THE CONNECTICUT GENERAL ASSEMBLY

THE HOUSE OF REPRESENTATIVES

Wednesday, February 20, 2019

(The House of Representatives was called to order at 10:30 o'clock a.m., SPEAKER ARESIMOWICZ of the 30th District in the Chair.)

CLERK:

The House of Representatives will convene immediately. Members to the Chamber. The House of Representatives will convene immediately. Members to the Chamber.

SPEAKER ARESIMOWICZ (30TH):

(Gavel) Will the house please come to order? Will members, staff, and guests please rise and direct your attention to the Dias where Rabbi Lefkowitz will lead us in prayer.

HOUSE CHAPLAIN RABBI ALAN LEFKOWITZ:

Good morning. In scripture we read about the
construction of the first Holy Temple in Jerusalem by Solomon which would remain the site of God’s home through the destruction and reconstruction. Prior to the actual construction of the Temple, the scripture explains that Solomon, in his great wisdom made peace with his neighbor Hiram, King of Phoenicia located where Lebanon is today. The sages explain that peace is a prerequisite for building a House of God.

For all of us, let us remember that this isn’t just practical advice. It has a spiritual meaning. The sages teaches that one of God’s names is “Shalom-Peace”. God’s essence is peace, so the more we have peace, the more we’ll be able to encounter God. An environment filled with conflict and discord isn’t conducive for Godliness. If we want to have a deep and meaningful relationship with God, we must sort out our relationships with each other. We are reminded that God’s presence can be truly felt when there is a foundation of a peaceful and just society.

Each of us, we put a tremendous amount of time and
effort to become close to God, to experience God’s presence and to feel God’s nearness, yet closeness to God can never come at the expense of our relationships with people. There are no bitter, vengeful, and inconsiderate individuals simultaneously close to God.

If we want to experience God’s peace, the peace of God, we must make and keep peace with each other. And if we want to be able to build any place or relationship that we call sacred, we must start by building better relationships with each other -- all of us who are God’s children. And we say, Amen.

SPEAKER ARESIMOWICZ (30TH):

Would Representative Kerry Wood of the 29th district please come to the Dias and lead us in the Pledge of Allegiance.

REP. KERRY WOOD (29TH):

(All) I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

SPEAKER ARESIMOWICZ (30TH):
Is there any business on the Clerk’s desk?

CLERK:

Yes, Mr. Speaker, there is a list of Bills, No. 27, dated February 20, 2019 and the daily calendar.

SPEAKER ARESIMOWICZ (30TH):

Representative Ritter.

REP. RITTER (1ST):

Mr. Speaker, I move that we waive the reading of the list of bills and the bills be referred to the committees indicated. Thank you.

SPEAKER ARESIMOWICZ (30TH):

So, ordered.

CLERK:

Mr. Speaker, the last piece is the daily calendar.

SPEAKER ARESIMOWICZ (30TH):

We’ll need that today, Mr. Clerk. Are there any announcements are introductions? Announcements or introductions?

(Gavel) House come back to order. Will the Clerk please call Calendar No. 12?

CLERK:
On page 3 House calendar No. 12, House Resolution No. 19. RESOLUTION CONFIRMING THE NOMINATION OF THOMAS J. SAADI OF DANBERRY TO BE COMMISSIONER OF VETERAN’S AFFAIRS. Favorable report at the House Committee on Executive and Legislative Nominations.

SPEAKER ARESIMOWICZ (30TH):

Representative Godfrey, the esteemed Deputy Speaker.

REP. GODFREY (110TH)

Good morning, Mr. Speaker, how are you.

SPEAKER ARESIMOWICZ (30TH):

Good morning, sir.

REP. GODFREY (110TH):

I move acceptance of the House committee’s favorable report and adoption of the resolution.

SPEAKER ARESIMOWICZ (30TH):

The question before the chamber is on acceptance of the committee’s favorable report and adoption of the resolution. Representative Godfrey, you have the floor, sir.

REP. GODFREY (110TH):
Thank you, sir. Every once in a while, we have to do something we have joy about and I’m about to do that today because Tom Saadi is certainly a son of Danbury, only the second of two cabinet officials from Danbury in my lifetime. The other one was in Ella Grasso’s cabinet. But Tom Saadi is certainly more than well qualified to be the Commissioner of Veteran’s Affairs. Tom has been involved in public life for over 30 years. He has worked here. Originally, he went to law school at Quinnipiac I believe, and has just fulfilled the American dream. He worked hard, he went to school, and got a good education. He worked for the General Assembly. He went to law school. He wound up working for the Attorney General Blumenthal. He wound up –

SPEAKER ARESIMOWICZ (30TH):

(Gavel) Excuse me. I’d like to be able to hear Representative Godfrey. Thank you.

REP. GODFREY (110TH):

Thank you, Mr. Speaker. He worked for Attorney General Blumenthal and others since then. He was assigned to the Department of Veteran’s Affairs. He
wound up being the Legislative liaison and chief counsel and about a year ago. Then Governor Malloy had nominated him to be the Commissioner of Veteran’s Affairs, and he has served extremely well in that position over the last year. He’s also been active at home in a number of non-profit and charitable organizations. He has just finished 20 years of service on the city council in Danbury and was feted a few weeks ago for his service there. He is a member of the Army Reserve, the 411th, where he is part of the Judge Advocate Corp. He’s of Lebanese ancestry. The Rabbi mentioned Lebanon and the Phoenicians a few moments ago and I thought that was rather apropos.

Let me just kind of tell you about the man. I know his mother, Theresa, very well. She has certainly done a very good job of raising her son. He’s married, his wife, Val, works for one of the oldest non-profits in Danbury, Family and Children’s Aid which was actually founded in 1809. He has two lovely twins, Jacob and Sabrina, and he is a devoted dad and takes them everywhere. I know he would have
liked to have had them here today but, it’s a school
day. I understand. He’s just incredibly qualified
and I’m so happy after having worked trying to
persuade Governor Lamont to appoint him, nominate
him for a full term on his own to be able to say I’m
happy that the Executive and Legislative Nominations
Committee voted unanimously to approve his
confirmation and I hope all of my colleagues will
join me today in supporting his confirmation.
Thank you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative Godfrey. Would you
remark further? Would you remark further?

Representative Perillo of the 113th.

REP. PERILLO (113TH):

Mr. Speaker, thank you very much. I had the
opportunity to speak with Mr. Saadi at length and
what came to my attention very clearly, was not just
his qualifications and they’re obviously there and
the representative from Danbury outlined them.
There is no question in my mind that Mr. Saadi is
both focused on and dedicated to the individuals his
agency serves at VA. There’s just no doubt about it. And that commitment to your clients is really what I think makes a commissioner so talented, so effective, and so special. So I would urge everyone in this chamber to wholeheartedly support this nomination and affirm the resolution.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative Perillo. Would you remark further. Representative Vargas from the 6th district, my neighbor. Good morning, sir.

REPRESENTATIVE VARGAS (6TH):

Good Morning. Good to see you up there, Mr. Speaker. I’d just like to add my voice in support. Commissioner Saadi came before our Committee of the Executive Nominations and Legislative Nominations Committee. It was quite enjoyable listening to him speak about his service to our veterans in the state of Connecticut. I think I speak on behalf of all my colleagues when I say it was a unanimous situation where we were all very proud and happy to present this nomination here to the floor of the House of Representatives. I urge all my colleagues to adopt
the resolution.

Thank you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

    Thank you, Representative, will you remark further? From the 8th district, Representative Ackert. Good morning, sir.

REP. ACKERT (8TH):

    Thank you, Mr. Speaker. I appreciate it. And I too, also rise in strong support of Thomas Saadi. If you ever get a chance, if you have to be the speaker that follows Commissioner Saadi speaking it’s tough because he is such an eloquent speaker, you know whether it’s at Stand Down at Rocky Hill when we go and support the veterans and give them services there or it’s at Nathan Hale day. It’s always tough to follow him and I’m glad they don’t put me on a speaking rotation after him so, I strongly support as a veteran and American Legion member, all of us veterans have really taken to Commissioner Saadi and look forward to his continued service for our good veterans.

Thank you, Mr. Speaker.
DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative. Will you remark further? Representative Ferraro of the 117th district.

REP. FERRARO (117TH):

Thank you, Mr. Speaker and to echo the comments of my colleagues I rise in strong support of Commissioner Tom Saadi. Having worked with him on the Veteran’s Committee the last session and into this session, I found no greater gentleman, no greater command of the issues that face him as a Commissioner of Veteran Affairs and I urge all my colleagues to support. Thank you very much.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative Ferraro. Will you remark further? From the 127TH district Deputy Speaker Hennessy, you have the floor, sir.

REP. HENNESSY (127TH):

Thank you, Mr. Speaker. Mr. Speaker, as the former Chair of the Veteran’s Committee I rise in full support of this resolution. It was an absolute
pleasure working with Commissioner Saadi in the past. His breadth of knowledge, his experience within government is just exceptional. He’s the greatest advocate for veterans and I urge the resolution be pass. Thank you.

DEPUTY SPEAKER MORIN (28TH):

Thank you, sir. Will you remark further?

Representative Harding of the 107th district, the floor is yours, sir.

REP. HARDING (107TH):

Thank you, Mr. Speaker. Good morning, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Good Morning to you.

REP. HARDING (107TH):

Mr. Speaker, I rise in strong support of Commissioner Saadi. I know him in the local Danbury area. He is a man committed to public service whether it be the city council in Danbury or the countless organizations that he is part of in the local area, as well as, obviously his commitment to this nation serving in the United States Army and
the National Guard. I couldn’t think of a better person. He has done a fantastic job so far as commissioner. I strongly, strongly support his nomination. I urge all my colleagues to do the same.

Thank you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative Harding. From the 87th district, Representative Yaccarino.

REP. YACCARINO (87TH):

Speaker, good to see you up there. I stand in strong support of Commissioner Saadi. I’ve worked him on a number of issues for federal and local state issues and he cares so much about our veterans and their families, and he goes above and beyond. His motto is “Serve those who serve us”, and we should serve him, and we should serve all our veterans so I stand in strong support of Commissioner Saadi that will do the right thing by our veterans. They do so much for us and thank you.

Thank you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):
Thank you, Representative Yaccarino. Will you remark further? From the 106th district, Representative Bolinsky.

REP. BOLINSKY (106TH):

Thank you, Mr. Speaker. I rise in extremely strong support for the re-nomination of Tom Saadi as Commissioner of Veteran’s Affairs. And I raise this support on a personal level because for him, this doesn’t seem to be a job. It’s something that he truly, truly just lives. It’s the fiber of his being to be a caring individual. For the years that he has served already I run into him at events in my own community on a regular basis. I’ve had the opportunity to not only interact with Mr. Saadi but also to meet his entire family. This is a fine man. This is an honorable man and I can’t think of anybody who I’d prefer to be in this position so thank you very much for the opportunity to speak, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Thank you for those comments, Representative Belinsky. Will you remark further? The esteemed
ranking member of the judiciary committee,
Representative Rebimbas.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker and Good Morning to you.

DEPUTY SPEAKER MORIN (28TH):

Good morning. Please proceed.

REP. REBIMBAS (70TH):

Mr. Speaker, I wanted to take this opportunity
certainly to echo everything that’s been said and it
certainly Commissioner Saadi’s reputation,
professionalism, service is unmatched and I think
that’s evident because you see people on both sides
of the isle here standing strongly in his support so
I do want to thank the governor for re-nominating
him and I think Representative Godfrey and Perillo
said it best. He is one of the most qualified
individuals, and I too, lend my voice in strong
support of this resolution and his nomination.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative Rebimbas. Will you
remark further. My neighbor from Newington in the
27th district Representative Turco.
REP. TURCO (27TH):

Thank you, Mr. Speaker. I just rise to quickly support Commissioner Saadi. I had the opportunity to meet with him with Representative Kerri Wood in Rocky Hill this past Friday. I toured the Veterans Home and the hospital and got to see how the commissioner interacts with veterans, his staff, and just runs the entire operation and I’m very, very impressed. He is an incredible asset to our state and to our veterans and I’d like to urge my colleagues to support him as continuing to be our commissioner. Thank you.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative Turco. From the wonderful city of Danbury, Representative Arconti you have the floor, sir.

REP. ARCONTI (109TH):

Thank you, Mr. Speaker. Mr. Speaker, I rise in strong support of this resolution in support of my constituent, Commissioner Saadi. I know exactly what Representative Ackert was referring to, as I’ve had to follow Tom many of times back home in Danbury
at speaking engagements and it is indeed difficult to follow Commissioner Saadi. Tom is a dedicated public servant who cares deeply and works tirelessly for those who have raised their right hand and sworn to protect this country and the United States Constitution so I hope all my colleagues will support me in supporting this resolution and the re-nomination of Commissioner Tom Saadi.

Thank you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative Arconti. Will you remark further? Representative Vail.

REP. VAIL (52ND):

Thank you, Mr. Speaker I rise in support of Commissioner Saadi. I’m the current ranking member on the Veterans Affair Committee and over the last six weeks I got to know him quite well, and you could tell that his priority are the veterans of the state of Connecticut and --

DEPUTY SPEAKER MORIN (28TH):

(Gavel) If you have to have a conversation, I’d
ask that you’d please take them outside. I am trying to hear Representative Vail’s comments and I think most of you would probably like to hear them as well. Thank you, sir.

REP. VAIL (52ND):

I’m not sure about that but, thank you Mr. Speaker for that. Again, I’d just like to reiterate the kind words everyone else has said but, just in this six week you could tell that he’s committed to the veterans of the state of Connecticut and that’s his number one priority, and it’s just the type of guy we need leading this committee. Thank you.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative. Will you remark further? Would you care to remark further on the resolution before us? If not, let me try your minds. All those in favor of the resolution, please signify by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER ARESIMOWICZ (30TH):

All those oppose, nay. The ayes have it. The
adoption is resolute. The resolution is adopted if I’m speaking English. Thank you. Any announcements or introductions. Majority Leader Ritter.

REP. RITTER (1ST):

            Thank you, Mr. Speaker. Just so I could have the chamber’s attention. We had a death of a member’s brother over the last week and I just want to take an opportunity, and I don’t see him in the Chamber, unfortunately, but Representative Joe Serra who has served with great distinction for a long time, representing the city of Middletown. His brother, Tommy Serra passed away over the last couple of weeks. The Speaker and I, and actually Speaker Morin stood together for about three hours to wait to see the family and that’s an indication of how beloved the Serra family is in Middletown and how beloved Tommy Serra, was a former mayor, principal at Vinal Tech and one heck of a football player, apparently. So, I would just ask that the chamber, please give the Serra family a moment of silence, Mr. Speaker. Thank you.

DEPUTY SPEAKER MORIN (28TH):
Thank you, Mr. Majority leader.

(Gavel) Will the clerk please call Calendar No. 6?

CLERK:

On page 2, House Calendar No. 6, House Resolution NO. 14, RESOLUTION CONFIRMING THE NOMINATION OF KATHERINE SCHARF DYKES OF WEST HARTFORD TO BE COMMISSIONER OF ENERGY AND ENVIRONMENTAL PROTECTION. Favorable report of the House Committee on Executive and Legislative Nominations.

DEPUTY SPEAKER MORIN (28TH):

The distinguished Chairman of the Executive Nominations Committee, Representative Vargas.

REP. VARGAS (6TH):

Thank you, Mr. Speaker. I move acceptance of the Joint Committee’s favorable report and adoption of the resolution.

DEPUTY SPEAKER MORIN (28TH):

House Committee’s favorable report and adoption of the resolution. The question before the Chamber as an acceptance of the committee’s favorable report
and adoption of the resolution. Representative Vargas, you have the floor.

REP. VARGAS (6TH):

The resolution is to confirm Katherine Scharf Dykes of West Hartford to be the next Commissioner of Energy and Environmental Protection. She met with our committee and received unanimous support on February 5th. Her career has involved a lot of things, but most recently she served as Chair of the Connecticut Public Acceligize Regulatory Authority and she’s got quite an extensive resume. I urge adoption of the resolution.

DEPUTY SPEAKER MORIN (28TH):

Thank you very much, sir. Would you care to remark further? From the 113th district, Representative Perillo.

REP. PERILLO (113TH):

Thank you very much, Mr. Speaker. I would echo the gentleman’s comments. The commissioner designate appeared before the committee and really handled all of our questions with knowledge and with skill and illustrated that she is very much up to
the task and very qualified and will do a wonderful job. I would urge adoption of the resolution.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative Perillo. Will you remark further? From the 8th district, Representative Eckert.

