SENATOR OSTEN (19TH): We are going to get ready to start the meeting. Are you ready?

UNKNOWN SPEAKER: I'm ready.

SENATOR OSTEN (19TH): All right. So we are going to call up the Secretary of the State. Madame. Okay.

SECRETARY OF STATE MERRILL: Good morning, Cathy.

SENATOR OSTEN (19TH): Hi, how are you? Thank you. You can go ahead and start as soon as you are ready.

SECRETARY OF STATE MERRILL: Good morning, Chairwoman Osten, Ranking Members Formica, I just saw in the hallway and he is unfortunately detained doing something else. And Representative Lavielle, nice to see you.

My -- for the record my name is Denise Merrill. I’m Secretary of the State. I am here to testify this morning on my agencies budget.

Just for preliminary, as you mostly know the Secretary of State's office hosts a number of departments including elections, administration, publications and business services. Some of which generate considerable revenue for the state. In
Fiscal Year 2018 my office generated almost $31 million in fees and to date in FY 2019, we have generated almost 19 million. It does go into the general fund.

Our annual operating expenses total slightly less than $9 million, less than a third of the money we generate. The office has become leaner in recent years which was done without impacting services to the public.

When I was elected Secretary of the State, the -- in 2010, there were 85 employees in this office. Today there are 65. The modernizations we introduced over the last several years have helped our office keep up with demands despite having fewer people. Much of that is online services. We have gone online with most of our services at this point.

So I have two issues I want to bring to your attention in my budget. First, is about cyber security. When I became president of the National Association of Secretaries’ of State in July of 2016, cyber security was hardly mentioned at our annual convention. Now, just about every workshop, panel and keynote focuses on protecting elections from electronic interference.

In 2017, we learned here in Connecticut that the -- from the Federal Department of Homeland Security that Connecticut was one of the states that agents of the Russian government targeted with cyber scans of our public facing online election infrastructure. Our perimeter of security successfully turned the scan away.

In layman’s terms as I have learned over the last few years, the Russians rattled the doors and
windows but our locks and alarm systems held firm. How is that for a good metaphor?

But it’s clear they’re not done. In classified briefings I have now attended, the Department of Homeland Security has made it clear that foreign actors are still looking for ways to interfere with our elections. The election administration world has changed and it has changed quickly. Connecticut must be prepared for the new future of election security, cyber security. We must take the appropriate steps right now to ensure that our elections are safe from foreign interference.

I have sat where you sit today and I know how difficult your task is, but I have to tell you this is our strongest concern today in elections and we need to be proactive.

So to do that, this office requires some resources. Specifically funding for additional positions related to election administration with an emphasis on training, communications and technical assistance. We will be doing everything possible to protect the security of Connecticut’s elections and I will briefly tell you a few of the things that we are working with right now, mostly with the federal government.

We did cyber hygiene scanning and reporting services. We get EI and MS-ISAC monitoring, you know, there is a lot of alphabet soup in this so forgive me. And I can explain it to you if you’re really interested but it has been a learning experience for all of us.

We are monitoring and reporting on real time traffic entering and leaving the state of Connecticut network through DHS. We had DHS perform a full
onsite risk and vulnerability assessment and have coordinated with DHS's northeast regional team, the Federal Bureau of Investigation, the Connecticut Department of Emergency Services and Public Protection, the State Election Enforcement Commission and our states IT team on response preparation.

We will continue to work with them and most of these service, in fact I think all of them, have been provided free of charge form the federal government. We also received some leftover HAVA funds, HAVA being the Help America Vote Act which provides funds to the states in 2001 and '02 I believe. There was some money left over. Connecticut got about $5 million of that money. We formulated a plan and we will be able to use some of those resources to help out with what I’m about to ask you.

What we need specifically is a permanent -- to make cyber security a permanent function of our office. So we need to do training and coordinating with local governments which is what I understand the local level is the biggest threat because that, some of these things come in through things like phishing emails, people not changing their passwords, so we have lot of training and connection to do.

And we also are concerned about the local connectivity of our system. So we need someone in our office, specifically with subject matter expertise in cyber security. We need to add that to our departments IT team which is very small at this point. We only have about five people I think in our office and that includes people that keep the computers going and that sort of thing.

The person we are looking for will focus on cyber security defenses for the Secretary of State’s
office, liaise with DHS and the federal intelligence community on election cyber security and work closely with the election team to protect the integrity of Connecticut’s elections.

We must commit to stop any attempted interference and let every Connecticut resident know we are doing everything we can do to successfully protect our elections.

This person I will be able to fund in the first year with the federal dollars. But I think we should look at the second year funding this position with additional funds from my office.

Second, the second request I have for you is a much smaller idea and a one-time request for dollars to support the 100th anniversary of women's suffrage. That is next year. It's a key milestone in our country’s long and crooked journey to universal suffering and we as a state should not let it go unremarked.

I have been vocal about the importance of making sure that every voter can easily register to vote and this centennial is the anniversary of a key step forward in voter registration and voting rights. I have created the Centennial Commission for Women’s Suffrage to bring together advocates and public interest groups to mark this important anniversary and I’m requesting a small amount of funding to support these efforts with printing and publications and events and staffing.

Over the last few years our OE budget has been severely cut back so we really don’t have the kind of money we would need to do at least a modest amount of printing and that sort of thing for the anniversary.
So we will be honoring the past but also making an important statement about the importance of expanding the fundamental right to cast a ballot. So I would ask for that one time support. And that’s it. Thank you very much.

SENATOR OSTEN (19TH): Thank you very much, Madame Secretary. And I have a couple of questions. In your testimony, it says that you have 65 people but the agency -- you have requested 85 and the Governor has recommended 85. So do you have 20 positions that are not funded or are you asking for positions above that 86?

SECRETARY OF STATE MERRILL: No. We have plenty of opened positions, unfunded positions. We need to fund one of those existing positions.

SENATOR OSTEN (19TH): All right. It looks to me like they have funded those positions because your general fund account says 85 so your dollar amount for personnel services, I’m assuming that you put in the number up to 85 or did you only put in the 65 when we look at the agency requested $2,669,140. Is that 65 people or is that 85 people?

SECRETARY OF STATE MERRILL: That would be the 65. Actually I think it’s more like 67 because right now we have two that are unfunded and in the process of being filled. Is that -- let me just turn to my -- is that correct, Blanche? Yes.

SENATOR OSTEN (19TH): Okay. Because -- so the 85 -- I just want to make sure I get this --

SECRETARY OF STATE MERRILL: Right.

SENATOR OSTEN (19TH): Correct. Because if I’m looking at this and you’re saying you want 85 people and I show 85 people, 20 of those --
SECRETARY OF STATE MERRILL: Aren’t being filled.

SENATOR OSTEN (19TH): 17 are unfunded.

SECRETARY OF STATE MERRILL: Yes, correct.

SENATOR OSTEN (19TH): And what would the dollar amount be for those?

SECRETARY OF STATE MERRILL: The position I’m requesting?

SENATOR OSTEN (19TH): Yes. Um-hum.

SECRETARY OF STATE MERRILL: I think it would be an IT3 position and I can give you an approximate number. About 90,000.

SENATOR OSTEN (19TH): Per person.

SECRETARY OF STATE MERRILL: Per person. Well, there just one request. We are requesting one position.

SENATOR OSTEN (19TH): So it says -- so quite frankly you’re not, you’re only asking for one to go up to 68 people?

SECRETARY OF STATE MERRILL: Yes. That’s -- come on up. I better --

SENATOR OSTEN (19TH): You might as well just come up.

SECRETARY OF STATE MERRILL: Blanche Reeves Tucker, my business manager.

SENATOR OSTEN (19TH): No, she said 67.

MS. REEVES TUCKER: Oh.

SENATOR OSTEN (19TH): So for -- how many people do you have?
MS. REEVE-TUCKEREP. REYES (75TH): We currently have 85 positions. Right now we actually have funding for 67 positions.

SENATOR OSTEN (19TH): Okay.

MS. REEVE TUCKER: She is asking for funding for one more.

SENATOR OSTEN (19TH): For 68.

SECRETARY OF STATE MERRILL: One more.

MS. REEVE-TUCKEREP. REYES (75TH): Right, right.

SENATOR OSTEN (19TH): Okay. I just wanted to make sure. So and to be clear, where it says agency requested and Governor recommending, he is actually recommending an uptick of a little bit of money. He actually has more money in his budget for you than you do. You have 2669 he has 26681 --681. So it wouldn’t really even be a full, you know, dollar. Can you --

SECRETARY OF STATE MERRILL: Right.

SENATOR OSTEN (19TH): Can you actually bring that number with you when you come?

MS. REEVE TUCKER: Yes, we can.

SENATOR OSTEN (19TH): That would be great. So that way I, because I don’t want to get it all confused.

SECRETARY OF STATE MERRILL: Right. And to be clear, we would only need the money in the second year because the first year I can fund with the federal grant.

SENATOR OSTEN (19TH): And you actually have more money in the second year.

SECRETARY OF STATE MERRILL: That’s why probably.
SENATOR OSTEN (19TH): Both you and --

SECRETARY OF STATE MERRILL: We will straighten that out but that’s --

SENATOR OSTEN (19TH): -- both you and he so if that dollar amount is correct then we don’t need to add anything in to meet your needs. You already have it built in. So if you could both look at that, that would be wonderful.

SECRETARY OF STATE MERRILL: Yes.

SENATOR OSTEN (19TH): And then how much money are you asking for the centennial. Is that in the budget?

SECRETARY OF STATE MERRILL: Yes. I don’t believe it’s in the Governor’s budget. It was $25,000. Is that correct? Yes.

SENATOR OSTEN (19TH): And would that show up in other expenses?

SECRETARY OF STATE MERRILL: Yes.

SENATOR OSTEN (19TH): Is that where you put that?

SECRETARY OF STATE MERRILL: Yes. I don’t believe the Governor funded it.

SENATOR OSTEN (19TH): Okay.

SECRETARY OF STATE MERRILL: Right, yes.

SENATOR OSTEN (19TH): And that would be a one-time expense.

SECRETARY OF STATE MERRILL: Yes.

SENATOR OSTEN (19TH): So it would only be this, the next year, but not the second year but the first year of the biennium.
SECRETARY OF STATE MERRILL: Correct. That’s right.

SENATOR OSTEN (19TH): Okay. And you talked a bit about cyber security. Where in your budget is the cyber security?

SECRETARY OF STATE MERRILL: Well, it isn’t. That’s --

SENATOR OSTEN (19TH): Well, how much would it be?

SECRETARY OF STATE MERRILL: Oh, you mean for the position? That’s the position we have been talking about. Just to be clear that’s the --

SENATOR OSTEN (19TH): That’s if you need --

SECRETARY OF STATE MERRILL: The IT3 that would be a permanent cyber security position in our IT office.

SENATOR OSTEN (19TH): And you don’t need any other equipment or anything else for that position?

SECRETARY OF STATE MERRILL: Again, our federal funds should take care of it. The federal funds will go on of five years. We developed a plan last year that lays out exactly how we are going to be spending that money.

Now, this might be a moment, I know we are not thinking ahead beyond two years, but within the next three to five years we are definitely going to have to look at replacing tabulators in this state. While they have served us very well, we have the paper ballot, we have a strong audit system and so forth, it is clear that they will be aging out.

So I am planning to put together a what I call the Future of Elections Commission to look at new tabulators. But that will have to be for the future and it will be a big expense at one point. I’m
hoping the federal government will come in with a HAVA too if you will but we are going to have some expenses coming up whether it is borne by the towns or the state remains to be seen.

SENATOR OSTEN (19TH): And my last question is actually about towns. I have been talking with a lot of the registrars and they are having a hard time getting classes because if the classes don’t get to a certain number, they cancel the classes and then they are not able to go to the second in the series because they can't get the first in the series.

Is there any way that those classes can be just merely done online? Do we have to send people all over the state? That’s really becoming slightly onerous in particular because I think that’s why they're -- you’re not getting the numbers in that first class which is going to impede us from having registrars that are properly certified.

SECRETARY OF STATE MERRILL: We are aware of the problem. We have been working with True Yukon’s they call it CITI, it’s a technical assistance organization has developed the curriculum. And we are working on trying to alleviate that. I know that is has been a problem particularly in eastern Connecticut where, you know --

SENATOR OSTEN (19TH): Exactly.

SECRETARY OF STATE MERRILL: -- there are fewer offerings. But I believe we have made some changes already that enable people to go just a little bit further. You know, I mean, right now I think a lot of the courses are at Avery Point campus if I’m not mistaken.
SENATOR OSTEN (19TH): Right.

SECRETARY OF STATE MERRILL: And they're done through distance learning already. So it’s not like, you know, I mean, we only have one person teaching it. But it’s done through distance learning at the different campuses.

SENATOR OSTEN (19TH): But it’s done at the campus. They have to go to the campus.

SECRETARY OF STATE MERRILL: Yes.

SENATOR OSTEN (19TH): And that what I’m saying, can they do it from the town hall through their online system? I -- it’s just a question.

SECRETARY OF STATE MERRILL: Yes.

SENATOR OSTEN (19TH): I just would like to see us be able to do that.

SECRETARY OF STATE MERRILL: Yeah, we're aware of the problem there and we are working on it and I think it will be much easier in the future. We have got more classes going. It’s an agreement we have with Yukon that they won’t offer the class unless three is a certain amount of people taking it.

SENATOR OSTEN (19TH): Right.

SECRETARY OF STATE MERRILL: So I don’t know if --

SENATOR OSTEN (19TH): Well, I have two registrars. One is not going to be certified if we don’t figure this out.

SECRETARY OF STATE MERRILL: Right.

SENATOR OSTEN (19TH): So I just point it out.

SECRETARY OF STATE MERRILL: Oh, oh I just realized. Yes, we have taken care of it. We are using HAVA
funds to augment the classes. So even if there aren’t enough people taking it we are going to supplement --

SENATOR Osten (19TH): Great.

SECRETARY OF STATE MERRILL: -- the funding.

SENATOR Osten (19TH): Thank you very much. Are there any questions for the -- Representative Lavielle.

REP. LAVIELLE (143RD): Thank you, Madame Chair, very much. Madame Secretary, very good to see you. Good morning.

SECRETARY OF STATE MERRILL: You too.

REP. LAVIELLE (143RD): Thank you both for being here, all of you. There’s a lot of you, for being here. (Laughter)

SECRETARY OF STATE MERRILL: Just in case.

REP. LAVIELLE (143RD): So that was all very clear and I applaud your concerns for cyber security and I do have one question. And before I ask it, I just have to, I have to say this before I ask it. This is not what you’re expecting me to say when I say something about knowing who is who. This is not one of those partisan voter ID questions. Okay. It’s not. It has to do with federal law and how we might be looking at it.

You’ve expressed a lot of concern about cyber security and foreign interference. And something has always struck me as curious which is that it appears that federally, people are not required to finish proof they’re a citizen. They’re required to furnish proof of who they are, but not that they’re a citizen.
People who are legal residents have driver's licenses, they have Social Security cards they have phone bills, they have all those things that you have to show. And if there is no reason to suspect someone is not a citizen then maybe that won’t be looked into, that’s normal. They have to swear, you know and, you -- and that's when you register.

SECRETARY OF STATE MERRILL: Yes.

REP. LAVIELLE (143RD): It’s not when you show up to vote.

SECRETARY OF STATE MERRILL: Right.

REP. LAVIELLE (143RD): And I just wondered if there’s a anything about that on your radar and if there is something that we might be looking to do because obviously legal residents are people who are not citizens. They either haven’t chosen to become citizens or they’re just not, you know. And it strikes me as it’s a gap. But it’s not a gap created by you, it’s a gap that’s created federally. So I just wanted to know if that was a concern and whether there is anything on your radar to deal with it as part of this effort.

SECRETARY OF STATE MERRILL: Well, actually, our efforts have all been to protect the voter list itself which is the big concern at the moment. And the other concern is perhaps things like the election management system which could be hopefully not but, you know, someone could get into it and change the results as they are uploaded, that sort of thing.

