

# Malloy Gets Increased Rescission Authority

by Christine Stuart | Jul 1, 2011 1:07am



Josalee Thrift photo - House Majority Leader Brendan Sharkey

(Updated 2:40 a.m.) With little time to scrutinize most of the proposals put forward by Gov. Dannel P. Malloy, the Democrat-controlled General Assembly shot down several measures but ended up giving him the 10 percent increased rescission authority he requested to cut \$1.6 billion from the two-year, \$40.11 billion budget.

The House passed a [bill](#) that increases his rescission authority shortly after midnight. Members voted [78 to 56](#) in favor of the measure. Ten Democrats joined Republicans in voting against it. The Senate passed the bill [21 to 14](#) at 2:30 a.m.

Malloy has the authority to cut 5 percent of any appropriation and 3 percent of any fund in a financial crisis without legislative approval. The legislation gives him authority to cut up to 10 percent without legislative approval until Sept. 30, rather than the next two years as he requested.

Democratic lawmakers argued that the legislation requires Malloy to submit his rescissions to the legislature by July 15. At that time House Speaker Chris Donovan and Senate President Donald Williams may call for a public hearing on the rescissions, and they may call the General Assembly back into session before Aug. 31 to vote on it.

The word “may” caused some anxiety and frustration for Republicans.

“There is absolutely no guarantee we will come back to agree, modify, ratify, or even discuss those cuts,” House Minority Leader Lawrence Cafero, R-Norwalk, said.

“Never have we passed on a chance to weigh in on \$1.6 billion of our budget,” Cafero said.

During debate, Cafero suggested that changing the word “may” to “shall” would easily solve the dilemma and would reflect in plain language the legislature’s intent to return to vote on Malloy’s rescissions.

House Majority Leader Brendan Sharkey, D-Hamden, said Democratic leadership has every intention of calling the legislature back into session to vote on the rescissions.

“We would have never engaged in the exercise of inserting the legislature into the process, if we never meant to return in the first place,” Sharkey said.

“So as much as I appreciate the assurances by the majority leader, let’s put into law what we intend to do,” Cafero said. If it means the legislature will have to return for a technical session should the State Employees Bargaining Agent Coalition pass the state employees concession package, “so what.”



Josalee Thrift photo - House Minority Leader Lawrence Cafero

“Let’s make the bill before us do what we took the oath to do,” Cafero said.

“It is the intent of our leaders in both the House and the Senate to take the governor’s recommendations that are mandated to be presented to us on July 15, report those and provide those to the Appropriations Committee for a public hearing and if the Appropriations Committee recommends changes we will be calling ourselves into session to vote on those proposed changes,” Sharkey said.

But while Malloy received the rescission authority he requested over the state budget, he didn’t receive the [power to cut municipal aid](#). After negotiations with Democratic lawmakers, Malloy gave up his request to cut municipal aid in exchange for 1,000 more state employee layoffs.

“While I think the House should’ve taken up the labor reforms I proposed, I’m glad we’ve at least started the conversation in a real way,” Malloy said in a statement following the Senate vote on the rescission measure. “We need to make the relationship between the state and our employee base sustainable, something it currently is not. Whether through collective bargaining or the legislative process, or by some other means, this issue of how we compensate our state employees isn’t going away.”

The decision to save municipal aid brings the total number of layoffs up to around 7,500 before the 1,000 vacant positions are eliminated.

Malloy also didn’t get the changes to [collective bargaining](#) he proposed because the measure only passed the Senate, and language which would allow him to privatize any state service he saw fit over the next two years was stripped from the final version of the bill.

Sharkey said the bill Malloy presented to lawmakers Wednesday was a draft and was never meant to be a final product. He said the House didn’t feel it had enough time to broach the issue of collective bargaining and it wasn’t ready allow Malloy to privatize services with no oversight in such a short period of time.

“There wasn’t ample time to consider those changes,” Sharkey said.

Donovan maintained that Democrats want to continue to be partners with Malloy, even though there are times when that’s difficult for some members of his caucus.

Most lawmakers and union leaders remained optimistic SEBAC would find a way to ratify the \$1.6 billion concession package making this legislation moot.

Sal Luciano, executive director of AFSCME Council 4 — one of the unions that rejected the agreement — said that if the state wants to make changes to the it’s relationship with unions, it should be done through the negotiation system already in place.

He pointed out that 57 percent of union members actually supported the agreement.

“Why punish all union members?” he asked.

Nonetheless, he said the legislative push-back against the unions was “not something that comes totally as a surprise.”

“We understand that there is a hole in the budget but I’m not sure [the proposed legislation] helps, especially at this fragile time,” he said.

On Monday, union leaders tabled the final vote on the concession package which did not meet the high bar for ratification. Malloy’s proposed legislation included a two month window for unions to find a way to ratify the agreement. But Luciano said talk of a re-vote was insulting to members who knowingly voted against the agreement.

He said he would prefer that the administration and SEBAC negotiate another agreement.

“I know we couldn’t get a better deal, but maybe there could be slight differences that our members could accept,” he said.

Malloy acknowledged the fact that the rescissions and layoffs won’t be necessary if a labor agreement is ratified, an impossibility under the coalition’s current bylaws.

“I’ve been asked many times over the past few days about rumors regarding SEBAC and what they might or might not do, so let me be clear. If they choose to ratify the agreement that was recently turned down, and if they do so in a timely fashion, much of the pain that’s been inflicted over the past few days can be reversed. If they end up not ratifying the agreement, then the budget we now have in place is the one we’ll live with for the next two years,” Malloy said.