REP. ECKERT (8TH):

Thank you, Mr. Speaker. I didn’t know I’d be speaking on this many commissioners appointed, but it’s been an honor to serve as Energy and Technology ranking member. Having followed Commissioner Dykes throughout the years and her bi-partisan inclusion in terms of working with both sides of the isle, this person could have been nominated from any administration, so I look forward to continuing working with her and the good work she’ll do under DEEP.

Thank you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Thank you very much, Representative Eckert. Will you remark further? Would you care to remark further on the resolution before us? From West
Hartford, Representative Gilchrest, you have the floor, Madam.

REP. GILCHREST (18TH):

Thank you, Speaker. I rise in strong support of this resolution confirming the nomination of Ms. Katie Dykes. She is not only a constituent, but a friend, and is extremely passionate about energy and environmental issues, and I think she’ll do a great job. Thank you.

DEPUTY SPEAKER MORIN (28TH):

Thank you very much, Representative. Would you care to remark further? Would you care to remark further on the resolution before us? If not, let me try your minds. All those in favor of the resolution, please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER MORIN (28TH):

All those oppose, Nay. The ayes have it. The resolution is adopted.

DEPUTY SPEAKER MORIN (28TH):

Will the clerk please call Calendar No. 7?
CLERK:

On page 2, House Calendar No. 7, House Resolution No. 15, RESOLUTION CONFIRMING THE NOMINATION OF MELISSA MCCAW OF MIDDLETOWN TO BE SECRETARY OF THE OFFICE OF POLICY AND MANAGEMENT. Favorable report of the House Committee of Executive and Legislative Nominations.

DEPUTY SPEAKER MORIN (28TH):

Representative Phipps, the esteemed Vice-chair of the committee, the floor is yours, sir.

REP. PHIPPS (100TH):

Good morning, Mr. Speaker and thank you. I move acceptance of the Joint Committee favorable report and adoption of the resolution.

DEPUTY SPEAKER MORIN (28TH):

The question before the Chamber as an acceptance of the committee’s favorable report and adoption of the resolution. Representative Phipps, you have the floor.

REP. PHIPPS (100TH):

Thank you, Mr. Speaker. I am very, very proud
to move forward with Melissa McCaw for secretary of the Office of Policy and Management. In this tough economy, we’re going to need someone that understands budgeting on multiple levels, and she has both the education and the experience to do so. She currently works as a director of management of budget and grants for the city of Hartford and as their intern chief financial officer. She was also formerly the university budget director at her Alma Mater of University of Hartford. She is a mother of 3. She is the first lady of her church, so she understands the importance of this budget for non-profits for families. She understands the importance for our educational system, for city governments and towns. She is the right person for the job. She answered all our questions creatively, softly and she is the person for this job as we move forward to make an equitable budget. I proudly urge everyone -- I urge adoption.

DEPUTY SPEAKER MORIN (28TH):

Thank you very much, sir. Would you care to remark further? Ranking member, Representative
REP. PERILLO (113TH):

Thank you again, Mr. Speaker. This nominee is uniquely qualified for the position of OPM secretary in the state of Connecticut. In her previous position, she was the budget director for the city of Hartford and I mean no offense or disrespect from the legislators from the city of Hartford, but if there were ever a challenged government budget process, it is perhaps even worse than ours here in the state of Connecticut, it is the city of Hartford. However, I would have some concerns, and I think it’s rational for some folks to have some concerns about the nominee. The nominee was deeply involved in the bailout of the city of Hartford. While she was able to answer questions about that, I think if you had concerns about the bailout, you may have concerns about the nominee. Though the nominee has extensive experience and, quite frankly is clearly qualified for the position I think that some of that previous experience, it is reasonable that individuals in this Chamber may have some concerns.
I was concerned by the nominee’s thoughts and answers to my questions about redistribution of property taxes. I was concerned about the nominee’s answers to some of my questions about tax policy in general. I certainly understand the nominee was nominated by the governor and is obviously going to espouse the governor’s policies. I get that. I appreciate it. But, I will say I think it’s very reasonable for any member of this Chamber to be concerned about what this individual will put forth in her role as OPM secretary and Mr. Speaker, if you don’t mind, I would ask when this vote be taken, it be taken by roll.

DEPUTY SPEAKER MORIN (28TH):

The question is on a roll call vote. All those in favor?

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER MORIN (28TH):

I believe the 20 percent has been met. It was a little close, but it got a little spirit there so when the vote is taken, it will be taken by roll.
Will you remark further? Would you care to remark further on the resolution before us? If not, will staff and guests please come to the well of the House. Members please take your seat. The machine will be open. [ringing]

CLERK:

The House of Representatives is voting by role. Members to the Chamber. The House of Representatives is voting by roll. Members to the Chamber.

DEPUTY SPEAKER MORIN (28TH):

Have all the members voted? If all the members have voted and their vote is properly cast, the machine will be locked, and the Clerk will take the tally. The Clerk will announce the tally.

CLERK:

House Resolution No. 15

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DEPUTY SPEAKER MORIN (28TH):

Resolution is adopted. (Gavel) Will the Clerk please call Calendar No. 5?

CLERK:

On page 1, House Calendar No. 5 House Resolution No. 13, RESOLUTION CONFIRMING NOMINATION OF VANESSA DORANTES OF BRISTOL TO BE COMMISSIONER OF CHILDREN AND FAMILIES. Favorable report of House Committee on Executive and Legislative Nominations.

DEPUTY SPEAKER MORIN (28TH):

Representative Vargas.

Should be okay Representative?

REP. VARGAS (6TH):

Yes Mr. Speaker, I move acceptance of the House Committee’s favorable report and adoption of the resolution.

DEPUTY SPEAKER MORIN (28TH):

The question before the Chamber is on acceptance of the committee’s favorable report and adoption of the resolution. Representative Vargas, you have the floor.

REP. VARGAS (6TH):
Thank you, Mr. Speaker. I would just like to say that I am very proud of the fact that Commissioner Vannessa Dorantes, our commissioner designee who will hopefully approved today through this resolution is part of the Department of Children and Families with 26 years of Child Welfare operations experience. She has been an outstanding division leader within the agency and I’m very proud that she’s moving up within the agency to the position of commissioner. Many times, we seek people from outside the agency. This time we found somebody within the agency that is more than qualified and doing an excellent job in a very difficult agency. As we know DCF is a very challenging agency.

Commissioner Dorantes has a bachelor’s degree in psychology from Post University and a Master’s in social work from the University of Connecticut, and during the hearing where she was approved unanimously by our committee, it was very obvious that she is more than qualified to lead this agency, so I urge my colleagues to vote for adoption of the
Thank you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative Vargas. The question is on adoption of the resolution. Representative Perillo from the 113th.

REP. PERILLO (113TH):

Thank you again, Mr. Speaker. I rise in support of the nominee before us. I’ll be honest. At first, I had concerns. DCF, as we know, is a very challenged agency over the course of many, many years so I was concerned that perhaps promoting someone from within the agency might be a problem but after having extensive conversations with the nominee, it’s very clear to me that she understands the issues. She understands the gravity of the issues and she’s also very, very committed to the clients of the agency, and I think that’s one of the most important things, and I wish her well in a very, very difficult position and I would urge that everyone here support her, and I would urge adoption of the resolution.
DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative. Will you remark further? Representative Betts of the 78th district.

REP. BETTS (78TH):

Thank you, very much and good morning, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Good morning, sir.

REP. BETTS (78TH):

I rise in support of Vannessa. She clearly is very passionate and has devoted a good part of her life to child welfare. I think it’s refreshing to see that we promote someone from within the agency who knows the people involved, and I think she’ll bring a nice, healthy perspective to managing what everybody has said is an extremely difficult position and agency to manage and I wish her the very best. I ask my colleagues to please support her nomination because she is extremely well qualified and I thank you very much, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative Betts. Will you
remark further? Esteemed Chairman of the Children’s Committee, Representative Linehan.

REP. LENEHAN (103RD):

Thank you very much, Mr. Speaker. I rise in strong support of Vannessa Dorantes nomination. As the Chair of the Children’s Committee which has cognizance over the Department of Children and Families we have had extensive conversations as well and I’d like to echo the sentiment of my colleagues to say, not only is she extremely well qualified, but she has given me hope for the future for our children. I look very much look forward to working with her throughout the years, and I ask everyone to please support her nomination as well. Thank you.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative. The esteemed Deputy Speaker from Waterbury and also my lone remaining classmate from the Class of 2007, Representative Butler.

REP. BUTLER (72ND):

Good morning, Mr. Speaker. It is good to see you there.
Likewise, Good morning.

I rise in support of Vannessa Dorantes. Having Waterbury roots as she comes from a very good family in Waterbury that actually instilled a lot of very good values, and that can be seen in her work ethic, and what she pursued as a career. I am so proud to stand here and actually support someone who has the background in the agency, an appointment within the agency recognizing the good work that she’s done for over 26 years.

It is an honor to stand here and have the privilege to actually support you in this regard. I would ask that my colleagues support this nominee, and not only with a vote today but with the resources to do the job, because this is not just a matter of putting somebody in place. It’s about supporting that person once they’re doing the job, so I would ask that my colleagues support this nomination.

Thank you, Mr. Speaker.
DEPUTY SPEAKER MORIN (28TH):

Thank you, sir. My good friend from Torrington, Deputy Speaker Representative Cook.

REP. COOK (65TH):

Good morning, Mr. Speaker, nice to see you there.

DEPUTY SPEAKER MORIN (28TH):

Good morning. Likewise.

REP. COOK (65TH):

Mr. Speaker, I really rise to speak about a nominee, but I believe this one is extremely important and the reason why I believe standing and talking about Vannessa specifically is my past working experiences with her. Some of the most important and some of the most critical and heart wrenching cases we have as a legislator is dealing with our youth in the state of Connecticut. There’s nothing worse than picking up the phone from somebody that’s lost their children.

DEPUTY SPEAKER MORIN (28TH):

(Gavel) Excuse me, again, I’m going to ask you if you need to have a conversation, please take it
outside. Thank you.

REP. COOK (65TH):

Thank you, Mr. Speaker. There is nothing more important that we do here in this position, is to protect those who cannot protect themselves, and that is our youth. When you have a family that has been separated from their child. When you have a child that has no idea what’s happening next because of something that has happened and circumstances well beyond their control, the one thing that we must do is protect them. The one thing that we must do is ensure that the next step in their journey is a safe environment of which we know is secure where a family that will not be their family has the same intentions and love that we must have for that child. It is to unify families to ensure that children do not stay in the system.

In the multiple cases that have come across my desk over the 10-1/2 years that I’ve been in office have been about children and families that have been broken apart for whatever the reason and every time regardless of the position that Vanessa had in the
department, she was receptive, willing, able, and dedicated and committed to ensuring our children were protected first and foremost.

With no stone left unturned to ensure that our children had exactly what they need. We know that our department has gone some very, very difficult times. Every one of us in this room have knocked on hundreds of thousands of doors and one of the most important conversations each one of us have heard is the Department of Children needs to be changed. It needs a direction. It needs to be revamped. We need significant improvements. We have got to put our money where we believe our hearts are. It is with our children and I believe that the dedication and commitment that we see out of Vanessa will do exactly that.

Not only has she been with the department for a number of years, she has worked herself up in each and every layer of that department, knowing where the good, the bad, and the needs are. So, I stand here in full support of this nomination and I truly encourage each and every one of my colleagues to do
the same. I so look forward to what she will be able to do, not only for this agency, but for every child that walks through those doors and for the great state of Connecticut.

Thank you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

    Thank you, Speaker Cook. Thank you very much. Would you care to remark further? Would you care to remark further on the resolution before us? If not, let me try your minds. All those in favor of the resolution please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER MORIN (28TH):

    All those oppose, nay. The ayes have it. [Gavel] And the resolution is adopted. Chamber will stand at ease.

    Chamber will come back to order. Will the Clerk please call Calendar No. 13?

CLERK:

    On page 4, House calendar No. 13, House Resolution No. 11, RESOLUTION PROPOSING APPROVAL OF
A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE
DIVISION OF PUBLIC DEFENDER SERVICES AND THE PUBLIC
DEFENDER ATTORNEYS AND SUPERVISING ATTORNEYS LOCAL
381, AFSCME COUNCIL 4, AFL-CIO. Favorable report of
the House standing Committee on Appropriations.
DEPUTY SPEAKER MORIN (28TH):
Representative D’Agostino.
REP. D’AGOSTINO (91ST):
Thank you, Speaker. I move for acceptance of
the House committee’s favorable report and accept
adoption of the resolution.
DEPUTY SPEAKER MORIN (28TH):
The question before the Chamber is acceptance
of committee’s favorable report and adoption of
resolution. Will you remark?
REP. D’AGOSTINO (91ST):
Thank you, Mr. Speaker. The resolution before
us approves a collective bargaining agreement
between the state and our 183 public defenders.
We’ll, I’m sure get into the details of the contract
shortly but, subsequent to the contract being
submitted to the Clerk of the house the parties, the
state, and the public defenders agreed to an amendment to the contract and I want to make sure we have the full contract before us as we debate that contract so the Clerk has an amendment. It is LCO No. 4569. I would ask that the amendment be called, and I’d be granted leave of the Chamber to summarize.

DEPUTY SPEAKER MORIN (28TH):

Will the Clerk please call LCO 4569 which will be designated House Amendment Schedule A.

CLERK:

House Amendment Schedule A LCO No. 4569 offered by Representative D’Agostino.

DEPUTY SPEAKER MORIN (28TH):

Representative seeks leave of the Chamber to summarize the amendment. Is there objection to summarization? Is there objection? If hearing none, Representative D’Agostino, you may proceed with summarization.

REP. D’AGOSTINO (91ST):

Thank you, Mr. Speaker. As I mentioned, subsequent to the contract being submitted the
parties agreed upon set language that deals with the Janus v. AFSCME case that the Supreme Court decided last year, which of course ruled unconstitutional so-called fair share fees or agency fees. The original contract had a provision in there that still called out for the deduction for such fees since they are unconstitutional. The parties agree to take that language out. That is what the amendment does, and I urge adoption.

I should note, what we’re voting on is an amendment to the resolution not an amendment to the contract, the parties themselves have already amended the contract. This language in the resolution amends our resolution to reflect the fact that we will be voting on a fully amended contract. Thank you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Question before Chamber is adoption.

Representative Lavielle of the 143rd district.

REP. LAVIELLE (143RD):

Thank you very much, Mr. Speaker. I just wanted to say thank you that the republican caucuses had
brought out the request for this change in language and we’re very grateful for it and I would -- I stand in support of the amendment and I urge everyone to support it as well. Thank you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative. Will you remark further on the amendment before us? From the 90th district, Representative Fishbein.

REP. FISHBEIN (90TH):

Thank you, Mr. Speaker. Good morning to you. I just had some questions about the amendment if I may.

DEPUTY SPEAKER MORIN (28TH):

Please proceed, sir.

REP. FISHBEIN (90TH):

Thank you, sir. My understanding of the Janus decision is essentially is that one can opt out of having the dues taken out of the check or opt out of the union and that, that is supposed to take affect upon that communication being communicated. Through you, Mr. Speaker.
DEPUTY SPEAKER MORIN (28TH):

Representative D’Agostino.

REP. D’AGOSTINO (91ST):

Thank you, Mr. Speaker. So good question. Let me just back up here. The Janus decision, all that did, for all the publicity around it, was ruled unconstitutional, these fair share fees or these agency fees.

So if you are a non-member of a union you were previously charged a fair share fee to account for administrative costs, grievance costs, that sort of thing, and so Janus said fair share fees charged to non-members are unconstitutional and cannot be deducted at all so this amendment makes clear in the contract that those fees cannot be taken out. What Janus does not do, and this is important, Janus does not regulate the relationship between members, people who have affirmatively elected to become a member of a union and the union. So union dues between members and the union are still regulated if you will, by the contractual relationship typically set forth in the authorization form, and this
provision simply says that when a member, not a non-member, a member says I don’t want to be a member of the union anymore, that the union dues that that member had previously authorized cannot be deducted from that member’s paycheck anymore. It allows for a 30-day time period for the state to process that so, for example those dues are typically deducted on a bi-weekly basis. Let’s say somebody elects to say I don’t want to be a member of the union on Thursday, well the state can’t deal with that in 24 hours. They need a 30-day period to do that.

Typically, the authorization cards between members and the unions also have that 30-day provision. I am unaware of any that do not. So, the 30-day language in here is congruent with the authorization cards. That’s a long way of saying that the amendment only deals with Janus and non-member fees. The representative’s question, I think was going to the member fees between the union and the members. That’s not necessarily what this deals with, at least with respect to Janus. This amendment just simply sets forth that there will be a 30-day
time period. You have to give 30 days’ notice if you are a member and you decide to elect to not be a member anymore. Those dues then not come out of your paycheck on the next 30 pay cycle.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative. Representative Fishbein.