So that’s why we are -- those are our focuses and really not on anything that has to do with the initial registration of people if that’s what you’re
asking. That is pretty well settled law in Connecticut and we don’t -- it hasn’t really emerged as a problem to be honest. I know other states have had concerns about making sure people are citizens and having them produce citizenship papers of some sort when they register to vote. Those have all been as far as I know knocked down by the courts as an, you know, an excessive law, you know, because so many people don’t have the proper ID or it would be a discouragement to their voting or registering to vote.

So I -- in Connecticut that just hasn’t been the focus of the cyber security. It’s really been on outside bad actors, both domestic and foreign ping our system and they do it constantly apparently. And we have learned lot about this but that has been the focus of DHS and the emergency services. So we just need to do a lot more sort of local -- we are working on local training of registrars and those who have access to our internal system.

Our voter registration system is not online so to speak. It is a closed loop system. It’s old. Honestly. It's like 15 or 20 years old now. We were one of the first states to have an online voter registration capacity and so that’s been our focus is to try to protect that system from outside influences coming in and so that’s really been the cyber security discussion.

REP. LAVIELLE (143RD): Yes, I understand. And I, you know, it isn’t -- this isn’t the situation that has been created here. And I, it has struck me as odd for years, even before I got involved in all this. And because in most countries you have to just show you’re a citizen. It’s not a question of,
you know, I want to see photo ID to see that you're you. It’s more of do you have the right to vote kind of thing.

So I just wondered and I guess we wouldn’t know if it’s been a problem because how would we know if, you know, I don’t know if it’s a problem either. I wouldn’t argue that it is. But I have always been curious about it.

SECRETARY OF STATE MERRILL: Yes.

REP. LAVIELLE (143RD): And I thought it might merit a little consideration. So that’s why I asked. But anyway, I think that the cyber security effort is a good one and necessary to thank you. Thank you, Madame Chair.


REP. WILSON (66TH): Thank you, Madame Chair, and nice to have you out there, Madame Secretary.

SECRETARY OF STATE MERRILL: Thank you.

REP. WILSON (66TH): I too have probably the same kind of concerns for the cyber security issue her in the state of Connecticut. But our whole IT line item through all the agencies and all the departments are also a concern. And many of those agencies I’m sure have the same kind of risk if you will from some kind of invasion as the Secretary of State’s office.

And considering the financial state of the state, I’m wondering if your department has collaborated with the Governor and with the heads of all the other departments and agencies and said should we be looking more holistically at the entire state and
all of the departments so that we are not creating duplication or redundancy.

So you’re looking for another IT person, all the other departments may be looking for additional IT people. And wouldn’t it make more sense to really have an IT department for the entire state and wouldn't there be some savings that could be had looking at it that way?

SECRETARY OF STATE MERRILL: Yeah, thank you. And I respect that opinion. Actual this state does have a centralized IT department. I think now we are calling it BEST again or we have called it different names over time. But what this position specifically is and there may be a need for this in other departments. I don’t know.

But elections specifically has been such a target nationally and was flagged for us by the Department of Homeland Security and yes, we are working through a whole broad coalition of state agencies who are all looking at mostly through DEMHS, the emergency management system people but we work constantly with BEST on protecting our system.

We have one of the largest data bases in state government and that is one of the reasons it is so important. But it is, has been the target of these attacks. And so we have had to make extra efforts. And there is also, you know, the fact is it’s such an unusual situation where you have a drop point in every one of 169 towns and so you’re dealing with a vast array of different capacities in different towns to actually shore up their systems.

So honestly, our biggest concern is at the local level. And we need someone who is able to go to the towns and help them secure their systems
appropriately and so that’s why I think, you know, you may find this in other departments that they need specialized, you know, help around this issue but that’s the specific reason that I think we need that help.

REP. WILSON (66TH): Thank you for that answer and I’m not saying, you know, that you don’t have a specific need. I’m just looking at it from the bigger picture. My suspicion is in other departments, not just IT, there is a number of duplications and redundancies and shouldn’t we be looking for more efficient ways in collaborating.

So I think the key question I had was has there been this kind of meeting with all of the commissioners and department heads and so forth, with the Governor's office to say okay, can -- is there a better way that we can do all of this and find some efficiency?

SECRETARY OF STATE MERRILL: Yes. I understand. And actually, I’m so old I go back to when we collapsed all the IT personnel into BEST in the I think late 90's. Where they took all the IT personnel out of the agencies and put them all at best as a centralization effort.

So frankly, I think most of the agencies still probably don’t have much IT capacity. It was all centralized years ago and that's why this is -- we have one person essentially that does this sort of IT in my department. And that includes someone who is busy designing and helping to design all these online services. That's where the emphasis has been and its borne fruit at least in my agency. We have been able to economize significantly and also help the business community because mostly that is who accesses our conquered system.
So I think, you know, as you are seeing the development of these online systems, I think you are going to see more of a need to get some help in the agencies with specifically policy knowledge of that area, whatever it is. So I think that was, that’s why I’m asking for this one person. Because I think -- we haven’t had anyone really and that happened years ago.

REP. WILSON (66TH): All right, thank you. And I appreciate your answer. Thank you, Madame Chair.

SENATOR OSTEN (19TH): Thank you. Representative DiMassa.

REP. DIMASSA (116TH): Thank you, Madame Chair. Good morning, Madame Secretary.

SECRETARY OF STATE MERRILL: Good morning.

REP. DIMASSA (116TH): Couple of quick questions. I think two weeks ago you came out with an article regarding a state wide audit. Is there anything in this budget or is that all a separate piece of legislation that you're proposing? As far as the statewide due to recent issues in towns, I think you were going to do a statewide election audit.

SECRETARY OF STATE MERRILL: Oh, okay. That’s a, yes, that’s a separate issue. It would be -- it's redistricting. Because we had some problems apparently out there with the redistricting maps that were drawn almost 10 years ago now and so I am proposing that we go back and make sure the maps were drawn correctly. That’s a separate issue and we wouldn’t need extra funding for that.

REP. DIMASSA (116TH): And then as far as poll worker training, I know that state statue dictates
that poll workers have to sign off that they have been trained.

SECRETARY OF STATE MERRILL: Yes.

REP. DIMASSA (116TH): You launched a couple years ago an online resource now where I guess the registrar can provide log in credentials for poll works to go on. But that’s not mandatory for say a ballot clerk. Is it mandatory for any poll worker or no? It’s up to the registrar?

SECRETARY OF STATE MERRILL: Oh, I think it is mandatory for all poll workers. Let me just check. Yes. Mandatory for all poll workers.

REP. DIMASSA (116TH): Excellent. Excellent. And is there any talk in -- is there anything in the budget as far as expanding those resources? Because I think that’s a great tool because I truly believe that, you know, some of the issues we face as, you know, simple things and in a town with the poll worker that if they're trained properly you avoid some of those issues. So is there anything in here as far as expanding that or do you have any plans to expand the next two years?

SECRETARY OF STATE MERRILL: Well, not really because it is now online. Anyone, any town, can go on and take the training and get, you know, get a certificate or something saying that they passed the training. So after that, you know, that’s done.

I don’t know if people feel there needs to be more extensive training. I don’t think there is really. It’s just a local issue. And you just have to make sure they're up to speed and are actually following the training that they got.
REP. DIMASSA (116TH): And your IT department would be responsible for updating that site over time?

SECRETARY OF STATE MERRILL: No, that would be the election division.

REP. DIMASSA (116TH): Okay.

SECRETARY OF STATE MERRILL: Yes.

REP. DIMASSA (116TH): Okay. Very good. Well, thank you very much. Thank you, Madame Chair.

SECRETARY OF STATE MERRILL: Sure, my pleasure.

SENATOR OSTEN (19TH): All right, thank you very much. Representative McCarty.

REP. MCCARTY (38TH): Thank you, Madame Chair, and welcome Madame Secretary.

SECRETARY OF STATE MERRILL: Thank you.

REP. MCCARTY (38TH): And welcome this morning. I just wanted to complement you for all the work you have done over the years with trying to be creative and innovative within the department.

But I recall last year you mentioned that you had some concerns about an aging population within your department. And I’m just wondering have you taken any precaution or measures and how is that going?

SECRETARY OF STATE MERRILL: My business manager here and I are exchanging glances over that one. It’s a huge problem and looming out there. We have already had significant retirements but it's also an opportunity and I think we have used it that way because the nature of the work is changing. And as people retire, we are able to hire different skills that we now need and that’s worked very well so far honestly. And I see more of that ahead.
Yes, we, have a very quickly aging population. We are trying to do the best we can within a very limited budget to train for new positions. And it’s working so far. Thank you for asking.

REP. MCCARTY (38TH): And if I may, Madame Chair, just a quick, on another topic. I know you’ve purchased new machines in the past for individuals with disability.

SECRETARY OF STATE MERRILL: Oh, yes.

REP. MCCARTY (38TH): And just wondering have you procured all of those machines and how are they working?

SECRETARY OF STATE MERRILL: My -- yes. My understanding is they are now in every polling place. The training has been done. We are getting lots of good feedback. And if people don’t know what we are talking about, now instead of the older machines where you used to have to pick up a phone and hit the phone line for people with special disabilities we now have laptops essentially that do the same function and much more and serve many more people and we have gotten a lot of good feedback. They're much easier to use. They don’t cost as much money. You don’t have to hook up phone lines every time. So you tell me if you hear anything different but so far I think they have been a real success.

REP. MCCARTY (38TH): Great. Thank you very much.

SECRETARY OF STATE MERRILL: You’re welcome

SENATOR OSTEN (19TH): Thank you, Representative. Representative France.

REP. FRANCE (42ND): Thank you, Madame Chair. Welcome, Madame Secretary.
SECRETARY OF STATE MERRILL: Thank you.

REP. FRANCE (42ND): I appreciate your overview of your budget request. I want to clarify related back to IT. I thought at the beginning of your testimony you indicated you had about five employees at IT but at the end after the centralization conversation I thought you said you only had one. So what do you have within your department that’s outside the centralized portion of the IT?

SECRETARY OF STATE MERRILL: Well, one person I guess who is here actually. Tom Miano who is the manager of that department. The other four people as I understand it are doing things like keeping our computers running, the phone system running, sort of more internal functions of IT such as they are.

We did just hire a new person who is now working on requirements of doing more online services in the business services division and that’s -- so that’s again most of our personnel. Those that we have are working on things like that because that’s a pretty extensive process when we go to designing new online functions from our existing data bases.

And then we have one person who does queries because our data base, Concord, and the voter file, particularly Concord is so old it’s programmed in what is it? Pascal or COBOL. COBOL, right. So there are very few people that still know how to do that. We have a very historic system shall we say.

But we keep grafting on top of it newer online functions so that takes a lot of design work, working with consultants who are helping us do all that. So those are the kinds of things they are doing. We don’t have any one really available to do the cyber security things with the districts.
REP. FRANCE (42ND): No, and I appreciate that. And I'll fall back on my work experience in Department of Defense in cyber security. One concern I have with having, you know, this one department have -- having somebody focused on cyber security is what we have found is that if organizationally you don’t do something across the enterprise, you typically have solutions that are not optimal and that cost more in the end run because you many times have to back up and start over again in some places.

So I guess my question is, is there something unique to, you know, your area of business with the election system that requires your own solution versus an enterprise wide solution that the Secretary of State’s office has a role in and a part in to determine.

And I’ll give you an example. You bring up 169 towns. You know, establishing a protocol across the enterprise as opposed to just within the election system of changing passwords every six months as opposed to whatever it might be now is a protocol that ought to be consistent across the enterprise and not something that is a solution that solves the issue that you are dealing with there. So if you can comment on that.

SECRETARY OF STATE MERRILL: Yes. That’s exactly what we want to do. And to do that kind of training and making sure that all the districts are doing the same thing, setting that standard, you have to then go out and implement it because that’s our office essentially. And that's one example.

I know there are others for example, we're instituting what they call a virtual desktop and that will require again working with the towns. And as I understand it and I can get Mr. Miano up here
to talk about this because I’m going to reach the end of my knowledge on this pretty quickly. But those are exactly the kinds of things that we need to be implementing from our office across as you say the enterprise which in this case is the 169 towns. I don’t know if you want to add to that, Tom? Am I roughly correct?

MR. TOM MIANO: You’re correct. What we are trying to do is we are trying to push more security out to the towns that we have control over because right now we have no control over what the towns are doing to secure their work stations. So whatever -- what accesses our system we want to have more control over that so we are implementing with virtual desktops which we will have control over so their endpoints at the town that we now will know what is on it for security. We know what is on it for virus protection and we control that.

So that -- so we are reaching further into the towns. Plus, this position not only will work within the agency but will work with all of the other central IT or all the other IT organizations within the state to coordinate our efforts.

REP. FRANCE (42ND): And I guess that is where my concern is and that’s why I was asking if there’s something unique and it sounds like there might be in that you have a system that’s isolated from the rest of the state’s network as an example.

SECRETARY OF STATE MERRILL: Yes.

REP. FRANCE (42ND): But my concern is that you know, Secretary of the State’s office would implement something through this new position to protect cyber security and establish policy that is not broadly -- the enterprise I’m talking about is
not just the Secretary of State’s enterprise but the State of Connecticut’s IT enterprise. And that the parameters and the protocols are consistent.

There is a lot of validity to making sure that that’s consistent across the enterprise such that the cyber security policies are based on consistent information and not stove piped into a situation where you optimize a solution for your situation that is inconsistent potentially across the broader state enterprise and that’s my concern with having, you know, an individual there who is tasked by the Secretary of the State’s office vice a centralized cyber security office within the state enterprise that you have a participant in to ensure that the policy across the state is consistent.

And I’m not saying it wouldn't happen but its, there are many fraught with error or fraught with challenges if we don’t do that starting from the beginning and we try and back into it later by each department starting their own thing and then figuring out we didn’t do it the same way and we lose a lot of time, money and effort having to start back over again. And that's my concern.

MR. TOM MIANO: Right. And this position is not a silo within our agency only. We leveraged the resources of the central state IT. So for networking, we use the central state IT and we use their protocols and we use their processes to transport our services to the towns. So we work with the central IT organization.

We also work with the central IT security organization for policy in looking at the software they use to monitor and log so that we are using consistent products and we are not doing different and disparate systems.
REP. FRANCE (42ND): And one final question. I’m familiar within the DOD we have inspection teams and oversight teams that come into our offices to ensure that we are compliant with federal law and regulations. Do we have a similar system that is going to come in and provide oversight to the state to ensure that we are complying with things that are mandated by the federal government on cyber security and those kinds of things. Is there that system that comes into the states to provide an inspection report and then an ability to respond and make corrective actions?

MR. TOM MIANO: We have leveraged DHS to do those kinds of things. We are also looking to bring in external consultants to audit our vendors. We want to make sure our vendors are compliant. Our vendors are securing their systems because they are also providing us with our systems but we bridge the federal government.

REP. FRANCE (42ND): All right. Thank you very much. Thank you, Madame Chair.

SENATOR OSTEN (19TH): Thank you, Representative. Senator Bradley.

SENATOR BRADLEY (23RD): Good morning, ma’am.

SECRETARY OF STATE MERRILL: Morning.

SENATOR BRADLEY (23RD): It’s a pleasure for -- to see you and it’s nice for you to be here before us in this chamber. I want to echo the sentiments of my colleague that you’ve done tremendous work and you’ve been really at the forefront on issues that we’ve had in Bridgeport and I really applaud your leadership and it’s appreciated.
One of the things that I proposed as a junior Senator was to try to fix government and in a lot of ways what I have seen kind of from the periphery and now being able to hold this seat. And one of my frustrations is that we have a lot of commissions who are in charge of voting and oversee voting and those who are running for elected office, specifically the SEEC who don’t really respond to any elected official or don’t have any oversight in terms of how they go about investigating alleged complaints.

And one of my frustrations now being a member of the Black and Puerto Rican Caucus is that coincidentally, almost every single member of the Black and Puerto Rican Caucus has had a random audit every single year. And coincidentally, it seems to always happen in urban communities where the majority of the members of the Black and Puerto Rican Caucus serve.

And when those issue arise, there is no one where a legislature could go to address those issues and those those disparities that we are seeing or that I’m seeing.

What would you say to having your department oversee commissions like the SEEC to make sure we have fairness in our investigation? Is that something that financially you think you could bear and what suggestions would you have for something like that?

