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The Honorable Dannel P. Malloy
Governor – State of Connecticut
State Capitol
Hartford, CT 06106

Dear Governor Malloy:

We applaud your leadership on the bipartisan efforts of the past several weeks and your call for tomorrow's special session to address the deficit in the FY '16 budget and to set a foundation for mitigating the FY'17 projected deficit. We also acknowledge the inclusion in the session's call "for a resolution to amend the Constitution to address transportation funding." While we fully understand the critical importance of passing a resolution to put a well-crafted amendment before the voters on November 8, 2016, we urge you to postpone the requisite debate and action on such an amendment until the 2016 legislative session. Our reasons are fourfold.

1. Reaching bipartisan support on the number of revenue and spending actions referenced in the call will require significant time for meaningful debate of legislators' perspectives and priorities and will preclude the substantive discussion required for a well drafted and clearly understandable Constitutional amendment to assure voter approval next November.
2. The Transportation Finance Panel appointed to recommend a plan to finance the proposed \$100 billion Let's Go Connecticut initiative will submit its report after January 1st. Those recommendations will be critical to the drafting and support of an effective Constitutional amendment.
3. The recommendations for funding the Let's Go Connecticut initiative will undoubtedly include both increases to existing funding sources as well as implementing additional ones such as electronic tolls. Such increases and new sources will generate both concern and controversy, and the ultimate approval of the Constitutional resolution by both the Senate and the House will be achieved only with the broad support of voters and private sector employers. Such support mandates an open and comprehensive Legislative process that enables all constituencies to voice their ideas and that thereby provides the basis for voter approval next November.
4. The aforementioned deliberation and debate will be clearly enhanced by a thorough understanding of the omissions and weaknesses of the state's Constitutional spending cap that was critical to voter approval of the personal income tax in the 1990s. Since its inception, the ineffectiveness of the cap has

been exploited for various reasons across the political spectrum, and the opinion issued last month by the Attorney General underscores the critical importance of drafting an amendment that will be impervious to uncertainty and legislative prerogative. As part of our ongoing focus on the critical issue of transportation infrastructure, we have wrestled with a number of the issues that must be addressed in drafting an amendment that effectively secures transportation funding. The issues include: the legal question of justiciability; specific definitions of current and prospective sources of revenue; determining whether expenditures should be limited to capital investments only or include employee compensation and benefits; and identifying an ongoing role for the private sector in determining the details and prioritization of transportation projects.

Given the direct linkage between the existing spending cap amendment and one to secure transportation funding, we have produced a draft that addresses both. We will provide a revised version shortly and welcome the opportunity to discuss it with your staff and the appropriate Committee Chairs to ensure that it is submitted for comprehensive hearings and debates in the '16 session. We are also developing a forum on these Constitutional matters that will be held at the UConn Law School on February 4, 2016 and that will inform the '16 session.

We thank you again for your leadership on the bipartisan efforts and look forward to working with you and the Legislature to address our multi-year budget challenges and to fund the infrastructure investments that are critical to sustained economic and employment growth now and in the future.

Sincerely,

A handwritten signature in black ink, appearing to be a stylized 'G' or similar character, positioned below the word 'Sincerely,'.

cc: Members of the General Assembly