REP. FISHBEIN (90TH):

Thank you, Mr. Speaker. Perhaps I can ask a little clearer question. Understanding that if I am the union member and today, I say I do not want that to be a member anymore. Will there be, under this contract any more dues paid after that day?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative D’Agostino.

REP. D’AGOSTINO (91ST):

Through you, Mr. Speaker. So, let’s say in that example I just deposited that you say on Thursday you do not want to be a member anymore.
You give notice to the union that you don’t want to be a member, but your paycheck is coming out on Friday and the dues are taken out. In that scenario, the dues would be taken out of your paycheck. The key here is what does the members contractual relationship, the authorization card say between the member and the union. Typically, those cards say you have to give us 30 days notice precisely for this situation to account for that administrative lag and time frame, so, but in the example that was just give, yes, it’s possible that that could happen but my understanding of again, the relationship, the contractual relationship between the members and the unions is that, that is permitted, that you, when you sign up, you sign up and one of the things you agree to when you sign up to be a member of the union is that you have to give 30 days notice for precisely this situation, and this amendment to this contract, and I should note by the way that this amendment to this contract is the exact same language that is in all our negotiated wage an hour contracts that’s been agreed
to between the states and the unions. This amendment just simply makes that congruent with the existing relationship between the member and the union.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Thank you, sir. Representative Fishbein.

REP. FISHBEIN (90TH):

Thank you, Mr. Speaker. And if I am to assume the employee is paid on a bi-weekly basis, given the 30-day provision there would not only be under the good representative scenario, one payment deduction there would most likely be another one at least within that 30-day period.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative D’Agostino.

REP. D’AGOSTINO (91ST):

Through you, Mr. Speaker. In that scenario that we’ve been talking about, yeah, it’s entirely possible that you could have two paychecks. I mean, it would have to be pretty close in terms of a
notice to cash the second one but, that is possible.

And just to sort of complete the hypothetical here, as I said, as far as I am aware of most of those authorization cards have that 30-day time period. Let’s say one of them doesn’t and a member has a -- an argument that hey, no I said I wanted to end now. I don’t want any dues out and you deducted those dues. What happens in that scenario?

This amendment includes an indemnification provision that puts the entire once on that and the financial responsibility for that happening on the union. So, let’s say the state pays, takes those dues out. Let’s say one paycheck or two paychecks, and the member says I didn’t sign up for that and the member wins that. Let’s say they sue their union and they win that argument where they actually have a provision and their authorization card that lets that happen. The state gets reimbursed by the union for that. That’s the purpose for the last part of this amendment to the contract, the indemnification provision, to make sure that in that scenario, however unlikely it may be, the state its
not on the hook. The union is on the hook. Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Fishbein.

REP. FISHBEIN (90TH):

Thank you, Mr. Speaker. So, contemplating those two deductions coming out of the employee’s check during that 30-day period, the good representative, I believe based on his prior answer would have that employee now have to bring a legal action to get that money back from the union. Is that what I’m hearing?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative D’Agostino.

REP. D’AGOSTINO (91ST):

Through you, Mr. Speaker. And again we’re in the hypothetical land here, because again my understanding is the starting point for all of this is what is the contractual relationship between the member and the union and that’s typically laid out in that authorization card and most of those cards
say “Hey member when you sign up to become a member of this union, you must give us 30 days notice”.

What I’m positing is a situation where that language is not in the authorization card or a member has some sort of legal argument that it’s invalid, whatever the case may be, and it’s determined that the effectiveness of the withdrawal is immediate. In that case, the member would have a claim, but again if that’s the scenario we’re talking about that is solely between the member and the union and the contractual relationship between them as set forth in the authorization card. It has absolutely nothing to do with the state and the state has absolutely no liability in that scenario.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Fishbein.

REP. FISHBEIN (90TH):

Thank you, Mr. Speaker. And I don’t know if the representative is aware of this current litigation pending with regard to the validity of that card that is signed by the union member who
agrees to the 30 days.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative D’Agostino.

REP. D’AGOSTINO (90TH):

Through you, Mr. Speaker. I am indeed. There is some litigation percolating up. This is separate from Janus where people are arguing that the terms of those union cards, regardless of what they say should be immediate. That’s litigation ongoing. I would expect it to wind up at the Supreme Court yet again and if we have a subsequent decision that deals with that issue and we have to amend these contract languages -- language, then I’m sure that it’s exactly what the state and the unions will do. That is exactly what they did post Janus, both with this amendment before us and also prior amendments to all the contracts. That’s exactly how we dealt with his in the past. I’m sure that’s how we’ll deal with it in the future if that litigation is successful.

Through you.
DEPUTY SPEAKER MORIN (28TH):

Representative Fishbein.

REP. FISHEBEIN (90TH):

Thank you, Mr. Speaker. Just by way of conclusion, the language before us is stridently better than the previous language that we all agree was in violation with Janus. It just doesn’t get there for me. I think it could have very easily had a provision that allowed for reimbursement for those overpayments after the notice. That could be changed in the future also. I don’t think that there’s proper protections here and there for, I appreciate the amendment, but I’ll be voting against. Thank you.

DEPUTY SPEAKER MORIN (28TH):

Thank you, sir. Will you remark further. Representative Lavielle. Will you remark on the amendment before us? Will you remark further? If not, I will try your minds. All those in favor signify by saying aye.

REPRESENTATIVES:

Aye.
DEPUTY SPEAKER MORIN (28TH):

All those oppose nay. The ayes have it. The amendment is adopted. Would you care to remark further? Representative D’Agostino.

REP. D’AGOSTINO (91ST):

Thank you, Mr. Speaker. So, now we have before us, the entire contract as amended. Let me bring out a brief summary before we get any questions. So, again this is a contract with our public defenders and if anybody’s watched a criminal TV show right, you’re familiar with the Miranda warning. The, you have the right to remain silent, anything you say can and may be used against you in a court of law. You have a right to an attorney. If you cannot afford an attorney, one will be provided to you.

That last piece, that we’re all familiar with actually comes from the 6th amendment and a case that is about 50 years old called Gideon v. Wainright. The U.S. Supreme Court decided that every criminal defendant in this country is entitled to the assistance of counsel even if they cannot
afford one, so in reaction to that states did a number of things.

In Connecticut, we created a statewide public defender system where one of about 20, 22 states that have done that. Other states do it on a county basis. There’s about 183 public defenders who serve at 38 different field offices throughout the state. They have, they deal with everything from trials to habeas petitions to appeals, to adult and juvenile matters.

By the way, those numbers about 183, that’s down from about 400 about 10 years ago. And when we created the public defender system in this state, we did something interesting. We said we value your work the same as we value our prosecutors and therefore, we have embedded in our statutes in Section 51-293H, we’ve said that public defenders are to be paid the same as our prosecutors and so that’s what we’ve been doing since 1974 when we created the public defender system. They get the same pay. If the prosecutors get a raise, they get a raise. They have the same retirement benefits as
the prosecutors.

They’re all a part of the state retirement system, so all these employees currently exist. They are not new. Their pay is not new. Their retirement benefits are not new. What is new, is that they’ve decided to form a union. They haven’t been unionized previously. Like I’ve said they’ve been dealing with this on a statutory basis, on a yearly basis, they decided to petition for the right to form a union and they were granted that, and they negotiated a contract. All this contract does is codify exactly what they’ve been getting, the same pay as the prosecutors.

And, by the way, not just same pay but when the prosecutors took three furlough days last year, so did the public defenders even though they were under no contractual obligation to do so saving the state more than $600,000. So, again, to be clear and we’ll get into this more these are not new employees. These are not new costs. They are part of the retirement system and as part of the current retirement system for new employees, I’m sure as
everybody here knows that is a particularly well-funded system, right. Every dollar we spend on our retirement, about 16 cents goes to the current employees. 84 cents goes to make up for the past 40 years. So, this does not have any real new costs.

It’s been costed out by OFA based upon what the prosecutors make. And, it’s reasonable, it’s budgeted, and it’s for people who put themselves out there and make a lot less than they can make in the private sector because they believe strongly in the idea of equal justice under law and I urge adoption, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much. The question before the Chamber is adoption. Representative Lavielle of the 143rd, you have the floor Madam.

REP. LAVIELLE (143RD):

Thank you very much, Mr. Speaker. And I thank the good representative for all of those explanations. I do have a preliminary question in addition to others. Are the public prosecutors unionized?
Through you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Representative D’Agostino.

REP. D’AGOSTINO (91ST):

Through you, Mr. Speaker. Correct, they are.

SPEAKER ARESIMOWICZ (30TH):

Representative Lavielle.

REP. LAVIELLE (143RD):

Was there any reason that for, any period of time that they were in a union and the public defenders were not?

SPEAKER ARESIMOWICZ (30TH):

Representative D’Agostino.

REP. D’AGOSTINO (91ST):

Through you, Mr. Speaker. That’s just a question for the public defenders. They decided that they were happy with the prior scheme where they were paid pursuant to statute. They decided to a couple of years ago to for a union and they did.

Through you.

SPEAKER ARESIMOWICZ (30TH):

Representative Lavielle.
REP. LAVIELLE (143RD):

Thank you. Was everything including fringes and the increases in the lump sum and all that included in the statute?

Through you.

SPEAKER ARESIMOWICZ (30TH):

Representative D’Agostino.

REP. D’AGONSTINO (91ST):

Through you, Mr. Speaker. If I understand the question, public defenders got all of those things, so they got, for example, longevity payments, again until up to 2011 when we ended that. They got the same salary increases as prosecutors and with respect to this contract being congruent with the prosecutors, they will get the lump sum that was called for the wage an hour negotiation that we did with all other unions and the same other increases the GWI in step that was agreed to for all the other unions including the prosecutors.

Through you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Representative Lavielle.
REP. LEVIELLE (143RD):

Thank you. So that is a good occasion to go over some of those things. So, if I understand properly, the public defenders’ contract or collective bargaining agreement covers 183 employees. Is that right?

Through you, Mr. Speaker.

REP. D’AGOSTINO (91ST):

Correct.

Through you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Representative Lavielle.

REP. LAVIELLE (143RD):

Thank you. And the costs that are covered and that are detailed in the OFA fiscal note for this particular contract, those costs cover only the incremental amounts over the salaries these people are already earning. Is that correct?

Through you.

SPEAKER ARESIMOWICZ (30TH):

Representative D’Agostino.

REP. D’AGOSTINO (91ST):
Through you, Mr. Speaker. Correctly stated.

SPEAKER ARESIMOWICZ (30TH):

Representative Lavielle.

REP. LAVIELLE (143RD):

Very good. So, in the coming biennium which we are just about to begin the budgeting process for, dangling preposition, what are the total incremental costs for, that are covered by this contract, for fiscal 2020 and fiscal 2021.

Through you. The total.

SPEAKER ARESIMOWICZ (30TH):

Representative D’Agostino.

REP. D’AGOSTINO (90TH):

Through you, Mr. Speaker. The incremental costs for fiscal year 2020, and I’m including fringe benefits in this is $1.5 million and for 2021 about $3 million.

Through you.

SPEAKER ARESIMOWICZ (30TH):

Representative Lavielle.

REP. LAVIELLE (143RD):

Thank you. And if we look at the break down of
the cost. If again, and I believe this was covered in our broader contract, the first, in each year, am I correct, that each employee would receive automatically a wage increase of 3.5 percent.

Through you.

SPEAKER ARESIMOWICZ (30TH):

Representative D’Agostino.

REP. D’AGOSTINO (90TH):

Through you, Mr. Speaker. Yes, correct, same as the other wage an hour contracts that we’ve negotiated.

Through you.

SPEAKER ARESIMOWICZ (30TH):

Representative Lavielle.

REP. LAVIELLE (143RD):

And then each employee is, if they haven’t maxed out, they are eligible for a step increase, sometimes referred to as a merit increase each year.

SPEAKER ARESIMOWICZ (30TH):

Representative D’Agostino.

REP. D’AGOSTINO (90TH):

Through you, Mr. Speaker. That’s correct.
There are step increases for fiscal years 2020 and 2021. Those hinge off of the date of hire. Some people get them July 1 and some people get them January 1, but step is included in fiscal year 2020 and 2021.

Through you.

SPEAKER ARESIMOWICZ (30TH):

Representatives, with all due respect, I will now be calling on Representative Ritter of the 1st district.

REP. RITTER (1ST):

Thank you, Mr. Speaker and I would move that we pass this item temporarily and I do apologize for the Chamber. It appears we will have to come back in after the governor’s speech. Thank you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Question is before the chamber is passing temporarily? Is there objection. Is there objection? None heard. This bill is passed temporarily.

Will the Clerk please call House Resolution 20?
HOUSE RESOLUTION No. 20, RESOLUTION RAISING A COMMITTEE TO INFORM THE SENATE THAT THE HOUSE IS READY TO MEET IN JOINT CONVENTION introduced by Representative Ritter.

SPEAKER ARESIMOWICZ (30TH):

Representative Ritter, I’m doing it a little backwards. I think you have to move to suspend our rules. Would you please do so sir?

REP. RITTER (1ST):

Mr. Speaker, I move for the suspension of our rules for immediate consideration of House Resolution 20.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, sir. Is there objection? Is there objection? Hearing none, Mr. Clerk you’ve already called it. Representative Ritter.

REP. RITTER (1ST):

Mr. Speaker, I move adoption of the resolution. I believe it’s self-explanatory.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much. The question is under the
adoption of the resolution. Will you remark? Will you remark? If not, let me try your minds. All those in favor, please signify by saying Aye.

REPRESENTATIVES:

Aye.

SPEAKER ARESIMOWICZ (30TH):

Those oppose, nay. The ayes have it. The resolution is adopted.

At this time the Chair will appoint a committee to inform the Senate. The Chair will appoint Representative Candelaria and Representative Mushinsky and Representative O’Dea.

While we are preparing for the Joint Convention, are there any announcements or introductions? Any announcements or introductions? Seeing none, chamber will stand at ease.

(Gavel) Will the House please come to order. Members please take your seats. I see some of the members of the Senate arriving. Welcome. I enjoy the promptness.

Representative Ritter, I believe that you have an introduction.
REP. RITTER (1ST):

Mr. Speaker, I do, and I rise with great honor to do this but, I decided this year to invite who I consider the most popular person in the city of Hartford to join us for the governor’s budget address today. Our fire chief, Reggie Freeman is sitting down there below who is going to stand in three seconds, but I just want to let you know how wonderful, how lucky we are in Hartford to have as our fire chief and to let you know he served in Iraq as a civilian fire chief for the Department of Defense from 2004 to 2008. He was the fire chief for Lockheed Martin in Georgia and U.S. Air Force plant 6 where he was named professional of the year in 2009. He is a graduate and fellow of Harvard Universities, senior executives for state and local government program at the Kennedy School of Government. For the past 18 months, if he wasn’t busy enough as fire chief, he was our interim and acting DPW director. So, I ask the whole chamber to give a warm welcome to Chief Reggie Freeman from the city of Hartford. [Applause]
SPEAKER ARESIMOWICZ (30TH):

Chief, thank you for coming in and Mr. Majority Leader thank you for the clarification. I always believe it was you and Governor Lamont that were tied for the most popular person in Hartford but it’s good to know the Chief is here. Representative Candelaria.

REP. CANDELARIA (95TH):

Thank you, Mr. Speaker. Mr. Speaker I am please to report that the committee to inform the Senate that the House is organized has met and called upon Lt. Governor and told the Senate that we were ready to meet in Joint Convention.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, sir.

Ladies and Gentlemen, at this time it is my distinct pleasure to introduce to the chamber Lt. Governor Susan Bysiewicz. [Applause]

LT. GOVERNOR BYSIEWICZ:

Well good day to everyone. It is a pleasure to be here and to call the Joint Convention to order and it is my pleasure to call our Senate Chaplain
Reverend Father James Nock to give the prayer.

REV. JAMES NOCK:

Let us pray. Mighty Father, we ask Your blessing on this Joint Convention. As we come together this afternoon to hear the governor’s budget address. Budgets can be very difficult. They must be precise yet open. And so, with Your guidance and the many talents in this room there is no budget problem that we cannot solve - so long as we solve it together. And we ask that You live and reign forever and ever.

Amen.

LT. GOVERNOR BYSIEWICZ:

Thank you, Reverend Nock. And now I’d like to call on our very distinguished speaker to lead us in the Pledge of Allegiance.

