigns -- that would be former governor, John Rowland -- spent 6.9 million and 6.5 million. He did not conveniently talk about how much the winning candidate for governor in 2006 spent. That was \$4 million.

He did not conveniently recognize that the candidate for governor in '98 and 2002 took money from contractors and lobbyists, and a lot of it. And the winning candidate in 2006 did not take a dime from lobbyists and contractors.

So we've heard about how much money it costs to win, but we had a governor who stood up and said, I won't take lobbyist money. I won't take contractor money. I'm going to take almost \$3 million less than my predecessor. I'm going to be outspent by my Democratic opponent and I'm going to win, and I'm going to win with class and grace. And that's what Governor Rell did. John DeStefano raised and spent \$5.5 million. Jodi Rell, \$4 million.

Senator McDonald was kind enough -- and thank you, to let me borrow his inflation calendar. That \$4 million by today's dollars is \$4.4 million. So you've got to look at the whole picture. In 2006, our most recent gubernatorial elections, \$4 million was

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sufficient to get a victory for someone who's running for governor for the first time.

Senator Slossberg referenced the average cost of winning campaigns was about \$6 million and said, well, this grant, 3 million, adding 3 million is 6 million.

And I scratch my head because I had been looking at Dan Malloy's website earlier today and a press release that he sent out in May, saying, I have now qualified for 8 and half million dollars of public funds. And according to Mr. Malloy, I have 23 weeks left and I will be able to spend more money over that 23 weeks than any candidate for governor in the history of the state of Connecticut.

Well, wait a minute. Senator Slossberg is telling me it's 6 million and 6 million. Dan Malloy is telling me it's 8 and a half, and that 8 and a half is more money than anyone has ever spent in the history of the state of Connecticut. I agree with Mr. Malloy. Are we forgetting the 2 and a half million dollars he got to run the primary? Does that not count in our calculation?

So the argument here that what we're doing today is giving someone \$6 million is flatly false. All we need to do is look at Mr. Malloy's press release. It will be 8 and a half million dollars. Eight and half

million dollars is more than anyone has ever spent in the history of the state of Connecticut.

This isn't equalizing it. This isn't looking at historical numbers. This is jacking it up higher than it's ever been before in our history. Now, if you agree with that, that's fine, but let's be honest about what we're doing.

We also didn't hear anything about the \$1.25 million supplemental grant that both participating candidates for governor received, that the Second Circuit has said is unconstitutional. Are we asking for that back? Are we fixing that? Are we deducting that from the \$3 million? No, we're not. So we've now given out 2 and half million dollars that the Second Circuit said was unconstitutional and we are not doing anything to address that.

We've been told this isn't increasing the grant amount. Well, sure. The elections commission has had this money at hand for this 2010 election cycle, and they've built in to have more money to start the 2012 election cycle as well.

And so we're told that since the money was put aside we're not increasing spending. We're told by my good friend, Senator Looney, that we should honor the original intent of this legislation. Well, I ask you,

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under the original legislation, if two participating candidates were to win primaries and run for governor, would they have gotten a supplemental grant of \$3 million? Answer: No.

So if we have two participating candidates for governor who are elected by their parties in the primary on August 10th, which is an extremely likely scenario, we've increased the amount by \$6 million. Fact. Fact.

We also had supplemental grant status -- assumed candidates would spend more money, but there's no guarantee that the self-funding candidates would continue to spend, spend, spend. Maybe they will, but we don't know that.

When you look at the amount of money that was picked to run for governor, it was \$4.25 million. 1.25 for the primary, 3 million for the general. We've heard eloquently from Senator McDonald that isn't sufficient to run for governor. We've proven that's wrong because Jodi Rell did it. That's why we picked the number. I'm sure that's why you did it. You looked at what the most recent gubernatorial election spent. We've heard candidates participated in the system in reliance on this. I don't believe that.

Take out lobbyist money. Take out contractors' money. And in this economy go try to raise the 5 and a half million dollars that Dan Malloy is going to receive. He can't do that. There's no way. No way.

We've heard they relied on this and maybe they wouldn't have joined the system. The system was challenged for it's very existence on constitutional grounds. There was an opportunity and a chance that the court would rule and they would get zero dollars. They were willing to take that chance, but we're supposed to believe that they wouldn't be willing to take the chance that 5 and a half million was all they would get. It's illogical and it makes no sense.

The question here is, do you want to spend an additional \$6 million to support political candidates to run ads, buy bumper stickers, buy bags, buy balloons to run for office, and do you want to do that at a time when we're slashing our budget, cutting programs, when the unemployment rate is at its highest ever in the state of Connecticut, when we're facing nearly \$4 billion budget deficit, when every man, woman and child in the state of Connecticut bears the highest per capita debt in our country? That is the basic question here.

Even proponents -- and look at the transcript

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when this bill originally passed -- even proponents knew you could never level the playing field. Government was never going to pass a public finance system that would equal the playing field between a participating candidate and a self-funding candidate. That was never the goal. The goal was, could you give them sufficient money to run a race for governor?

If Governor Rell can run and win and win handily for \$4 million, I think the candidates we have can run and win at 5 and a half million dollars. They do not need an additional \$3 million. The taxpayer should not bear that burden.

And you know what? If the money is in that fund, that doesn't mean it has to stay there. Every caucus, Democrats, Republicans, Senate, House, agreed at one time or another, in deficit mitigation packages to take money out of the Citizens' Election Fund so we could help balance our budget. That \$6 million would look pretty good to help balance our future budget deficit.

And I urge adoption.

THE CHAIR:

Senator Williams.

SENATOR WILLIAMS:

Thank you, Mr. President.

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I rise to oppose the amendment and also to ask for a roll call vote when the debate is closed.

You know, Mr. President, to a large extent our entire clean election system that we worked so hard on three years ago depends on candidates who participate, receiving the grants that they expect to receive and in believing that those grants will allow them to be competitive and to communicate with the voters of this state and to effectively deliver their message and be heard so that voters across the state can evaluate who the best candidate is, not who has the most money.

And you know, we enacted the Clean Elections Program, as Senator Slossberg referred to earlier, the history of it, we enacted it because of the scandals and the corruption and a desire to move beyond that. A desire to get rid of the dominant special interest influence in the process.

And also to say that while there's nothing wrong with being wealthy and spending your own money on an election, we shouldn't limit the possibility of getting elected and getting your message out to those who have a vast fortune. We need to make sure that when people participate in elections in Connecticut, under our clean elections system, that what they signed up for is there in terms of the commitments



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that were made so they get the resources they need to communicate with the voters and the voters are not let down and that there is a vigorous debate and that a candidate is not swamped by special interest or swamped by a wealthy candidate.

Now, my good friend Senator McKinney talked about the candidates who are participating, for example, in the governor's race -- knew that there was a lawsuit pending that could impact the system. But I believe that those candidates who were participating would have expected us to do exactly what we were -- are doing right now if the court had struck down the matching fund provision.

Because to believe otherwise, I think would suggest that those candidates should have not participated if they knew that they were only going to be eligible for \$3 million dollars in a general election. No winning candidate in the last three cycles has ever spent \$3 million. Most losing candidates have spent more than \$3 million in the last three cycles.

So I believe those candidates would have expected us to do exactly what we're doing now, which is to come in and fix it and live up to the spirit and original intent of the clean elections law, which is

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fairness to those who are participating, getting them the resources that they need to get their message out and compete fairly.

Senator Slossberg and I believe Senator McDonald mentioned that, you know, the universe of resources for a candidate under the clean elections law, prior to the Second Circuit opinion, was not \$3 million or even \$6 million. It was \$9 million.

Now, we're talking about capping that at \$6 million. That's why we don't need new money. That's why there's existing money in the fund to cover this. I think few people expected that the actual expenditure in a general election race would be only \$3 million.

You know, even if you don't adjust for inflation, the average of the last three cycles, the last three gubernatorial elections, the winning candidate spent \$5.8 million, almost \$6 million, not adjusted for inflation. Adjusted for inflation, it's well over \$7 million. We're talking about capping this at \$6 million.

Now, it is true, four years ago Governor Rell ran and spent \$4 million and won. But I would suggest this to folks, that we recall that, A, she was an incumbent governor and, B, she had a 70 percent

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approval rating. I'm sure any candidate who is in the race right now would trade to be an incumbent and to have a 70 percent approval rating and take the \$4 million as opposed to the \$3 million grant. And even at that, let's remember 4 million is more than 3 million. And I didn't see an amendment from our friends on the other side of the aisle to increase the grant by \$1 million.

So, for all of those reasons, I oppose this amendment, but most importantly, for the reason of fundamental fairness. We're talking about living up to the intent and spirit of the original clean elections law. That's what we're fighting for today, Mr. President.

Thank you.

THE CHAIR:

Thank you, Senator Williams.

Will you remark further on Senate "A"? Will you remark further?

If not, Mr. Clerk, please call for a roll call vote. The machine will be open.

THE CLERK:

An immediate roll call vote has been ordered in the Senate. Will all Senators please return to the chamber. An immediate roll call vote has been ordered

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in the Senate. Will all Senators please return to the chamber.

THE CHAIR:

Have all Senators voted? If all Senators have voted, please check your vote. The machine will be locked. The Clerk will call the tally.

THE CLERK:

Motion is on adoption of Senate Amendment  
Schedule "A."

Total Number voting	34
Those voting Yea	12
Those voting Nay	22
Those absent and not voting	2

THE CHAIR:

The amendment fails.

Will you remark on Senate Bill 551?

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President. Mr. President, to the proponent of the bill, through you.

THE CHAIR:

Senator Slossberg.

SENATOR FASANO:

Thank you, Mr. President.

Mr. President, through you.

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Senator Slossberg, it's my understanding that the original bill, before the court had its ruling, the underlying bill prohibited lobbyists from -- prohibited communicator lobbyists or their immediate family from knowingly soliciting from anybody. Is that my understanding of the original bill?

Through you, Mr. President..

THE CHAIR:

Senator Slossberg.

SENATOR SLOSSBERG:

Thank you, Mr. President. Through you, yes, that is correct.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President.

And then, through you, it's my understanding that the court believed that that prohibition was too broad. I believe the court found that such a prohibition was unconstitutional and was too broad and struck that provision. Is that correct?

Through you, Mr. President.

THE CHAIR:

Senator Slossberg.

SENATOR SLOSSBERG:

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Thank you, Mr. President. Through you, yes, that is my understanding as well.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President.

And through you, Mr. President, today the amendment seeks to, one, narrow that solicitation to a more narrow group of people and commence that prohibition on January 1, 2011. Is that correct?

Through you, Mr. President.

THE CHAIR:

Senator Slossberg.

SENATOR SLOSSBERG:

Yes. Through you, Mr. President, yes. That is correct.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

And I guess if the understanding -- the preamble to this bill that you so elegantly stated at the beginning was to say that this is a clean election bill. The point of the underlying bill was to prohibit what some would perceive as special interest money being put into the system where lobbyists would

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talk to other folks and push a particular candidate who may believe in the clients that they represent, perhaps. And the idea was to make this a clean bill.

It went too far and now we've narrowed it, but what we've said is, we're not going to enact that ban as narrow as replacing it until January 1, 2011. Is that correct?

Through you, Mr. President.

THE CHAIR:

Senator Slossberg.

SENATOR SLOSSBERG:

Yes, Mr. President. Through you, yes, that is correct.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

So the original bill did not allow any solicitation on a broad space. The court said that's unconstitutional. We sit here today to change this bill. The underlying bill says, no solicitation, and what we're going to do is we're going to narrow it in the hopes of keeping that preamble alive.

Now, we're not going to allow undue influence and keep special interest, but we're not going to do this until January 1, 2011, which is after this election

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cycle. Is that correct?

Through you, Mr. President.

THE CHAIR:

Senator Slossberg.

SENATOR SLOSSBERG:

Yes. Thank you, Mr. President.

Through you.

SENATOR FASANO:

And what is the --

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Sorry, Mr. President.

THE CHAIR:

It's quite all right.

SENATOR FASANO:

And what is the rationale to say, you know what, we're going to release this ban, and we're going to allow lobbyists the ability to solicit outside of the group that's been prohibited for this election? Why are we going to do that?

Through you, Mr. President.

THE CHAIR:

Senator Slossberg.

SENATOR SLOSSBERG:



Through you, Mr. President, thank you.

As you spoke, the court found that the ban on solicitation, that soliciting is a core and fundamental right and that -- something to have an outright ban was something that they struck down.

While we believe that a more narrow ban is supportable, I think that there is the potential that that could draw a legal challenge. And as we know, we are three months away from an election and in the case that we continue to have legal challenges, it throws the rest of our system into question, and we need to continue to preserve the predictability and the stability of the system.

So if we are going to draw legal challenge, it would make some sense to do so after the election.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

And that legal challenge in that provision would be similar if you were enacted -- if you were to have the effective date today. As I understand your discussion here, that that provision would be -- attacks similar to the way -- the way the underlying bill was attacked on constitutional grounds. Is that correct?

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Through you, Mr. President.

THE CHAIR:

Senator Slossberg.

SENATOR SLOSSBERG:

Thank you, Mr. President.

Through you, Mr. President, I can't speak to as how it would be attacked, but that would be -- if I had to guess, I would say so.

SENATOR FASANO:

Okay.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President. I thank Senator Slossberg for the answers.

So the argument, as I understand, it goes that we pass the Citizen Election Bill of 2005, that one could argue, I guess, it had some unconstitutionality of it. That bill was challenged in early 2006. Judge Underhill made a decision in 2009, and here we are July 10, 2010, some four and a half years after we approved the bill, almost five years after we approved the bill, and we've played by the same law -- same rules of the underlying bill because it stayed intact.