SECRETARY OF STATE MERRILL: You're going to wish that on me? (Laugher) Yes, I’m aware of some of the -- I have my own concerns about the Election Enforcement Commission in terms of my own campaign, honestly. I was just speaking with Senator Fasano about some of the issues that some of us had with the campaign finance side of things.
As far as the audits though, that’s all -- you’re talking about audits of campaign financing and that sort of thing? Well, currently it’s at the Election Enforcement Commission. It would be a restructuring, a fairly significant restructuring if I were to take on in this office some of those responsibilities.

We would never take on enforcement responsibilities. I think that is really -- should remain separate from my office. But yes, I, you know, part of the problem has been the Election Enforcement Commission has been underfunded. I think in some ways they need to be overseen in terms of the way they handle the campaign financing.

But that’s just my own personal opinion and, you know, I just would say if there was any talk of merging any of those functions into my office it just could not be the enforcement side.

SENATOR OSTEN (19TH): Anything else, Senator?

SENATOR BRADLEY (23RD): No, that’s all.

SENATOR OSTEN (19TH): Okay. Does anybody else have any comments or questions? Thanks so much.

SECRETARY OF STATE MERRILL: Thank you.

SENATOR OSTEN (19TH): Next up is the Office of State Ethics. Please go ahead and start right away.

MS. CAROL CARSON: Good morning. I'm Carol Carson, I’m the Executive Director of the Office of State Ethics. Senator Osten, Ranking Member Lavielle and distinguished members of the Appropriations Committee, thank you for the opportunity to testify on House Bill 7148. I have submitted written testimony which I will summarize for you today.
The Office of State Ethics requests budgets of approximately 1.5 million for fiscal year '20 and 1.6 million for fiscal year 2021 which includes annualized funding for state employee wage adjustments.

Two years ago, I requested budgets for the biennium that were higher than what was ultimately funded. At the time I stated anything less than the amounts requested will place the office in a deficit. I also noted that we were one hearing away from a deficit. Well, today we are in the midst of a hearing. We face potentially two more hearings this year and we are in a deficit.

To provide some perspective, when I joined the Office of State Ethics in late 2007, our budget was over $2.2 million with a staff of 21 to support a nine member Citizens Ethics Advisory Board -- advisory board.

In 2011, the office was consolidated into the Office of Governmental Accountability and we lost 5 of our then 18 staff members.

In 2016, just before we once again became an independent agency, we had 13 staff members. Our staff count since 2016 has been 14. Our budget then and now is 1.4 million give or take about 25,000.

We need more resources to meet our statutory requirements. The alternative is continuing deficits. The Governor's proposed budget is unsustainable for our operations. For example, the Office of State Ethics doesn’t have any clerical staff. This results in staff members who could better devote their time to more significant matters answering the phone and making copies.
In addition, to meet our mandate to provide education to all state employees, we are at the point where we can do face to face training which is most effective and in high demand or online training which is most efficient. Ideally we should do both. However, we can't without additional resources.

Training is integral to our mandate. It drives compliance. While a request for funding for a full time trainer and clerical support was not included in our original budget submission, we are requesting additional funding of the $130,000 each year to add a full time trainer to our staff to address the demand for multiple modes of up to date training and to hire part time clerical support.

Finally, credit card processing fees charged to the office in collection of lobbying -- lobbyist registration fees are negatively impacting our operating expenses. The office collects approximately $1 million in lobbyist registration fees over the legislative biennium which represents about 35 percent of our total annual budget.

Lobbyist registration fees cover the cost to the state to administer the Code of Ethics for lobbyists and they go directly to the general fund. We spend approximately $25,000 in credit card processing fees to collect these funds.

In the current fiscal year, nearly half of our inadequately funded operating expenses will be used to pay credit card fees leaving us with around $30,000 for all other expenses. That’s not enough to operate, even on a basic level.

In my written testimony, I provided proposed legislative language which would allow the office to recover credit card processing fees by transferring
the amount we pay for them from the general fund back to our budget. I request that you adopt it.

The first responsibility of government is to protect the integrity of our democracy. In order to perform its mission in support of that responsibility, the Office of State Ethics needs three things. Independence, enforcement authority and most urgently, adequate resources. The budget proposed in House Bill 7148 simply doesn’t provide adequate resources.

In closing, please fund the Office of State Ethics at 1.5 million and 1.6 million for the next two fiscal years and add 130,000 each year so that we can provide a reasonable level of training to state employees as well as have minimal clerical support.

This level of funding will move the office closer to meeting its mandate to create and maintain an ethical culture in Connecticut state government.

Thank you for your consideration and I’m happy to answer your questions.

SENATOR Osten (19TH): Thank you very much. First, I want to talk a little bit about your positions. You have 16 that are slated in agency requests and government recommended. How many of them are funded?

MS. CAROL CARSON: We have a vacancy so there are 13. So we have a vacancy plus 13. 14.

SENATOR Osten (19TH): So that would mean 14.

MS. CAROL CARSON: 14.

SENATOR Osten (19TH): So you said there is 16 here so there are two unfunded positions?
MS. CAROL CARSON: That’s correct.

SENATOR OSTEN (19TH): Okay. And one that is funded that you are not -- that you are planning on filling?

MS. CAROL CARSON: I am filling.

SENATOR OSTEN (19TH): So you will be up to 14? So we could change this full time position down to 14 because you have two that are not going to be filled.

MS. CAROL CARSON: Unless you’re in favor of providing me with an extra 130,000 each year in which case --

SENATOR OSTEN (19TH): But you didn’t even ask for it in you’re --

MS. CAROL CARSON: You’re right, I didn’t.

SENATOR OSTEN (19TH): So that, I mean, you didn’t ask for it. It wasn’t like the Governor didn’t ask for it. You didn’t even put it in your budget request.

MS. CAROL CARSON: You’re right.

SENATOR OSTEN (19TH): So I don’t, you know, I don’t know what to say about that. But -- so we could change that down, you’re saying that 130,000 would cover two additional employees?

MS. CAROL CARSON: A part time clerical and a trainer.

SENATOR OSTEN (19TH): Okay. So you’re really requesting 130,000 for personnel?

MS. CAROL CARSON: Yes.
SENATOR OSTEN (19TH): Okay. And you said that you can't operate on what the Governor has given you but he is only $32,000 off. That 32,000 creates that much of a difficulty?

MS. CAROL CARSON: It, yes. I mean, I’m in a deficit now.

SENATOR OSTEN (19TH): Right.

MS. CAROL CARSON: The budget was -- the Governor's proposal if you take out the wage adjustments is $4,000 more. Its -- I've only got records up to January and I’m already close to $10,000 in a deficit.

SENATOR OSTEN (19TH): Right.

MS. CAROL CARSON: And those hearings, hearings are expensive for us to conduct.

SENATOR OSTEN (19TH): Correct. Well, we often have agencies that run in a deficit and some agencies that run a surplus so generally overall, hopefully we end up in the same place. Can't control every time you have a hearing so I understand that you would want more but so essentially what you are asking for is you are now asking for 130,000 above your original request.

MS. CAROL CARSON: That’s correct.

SENATOR OSTEN (19TH): And you are not -- you’re -- with that you are planning on adding in -- these are full time positions so this would not be a part time -- the 16 that you have here, is --

MS. CAROL CARSON: Right. One would be full time and the clerical support would be part time.
SENATOR OSTEN (19TH): So do you have any other part time staff? Because these are permanent full time positons. Do you have any other part time staff?

MS. CAROL CARSON: I do not.

SENATOR OSTEN (19TH): Okay. So you’re not asking for another full time. You’re asking for a 1.5 full time equivalents?

MS. CAROL CARSON: Yes.

SENATOR OSTEN (19TH): Essentially.

MS. CAROL CARSON: That’s correct.

SENATOR OSTEN (19TH): All right. Thank you very much. Are there any questions? Representative Lavielle.

REP. LAVIELLE (143RD): Thank you, Madame Chair. Good morning, thanks for being here.

MS. CAROL CARSON: Good morning.

Lavielle: I just wanted to -- I’m still not quite clear on this and just wanted to make sure I understood it. A few minutes ago you said you were asking for approximately 1.5 in funding and 1.6 in the next year. So 1.5, '20, 1.6, '21, give or take change.

MS. CAROL CARSON: Um-hum.

REP. LAVIELLE (143RD): And that is actually -- the Governor has recommended almost exactly what you’ve requested. And then there is a -- there is in the OSA sheets, there is a policy revision to consolidate the information technology initiatives account into your office.

MS. CAROL CARSON: That’s correct.
REP. LAVIELLE (143RD): And that's included in there. So that somehow -- it -- the Governor is still not asking for enough Vis a Vis what you are requesting?

MS. CAROL CARSON: That’s correct.

REP. LAVIELLE (143RD): Or?

MS. CAROL CARSON: If you look at the Governor's number and you subtract -- the difference between what I’m looking for is 32 and 48 maybe in the second year of funding from the Governors number.

REP. LAVIELLE (143RD): Right, right.

MS. CAROL CARSON: Taking out the -- yes. So --

REP. LAVIELLE (143RD): So what was the 130,000 that you just mentioned?

MS. CAROL CARSON: The 130,000 would fund the full time trainer and also part time clerical support. We don’t have clerical support.

REP. LAVIELLE (143RD): So it's in addition to what [crosstalk].

MS. CAROL CARSON: It would be in addition to those, that’s correct.

REP. LAVIELLE (143RD): I just want to make sure I know what I’m looking at.

MS. CAROL CARSON: Yes.

REP. LAVIELLE (143RD): Okay. All righty. Thank you. I appreciate that. Thank you, Madame Chair.

MS. CAROL CARSON: Thank you.

SENATOR OSTEN (19TH): Representative Wilson.
REP. WILSON (66TH): So thank you, Madame Chair, and thank you for coming today. I’m just a little confused. So when you submitted your request, you didn’t include the 130.

MS. CAROL CARSON: You’re right, I did not.

REP. WILSON (66TH): So --

MS. CAROL CARSON: It was my error.

REP. WILSON (66TH): So you’re, I mean, it’s -- you’re -- you’re just saying it’s an error. There wasn’t some epiphany that happened that --

MS. CAROL CARSON: It was a recent epiphany unfortunately.

REP. WILSON (66TH): Okay. Thank you very much. (Laughter)

SENATOR OSTEN (19TH): Are there any other questions? Seeing none, thank you very much.

MS. CAROL CARSON: Thank you.

SENATOR OSTEN (19TH): Next up is State Elections Enforcement Commission.

UNKNOWN SPEAKER: We all have those epiphanies.

SENATOR OSTEN (19TH): Good morning.

MR. MICHAEL BRANDI: Good morning, Senator.

SENATOR OSTEN (19TH): You can go ahead and start any time you want.

MR. MICHAEL BRANDI: All right, thank you. Senator Osten, Senator Formica, Representative Walker and distinguished members of the Appropriations Committee. I'm Michael Brandi, the Executive
Director and General Counsel for the State Elections Enforcement Commission.

Thank you today for this opportunity to submit this testimony concerning the Governor's proposed budget. We fully recognize the state continues to face difficult financial decisions. Elections Enforcement has worked and will continue to work to pare down costs and create efficiencies to enable our staff to do more with less while still performing our core governmental function at a high level.

One necessary element of maintaining our agencies functionality is providing it with sufficient funding. Our operating budget is bare bones. In fact, for this current budget cycle, in order to not fall into a deficit, it has been necessary for us to use money from multiple unfilled vacancies at this point to operate.

The budget as it was passed last time gave us only around $25,000 to operate above the agency personnel costs. This simply is not enough to cover the commission meetings and licenses to keep our electronic filing system going and computers working. Just how far short this figure falls is made clear by two simple facts. In 2018, we had 33 commission meeting and each commission meeting costs about $1,000. That’s more than our whole operating budget right there.

Our proposal this year was modest. For the fiscal -- for the first fiscal year we asked for only $80,000 in additional monies over the $25,000 currently allotted for us for operations. In the second year we asked for only 109,000 over costs. This is is the bare minimum needed to follow -- to
allow us to function with the positions allotted and keep our systems online.

Despite Generate Statute Section 9-7C and the protection it is supposed to provide the SEEC as a watchdog agency, namely the requirement that the budget requested by SEEC shall be at the appropriations recommended Section V of the Governor's budget provides for only $39,000 above the woefully inadequate 25,000 we now have. Less than half of what the agency needs for the first fiscal year and only about a third of what was requested for operating costs over the current allotment.

While budgeted for 35 positions, as of today we are effectively staffed at 32. Our present staffing level is due to two vacancies and one attorney who has been serving as chief steward of the A&R union for the past four years.

In the last two years, SEEC has lost and been unable to refill an election officer and our front desk clerk due to inadequate funding for the agency. Simply put, we need all of our vacant positions filled and the funding to do so.

And I would remind the Appropriations Committee, we were originally a 53 people. We are now down to 35. And of those 35, we have to -- we want to fill these positions. They are fully funded, but we can't fill them because of the lack of any operating money. So we have had to delay any kind of filling of these funded positions.

As I mentioned, in addition to the personnel costs, we have asked for minimal funds for this year and next year to operate the agency including funds for the upkeep and improvement of our online filing and
disclosure system. Our technology like all technology requires continued maintenance and upgrades. We work extremely hard at keeping the system protected and safe, both improving our cybersecurity and through cost effective use of virtual servers in our operations.

As Governor Lamont has noted with respect to technology, it is incumbent upon our state to lead by investing in the first all-digital government and reverse engineer every transaction from the taxpayer’s shoes. The entry point to Connecticut will be through its digital front door.

At SEEC we have been applying this strategy for years. From facilitating the online filing of campaign finance reports, to our eCRIS system and its constant improvement, to the creation of an in-house electronic work flow and ticket system that is integrated with a campaign tracking system tied to individual campaign committees. The savings are not just within the SEEC budget but in streamlining how citizens interact with our agency and engage in our electoral process.

We offer campaign finance and eCRIS training to every new treasurer with personal outreach by our staff accommodating dates, times, locations requested by treasurers. Along with this, we have moved away from mailed paper notices in favor of targeted email notices. Staff was able to save the agency significant funds while increasing the rate of reminders offering not just pre-filing period reminders but mid filing period reminders and in some cases, end of filing period reminders as well.

Based upon these outreach efforts, there has been a continual increase in the quality of information provided in the filings and the timeliness of the
filings. Thanks to our outreach eCRIS and mandatory e-filing legislation, 99 percent of all committees now file electronically. That means less cost to our agency and the state, less paper used, and more importantly, better disclosure, instant electronic access to campaign finance filings for the public and the press.

We are also looking for ways to use our technology and resources to offer savings to municipalities. We introduced legislation to create a pilot program to take on municipal filings electronically. We recognized that our system is scalable and robust and can be expanded and shared.

The municipal pilot program was completed and a report has been submitted to the GAE committee. We have offered to create savings for the state as a whole using a low cost action to reduce potential harm of budget reductions to municipalities and offsetting them with increased services from SEEC, centralizing the process with automated systems capable of handling it.

Taking on the role of filing repositories from municipalities would be cost effective, increase transparency and provide a significant improvement in meaningful disclosure.

In our regular post-election survey of candidates and treasurers, our eCRIS system always garners the most enthusiastic praise. This year we added a question about whether it would be helpful for us to assist campaigns in creating a uniform online contribution interface for campaigns to use. The response was overwhelmingly positive. 95 percent of treasurers want our help.
For those who haven’t been involved in this process, minor mistakes on the part of a treasurer setting up the website can be painful for all involved with the committee, as well as quite time consuming as the agency ensures the qualifying contribution thresholds have been met and prevents fraud.

Despite their challenges, it is clear. Online portals are inevitable in an ever increasing manner of raising contributions. Credit card contributions are the present and the future. We have introduced legislation this session to allow us to assist treasurers with that process, making it easier for both treasurers and contributors alike.

However, in order to continue what we have been doing and to expand our online and electric initiatives, we must continue to invest in our technology, staff and systems. These create efficiencies for us, for the state and municipalities and all regulated community. It also saves everybody involved time and money.

And in conclusion, we fully recognize that these are not easy times and the state faces difficult decisions. We will continue to perform our core roles as a watchdog agency, adjust to shifting circumstances, and set priorities to use our limited resources in the most efficient manner possible.

We ask for your assistance in ensuring that we are able to meet this goal. Thank you for your consideration and I’d love to answer any questions.