SPEAKER ARESIMOWICZ (30TH):

(All) I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

LT. GOVERNOR BYSIEWICZ:
Thank you. The Clerk of the Senate is ready to proceed with business.

CLERK:

The Clerk is in possession of Joint Convention Resolution No. 20, RESOLUTION RAISING A COMMITTEE TO INFORM THE GOVERNOR THAT THE SENATE AND HOUSE OF REPRESENTATIVES ARE MET IN JOINT CONVENTION TO RECEIVE HIS BUDGET MESSAGE.

LT. GOVERNOR BYSIEWICZ:

Senator Duff.

SEN. DUFF (25TH):

Thank you, Madam President. Good afternoon and good afternoon to my colleagues. I move adoption of the resolution.

LT. GOVERNOR BYSIEWICZ:

And I’d like to call for a voice vote on the resolution. All in favor please signify by say aye.

REPRESENTATIVES/SENATORS:

Aye.

LIEUTENANT GOVERNOR BYSIEWICZ:

Oppose. Motion carries. And with that it is my pleasure to appoint majority leaders and minority
leaders. Senator Duff, Senator Fasano,
Representative Ritter, and Representative Klarides
to invite the governor to attend the Joint
Convention.

And I see that the committee is leaving to
dispatch its duties and with that I would ask us to
stand at ease.

[Applause] Ladies and Gentlemen, Good
Afternoon. It is my pleasure to officially call the
Joint Convention to order and before I introduce the
Governor, I just want to take the point of personal
privilege to welcome my very distinguished
predecessor, the former Lt. Governor Nancy Wyman.
[Applause]

Thank you so much. It is clear that the
committee that has been appointed has fulfilled its
duty. Their duty has been discharged and it is my
great honor and privilege to introduce the governor
of our beautiful state of Connecticut, Ned Lamont.
[Applause]

GOVERNOR NED LAMONT:

Mr. President, Mr. Speaker, Senator Fasano,

Today, I am presenting you a budget which gives us the best chance to get our State growing again. Connecticut has been a jobs laggard for many, many years, which depresses opportunity and hits our budget every year. If we had grown jobs at the same rate as other states, we would be talking about how to invest our surplus or cut taxes instead we are staring down the barrel of a $3.7 billion-dollar deficit over the new every budget cycle. I will not allow this budget to be another scene from Groundhog Day, where I come to you year-after-year hat-in-hand lamenting the fact that we still haven’t addressed our structural deficits.

The fiscal crisis before us is not just a short-term hole in the budget. We are digging that hole deeper every year by $400-$500 million annually, due to fixed costs such as pensions, retiree healthcare and bonded debt - all growing faster than our economy.
Most of these fixed costs pay for the past rather than investing in our future.

Fixed costs inherited from the past consume nearly a third of Connecticut’s budget – much more than our peers. That hurts our ability to make investments in our future, putting us at an enormous competitive disadvantage.

And I can’t fix this chronically broken budget without each and every one of you. The legislature is a co-equal branch of government and I need you at the table, helping me to explain the business and labor, our mayors, our boards of education, and most importantly, our taxpayers, what we are doing and why. Where we differ, don’t hold a press conference. Come talk to me. Let’s take a breath and suggest a better alternative – and the numbers must add up.

We just celebrated George Washington’s birthday. [Applause] Okay, you never know. So, we just celebrated George Washington’s birthday and I promise you this is my last Hamilton analogy, so help me God. [Laughter] As George Washington tells
young Alexander Hamilton -- winning is easy, young man, governing is harder. Let’s prove them wrong. Let’s try a different type of politics, and let’s not wait for the summer to do it. Loudly, from all across the State, I heard the same thing from our local leaders. Ned, I’m willing to live within our means. I can tighten our belt, but I need to know what those means are so I can plan accordingly. So, look, if you hate my proposal today, don’t wait until June to tell me what to do. Let’s sit down tomorrow and get to yes, sooner rather than later.

When it comes to balancing this budget, my urgent priority is stabilizing the teachers’ pension fund. [Applause] Okay it’s badly underfunded. It doesn’t keep faith with our current teachers, especially the younger teachers. The State compounded that problem maybe a decade ago by layering on a pension obligation bond, which, let me put this gently, didn’t quite work out the way we may have hoped. Now let me be blunt, if we do not fix the bond, our current payment plan could have disastrous consequences. Our annual contributions to the
Teachers’ Retirement Fund could end up being higher than the amount the State spends on education across the State.

So, working closely with Treasurer Shawn Wooden, we’ll restructure our pension contributions there. This will reduce our annual payments, reduce our financial risk and give teachers the confidence their pension will be there when they need it. We’re also going to assume a much more conservative and realistic rate of return assumption.

Similarly, the State employee plan still represents a large share of the overall budget and accelerates state payments at $100 million dollars every year and that’s an unacceptably high cost which could either force draconian cuts to needed services, or large tax increase.

So again, working with the Treasurer and our friends in labor, we want to smooth out those payments on both pension systems, so our annual contribution is a lower percentage of our budget over the next generation. This is similar to what you do in a pinch with your own home mortgage.
To those who might say this sounds like we’re just stretching out these mortgage-like payments over a longer period of time, we’re just kicking the can. I got to tell you that this is a crisis that’s been generations in the making. It’s going to take a while to work our way out of this. We need the breathing room to maintain our current commitments in education, transportation and workforce development, and we need provide stability to our towns and cities, some of which are struggling with insolvency issues of their own.

In addition, we must slow the rate of increase on our pension obligations and tie future cost of living increases to the performance of the pension fund. When markets perform well, the cost of living adjustment goes up, and when markets are down the COLA is a little less generous. Our teachers are already on this track. But this a required tough negotiation that we got to start.

These pension reforms, they don’t solve for world peace. They’re just a start, but they offer a reasonable basis for long-term fiscal stability and
building business and consumer confidence, which is a precondition to getting our State growing again. The next big structural reform focuses on healthcare, specifically our state employee and retiree healthcare. The State of Connecticut provides healthcare coverage for 200,000 individuals. Let me be clear. We are not taking away anybody’s healthcare, a deal is a deal. [Applause] But our healthcare costs are growing much faster than our economy, meaning that we have to do a better job of controlling costs if we are to continue investing in our future. Comptroller Lembo and our team are working with our state employees to forge a path where the State no longer pays whatever a healthcare provider charges us, but instead we set a ceiling on the maximum price that the State will pay. We’ve looked at this. There is not a real direct correlation between quality care and cost and the cost for these medical procedures are all over the map.
So, listening to our friends in labor, we’re also going to building upon the State’s “Smart Shopper” program. What that means is we provide cash incentives to our State employees for selecting quality, cost-effective health services so our employees receive quality, more affordable healthcare and the State will pay less.

I want to make one important personal point. To those of you who believe we are not asking enough of our State employees, just remember that these are the folks who work their heart out for each and every one of us every day. They’re taking care of our kids. They’re taking care of our parents. They’re keeping us safe. They’re fixing our roads and they have a contract that extends out to 2027. I am asking them to sit down now together in good faith and we’re talking because you all care about the future of our State and I thank you for that.

[Applause]

Some of the old pros here -- they’ve suggested that I hold off on these discussions for a few years when I have more leverage, the threat of layoffs to
propel the negotiation. Forget it. We can’t afford to wait two years and frankly, threatening to layoff our newest State employees who are doing important work -- that’s not the way I negotiate and that’s not the way I treat people. [Applause]

I also know that there are tens of thousands of our State employees who are going to be retiring over the next three to four years and I have to work to plan for that. How we work together to fix our long-term pension and healthcare costs will impact my thinking on the mix of State employees and outside providers in our government’s future.

Some of you think Connecticut needs a “Wisconsin Moment” -- where we walk away from collective bargaining and tear up our contracts. I want an anti-Wisconsin moment. I want a Connecticut moment. [Applause] I want a Connecticut Moment where we show that collective bargaining works, not just for retirees but also for the next generation of State employees, and the next generation of taxpayers. We can make this work. [Applause]
Okay next portion of our fixed costs that drives our structural deficits, bonded debt. Over the last eight years, our bond authorizations have skyrocketed. In fairness, we made some important capital investments and some nice-to-have investments, but the payback of principal plus the interest is consuming more and more of our budget. Our budget, my budget reduces bonding authorizations by nearly $600 million dollars a year. [Applause] It will greatly reduce the fixed cost of debt going forward.

I’ve talked to a lot of you. I know you agree in principle, but then you generally have one more special project that’s in the que in my district, so be forewarned, if it is not tied to workforce and economic development, or cost-saving shared services, Connecticut is on a debt diet – and I am going to make sure we stick to that plan. Memo to self, crickets. [Applause] All right, while I’m at it, we here in this room are also going to do our part to reduce these fixed costs.
I recognize that some of you are proposing bills whereby your car mileage allowance would no longer be rolled into your pension base. Thank you for taking the initiative. When passed, I will sign that bill. [Applause] Kind of a mixed reaction. [Laughter]

On the operating side of the budget, we are cutting back on middle management. And I asked my commissioners for some ideas to cut costs and make their departments even more efficient. Some great ideas came to the top: Commissioner Jim Rovella, Public Safety, he suggested replacing the State Trooper auto fleet every five or six years instead of four and putting civilians on desk jobs to allow more State Troopers to do what they do best - protect Connecticut, and me. [Applause]

At DMV, Department of Motor Vehicles, you won’t need to get your licenses or registration renewed quite as often. We’re also moving more of these transactions online, not in line. [Applause] Going forward, we will also look at the cost and frequency of licensing for the trades and other professions,
providing additional savings for folks in small business. [Applause]

We have a new leader at the Department of Administrative Services - Josh Geballe - who spent 11 years at IBM. I have proposed a significant investment in technology and IT personnel to modernize and digitize State government. Moving transactions from manual to online can reduce costs by north of 75 percent. Today, we have probably 2,000 plus forms that people fill out and less than 5 percent of them can be completed online. So, as we digitize interactions, we will achieve cost savings, a better customer experience, and you’ll see these savings reflected in my next budget. [Applause]

And we expect transparency from our State agencies. I demand it from our quasi-public agencies as well, such as the lottery. I’ve proposed legislation that will ensure we have access to their books and their bottom lines. Taxpayers expect nothing less [Applause].
Okay, I can still hear it: “Come on Governor, cut more, cut more now.” I come from business, but unlike business I can’t just say to patients on the road to recovery at the Department of Mental Health or to kids in crisis at DCF, I can’t pay the bills. I can’t tell the elderly that there is no room at the inn. I can’t simply shut down an underperforming department, but we can and must provide better service at lower costs with more efficient and more response in State government and that starts now. All right, now over to the revenue side. Because I refuse to pour money into a leaky bucket, I’ve led with structural changes to give us the best chance to stabilize our escalating fixed costs. I have not proposed raising the income tax rate, which has been raised five times over the last 15 years with diminishing returns. And I’m not proposing an increase in the sales tax rate because I believe we have to reform our sales tax for the 21st century.

What do I mean by that? Our current sales tax is designed for a Sears Roebuck economy driven by over-
counter sales. Today we live in an Amazon economy which is driven by e-commerce, digital downloads, and consumer services so my sales tax reform proposal would broaden the base of the digital goods are treated equally and more significantly that we are capturing a growing segment of the economy. For example, movie theatres charge a tax. Why shouldn’t Netflix should be treated the same?

Under our budget proposal. Oh a Netflix subscriber -- [Laughter] Under our budget proposal consumer-oriented services will no longer be tax exempt and it’s so erratic. I mean why do you have to pay a tax on a manicure, and you don’t pay sales tax on a haircut?

So, expansion of the base helps to make the sales tax more robust, fairer, and raises the revenue we need to get our budget into balance, and believe me, I’ve been forewarned by all of you -- there was bipartisan consensus on this, that every tax expenditure has a strong lobby behind it and the pushback will be ferocious.
All right, so, if you find the haircut lobby pretty persuasive, we have an amazing head of OPM, Melissa McCaw, who some of you heard from today and will model out. [Applause] Okay that got something. And she will model it out how we can expand the base and reduce the rate or narrow the base and expand and raise the rate. I’m going to work this with you and Melissa is non-stop. The only reason she leaves the OPM building is because the security guards kick her out at 11 PM and that’s because I won’t pay for anymore overtime. [laughter] [applause]

All right so I welcome you to this debate. And if you disagree, have at it, but again the numbers must add up at the end of the day.

Under our budget proposal, we are making a commitment to education. While some towns that are losing population will receive a little less, other towns with growing populations and more kids in need will see more investment. [Applause]

In addition, many of our school districts have chosen to pay their teachers much more than the state median. It’s a great investment for their
community. But it’s an investment that impacts the State’s overall pension obligation. So, our budget will ask every municipality to make a contribution toward normal teacher costs, but towns like mine, Greenwich, which pay teachers about 30 percent more than the statewide average, they’re going to be asked to pay that extra amount as well into the pensions. [applause] This reform ensures that municipalities have some skin in the game and the pension burden is shared more fairly.

One big priority for me, on a personal basis -- recruiting more teachers to our tougher school districts, reaching out to more teachers of color, and more male teachers. We do this by being bolder on the incentives we provide to teach in those schools, such as tuition reimbursement and down payment assistance programs. Our children benefit from role models and mentors they can look up to. This is one big step to closing the opportunity gap. [Applause]

And while we’re holding the line on operating costs and bonding, larger schools and districts which pool
resources, sharing superintendents and sharing back-office functions will receive priority for new bonding. Let’s incentivize smart choices and strategic decisions.

I prioritize education as the opportunity engine for all of our young people. It’s the key to workforce development, assuring also that our businesses large and small have the talent they need to grow in the future.

I’m asking everybody to do a little bit more in this budget and that includes business. In my proposed budget, business isn’t going to get the elimination of the 10 percent surcharge that they were expecting this year, but I am proposing to eliminate the Business Entity Tax, which is a costly nuisance, especially to our small businesses. [Applause]

I’m inviting Connecticut businesses to step up and partner with me to help the next generation of talent repay their student loans and save for their futures. [Applause] So to kick-start this effort, Travelers Insurance and Stanley Black & Decker have agreed to offer their own loan forgiveness programs,
and together we are inviting other companies to join us. Help us train, attract and retain top talent in our state and make it affordable. Make education affordable.

Another way to drive economic development to our urban centers and distressed communities is to take advantage of the new federal opportunity zones. I want Connecticut to be one of the first states out of the box on this. By aligning our existing State resources to provide that targeted support, we can invest tax-free in these areas, creating good paying jobs for folks that need it the most.

I am sitting down with legislative leadership now, along with our hospitals to restart a more collaborative conversation with our hospitals about their role in ensuring Connecticut’s physical health and fiscal health.

We all know that workforce development can’t happen without our State’s working families. Many households in the 21st century, they have two working parents or a single parent juggling multiple responsibilities, including caring for infants or
the elderly. A $15 minimum wage enacted responsibly and over time would raise wages for almost a third of our workforce, a third of whom are female workers, 40 percent of whom are African-American workers, and half are Hispanic. Let’s give them a shot. [Applause]

And while I’m at it, passing a Paid Family and Medical Leave program will ensure that workers [Applause] that will ensure workers who need to take time off for a new baby or recovering from and illness are not punished financially, and businesses do not risk losing good workers due to these emergencies.

My budget also supports fully funding our clean energy and energy efficiency programs. [Applause] They’ve been shortchanged over the last few years and these funds help bring down electricity costs for working families and they further reduce our carbon footprint. I will make sure that we work with labor and our vo-tech schools so that more of our citizens, young and not so young get the skills
training they need for these good paying, green collar jobs. [Applause]

All right, so, in addition to bringing our workplace and our workforce into the 21st century, we must bring our transportation system into the 21st century. [Applause] That’s the easy part. We do that by speeding up our highways and rail service, which are a critical to the long-term economic growth of this state. [Applause] Okay, but this a budget address and now we have to talk about how we pay for it.

Let me say this to everyone. People in this State are getting squeezed. The middle class is getting hammered. I saw that every day during the campaign. I see that every day as your governor. I know this idea of tolling just sounds like one more damn tax I’m going to have to pay and I cannot fix this State unless I fix our transportation system and let me tell you how I plan to do it.

By now, you’ve heard the budget I’m submitting more than one option when it comes to tolling, tolling for trucks only and tolling for trucks as well as
cars. I’ve asked Transportation Commissioner Joe Giulietti, in either case to make sure that we are streamlining the administrative and construction cost per mile. And we explore public-private partnerships to maximize the value of these new revenue streams. In these partnerships, I can ensure you that the public doesn’t carry all the downside risk while the private investors enjoy the upside. We’re are going to get this done.