Citizen Election did their job. Campaign

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contributions followed the law. We all followed the law if we participated in it, and now we're afraid that, if we do something that could be deemed unconstitutional, in three months the court is going to stop us. What took four and a half years, somehow someone believes in three and a half months, the court is going to stop us. If it is unconstitutional and there is a challenge, there is no way a decision in the court is going to happen between now and election time in November.

So what we're saying is we know what history has proven, and it is a fact that it took almost five years, but we are going to open up the floodgates on the very thing that we're most afraid of, the perception of undue influence. Clean elections, well, except for this -- except for this, we're going to allow lobbyists to solicit on behalf of elected officials, to go and make arguments or discussions of why they should support people, at least to 2000 -- at least until January 1st. Let's at least get the cycle in, and let's get our checks in now, because now is the election. We're either going to pass clean law or we're not going to pass a clean law.

I supported this bill before. I supported the original legislation before because it did, on the

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perception, create a clean campaign. And we've already created a loophole the very day we corrected it. The very day we sit here and give accolades to this bill about how it is going to make us clean and how we're going to keep special interests out. We leave the back door open for this election. That's hypocrisy. That's hypocrisy.

You're either going to make a bill that is correct and follows what you're saying or you're not. But don't say you're doing it and you're not doing it.

Let's speak to the facts of this bill. Not only are we doing it for lobbyists, but we are also doing it for contractors. In line 998, we've allowed contractors, state contractors now, where they couldn't do solicitation, we're going to allow them now to do solicitation to January 1st, the same thing we did with lobbyists, the two very groups we sat in this circle back in 2005 and said we've got to keep out, the two very groups we said we need to keep out of elections because they're going to derail a clean election, the very groups we've been talking about today when we started this discussion and when the Senate President ended the discussion.

Clean campaigns, but we made a loophole in the very law we're correcting. I don't get it. I don't

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get. And to say the fear is it may be unconstitutional and somehow the court is going to swoop in in the next three and half months when it took five years is ludicrous. Those of us who practice law know nothing works quite that fast in law. It didn't in 2005 and it isn't in 2010, and even if you thought it would, we said -- we should weigh the risks, the risk of so many attacking this law because it's unconstitutional versus saying we're passing clean election. And what we did is we left a huge loophole. We left a huge tunnel from which we can never say we buttoned it up in 2010 because, frankly, we did not.

With that, Mr. President I would ask the Clerk to call LCO 5958.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO 5958, which will be designated Senate Amendment Schedule "B." It is offered by Senator Fasano of the 34th District, et al.

SENATOR FASANO:

Thank you, Mr. President.

THE CHAIR:

Senator Fasano.

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SENATOR FASANO:

Thank you, Mr. President.

Mr. President, I move the amendment, and I request permission to summarize.

THE CHAIR:

Acting on approval of the amendment, sir, please proceed.

SENATOR FASANO:

Thank you, Mr. President.

Mr. President, what this amendment seeks to do is to say starting today, starting today, starting when the bill is passed today, this amendment, we will plug up the loophole. We will not have a loophole that goes to the very heart of clean elections. What this says is we're going to stop lobbyist solicitation now, not in 2011. We are going to stop contractor solicitation now, not in 2011. And we are going to make clean elections now, not in 2011, because we believe clean elections is the best path for the state of Connecticut. That's what this amendment will search to do.

Mr. President, I urge adoption of this amendment.  
Thank you.

THE CHAIR:

Thank you, sir.

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Will you remark? Will you remark further on  
Senate Amendment "B?"

Senator Slossberg.

SENATOR SLOSSBERG:

Thank you, Mr. President.

I rise in opposition to the amendment, and I'd  
ask for a roll call vote with regard to it, for all of  
the reasons that I stated before.

The court found that the limit on solicitation of  
otherwise permissible contributions prohibits exactly  
the kind of expressive activity that lies at the First  
Amendment's core, and while I believe that, you know,  
putting this forward in January is something that's a  
risk that we're willing to take with regard to  
challenging the court, again it puts the program in  
jeopardy if we were to turn around in face of the  
language -- the clear direction we received from the  
court to try to do this now. Thank you, Mr.  
President.

THE CHAIR:

Thank you, ma'am.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Also speaking in  
opposition to the amendment.

As Senator Slossberg said, Mr. President, in this case, the soliciting, and the Second Circuit opinion was given a very, very high level of protection, and the court clearly distinguished between the acts of soliciting as opposed to contributing, because soliciting is more -- more purely speech at the core of the First Amendment as Senator Slossberg said -- and because of that the Court, in effect, applied a strict scrutiny standard to all of the -- all of the act solicitation bans and to be on a -- and to be upheld under that standard of law -- as opposed to a merely sufficient one and be narrowly tailored to achieve that interest. So anything that we do that limits solicitation is going to be, in effect, more potentially vulnerable because of the very high degree of strict scrutiny applied to those provisions.

Hence, we wanted to be -- to be cautious and make sure that we were not going to be undertaking any portion of this bill that was going to likely to -- to invite a further threat of invalidation of another portion. Therefore, I think it was more prudent to proceed, as does the underlying bill.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.



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Will you remark further On Senate "B"? Will you remark further?

Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President.

Through you, a question to Senator Slossberg.

THE CHAIR:

You're saying you don't want to answer that --  
Senator Slossberg.

Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President. Through you.

I'm just trying to follow what's being said here,  
and through you, Mr. President to Senator Slossberg,  
my understanding is the underlying bill contains a  
severability provision. Is -- do I read that  
correctly, Mr. President.

Through you to Senator Slossberg.

THE CHAIR:

Senator Slossberg.

SENATOR SLOSSBERG:

Through you, Mr. President, yes. That would be  
correct. There is a severability provision in the  
bill.

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Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President.

My understanding is that the import of the severability provision is that if any part of what we do doesn't cut the mustard with the court, everything else will continue to breathe life.

Mr. President, through you to Senator Slossberg, is that how she understands the import of the severability clause?

THE CHAIR:

Senator Slossberg.

SENATOR SLOSSBERG:

Yes, Mr. President, thank you.

Through you, that's the intent of restoring a traditional severability clause, but there is no guarantee that if we don't respond to what the court struck down and the court's expression with regard to their concerns, it -- there's no guarantee that Judge Underhill wouldn't find that this is integral to the system and strike down the entire thing. That's our best effort at it.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

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Thank you, Mr. President.

I'd like, Senator Slossberg, if she would, to the best of her ability, articulate what she thinks is the worst possible thing that could happen if this amendment passes.

Through you, Mr. President to Senator Slossberg, what is going to cause her to toss and turn tonight in her bed if this amendment should pass. Through you, Mr. President to Senator Slossberg.

THE CHAIR:

Senator Slossberg.

SENATOR SLOSSBERG:

Thank you.

Through you, Mr. President. Very interestingly worded question. I'd like to think that nothing is going to require me to toss and turn this evening when I leave. Hopefully, it won't be so late that I feel too exhausted.

But having said that, I think the concern here, quite frankly, is that the -- this would invite further legal action and there would be somehow -- there would be some sort of an injunction and the entire program would be enjoined, and all of the candidates that are relying on it would not be able to go forward.

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THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President.

And through you to Senator Slossberg, my understanding of how things have played out so far is once candidates get the money, even Judge Underhill I think said, Geez. Nothing I can do. You know, once they've got the money, they're off to the races.

So it's not clear to me, Mr. President, if the concern is that this is going to give rise to additional litigation, it's going to give rise to additional litigation whether the effective date -- if I'm mad about this, as a lobbyist, I could go to court tomorrow whether the effective date is January 1 or whether the effective date is upon passage.

So it's not going to slow down the pace of a court challenge, and it's not going to slow down -- it's not going to slow down a result by having a later date. I'm, again, to Senator Slossberg, she -- the risk she perceives is that if this amendment passes, the court is going to make a final decision in advance of candidates receiving their grants under the clean election program.

Through you, Mr. President to Senator Slossberg.

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THE CHAIR:

Senator Slossberg.

SENATOR SLOSSBERG:

Yes. Thank you.

Through you, Mr. President, I believe that my answer is that this invites further legal battles that we don't need to be addressing at this time.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

So even though we believe this is the right thing to do, we don't believe that it's right enough to do now. Through you, Mr. President to Senator Slossberg.

THE CHAIR:

Senator Slossberg.

SENATOR SLOSSBERG:

Thank you.

Through you, Mr. President, I believe this is the right thing to do on January 1, 2011.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President.

I appreciate Senator Slossberg's answers, but I will respectfully be supporting the amendment. If

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it's right in January, it's right today.

Thank you, Mr. President.

THE CHAIR:

Will you remark further on Senate "B?"

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President.

I rise in support of the amendment and briefly just to summarize, either this is constitutional or not. If the court and the majority believe it is constitutionally permissible to prohibit lobbyists from soliciting their clients, which the majority, Senator Slossberg has said it is constitutional, then you do it now. If it's constitutional, it's constitutional. If it's right, it's right.

And if you read the court decision -- I just reread the court decision on the ban of solicitation -- they said that the State's ban was too broad and that less -- more restrictive, less broad alternatives exist. Hint, hint. Go find them. Prohibiting a lobbyist from soliciting their brother, their neighbor, their mother is broad. Prohibiting them from soliciting their clients is very narrowly tailored to address a very important government interest, a government interest which Senator

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Slossberg herself led off the very debate detailing, detailing why we engaged and went down this path in the first place was to have clean elections, to get rid of at least the appearance, if not the exact corrupting influence, of lobbyists and contractors.

The court has said your ban was too broad. Come back with a less restrictive alternative and the majority has said we have a less restrictive alternative that is good public policy. It's constitutional, and it's so good we're going to wait until the next election cycle because we want lobbyist money pouring in now.

So the question is, do you believe lobbyist money is corrupt and shows the appearance of corruption, and if you do, why are you afraid of a lawsuit? Why are you -- we've had more lawsuits on both sides of the aisle than any of us want, and the people of Connecticut are tired of it.

But if lobbyists want to sue for their right to go to their clients and say I want you to give to this candidate, I want you to give to that candidate, let them go sue. I think there are 36 people in this circle and a couple million people in the state of Connecticut who would stand up and say we think it's wrong and enough is enough. If it's constitutional,

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it's constitutional, and we should do it now.

THE CHAIR:

Will you remark further on Senate "A"?

Senator Williams.

SENATOR WILLIAMS:

Thank you, Mr. President.

I rise to oppose the amendment, but to agree with my colleagues on the other side of the aisle in terms of what they want to accomplish with this and agree with them that, yes, we want to make sure that we are limiting, to the greatest extent, impermissible influence on the legislative process by lobbyists and special interests.

And this is a close call. This is a close call. A decision was made to make this ban in the underlying bill effective on January 1st as opposed to immediately, which is what this amendment would do. And that judgment was made because -- and Senator Slossberg has already eloquently spoken to this point -- because we don't want to get dragged back here in September or October with a judge who may say, you know what, this issue cuts right to the core of the publicly financed system, and I'm going to enjoin this system for a day or a week or two weeks while we figure this out and decide whether it's severable and



decide whether this is constitutional or not.

But I think it's unfortunate that we had a decision that came down at the beginning of July of this month and that we're here today. I think the folks who've said, you know, that has caused some disruption are certainly right, but we're here to fix that and get back on track. And we don't need another disruption in our election cycle. And what the people of Connecticut want is certainty and to be able to listen to and evaluate the candidates. And what the candidates want is certainty as to how to proceed between now and November and be sure that they have the resources and that the judge isn't going to come barging in in the closing weeks of the campaign and say, You know what, freeze everything. No more grants go out. Just time out while I figure this out. So it is a close call.

Because Senator McKinney, Senator Roraback, the other Republicans who spoke in favor of this amendment, I agree with you. And I wish that we could make this effective immediately and be certain that there would not be further court intervention in our system between now and November. But I would say on balance, let's preserve the playing field as is between now and November without further court

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intervention, at least not invite that and then -- but let's put this prohibition in place as of January 1.

If anybody wants to challenge it, fine.

Challenge it in court. We believe it's constitutional. We believe it will be upheld, but it will not -- but for whatever reason if a court decides otherwise, it will not further disrupt this cycle.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark further on Senate "B"?

Okay.

Will you remark further on Senate "B"?

If not, Mr. Clerk please call for a roll call vote. The machine will be open.

THE CLERK:

An immediate roll call vote has been ordered in the Senate. Will all Senators please return to the chamber. An immediate roll call vote has been ordered in the Senate. Will all Senators please return to the chamber.

THE CHAIR:

Have all Senators voted? And all Senators have voted. The machine will be locked. The Clerk will call the tally.

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THE CLERK:

The motion is the adoption of Senate Amendment  
schedule "B."

Total Number voting	36
Those voting Yea	12
Those voting Nay	24
Those absent and not voting	0

THE CHAIR:

Amendment "B" fails.

Will you remark further on Senate Bill 551?

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President.

Mr. President, one of the constitutional infirmities found by Judge Underhill and affirmed by the Second Circuit was the fact that our ban on lobbyist contributions was unconstitutional. And this bill before us purports to fix that decision by Judge Underhill.

In reality, though, Mr. President, upon reviewing the bill before us, it does more than simply fix the fact that the court found lobbyist contributions -- a ban on lobbyist contributions unconstitutional. And I think it's something that we should talk about, and because of that, through you, Mr. President, I'd like

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to ask Senator Slossberg several questions.

THE CHAIR:

Senator Slossberg.

SENATOR MCKINNEY:

Thank you, Mr. President.

Senator Slossberg, just as a basic matter, would you agree with me that the court, looking at our voluntary public financing system, would probably strike down, were it not voluntary, spending caps, limits on how much you can spend on your campaign and the like? Through you, Mr. President.

THE CHAIR:

Senator Slossberg.