SENATOR OSTEN (19TH): Thank you very much. So again, I -- how many funded positions do you have?

MR. MICHAEL BRANDI: 35.
SENATOR OSTEN (19TH): So you have 35 that are currently inside the budget that you have for personnel?

MR. MICHAEL BRANDI: Yes.

SENATOR OSTEN (19TH): And how many do you have working right now?

MR. MICHAEL BRANDI: 32.

SENATOR OSTEN (19TH): And why haven’t you filled the other three?

MR. MICHAEL BRANDI: Because with a $25,000 operating budget, we have had to shift money to actually fund operations versus hiring individuals. So we had --

SENATOR OSTEN (19TH): And how much have you shifted?

MR. MICHAEL BRANDI: -- a delay. I don’t have the exact figure. We can get you those figures. But --

SENATOR OSTEN (19TH): Because you said it was $35,000, so that would be 10,000 over. You had 35 hearings at $1,000 each.

MR. MICHAEL BRANDI: That’s just the number of hearings we have had.

SENATOR OSTEN (19TH): Yes.

MR. MICHAEL BRANDI: That doesn’t count all the other investigative functions we do. Anything from court costs, transcript costs, subpoenas, sending field investigators out, costs for any number of activities involved in our actual investigations. So that 30 --
SENATOR OSTEN (19TH): So how much extra money are you asking for?

MR. MICHAEL BRANDI: We are asking for $80,000 in the first year and 109,000 in the second year. And a lot of that is also dedicated to technology. We have in the past we have tried to with our licenses and required --

SENATOR OSTEN (19TH): So if I could just --

MR. MICHAEL BRANDI: Sure.

SENATOR OSTEN (19TH): -- if I could just go to the -- I'm sorry.

MR. MICHAEL BRANDI: Yes.

SENATOR OSTEN (19TH): The Governor did not -- he took 30,000 from you. So --

MR. MICHAEL BRANDI: Well, he is proposing giving us 39,000 more. Now the 39,000 is half of what we requested.

SENATOR OSTEN (19TH): Oh.

MR. MICHAEL BRANDI: So he gave us costs. He gave us the money for out --

SENATOR OSTEN (19TH): But --

MR. MICHAEL BRANDI: -- raises for the union staff and he gave us plus 39,000 overall.

SENATOR OSTEN (19TH): So you asked for 3,352,000.

MR. MICHAEL BRANDI: Correct.

SENATOR OSTEN (19TH): And change. He is offering 3,321,000. So that is $31,000 less give or take.

MR. MICHAEL BRANDI: Right.
SENATOR OSTEN (19TH): So it’s not more. It’s less.

MR. MICHAEL BRANDI: Well, it’s an increase technically of the 39,000 that he is giving us over our current level budget but it is a -- it's less than what we requested by half.

SENATOR OSTEN (19TH): So 31,000 less.

MR. MICHAEL BRANDI: Yes.

SENATOR OSTEN (19TH): Okay. And 31,000 is what you say you need to fill your positions. Are you including the extra money for your operating costs? Have you calculated out your operating costs?

MR. MICHAEL BRANDI: Under the -- under our current budget, the 3.125 million will fund the 35 positions. It currently gives me 25,000 in operating. If I add to it the 39,000 the Governor's recommending, we would have $64,000 to run the agency for the year.

SENATOR OSTEN (19TH): So let’s -- let’s just sort of figure out the -- your request. Let’s just go to your request.

MR. MICHAEL BRANDI: Sure.

SENATOR OSTEN (19TH): Just disregard the Governor's for a second.

MR. MICHAEL BRANDI: Sure.

SENATOR OSTEN (19TH): Your $3,352,000, is that including increases in operating expenses?

MR. MICHAEL BRANDI: It is.

SENATOR OSTEN (19TH): How much?

MR. MICHAEL BRANDI: The increase is in there. They vary because of we had an increase for the
additional commission meetings that we now have to have. We went to the new -- we are now required to complete all investigations within one year by the budget from last year. It’s a new requirement on the SEEC. So in order to do that, we had to move to two commission meetings a month versus one. So it increases the total number of meetings we have had to have. So that’s within that $80,000 number is increased commission meetings because there is about $1,000 cost for each commission meeting. As well as costs for investigative services and other things that we --

SENATOR OSTEN (19TH): Okay. Can you break out -- when you come to the --

MR. MICHAEL BRANDI: Sub --

SENATOR OSTEN (19TH): -- subcommittee meetings --

MR. MICHAEL BRANDI: Absolutely.

SENATOR OSTEN (19TH): -- I need that all broken out.

MR. MICHAEL BRANDI: Sure.

SENATOR OSTEN (19TH): So that I can see because I’m not following your numbers.

MR. MICHAEL BRANDI: Sure.

SENATOR OSTEN (19TH): Your numbers just don’t seem to add up to what you currently have.

MR. MICHAEL BRANDI: Sure.

SENATOR OSTEN (19TH): That you have requested. Never mind what the Governor has done, what you have requested, it doesn’t add up to the same numbers that you are reporting here. So I would like to see a better breakout of that.
MR. MICHAEL BRANDI: Sure. And we also have breakout of all the license fees and requirements for development.

SENATOR OSTEN (19TH): Yes, bring all that --

MR. MICHAEL BRANDI: All of that is in there.

SENATOR OSTEN (19TH): -- with you.

MR. MICHAEL BRANDI: That’s part of that number.

SENATOR OSTEN (19TH): And then the other thing is is every year you come and you complain because you have a chief steward in A&R. Have you gone to the Executive Branch and asked them to renegotiate this? Do you have that request in writing?

MR. MICHAEL BRANDI: I am not, we are not -- we did last year with Mr. Barnes. We have done that in the past.

SENATOR OSTEN (19TH): Do you have it in --

MR. MICHAEL BRANDI: We are not complaining about the union agreement. What we were saying is that we are unfairly as a small agency being -- having to incur a cost that we should be able to find some type of reimbursement.

SENATOR OSTEN (19TH): Okay if I could just get to the question, I’m sorry.

MR. MICHAEL BRANDI: Sure.

SENATOR OSTEN (19TH): If I could just get to the question. Do you have a request to have this position filled or eliminate the steward from leaving your facility? Do you have that request to the agency that you say you have submitted in writing?
MR. MICHAEL BRANDI: Yes. Yes, we do.

SENATOR OSTEN (19TH): Can you being that with you?

MR. MICHAEL BRANDI: Yes. Absolutely.

SENATOR OSTEN (19TH): Do you have that to the new Governor? And in your budget -- you’ve been complaining about this for four years. So in your budget request to the Governor, did you tell him that he needs to eliminate the ability for the steward to leave? Did you put that in your budget request?

MR. MICHAEL BRANDI: Its, we can't put it in the budget request because the software doesn’t allow us to make those kind of requests.

SENATOR OSTEN (19TH): Have you put anything in writing to the new Governor --

MR. MICHAEL BRANDI: Not to the --

SENATOR OSTEN (19TH): -- and the new Office of Policy and Management to --

MR. MICHAEL BRANDI: Not yet. Not to the new Governor.

SENATOR OSTEN (19TH): All right.

MR. MICHAEL BRANDI: We did do it to Governor Malloy’s office and the OPM previously.

SENATOR OSTEN (19TH): Okay. But they’re not here now.

MR. MICHAEL BRANDI: And were completely shot down. Right.

SENATOR OSTEN (19TH): They’re not here.
MR. MICHAEL BRANDI: We will do that to the new Governor and request simply --

SENATOR OSTEN (19TH): All right. Because every year you come --

MR. MICHAEL BRANDI: -- reimbursement.

SENATOR OSTEN (19TH): -- I’m sorry. We have to follow certain rules too but --

MR. MICHAEL BRANDI: Sure.

SENATOR OSTEN (19TH): Every year you come and complain about this. And I don’t see that you’ve gone to either the union or to the Governor and made this request to get rid of this person in your agency so it does not impact your agency. So I think you need to -- you come to us as if we are going to change a union contract.

MR. MICHAEL BRANDI: No. That’s not what we are asking.

SENATOR OSTEN (19TH): And -- you’re asking for us to give you money.

MR. MICHAEL BRANDI: Correct.

SENATOR OSTEN (19TH): Or move this person --

MR. MICHAEL BRANDI: Correct.

SENATOR OSTEN (19TH): -- out of your agency. Because this is part of your agency count.

MR. MICHAEL BRANDI: Correct.

SENATOR OSTEN (19TH): This is part of your agency count.

MR. MICHAEL BRANDI: Absolutely.
SENATOR OSTEN (19TH): And you have this person in your agency. Effectively what you are asking us to do is to deal with a union problem from the legislature and not deal with a union problem through the effective means that are available to you right now.

MR. MICHAEL BRANDI: We --

SENATOR OSTEN (19TH): But you come to us and ask us. Every year you’ve come and complained about the union. I think you need to go to the union and talk to them because we don’t have the authority to bargain with the unions.

MR. MICHAEL BRANDI: We're not asking for a change of contract. We're not asking for a bargaining with the unions. What we are asking for Appropriations to do is to keep, take the money that we currently expend for this individual and reimburse the agency through Appropriations so that we don’t touch the union contract. The individual is entitled to be a steward.

SENATOR OSTEN (19TH): Correct.

MR. MICHAEL BRANDI: We have to pay for him to be a steward.

SENATOR OSTEN (19TH): So you -- but you’re not asking --

MR. MICHAEL BRANDI: But we don’t get reimbursed --

SENATOR OSTEN (19TH): -- for an additional --

MR. MICHAEL BRANDI: -- back.

SENATOR OSTEN (19TH): What you are asking for is for us to change your agency count --

MR. MICHAEL BRANDI: No.
SENATOR OSTEN (19TH): -- by one.

MR. MICHAEL BRANDI: No.

SENATOR OSTEN (19TH): That the only way we can do it. We don’t have the authority to do what you are asking us to do. And you come here every year and ask us to do this. So I’m asking you to go to the Executive Branch --

MR. MICHAEL BRANDI: Sure.

SENATOR OSTEN (19TH): -- who handles union contracts because we don’t -- we vote on union contracts. We don’t change union contracts. This isn’t tenant in the union contract with A&R. This belongs more appropriately with them, not with us. And so --

MR. MICHAEL BRANDI: We will make those requests.

SENATOR OSTEN (19TH): Thank you very much. Any questions? Representative Lavielle.

REP. LAVIELLE (143RD): Thank you, Madame Chair. All the financial information you have that we can see would be very helpful.

MR. MICHAEL BRANDI: Sure.

REP. LAVIELLE (143RD): Good morning, thank you for being here.

MR. MICHAEL BRANDI: Good morning.

REP. LAVIELLE (143RD): I was noticing some of the, some of the things you talked about in your testimony with regard to municipal filings, other electronic filings, mentioning the Governor's eagerness to do more things online and use technology.
MR. MICHAEL BRANDI: Right.

REP. LAVIELLE (143RD): I would very much appreciate seeing and I think we would all find useful some of what the impact of both positive and negative that doing the things that you describe on page three of your testimony, what the financial impact would be.

How much would it cost to make these upgrades? How much would it cost to integrate the municipalities? How much would it save? Because the -- evidently it would, my instinct tells me it would save some money because most particularly it saves time.

MR. MICHAEL BRANDI: Yes.

REP. LAVIELLE (143RD): And that probably, you know, if you had that might cut you down a person or two because it would all be taken care of without everybody having to fix everything all the time.

MR. MICHAEL BRANDI: There is definitely improvements that we need to the online contribution system which is part of what the CEP we run, the Citizens Election Program. The municipal pilot program piece of this we have actually just completed the report. This was a pilot program we ran for the 2017 municipal elections. The original pilot legislation was approved back in I believe 2014. So we have run that and we have now submitted a report to GAE to consider. It was very successful.

The town clerks love the idea of moving those campaign finance filings up to SEEC where we can put those into eCRIS. People can now file directly into eCRIS versus on paper. It saves the municipalities money. It saves them time and there is transparency because now you can go from any home computer, you
can go into eCRIS and see the actual municipal finance filings for all these different towns.

So previously, if you wanted to see, I don’t know, Mayor Ganim's, in Bridgeport's campaign finance filings, you have to go to the office, have the town clerks pulled the box of campaign finance filings and then you could rifle through the paper filings.

What this would do would be putting all of those electronically into eCRIS so you no longer have to travel to their office, you no longer have to bother their staff to go and find these filings. It would be available.

So it's a very, it was a very successful program. Happy to send the report to everybody and so you could see what we found though the pilot and we are eager to kind of roll that out over the next couple of years as a full program.

REP. LAVIELLE (143RD): Well, I think the report would be useful.

MR. MICHAEL BRANDI: Yes.

REP. LAVIELLE (143RD): But what I’m most particularly interested in because it's Appropriations, is to understand -- I’ll tell you. I don’t fully understand right now what the Governor's plans regarding technology in terms of spending and not spending and so on, I am not quite sure what his budgetary plans for that are.

MR. MICHAEL BRANDI: Sure.

REP. LAVIELLE (143RD): But any insight that you can offer us --

MR. MICHAEL BRANDI: Absolutely.
REP. LAVIELLE (143RD): -- into your understanding of the costs, your understanding of the savings to municipalities and the state --

MR. MICHAEL BRANDI: Sure.

REP. LAVIELLE (143RD): -- and then any understanding you may have of how this might integrate into some of the initiatives that the Governor has discussed in a fiscal way.

MR. MICHAEL BRANDI: Sure. Absolutely. We can come up with those costs. I mean, one of the great pieces right now is that eCRIS and the campaign finance system is built. It is already here. We have invested that time and the money over the last 10 years. Now it’s simply a way of expanding that to allow for more filings from different entities.

We started with state officials and state committees. We moved then to the town committees. That was moved several years ago and now the next step is to move into the system all the municipal candidates.

So just in the 20 towns, I’ll just give you an example of the volume we are looking at. Just in the 20 towns that we did in the pilot program, there were over 770 committees just in those 20 towns. So now we multiply that times 169 towns, you will see the volume of work that it is. And we do have the capacity and we just need to continue to refine the -- refine eCRIS to make sure that we can continue to make that accessible to the public. But we have a great model that’s already there.

REP. LAVIELLE (143RD): Yeah, well like most of us, I’m deeply familiar with eCRIS.

MR. MICHAEL BRANDI: That’s right.
REP. LAVIELLE (143RD): And but I think it’s essential for us to understand the fiscal impact of all this.

MR. MICHAEL BRANDI: Absolutely.

REP. LAVIELLE (143RD): On both the state and the municipal level but also in synergy with whatever the Governor is proposing budget wise.

MR. MICHAEL BRANDI: Sure.

REP. LAVIELLE (143RD): So if you could get that to us for the work session that would be great.

MR. MICHAEL BRANDI: Absolutely.

REP. LAVIELLE (143RD): Thank you very much.

MR. MICHAEL BRANDI: No problem with that.

SENATOR OSTEN (19TH): Senator Bradley.

SENATOR BRADLEY (23RD): Thank you very much, Commissioner and thank you for being here. It’s appreciated. I don’t know if you were in the room when I echoed some of the frustrations that I have had out of your commission.

And I don’t know if you can address specifically the point that I was making earlier that now from being a member of the Black and Puerto Rican Caucus and speaking to my colleagues, why is it -- why does it appear that these random audits seem to target specifically urban legislatures?

MR. MICHAEL BRANDI: I don’t believe that is the case. It is a completely -- prior to this current year, it was a completely random audit that’s a computer generated audit by district. So 50 percent -- when the program was first initiated, 100 percent
of committees were audited. That was cut back in subsequent years to a 50 percent random audit.

So the -- it’s a -- and you can come -- people can come and witness our audit process. It’s a completely computer generated, random number selector which selects a district. So it selects 50 percent of House, 50 percent of the Senate.

Now this year was the first year where we -- it was passed in legislation in the budget back in November. There is now a weighted audit that is done. So what we look at is it’s still a random, computer generated model but now what it does is if a district has been selected three out of the last four times -- I kind of describe it a little bit like kind of the NBA lottery. The more times you have been selected, the fewer chances you will have of being selected this time. It’s not zero but its fewer chances.

So a new weighted lottery system was implemented this year and we get people all the time who will tell us I got audited every time. And some people have. And some people have never been audited. But it’s a pure product of a random number generator that again we have usually witnesses that come in and watch how it is done and we also have a podcast we can put up to show you exactly how it is done.