I’ve supported, as you know, truck-only tolling which we thought could generate probably $200 million a year measured off the Rhode Island example and if applied to all of Connecticut’s major highways, it would. While we are awaiting the final ruling out of the Rhode Island case, attorneys are saying probably, in all likelihood if they allow truck-only tolling, it will be only tolling on those bridges that are being rebuilt. Assuming that is correct, truck-only tolling could provide a small down payment on repairing our roads and bridges, but not nearly enough to rebuild our transportation
system and certainly not without additional revenues.

So let me be clear. I do not support raising the gasoline tax as an additional revenue. Some of you have suggested how about we use something called “priority bonding.” I don’t like that idea. It runs counter to our debt diet, and after 40 years of underinvesting in our transportation system, we cannot borrow our way out of this mess. [Applause]

All right, so I know there are proposals in the legislature that call for tolling of cars and trucks and I would only consider this option if we maximized the discount for Connecticut EZ-Pass users and offer a “frequent driver” discount for those who require or make frequent use of our major roadways. By the way, it is estimated that over 40 percent of tolling revenue would come from out of staters. We foot the bill when we travel through neighboring states, it’s time out-of-state drivers to foot the bill for fixing our roads and bridges. [Applause]

All right you’re the co-equal branch of government. I am open to a real discussion with you, as well as
Connecticut drivers about the state of our transportation system and what is needed going forward, not only to make repairs, but to truly put Connecticut on the path to speedier transportation. If the situation weren’t as dire as it is, we wouldn’t be having this conversation and we got to do it.

Speeding up our rail service from Hartford to New Haven, to Stamford and New York City, with more frequent service to Waterbury and New London, with easier access to Bradley Airport and an upgraded Tweed Airport working collaboratively with the neighbors there to make sure it benefits everyone – all while moving some drivers from roads to rail, incentivizing trucks to go off peak hours – these transportation upgrades are the building blocks of our economic future – and they have to start now. 

[Applause]

I recently announced a revitalized economic development team, and the first question they will be asked by any employer thinking about expanding here in this state or moving their enterprise here
to Connecticut. They ask “I hear your transportation system is in gridlock, how are addressing that?” Rather than nervously looking down at their shoes or checking their watch, our economic development team will instead be able to say, “I am glad you asked me that.” And they’re going to say, “How about your unfunded liabilities and those deficits?” Our team will soon be able to answer, “I am glad you asked me that.” “How do you make sure that you have the workforce we need to grow and expand?” “I am glad you asked me that.”

Beyond the two-year budget, we must enact new sources of revenues, such as sports betting and internet wagering, legalized recreational marijuana like our neighbors that will be carefully regulated for a safer market with tax. [Applause] Young guys are standing up. By year three we are going to see more savings from all those investments in our new digital systems and online delivery. These are the building blocks of a balanced budget in the future.
In the meantime, now, this current budget keeps faith with our cities, but not at the expense of our towns. It maintains our commitment to education and provides property tax relief. It’s a budget that tackles our long-term fixed costs head on and asks all stakeholders to be part of the solution. It’s a budget that focuses on a 21st century workforce, economy and transportation system that reminds businesses why they want to be here in Connecticut. And it’s a budget that supports businesses and working families alike. It’s a budget that presents a path forward for our great State and it does all this without raising tax rates on income or sales. But imagine what we could do if we get this State growing again. Look, I have been an entrepreneur all my life. We start businesses. We grow the top line and we expand and increasing the top line allows us to do more and dream big. Together we can turn this fiscal challenge, turn it on its head and use it as a wake-up call to jump start our economy, an economy that works for
everyone and that grows the revenues we need to continue investing in our amazing future.

All right so last month I came before you and told you. I think I’m a straight shooter. I think I’m an honest broker. I think I’m a pretty good listener. The budget I have proposed, I know is far from perfect and I welcome your input. Politics in Washington, DC right now is a dysfunctional mess. Let’s show that here in Connecticut, we can work together on an honest budget, on time, one that gets this State moving again. And when we disagree, you don’t come to the microphone. Come to my office. Let’s talk. The door is open. Let’s get it done. [Applause]

Look, it’s tough. It’s going to be tough, but we’re going to do this together and it’s going to be a budget that’s on time, you know, borne of a chilly February afternoon, maybe completed in time to enjoy a warm spring day. Why not? It’s certainly a time I hope for most of our mayors, our first selectmen, our superintendents, small businesses, all of our
citizens alike to plan for a fresh start. Now let’s get to work. Thank you, all. [Applause]

LT. GOVERNOR BYSIEWICZ:

Mr. Majority Leader, Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, does the Clerk have on his desk Joint Convention Resolution No. 21?

CLERK:

The Clerk is in possession of Joint Convention No. 21, RESOLUTION CONCERNING THE PRINTING OF THE GOVERNOR’S BUDGET MESSAGE.

SENATOR DUFF (25TH):

Madam President I move adoption of the resolution.

LT. GOVERNOR BYSIEWICZ:

Thank you. Let me try your minds. All in favor of adoption, please signify by saying aye.

REPRESENTATIVES/SENATORS:

Aye.

LIEUTENANT GOVERNOR BYSIEWICZ:

Opposed. The motion is adopted. And now I
request that everyone please stand because I would like to call on our House Chaplain Rabbi Alan Lefkowitz for our benediction.

RABI ALAN LEFKOWITZ:

Dear God. Help us to be reminded that Holiness lives in the realm of pure emanation, which emanates in the subtleties that come from caring of the soul, in loving humanity, in being aware of the miracle in each moment and in living fully with joyousness. Let's imagine a world where everyone and everything acts in the awareness of their holiness.

Dear God, keep us reminded that with unfulfilled expectations, fear, confusion and chaos leaves no room for anything else. Only if we remain empty can we reflect Your image, the godly image, echo Your godly voice and be filled with Your divine light. As each of us, as we enter our world visiting our constituents, may we all wear the crown of God's light. And may we say, Amen.

LT. GOVERNOR BYSIEWICZ:

Thank you, Rabbi. Senator Duff.

SENATOR DUFF (25TH):
Thank you, Madam President. Madam President, I believe our business is done for the day, so I move adjournment of the Joint Convention.

LT. GOVERNOR BYSIEWICZ:

Thank you. It is my privilege to declare the Joint Convention dissolved. Go forth and govern with civility. (Gavel) [Applause]

SPEAKER ARESIMOWICZ (30TH):

Representative Ritter.

REP. RITTER (1ST):

Mr. Speaker, thank you. To all House members, we are going to start at 1:15 on the dot. We’ll see you then. Thank you.

SPEAKER ARESIMOWICZ (30TH):

House will be recessed to 1:15.

(On motion of Representative Ritter of the 1st District, the House recessed at 12:45 o’clock p.m., to reconvene at the Call of the Chair)

(The House reconvened at 1:30 o’clock p.m., Deputy Speaker Morin in the Chair.)
To the Chamber. The House of Representatives will re-convene immediately. All members to the Chamber.

DEPUTY SPEAKER MORIN (28TH):

The House will come back to order.

Mr. Clerk, will you please call Calendar No. 13?

CLERK:


DEPUTY SPEAKER MORIN (28TH):

Representative D’Agostino.

REP. D’AGOSTINO (91ST):

Thank you, Mr. Speaker. I, we, when we left off there was some questions from a good ranking member of an appropriations. I’d like to defer to
her to see if she has any further questions with respect to the contract. Thank you.

DEPUTY SPEAKER MORIN (28TH):

Representative I’m going to need you to make the motion.

REP. D’AGOSTINO (91ST):

We just picked back up, Mr. Speaker. I’m sorry. I’ll be ready to go.

I move adoption again in the previously moved resolution as amended.

DEPUTY SPEAKER MORIN (28TH):

As amended?

REP. D’AGOSTINO (91ST):

As Amended. Thank you.

DEPUTY SPEAKER MORIN (28TH):

The question is on approval of the resolution as amended. Would you care to remark further?

Representative Lavielle, thank you for your patience.

REP. LAVIELLE (143RD):

Thank you, Mr. Speaker. As it happens, I do, and I thank the good Representative as well. So, I
believe where we left, we had just covered the
guarantee wage increases of 3.5 percent for each
employee under this contract for this year, for
fiscal 2020 and fiscal 2021. And I was just getting
ready to ask about the step increases also sometimes
referred to as merit increases, that each of them
would receive each year. And in the appropriations
committee when we discussed this contract, we asked
OFA if they had, if they could give us a general
sort of range or median or average for the
percentage increase for those step increases. I’d
like to ask the representative if he would have a
number to give us in terms of an average percentage
or a range.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative D’Agostino.

REP. D’AGOSTINO (91ST):

Through you, Mr. Speaker. Yes. Depending on
the classifications we’re talking about so for the
Deputy Assistant public defenders which run from
step one through 20, the first 15 or so steps are
about a four percent increase. The ones after that are about three. For the Supervisory Assistant public defenders, we are looking at about three from steps one through nine, excuse me four for steps one through nine and three after that to step 14. And then the Assistant public defender TSU there’s only nine steps and they range from two and three percent.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Lavielle.

REP. LAVIELLE (143RD):

Thank you to the representative. It sounds like we are somewhere around three in terms of an average so another question that I have is, in Article 9 Section 4 of this contract, there is an explanation of how employees are evaluated. Essentially there were two ratings that they could get. One is satisfactory and one is unsatisfactory. Again, if I understand satisfactory is satisfactory. If you receive one unsatisfactory rating, you can stay. If you get two unsatisfactory ratings, you
have to leave. Is that correct?

Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative D’Agostino.

REP. D’AGOSTINO (91ST):

Through you, Mr. Speaker. Yes, and the range of conditions for dismissal with cause, two unsatisfactory ratings would provide a basis for dismissal with cause.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Lavielle.

REP. LAVIELLE (143RD):

Thank you, Mr. Speaker. And so, if I understand correctly, another question actually is I am assuming that, or should I assume that the employees who are eligible for step increases have received a satisfactory rating.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative D’Agostino.

REP. D’AGOSTINO (91ST):
Through you, Mr. Speaker. Yes, correct. The step increases only go, the reason they’re called merit increases is you have to earn them. You have to at least earned the satisfactory rating to get a step increase.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Lavielle.

REP. LAVIELLE (143RD):

Thank you, Mr. Speaker. So, it sounds as though, with the exception of those people who have received one unsatisfactory rating and are sort of questionable as to whether or not they’ll get another one, you generally just have to be there and not be asked to leave in order to be eligible for a step increase.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative D’Agostino.

REP. D’AGOSTINO (91ST):

Through you, Mr. Speaker. I don’t know if I’d necessarily characterize it that way. The public
defender’s office has a review process with their attorneys to make sure that they make sure they meet that satisfactory rating. They have got to obviously be doing their job, doing their job well. It’s obviously a fairly significant downgrade to be rated as unsatisfactory. I believe, as far as I know, and I’d like to think that they all do meet the incredible responsibilities they have carrying 250 to 300 cases each and that they are satisfactory and have been rated such by their supervisors and therefore warrant the merit increase.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Lavielle.

REP. LAVIELLE (143RD):

Thank you. So, do I understand that there are no gradations or nuances in the rating of satisfactory?

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative D’Agostino.

REP. D’AGOSTINO (91ST):
Through you, Mr. Speaker. I think what I’m trying to get at is that obviously the satisfactory rating is just that, satisfactory. Now what goes into that is obviously up to the supervisors when they make a determination. I would certainly like to think and I’m reasonably certain that there are standards when you are evaluating attorneys for everything, from the rules of approach and conduct on down, that in order to be qualified for your job and good for job you’re doing more than just showing up and I apologize. That’s what I was responding to. It’s just that I think that in order to get that rating you’re doing more than just showing up. You’re showing up and you’re doing a good job.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Lavielle.

REP. LAVIELLE (143RD):

Thank you. So, if we look at, we just agree a few minutes ago that for these step increases we’re looking at sort of a middle of the range step increase. Most of them are somewhere around three
percent, something like that. So, there is an increase assuming someone gets a satisfactory, there is an increase scheduled for fiscal 2020 and fiscal 2021 for each of these employees of 3.5 percent plus something like three percent for about a 6.5 percent increase, give or take a few over the next two years in each year.

Through you. Is that correct?

DEPUTY SPEAKER MORIN (28TH):

Representative D’Agostino.

REP. D’AGOSTINO (91ST):

Through you, Mr. Speaker. Yeah that’s correct. If you’re satisfactory, you’ve earned your GWI increase and that’s what’s been negotiated, again not just for this bargaining unit but across the board for other wage an hour contracts and you get the step if that’s around three percent, then you’d be 3.5 for the GWI plus the step of around three depending on where you are on the step range.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Lavielle.
REP. LAVIELLE (143RD):

Thank you, Mr. Speaker. So, that roughly guarantees a 6.5 percent raise. Now, I believe that all of these people have been since there, if they’ve been employed long enough by the state, in the union or now they have been eligible for longevity bonuses and their longevity payments are scheduled to increase because of the scheduled increases in their wages. Is that correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative D’Agostino.

REP. D’AGOSTINO (91ST):

Through you, Mr. Speaker. So, again we did away with longevity for, I think, I believe it’s new hires after 2011 if I’m not mistaken. Nevertheless, there are members in this bargaining unit as there are others who were hired before than and are qualified for longevity. Those folks are indeed getting a longevity payment, I would note, that with respect to this particular bargaining unit where one was scheduled in fiscal year 2018, they agreed to
defer that until the following start of the fiscal year starting July 1, 2018, thereby, saving the state about $300,000 at least from that last fiscal year 2018 budget. Excuse me, 2018 budgets. They didn’t have to do that. It was not part of their contract because they didn’t have a contract at the time, but they agreed to that regardless. But, the short answer to that question is yes, the members of the bargaining unit who are entitled to longevity would get a longevity payment. Correct.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Thank you. Just more to the point, my questions also included those longevity payments will then increase because they are calculated upon the wage base which is going up for all of these employees.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative D’Agostino.

REP. D’AGOSTINO (91ST):

Through you, Mr. Speaker. So, yes, for example
for fiscal year 2020, that increased longevity is an incremental loss of $21,000 to the state and it’s roughly the same amount, $21,000 for fiscal year 2021.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Lavielle.

REP. LAVIELLE (143RD):

Thank you very much. Also, if I understand correctly anyone who has hit the top of the ladder in terms of step increases because they’re at the top step gets a $1000 increase in each of these years. Is that correct?

DEPUTY SPEAKER MORIN (28TH):

Representative D’Agostino.

REP. D’AGOSTINO (91ST):

Through you, Mr. Speaker. Yes, top step at 20, I think there’s 20 or 30 members there who would get the thousand dollars instead of the step increase.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Lavielle.
REP. LAVIELLE (143RD):

Thank you, Mr. Speaker. And taking all of these increases, incremental costs into account, am I correct that all of these employee’s fringe benefits which again area calculated upon those bases will increase each year. Is that correct?

Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative D’Agostino.

REP. D’AGOSTINO (91ST):

Through you, Mr. Speaker. That is generally correct. The only, I guess the only caveat I would have on that is the so called 2018 bonus payment does not count toward a baseline for your salary and therefore, doesn’t increase that baseline. Aside from that particular payment, yes there’s fringe benefit costs associated with all these increases that are calculated into the total incremental budget outlay for this bargaining unit.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Lavielle.
REP. LAVIELLE (143RD):

Thank you. So, would the good representative have the amount of those fringe benefit increases for fiscal 2020 and fiscal 2021?

DEPUTY SPEAKER MORIN (28TH):

Representative D’Agostino.

REP. D’AGOSTINO (91ST):

Through you, Mr. Speaker. Per OFA, when you look at social security, Medicare, and other post-employment benefits and what we could say is probably statistically insignificant impact to (SERS) the State Employment Retirement System. You’re looking at for fiscal year 2020, roughly $200,000 and for fiscal year 2021, between $350,000 and $400,000.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Lavielle.

REP. LAVIELLE (143RD):

Thank you very much. And as well I understand from reading the contracts that each of these employees has the potential, if circumstances so
dictate, to take a certain number of days out of work for one reason or another. And I believe that those totals, if an employee were to take all of the available days, whether they are vacation days, personal, sick days, and so on that, that would total 45 days per employee?

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative D’Agostino.

REP. D’AGOSTINO (91ST):

Through you, Mr. Speaker. The 45 days, if you that would include 12 days for holidays so obviously everybody across the contracts gets the holidays off so I think I would say more accurately that with respect to the vacation time and if you took all of your sick leave and all of your personal days, you’re looking at about 32 days that an employee could take. Again, that’s exhausting all vacation and all sick leave, all personal time presumably if somebody is doing that there is a more serious issue going on.