SENATOR SLOSSBERG:

Thank you. Through you, Mr. President, my understanding is courts have struck down limits on campaign spending where they're not voluntary.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President, and I would agree.

And part of this, Mr. President, is long ago established by Buckley versus Valeo, where the Supreme Court of the United States said that a candidate's receipt of public funds may constitutionally be

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conditioned on campaign finance restrictions that would be unconstitutional if imposed mandatorily on all candidates.

Therefore, as I read that, through you, Mr. President, to Senator Slossberg, I read that as saying that if you have a system that's voluntary, you could make a condition of participating in that system something that, where if you are required to do it, would be unconstitutional. Would you agree with that Senator Slossberg?

THE CHAIR:

Senator Slossberg.

SENATOR SLOSSBERG:

Thank you.

Through you, Mr. President, in a theoretical sense, yes.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you.

And through you, Mr. President to Senator Slossberg, as I read the court's opinion in the Garfield case, they struck down Section 9-610(g) of our general statutes, which was the ban on lobbyist contributions. Is that correct? Through you, Mr.

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President.

THE CHAIR:

Senator Slossberg.

SENATOR SLOSSBERG:

Thank you, Mr. President.

Through you, that's my understanding.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President. And through you, Mr. President, it is further my understanding that the court did not strike down 9-704 of our general statutes. Is that correct? Through you, Mr. President.

THE CHAIR:

Senator Slossberg.

SENATOR SLOSSBERG:

Thank you, Mr. President.

Through you, it's my understanding that the court did not specifically strike down that section; however, there is certainly language with regard to bans and limits on contributions.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Well, through you, then, Mr. President, it's further my understanding that, in fact, 9-704 was not challenged by the plaintiffs in this matter and if not challenged and not brought before the court and not struck down by the court, then 9-704, as a legal matter, not a policy matter, but as a legal matter would still be good law. Is that correct? Through you, Mr. President.

THE CHAIR:

Senator Slossberg.

SENATOR SLOSSBERG:

Thank you.

Through you, Mr. President, I guess I would agree with that.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you. Thank you very much, Senator Slossberg. Mr. President, the reason why I engage in those questions is that -- and thank you for answering those questions. I have no further -- I don't want you to stand. Thank you.

SENATOR SLOSSBERG:

Thank you.

SENATOR MCKINNEY:

The reason why I engaged in that conversation is that we have two statutes that refer to lobbyists. 9-610(g) bans lobbyists from contributing to our campaigns. That section was struck down by the court. 9-704 says that lobbyist contributions shall not be considered qualifying contributions for participating candidates and must be returned. 9-704 is good law in the state of Connecticut. It was not struck down by the court. Were we to be here and simply be curing just the infirmity found by the court, we would not be deleting 9-704 from our statutes, but that's what the majority party is doing. So let's take a look at it.

By not striking down 9-704, the court has said, it's okay. It's okay to let lobbyists contribute, but not to count as qualifying contributions. And as I just -- as I just engaged Senator Slossberg in a conversation, that is precisely the history of voluntary campaign reform as put forth in Buckley versus Valeo. As Senator Slossberg just said, if you make a system voluntary, you can permit something that would otherwise be unconstitutional if it were mandatory.

So for example, in our current law, and unchanged by this fix, if you don't participate in the system and run for the State Senate, you can get a



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contribution for a thousand dollars. If you do participate, you are limited from taking contributions from -- for \$100. Now, allowing one candidate to get a thousand dollars and another candidate to get a hundred dollars, one would argue, would be an equal protection violation, but it's not because I choose voluntarily to limit myself to a hundred dollars.

Look at our race, again. If you don't participate as a candidate for the State Senate, you could spend 2, 3, 4, 500,000 dollars. If you choose to participate, you are limited to \$100,000.

There are 36 Senators here. I dare say we all agree that if we were to mandatory cap spending on elections, it would be unconstitutional. So how is it constitutional to cap spending on our elections because it's voluntary? We choose to do that as a condition of getting public funds. That has been a well-standing United States Supreme Court precedent since Buckley versus Valeo. So where does that get us on lobbyist contributions. Banning lobbyist contributions is unconstitutional. Making it a condition to voluntarily participate in a public finance system where you don't accept a lobbyist contribution and they won't be counted as qualifying contributions is not unconstitutional.

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And in fact, if you read the decision by Judge Underhill and if you read the decision by Second Circuit, they never address 9-704, and they specifically say that they're striking down 9-610 and talk about, quote, we conclude, as a result, that on this record a limit on lobbyist contributions would adequately address the State's interest in combating corruption and appearance of corruption on the part of lobbyists.

Saying that lobbyist contributions do not amount to qualifying contributions is a limit. The court is not simply talking about a financial limit. We have a smart court here. If they were simply talking about a limit in amount of money, they would have said so. They said you could put limits on lobbyist contributions, not a ban. Saying that lobbyists can contribute to whoever they want, but if you want to participate you can't count it as qualifying is a limit and, I argue, constitutionally permissible.

Now, if you don't agree with me, take the word of people who've opposed me throughout this whole process. The Campaign Legal Center and the Justice Brennan -- the Brennan Center for Justice have issued legal briefs that say the exact same thing. It is absolutely good law in the state of Connecticut to

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have 9-704. It's never been challenged. And let me ask you this: Do you think the attorneys for the lobbyists didn't know 9-704 existed? Did you think that they were so stupid that they read to 9-610 and stopped reading? Of course not.

The lobbyists challenged the ban on contributions in 9-610. Lobbyists did not challenge the prohibition of counting their contributions as qualifying contributions to a participating candidate in 9-704. So my question is why are we? Why are we?

It is absolutely a matter of public policy, and it is within our purview, as the Legislature only, not the courts, to determine what the conditions are for people to participate in the public financing scheme. And I would argue that -- and I only refer to Senator Slossberg's opening about the long history of undue influence and the appearance of undue influence and corruption from lobbyists to show that the State has a strong public interest in not using taxpayer dollars to subsidize participating campaigns that are funded by lobbyist contributions. And that is what you are doing in your bill.

If you allow lobbyist contributions to act as qualifying amounts in 9-704, you have undermined the entire system. This system was about clean elections.

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Contractors and lobbyists get out. And in exchange, we're going to do something that's uncomfortable. We're going to spend 40 to 50 million dollars of taxpayer money. What do we have now? We end up with spending 40 to \$50 million, and the lobbyists are back in the game better than ever. It is mind-boggling, absolutely mind-boggling in the face of the legal fact, indisputable legal fact that 9-704 is still good law, that we would undo it.

Let the lobbyist challenge it because you know what the judge is going to say? Here's exactly what the judge is going to say: Attorney so-and-so, I'm glad you brought the challenge to 9-704. Here's my first question: why didn't you bring it the first time? You brought a lawsuit. You briefed it. It went on appeal. You never challenged 9-704.

Did you know it existed?

Yes, your honor, I did.

You didn't challenge it. Get out.

That's what would happen. The lobbyists sued because they said, a contract ban was unconstitutional. They did not sue and say, making their contributions qualifying amounts was unconstitutional. That's a fact.

But here we are, and the Democratic majority is

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saying we are going to go beyond what the court said and we are going to allow lobbyists back in the game. And so we will now have public-funded campaigns through the dollars of taxpayers going to support campaigns funded by lobbyist contributions. If that was the reform you intended, if that was, as Senator Looney said, what we're about today is getting to the original intent of what we intended, and then I'm surprised because I don't think that's what you intended when you did this.

And I think the only answer -- and I know this is cynical -- but the only answer as to why you're taking out 704 is maybe you like having that lobbyist money back in the game. Maybe you do. Maybe you do because there are many legal experts, many legal experts who've said you could go ahead and do this.

The court itself directed us to limit lobbyist contributions, not ban them. They didn't say give them free rein. Basically limit them, not ban them. And that's exactly what this is, and I would urge adoption.

Sorry, Mr. President. I didn't call the amendment so I'm going to do that.

THE CHAIR:

Yeah.

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SENATOR MCKINNEY:

Mr. President, I believe the Clerk is in possession of LCO 5960.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO 5960, which will be designated Senate Amendment Schedule "C." It is offered by Senator McKinney of the 28th District, et al.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President. I move adoption of the amendment and ask that when the vote is taken, it be taken by roll call.

THE CHAIR:

A roll call vote will be ordered.

Do you want me to play that tape back, or are you going to do the whole thing all over again?

SENATOR MCKINNEY:

I think I'll stand on the first time. Thank you, sir.

THE CHAIR:

Terrific. Thank you, sir.

Senator Roraback.

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SENATOR RORABACK:

Thank you, Mr. President. I rise in support of the amendment and Senator DeFronzo has been conspicuous by his silence today. For those of us who remember the long -- the long and thorough and good-faith effort that was made by members of both parties when we initially adopted the campaign finance reform, public financing of campaigns, that process began with a working group that Senator DeFronzo chaired as the, then, Chair of GAE. Senator McKinney and I served as representatives of our caucus.

And, Mr. President, when that process began, we met ten times. We had the world's leading experts on public financing of campaigns come to us. And I think our very first meeting, a Republican Senator from Arizona named Senator Spitzer came, I think, wisely to soften up Republicans to the wisdom of public financing of campaigns. And Senator Spitzer from Arizona made what, to me, was a very compelling point, that the best thing about publicly financing campaigns was it took lobbyists out of the driver's seat in terms of protecting incumbents.

Mr. President, Senator Spitzer said that under the old rules, insiders, incumbents; we know all the lobbyists. They need things from us. We need things

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from them. They wouldn't be foolish enough to contribute to challengers.

And so by taking lobbyists out of the equation, we were going to restore a modicum of integrity to the system and most of all boost public confidence that lobbyists are not in control.

Mr. President, the bill before us, in my view, represents the worst of all possible worlds because rather than comforting the public that the lobbyists are not in control up here, we put the lobbyists, we give them the keys to the treasure chest of public financing.

Mr. President, as I read this bill before us, for the first time, if I want to be a publicly financed candidate for State Senate, I can go to 150 lobbyists and after 16 years in this building, I probably know 150 lobbyists. And it doesn't matter whether they live in my district or don't live in my district. I can ask them to get themselves and their spouses to give me -- actually, 75 lobbyists if I get their spouses -- can you each please give me \$100. You and your spouse. That will give me the \$15,000 that I need to qualify for 85,000 public dollars, all lobbyist money.

Now, that's not it. In truth, the rules will



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require me to go to 300 of my constituents and ask them for \$5 each. So I can get \$1,500 from my constituents and \$15,000 from insiders and lobbyists, and then I can declare myself a clean candidate. Rake in \$85,000 in public dollars and then hold out to the public that we have a clean system that they should have confidence that I'm going to be immune from the pressures of special interests? Ladies and gentlemen, this is a fraud on the people of the state of Connecticut. We have no obligation under the court's ruling to empower lobbyists to protect us and to be in control of our destiny. There's no reason to do it to meet the court's directives. Why are we doing this?

And I guess through you, Mr. President, a question to Senator Slossberg as to why it is that this bill will enable lobbyists to provide 100 percent of the money we need for public financing.

Through you, Mr. President, to Senator Slossberg.

THE CHAIR:

Senator Slossberg.

SENATOR SLOSSBERG:

Thank you.

Mr. President, if the gentleman would please repeat his question. My understanding --

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I think it was a true or false question, ma'am.

SENATOR SLOSSBERG:

This is -- I was just surprised by his question because I'm not the proponent of the amendment.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Fair enough, Mr. President. And first of all, I apologize. My emotions are getting the better of me, and I have been somewhat intemperate in my language and I do apologize for that, but I think Senator DeFronzo would remember how long and hard we worked in crafting the original legislation and the good-faith effort that was brought to bear by members of both parties.

And if I'm reading the underlying bill incorrectly and if I'm wrong, and I hope I'm wrong in my reading, but it wouldn't allow lobbyists to provide all of virtually \$15,000 in seed money for me to get public financing, then I would love to stand corrected. So the reason I posted my questions to Senator Slossberg is because she's the proponent of the underlying bill and Senator McKinney's amendment attempts to alter the underlying bill. So through you, Mr. President, to Senator Slossberg, tell me I've

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got it wrong.

THE CHAIR:

Senator Slossberg.

SENATOR SLOSSBERG:

Thank you, Mr. President. Senator Roraback, I'm  
delighted to tell that you have it wrong.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

And thank you, Mr. President. And if Senator  
Slossberg could educate me as to how I have it wrong.

SENATOR SLOSSBERG:

No. This doesn't change --

THE CHAIR:

Senator Slossberg.

SENATOR SLOSSBERG:

This -- thank you, Mr. President. Through you,  
this doesn't change the underlying program with regard  
to the amount of contributions, the qualifying  
contributions that you need to raise.

What it does do is it allows -- it puts the  
lobbyists on the same footing in terms of qualifying  
contributions as everyone else. There's a hundred  
dollar limit, which is an appropriate amount to  
balance the expression of free speech against the

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corrosive influence of lobbying.

But we also know in this bill that we have prohibited bundling so that lobbyists can't go out and have fundraisers and get big envelopes full of money to bring them -- to bring them forward. It doesn't change the underlying requirements of the Citizens' Election Program.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

And I held out such hope that I did have it wrong, but Senator Slossberg and I -- I don't think I do have it wrong and because my question to Senator Slossberg, under existing law, if I'm a publicly financed candidate, I can accept zero lobbyist dollars towards my qualifying contributions. Through you, Mr. President, to Senator Slossberg, am I right on that?

THE CHAIR:

Senator Slossberg.

SENATOR SLOSSBERG:

Through you, Mr. President, yes, that is correct. You do not have to -- if I may, you do not have to accept any lobbyist money at all. Nothing has changed that and that's not required, and you still do have to have 300 in-district qualifying contributions.

