



State of Connecticut
SENATE

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March 4, 2016

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 HB 5086 **An Act Concerning the Constitutional Spending Cap.**

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.

I would also suggest that this legislation goes further, and require the General Assembly to enact the previous mentioned definitions in a special session by October 1, 2016. If this does not occur, then legislators will experience a 10% reduction in salary, they will not receive transportation allowances, and no member of the General Assembly will be entitled to unsolicited mailings until such definitions are adopted.

The people of this state have spoken when they approved this measure with 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.

I fear that the current legislation regarding the transportation ‘lockbox’ will follow the same path as the constitutional spending cap. History has shown us that unless we provide language that requires actual enforcement of the legislation, the legislation is useless.

I urge you to support this legislation.

Thank you.

Michael A. McLachlan
State Senator-24th District