Through you.
DEPUTY SPEAKER MORIN (28TH):

Representative Lavielle.

REP. LAVIELLE (143RD):

Thank you. I had a, this may be inaccurate but I had a count of 15 vacation days, 15 potential sick days, 12 holidays, and 3 personal days which adds up I think to 45 but, anyway -- One other series of questions. There are some provisions in this contract for union stewards or union representatives to conduct union business during the time that they are, I guess we could say on the clock and that they would be paid for a certain number of hours of that time that they are doing union business. They would be paid for that just like they are paid for the time they spend doing their normal job. Is this correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative D’Agostino.

REP. D’AGOSTINO (91ST):

Through you, Mr. Speaker. Yes, this contract like every other bargain for agreement that we have
with the state does provide for steward time to handle everything from grievances to disciplinary action to negotiations. That is embedded in every contract. It is a cost in every contract. It’s something that we as the state and as a public employer have decided that is a good policy to have because of course having those stewards manage those issues saves time on the state end of things, administrative time, human resources time to manage these things on that end. That’s why we’ve decided, I think rightfully as a policy to have that steward time and all the contracts that is included here with the steward duties. The stewards have not been identified yet for this particular contract because it’s brand new. There were eight that were involved in the contract negotiations, for example, that obviously won’t repeat itself for a few years.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Lavielle.

REP. LAVIELLE (143RD):

Thank you. So, I understood there should be
about eight union stewards for this group?

DEPUTY SPEAKER MORIN (28TH):

    Representative D’Agostino.

REP. D’AGOSTINO (91ST):

    Through you, Mr. Speaker. There were eight involved in the contract negotiations. I would expect that there might be more stewards because you’ve got 38 field offices, not that there will be a steward in every field office but I certainly could certainly see at least eight, probably a handful more than that given the disbursement of PD’s across the state and the requirement obviously that we want these stewards to manage any kind of grievance or disciplinary or any other issues that are involved. The eight in particular dealt with the contract negotiations and all I’m saying is I wouldn’t expect to see us need those same contract negotiations stewards or stewards devoted to that sort of thing being pulled out anytime soon simply because this is a new contract.

    Through you.

DEPUTY SPEAKER MORIN (28TH):
Representative Lavielle.

REP. LAVIELLE (143RD):

Thank you. Do we have any, I know we made some comparisons today with the public prosecutors and their union. I don’t know if that represents roughly the same number of employees. It may not. But does that give us any idea of how much time we think that the union stewards would be spending on doing this sort of job and being paid?

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative D’Agostino.

REP. D’AGOSTINO (91ST):

Through you, Mr. Speaker. I can check. I don’t have the prosecutor’s numbers in front of me. I will just say this though, with respect to steward time for these employees, the PDs, the prosecutors because they are lawyers, all of that time, any steward time has to be approved in advance. This is of course true across the board for all of our contracts. They have to be approved by supervisors and human resources. It’s a particularly acute
issue with respect to council, right. We certainly are not going to pull somebody out for a grievance or contract negotiation when they’re on trial and we certainly wouldn’t expect that PDs would request to come out when they’re on trial or another sort of serious court proceeding so there is that additional layer of protection, if you will, with respect to the use of steward time. We certainly want it to be used when it’s appropriate but in this case and particularly with this case and the prosecutors, you have that additional layer of concern when the supervisors and human resources are proving that time to make sure it’s not only appropriate from a union perspective and a management perspective but from a client perspective. That’s an additional consideration here that’s not necessarily present in other contracts.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Lavielle.

REP. LAVIELLE (91ST):
Thank you. Just from the cost standpoint I understand this is a very difficult estimate to make but is there any kind of ballpark or speculation on how much, how much money goes into this time in a typical year with a small number of union stewards. Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative D’Agostino.

REP. D’AGOSTINO (91ST):

Through you, Mr. Speaker. I don’t have a number. All I can do is pair it what I know I heard from the chief public defender’s office is that they’ve been managing this, you know they have a very good relationship with the PDs, again because of the client relationships that involve the trial and the court obligations that they all have and there’s an expectation that this certainly, and there indeed a requirement, that this is not going to be abused and cannot be abused. It’s all got to be approved. To answer this specific question I don’t have numbers, but I bet we could pull the prosecutor’s numbers and pull a pro rata analysis
based on the numbers. I believe there’s obviously more prosecutors than there are PDs, but we can do that kind of analysis to get a feel. And of course, you know, a year from now we’ll have the benefit of experience as well.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Lavielle.

REP. LAVIELLE (143RD):

Thank you. I appreciate that. I understand we can’t have it today, but I think it would be a good thing for everyone to have the information if they would like to see it. Just a couple of more questions and then I will wrap up. We know that in the negotiations in agreements like this that there are union representatives that we know about. Who is representing the tax payers who fund all of the costs of these contracts?

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative D’Agostino.

REP. D’AGOSTINO (91ST):
Through you, Mr. Speaker. I guess I would say we are and I’m not saying that to be cute. There is a statutory requirement that all these contracts come before us as the fiscal authority, the House and the Senate. That is ultimately our final review is to weigh in on that more specifically certainly as these contracts are negotiated there are representatives from the state from management in each contract and that just depends. In this case, for example you had the office of the Division of Public Defender Services, their director of Human Resources was their chief negotiator. You have the chief public defender and her assistance as part of the negotiating team representing the state management but ultimately there’s an additional check on that and that is this body.

Through you.

SPEAKER ARESIMOWICZ (30TH):

Representative Lavielle.

REP. LAVIELLE (143RD):

Thank you, Mr. Speaker. Those who are present in the room who are actually conducting the
negotiations on behalf of those who are funding the costs -- what parameters or marching orders are they given exactly that they must respect while they are conducting them? What are the constraints under which they’re operating? Do we know, in fact, what they are?

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative D’Agostino.

REP. D’AGOSTINO (91ST):

Through you, Mr. Speaker. There’s going to be several pieces of information that inform any state negotiating team with respect to a contract like this. This one in particular. Obviously, the chief public defender is well aware of her budget. And what she’s been working with in terms of her resources going forward and the amount of people that she needs and the budget she received last year and what she might expect to receive going forward. So, that’s going to set your initial parameters of course. Then you’ve got the initial layer here of the entire SEBAC architecture, both not only for
retirement and health but the different wage and hour contracts. That’s going to inform things too. You’re not going to negotiate if you’re the state of Connecticut management, for example the chief public defender side. Contract terms that are so far fueled from those other contracts, those are going to set a baseline standard because you know if you ever get into any kind of disagreement you might wind up in arbitration. An arbitrator might look at comparable contracts, comparable terms and conditions. So, there’s a baseline established through the overall SEBAC architecture that’s helpful here as well so I would say its department budgetary constraints. It’s the overall SEBAC architecture. And then depending on what we’re talking about, again to the extent, this is a one-off contract certainly. When this is negotiated again at the end of 2020, 2021 it will be with all of those contracts and when those are all done then you have the entire administration weighing in on those contract terms because they’ll cover three dozen different bargaining units. For
this particular one we were talking about the chief public defender. She was going to be informed by her budget and again the overall backstop and background of the SEBAC architecture.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Lavielle.

REP. LAVIELLE (143RD):

Thank you, Mr. Speaker. I would feel much better if I could have a really good answer about how my previous question about all the constraints would have applied to the SEBAC architecture but that’s not our discussion today. I want to thank the good representative for his attention and his patience. Just to summarize a couple of things, we learned that there are a number of costs included in this contract. Those include certain raises of something in the neighborhood of 6.5 percent annually over the next two years for every employee covered, also, increased longevity payments because the base goes up, increased fringe benefits because the base goes up, and several types of lump sums
payments all for an incremental cost, this does not include the salaries that people are already receiving and the longevity bonuses they’re already receiving for a total incremental cost under the contract of $1.5 million in fiscal 2020 and $3 million in fiscal 2021.

So, here it is. There seems always to be very good negotiation on the part of the people representing employees. Now I will say the public defenders perform an extremely important function in this state. They are well respected. They do a job that is essential. We understand from various people who have dealt with them, they’re very good at their jobs and they work hard, so none of this is in any way any comment I might make has to do with their importance or their hard work or their qualifications which are exceptional, but it is disturbing and again, the good representative mentioned our role here in the General Assembly to be the representatives of the tax payers in this state. That’s what we’re here for is to represent every single person in our districts. That may
include, by the way, some members of the state employees unions who are also tax payers and I would say that my concern for this large group of people in the state of Connecticut, every single tax payer who is contributing to the state budget, that if they are not as well represented in the room then it is our job here to say well wait a minute, everything we just described, when do we ever see that in the public sector.

Who gets guaranteed raises of 6.5 percent a year? I don’t know of anyone. The last time I had something that big was back in the 1980s and I spent a long time in the private sector so for me this is an issue of fairness. I would like for every single person in the state of Connecticut to get these terms. Everybody. It would be wonderful, but the fact of the matter is they don’t. And what has happened, it’s not just that some people are getting it and some people aren’t. That’s life. Hey that’s fair but in this case, some people are getting it and the people who are not are paying for it and to me that’s about the biggest, broadest issue of
fairness among all those that we hear about in this General Assembly. That is the one that rings home the most. And because of that it would be very difficult certainly, for me to go home and tell my constituents that I had just voted to make them pay again for something they will never, never be able to have themselves, therefore I will not be supporting this resolution.

Thank you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative. Would you remark further? From the 115th district, Representative Pavalock-D’Amato.

REP. PAVALOCK-D’AMATO (77TH):

Thank you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Or the 77th.

REP. PAVALOCK-D’AMATO (77TH):

Yeah close. It was close.

DEPUTY SPEAKER MORIN (28TH):

Well it’s in the same ballpark.

REP. PAVALOCK-D’AMATO (77TH):
Thank you, Mr. Speaker. A few questions for the proponent of the bill.

DEPUTY SPEAKER MORIN (28TH):

Please proceed.

REP. PAVALOCK-D’AMATO (77TH):

You had, you had mentioned earlier the standard of good job and I was wondering under the terms of the contract, what is a good job. Would it be the number of cases won? Number of cases cleared? How long those cases when they’re closed.

Through you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Representative D’Agostino.

REP. D’AGOSTINO (91ST):

Through you, Mr. Speaker. The contract itself doesn’t lay out the specific criteria that the chief public defender is going to use to evaluate her staff, but one would certainly think and hope that she and her supervisors are going to evaluate every public defender based upon the zeal with which they represent their clients, the efficiency with which they do so. I certainly hope we wouldn’t judge
someone by success, one way or the other. Sometimes, frankly with criminal defendants getting a reduced sentence is a success versus an acquittal. That’s going to be up to, and rightly so, left to the chief public defender to manage her staff. There are provisions certainly in the contract though, about complying with, I believe the rules of professional ethics. It’s under the PD office’s guidelines to that affect. We would expect no less. They have to be barred attorneys in Connecticut and comply with those rules. Certainly, a violation of those rules, I would think just as it is for any attorney would jeopardize your job standing. But with respect to the specific criteria with which she evaluates her staff I think we appropriately leave that to her to make that determination.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Pavalock-D’Amato.

REP. PAVALOCK-D’AMATO (77TH):

Now you mentioned the rules of professional conduct and it’s funny you mentioned that. I did ask
in committee when it does come to the standard of, say evaluation, if those rules are considered, so can you show me or point out on what page of the agreement that it refers to the rules of professional conduct?

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative D’Agostino.

REP. D’AGOSTINO (91ST):

Through you, Mr. Speaker. My understanding, again, that’s not in the contract. That’s just part of the PD’s guidelines that they require their attorneys to notify them, for example of any grievance being filed, and that unfortunately does happen a lot in criminal context. Sometimes it’s a game of effective assistance of counsel. So that’s certainly part of it as well. I mean, generally this is all covered under the discipline section Article 8 Section 3 I think, that deals with discipline and the ability to discipline their attorneys and it is within that context that the chief public defender is able to consider everything
from regular day to day job conduct to violations of the rules of professional conduct and the grievances as we have understood from the public defender.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Pavalock-D’Amato.

REP. PAVALOCK-D’AMATO (77TH):

So, if there was a grievance filed and although I can imagine, God bless those public defenders, I can imagine there are clients who do file grievances as with many different areas of the law. Would that enact the clauses where the union representatives would be involved in representing the attorney?

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative D’Agostino.

REP. D’AGOSTINO (91ST):

Through you, Mr. Speaker. No, I think, if I understand the question correctly the difference between obviously the grievance procedure that’s initiated by the disciplinary counsel in the state of Connecticut with respect to attorneys under the
bar versus grievances that an employee may file
under the contract are two separate things.
Attorney grievance should not involve a stewards
unless of course as a result of that the chief
public defender determines that the reason for the
grievance, the bar grievance if you will, was so
severe to require some discipline the chief public
defender would therefore imposes discipline and for
whatever reason the employee wants to challenge that
or grieve it through the process that’s where the
steward and that process would come into play. But
you can see there’s a whole chain of things that
have to happen there for that to be triggered and
again, sort of the threshold determination there is
that the chief PD and her staff are going to say
okay, does this bar grievance have merit. If it
does, am I going to discipline and if I am what is
that discipline going to be and then you follow
through the discipline process through the contract.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Pavalock-D’Amato.
REP. PAVALOCK-D’AMATO (77TH):

Now we could move to the budget summary. Could you tell me in the recommended budget for public defenders, how much is that specifically for public defenders themselves? For their salary and benefits.

Through you.

SPEAKER ARESIMOWICZ (30TH):

Representative D’Agostino.

REP. D’AGOSTINO (91ST):

Through you, Mr. Speaker. Just a question for clarification for the representative. Is she asking about, because we have within the chief public defender’s office 100 plus, I’ll get the exact number, actually PDs and then there are supervising PDs that are part of the union? They are public defenders themselves. They carry a caseload like everyone else and then they have certain additional responsibilities on top of that. Is the question for a division of the salary division between those two groups?

Through you.
DEPUTY SPEAKER MORIN (28TH):

Representative Pavalock-D’Amato.

REP. PAVALOCK-D’AMATO (77TH):

I would say for both, for the supervisors and for the attorneys so all of them together.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative D’Agostino.

REP. D’AGOSTINO (91ST):

Through you, Mr. Speaker. Okay so if the question is the total PD budget, not just the incremental costs for fiscal year 2019, for example that was all in around $20 million.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Pavalock-D’Amato.

REP. PAVALOCK D’AMATO (77TH):

Now if we go to the budget summary page 192, there is a line for what’s called assigned counsel which for the fiscal year 2019 is at $22.5 million. Can you explain to me what exactly assigned counsel is?
Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative D’Agostino.

REP. D’AGOSTINO (91ST):

Through you, Mr. Speaker. My understanding I don’t have that particular budget line up in front of me but my understanding is assigned counsel is what we sometimes in this state what we do is supplement through the bar of Connecticut private attorneys who will take on indigent clients acting essentially as deputized, forgive me that’s obviously not the formal term here but deputized PDs to represent indigent clients. The reason for that is again, we’re talking about 183 of the PDs each with, I want to say this again if people didn’t catch it, a caseload of 250-300 cases per attorney. That is remarkable and I don’t know how you do that, quite frankly, affectively. And so, the state does need to sometimes supplement with assigned counsel, the PD work because there are thousands. I want to say I saw a count of 40,000 to 50,000 different indigent clients at any one time in a particular
year. It may be more than that. So that’s a remarkable caseload and the reason we have to do that is as I started off with the constitutional requirement of assigned counsel for indigent clients. If we didn’t do that the state would be sued for not meeting its 6th amendment and getting the Wainright responsibilities. In fact, there was a suit in the late 90s precisely to that affect. And as a result of that we started supplementing, I believe at that time, it might have been before, but I believe at that time supplementing the PD work with the assigned counsel fees if I’ve got that all correctly.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Pavalock-D’Amato.

REP. PAVALOCK-D’AMATO (77TH):

So, the budget that would be the $20 million plus the $22.5 million for I’d say all legal services are all acting attorneys.

Through you.

DEPUTY SPEAKER MORIN (28TH):
Representative D’Agostino.

REP. D’AGOSTINO (91ST):

Through you, Mr. Speaker. If we’re talking about the overall budget for attorney services to indigent clients, everything through trial on up through appeal including juvenile cases, etc., habeous petitions, other work that they have to do constitutionally then yes obviously those assigned fees, those are not state employees.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Pavalock-D’Amato.