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THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Through you, Mr. President, my question wasn't whether I had to have. My question was am I not now currently prohibited from accepting contributions from lobbyists if I wish to be a publicly financed candidate.

THE CHAIR:

Senator Slossberg.

SENATOR SLOSSBERG:

Through you, Mr. President, not after the Second Circuit has ruled.

THE CHAIR:

Senator Roraback, clarify your question.

SENATOR RORABACK:

Mr. President, through you, my question was under the law as on the books prior to the Second Circuit's intervention, it was illegal. And this is -- I don't mean to consume people's time on a Friday night, but I think it's a pretty straightforward question. The program we passed prohibited lobbyists from contributing to participating candidates. Through you, Mr. President to Senator Slossberg, do I have that right?

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THE CHAIR:

Senator Slossberg.

SENATOR SLOSSBERG:

Thank you, Mr. President. Through you, yes, that is correct.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

And through you, Mr. President to Senator Slossberg, I believe Senator McKinney established that -- is it 9-704 -- I -- that 9-704, which is the codification of that prohibition was neither challenged nor overturned by the Second Circuit. Through you, Mr. President to Senator Slossberg.

THE CHAIR:

Senator Slossberg.

SENATOR RORABACK:

Did Senator McKinney have that right.

SENATOR SLOSSBERG:

Yes. Through you, Mr. President, yes. That is correct, 9-704 was not before the court and, therefore, it was not struck down.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

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And lastly, Mr. President, under the bill before us, it would be lawful for me, would it not, to receive \$100 contributions from 150 lobbyists in this building and to count those as qualifying contributions to unlock 85,000 public dollars to be a clean election candidate with the only additional requirement being that I get 300 folks that live in my district to pony up five bucks a piece, or \$1,500 in toto, and that would be the sum total of my efforts to get to the promised land. Through you, Mr. President to Senator Slossberg.

THE CHAIR:

Senator Slossberg.

SENATOR SLOSSBERG:

Thank you. Through you, Mr. President, if that's the way you choose to go, yes, that is true.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

And Mr. President, the only point I'm trying to make is that Senator McKinney's amendment is the only hope we have to restore a modicum of integrity to what this whole thing was about from the very beginning. What's been inserted in the file copy upends, in it's entirety, the efforts to restore confidence to the

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public perception of how things work up here.

And if we pass this bill, we can all say and we should say to the public, the lobbyists are back in control. Incumbents have the upper hand. They no longer have to raise money at home. They can get 95 percent of their dough from the people that need them to get their work done up here at the capitol.

Mr. President, I urge support of the amendment and I will feel like we've let the people down if we allow the underlying bill to stand. Thank you, Mr. President.

THE CHAIR:

Thank you.

Will you remark further on Senate "C?" Will you remark further on Senate "C?"

If not Mr. Clerk please call roll call vote. The machine will be open.

THE CLERK:

Immediate roll call vote has been ordered in the Senate. Will all Senators please return to the chamber. Immediate roll call vote has been ordered in the Senate. Will all Senators please return to the chamber.

THE CHAIR:

Have all members voted? Have all members voted?



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It all members have voted, please check your vote.  
The machine will be locked. The Clerk will call the  
tally.

THE CLERK:

Motion is an adoption of senate amendment  
schedule "C."

Total Number voting	35
Those voting Yea	12
Those voting Nay	23
Those absent and not voting	1

THE CHAIR:

Amendment "C" fails.

Senator Kissel.

SENATOR KISSEL:

Thank you very much, Mr. President. Great to see  
you this evening.

THE CHAIR:

Wonderful to see your, too, sir.

SENATOR KISSEL:

It's been a very interesting debate this  
afternoon. And to be quite frank, I was undecided as  
to whether I would stand up and speak. But this is a  
very important matter and something that I've tracked  
for a number of years.

Once upon a time, I did serve as the ranking

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Senator on the Government Administration and Elections Committee. And at that time, myself and one of the acting cochairs, Alex Knopf, from downstate, we did -- championed public financing of campaigns. And I do believe that we had some success. Although, ultimately, at the end of the day, we were not able to get the bill passed into law, and back then, there were some very interesting debates both here and in the Senate and down in the House of Representatives.

Later on, as the years progressed, we were able to unite both Republicans and Democrats in forming the current clean elections campaign laws, and that is a very interesting title in that it's more of a goal and an aspiration, but something that we are always striving for. And by that, I mean that it is an imperfect system and we've seen that played out here over the last several months, not only with the original challenge in the district court that was decided by Judge Underhill and then later in the Second Circuit decision, which I believe was written by Judge Jose Cabranes, but also in the myriad challenges that we've seen in this primary season.

And so we do, once again, have an imperfect system. The last colloquy that we had regarding the lobbyist, I think is very important. And I would be

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the last to say that all lobbyists are bad. That's certainly not the case. Quite often, they are experts in the fields of which they are engaged in. They are not merely just advocates on behalf of a certain slant on an issue, but if you need information about a particular field, quite often they know it like the back of their hands.

That being said, though, the public perception regarding lobbyists is exactly, as Senator McKinney so eloquently brought out, as well as Senator Roraback. The public perception is that they are the foxes and we are trying to guard the henhouse. And what we did is we constructed around that henhouse a good, clean elections system, the laws that we have. And I think it's a very important point that if we tie our own hands through statute by saying, if you want to participate in that program you have to sign onto these parameters, that that will withstand a constitutional challenge, and I think we just had that debate. Unfortunately, the amendment lost, but I think limiting lobbyist contributions voluntarily to perhaps those lobbies that live within our districts so that they would be counted towards the 300, but excluding those others by virtue of our voluntarily agreeing to do that to allow us to obtain the funds in

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the system, I think that's a very workable solution. I think it's a fair solution to lobbyists because they would not be prohibited from all contributions. They would still be able to contribute to whatever the candidates were in their district where they live, and so I think that their free-speech rights would be protected, but at the same time we would self-impose on ourselves some discipline so as to really hold up the best election system possible.

The part that sort of decides it for me, and there's a lot of good in this bill, a lot of good housekeeping measures in this bill to address a lot of the nuances, and I commend a lot of those who really worked on this over the last month in light of the decision that was handed down by Judge Cabranes, but it does come down to the money. And I understand that the money has been allocated and I understand that argument, but as you may recall, at the end of the last legislative session, one of the things that over the last several years that I did feel very strongly about and in favor of was the UConn Health Center expansion, and it came down to the fact that as we sort of trundled through the last year or two and the recession really sank in and the fact that we don't have money in this State to meet current obligations,

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I felt at that time that I had to make a difficult decision, and I argued here on the floor of the Senate very passionately that I could not support that initiative. As much as the UConn Health Center was worthy -- UConn is my alma mater. Both a bachelor's of science and education and bachelor's of art and history. I love UConn. But we weren't in a situation this year to make that new initiative, and that's the reality that we're looking at right now.

We're somewhere between 3 billion and 4 billion in the hole. And while we're just talking about, quote/unquote, \$6 million, \$6 million means a lot to my district. I've often sort of spoken to Senator DeFronzo over the years because I did support clean elections in the campaign-financing reform laws, but at the time when it was being cobbled together, I had indicated that at least Senate campaigns that I had been involved in over the years, the expenditures were in the 25-to-30,000 zone each cycle, and all of a sudden to have a hundred thousand dollar campaign, seemed to me to be exorbitant. And my friend and colleague in New Britain indicated that he had to look at the overall picture, as one of the prime drafters of this reform legislation back a few years ago.

And when you look at some of the issues that

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Senator McDonald raised regarding the exorbitant costs of running a campaign in Fairfield County and the various media markets down there and trying to get attention if you're sort of under the umbrella of a New York media market, it is expensive to run a campaign down there.

I hope someday we can figure out a way that fairly inexpensive campaigns in my neck of the woods can be realized while still addressing the concerns downstate. It's just a different world in north-central Connecticut than it is down in Fairfield County. Whether you look at salaries, whether you look at median house prices, whether you look at just the way of living, and yet we don't have any response to that here with our campaign-finance laws. They seem to be a cookie-cutter approach, so that's one area that perhaps we could address.

The \$6 million means a lot. It was a good day in Enfield yesterday. It took us a number of years, and I want to thank Governor Rell for announcing that she would put into the August bond commission meeting \$1.1 million that we have been looking for for ball field remediation at Fermi High School. It's something that I worked very passionately for the last four months, and I felt good about that announcement.

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That's a huge deal for the town of Enfield. That's \$1.1 million.

As well, in the town of Enfield, we have never seen the difficult financial situations that the town is facing. For the first time since the 1970s, as reported in the Journal Inquirer as well as the Hartford Courant, the Town is about to lay off tenured teachers in the school system. That's how difficult it is up there. What do you think a town like Enfield could do with \$500,000 out of this \$6 million? How many teachers would that save for our children? And it's not just a town like Enfield. There's education concerns in a town like Somers, and I have always said that we need to keep our municipalities whole and education is paramount.

I am almost of the belief that next year, whoever wins the gubernatorial election, that if this additional \$6 million is expended when they open up the books and they see the depth and the breadth of the problems the State is facing financially, they will say, I really wish I had that \$6 million. Now, in light of 3 to 4 billion, maybe it doesn't seem like a lot, but in light of all the difficult decisions, everyone who is lucky enough to win election to the chamber next year will face, every nickel and every

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penny is going to count.

I bet you each and every individual in this circle has a program in their district, whether it's a nonprofit, whether it's quasi-governmental, whether it's a town that is struggling to meet a certain need, whether it's for young people, whether it's early childhood education, whether it's Dial-A-Ride, Meals on Wheels, educational resource centers, you name it. There's something out there in your district where if they just had probably another \$50,000, they could really make a difference, and they don't have it now.

A great woman in our district, Sister Patricia, who works for the Felician Adult Day Center, Felician Sisters order in the town of Enfield, we were at the opening ceremonies of Our Lady of Mount Carmel Society's 85th anniversary in Enfield last night, and she pulled me aside and she said, John, we really got hit. We are not receiving anywhere near the State assistance that we had just a year ago. We called up the folks at the Department of Social Services, and they indicated to me that it's not just us but it's all other adult day care providers in the state of Connecticut, so at least I know we're not being singled out, but if there's anything that you can do, please look into this because at least I want to make



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sure that we are accessing every single dollar that's available.

This is a plea from a nun who is living a life without material possessions. This is a calling that they, and they're upset and concerned because they can't even meet the needs of their vocation and they're commitment to Jesus Christ, their Lord, to serve those who cannot take care of themselves, who either have dementia or early onset Alzheimer's or other debilitating diseases like that. There, but for 40, 50, 60 thousand dollars, how far would that go spread 36 ways in a fair manner? I don't think that when we make these decisions we are getting as much value from this additional \$6 million. We cannot level the playing fields.

We have some folks that are really, really rich out there, and while it's a very laudable goal to say, you get X amount of dollars for the primary and then three for the general election, and then if someone bumps that up, we'll go an additional three for the general election, guess what? If the self-funded individual wants to go 20, we're not in a race to go up to 20. At some point, there's a disconnect, and so the real choice is do we have the disconnect between six and anything beyond that or three and anything

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beyond that.

It may not be fair to the publicly financed candidate, but I would suggest the fact that you could announce here in the state of Connecticut that indeed you are a publicly-financed candidate, that that has great value, too. That is part of the impetus and the motivation for individuals who wish to participate in the public financing campaign system.

How many editorial boards lauded the fact that Daniel Malloy was one of the first candidates running for governor to qualify for public financing and did he not get media attention throughout the State that had concrete value associated with it? Yes, he did. Do we figure that value in as part of the compensation for participating in the program? No, we don't.

So this is a very difficult decision for me, and I don't want to belabor the point, but I think it's important for my constituents to know why would their State Senator, who is participating in the program struggling to get those five and ten and \$50 donations from within his district to qualify, and it is not easy in this economy, and maybe it's just because the folks I know are struggling -- very difficult to make those ends meet -- how do I go to them and say, I believe in the system and the system does have laws.

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And they say, well, why did you vote against this bill that is supposed to correct those flaws? I've got to say, it's a matter of dollars and cents.

And at some point, we have to do decide which programs stay buoyed up that we believe are important and which ones can get by on less. And I am saying that at the end of the day, while I applaud those champions of finance campaign reform and those who put great effort into making this bill reality, the fatal flaw, in my view, from my perspective as the Senator representing folks from north-central Connecticut, is that I could come up with so many better ways to spend that precious \$6 million of taxpayer treasure that they are going to very desperately need in the years to come.

I'm hearing it when I go back to my district all the time. I'm hearing it from my seniors in my senior centers. I'm hearing it in my after-school programs. I'm hearing it from my teachers and administrators in all seven of the towns I represent. I'm hearing it from my town leaders whether they're first selectman or mayors, town managers. No matter where I go, people are struggling. And if they happen to have a job and they happen to have financial security, they're almost frozen because they don't know what's

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coming down the road, both internationally and nationally. And they look to us for guidance and help and support. We are 3 to 4 billion dollars short next year to meet current programmatic needs. At some point, we are going to have to make extraordinarily difficult choices.

And I think that it's important for me to express to my constituents that I'm willing to make that -- one of those difficult choices this afternoon. And that's why it is with a lot of thought I have to reach the conclusion that I will have to vote no on this particular bill. Thank you very much, Mr. President.

THE CHAIR:

Thank you, sir.

Senator Meyer.

SENATOR MEYER:

Thank you, Mr. President.

I want to just address briefly the lobbying provision of the bill before us and urge its adoption. I don't think I've ever disagreed as much with a court opinion as I do with the Second Circuit's court opinion with respect to our effort to ban lobbying.