There is no targeting, there is no -- it’s completely random. And now again we have implemented the weighted system so that those who feel, you know, when we look at the numbers, where previously we had kind of a perfect bell curve so it was working property but we understand the concern people had that I have been selected three times and, you know, I saw another district they weren’t
selected at all. And that does happened. It happens in any random generated system.

But we have now weighted it so that those who are never selected have now have a more of a chance of being selected and that was first implemented for the 2019 cycle as a weighted system.

SENATOR BRADLEY (23RD): The other question I have for you, Commissioner, if I may is my understanding of the idea or the conception behind public financing was to kind of remove money from people running for public office.

And in your assessments of that, have organic candidates been able now to be successful in bids to the legislature or constitutional offices that weren’t necessarily picked by their particular parties? Is there an example of any candidate who has been able to do that without having kind of the support of the establishment if you will?

MR. MICHAEL BRANDI: Absolutely. We have had -- first of all, we have had minor party candidates who have been part of the CEP and have received grants. I think your predecessor, Mr. Gohms was the first Working Family parties' candidate who actually received a grant and actually won his election.

We saw a Green Party candidate in the special election just this week who participated and received a grant and she did very well in I guess it was a four way race so it was a, I know a difficult election but she did very well as a Green Party candidate. So we have seen minor party candidates that have participated, received grants and done well.
The purpose of the program was to eliminate special interest money and to make sure that things like state contractors are not participating in the system following the Roland scandal. So we think if you look at the numbers, it has been very successful in keeping out most of that money.

Now we still see things that we have to abide by under federal law after Citizens United dealing with independent expenditures. Those are still a concern for us and we have a lot of legislation. In fact, our commission drafted eight separate bills this year dealing with a whole host of issues especially independent versus coordinated spenders. And that’s very important to try to keep that type of special interest money out of the Connecticut elections.

SENATOR BRADLEY (23RD): Right. And that was going to be my, kind of my follow up question is that in light of the fact that now the law allows for PAC's to -- independent expenditures to contribute to candidates as much money as they would like --

MR. MICHAEL BRANDI: And that's the candidates.

SENATOR BRADLEY (23RD): -- do you think that --

MR. MICHAEL BRANDI: They can't contribute to candidates that are -- if it’s a CEP candidate.

SENATOR BRADLEY (23RD): Yes.

MR. MICHAEL BRANDI: A PAC cannot give to a CEP candidate.

SENATOR BRADLEY (23RD): Not give, but they can use independently.

MR. MICHAEL BRANDI: Independent, yes.

SENATOR BRADLEY (23RD): Their own amount of money.
MR. MICHAEL BRANDI: Yes.

SENATOR BRADLEY (23RD): So as much money as they would like.

MR. MICHAEL BRANDI: Um-hum.

SENATOR BRADLEY (23RD): So in light of that, do you think that the system is a bit antiquated if that is the law of the land by the Supreme Court and the PAC can now say well, independently even though you’ve got the $90,000 and the other candidate has $90,000, we are independently going to spend a million on that candidate. As long as we don’t communicate with each other, it is absolutely legal. Don’t you think the system then is a little bit antiquated?

MR. MICHAEL BRANDI: No, not at all. I think what has to be done and Connecticut has done this and we continue to try to put additional protections in place to -- for disclosure.

If you look around the country, and see how independent spending has gone on in other states versus Connecticut, you will see that we have clamped down on it severely because of the fact that there are disclosure requirements. There is a 24 hour requirement for monies that are being spent so candidates have the ability to then react when independent money comes in.

We have done yeoman’s work to try to protect Connecticut systems but we don’t believe -- and we just had the most successful CEP season ever. We had 335 applications that came in for grants. We have more people participating than ever before. 85 percent of the current legislature sitting here has participated in the program. The numbers are phenomenal.
And in fact, it is starting to infiltrate into the federal system where you have H.R. 1 that was passed in the House recently which is looking at public campaign finance systems like Connecticut has and using Connecticut as a model as well as passing better disclosure acts and more protections for candidates from independent expenditures. We can never stop.

Based on Citizens United, and unless there is an amendment to our constitution, that undoes what Citizens United did, we can never say an independent spender can't spend. But what we can do is require the disclosure of it so that candidates and parties have the ability to then respond to that independent expenditure being made. And that's been very successful in Connecticut. We have seen that.

Also a lot of those independent expenditure committees like to hide. And you will see in other states where they have layered PAC upon PAC or LLC upon LLC. They layer themselves to try to hide. The fact that we have strong disclosure keeps a lot of them out and because they don't want to know. They don't want the public to know who they are.

And when that happens, we have a safer system and a more secure system for candidates so that you know who is behind the ads that are either attacking you and sometimes there are ads that are supporting you and you will know who is behind that as well. It's all about information and disclosure.

SENATOR BRADLEY (23RD): Right. Now in terms of money that was generated, how much money was generated during this last gubernatorial election cycle? Both in the, kind of in the primary cycle both Republican and Democrat and in the general
election cycle. Do you know how much money was given by public financing?

MR. MICHAEL BRANDI: In public financing, it was about $26 million was issued for both the state wide candidates and the other 335 grants that’s a combination of state wide candidates and general assembly candidates and it was only about $26 million this year.

SENATOR BRADLEY (23RD): And that's in total both in the primary and in the general election?

MR. MICHAEL BRANDI: Yes. That’s total monies.

SENATOR BRADLEY (23RD): So okay. My only issue is this though. I absolutely agree with you and I think that the SEEC has definitely a role to play in ensuring that we have fair elections and ensuring that there is transparency with the money that is being generated.

But my issue now becomes if we are allocating that much money, can we not have oversight without necessarily allocating that degree of funds? Especially considering the fact that most candidates are also getting independent expenditure monies given to their campaigns. Can't we have candidates simply just raise money organically and not have public financing and still have the oversight that you are describing?

MR. MICHAEL BRANDI: Candidates always have the option to not participate. There is nothing -- it's a voluntary program. So what we have found in Connecticut though is that public financing works. It is a successful program where people want to patriciate because one, it allows you to raise a limited amount of funds up front to then get matched
by the public grant and your days of fundraising are over.

Now you can actually run the campaign you want to run. It has allowed more women, more minorities, across the board to participate in the political process.

I think we have had other, you know, other forms and other -- have talked about the increase in the number of candidates over time. And I think we can provide you with the statistics to show that increase over time that’s resulted from public financing.

We have had candidate upon candidate come to us and say we never could have done this without public financing because they weren’t part of either the machine that generates it or they weren't part of a special interest that somehow is able to influence them.

We have had a very successful program. And not only those parts of the program. We have also been very successful again keeping out special interest money. This building is a different place now that lobbyists cannot give the way they used to be able to give. It’s a different place because state contractors can no longer give period.

So and the fact that our agency follows that up and enforces against those entities is critical. You can’t have programs like this without having effective enforcement. I used an example quite a few times now. I got called one day by a journalist from Mississippi.

The Mississippi Inquiring Ledger was doing a study on what Mississippi politics was like. And they
called me because they did their research, the two gold standards in terms of elections enforcement are California and Connecticut. And they asked me what would happen if we found a candidate who was using political funds to rent apartments, do home improvements, do all of these kind of -- take all of these personal expenses.

I said in Connecticut that would be a violation they would be facing either a major fine and penalty or criminal. And they said well, in Mississippi that happens every day because their legislature has no -- there is no strictures on anything that they’re allowed to do and the person who regulates it is the attorney general and he himself is doing the same thing.

So the fact that we have an independent body, it's five independent commissioners. So the oversight we have is five independent citizen commissioners that look at everything that the SEEC staff prepares and presents. They are appointed by different individuals in this building and one by the Governor.

And so there is, we are an independent watchdog and we do that function and perform it very well if you look at the numbers and look at the numbers nationwide. We are not a state like Mississippi where people are spending money, campaign money Willy-nilly on anything they’d like. We are doing it right here in Connecticut.

But we are kind of at the forefront of how a campaign should be run when it’s really for your benefit and for the benefit of the people. So one of the things you look at is the statistics that we can show the differences between prior to 2008 which
was the first run of the Citizen’s Election Program and prior to the other reforms that were completed which is keeping out special interest money and keeping out state contractor money.

We have had and you could look at our docket. We have had case after case dealing with state contractors who have come in and a lot of them self-report because they feel that oh my god they did something wrong and they don’t want to harm a candidate. So we have done dozens of cases involving state contractors who realized they cannot give.

We also had the major case back in '14 dealing with the Democratic Party and we -- that resulted in a $325,000 fine. And that case was about attempts to use other accounts, federal accounts to infuse state contractor money through federal accounts back into the state party. And we have asked for ways to block that legislatively.

So the commission has independently tried to strengthen these laws and that’s where we need and I give great credit to the GAE committee for sitting and hearing and listening and having those bills go to public hearing and hopefully this year we will pass some of those bills to further strengthen the campaign finance regime in Connecticut.

SENATOR BRADLEY (23RD): I appreciate you, Commissioner. I appreciate the thoroughness of your response. Just to get a little more clarification, you mentioned that the commissioners are independently appointed.

MR. MICHAEL BRANDI: Yes.
SENATOR BRADLEY (23RD): And who -- you mentioned one of the appointees is the Governor's appointee.

MR. MICHAEL BRANDI: Correct.

SENATOR BRADLEY (23RD): Who appoints the other commissioners?

MR. MICHAEL BRANDI: The under 9-7A of the General Statutes, the commissioners are made up of one appointee from the speaker, one from the minority leader in the house, one by the majority leader and one by the minority leader in the Senate. And then the Governor is required -- now those can be R's or D's. The pick of the Governor is required to be an unaffiliated voter.

So we have a five -- we always saw we are not the FEC which has a six to six, you know, loggerheads. We have five independent commissioners and you could come to any one of our meetings and I guarantee you, you will not know who is a Republican or who is a Democrat. They sit there and view what the law is and act accordingly.

SENATOR BRADLEY (23RD): Right. One of the things I have noticed from being in those meetings is that there -- it seems to be a lack of minority representation when it comes to those commissions and I guess I will take it up with the people who get to appoint those members.

MR. MICHAEL BRANDI: Right.

SENATOR BRADLEY (23RD): Because what happens is not only minority representation but also urban representation. It looks like a lot the people who are there represent suburban communities.
And one of the frustrations that I have is that when you don’t understand urban communities who impact especially generally elections in terms of constitutional offices, when you don’t understand the politics that happens in urban communities, it’s hard for you to then view the facts and make an equitable determination of how things are done. And it might be viewed in terms of the way the media publicizes things as nefarious dealings when in reality it isn’t if you understand the community in which one is serving.

MR. MICHAEL BRANDI: Right. I would have you look though at our commissioners. Salvo Monte (phonetic 1:28:40), one of our commissioners, is from Hartford. He was a former ROV in Hartford. We have Commissioner Penny who is from Manchester. We have had in the past Joan Jenkins was a phenomenal commissioner. Unfortunately she passed away. She was from New Haven.

We have had an array of different commissioners that have served our commission since 1974. And I guarantee you, I don’t have any control and the staff has no control over who is appointed. That resides with again the appointing authorities who are set out in 9-7A of the statutes, so you could certainly raise that issue with the appropriate appointing authorities.

SENATOR BRADLEY (23RD): All right, thank you very much.

MR. MICHAEL BRANDI: Um-hum.

SENATOR BRADLEY (23RD): I have no further questions at this time. Thank you.
SENATOR OSTEN (19TH): Thank you. Representative Wilson followed by Representative Rotella.

REP. WILSON (66TH): Thank you, Madame Chair. Thank you, Mr. Brandi, for coming today. I don’t really have a question about your budget request but I would like to just say to you first, I appreciate your pen.

Second, I was a campaign treasurer for eight terms of a currently sitting member of the legislature. I think I was audited all eight of those times. I participated in the CEP program for my candidate from the very beginning and even prior to the beginning of it. So I’m an old guy. Been around for a long time.

And I know when you sit before group like this, it’s almost like you’re on trial and I want you to know that that’s not the way that I feel at all. I can tell you that your staff has done a phenomenal job professionally servicing me as treasurer when I was treasurer, me as a candidate and I’m also --

MR. MICHAEL BRANDI: Thank you.

REP. WILSON (66TH): -- involved with my town committee and know that they’re now falling under your rules and so forth. And all the interactions that we have had with your folks, understanding your budget constraints, has been very professional.

MR. MICHAEL BRANDI: Thank you.

REP. WILSON (66TH): And I have heard that from other treasurers as well. So, you know, we may end up cutting you further before we are done here either this way or legislatively because some of us do believe, you know, that there are certain things
in the program that need to be changed to save the taxpayers money.

So that’s all I really wanted to say and I appreciate it and, Madame Chair, thank you very much.

SENATOR OSTEN (19TH): Thank you very much. Representative Rotella followed by Senator Formica.

REP. ROTELLA (43RD): Hi, thank you very much for coming this morning.

MR. MICHAEL BRANDI: Good morning.

REP. ROTELLA (43RD): My question just goes around your commission meeting. So you said you have 33 commission meetings and that’s an issue for you with you $25,000 because the commission meetings cost $1,000.

MR. MICHAEL BRANDI: Right.

REP. ROTELLA (43RD): So why do the commission meetings cost 1,000 and what dictates you having the meetings?

MR. MICHAEL BRANDI: There is a statute, first of all there is a statutory stipend of $200 per meeting that each commission is given, that’s their only compensation.

REP. ROTELLA (43RD): Okay.

MR. MICHAEL BRANDI: They also get mileage which most of them don’t take. They just take the stipend. There is a variety of reasons why we have had to go now to two meetings a month.

During the CEP season so basically in even numbered years, between May and October, we actually go to
four meetings a month with weekly meetings in order to process all of the CEP applications. So that --

REP. ROTELLA (43RD): Hang on.

MR. MICHAEL BRANDI: Sure.

REP. ROTELLA (43RD): May to October you go to four?

MR. MICHAEL BRANDI: We go to four meetings

REP. ROTELLA (43RD): And that's where you're getting to the 30 --

MR. MICHAEL BRANDI: Yes.

REP. ROTELLA (43RD): Okay.

MR. MICHAEL BRANDI: So that's where it increases.

REP. ROTELLA (43RD): All right.

MR. MICHAEL BRANDI: And now where we used to only --

REP. ROTELLA (43RD): Thanks.

MR. MICHAEL BRANDI: -- have one meeting per month because of the new one year requirement on our investigations, because of the need to push cases especially with issues like subpoenas faster --

SENATOR OSTEN (19TH): I think you answered the question.

REP. ROTELLA (43RD): Yes.

MR. MICHAEL BRANDI: Right.

REP. ROTELLA (43RD): You did.

MR. MICHAEL BRANDI: Right. I just want to --

SENATOR OSTEN (19TH): We are trying to get to -- get you over with.
MR. MICHAEL BRANDI: Okay.

SENATOR OSTEN (19TH): Senator Formica.

SENATOR FORMICA (20TH): Good morning, sir.

MR. MICHAEL BRANDI: Good morning.

SENATOR FORMICA (20TH): Welcome.

MR. MICHAEL BRANDI: Thank you.

SENATOR FORMICA (20TH): Thank you for the good work that you and your cohorts do on keeping everything going.

MR. MICHAEL BRANDI: Thank you.

SENATOR FORMICA (20TH): But I have a couple of questions with regard to process. There are two pockets of funds that you give out or that get back to you. One is return funds unused, right. If you have --

MR. MICHAEL BRANDI: Surplus finds, correct.

SENATOR FORMICA (20TH): Right?

MR. MICHAEL BRANDI: Yes.

SENATOR FORMICA (20TH): That just goes into the --

MR. MICHAEL BRANDI: Back into the fund.

SENATOR FORMICA (20TH): -- it doesn’t come out actually. Right?

MR. MICHAEL BRANDI: No, it goes back into the fund.

SENATOR FORMICA (20TH): Right. So and then disqualified funds. So I had a number of funds that were I think I was, my particular case $4,000 over that I first initially put into.

MR. MICHAEL BRANDI: Right.
SENATOR FORMICA (20TH): That dollar number was disqualified --

MR. MICHAEL BRANDI: Right.

