

# GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE

Friday, March 2, 2012

## TESTIMONY OF ATTORNEY SUZANNE BROWN WALSH

**RE: Governor's Bill 5027 [LCO #539] - An Act Implementing the Governor's Budget Recommendations Concerning the Elimination, Consolidation and Modification of Various Boards and Commissions**

**Specifically, Sections 38, 39 and 40 that Consolidate the Law Revision Commission and the Commission on Uniform Legislation**

Senator Slossberg, Representative Morin and Members of the Committee:

My name is Suzanne Brown Walsh. I am a Principal of Cummings & Lockwood in West Hartford, a former Chair of the Connecticut Bar Association's Estates & Probate and Elder Law Sections, and have served as one of Connecticut's eight volunteer Commissioners on Uniform Laws since 2005. I respectfully request that the Government Affairs and Elections Committee **maintain the Connecticut Uniform Law Commission as is, and not merge it with the Law Revision Commission as proposed in Sections 38, 39 and 40 of House Bill 5027.**

I respectfully refer the committee to the written testimony of my colleagues Bill Breetz and Barry Hawkins, for a summary of the history and roles of the Uniform Law Commission and the Law Revision Commission. Like Commissioner Breetz, I agree with the Governor that consolidating state boards, commissions and agencies with overlapping functions, where possible, is a good idea, most particularly when that saves the taxpayers money.

Having said that, I do not believe this a good place for consolidation, for these reasons:

1. Because all the work of both the Law Revision Commission and the Uniform Law Commission is done by volunteers, it is likely that increasing the statutory duties of both groups through consolidation will force some or all of them to quit. Uniform Law Commissioners devote hundreds of hours annually to our duties in the ULC, which is already many hours more than most lawyers (at least those with families and children to educate) can afford to sacrifice.
2. The two commissions both perform somewhat similar functions, in that they both deal with legislation, *but in a completely different manner*. Those who are appointed to the ULC are typically simultaneously involved in drafting several uniform acts, which occurs on a national level. That drafting is done by volunteer uniform law commissioners drawn from around the nation, assisted by national stakeholders and by paid staff from the ULC's Chicago office. Each act typically takes two years to draft. The ULC is funded by the dues paid by Connecticut and other states, and the drafting process has a finite cost that the ULC pays. The Connecticut delegation then reviews, with the entire conference, all of the uniform acts at the annual week-long ULC meetings, when each act being considered that year is read aloud and debated on the floor of the annual meeting. Further, the ULC has a separate elected leadership and committee

structure drawn from a national constituency. The members of Connecticut's delegation are quite active in that leadership and thus, ensure that Connecticut's interests are well represented nationally.

3. By contrast, the Connecticut Law Revision Commission is a volunteer Connecticut group that has a limited, sporadic but important role in the Connecticut legislative process. The LRC has no national legislative role, only the state one. It reviews *some* uniform acts, after they have already been drafted and approved by the Uniform Law Commission, specifically for enactment in Connecticut. The LRC has also considered legal issues that were not the subject of uniform acts. At times, individual members of this General Assembly as well as members of the LRC have suggested topics that might be suitable for the LRC to consider. As a consequence, the LRC has responded to requests from the General Assembly to consider complex legislative proposals of all kinds, and not just uniform acts.

4. The current 'two commission' system imposes no costs on the State that will be avoided by consolidation. **Consolidation might even impose some additional costs on the State**, because by increasing the number of commissioners, the state is increasing its statutory obligation to reimburse commissioners for the cost of attending the annual meeting (which we have not actually received in two years).

I agree with Bill Breetz and Barry Hawkins that the two bodies will best accomplish their separate missions by having different individuals serve on those different bodies. As Barry Hawkins has noted, Uniform Law Commissioners must be lawyers, but LRC members, like legislators, need not possess law degrees. Because of that, I am not sure how combining the two commissions would work. In any case, for practical reasons, I know I could not serve on both, if asked. My current commitments to the ULC, alone, take me away from Connecticut for five long weekends (two fall, one January, and two spring) per year, plus an entire week in July. It is really difficult to balance work and family with these demands, but I do it because I enjoy it. Right now, for example, I am struggling to balance a commitment to a March drafting committee meeting in Seattle, which falls on the same weekend as my oldest child's high school musical performance. Because Bradley is a small airport, to attend the meeting I have to rely on a Saturday evening redeye to take me home in time for the last Sunday performance. I offer this as just one small example of the dedication of the Connecticut Commissioners to this work, for which we are not paid, and ask you to consider that as you review this proposal.