The Second Circuit opinion is an example of judicial activism in the extreme. What the Second Circuit has said is that we don't know here what we're

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talking about when we say that lobbyists can be an inappropriate influence on the way we do our legislative business.

The judges are saying to us, you don't know that. They're saying, only contractors will affect you, not lobbyists. And so what they've done is they've substituted their judgment from afar, from the ivory tower of the bench, from -- for our judgment, as legislators, who know the relationships and influence of lobbyists. I strongly disagree with the Second Circuit's opinion, but what we're trying to do this afternoon and this evening, trying very hard, is to comply with the Second Circuit opinion, because we're trying to go forward with what's left of other public financing of campaigns' law.

And because of that, the way this bill has been drafted clearly is the better compliance than the Republican approach, because the Republican approach says, you can't -- you shouldn't give -- lobbyists shouldn't be able to make qualifying contributions, but you see the problem is the qualifying contributions are the hard crux and essence of the program. It all starts with the qualifying contributions. And when the Second Circuit says, you can't ban lobbyists, they have to be speaking about

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qualifying contributions. And so it would be a very dangerous thing to do, what some of our friends are saying on the other side of the aisle and that is to say, no qualifying contributions by lobbyists.

If we're trying this afternoon and this evening to comply with a decision of the Second Circuit, we have to go in the direction that this bill goes, and it's very unfortunate. And maybe in another day, in another place the Second Circuit Court of appeals or a higher court will allow us to have our province, the Legislators' province and not this extraordinary judicial activism. Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Senator Kane.

SENATOR KANE:

Thank you, Mr. President.

I am not glad that we're here on a Friday afternoon in the middle of the summer doing this, but I am glad that we are making some fixes that the court is requiring. The one part that I really do have a problem with, and I'm glad Senator Kissel talked about it, is the \$6 million increase that we're discussing here today and how many different programs that we've caught and how many different agencies could use

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that -- that money. So with that, Mr. President the Clerk is in possession of LCO 5952. I'd ask him to call the amendment and I'd be allowed to summarize.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO 5952, which will be designated Senate Amendment Schedule "D." It is offered by Senator Roraback of the 30th District, et al.

SENATOR KANE:

Thank you, Mr. President. I move adoption.

THE CHAIR:

On adoption, would you like to remark further, sir?

SENATOR KANE:

Thank you, Mr. President. Yes, I will.

Basically, what this amendment does is in Section 501, would take the \$6 million that we're talking about here today and transfer it from the Citizens' Election Fund to the Nutrition Assistance Account within the Department of Social Services. If you look at today's Republican American, the front-page article that's on here says that food banks are overdrawn. Well, this article, the story takes place in my hometown, in Watertown. And what they're

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talking about is basically almost Charles Dickens-esque, because people are asking for rice; people are asking for meat; people are getting bags and bags of food.

Well, we talked earlier about how -- how competitive it is to run a campaign and how expensive it is to run a campaign and how much TV commercials cost in Fairfield County. Well, I've got to tell you I don't really feel bad for those candidates having to run advertisements in Fairfield County. I feel bad for people who are asking for rice in Watertown. So what I would say, ladies and gentlemen, with this amendment, we would simply move this money that we're talking about adding to this Citizens' Election Fund and give it to people who really need it in the food banks in the state of Connecticut.

Thank you, Mr. President.

THE CHAIR:

Thank you.

Will you remark further on Senate "D"?

Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President.

Mr. President, I rise in support of the amendment, and, Mr. President, at some point, we, as a



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body, have to let the public know what our values are, what our priorities are and what we think is important in the state of Connecticut. Mr. President, the court's ruling has freed up \$6 million from the Citizens' Election Program. Whether you agree with it or disagree with it, that's what the court's ruling has done. And tonight we have a choice. We can either divvy up that \$6 million by giving an additional \$3 million to participating candidates to buy more television ads, or we can come to the aid of soup kitchens and food banks, which in all of our districts are facing unprecedented and growing demand.

So the choice this amendment puts before us is whether we place a higher value on meeting the basic human needs of hungry people in Connecticut or giving candidates for governor additional money to buy a lot more television ads. To me, that choice is clear, and I would urge everyone to support the amendment. Thank you, Mr. President.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much, Mr. President.

It's a difficult decision. Part of me says, regarding this amendment, and I appreciate it being

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brought out by Senator Kane, is let's just take this \$6 million and set it aside to try to fill the void next year. Maybe use it to reduce the debt, and so for me maybe it's almost a protest vote, but it's protest vote in favor, and let me tell you how I get there. As much as there's many laudable programs and maybe one individual would pick food shelf and food banks, and another pick would pick Dial-A-Ride, and another pick Sister Patricia and her Felician Adult Day Center and Enfield Adult Day Care Center and other things like that, those are all different, great, worthy causes but at least what this amendment does is it frames the issue as to what are our priorities.

And yesterday, not only did Governor Rell come and visit us in Enfield at Enrico Fermi High School to announce the release in August of the \$1.1 million for the remediation of the fields that Enfield had already expended, but after that I was very honored to join her and Chief Richards and various firefighters from several departments in Enfield to announce her initiative for the Day of Caring and Compassion held this summer so that folks can give food over to food banks and use approximately 12 fire stations scattered throughout the state of Connecticut to make those donations.

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And why is that the case? Because I've had Linda Bridge from the Enfield Food Shelf on my local cable programs, and I've had Priscilla Brayson on the program and spoken to her, from Loaves and Fishes located in Enfield, and believe me, it's not just Enfield. Go to Windsor Locks. Go to Suffield. Go to Somers, East Granby, Granby, Windsor, other communities that I represent, there is a huge increase in individuals that cannot make ends meet.

It's not like they come in front of you with ragged clothes. It's not like they look like hobos. They don't have a tin cup. They look like you and me. They look like you and me. They were building their American dream on two incomes, and someone got laid off and they can't find a job. And they've been struggling like that for months upon months, and the question then comes down to, do we put clothes on the kid's backs, do we make sure that we pay that mortgage. We can't sell the house because we're underwater and all of the sudden things that are taken for granted become dear. And it's amazing in the communities that I represent, the huge percentage increase of those seeking help just to get fed.

Again, talk to folks like Linda Bridge at the Enfield Food Shelf, Priscilla Brayson at Loaves and

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Fishes. These are people that you've known. They have cars. They want to work. But when you make the choices they make at the end of the day, they don't even enough to put food on the table. And in talking to the folks that volunteer and work in these programs in my communities, they will tell you what's in these folks eyes and how hard it is for them to swallow their pride and do something they thought they would never, ever have to do: Not only ask someone for help, but ask someone for food in America, the land of plenty, individuals that maybe just two or three or four years ago didn't really have a concern about this at all. That's how hard this recession is hitting folks in the state of Connecticut.

We talk about the worse recession since the Great Depression. My mom and dad were born in the Great Depression. Not a lot of vivid memories back then, but enough to let me know that their world was sort of like always on thin ice. Even when things were great, they always had this sort of in the back on their mind -- God bless, mom and dad, 77, nice and healthy, not as great as you could want, but they're healthy -- but it was always that notion that you never know what's going to happen. Now, if you didn't go through that, or you had no recollection of that, it was just

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all the fat and happy times then that's a different world. That's the world that most of us sort of know.

If you look at the span of history, it's a fairly unusual period of bounty that we have just gone through. Most of the history of mankind has been a struggle. And this is one of the worst struggling times economically that we have seen as folks here in this circle. I'm concerned for our future with this 3 to 4 billion dollar deficit, with the pain that has not occurred yet at least as far as state government and we are indeed the safety net.

So why are we choosing \$6 million for ultimately two potential gubernatorial candidates where they know who they are, and I've got to believe that if you want to get their message, you can get their message as opposed to how many meals can be provided at low cost for \$6 million. You know at the Enfield Fire Department yesterday, again, with Chief Richards and those firefighters and that table filled with food and the chief pointed out to me that I only brought tuna fish and mayonnaise, and I said that can go a long way. There was a woman there from Foodshare and of course when I have folks, again on my local cable show, talking about food banks and things like that, our natural desire is to bring some extra bags of

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food, but when you talk to the folks that run that sort of wholesale, kind of warehouse facility, they will tell you as much as we want to encourage people to bring bags of food, a dollar, we can stretch a dollar even farther than when you go to Stop & Shop, or Shaw's, or ShopRite or Big Y or whatever food store you have up in your neck of the woods, Price Chopper, all of those.

Yeah, you can go find ten cans of soup for \$10 or something like that. Good sales. And take half of that and give it to these folks, but how far would \$6 million go right now? Huge difference. Are there other wonderful choices we can make for that \$6 million? Yes. Would my initial vote be to just sock it away and let's figure out next year how we're going to fill that 3 to 4 billion dollar hole. That would be my first choice but that amendment is not before me now.

The amendment is we're going to show the people of the state of Connecticut which side we're on on this when it comes to expending precious tax dollars, and for that reason, I will be standing -- voting in support of Senator Kane's amendment. Thank you, Mr. President.

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Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, I'm rising in opposition to the amendment asking for a roll call vote. One reason to oppose the amendment, Mr. President, is exactly one of the points that Senator Kissel made is that we do have a host of valuable programs that we support in the state and could, in a perfect world, be supporting more, food pantries, community health centers, school nutrition programs, dial-a-ride programs, home care for the elderly. There's a whole host of things that we might and could and should, in many instances, spend more on, and we do that to a considerable extent and all of us wish that we could do more.

We hope that everyone will remember this debate next year when it comes time to fund some of those programs once again, but in the meantime, I think selecting one over others at this point by the amendment process is not the best way to go, and we should stay with the underlying bill and would urge rejection of the amendment. Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark? Will you remark on Senate "D"?

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Will you remark further on Senator "D"?

If not, Mr. Clerk, please call for a roll call vote. The machine will be open.

THE CLERK:

Immediate roll call has been ordered in the Senate. Will all Senators please return to the chamber. Immediate roll call has been ordered in the Senate. Will all Senators please return to the chamber.

THE CHAIR:

Have all Senators voted? If all Senators have voted, please check your vote. The machine will be locked. The Clerk will call the tally.

THE CLERK:

Motion is on adoption of Senate Amendment Schedule "D."

Total Number voting	35
Those voting Yea	12
Those voting Nay	23
Those absent and not voting	1

THE CHAIR:

The amendment fails.

Will you remark further on Senate Bill 551? Will you remark further on Senate Bill 551?

Senator Fasano.



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SENATOR FASANO:

Thank you, Mr. President.

Mr. President, I rise against this bill, and here's the reason. Mr. President, it's ironic that the title of this bill is "Clean Election." I believe that the bill before us has weakened our ability to have clean elections, and this is why I say that. Under the old law, we said we cannot have anymore lobbyist contributions.

And as Senator McKinney, eloquently pointed out, there are two sections to that. There is the public finance section and the nonpublic finance section. And the court said under the nonpublic finance section, you cannot have lobbyist -- you must allow lobbyists to contribute as if they were an individual, and we've made corrections to that so that we don't interfere with their first amendment rights. Under the public finance section, the court left that undisturbed. The court said you can, by leaving it alone and not being attacked, you can prohibit lobbyists. And what we've done is we've changed that. We're allowing lobbyists to contribute in a publicly-financed campaign.

The whole reason why we're financing the campaign was being the lobbyists were out -- we're saying let's

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get all the money out and let's equalize the playing field. This makes it less in balance. It allows lobbyists to come in. It allows lobbyists to put money in a taxpayer-funded campaign. It allows the lobbyist to be a player in an area that this circle said we should not allow a lobbyist to be a player. The court never told us to correct that section. In fact, that section wasn't challenged. So why are we attacking that section? The court left it alone. The court said in a private campaign -- what I mean by private, not publicly funded, you need to make a change, not in this section. The court did not speak, so why are we changing it?

The second issue is on solicitations. The argument goes the reason why we're changing it is because we're vulnerable. Vulnerable to what? Between now and the first week in November, we're vulnerable to a court acting if we pass this law. We're not vulnerable. It took five years for them to reach a final conclusion on the bill that we initially passed. Five years. We're talking three and half months. An appeal can be taken, but the court took five years. Everybody operated as if the old law was in place until the Second Circuit spoke.

So there's no fear. And what we did is we opened

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the door for this election. There has been a ban. We are lifting it. Make no mistake, when you press that button, you vote in favor of this bill, you have lifted a ban that allows lobbyists and state contractors, the two very entities we wanted to get out of campaigns to be allowed to solicit for this election. We think it's bad because they're starting it in January, but we're allowing it for this election. You are being permissive when you press that button and you're allowing lobbyists back into the game on all levels.

I would suggest we took a bill that we worked hard on, and the working group did a great job back in 2005. I applaud the bipartisan and I applaud the way we did it, and that's one of the reasons why I supported it. I have a difficult time looking at my rationale and saying I supported it to get out this money and this undue influence and now -- it's like that -- they're letting it back in. That is a problem. That's why I can't support this bill.

The three -- the extra \$6 million, \$3 million on each side, is a problem, and it's a fiscal problem, and that's been articulated. But what bothers me much, much more than that is the word "clean elections," and we've diluted that here today. That

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gives me a problem and be -- make no mistake had we just done what the court asked us to do, we did not have to touch those sections the way we touched them, we could have narrowed down the solicitations and started it today, and we could have kept lobbyists out of the campaign finance elections. And we could have done that and met the challenges of the court, but we've gone further and, unfortunately, we have made this bill to a point that we have disturbed and diluted the clean elections and the true intent of this bill, so I urge the Circle to vote against this bill.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Senator McDonald.

SENATOR McDONALD:

Thank you, Mr. President.