SENATOR FORMICA (20TH): -- those forms were disqualified for varying reasons.

MR. MICHAEL BRANDI: Right.

SENATOR FORMICA (20TH): And brought me back under my limit. I had to go get a few more dollars.

MR. MICHAEL BRANDI: Raising too much. Right.

SENATOR FORMICA (20TH): But we never go that $4,000. And that people that gave me that $4,000 never got that, their contributions back. So I think the process is somewhat flawed that if a candidate is going to ask for donations and the donation is given to them to help support their candidacy and if they misspell their name or they say they're self-employed and that's disqualified and we don't have an opportunity to redo those which I didn't for most of those disqualifications, that money goes into somewhat which --

MR. MICHAEL BRANDI: The fund.

SENATOR FORMICA (20TH): -- perhaps you can tell me where.

MR. MICHAEL BRANDI: Sure.

SENATOR FORMICA (20TH): Thank you.

MR. MICHAEL BRANDI: First of all most disqualified contributions are actually fixed. So a lot of those that you are talking about, there is only a small number of disqualified contributions that can't be fixed. So those are generally things where we have seen an issue with signature, an issue with multiple
what we call codes that are applied to it where the -- you just don’t have the time or the ability. Our goal was to get you through the process as quickly as possible.

So when we talk about the buffer, so you come in with a buffer over the for example for the 15,300 that a senator has to raise. You come with a buffer amount over that because there is always going to be a certain number of disqualifications, okay. A lot of those are qualified and does go to your count.

I think what you are asking about is the buffer that is over that. So if they’re disqualified or the amount that you give in addition to your 15,300, that money goes to the Citizen’s Election Fund. So that goes into the fund.

That’s -- any monies that comes into us that’s disqualified monies would go into the Citizens Election Fund but you’re getting the money back in basically by the grant. So you’re getting a grant over $95,000.

So what you are not getting back is your buffer, your buffer amount which includes those disqualified contributions. But what you are getting then is the grant itself. So you’re giving up the 4,000 -- as you said, you had 4,000 that were disqualified. But in return you’re getting qualified and you’re getting the $95,000 grant. So --

SENATOR FORMICA (20TH): Except that I didn’t have the opportunity to fix those, many of those disqualified funds.

MR. MICHAEL BRANDI: Some you can’t.

SENATOR FORMICA (20TH): Right?
MR. MICHAEL BRANDI: Absolutely.

SENATOR FORMICA (20TH): I did not. And that money never came back to me or went back to them.

MR. MICHAEL BRANDI: It goes back to the fund, correct.

SENATOR FORMICA (20TH): And that -- and it goes back to the fund.

MR. MICHAEL BRANDI: Correct.

SENATOR FORMICA (20TH): But I -- it should be above and beyond what the number that my 95,000 that I got or whatever that number happened to be. So --

MR. MICHAEL BRANDI: You want to be able to return those --

SENATOR FORMICA (20TH): -- probably that --

MR. MICHAEL BRANDI: -- is what you are saying?

SENATOR FORMICA (20TH): As you see I’m about to get the hook. So --

MR. MICHAEL BRANDI: No, I’m just trying to understand.

SENATOR FORMICA (20TH): What I would like --

MR. MICHAEL BRANDI: Are you saying that should be returned to your contributors? Is that what you are trying to say?

SENATOR FORMICA (20TH): I think it should be accounted for and either returned to the candidate for the purposes by which it was donated or returned to the contributors if it’s not going to be used as a candidate support in their campaign.

MR. MICHAEL BRANDI: Okay. So --
SENATOR FORMICA (20TH): So maybe if we brought this and I’m sorry to interrupt.

MR. MICHAEL BRANDI: Yes. No. But I --

SENATOR FORMICA (20TH): But I see Senator Osten and I’ve served with her long enough to know that she’s ready to give me the hook here.

MR. MICHAEL BRANDI: All I can say is we can certainly look at it but I think what the issue would have to be either your grant gets reduced because you can only have a maximum amount based on the contributions that are in the door.

So it can't be that you continue to raise money effectively or you get back that 4,000 and then you’re getting that 4,000 plus the grant amount. So there would have to be a calculation to reduce that so that the same number is given to everybody.

Formica: If you could bring this to the work committee --

MR. MICHAEL BRANDI: Sure.

SENATOR FORMICA (20TH): How you handle the disqualified.

MR. MICHAEL BRANDI: Absolutely.

SENATOR FORMICA (20TH): Because on top of that, I returned $17,000 after the campaign was over.

MR. MICHAEL BRANDI: Yes. And --

SENATOR FORMICA (20TH): So there is all of this different money and maybe in the interest of time --

MR. MICHAEL BRANDI: Sure.

SENATOR FORMICA (20TH): -- we can talk about this at the committee.
MR. MICHAEL BRANDI: Sure. And just so the committee is aware, we get on average 10 to 12 percent of the grants come back in the form of surpluses. We get very, I mean, candidates are very responsible with their money and we tend to get anywhere from 10 to 12 percent and that's immediately back into the Citizens Election Fund --

SENATOR Osten (19TH): So we get the -- I’m sorry.

MR. MICHAEL BRANDI: -- which is a non-lasting fund.

SENATOR Osten (19TH): Executive director.

MR. MICHAEL BRANDI: Sure.

SENATOR Osten (19TH): You’re a little long winded. (Laughter) Not --

SENATOR FORMICA (20TH): Just want to make sure it is attributed in the budget.

SENATOR Osten (19TH): Yes, and I agree with Senator Formica and if you could bring that information to the --

MR. MICHAEL BRANDI: Sure.

SENATOR FORMICA (20TH): And thank you Madame Chair.

SENATOR Osten (19TH): -- subcommittee. It would be appreciated.

MR. MICHAEL BRANDI: Sure.

SENATOR Osten (19TH): Are there any other questions? Representative McCarty.

REP. MCCARTY (38TH): Thank you, Madame Chair, and I’m so sorry I had to step out for a moment but welcome, Executive Director, and thank you for your work.
I appreciate Senator Osten's comments earlier about trying to really unravel what is going on with the steward position but originally could you just enlighten me quickly was that position formerly being used by the staff attorney in a different way and then it became a steward position? Or was it always a steward position?

MR. MICHAEL BRANDI: No. I -- we have -- so he was a union steward and then he became the chief steward. So as the chief steward, it’s under the contract. We have no issue with the contract. I don’t want it to appear like we are --

REP. MCCARTY (38TH): Right.

MR. MICHAEL BRANDI: -- arguing about the contract. No one is arguing about the contract. The contract says and it has got provisions in it for payment to -- that the agency effectively has to hold the position. We pay the position, so we pay his salary. But we can't fill it, it just sits there.

So we actually have a paid position that we get no productivity, no -- and he doesn’t come to us. He works at the union. So we have no problem with that. That's set up in the contract, no issue.

REP. MCCARTY (38TH): Right.

MR. MICHAEL BRANDI: Our question and what we presented to OPM previously and which we will do again, is a reimbursement to the agency for the monies that we are paying to somebody that we are getting no productivity from.

So the question becomes can Appropriations or can OLR though the reserve salary account reimburse the agency simply for the salary that we are paying?
Because we can then utilize that money for other purposes.

We understand we can't hire anybody. The position is frozen and he has a right to return to that position when his time as chief steward is up. But we are going on four years now and so and he has a right to keep running for that position. It’s all in the contract. And we have no issue with that.

It’s just we are continually having to fund the position that we don’t get any benefit from.

REP. MCCARTY (38TH): And I would imagine you would have to look at the language in the contract --

MR. MICHAEL BRANDI: Yes.

REP. MCCARTY (38TH): -- in the union contract to see what mechanisms might be available to switch the funding source. But thank you for that clarification.

MR. MICHAEL BRANDI: Sure.

REP. MCCARTY (38TH): Thank you.

MR. MICHAEL BRANDI: Um-hum.

SENATOR OSTEN (19TH): Representative Ryan.

REP. RYAN (139TH): Point of clarification. The Citizens Election Fund is not part of your budget, it’s not what we are looking at today.

MR. MICHAEL BRANDI: No.

REP. RYAN (139TH): Who oversees that fund?

MR. MICHAEL BRANDI: The fund is overseen by the commission so we monitor the fund.
REP. RYAN (139TH): Oh, you do? It’s not in the treasurer’s office?

MR. MICHAEL BRANDI: Is in the treasurer’s office.

REP. RYAN (139TH): Okay.

MR. MICHAEL BRANDI: I mean, we monitor it for purposes that we are obviously running for example special elections recently so money is coming out of that for the grant. It is administered by the treasurer’s office.

REP. RYAN (139TH): Okay.

MR. MICHAEL BRANDI: And its statutory so the amount of money that gets dispersed to it every year is a statutory amount which is set and adds CPI on a yearly basis.

REP. RYAN (139TH): Thank you.

SENATOR Osten (19TH): Are there any other questions or comments? Seeing none, thank you very much.

MR. MICHAEL BRANDI: Thank you.

SENATOR FORMICA (20TH): Thank you, I didn’t know that. Thank you.

SENATOR Osten (19TH): Freedom of Information Commission. Go ahead and start whenever you are ready.

MS. COLLEEN MURPHY: Good morning, Senator Osten, Representative Walker and members of the appropriations committee. I’m Colleen Murphy, the Executive Director and General Counsel of the FOI commission. Thank you for the opportunity to comment on the Governor’s proposed budget for the 20/21 biennium. I aim to make my remarks brief and not be long winded. (Laughter)
I would like to just give you a tiny bit of background about the FOIC though. It’s a small, independent body with only one program. We administer, enforce the provisions of the FOI Act but our mission is large. To ensure that citizens of Connecticut have the most transparent and accountable government to which they are entitled and permitted by law.

We have a nine member commission that meets to hear and decide individual access disputes and then twice a month to formally rule on those disputes. We hear and decide on average over 900 formal citizen complaints a year, all of which must be decided within one year. We do have the one year mandate.

And pursuant to Public Act 18-95, the FOIC is undertaking a new mandate to adjudicate appeals from agencies seeking relief from vexatious requestors. We work on mediation heavily in order to same funds and to help people get their information. So we mediate about 65 percent of our cases.

Our attorneys represent us in court. We do not have the Attorney General’s office represent us in court. By statute, we must be independent in that regard as well.

We have two outreach programs which we are very proud of. One for Spanish speaking individuals and one for middle school and high school aged youth. So that’s just a sampling of the work that is performed by the FOIC to commission -- to accomplish its mission.

Turning to the budget, the commission has undergone as you have heard from my colleagues before, numerous cutbacks in recent years including a reduction in staff from a high of 23 in 2011 to
where it is today with 14 filled positions. It has seen its budget decreased dramatically over the past several years, requiring us to lay off employees, forgo legal research tools, and cut back on training as we try to avoid a deficit.

All of this has occurred during a period when the commission’s case load has been growing. We review significant records in camera in the thousands. We deal with complex legal issues and in an era of where there is a proliferation of electronic records, we find that the complexity of our cases is significantly increasing.

The aggregate effect of the budgetary cuts over the past several years has left us struggling to fulfill our duties. Mindful both of the fiscal constraints continuing to face our state and the commissions current strip down appropriation, the FOI submitted a budget request in the amount of 1.624 in fiscal year '20 and 1.706 for fiscal year '21.

In addition, at the direction of the OPM, the FOIC submitted a budget option request for funding to fill one of two vacant positions and we chose a staff attorney at the lowest level rate for 78,000 in fiscal year '20 and 84,000 in fiscal year '21.

The FOIC's review of the Governor's proposed budget for the next biennium contains a few areas of concern. The Governor's budget numbers are similar to those requested by the commission but they're not precise. There may be some errors if you look at the Governor's recommended adjustments, there may simply be some errors in contained there.

However, we will need to get to the bottom of that and I can explain that in further detail if you’d like but it's in my written testimony. It could
just be hat the breakout numbers are incorrect but we will need to have that straightened out.

Second, the Governor's budget proposal does not appear to flow precisely from the FOIC's budget requests as prescribed in 1-205A which requires a pass-through of our budget directly to the legislature.

The Governor does seek a reduction collectively from the OSC, SEEC and FOIC for 69,507 is fiscal year '20 and 87,714 in fiscal year '21. The commission believes that the reduction doesn’t comport with the intent of 1-205A. While the dollar amount may not seem like a large amount, given the past reductions, it is a large amount to a tiny agency with one line item like the FOIC.

Finally, the Governor's proposal does not include that budget option request that I mentioned for the 78,000 in the first year and 84 in the second year. So we would like to see that considered.

So the FOIC respectfully requests that the committee review and give consideration to the FOIC's budget submission and the supporting documentation it provided and that it provides funding for that staff attorney position. And we look forward to working with the subcommittee and I’m happy to answer any questions you may have.

SENATOR OSTEN (19TH): Thank you very much. First on your agency requested FTE positions, you have 16 here. On you sheet you have 14. How many funded positions do you have?

MS. COLLEEN MURPHY: 14.

SENATOR OSTEN (19TH): And you’re not asking for another funded position or you’re asking --
MS. COLLEEN MURPHY: No, no.

SENATOR OSTEN (19TH): -- for one more?

MS. COLLEEN MURPHY: I’m asking for the funding to fill one of the two vacant positions.

SENATOR OSTEN (19TH): So you have 14 funded positions or 14 filled positions and two funded but unfilled positions?

MS. COLLEEN MURPHY: Sorry, no. We have 14 funded, two that are unfunded, two vacant and unfunded seeking through the budget option to -- for the funding to fill one of those vacant, unfunded positions.

SENATOR OSTEN (19TH): So in your budget that you have put in for, you have 1.6 million. Is that dollar amount in there for that position?

MS. COLLEEN MURPHY: No, it is not.

SENATOR OSTEN (19TH): So you didn’t ask for that position when you asked for your budget?

MS. COLLEEN MURPHY: What I -- I did not put it in the budget submission, however I submitted a budget option at the direction of the -- of OPM.

We inquired about putting it directly into our budget proposal and we were advised to do it as a budget option. So nowhere in this budget does it represent that we did that. But we did do that. And we followed the direction of OPM in that regard.

SENATOR OSTEN (19TH): Okay. So your budget submission is actually not 1.624, it was 1.7 give or take?

MS. COLLEEN MURPHY: Give or take.
SENATOR OSTEN (19TH): And that would bring you to 15 people?

MS. COLLEEN MURPHY: Yes.

SENATOR OSTEN (19TH): And your position on -- your Governor recommended position on next -- for fiscal year '21, is you and the Governor are 1,000 apart. You’re asking again for how much in that second year?

MS. COLLEEN MURPHY: In the second year, our -- the request in the budget was for 1.706. But you would have to add in the 84,000 for that budget option.

SENATOR OSTEN (19TH): So all right. Because I don’t show anything on a budget option here. So if you could at the subcommittee level bring that documentation.

MS. COLLEEN MURPHY: Absolutely. I have it here if you would like it too.

SENATOR OSTEN (19TH): No, you can bring it to the subcommittee so they can all see it. Because I see that the Governor has actually -- you have 1.706 and they have 1.707. So essentially it’s the same thing.

MS. COLLEEN MURPHY: It is. My concern as I referenced in my testimony, is that when you look at the recommended adjustments, the breakouts that are there, the recommendation is to provide us with 20,805 in each year which would be for other expenses. We asked in each year for actually about 40,000 in other expenses for each year.

There is a question mark about the breakout for the annualizing of state employee wage adjustments which are mandatory. When we did the calculations for
those wage adjustments, our calculations using the software that OPM supplied was for 70,000 in the first year and 154 in the second year.

So if the adjustments are correct in the Governor's recommended adjustments, we will only be given 20,000 for our other expenses whereas we asked for 40,000 in our detailed budget submission. So there is some confusion there. I just need us to get to the bottom of that.

SENATOR OSTEN (19TH): So the funding for the wage increases of 83 and 172 you had -- you did not have those numbers?

MS. COLLEEN MURPHY: Correct. We had lower numbers.

SENATOR OSTEN (19TH): And that's where you say you need 20,000 more for your funding adjustments.

MS. COLLEEN MURPHY: Yes.

SENATOR OSTEN (19TH): Okay. If you could bring all that detail to the subcommittee that would be great.

MS. COLLEEN MURPHY: Absolutely.

