



State of Connecticut
SENATE

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March 27, 2015

Dear Senator Bye, Representative Walker, Senator Kane, Representative Ziobron, and distinguished members of the Appropriations Committee,

I am State Senator Michael McLachlan, and I am testifying today in support of SB 128, *An Act Concerning The Constitutional Spending Cap*.

This legislation would implement the constitutional spending cap and prohibit any emergency, or other expenditures that exceed the cap, from being included in the calculation of the cap for future years.

It was during the 1991 budget crisis that the legislature adopted a resolution proposing a constitutional amendment, which is known as the constitutional spending cap. The spending cap is calculated by the percentage of increase in state spending to personal income or the rate of inflation.

The general assembly is required to define the terms "increase in personal income," "increase in inflation" and "general budget expenditures."

Currently, these definitions have not been adopted by the required three-fifths vote.

Without defining these terms, the constitutional spending cap is ineffective and the legislature is only bound to a statutory spending cap that can be and has been ignored.

A statutory spending cap does not have the binding power or effectiveness of a fully implemented constitutional amendment. Statutory language can be changed by a simple majority vote of the General Assembly, and often is.

This means that the constitutional spending cap has never been implemented. We only have a statutory cap, not the constitutional spending cap that is codified in Article Third, Section 18 of the state constitution.

This legislation, if passed, would define the above terms and would determine the purposes of calculating the spending cap in future years.

The people of this state have spoken when they approved this measure with over 80% support. Year after year we propose language that will implement the cap and year after year there is no action taken. It is long past time for the legislature to finally take action and listen to the voice of the people, and not ignore them any longer.

An enforceable constitutional spending cap would reflect the will of the three-fifths majority of the state legislature and the will of the people of Connecticut.

I urge you to support this legislation.

Thank you.

Michael A. McLachlan
State Senator – 24th District