Mr. President, just briefly, I wanted to rise and note that some of the votes that we have taken today have been along party lines, but I think it would be a mistake to read anything into that. The fact is that this is not about any one party. It is not about any one candidate. In fact, I stand proudly in this circle and -- and am happy to be able announce to you

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that the two candidates who are running for governor who are participating in this program, happen to be my constituents. I'm very proud that both of these individuals have accepted the mantle of responsibility to reach out across the state, to not be the power of one but to be the power of thousands.

Mr. President, you and I have known each other a long time, and we have not always agreed. In fact, I remember a very spirited campaign in 2002 when you and I were running for the State Senate, and I also know how expensive that race was. In fact, it stands today as the most expensive legislative race in Connecticut history, and nobody should have to spend as much time and effort as we did in that election raising money, and nobody should have to spend their own personal resources to run for office.

So I'm very happy that my former mayor and my current Senate president -- my current president of the Senate reached out and crisscrossed this state and involved thousands of people. This is not about individual candidates running for office. It's about empowering all of our citizens. I think, Mr. President, that when we are judged by what we do here today, we will be judged as opening the process, involving more people, and leveling the playing field.

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It's not about one party. It's not about one candidate.

I've been very disconcerted to hear that the governor has threatened a veto of this legislation, and I would ask her to reconsider that threatened veto. I ask her not to impede the progress of candidates who are participating in this program. I ask her not to abandon her promise of the Clean Elections Program, and I ask her not to abandon the legacy of one of her finest moments in public office. Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Senator Frantz.

SENATOR FRANTZ:

Thank you, Mr. President.

I think most everybody in the circle understands what my feelings are about the Citizens' Election Program in the first place and all of the public money that goes into campaigns, so I'm not going to speak very much about that at all. In fact, I'm not going to speak very much tonight because it is a Friday night and I just want to, for the record, say a couple of things about the debate today. I'm glad that we had it and that it went on a little bit longer than I

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was expecting, and perhaps many of you as well, I think this is a debate that needs to continue.

Public financing is a dicey -- of campaigns is a very dicey subject, and we should make sure that we keep this dialogue up going forward to make sure that we don't get into a situation where we're funding what, in essence, boils down to nuclear weapons on both sides. The more the other side has, the more the other side has to have in order to keep things even and fair. The most disappointing part of today's discussion and session is the failure to approve Senator McKinney's amendment. This amendment is so critically important, in my judgment, in terms of assuring the public that elections are fair and square and -- and to the highest possible level of -- of ethical level -- highest level of ethics in the entire country.

We do have a cutting edge program. It's in need of serious improvement in some areas. This is -- I see it as a step backwards. It was stated before right here in this chamber that the belief that there's a public perception if someone sees an envelope going from a lobbyist to a candidate that there's a certain amount of suspicion there. It has the apparent -- it has the look of something not being

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quite right. So when we say that we're now going to allow lobbyists to give the most valuable contributions to a candidate in the beginning to qualify up to the 15,000 -- or just shy of the \$15,000 mark to qualify and say 300 -- used by Senator -- Senator Roraback before -- get 300 people in your district to give \$5 a piece, you're now qualified and now you have access to \$85,000.

Those initial contributions are not just \$100 contributions if you look at it from a utility point of view. They're more like seven or eight or nine hundred dollars per contributions when you look at the overall value because it brings in and it has the leverage of bringing in the additional \$85,000.

And Senator Kissel is right. Lobbyists shouldn't be grouped into that category of people that we need to raise our eyebrows every time the term comes up. We know that lobbyists perform a valuable function. They're very, very smart people who perform a valuable role in terms of our everyday legislative lives. But yes, one of the by-products of the lobbying industry is that they do have a lot of influence on what happens up here, and if they start to have an undue amount of influence in terms of who gets here or more importantly who stays here, then we've got ourselves a



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bit of an issue.

I think Senator Meyer raises a good point in that he says we need to make sure that we don't brush up against the threshold of where we're going to be brought back into court, be sued again and we're right back at square one. But I don't think that taking this to the degree that the initial qualifying dollars that commits to one's campaign, or close to it anyway, can come all from lobbyists. Theoretically, it is possible for there to be \$15,000, or just shy of \$15,000, coming in from lobbyists to a candidate. So I don't think you need to take it far. I think maybe this is all retrospect here, but if we could have limited that, that would have been a much, much better solution to the problem, and that's one of the reasons why I'm so disappointed with it.

We all know that the approval rating of the General Assembly is not anywhere near what it could be and should be today. They're looking to us for solutions to one of the most critical fiscal situations that we've faced in -- really, I think since before the Great Depression when you think about the size of the government then and the size of the government today. And we're not really giving them, honestly, if we're being honest with ourselves, a

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solution that is long lasting, that is comprehensive and sets us back on a great course with respect to the budget.

I think they've been looking for a solution to the problem and issue of corruption in politics, and even the appearance of corruption in politics and I'm not sure that we've addressed that here today so I will be -- I will be against this bill. Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Senator DeFronzo.

SENATOR DeFRONZO:

Thank you, Mr. President.

Mr. President, the debate today has been a very important one and, in many ways, one we've anticipated since we passed this bill in 2005. Senator Roraback referenced the enormous work that was put into the bill when it was originally passed in 2005, but we knew then that we were pressing the limits on some constitutional issues, and we have always expected that at some point we would probably be back here to correct some of those initiatives, which, at the time, were first in the nation, broad sweeping campaign finance reforms. And so after the court ruled, we saw

specifically that some of the pressing of the envelope that we did with respect to first amendment rights have been identified and corrected today.

We, similarly, in the area of minor parties, made changes that we weren't quite sure would withstand constitutional challenge, but they did. We also knew at the time and part of the debate on that long seven hour night back -- back in 2005 had to do with the very issue that was debated earlier on what would happen when the state encountered a serious fiscal problem. Would we have the courage to sustain this program and protect the integrity of our electoral process even when the demands of our people were as great as they are today, and the answer then and I think the answer tonight is the same: We have that commitment and we're going forward.

And that is -- that is important because in the end, even after all these changes, and I agree with Senator Meyer that the changes brought about because of the court decision are not the ones I like. I don't like letting the lobbyist money in. I don't like the solicitation piece. I don't like a lot of the decisions that the court has given us, but it's the court decision and we're required to respond to it. But when it's all said and done, despite all the

criticisms, despite all the recommended changes in the bill, we will still have in the state of Connecticut the strongest campaign finance reform bill in the United States. We ought to be proud of that, and despite the changes made today -- I'm hoping that the Governor will support this and move forward with us -- we will still have the strongest campaign laws and the strongest ethic laws in the United -- in the entire United States, and that's something we should be proud of, and despite the changes made today that will still be the case.

So, Mr. President, I hope all of us will join in supporting this legislation tonight. It continues to preserve the basic thrust and import of the reforms we made in 2005. Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, speaking in support of the -- of the bill. One of the things that I think we need to take note of is that there's been discussion earlier that we could possibly venture farther afield and adopt a more comprehensive and envelope pushing

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reforms without danger of court reversal, pointing out the fact that we've had nearly a five-year period of time from the enactment of the original bill and to the filing of the appeal going through the 2008 cycle where the -- the law was used -- the public financing system was used by General Assembly candidates to Judge Underhill's decision a year ago and then the appeal of the Second Circuit and the Second Circuits decision. However, that ignores the fact that we are possibly subject to very quick court action because we are presently in the -- in the posture where the issue of the remand is an urgent one, immediate one where the Second Circuit will shortly remand the case to Judge Underhill for further proceedings in light of the Second Circuit's decision. And the district court will be looking very closely at what we do here today in both chambers.

This is not an issue of some remote process that could take another five years to circle back and have an impact on us again. This is something that we need to be very careful about what we do today because the impact could be immediate. So I believe that the things we have done today are the reasonable and prudent things that we should do, must do in light of the decision of the Second Circuit. To review, we

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have amended the severability requirement. We have removed the so-called "trigger provisions." We have taken, the Second Circuit's ban -- the striking down of our ban on lobbyist contributions and instead have established a bundling ban. That was a reasonable alternative, and it was something, in effect, that was suggested within the decision itself. And that bundling ban applies to exploratory committees, candidate committees, legislative caucus or leadership committees and party committees.

We have a lobbyist contribution limit of -- \$100 limit imposed on everyone who is a contributor, the maximum contribution for -- for people in the program. And the option of increasing the grant -- the base grant for gubernatorial candidates is, as we believe, something that is in the spirit of the original program, taking out the variabilities that were -- that were stricken by the Second Circuit and no longer offering an option to deal with the trigger mechanism or having an adjustment being made for independent expenditures.

So I believe that since we are still under the gun, so to speak, of the Second Circuit, what we we're proposing here today is a reasonable and prudent defensible response to that decision that will allow

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our program to go forward for this election and not be thrown into additional chaos. So I urge support of the underlying bill and commend all that have worked so hard on it once the mandate from the court has become clear. Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark further on Senate Bill 551?

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President. Very briefly in opposition without restating what we discussed on the amendments.

What we have before us is disappointing because we end up with a fix to our campaign finance laws that spends an additional \$6 million, and that's a fact. If we have two participating candidates running against each other, it will give those participating candidates a total of 8 and a half million dollars, more than a million and half dollars more than anyone has ever spent in the history of our state to run for governor, more than twice the amount that Governor Rell spent to run successfully for governor in 2006.

All of this extra spending occurs at a time when our unemployment rate is at the highest it's ever

been. Our budget deficit is almost \$4 billion. Our bonded indebtedness is the highest in the nation, and our economy is still in a recession. It is illogical and, quite frankly, outrageous that we would say to the people of the state of Connecticut, we're going to cut your programs. We're going to give you less. We're going to tax you more, and we're going to spend some more money on our campaigns.

The other thing we're doing here, and for me as one who was not comfortable with spending taxpayer monies on campaign, is we're making the inevitable happen, the best -- the worst of both worlds. We're using taxpayer-funded campaigns, and we're allowing lobbyists to control how we raise our money. And Senator Roraback pointed out clearly that any member running for the General Assembly can go raise all of their qualifying contribution amount, \$15,000, from lobbyists. Bear in mind, lobbyists don't give to challengers, or very few do. They give to incumbents.

So we were told that the price to get a clean election and the price to get a fair and equitable election was to spend taxpayer dollars and what was a clean election. No contractors. No lobbyists. You have allowed the lobbyists back in the game. And what was fair and equitable? Nobody who stood up for this



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system said at the time that fair and equitable was making sure that all candidates had the exact same amount of money because nobody ever understood that we could have a clause that said, if a self-funded person, be it Ned Lamont or Tom Foley, wanted to spend 10 or 15 or 20 million dollars, that we would match that. That was not fair and equitable.

Fair and equitable was trying to give anyone in the state of Connecticut who wanted a chance to run for office a fair chance, because the history was that incumbents, Democrat and Republican, raised more money than challengers. The history was that lobbyists and contractors gave to incumbents, Democrats and Republicans, granted a lot more to Democrats, because you're the majority, and if Republicans were in the majority, it would have been the reverse. It's not about one party versus the other. It's about incumbents versus challengers. That was fair and equitable. And what we've done here by allowing the lobbyists back in the system is to chip away at what's fair and equitable, because the clear history was lobbyists gave to incumbents not to challengers.

So we have created a system where we're using taxpayer -- where we're using taxpayer money. We're increasing it by \$6 million, and we've allowed

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lobbyists back into the game. And we've proven that the Second Circuit and Judge Underhill did not strike down our limits on lobbyist contributions, but the majority has chosen, for fear of lawsuit -- for fear of lawsuit to let lobbyists back in the game. And I think it was Senator Fasano who pointed out earlier that we've had more lawsuits than we should have had and more lawsuits than the people of the state of Connecticut want on this campaign finance law, but despite all of those lawsuits, the court has never prevented the SEEC giving out grants, and any grants already given, even supplemental grants given after the court deemed them unconstitutional are still good.

So any lawsuit brought by lobbyists to challenge what we could have done to their contributions would not have prevented any candidate from getting their money had they qualified. So that is a huge disappointment for me in this bill. We now have a system that is no longer clean and a system that is less fair than it was yesterday.

And with that, I urge rejection. Thank you.

THE CHAIR:

Senator Williams.

SENATOR WILLIAMS:

Thank you, Mr. President.

The bill that we have before us here today addresses the Second Circuit opinion and complies with that court decision. Senator DeFronzo is right. When we passed this clean elections law, it was the toughest in the nation. It is still the toughest in the nation, and with the additions here today we preserve that system. That's very important to the people of Connecticut. So when folks are critical of this law and say it doesn't go far enough -- and to keep in mind compared to what in the other 49 states -- this is still the best when it comes to cleaning up our elections and getting out of politics the influence of special interest.

Now, even though there's been disagreement here between Democrats and Republicans in the circle over certain amendments and certain aspects of this bill, what I'm very pleased about is that here in the state of Connecticut and the State Senate here today there is agreement that we ought to take this seriously in terms of limiting the influence of special interests and the power of the lobbyists and to do what we can within the parameters of the law, within the parameters of court decisions to stay that course at a time when folks on the U.S. Supreme Court in Washington are going in a different direction,

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striking down decades of precedent in campaign finance law and decades of efforts across this country in different states to clean up our elections and to root out the influence of special interests.

So to the extent that I have heard discussion from folks in both political parties here tonight that we're going to stand -- we might not always agree, but we're going to continue down the path of fighting against corruption in our electoral process and rooting out the influence of special interests.

That's a good thing. And we'll find things to agree about going down that road in the future. So, Mr. President, I'm proud of this step. I'm proud that we're acting today to save the system, and I call upon Governor Rell, who worked with us and was a leader in this fight originally, to preserve this system and sign this bill.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark further on Senate Bill 551? Will you remark further?

If not, Mr. Clerk, please call for a roll call vote. The machine will be open.