REP. PAVALOCK-D’AMATO (77TH):

It’s funny that you mentioned the caseload and I do applaud them because I believe in committee they did reference 200 to 250 cases and it just so happens that I’ve been practicing in the foreclosure defense arena for about 10 years now and I started working in the circuit court around 2008 when the economy crashed and what do you know caseload was probably around the same 200 to 250 cases at a time, thousands of cases a day all at once hearings. We
would be in the halls holding hearings there were so many cases so again I do applaud them, but I do assure that there is a lot of volume work for private attorneys who have a caseload that’s actually very similar. So, if you could turn to the agreement itself, I have a question on page 17 in the area of advanced sick leave. Could you explain how advanced sick leave works for the public defenders?

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative D’Agostino.

REP. D’AGOSTINO (91ST):

Through you, Mr. Speaker. I’m going to do my best on advanced sick leave but basically you earn time and then let’s say you need to take, let’s say you’ve only got 14 days but you need 20 or you only got 10 days earned but you need 15, you can get an advance on your sick time that you would earn but you owe that back to the state so when you come back to work instead of banking sick time you are paying back that sick time that you took on advance.
That’s a provision in this contract that lets people who’s got a serious illness, but they’ve only earned a certain amount of time and they need additional time they are able to bank into that. It is certainly something that the state of Connecticut has encouraged through this contract because we want people to be able to take that time and not have to worry about it, but they do owe it back.

Through you.

SPEAKER ARESIMOWICZ (30TH):

Representative Pavalock-D’Amato.

REP. PAVALOCK-D’AMATO (77TH):

So, is there interest calculated into the advancement when it is repaid and I did clarify in committee that as I understand it, they pay it back with bank sick days or vacation, however I’m sure you can still convert that so again is there interest calculated into that repayment?

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative D’Agostino.

REP. D’AGOSTINO (91ST):
Thank you. Through you, Mr. Speaker. I did actually, I heard the representative’s questions at the committee meeting. I thought it was a really interesting, if not esoteric tax issue. It is advance sick time, I believe the way the representative phrased it at the committee meeting was, it isn’t alone and therefore doesn’t have to be reported in some fashion through the employee’s compensation or for example as was just deposited paid back with some sort of interest.

As far as I know none of that occurs and none of that occurs across any of the state contracts that have advance sick time. The best I could answer that, I did, when I heard the question I tried to research it and the best I could come up with was that there appeared to be some IRS regulations exempting this sort of arrangement from taxation but it is a question, probably more specifically and better directed to somebody from the DRS but, there is no interest charged and as far as I know there are no IRS ramifications for an advanced sick time arrangement like we have here in
this contract or other contracts.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Thank you. Representative Pavalock-D’Amato.

REP. PAVALOCK-D’AMATO (77TH):

So in committee I also talked about the fact that I had applied to the Broward county. Now this is Florida, their public defender’s office, I’d say about 10 years ago and that the starting salary at the time was $32,000, not including benefits and so with that being said, how did you reach, and I’ll just take the starting salary for example that’s at about $70,000, how did you calculate that amount of what was it based on?

Through you.

SPEAKER ARESIMOWICZ (30TH):

Representative D’Agostino.

REP. D’AGOSTINO (91ST):

Through you, Mr. Speaker. From just a purely numerical perspective, right, we’re using, again this is through statute, the prosecutor pay scale is the same pay scale for the PDs so starting salary as
the representative’s mention is about $67,650. That’s a good salary. I’m not saying it’s not. That’s a good salary for starting out lawyer, of course they don’t come right out of law school. They’ve got some experience and then the range, I think that people should be aware of this. The range for attorneys in this bargaining unit and prosecutors for this bargaining unit, so you start at around $67,000. You can work for 30 years, three decades, try thousands of cases, remarkable level of experience, and make about $150,000 at the end of your career. Again, good salary. I’m not saying it’s not. The starting salary at a New York law firm for a first year, wet behind the ears attorney, 25 years old and doesn’t know the first thing about practicing law is $190,000. Let that sink in about how we value our prosecutors and public defenders. I wouldn’t let a first-year associate at a law firm sign a document, much less try a case the way these folks do. So, when we talk about a salary range here, yes nationally we are, I think 10 percent above the median in terms of our starting salary but
there’s remarkable level of compression in there when you can go your whole career, try thousands of cases. These folks could be making five, six, eight, ten times what they’re making now, and they do it because they believe, like I said, in those principals of equal justice under law. They don’t do it for the money. That’s for sure.

Through you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Representative Pavalock-D’Amato.

REP. PAVALOCK-D’AMATO (77TH):

That is just the answer I wanted to hear. Thank you. So, with that being said how many public defenders’ offices did you reach out to, to find out how much they pay to their, I’ll go with the starting first, out of law school, attorneys.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative D’Agostino.

REP. D’AGOSTINO (91ST):

Through you, Mr. Speaker. I want to be clear. Obviously, I was not on the negotiating team here
and the starting salary range for our PDs is based out of the prosecutor’s salary through by operation of current state statute which will obviously be superseded by this contract. When I was looking at the median starting salaries, I was just going through online resources and looking at the median starting salaries for PDs across the country. It’s a little difficult to equalize it perfectly because again only about 20-22 states do a statewide system. Others do on a county basis and you’re going to make more, for example in Miami or Broward county than you might make in the Hinterland somewhere in Florida or otherwise.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Pavalock-D’Amato.

REP. PAVALOCK-D’AMATO (77TH):

Thank you. Which is why actually today I reached back out to the Broward county public defender’s office and asked them, okay today how much do you pay starting attorneys now and what they said to me was right now they start at $40,000.
Again, not including benefits and then within six to eight months they could move up to felony and make $3000 more. The max she said was at about $165,000. They have two attorneys at that and then supervising $125,000. Again, another two attorneys but she said most of the attorneys were under $100,000. And attorneys on average who have been practicing there about 10 years make $75,000 - $80,000. She also went over sick and vacation. For an attorney who is working two to five years they earn three weeks’ vacation, five to ten years, four weeks, and then 10 - 15, five and so on with a two-week rollover. Maternity leave was at 80 hours and caseload I think was a little bit less so just to compare, of course I was a little bit surprised of the difference, but that’s when of course I reached out to my cousin who is also a public defender in the state of Rhode Island. I’d just like to say hi Collin if you’re watching this. He started out a few years ago at $50,000 and said now he believes that starting attorneys are paid $60,000 and we didn’t get into the details as far as the benefits and all so that
leads me to my next question. What is the turnover rate for, let’s say, first year attorneys? How many public defenders start and then leave after the first year?

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative D’Agostino.

REP. D’AGOSTINO (91ST):

Through you, Mr. Speaker. I don’t have specific turnover rate for first year attorneys. I can tell you that similar to what you just described most of our attorneys, just looking at a list of who’s in, I’m going by the step range here because that’s a good gauge of experience, are in that below $100,000 range. 29, for example, the largest bulk of our PDs are at step five so they’ve been there for four years. They’ve got a decent amount of experience under their belt and they’re in that midrange probably handling, I would think most of the case load. So, I think that does give you a good sense. I’m only seeing, for example one at step one and one at step two and then a handful in
different other ranges, really starting at step five so what that tells me is that we separate the wheat from the chaff pretty early in the PDs office here in Connecticut. The core group that we’re left with are more than satisfactory, pretty good attorneys, I would think. They’re moving through those ranks over time and then ultimately, like I said, we do have a good chunk at the senior level, people who have been doing it a long time or most experienced attorneys as well. So, that gives you maybe a sense of the range that maybe speaks a little bit to the turnover ratios.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Pavalock-D’Amato.

REP. PAVALOCK-D’AMATO (77TH):

If you could get those numbers for me that would be great. I think it’s just something interesting as I learned when, when speaking with the attorney down in Broward that they started off low because they had a higher, they felt, after putting all that training and effort into somebody
people would leave and I think that is important that you know, you want your attorneys to commit and after putting all that training time into them not just to pick up and leave with all that experience and knowledge.

So, you had mentioned earlier about the large, well I’m not sure if you said it was with a large firm, you said New York. I don’t know if that was New York city at a $190,000 which, that’s pretty impressive. So, how many large firms did somebody, or did you reach out to see how comparable our salary is to theirs, because that keeps getting brought up about the private sector, so I just want to see when comparing public defenders to private sector if this is based on actual numbers received from law firms.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative D’Agostino.

REP. D’AGOSTINO (91ST):

Through you, Mr. Speaker. That’s purely antidotal on my part. I mean, that’s the salary
range for the big, so called big law law firms in New York the Skaddens of the world and then a number of other firms have matched that over the course of the last few months nationally so that those national practice law firms are starting people out at that range. Antidotally, I could tell you again, as I said before, what you often sort of see or what you hear about is a prosecutor or a PD going and joining a firm as a partner after, you know six, eight, ten years in the public sector. That’s obviously not happening here, if at all with our folks thankfully, but when that does happen, and you join as a partner you’re looking at somebody being paid several hundred thousand dollars minimum. So again, that chasm between what we pay and the commensurate level of experience. I mean that kind of a trial experience, representative knows being in the legal profession is incredibly rare and consequentially incredibly valuable in the private sector.

Through you.

DEPUTY SPEAKER MORIN (28TH):
Representative Pavalock-D’Amato.

REP. PAVALOCK-D’AMATO (77TH):

And I agree. I had mentioned before that I practiced foreclosure defense trials, hundreds of cases at a time and so, did you, again you mentioned the 190, was there any comparison to law firms in your research, law firms in Connecticut because I think New York tends to be a little bit higher so was there any comparison to large law firms in Connecticut.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative D’Agostino.

REP. D’AGOSTINO (91ST):

Through you, Mr. Speaker. Again, I can only speak antidotally. I can tell you that all the large firms in Connecticut start at well over $100,000. They’re not at $190 but they’re over $100,000 which is $30, $40,000 higher than the starting salaries than the PDs.

Through you.

DEPUTY SPEAKER MORIN (28TH):
Representative Pavalock-D’Amato.

REP. PAVALOCK-D’AMATO (77TH):

And funny again that you mention that because I interviewed with a plaintiff’s foreclosure firm, I’d say about a year, a couple of years ago and again I’m using that comparison because they also have a high-volume caseload. So, at that point I’d say I had about eight years’ experience and again at that firm, not starting out, not out of law school but their starting salary was $60,000. So, I’m not sure what firms, you know, we’re talking about. I can only speak from my personal knowledge and firsthand knowledge. I’m sure there are firms that do pay $190,000 plus but there are many that don’t pay anywhere near that. So, if we’re looking at, again we can talk about law firms, but let’s face it, not every attorney goes to work for a large law firm. There’s probably a majority of attorneys have either a solo practice or work for a small firm so with that, was there any comparison for salaries of small law firms, let’s say one, two, three attorneys.

Through you.
DEPUTY SPEAKER MORIN (28TH):

Representative D’Agostino

REP. D’AGOSTINO (91ST):

Through you, Mr. Speaker. I did not do that kind of wholesalelistic analysis through law firms in the state. I’m basing that off of, when I say the law firms, the Dave Pitneys, the Shipmans of the world, that sort of thing. I did not do a complete comparison. I don’t really know how you could fairly do that across the board for everybody. I mean I think it’s fair to see some highs and lows and some comparables, but I did not do that across the board. And again, the starting point here, and really the ending point, frankly for the salary range is the statutory scheme where we pay the PDs the same as the prosecutors.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Pavalock-D’Amato.

REP. PABALOCK-D’AMATO (77TH):

So, also in comparison do you think that those small, well let’s say even the large firms, do you
think they offer it was somewhere in the range of 32 and 45 days of sick and vacation? Do you think those firms offer 32 to 45 days of vacation in a medium or large law firm?

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative D’Agostino.

REP. D’AGOSTINO (91ST):

Through you, Mr. Speaker. Again, I can only speak antidotally with respect to a large number of law firms that have obviously four weeks’ vacation and a large group of firms have moved to frankly paid family and medical leave as well for the benefit of their employees so you know there’s a range of comparisons across with respect to the private sector that we can do here. You know, I think ultimately just to step back and say these are particular public servants who perform a vital and a constitutional function for our state and our democracy and this is how we’ve chosen to pay them. Do I think they’re underpaid? I do. Even when you factor in the salary and benefits, given the
function that they perform and the services that they provide and the experience that they have, one could argue that no if you compare them to foreclosure attorneys handling the same caseload at a smaller firm that don’t get the same benefits that they’re overpaid. That’s obviously a debate that we’re currently having at the end of the day. I guess I’d say to keep this in mine, that ultimately we have to pay at a level where we maintain this workforce and to me we are dangerously low at hitting a level where we’re going to see a repeat if we were to eviscerate this department any further of the law suit that was filed a couple years ago that said they simply cannot meet their constitutional mandate.

So ultimately, we’re trying to balance here, a pay scale that makes sense for the state of Connecticut. It makes sense to keep a robust group of public defenders so they can meet that requirement because it is as I mentioned a constitutionally required one.

Through you Mr. Speaker.
DEPUTY SPEAKER MORIN (28TH):

Representative Pavalock-D’Amato

REP. PAVALOCK-D’AMATO (77TH):

So, I was looking for information online in addition to the phone calls I made, and I understand what you’re saying in comparison to the prosecutor’s office and I completely agree. I think if what you’re saying was the case, I think there would be law suits all across the country. I don’t know that there are. I think that’s something we could find out. I don’t understand how the salary constitutes not being able to meet the, would possibly be in violation, let’s say of Gideon. I’m not seeing the correlation. I will say I did look online at job postings for the U.S. Assistant Attorney. I’ll just name a few, Illinois starting out at $50,000, Syracuse, New York $61,000, Iowa $52,000, North Carolina $54,000, and Massachusetts $47,000. Most of them were in that range. I’ll say New Haven had $57,000 but, I think if what you were saying was the case, we’d have lawsuits all across the country and I just don’t see that. If the caseload is high, I
think that’s something that we need to address. Either their office needs to address or as a state legislature we need to address that. Again, I appreciate the public defenders and all the work they do, all the long hours but as a solo practitioner I’m dealing with the fact that I only get money when my clients decide to pay me and you know, that sometimes can be easier said than done. But of course, we have bills to pay, student loans, rent, property insurance, malpractice, subscriptions for Lexus, supplies, and now a new tax on top of that.

If I took the hours I put in and the money that I receive from clients, it’s hard for me to justify to my tax payers when we’re facing a $2 billion-dollar deficit that this is acceptable, that this is justifiable. And again, I’m not saying they don’t do a great job, but we are once again agreeing to pay an expense that we don’t even know what the income is and as a business owner I don’t say it to an employee. I don’t say, hey if I hire somebody, I’m going to pay you $100,000. I don’t know what my
income is. I don’t know what’s being paid but you know what I’m going to lock into that and then I’ll figure it out later. I think we need to seriously look at this contract and all our others and make some tough decisions. We’ve all been at this for how many years now and we face the same thing every year, every time. And something has to change. Again, I’ve brought up numerous examples of how what we’re paying is above and beyond what every other state pays, and I just don’t see the justification for that.

Thank you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Thank you, representative will you remark further. From the 80th district, Representative Mastrofrancesco.

REP. MASTROFRANCESCO (80TH):

Thank you.

DEPUTY SPEAKER MORIN (28TH):

You’re welcome.

REP. MASTROFRANCESCO (80TH):
Mr. Speaker, I have questions for the proponent of the bill.

DEPUTY SPEAKER MORIN (28TH):

Please proceed.

REP. MASTROFRANCESCO (80TH):

Thank you very much. Can you tell me prior to the start of negotiations from this contract what the employees were paying into their medical?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative D’Agostino.

REP. D’AGOSTINO (91ST):

Through you, Mr. Speaker. So, again they would have followed the prosecutor’s contract with respect to their retiree and health benefits and they would have been covered, but under the same, maybe a couple exceptions here and there, the same SEBEC architecture we just passed so I would have to dig it up. I should know it off the top of my head and I apologize. I’ve got my SEBAC binder here with me. I’ll have to look it up. But whatever that same percentage is that we’ve required of the other
employees was required. I want to say it will vary based on level anywhere from 11 to 16 percent.

DEPUTY SPEAKER MORIN (28TH):

    Representative Mastrofrancesco.

REP. MASTROFRANCESCO (80TH):

    Thank you. And the reason why I ask is because there was reference to a testimony when I was on appropriations when we were discussing the contract that the contract included reduced healthcare premiums. So I was wondering, can you tell me, do you have any idea what those premiums were.

    Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

    Representative D’Agostino.