SENATOR OSTEN (19TH): Are there any other comments or questions? Seeing none, thank you.

MS. COLLEEN MURPHY: Thank you.


UNKNOWN SPEAKER: They didn’t have to be here until 12 so.

SENATOR OSTEN (19TH): Thank you.
MS. NATASHA PIERRE: Good afternoon. Good afternoon, Senator Osten, Representative Lavielle and members of the committee. I am Natasha Pierre, the State Victim Advocate. Thank you for this opportunity for providing testimony on our budget.

The Office of the Victim Advocate was statutorily established in 1998 as an independent state agency charged with the promotion and protection of the constitutional and statutory rights of crime victims in Connecticut.

OVA seeks to ensure that all crime victims have the opportunity to exercise their constitutional rights during the criminal court process. We do so by providing oversight of state and private agencies, advocacy and legal representation of crime victims when their rights are violated. Receiving and reviewing complaints of person concerned actions of any state agency or other entity that provides services to crime victims.

When appropriate, the OVA may also initiate formal investigations into the circumstances of a complaint so as to remedy the concern in a systemic manner.

The OVA is staffed by myself and three staff members. We have a staff attorney, a complaint officer and a secretary. In fiscal year 2018 the OVA opened 57 new cases resulting in an open case load of 100 which has been the average caseload for the past four years.

OVA assisted crime victims when their constitutional rights were violated on cases of assault, domestic and family violence, harassment, stalking, homicide, murder, home invasion, identity theft, motor vehicle violations, sexual assault, theft and UT visa applications.
The proposed allocation of $406,323 will allow OVA's small but mighty staff to continue providing state wide legal services and client administrative and legislative advocacy on the behalf of Connecticut crime victims.

I have attached our annual report that gives you much more detail about what we are doing for our clients and for -- to get awareness out into the state of Connecticut. Thank you.

SENATOR OSTEN (19TH): Thank you very much. And how many staff do you have in here?

MS. NATASHA PIERRE: Three.

SENATOR OSTEN (19TH): Three. And that is the filled positions?

MS. NATASHA PIERRE: Yes.

SENATOR OSTEN (19TH): So all your positions are filled. And you have no unfunded, unfilled positions?

MS. NATASHA PIERRE: No. They took that away in --

SENATOR OSTEN (19TH): A while ago.

MS. NATASHA PIERRE: -- one of the last budgets. We had a fourth position for a long while that couldn’t get filled.

SENATOR OSTEN (19TH): Okay. And you essentially agree with what your request and what the Governor has in is essentially the same? Looks like there is a $1,000 more.

MS. NATASHA PIERRE: It’s really difficult for us to tell line by line because they clump us all together but my understanding is the increase goes to
personnel, services that are required by law. That’s the increase.

Otherwise, we have a 30,000 OE budget that we manage well. It has limited our ability to be out more and doing outreach more and we have cut some programming. But we have one solid programming, program. We do a symposium every year and we are sticking with that and hopefully in that we give free education to the people that actually work with the victims. So we are just holding on to that right now.


MS. NATASHA PIERRE: Thank you.

SENATOR OSTEN (19TH): State Contracting Board. Are they here? State Contracting Board is up, thank you.

MR. LAWRENCE FOX: Good morning, Senator Osten and --

SENATOR OSTEN (19TH): Good morning.

MR. LAWRENCE FOX: -- Representative Walker and other members of the Appropriations Committee. My name is Lawrence Fox. I’m chair of the Contracting Standards Board and I’m joined here today by David Guay who is the Executive Director of the board.

I want to take a, offer a few comments about the recommended budget for, from the Governor. The Governor’s proposed budget for the Contract Standards Board --

SENATOR OSTEN (19TH): Thank you.
MR. LAWRENCE FOX: -- the word I would use is it’s austere. We recognize the states difficult budgetary climate and respect that all state entities will once again have to do more with fewer resources. But you should know that in the current fiscal year, we did a significant amount of work with one employee, David Guay, the executive director and about $20,000 in other expenses.

We did subject some proposals. For example, by statute we are supposed to have a chief procurement officer and that position was filled in 2014 but that person left and it has not been filled. So under current statute, we should have a position that hasn’t been filled.

I would like to just give you a quick report on what we have done this year. The -- a lot of the work that we have been able to do has been because the members of the board who are volunteers really have stepped up and we have a number of very active work groups that under with David's Guay's support do a lot of work.

We completed a review of the Department of Transportation bridge inspection privatization contracts and along with DOT came to the conclusion that we could actually save the state money if a significant number -- a part of the bridge inspection program was actually contracted back in.

It was in fact costing more money to use the consultants than it was to do it and we reached that agreement which will save the state about $2 million.

We resolved three contested solicitation and awards of contracts. We did two very, I think very significant studies that have the potential to
actually if we -- if we can get some traction for -- to have them taken seriously, save the state a significant amount of dollars and probably improve quality a well.

We looked at personal service agreements and purchase of service agreements and just taking for example those two, 73 percent -- and this is, we are talking about billions of dollars of money where actually the contracts were agreed without any competitive bidding.

And sometimes that’s appropriate. There is a lot -- there is some very important reasons why you wouldn’t do competitive bidding sometimes. But what we have found from and we did statistical random samples of agencies, we found that frankly a lot of the times the agencies just are trying to get the work done. (Laughter) They're under a lot of stress.

And with no ill internet, we don’t have, we have not established in this state a very strong, in our opinion, the board’s opinion, a very strong culture of really doing competitive bidding and we are not on the cutting edge of this.

We estimate and that the state could probably save $174 to $260 million a year if we actually created a culture of really not only paying attention in the procurement process and in some areas we do, but also in the contacting process and the follow up process. There is -- we are not doing the job we should.

For example and then we looked and with OPM at PSA's for this last year, 2017 was the last year that we actually could get a full report in. Personal service agreements, the state actually does $3.65
billion a year. 68 percent of those agreements are reached without competitive bidding.

Now, I don’t think there is any ill intent. I used to help lead an agency years, 30 years ago at the labor department, you know. I sometimes know there is something that has to get done, I know the person I want to have done it and I want them to do it. (Laughter) You know, I get all that. I -- so but -- and agencies are under a lot of pressure. A lot of times it’s a lot easier to work off the OE line than it is to try to get approval for a position for a lot of reasons.

But we estimate that the state could save $56 to $107 million a year just on personal service agreements. They're waived off. And we are have meetings actually, there’s an opportunity with the new secretary of OPM and the new commissioner in DAS to meet with them to talk with them because a lot of this frankly could be administrative. But a lot of it is that we don’t take this process seriously.

And this board which was created in the wake of an awful chapter of Connecticut’s history, involved with contracting. We need -- we in our opinion there’s a big gap between what we are doing and what we could be doing to really be responsible with the public scholars.

We just quickly and then I'll wind up and if there are questions. We negotiated an MOU with the Department of Education around an issue of $4.5 million in contacts that were inappropriate. It was written up a lot in the newspaper. We conducted audits of 13 agencies. You have them in the written testimony where we take a look at what their process is. Asked them a lot and it’s a self-audit and it
helps us to understand where we should focus in more.

We could do more if we had more resources. And there are some recommendations, we have attended in our testimony the reports that we have made with a lot of very specific recommendations on what we think could happen to actually have Connecticut -- we actually could have a world class procurement process in this state. There is no reason why we shouldn’t and we are not there yet. I’ll take any questions.

REP. WALKER (93RD): Thank you. And thank you for your testimony. You're speaking to me very clearly because I have been -- I have a -- we have a subcommittee called the Accountability Committee. And its focus is directly onto what you are talking about. Besides the PSA's contracting with outside vendors and everything it-- there is no basic foundation for how it is done.

MR. LAWRENCE FOX: Right.

REP. WALKER (93RD): Some people can get a contract for five years, some people can get a contract for two years and yet we never evaluate how they perform. We never look at are they meeting the goals of what they’re supposed to be. And I’m not picking on anybody but I think some of our social service agencies are the ones that tend to not make those decision. They tend to just contract.

MR. LAWRENCE FOX: Yes.

REP. WALKER (93RD): And I was also -- we also had some issues with Department of Transportation because instead of filling positions which they could do, they decided to go to the contracting
route and avoid even working with the staffing that they had to try and fulfill those positions. So to me, you should be elevated. We have to look at that because if we don’t spend enough time, we are throwing away money.

MR. LAWRENCE FOX: Right.

REP. WALKER (93RD): And I’m not saying that these services should not be provided.

MR. LAWRENCE FOX: Right.

REP. WALKER (93RD): But it should be the best person that can provide them. And it should be evaluated in a very general way and that’s something that I tried working with some of the agencies on results first.

MR. LAWRENCE FOX: Yes.

REP. WALKER (93RD): Which was a cost based analysis. The problem we had was acquiring the data.

MR. LAWRENCE FOX: Right.

REP. WALKER (93RD): So we can always hide behind the fact well, I don’t have the data to -- well, then we need to change that and the other thing is we should not have extended contracts to some agencies for up to 10 years. I know I saw a couple of them that have been up to 10 years which was ridiculous.

MR. LAWRENCE FOX: We found one that, we found a few that were 99 years.

REP. WALKER (93RD): 99 years?

MR. LAWRENCE FOX: Yes.
REP. WALKER (93RD): (Laughter) Well, I think that this is something and we are going to bring together the accountability committee. We have talked to -- I have talked to the secretary of OPM and I have also targeted certain agencies right now that I know, example Department of Children and Families.

MR. LAWRENCE FOX: Right.

REP. WALKER (93RD): Half of their money, their budget is contracted services.

MR. LAWRENCE FOX: Right.

REP. WALKER (93RD): Could I find two contracts that looked alike?

MR. LAWRENCE FOX: Yes.

REP. WALKER (93RD): Could I find competitiveness in it? No. So to me that is a real issue. And in these days where we are, our non-fixed costs are disappearing, it shouldn’t be at the expense of removing services.

It should be because of the fact that we have done a better job on what you are doing. So we will be contacting you for the Accountability Committee. Right after we get through this process --

MR. LAWRENCE FOX: Yes.

REP. WALKER (93RD): -- we are going to have at least three meetings and talk with the secretary of OPM about how do we address the changes that need to happen. I know Department of Mental Health and Addiction Services had probably and Judicial had probably the best foundations for contracting.

MR. LAWRENCE FOX: Yes.
REP. WALKER (93RD): They actually had metrics in them. They had ways of evaluating the -- whether you met the goal. I looked at one contract that I saw was, I think it was $450,000. It wasn’t for either one of these, it was for another agency and it was to work with children. And that's it. (Laughter) That was -- I was floored. I was floored.

So we have a lot to do and I look forward to working with you and I am going to go home and read this cover to cover and I will contact you back. So with that, Representative Johnson first. Okay.

REP. JOHNSON (49TH): Thank you, Madame Chair, and thank you for your work and your testimony. And I find this really very, very interesting in terms of, you know, something that has always been a concern of mine and I am wondering have you looked at other states and what they have for procedures and do you know what the best, the state that does the best work with the contracting?

MR. LAWRENCE FOX: We actually did. We -- after we did this first study we actually did another one and we invited DAS and OPM to work with us. OPM declined just because they were, they didn’t have the staff or time they thought to work on this but DAS did work closely.

And we looked at best practices and there is for example we have a very decentralized system where every agency as Representative Walker was saying is really on their own to do -- and there is obviously each agency has a different mission and they -- and agencies have to be extremely involved in the procurement process. But really there, we -- there is no system of what happens.
In New York State, for example, there is a more centralized process whereas there is some cutting edge things done, being done right now in California that are just emerging where in fact when you begin to think about instead of a traditional RFP, they have a group of -- that includes stakeholders and agency folks that sit down right at the front end and really look at what it is we are trying to accomplish here.

There are -- I think there is a lot that we could learn from other states to improve our process and we would end up getting higher quality at lower costs.

REP. JOHNSON (49TH): Thank you so much for that. And when we have our meeting, could you bring some of those examples to the meeting so that we can review them.

MR. LAWRENCE FOX: Absolutely.

REP. JOHNSON (49TH): And maybe make some, you know, highlighted points in terms of committees where we could move to first to try and bring in some of the money, get the money back and get the contracts set up. A contracting language that would address how we get out of the contract for example --

MR. LAWRENCE FOX: Right.

REP. JOHNSON (49TH): -- if it’s not working out. Something that is pretty standard practice in contracting, especially when some of the municipal contracts I have worked on.

So I would really like to take a look at this and maybe work with you on this and try and figure out if there is legislation that we need to make sure that we follow a protocol within a certain timeframe.
for all the agencies. But this is very, very, very interesting and thank you for putting together such a good report. Thank you, Madame Chair.

REP. WALKER (93RD): Thank you. And we don’t want to stop just with the agencies. We also need to look at the higher ed system too.

MR. LAWRENCE FOX: Yes. Yes.

REP. WALKER (93RD): We will add those.

REP. JOHNSON (49TH): Yes.

REP. WALKER (93RD): Yes, Representative.

REP. WILSON (66TH): Thank you, Madame Chair. And thanks for --

REP. WALKER (93RD): I’m sorry. I’m sorry. Go ahead. I’m sorry. And I’ll get to you, Representative Wilson right after that. I’m sorry.

REP. DAUPHINAIS (44TH): thank you for your testimony and I’m intrigued here. So you just mentioned higher ed contacts. Can you be a little more specific in what you have found in that department?

MR. LAWRENCE FOX: David, do you want?

MR. DAVID GUAY: Well, actually in your package, Representative, there is a --

REP. WALKER (93RD): Excuse me, sir, would you identify yourself please?

MR. DAVID GUAY: I’m sorry. David Guay, Executive Director of State Contracting Standards Board. We have at least the State Department of Education and we did the higher ed system in our audit in the
first year. And it’s included in your package there.

REP. DAUPHINAIS (44TH): And what about other, I know you mentioned PSA and the amount of money that you could perhaps save, 174 to 260 million I think you said. Can you name off some other numbers that are in just in general? Some others that you may have looked at.

MR. DAVID GUAY: Well --

REP. DAUPHINAIS (44TH): You didn’t have a number for higher ed or was it?

MR. DAVID GUAY: Well, you have -- excuse me. One staff. It’s me and some very active board members so the products that you see in this package just about took everything we had to produce. It’s quite remarkable to have volunteers like we have and many of them are sitting behind us right here now.

REP. DAUPHINAIS (44TH): Understood.

MR. LAWRENCE FOX: We -- the literature basically says and, you know, sometimes the literature is wrong. But as a rule of thumb, in general competitive bidding will save you between 5 and 10 percent. That’s a general rule of thumb.

And so when we looked at the number -- now you know, we talked with Secretary Barnes when we were doing this. He said look, in some cases, we are begging vendors to take some of these clients in some of the human service categories and so on and so forth and it may be that in some places it’s -- you can't get a competitive bid. Maybe not.

But in general, 5 to 10 percent is what folks say you will save through competitive bidding and we are
waiving off competitive bidding close to 70 percent of the time.

REP. DAUPHINAIS (44TH): When you come back with more information in our meetings, are you able to bring models or -- that you have seen done to kind of --

MR. LAWRENCE FOX: Yes.

REP. DAUPHINAIS (44TH): -- give us ideas and then to --

MR. LAWRENCE FOX: Yes.

REP. DAUPHINAIS (44TH): Okay.

MR. LAWRENCE FOX: Yes.

REP. DAUPHINAIS (44TH): Great.

MR. LAWRENCE FOX: And by the way, we have a great, the Department of Administrative Services now, Carol Wilson for example is a -- she is a national prominent person in a lot of this stuff and she would be a good person to be a part of this as well.

MR. DAVID GUAY: She’s the director of purchasing for the Department of Administrative Services.

REP. DAUPHINAIS (44TH): Okay.

MR. LAWRENCE FOX: So, yes.

REP. DAUPHINAIS (44TH): Thank you.

MR. LAWRENCE FOX: Yes, yes. We would love to do that.

REP. DAUPHINAIS (44TH): That would be great. Thank you. Thank you, Madame Chair.

REP. WALKER (93RD): Thank you. Carol Wilson.
MR. LAWRENCE FOX: Yes.

REP. WALKER (93RD): From DAS?

MR. LAWRENCE FOX: Yes.


REP. WILSON (66TH): Thank you very much, Madame Chair. And I just want to be sure, it's Mr. Fox?