THE CLERK:

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An immediate roll call vote has been ordered in the Senate. Will all Senators please return to the chamber. Immediate roll call vote has been ordered in the Senate. Will all Senators please return to the chamber.

THE CHAIR:

Have all senators voted? If all Senators have voted, please check your vote. The machine will be locked. The Clerk will call the tally.

THE CLERK:

Motion is on passage of Emergency Certified Senate Bill 551.

Total Number voting	35
Those voting Yea	23
Those voting Nay	12
Those absent and not voting	1.

THE CHAIR:

Senate Bill 551 passes.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, I move for immediate transmittal of Emergency Certified Senate Bill 551 to the House of Representatives.

THE CHAIR:

Without objection, so ordered, sir.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, I would yield the floor to any members for announcements or points of personal privilege.

THE CHAIR:

At this time, I will entertain any announcements or points of personal privilege.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

I would wish all of the members a happy and safe and restful weekend for the remainder of the -- of the time. Our House colleagues will begin their deliberations now, and I would move that the Senate stand in -- that we adjourn subject to the call of the Chair.

THE CHAIR:

The Senate will stand adjourn subject to the call of the Chair.

On motion of Senator Looney of the 11th District, the Senate, at 7:38 p.m., adjourned subject to the Call of the Chair.

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THE CONNECTICUT GENERAL ASSEMBLY

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THURSDAY, AUGUST 5, 2010

The Senate was called to order at 2:53 p.m., in the July Special Session, the President in the Chair.

THE CHAIR:

The Senate will please come to order. Members and guests please rise and direct your attention to David Baird, Reverend Baird for a prayer.

DEPUTY CHAPLAIN REVEREND DAVID H. BAIRD:

Creator God, we cannot escape from Your goodness, and so we now come to You in this moment to dedicate this Special Senate Session, the Senators, their staff, their families, and all people involved in the sacred tasks of governance to Your purposes and Your good will. Gracious Lord, help us to make of this day, something beautiful, something good for our State, our communities, our families and our world.

Open the eyes of our hearts this day, Lord. Open the eyes of our souls and help us to be Your people this day. Help us to become a people who live lives of righteousness, goodness, commitment, honesty,

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accountability, respect, courage, honor and integrity. They are words, O God, good words, ancient words, important words, but they are nothing more than words if we do not actively seek to live by them. So open the eyes of our hearts and help us to live our lives as You call us to be.

Gracious Teacher and Ruler of all goodness, today is a day of keeping faith. Help us to keep faith with all of the people of the state of Connecticut. Help us keep faith with all our citizens who want fair and just elections. Help us to keep faith with all candidates who need from us an impartial and honest vote. Most of all, help us to keep faith with future generations who might look back to this day as an important moment in the history of democracy itself. May the legacy of our actions this day demonstrate that we kept faith with the deepest values of Your sacred vision of a just society and world.

Especially this day we lift up the families and the victims of the tragic events at Hartford Distributors in Manchester. May Your comfort be with all who have experienced the loss of their loved ones and Your healing be with all who have been injured and harmed.



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At the end of this day, may we all be blessed with Your peace in our homes, Your loving kindness with our families, and Your indelible stamp of goodness written upon our hearts and upon our souls.

We ask these things in Your holy and awesome name.

Amen.

THE CHAIR:

Thank you, Reverend.

Senator Prague, would you join us in the pledge -- lead us in the pledge.

SENATOR PRAGUE:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

THE CHAIR:

Thank you, Senator.

At this time, I will entertain points of personal privilege or announcements.

Senator Handley.

SENATOR HANDLEY:

Thank you, Mr. President.

I rise for a point of personal privilege.

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THE CHAIR:

Please proceed, ma'am.

SENATOR HANDLEY:

As -- as our chaplain reminded us already, two days ago, in Manchester, a truly dreadful event occurred in which nine people went to work and are now dead, others are wounded. And the large family and coworkers are suffering because of this. Nobody goes to work on an August morning thinking what happened is going to happen. And we all stand, I think, in a kind of awe at how rapidly change can occur in so many people's lives. So I ask, Mr. President, that we remember those who are dead, those who are wounded, their family and their friends, and the coworkers, all of them victims, and I ask for a moment of -- of silence.

THE CHAIR:

Could you all please rise for a moment of silence?

Thank you.

Are there any other announcements or points of personal privilege at this time?

If not -- Senator Harris.

SENATOR HARRIS:

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Thank you, Mr. President. Good afternoon.

THE CHAIR:

Good afternoon, sir.

SENATOR HARRIS:

For a point of personal privilege.

THE CHAIR:

Please proceed, sir.

SENATOR HARRIS:

Thank you, Mr. President.

Mr. President, I just wanted to join Senator Handley and the other members of the circle in offering condolences, our thoughts, our prayers to the victims of this horrific event that none of us, I know, can or will ever be able to understand, and the extended family at Hartford Distributors, this place that employs so many and has done a lot for the greater Hartford community.

And I want to specifically mention, and my thoughts go out to friends of mine, the owners of Hartford Distributors, the Hollanders, that family, many of whom live in my district and are active -- and I want to emphasize, active members of the community. It's been said a lot in the news recently on how they're benefactors and they contribute. They do that

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very generously, but they don't just open up their pocketbooks. They are extremely active in doing the right thing in the greater Hartford area in every community, in every neighborhood in this area. And I just want to say that, as we all collectively face these events, that hopefully we'll get some perspective on what we do here today and on what our role is, our privilege to represent the people of Connecticut and use the Hollanders, the employees, the family at Hartford Distributers as examples of how to be truly active and make sure that we don't take anything in this life for granted.

THE CHAIR:

Thank you, Senator Harris.

Senator LeBeau.

SENATOR LeLEAU:

Thank you, Mr. President. Good afternoon.

THE CHAIR:

Good afternoon, sir.

SENATOR LeLEAU:

I would like to join with my colleagues in expressing my deepest sympathy to the families who have been, to some degree, destroyed by what happened in Manchester a couple of mornings ago. Last night, I

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was at the memorial service at St. Margaret Mary Church in South Windsor. At least two of the -- or three of the -- the dead had connections to my district, Craig Pepin, Mr. Kennison, who I -- who both are just -- were terrific, wonderful people who gave to the community, volunteered -- and I'm sure you read in the paper -- as soccer coaches, as coaches for little leagues. Mr. Pepin was a tremendous member of St. Mary's Church, always giving.

And we know, if we read the articles, that there was true heroism going on there. That people risked their own lives to try to save others, and they died. It wrenches your heart out of your chest to see -- some of these people had young kids, and they've lost -- they've lost their dads. This is a tremendous tragedy, and as Senator Harris pointed out, the irony of this because I think that there's not a better -- a place that I know of that has better relations with business and their employees than Hartford Distributors.

I've known the Hollanders also. They've been friends -- they've been friends to me. They've contributed to my campaigns. They're wonderful people, and they've contributed to virtually to every

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charity in the Hartford area. And the irony of a family that has done so much for the community and done so much for their employees and has such good relationships with the vast majority of their employees in a very progressive and forward-looking union, the Teamsters Local 1035, to have them lose their president. Just -- just heart wrenching.

And I know that the members in this Chamber and I know that the whole state of Connecticut, as expressed by Governor Rell, joins in the sympathy and condolences for the families and the extended families that exist at Hartford Distributors. Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Are there any other points of personal privilege or announcements?

If not, we'll go into the business of the day.

Senator Looney.

SENATOR LOONEY:

Yes, good afternoon, Mr. President.

THE CHAIR:

Good afternoon, sir.

SENATOR LOONEY:

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Mr. President, the Clerk is possession of Senate Agenda Number 1 for the July Special Session dated today, August 5, 2010.

THE CHAIR:

Okay. I thought because -- well, we'll do that.

I just want to make sure that everyone is aware of what we're going to be doing here today. We're going to be taking up veto override of some bills, and I just want to go over the procedures so there is no questions. It's basically a two part process. In order to override the Governor's veto, the first motion is to reconsider the veto bill and must be made by an individual on the prevailing side. The motion is then brought before the body as a majority vote. Assume that that motion is to reconsider passage, then there's a motion -- must be to repass the bill, and the motion to repass the bill requires two-thirds vote of the body or 24 members.

I -- you know, it would be nice if the members refrain from the long discussion on the first motion and save their debate for the second motion.

Mr. Clerk, would you please call the agenda.

THE CLERK:

Mr. President, Clerk is in possession of Senate

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Agenda Number 1 for the July Special Session, dated Thursday, August 5, 2010. Copies have been distributed.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes, thank you -- thank you, Mr. President.

Mr. President, I move all items on Senate Agenda Number 1 for the July Special Session dated Thursday, August 5, 2010, to be acted upon as indicated and that the agenda be incorporated by reference into the Senate journal and the Senate transcript.

THE CHAIR:

There is a motion on the floor to move all items on Senate Agenda Number 1.

Seeing no objection, so ordered, sir.

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, Senate Agenda Number 1 consists of the communication from the Governor regarding her veto of Emergency Certified Bill Number 551, which was passed last week in both chambers of the General Assembly. And that bill itself appears as Item 2 on page 3 of Senate Agenda Number 1.



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So to begin -- to begin this process, Mr. President, having been on the prevailing side on the vote on Senate Bill 551, Emergency Certified Senate Bill 551 when it passed in this Chamber, I would move for reconsideration of that bill.

THE CHAIR:

Thank you, sir.

There is a motion on the floor for reconsideration of Senate Bill 551 from the -- Senator Looney from the prevailing side. Would anyone else like to speak with respect to the reconsideration of the bill?

If not, I will try your minds. All those in favor please signify by saying aye.

SENATORS:

Aye.

THE CHAIR:

Opposed, nays.

SENATORS:

Nay.

THE CHAIR:

The ayes have it. The bill is reconsidered.

SENATOR LOONEY:

Yes, thank you, Mr. President.

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THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President.

Now that the bill is before us, once again having approved the motion to reconsider, I would now yield to Senator Slossberg for purposes of a motion to repass the bill.

THE CHAIR:

Senator Slossberg, do you -- yeah, I will -- Senator Slossberg, why don't we have the Clerk call the bill first.

THE CLERK:

Calling from Senate Agenda Number 1, Emergency Certified Bill 551, AN ACT CONCERNING CLEAN ELECTIONS.

The bill was originally accompanied by emergency certification signed by Donald E. Williams, Jr., President Pro Tempore of the Senate; Christopher G. Donovan, Speaker of the House of Representatives. The bill is also accompanied with a message from the Governor concerning her veto.

THE CHAIR:

Senator Slossberg, do you accept the yield from Senator Looney?

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SENATOR SLOSSBERG:

Yes, I do, Mr. President.

THE CHAIR:

Please proceed, ma'am, on the repass.

SENATOR SLOSSBERG:

Thank you, Mr. President.

I make a motion to repass Senate Bill 551, AN ACT  
CONCERNING CLEAN ELECTIONS.

THE CHAIR:

There is a motion on the floor to repass Senate  
Bill 551.

Will you remark? Will you remark further,  
Senator Slossberg?

SENATOR SLOSSBERG:

Yes, thank -- yes, thank you, Mr. President.

Very briefly, I'd like to incorporate by  
reference the debate that we had on July 30th, just  
six days ago. At that time, this Chamber fully aired  
the issues associated with the bill before us, and I  
would urge the Chamber's support. Thank you, Mr.  
President.

THE CHAIR:

Thank you, Senator Slossberg.

Will you remark further?

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Senator McLachlan.

SENATOR McLACHLAN:

Thank you, Mr. President.

I, too, would like to incorporate my comments from the debate of July 30th. My only other comment that I would like to share today is concern that I share with the Governor about restrictions on lobbyists and contractor solicitations that do not become effective until January 1st of next year. It seems unusual to me that we are rushing to take care of this fix of the Citizen Election Program and yet have deferred some of the important parts of the fix until after this election. The most important point that I would like to reiterate is spending \$6 million more in this economy with anticipated deficits in the billions of dollars in the coming years is inappropriate. I urge my colleagues to reject this veto override.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark further?

Senator Fasano.

SENATOR FASANO:

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Thank you, Mr. President.

Mr. President, I'd like to incorporate my remarks, as well, from July 30th, and I'm not going to go into them, as I did on July 30th, but let me say that it does bother me about the \$6 million at a time when we made cuts to other programs and agencies and rollbacks and things of that nature; and here we are adding more money to this program. But I'll tell you what, even over the period of time from our last vote until today, what really gnaws at me is we have taken away the real clean part of clean elections in that we've opened the door for solicitation by lobbyists, solicitation by state contractors and for a short period of time.

We've said it is okay until January 1, 2011, then after that, we're not going to allow you to do it anymore. If it is illegal or if it is wrong or the perception is bad or it hurts by allowing those solicitations for clean elections, if it is true on January 1, 2011, then it is true today in 2010. And that is the biggest problem that I have with this bill. We have opened the Pandora's box that we sought to close, and we're leaving it open for three months going into one of the biggest elections this state has

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ever seen in its history, and we've taken all of the restrictions that we put on to make it clean, and we've gone back in time. And I just cannot for the life of me put that in order in my mind.

It is bad, but we're going to take a time-out and allow it to happen in this election. It causes undue influence, but we're going to take a time-out and allow it to happen in this election. It is wrong for the State of Connecticut, but we're going to take a time-out and allow it to happen in this election. That just seems illogical. For that reason, I hope that this Circle sustains the Governor's veto. Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark?

Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President.

Speaking in support of the override and repassage of the bill. Mr. President, I think that the key issue here is to recognize that this bill frames a response to the decision of the Second Circuit in the most careful way possible to recognize those

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components of the law that were ruled unconstitutional by the Second Circuit and also, at the same time, trying to make corrections that we think come within the parameters of that decision in an attempt to go no further than that. I think that that is the reason why some of the provisions become effective January 1st.

