



General Assembly

**Amendment**

February Session, 2016

LCO No. 5415



Offered by:  
SEN. FASANO, 34<sup>th</sup> Dist.

To: Senate Bill No. 391

File No. 387

Cal. No. 267

**"AN ACT CONCERNING THE RECOUPMENT OF STATE COSTS  
ATTRIBUTABLE TO LOW WAGE EMPLOYERS."**

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. Subsection (b) of section 5-278 of the general statutes is  
4 repealed and the following is substituted in lieu thereof (*Effective from*  
5 *passage*):

6 (b) Any agreement reached by the negotiators shall be reduced to  
7 writing. The agreement, together with a request for funds necessary to  
8 fully implement such agreement and for approval of any provisions of  
9 the agreement which are in conflict with any statute or any regulation  
10 of any state agency, and any arbitration award, issued in accordance  
11 with section 5-276a, together with a statement setting forth the amount  
12 of funds necessary to implement such award, shall be filed by the  
13 bargaining representative of the employer with the clerks of the House  
14 of Representatives and the Senate [within] not later than ten days after  
15 the date on which such agreement is reached or such award is

16 distributed. The General Assembly may approve any such agreement  
17 as a whole by a majority vote of each house or may reject such  
18 agreement as a whole by a majority vote of either house. The General  
19 Assembly may reject any such award as a whole by a two-thirds vote  
20 of either house if it determines that there are insufficient funds for full  
21 implementation of the award. If rejected, or if either chamber fails to  
22 act on the agreement or award within the time periods required under  
23 this subsection, the matter shall be returned to the parties for further  
24 bargaining. Once approved by the General Assembly, any provision of  
25 an agreement or award need not be resubmitted by the parties to such  
26 agreement or award as part of a future contract approval process  
27 unless changes in the language of such provision are negotiated by  
28 such parties. Any supplemental understanding reached between such  
29 parties containing provisions which would supersede any provision of  
30 the general statutes or any regulation of any state agency or would  
31 require additional state funding shall be submitted to the General  
32 Assembly for approval in the same manner as agreements and awards.  
33 If the General Assembly is in session, it shall vote to approve or reject  
34 such agreement or award [within] not later than thirty days after the  
35 date of filing. If the General Assembly is not in session when such  
36 agreement or award is filed, it shall be submitted to the General  
37 Assembly [within] not later than ten days of the first day of the next  
38 regular session or special session called for such purpose. The  
39 agreement or award shall [be deemed approved if the General  
40 Assembly fails to vote to approve or reject such agreement or award  
41 within thirty days after such filing or submission] not be effective  
42 unless approved by the General Assembly in accordance with this  
43 subsection. The thirty-day period shall not begin or expire unless the  
44 General Assembly is in regular session. For the purpose of this  
45 subsection, any agreement or award filed with the clerks within thirty  
46 days before the commencement of a regular session of the General  
47 Assembly shall be deemed to be filed on the first day of such session.

48 Sec. 502. Subsection (d) of section 5-278 of the general statutes is  
49 repealed and the following is substituted in lieu thereof (*Effective from*

50 *passage*):

51 (d) No provision of any general statute or special act shall prevent  
 52 negotiations between an employer and an employee organization  
 53 which has been designated as the exclusive representative of  
 54 employees in an appropriate unit, from continuing after the final date  
 55 for setting the state budget. An agreement between an employer and  
 56 an employee organization shall be valid and in force under its terms  
 57 when entered into in accordance with the provisions of this chapter  
 58 and signed by the chief executive officer or administrator as a  
 59 ministerial act. Such terms may not make any such agreement effective  
 60 on a date prior to the date on which the agreement is entered. No  
 61 publication thereof shall be required to make it effective. The  
 62 procedure for the making of an agreement between the employer and  
 63 an employee organization provided by sections 5-270 to 5-280,  
 64 inclusive, shall be the exclusive method for making a valid agreement  
 65 for employees represented by an employee organization, and any  
 66 provisions in any general statute or special act to the contrary shall not  
 67 apply to such an agreement."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	<i>from passage</i>	5-278(b)
Sec. 502	<i>from passage</i>	5-278(d)