REP. D’AGOSTINO (91ST):

    Through you, Mr. Speaker. So, the contract explicitly ties these employees to SEBAC, the deal we just passed a couple of years ago so that should not be a reduction in premium. I suppose it’s possible for one or two of them [Is there a door open upstairs?] that it is a reduction, but it shouldn’t be. Again, that was, when we negotiated
that, that was a pretty significant increase in health premiums for all state employees across the board. Again, depending on level. I mean there’s going to be a range, certainly for any of the new employees it’s more significant.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Mastrofrancesco.

REP. MASTROFRANCESCO (80TH):

Thank you. And just to touch base, I know we have talked a lot about this today, about the vacation time, sick time, and the benefits but I just wanted to recap based on what I’m hearing today and based on what I asked in appropriations committee that according to this contract the employees are given 1.25 days off per month to accumulate for their vacation which would be 15 vacation days per year. For sick time it would be 1.25 days per month accumulated. At the end of the year there would be 15 sick days. They’re allotted 12 holidays and 3 personal days. Is that correct?

Through you, Mr. Speaker.
DEPUTY SPEAKER MORIN (28TH):

Representative D’Agostino.

REP D’AGOSTINO (91ST):

Through you. That is accurately stated.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Mastrofrancesco.

REP. MASTROFRANCESCO (80TH):

Thank you. Okay and just a comment. Actually, I’m done with my questioning. You know I look at this contract and I see in the private sector so the employees and the public defender’s office will get nine weeks off a year after having only served a year on the job. Nine weeks, 45 days. That’s a long time. You know, in the private sector we don’t get that. You probably have to work five years just to get three weeks off, so I just wanted to bring that to your attention. And you know the other thing is that people make sacrifices every day. Do I pay my electric bill or do I buy oil heat? Do I buy groceries or do I pay for my medical benefits or to my prescription drugs? And I know these are very
hard choices that we have to make. [Excuse me. Okay sorry] I know these are really hard choices we have to make but I would encourage my colleagues to join the thousands of other people out there every day that are making choices and to reject this contract.

Thank you very much.

DEPUTY SPEAKER MORIN (28TH):

Thank you. Will you remark further?

DEPUTY SPEAKER MORIN (28TH):

Representative Klarides.

REP. KLARIDES (114TH):

Thank you, Mr. Speaker. Mr. Speaker, I ask that the vote be taken, and it be taken by roll.

DEPUTY SPEAKER MORIN (28TH):

Question before the chamber is roll call vote. All those in -- On the resolution. Okay sounds good.

Is there any further comment? No further comment.

Will staff and guests please come to the Well of the House. Members take your seats. The machine will be open. [ringing]
CLERK:

The House of Representatives is voting by roll.

Members to the Chamber. The House of Representatives is voting by roll. Members to the Chamber.

DEPUTY SPEAKER MORIN (28TH):

Have all the members voted? Have all the members voted? If all members have voted, the machine will be locked.

Will the Clerk please announce the tally?

CLERK:

House Resolution No. 11 is amended by House “A”

Total number of voting 142
Necessary for adoption 72
Those voting Yea 85
Those voting Nay 57
Absent and not Voting 7

DEPUTY SPEAKER MORIN (28TH):

The Resolution is adopted. [Gavel]

Will the Clerk please call Calendar No. 14?

CLERK:

On page 4, House Resolution No. 12, RESOLUTION
PROPOSING APPROVAL OF COLLECTIVE BARGAINING
AGREEMENT BETWEEN THE STATE OF CONNECTICUT JUDICIAL
BRANCH AND THE JUDICIAL PROFESSION EMPLOYEES UNION
JPL/AFL-CT/AFL-CIO. Favorable report of the Joint
Standing Committee on Appropriations.
DEPUTY SPEAKER MORIN (28TH):

Representative D’Agostino.

REP. D’AGOSTINO (91ST):

Mr. Speaker, I move for acceptance of the House Committee favorable report and adoption of the resolution.

DEPUTY SPEAKER MORIN (28TH):

Question before the Chamber as an acceptance of the Committee’s favorable report and adoption of the Resolution. Representative D’Agostino has the floor.

REP. D’AGOSTINO (91ST):

Thank you, Mr. Speaker. This one, hopefully should not take as much time. This is a very small bargaining unit. 20 employees. Basically, legal clerk who work for the Apelet court and the Supreme court right across the street along with a motion’s
attorney and chief counsel to Apelet Chief Justice. It’s a new bargaining unit, but again like the prior contract they are not new employees. Minor incremental costs to the state. I say minor obviously in context there. About $200,000 in the first year. $433,000 in the second year. OFA is costed out $474,000 in the third year but I should note that while this contract runs to 6-30-2022, it has a re-opener in 2021 along with the rest of the contract so I would expect that last year to be different.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative. Will you remark further? Representative Lavielle. And before we begin. [Gavel] Thank you very much. Representative Lavielle, please proceed.

REP. LAVIELLE (143RD):

Thank you very much, Mr. Speaker. For the same reasons that I gave for the contract that we just discussed I will not be supporting this resolution either.
Thank you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative. Will you remark further? Will you remark further? If not, will staff and guests please come to the Well of the House? Members please take your seats. Machines will be open. [ringing]

CLERK:

The House of Representatives is voting by roll. Members to the Chamber. The House of Representatives is voting by roll. Members to the Chamber.

DEPUTY SPEAKER MORIN (28TH):

Have all the members voted? If all the members have voted, please check the board to ensure your vote has been properly cast. If all the members have voted, the machine will be locked, and Clerk will take a tally.

Clerk will announce the tally.

CLERK:

House Resolution No. 12

Total number voting 142
Necessary for adoption  72
Those voting Yea        85
Those voting Nay        57
Absent not voting       7

DEPUTY SPEAKER MORIN (28TH):
Resolution is adopted.  [Gavel]

SPEAKER ARESIMOWICZ (30TH):
Will the clerk please call House Calendar No. 8?

CLERK:
On page 2, House Calendar No. 8. House Resolution No. 16, RESOLUTION CONFIRMING THE NOMINATION OF KURT D. WESTBY of MIDDLETOWN TO BE LABOR COMMISSIONER. Favorable report of the House committee on Executive and Legislative nominations.

SPEAKER ARESIMOWICZ (30TH):
Representative Vargas of the great city of Hartford.
Sir, you have the floor.

REP. VARGAS (6TH):
Thank you very much, Mr. Speaker. I move the acceptance of the Joint Committee’s favorable report in adoption of the resolution.
SPEAKER ARESIMOWICZ (30TH):

Question before the chamber is on acceptance of the Committee Joint favorable report and adoption of the resolution. Representative Vargas, you have the floor, sir.

REP. VARGAS (6TH):

Thank you very much, Mr. Speaker. This resolution confirms Kurt Westby as Commissioner of Labor. I’d just like to say that it’s a great honor for me to do this because I’ve known Kurt for many many years. We’ve been in the trenches on many issues that affect people that earn their living through their hard work and their dependence and he’s always been there for trying to improve all of Connecticut resident’s life experience so he’s an experienced Commissioner of Labor since he served since 2018 in the previous administration. He was also Deputy Commissioner for two years. He’s worked with the AFL-CIO with service employee’s international union. He’s very well-known in labor circles. He’s also been a faculty member at Penn State and Cornell Universities and has spent most of
his life here in service here that the people state of Connecticut so without further ado, I urge adoption of the resolution.

Thank you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, sir. Will you remark further? Representative Perillo of the 113th, you have the floor sir.

REP. PERILLO (113TH):

Thank you, Mr. Speaker. In light of the time and the weather, I will be quick. I have some reservations about this nominee. I know many other members of the chamber do as well. I think those reservations are justified and because of that I ask that when the vote be taken, it be taken by roll.

SPEAKER ARESIMOWICZ (30TH):

And in an effort of time I won’t ask for the 20 percent. I will just grant you the roll call vote, sir.

Will you remark further on the bill before us? Will you remark further on the resolution before us? Will you remark further on the resolution before us?
If not, staff and guests to the Well of the House.
Guests and members take your seats and machine will be open. [ringing]

CLERK:
The House of Representatives is voting by roll.
Members to the Chamber. The House of Representatives is voting by roll. Members to the Chamber.

SPEAKER ARESIMOWICZ (30TH):

Have all the members voted? If all the members have voted, please check the boards to ensure your vote has been properly cast. If all the members have voted. The machine will be locked, and the Clerk will take a tally. The Clerk will announce the tally.

CLERK:

House Resolution 16

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<td>Absent not voting</td>
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SPEAKER ARESIMOWICZ (30TH):

Resolution is adopted. [Gavel]

Will the Clerk please call House Calendar No. 11?

CLERK:

On page 3, House Calendar No. 11, House Resolution NO. 18, HOUSE RESOLUTION CONFIRMING THE NOMINATION OF ROBERT T. ROSS OF SALEM TO BE EXECUTIVE DIRECTOR OF THE OFFICE OF MILITARY AFFAIRS. Favorable report of the House Committee on Executive and Legislative nominations.

SPEAKER ARESIMOWICZ (30TH):

Representative Vargas.

REP. VARGAS (6TH):

Thank you, Mr. Speaker. I rise to move acceptance of the House Committee’s favorable report and adoption of the resolution.

SPEAKER ARESIMOWICZ (30TH):

Question before the chamber is adoption of resolution. Will you remark?

REP. VARGAS (6TH):

Yes, Mr. Speaker. First of all, I’d like to
say that Robert T. Ross is himself a Naval veteran who served honorably with distinction in the U.S. Navy. He’s also been Adjunct professor of public policy at the Yukon graduate school. It speaks for itself, the fact that he’s held this position under several administrations going back many, many years and the fact that each administration has recognized the excellent work that he’s doing. I urge adoption of the resolution.

SPEAKER ARESIMOWICZ (30TH):

The question before the Chamber is an adoption of the resolution. Will you remark? Representative Perillo of the 113th, sir you have the floor.

REP. PERILLO (113TH):

Thank you, Mr. Speaker. As the gentleman said, Mr. Ross is highly qualified for the position. I truly believe in what he was doing, and I would urge his support and adoption of the resolution.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, sir. Will you remark further on the resolution before us? Representative Cheeseman of the 37th district, you have the floor
Madam.

REP. CHEESEMAN (37TH):

Thank you very much, Mr. Speaker. And like my colleagues before me I would urge the adoption of this resolution. Mr. Ross is not only an outstanding veteran, a wonderful commissioner of military affairs, he was also first selectman of Salem, is a devoted family man, father, grandfather, and has done so much for this state. Not only for our veterans, for protecting our defense industries but it is my pleasure to ensure that he continues to service in this role. So, I urge adoption of the resolution.

Thank you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, Madam. Will you remark further on the resolution before us? If not, let me try your minds. All those in favor, please signify by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER ARESIMOWICZ (30TH):
Those oppose Nay. The aye’s have it. The resolution is adopted. [Gavel]

Will the Clerk please call House Calendar No. 10?

CLERK:

On page 2, House Calendar No. 10, House Resolution No. 17, RESOLUTION CONFIRMING THE NOMINATION OF JOSEPH GIULIETTI OF ROCKY HILL TO BE COMMISSIONER OF TRANSPORTATION. Favorable report of the House Committee on Executive and Legislative Nominations.

SPEAKER ARESIMOWICZ (30TH):

Representative Vargas.

REP. VARGAS (6TH):

Thank you, Mr. Speaker. I rise to move acceptance of the House Committee’s favorable report and adoption of the resolution.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, sir. The question before the Chamber is on acceptance of the Committee’s favorable report and adoption of the resolution. Will you remark?
REP. VARGAS (6TH):

Yes, Commissioner Giulietti has a bachelor’s degree from Southern Connecticut State University. He has his Master’s in Business Administration from Yukon and he is quite an experienced individual. He started out as a conductor and then as a track engineer. He worked himself up to the position of foreman. Recently he was president of Metro-North commuter railroad and he also served for a while as Executive Director of the South Florida Regional Transportation Authority, so this gentleman has vast experience when it comes to running trains and rail systems. So, I have got to say he’s doing a great job and he was supported unanimously by our committee, so I urge adoption of the resolution.

Thank you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, sir. The question before the Chamber is an adoption of the resolution. Will you remark? Representative Perillo of the 113th, sir you have the floor.

REP. PERILLO (113TH):
Thank you, Mr. Speaker. As the gentleman said, Mr. Giulietti is very accomplished and highly regarded in his field. I know he will do an excellent job. I wish him the best of luck. I would urge his support.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, sir. Will you remark further on the resolution before us? Representative Ferraro of the 117th, you have the floor, sir.

REP. FERRARO (117TH):

Thank you, Mr. Speaker. On behalf of the inclement weather and the hour of the day, I will be very short I did want to rise and wish my good friend Joe Giulietti the best. I’ve known Joe for almost 50 years. We were in the same fraternity together in college. I knew he was going to be a rising star. He became as you know very high in the rail business down south. When he was tapped for the job my first reaction was here’s a guy that can work on both sides of the isle. I wish Joe the best of luck and I wholeheartedly support him for this commission. Thank you very much.
Thank you very much, sir. Representative Mushinsky of the 85th district. Madam, you have the floor.

Thank you, Mr. Speaker. I rise in full support of my classmate from Southern Connecticut State University. He has always been an honest and hardworking guy. For 50 years I’ve known him. He is a problem solver and an analytical thinker. He’s always thinking three steps ahead on how he can fix a problem. He has worked his way up from the entry level position in transportation all the way to the head of Metro-North and he is imminently qualified to head up the whole transportation department. He will always give you a straight answer whether it’s a good one or a bad one. You will always get a straight answer from Joe and for that reason, Mr. Speaker I hardily endorse his appointment. Thank you.

Thank you very much, Representative. Will you
remark further. Representative Devlin 134th, Madam, you now have the floor.

REP. DEVLIN (134TH):

In support of this resolution, several years ago as a member of the transportation committee I had the first opportunity to meet Mr. Giulietti who came before us as the head of Metro-North. At that time, I was so impressed with his straight shooting approach as the good representative from Wallingford just mentioned as house ranking member on the transportation committee I am so excited at the prospect of him leading the commission for the DOT. He will do a tremendous job and I wholeheartedly endorse his appointment today. Thank you.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, Madam. Will you remark further? Representative Lavielle of the 143rd, Madam you have the floor.

REP. LAVIELLE (143RD):

Thank you very much, Mr. Speaker. I had the occasion to work closely with Mr. Giulietti when he was president of Metro-North and he was very helpful
to us in resolving some pretty thorny problems on the Metro-North branch lines. He was a friend to us then and I hope he’ll continue to be one. And I know he will do an excellent job.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, Madam. Will you remark further on the resolution before us? If not, let’s try your minds. Those in favor, please signify by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER ARESIMOWICZ (30TH):

Those oppose Nay. The resolution is adopted.

(Gavel)

Are there any announcements or introductions? Announcements or introductions?

Hilda Santiago of the 84th district, Madam, you have the floor.

REP. SANTIAGO (84TH):

Thank you, Mr. Speaker. For purpose of journal notations.

SPEAKER ARESIMOWICZ (30TH):
Please proceed.

REP. SANTIAGO (84TH):

Thank you, Mr. Speaker.

Representative Verrengia, business in the district.

Representative Gonzalez, bereavement.

Representative Joe De La Cruz, business in the district.

Representative Gibson, business in the district.

Representative McGee, business in the district.

Representative Concepcion, business in the district.

Representative [Inaudible-01:32:46], business in the district.

Representative Perone, business in the district.

Representative Miller, business outside the Chamber.

Representative Lopes, business in the district.

Representative Arconti, business in the district.

And Representative Riley, business in the district.

That’s it, Mr. Speaker. Thank you.

SPEAKER ARESIMOWICZ (30TH):

Thank you, Representative. Representative Betts of the 78th. Sir, you have the floor.

REP. BETTS (78TH):
Thank you very much, Mr. Speaker. For the purpose of journal with notations, Representative Camillo, Lavielle, Floren, and Smith missed votes due to being in the district and Representative Wood is ill. Thank you very much.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, sir. Are there anymore announcements or introductions? If not, I see Representative Currey of the 11th district. Sir, you have the floor.

REP. CURREY (11TH):

Yes, thank you Mr. Speaker. With there being no further business on the Clerk’s desk, I move that we adjourn subject to the Call of the Chair.

SPEAKER ARESIMOWICZ (30TH):

Question before the Chamber is subject to the Call of the Chair without objection. So, ordered.

(Gavel)

(On motion of Representative Currey of the 11th District, the House adjourned at 3:02 o'clock p.m.,
Subject to the Call of the Chair.)
CERTIFICATE

I hereby certify that the foregoing 1181 pages is a complete and accurate transcription of a digital sound recording of the House Proceedings on Wednesday, February 20, 2019.

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