We know that the -- the whole matter will soon be once again in the possession of the federal district court on remand from the Second Circuit, and being cognizant of that, we want to make sure that we don't invite any -- any new or additional litigation by creating any issues beyond those which have already been addressed in the appeals that have been -- that have been pending and then finally recently decided. For that reason, Mr. President, we have -- have looked at the ban on lobbyist contributions that was struck down by the Second Circuit and have -- have replaced that with a -- with a cap -- with a ban on lobbyist contributions.

Now, we're proposing that they be capped at the same level that other contributions can be made for a maximum of a hundred dollars. We've replaced the absolute ban with a bundling -- with a ban on bundling

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so we have done as much as we possibly can given the -- the equation of political contributions with speech, which was the basis of the Second Circuit's decision. We have done as much as we can to preserve the tenor and intent of our system given the parameters laid out in the decision on -- on appeal.

In addition, we have been trying to keep in -- in concert with the original purpose of the bill, which did factor in the possibility of an enhanced grant in the event of a candidate facing a wealthy self-funded opponent. Now, the -- the Court struck down the specific the trigger -- so-called "trigger mechanism," and instead we have replaced that with an increased base grant independent of what levels of spending are undertaken by other candidates, and we believe that that is a responsible way to maintain the spirit of the original bill, which did contemplate an adjustment for factors such as a great deal of spending by a self-funded candidate.

We did not adjust for the possibility of additional grants for independent expenditures. So within the -- within the parameters of what the Second Circuit directed and indicated as being points of constitutional violation where we could not incur any



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further, this is a reasonable, prudent bill that stays within the guidelines and implications of what has been stated as permissible and impermissible by the Second Circuit.

And for that reason, Mr. President, I urge that we readopt this bill because the idea of public financing in Connecticut is one of the things I think that we are all deservedly proud, the Governor in supporting and proposing the initial bill five years ago, the General Assembly in adopting it. Having gone through one complete election cycle in 2008 with large numbers of candidates for the General Assembly participating, I think, by and large, that system worked quite well. This year now being the first cycle with a provision for public funding for the statewide offices, as well, we have, I think, still model legislation here in Connecticut adjusted by the guidance of the court. And once again, Mr. President, I would urge that we continue to move forward by overriding the veto and repassing this bill.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Senator McKinney.

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SENATOR MCKINNEY:

Thank you, Mr. President.

I rise in opposition to readopting the bill before us and overriding Governor Rell's veto. I will keep my remarks very brief, but we were told on original passage and told again today that this is about addressing what the Court found unconstitutional or it's about addressing what we thought the original intent of the bill was. The Court's decision has nothing to do with whether or not we should increase the grant amounts by \$3 million for each candidate for a total of \$6 million. The Court didn't say anything about what our grant amount should be.

Participating candidates for governor in a primary and general election will receive \$5.5 million. That's a lot of money. It's money that belongs to taxpayers, and it's enough money to spend on a good gubernatorial campaign. Four years ago, Governor Rell ran and won spending \$4 million. John DeStefano ran and lost spending \$5.5 million. We are asking the taxpayers to foot another \$6 million. This is money that belongs to the taxpayers of the state of Connecticut.

In the face of a nearly \$4 billion budget

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deficit, that \$6 million should be spent to offset that deficit. The fact that this money may be set aside means that we have to spend it speaks to exactly what is wrong with our government here in Connecticut. Just because the money is set aside doesn't mean you have to spend it. It's not our money. It belongs to the people of the state of Connecticut. Let me remind you that even without this extra \$6 million, this gubernatorial election in 2010 will be the most expensive election in the history of the state of Connecticut. It is no coincidence that in the first year we have public-financed campaigns, we have self-funded candidates of both parties using large, enormous wealth to gain name recognition when the system that people participate in caps how much you spend. It's not how much is in the system. It's the system that hasn't worked.

Allowing lobbyist contributions is also another failure of this bill. I went over why the Court did not strike down our prohibition on contributions from lobbyists being qualifying contributions. It was not tested, that law, 9-704 is still good law in the state of Connecticut until you decided to strike it down and allow lobbyists back in the game. And as Governor

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Rell said herself in the veto message, allowing lobbyist contributions to be qualifying contributions undermines the very integrity of the CEP. Our clean elections -- because of that, our clean elections are no longer clean.

I stood in opposition to this bill when it was first before us years ago because I did not believe that we should spend taxpayer dollars on our bumper stickers and our lawn signs and our billboards, our TV ads and our radio ads. Those who disagreed with me said, I think, we don't like spending taxpayer dollars either, but we have to to get clean elections and we have to to get fair elections. Clean elections meant no contractors, no lobbyists. You've let lobbyists back in the game. That is no longer clean. Fairness is also not achieved under this bill.

Lastly -- and I think Senator Fasano remarked on this when we originally passed this -- the majority has told us that a ban on lobbyists soliciting their clients is critical to preserving the integrity of our clean election system, and it's so critical to the integrity of our clean elections that we're going to implement that ban on January 1, 2011, after people have run for governor, lieutenant governor,

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comptroller, secretary of state, attorney general, state Senate and state House. One hundred eighty-seven legislative seats, all our constitutional officers, can now raise money from lobbyists. Those lobbyists can solicit their clients, but don't worry, in January, they won't be allowed to.

It is outrageous to claim that it is legal to ban lobbyists from solicitation of their clients and it is critical to the integrity of our system and yet we're not going to do it now. You would be better off to have said that we can't do it constitutionally, just let them solicit.

Lastly, let me point out, because there has been some indication from some -- and it's in press reports -- that timing is critical. That the very publically-financed system, our campaign finance reform, the entire law is in jeopardy with the decision of the circuit court and the court of appeals and we must act and must act now because we face a primary days away. Let me first say that in December, in December, Governor Rell called for a special session to clean up and fix our campaign finance laws, and January, February, March, April, May, June, July go by without any action of the majority. So if you

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believe that this is critical to do because of the timing, you have no one to blame but yourself.

There's another issue with timing here where I will commend the majority in the Senate, just so I can act like I'm trying to be fair. I commend the majority for calling us in for an override prior to the primary. I think the very fact that the House has now scheduled a vote after the primary raises the very appearance that the decision made by the House could be determined based on the outcome of Tuesday's primary and that would be nothing short of wrong. So I commend you for doing it today although I disagree with the actions you will take. Thank you.

THE CHAIR:

Senator Williams.

SENATOR WILLIAMS:

Thank you, Mr. President.

I rise to support today's override of Governor Rell's veto. You know -- and this was mentioned during our previous debate when we passed this the first time but -- we have the best clean elections system in the United States right here in Connecticut, and it was the best before the Second Circuit's ruling, and it will continue to be the best clean

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elections system in the country when we override this today and, ideally, the House overrides it sometime next week.

There have been a number of things that were said briefly here today, and I want to touch on those. Clean elections, yes, it does mean controlling lobbyists, controlling state contractors, and we continue to do that within the confines of the court decision. We continue to put more restrictions on lobbyists and how they can bundle contributions to reduce their influence and the influence of special interests in politics. We want clean elections in this state. We don't want to go back to the corruption that we saw just a few years ago.

But clean elections also means more than simply controlling the influence of lobbyists and contractors. It also means public financing. Public financing was a key component of the clean elections bill, and offering that as an option for candidates is very important. We are not adding dollars to the clean elections public financing system. We are capping the dollars. Right now, a gubernatorial candidate could receive as much as \$9 million for the general election. We are capping that at \$6 million,

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and we have not had a candidate for governor spend \$3 million or thereabouts in the general election, which is what we would be talking about if we didn't take action here today, who has won in the last three cycles. The average has been more like \$7 million, and we are, again, capping the expenditure in the general election at \$6 million.

Some might suggest that public financing has somehow encouraged self-funded candidates to get into the race. I find that interesting because actually, at the beginning of this campaign cycle, we had three self-funded candidates in the U.S. Senate race, where no public financing is available, only one candidate self-funded in the gubernatorial race. Now, over on the Republican side they -- they talked one of those U.S. Senate candidates into switching and running for governor because there were just too many self-funded candidates running for U.S. Senate. So I would say public financing had absolutely nothing to do with self-funded candidates who came forward, three quarters of whom were running for U.S. Senate where there was no public financing at all.

In terms of the timing and why we are here today as opposed to taking action in June or May or April or



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even, as Governor Rell suggested, last January or December of last year, there is, of course, a very simple reason: The Second Circuit did not rule on this case until July, and in our wisdom, we decided you know what, don't fix it until you know what's broken. And indeed, if we had acted prior to the Court's decision, as some people asked us to do, we would have fixed some things that were not broken and not addressed, other things that the Second Circuit struck down. So, yes, we would be here anyway. So the timing is right. We have to respond to the Second Circuit opinion.

The people of Connecticut want us to keep the clean elections system in the state of Connecticut. They want us to fight the special interests, and they want us to keep the promise of the best system to get rid of the influence of special interests in the country. For those reasons, Mr. President, I will vote to override the Governor's veto, and after today's vote today, urge my colleagues in the House to do the same. Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark further on the repass of Senate

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Bill 551? Will you remark further?

If not, Mr. Clerk, please call for a roll call vote. The machine will be open.

THE CLERK:

Immediate roll call has been in ordered in the Senate. Will all Senators please return to the chamber. Immediate roll call has been ordered in the Senate. Will all Senators please return to the chamber.

THE CHAIR:

Have all Senators voted? Have all Senators voted?

If all Senators have voted, please check your vote. The machine will be locked. The Clerk will call the tally.

THE CLERK:

Motion is to repass Emergency Certified Bill 551.

Total Number voting	34
Those voting Yea	24
Those voting Nay	10
Those absent and not voting	2

THE CHAIR:

The bill passes.

Senator Looney.

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SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, just to inquire, we -- now having  
repassed the bill, would move for immediate  
transmittal to the House for them to schedule their  
action.

THE CHAIR:

Without objection, sir.

SENATOR LOONEY:

Thank you, Mr. President.

.. Mr. President, that -- that concludes our  
business. I'm very pleased that we did it with  
dispatch today. I wanted to thank all of the members  
of the -- of the Chamber of both parties for that.  
And Mr. President, I would just pause, at this point,  
before calling for adjournment to leave room for  
members who may have any additional personal privilege  
or announcements.

THE CHAIR:

Are there any other points of personal privilege  
or announcements at this time?

Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President.

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For purposes of a journal notation.

THE CHAIR:

Please proceed, sir.

SENATOR RORABACK:

Thank you, Mr. President.

Will the journal please reflect that Senator Kissel was absent from today's vote due a family commitment, and Senator Witkos was absent on account of legislative business.

THE CHAIR:

It will be noted.

SENATOR RORABACK:

Thank you, Mr. President.

THE CHAIR:

Senator Boucher.

Ma'am, are you good there or -- Senator Boucher.

SENATOR BOUCHER:

Thank you, Mr. President.

I rise for a point of personal privilege.

THE CHAIR:

Please proceed, ma'am.

SENATOR BOUCHER:

Mr. President, today has been a time of great reflection. Many have pointed out that life can be

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very unpredictable. Life can be short. I just wanted to let everyone in the Chamber know that this has been my first two-year session here in the Senate, and it has been a personal privilege and a pleasure to work with each and every one of you. And I know some are retiring, some are going on to future political opportunities. I wish each and every one of you great success, good health and great happiness in everything and anything that you do.

Thank you, Mr. President.

THE CHAIR:

Thank you, ma'am.

Senator Slossberg.

SENATOR SLOSSBERG:

Thank you, Mr. President.

I rise for the purposes of an announcement.

THE CHAIR:

Please proceed, ma'am.

SENATOR SLOSSBERG:

Thank you, Mr. President.

We have a commission meeting, a Commission on Enhancing Agency Outcomes -- no faces, Senator LeBeau -- Wednesday, August 11, 10 a.m. All are welcome even if you're not on the commission. We're

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still working hard. So I look forward to seeing all of you or any of you on the 11th at 10 a.m. Thank you.

THE CHAIR:

Thank you, ma'am.

Any other announcements or points of personal privilege?

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, having completed our business for today. I know that members are busy with many activities, some involving leading up to next Tuesday and others other purposes, and, Mr. President, I would move that the Senate stand adjourned subject to the call of the Chair.

THE CHAIR:

Without objection, the Senate will stand adjourned subject to the call of the Chair.

On motion of Senator Looney of the 11th, the Senate at 3:31 p.m., adjourned subject to the call of the Chair.

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THE CONNECTICUT GENERAL ASSEMBLY

SENATE

Tuesday, December 7, 2010

The Senate was called to order in the June Special Session at 4:50 p.m., Senator Harris of the 5th in the Chair.

THE CHAIR:

Senate will please come to order and give your attention to the Acting Chaplain, Frank A. Forzano of South Windsor, Connecticut, who will lead us in prayer.

ACTING CHAPLAIN FRANK A. FORZANO:

Almighty God, in these difficult times may we turn to Your for guidance. Give us the wisdom to do what is best for the people we serve. Amen.

On motion of Senator Looney of the 11th, the Senate at 4:52 p.m., adjourned sine die.

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THE CONNECTICUT GENERAL ASSEMBLY

SENATE

December 7, 2010

The Senate was called to order in the July Special Session at 4:54 p.m., Senator Harris of the 5th in the Chair.

THE CHAIR:

Senate will please come to order and give your attention to the Acting Chaplain, Courtney Cullinan, of Cheshire, Connecticut, who will lead us in prayer.

ACTING CHAPLAIN COURTNEY CULLINAN:

Almighty God, look down upon Your people here gathered, bless their work and allow them to see the fruit of their labor. Amen.

On the motion of Senator Looney of the 11th, the Senate, at 4:56 p.m., adjourned sine die.