MR. LAWRENCE FOX: Yes.

REP. WILSON (66TH): and, Mr. Fox, if I understand correctly, you're a volunteer?

MR. LAWRENCE FOX: Yes.

REP. WILSON (66TH): Thank you for your service to the state of Connecticut. So I wanted to go to the question when you were talking about the potential savings and you mentioned authority to waive off and I believe that’s authority to waive off on these --

MR. LAWRENCE FOX: PSA's.

REP. WILSON (66TH): -- competitive contracts.

MR. LAWRENCE FOX: Yes.

REP. WILSON (66TH): Who has that authority? Who is granted that authority?

MR. LAWRENCE FOX: OPM.

REP. WILSON (66TH): That’s kind of general. I mean, are there people within different departments or line items? How does that work? And so let me use an example. If I’m -- if I have a disabled beneficiary and I need a physical therapist because this person is profoundly disabled, if I’m understanding, I can go out and seek an independent outside contractor that can provide this highly
specialized service and I can basically do it with no regard for what the cost is. Is that an accurate?

MR. LAWRENCE FOX: I don’t know the answer to your, that specific question. I do know that but see it may be that the Department of Mental Health has some guidelines and rules inside that agency about that and I don’t know that.

I know that if the Department of Mental Health or any agency says -- and this doesn’t include higher ed who can do their own thing on this stuff, but if an agency says we want to have a personal services agreement and we don’t want to do a competitive bid process, they have to make that request to OPM. And OPM basically approves their recommendation close to 70 percent of the time.

When I -- without being -- and I have a lot of respect for secretary, former secretary Barnes, but when we met with him about this, he didn’t realize that the waiver process for personal service agreements resided with his agency. That to me indicates the level of priority that it currently has. I’m hoping that we can get to a new level of priority with the new secretary.

REP. WILSON (66TH): So, I always go to the worst case scenario in my mind and if its 68 or 70 percent, whatever the number of contracts that are being handed out --

MR. LAWRENCE FOX: On personal service agreements.

REP. WILSON (66TH): Right. It would seem to me that with no oversight of that, then there is all kinds of things that could be occurring that aren’t
to the best interest of the tax payers of the state of Connecticut.

MR. LAWRENCE FOX: That is correct. And at the -- and -- it's not good news.

REP. WILSON (66TH): So --

MR. LAWRENCE FOX: It is probably and there is all kinds of potential for bad stuff going on.

REP. WILSON (66TH): In fact then could we jump to the conclusion that it might be a greater than 10 percent differential?

MR. LAWRENCE FOX: Yes.

REP. WILSON (66TH): Thank you very much.

SENATOR OSTEN (19TH): Representative Reyes.

REP. REYES (75TH): Thank you, Madame Chair. Mr. Fox, thank you very much for your testimony. Very interesting to hear your findings and it interests me as we continue to find ways to cut costs and save our state tax payers dollars.

It’s very, very interesting to have a group testify in front of us about a potential of up to $260 million in savings which I would actually even argue is probably conservative. And I think that the time for us to tighten our belt and to take a look at all these duplicated agency services and especially the procurement side, I think you guys are spot on.

And you guys have pretty much I think are -- have been one of the best, interesting testimonies I have heard here in a couple days so thank you for refreshing all of us. Thank you. Thank you, Madame Chair.
SENATOR OSTEN (19TH): Thank you. Are there any other comments or questions? Representative McCarty.

REP. MCCARTY (38TH): Thank you, Madame Chair. I would be remiss if I didn’t add to the comments to thank you so much and to the volunteers for all the great work and also thank you for the recommendations that you have put in your packet. I think it will be most helpful.

But would you comment, so are you suggesting that some of the duties be switched over to the board from OPM for the competitive bidding piece?

MR. LAWRENCE FOX: I think that what is important is, you know, in the ideal world, a volunteer board unless we -- unless you are going to add a lot of staffing for us which we would -- we think there is some staffing that the state ought to add to this board let me just say. I mean, but unless you were going to add a lot of staffing for us, the ability for us to be -- to play an operational, day to day role we don’t have the capacity for it.

We have the -- we don’t -- we are not even doing, you know, Representative Wilson said -- implied it. We are not even doing as much oversight as we should do. I would love to see us staffed to the level where we could actually do the oversight that we are supposed to do.

And but what I think and what I’m hopeful and I know we have written to the secretary of OPM and we are going to have a meeting what her and also with DAS because those two agencies share a lot of responsibility here in terms of overarching operational oversight.
I -- we believe there needs to be much more centralization of this process in a real way. You can't have all the agencies trying to reinvent the wheel on this, particularly when the state is transitioning from years ago when I was in state government, we did a lot more direct service. Now we are contracting out for a whole lot of the people’s mission.

I’m not sure what our theory is about when we decide to do that and when we don’t, that’s an interesting question too. But we sure ought to have a robust process to oversight. Otherwise, who knows what is going on? We don’t know what is going on.

And so I believe -- I’m -- whether it needs to leave -- it needs to have a high priority in what -- in either OPM or DAS for sure. It doesn't have the priority in OPM that it needs to have. But I’m not sure it needs to be transferred out of OPM. It needs to have a higher priority there. If they’re not going to give it the priority then it should go somewhere else in our opinion.

REP. MCCARTY (38TH): Thank you.

SENATOR OSTEN (19TH): And so I thank Representative McCarty for the question because I would like you to bring to the subcommittee a reasonable recommendation for staffing to start delving into some of this. Because I really do believe that the organization of the State Contracting Board is not as robust as it needs to be to do even the basics of what we are asking for.

And if, you know, I mean, I would like to also understand where we are going. If we are going to private nonprofits for some of ours, what is the standard for going there? What does that mean?
MR. LAWRENCE FOX: Right.

SENATOR OSTEN (19TH): And are we moving someone over to, for example, some of the nonprofit group homes. If we are paying staff at minimum wage, are we just moving the dollar amount that we need to set aside into the other functions of government, food stamps, healthcare, you know, heating assistance, all of those sorts of things.

What -- I think that those are questions that we should be asking and answering. And do we have a standard for what an administrator or a nonprofit group could be paid. So is there a deal between the worker and the administrator? I would like to see that to.

Initially I would like to figure out on contracts that we have what we're doing and if we are overseeing that. And I firmly agree with having a centralized system on contracting out that would ask those questions.

So if you could bring to the subcommittee what you believe the number of staff that are for this, what contract or what forms of contracts you think we should look at first. Should we look at DSS contracts, should we look at DCF contracts? Where are the contracts that you think we should start?

Because we can't take off on the whole gamut of things. We are going to have to concentrate on a few things and so I know originally it was DOT and we were looking at what they were doing because of the I-84 debacle, that’s why you all are here know. So --

MR. LAWRENCE FOX: Right.
SENATOR Osten (19th): -- if we could start looking at some of the other things and save real dollars I just never really get a chance to say hi to Bob Rinker so I’m going to say hi to Bob Rinker. (Laughter) Someone I worked with a lot on the State Contracting Board’s concept long before you were really here. So if you could bring those things that would be very helpful lot us to see where we are going.

Are there any other comments or questions? No. Thank you so much and thanks everybody.

Mr. Lawrence Fox: Yes, our board came in, we were a little early.

SENATOR Osten (19th): I know.

Mr. Lawrence Fox: And the work we have gotten done is because of the activism of the board.

SENATOR Osten (19th): Yes, and I think I know most of them back there. (Laughter) They are good people.

Mr. Lawrence Fox: They are. Thank you so much.

SENATOR Osten (19th): Welcome. Next up is the Office of Child Advocate.

Ms. Sarah Eagan: Good afternoon. My name is Sara Eagan and I run the state’s Office of the Child Advocate and with me is assistant child advocate Faith Voswinkel.

So we did prepare an outline for the committee that similar to previous years is just a summary of what our staffing is, what the individual staff members responsibilities are in the office and then categorically over the next two pages the major areas of activity of the office and over the last
year. So you have that in front of you and I’m happy to answer any questions about it.

I wanted to just spend a couple of minutes to talk about the structure of our work. So the Office of the Child Advocate for those that are not as familiar with who we are, is an independent state agency charged with investigating and reporting to the public and to all of you regarding the safety and efficacy of various parts of our state funded system for children.

The statutory mandate of the office is very broad and it encapsulates duties to conduct child fatality reviews, conduct periodic facility reviews in any facility where juveniles are placed, to respond to citizen concerns and anyone calling the office who has a concern about a child.

Obviously given the staffing that we have, which is seven full time. We have six currently filled. All of those subject to available appropriation.

We are also by statute the -- a permanent member of the state’s Child Fatality Review Panel and Ms. Voswinkel is essentially she is our staff member but she staffs the Child Fatality Review Panel and is our primary child fatality investigator.

So as you can see -- so the way our work is really structured is that every day people call the office with concerns. Right. It could be a parent, a grandparent, an aunt, somebody with a concern about a child or it could be a professional. Just as likely a doctor, a nurse, a social worker, a hospitalist. But always the concern is about there is a child that I know, that I care about that has an unmet need.
Those types of calls fall into a variety of categories, special education, children in state custody in some way. We give all callers advice and referral and some path forward. We can't open every call for individual advocacy investigation. We are simply not staffed for that.

We do get a lot of calls also about special education and requests to go to school. Obviously we can only do that in rare circumstance.

But the intakes that we get in addition to the child fatality review informs our systemic work which is described on page two. I should add to that that we also have a facility investigator and as part of our child ombudsman work and part of our mandate to conduct facility reviews, our facility investigator goes directly to the places where vulnerable children are.

Now there are many, many, many of those places so we tend to pick the facilities that are state run, state funded and where highly vulnerable children are. Hospitals, correctional environments, programs, juvenile detention, programs like that. But we will go to other facilities wherever we can when there is a specific complaint that is made.

So we have direct child contact in that way. And all of that work informs our system investigation. So starting on page two, you can see that we do have significant responsibilities around child fatality review.

We do publish an annual report to the legislature summarizing child fatality investigation responsibilities and where we can or where the legislature asks or the Child Fatality Review Panel directs us, we conduct individual or cluster reviews.
of child death and you see that these reports are listed here.

The reviews and investigations that we do then inform the things that we recommend for change. Right. So we go from intake, child fatality review, public report, request for change. And we can see what I listed here from this past year that we published, is a child fatality report regarding the death by suicide of a teenage girl at the state run Albert J. Solnit Psychiatric Center which is DCF owned, funded and operated.

What we learned as part of that investigation was that prior to this child’s death last June, that there has been several other suicide attempts in the facility in the previous six months. That more than that, the Department of Public Health investigators had been in the facility because of a couple of serious occurrences in the previous six month and had issued the most stark finding that it is -- that DPH is enabled to issue under federal Medicaid regulations, which is what allows DPH to go in and investigate serious occurrences.

They issued multiple findings prior to that child’s death that there were deficiencies in Solnit that left children in quote immediate jeopardy of harm.

In our investigative work obviously we were alarmed by the tragic death of an child, and this child’s name is Destiny. She was also eight months pregnant at the time of her death and she was scheduled for discharge the next day.

So we had a lot of questions about why -- how that happens, how was a child who is a in place for treatment and scheduled for discharge, obviously was
not doing okay and dies the day before she was going to go. We did a lot of work on that.

But what from a systems perspective we were also significantly alarmed about was how you could have a state run facility by one agency where another agency is making those types of findings and it's not reported anywhere. It's not published anywhere.

So we published a report outlining that entire chain of events, you know, how the facility is regulated, what is deficient about that. Answer, a lot. What is transparent about it? Answer, nothing. And what we need to do to change that.

As part of our work, we then supplied recommendations to the legislature. We had a public hearing last September in the Children's Committee about that report. And right now actually today we have a bill on the docket of the Children's Committee calling for the development of a framework for transparency and accountability for state run and state licensed psychiatric treatment centers for children. Don't have that system now. We need to develop it.

So that's the flow of our work. We also published a fatality report at the request of the Children's Committee last year looking at what I think we would define as a cluster of child deaths in -- out of home daycare settings between 2016 and 2017 which in our view constituted a significant increase in the deaths of children at daycare settings.

And we made recommendations to your committee last session and again in the report when it was finally published looking at how are we making safe, licensed child care available to families because we found that of the nine infants and toddlers who died
in daycare settings during that time period six were in unregulated, unlicensed slash illegal daycare settings.

MS. VOSWINKEL: And we work very closely with the Office of Early Childhood and continue to do so on, you know, to bring unlicensed care out there licensed and working with families to just demonstrate the importance of being in licensed and regulated care.

SENATOR OSTEN (19TH): So back to the budget part.

MS. SARAH EAGAN: Yes.

SENATOR OSTEN (19TH): For a second.

MS. SARAH EAGAN: Yes, please.

SENATOR OSTEN (19TH): You have six filled positions.

MS. SARAH EAGAN: Yes.

SENATOR OSTEN (19TH): In your budget did you include the dollar amounts for the seventh?

MS. SARAH EAGAN: That is included in our budget, yes.

SENATOR OSTEN (19TH): And is that included in the Governor's budget also?

MS. SARAH EAGAN: Yes, it is.

SENATOR OSTEN (19TH): And so you are actively looking for someone to fill that position?

MS. SARAH EAGAN: It was posted, it’s closed and now we are sorting through the applications.

SENATOR OSTEN (19TH): And when you make recommendations for other state agencies or in the
Office of Early Childhood or anything else that has to do with that, are you looking to increase the dollars so that parents can afford licensed daycare?

And are you looking to increase the dollars for those agencies to function in a way that you would like to see them? So I think that should be part of your report. So if you are making recommendations, you can't make a recommendation that it’s not funded.

MS. SARAH EAGAN: Right.

SENATOR OSTEN (19TH): Because it is really easy to write a recommendation. It’s really hard to write a recommendation and include the funding for that recommendation. So I would just encourage you on you reports if you are going to make them, that you include the funding in them.

Is there any questions or comments? Representative McCarty on the budget. Please.

REP. MCCARTY (38TH): It is. It’s related to the budget. (Laughter) In the sense that I noticed in the past that you’ve met -- and thank you for all the good work that you do, first of all. It’s very important --

MS. SARAH EAGAN: Thank you.

REP. MCCARTY (38TH): --- work and I know you do a great job there and especially with some of the issues at the schools in the past.

But to go -- I noticed you put that you work with many task force and coalitions and if it’s not too much trouble if you could bring that to us with some identification of the volunteer work within your department, what they do, if it’s not too much.
MS. SARAH EAGAN: Absolutely.

REP. MCCARTY (38TH): That would assist us I think. Thank you.

MS. SARAH EAGAN: Absolutely. Yes.

REP. MCCARTY (38TH): For the whole committee. Thank you.

MS. SARAH EAGAN: Thank you.

SENATOR OSTEN (19TH): We look forward to seeing you in the subcommittee. Seeing no further questions.

MS. SARAH EAGAN: Great.

SENATOR OSTEN (19TH): Thank you. Have a nice day.

MS. SARAH EAGAN: Thank you.

UNKNOWN SPEAKER: Madame Chair?

SENATOR OSTEN (19TH): Oh, yes.

UNKNOWN SPEAKER: I just, are we done? We just have --

SENATOR OSTEN (19TH): Yes, I was just going to pull out the agenda and make sure I was saying the right thing.

UNKNOWN SPEAKER: Well, I was just -- I had a question. I know Rep. Lavielle wanted me to ask. Will there be a reschedule of the testimonies that were cancelled or postponed today for later? These that were listed? I'm just --

SENATOR OSTEN (19TH): Nothing was cancelled or postponed.

UNKNOWN SPEAKER: On our --
SENATOR OSTEN (19TH): They just decided not to come in. It’s not that we didn’t want them here. It’s just that they felt that they didn’t need to come in.

REP. DAUPHINAIS (44TH): So there won’t be a reschedule or we won’t be hearing them, is that what you are saying?

SENATOR OSTEN (19TH): But that's why I wanted to pull out the agenda because --

REP. DAUPHINAIS (44TH): Okay.

SENATOR OSTEN (19TH): We do have the board of firearms is coming tonight so we will have that tonight at 6 o’clock. So thanks, Kev. We seem to be having a lot of discussions so hold on one minute, everybody. So we are recessing until this afternoon. Thank you.