



State of Connecticut

HOUSE OF REPRESENTATIVES
STATE CAPITOL
HARTFORD, CONNECTICUT 06106-1591

REPRESENTATIVE VINCENT J. CANDELORA
EIGHTY-SIXTH ASSEMBLY DISTRICT

REPUBLICAN LEADER

LEGISLATIVE OFFICE BUILDING, ROOM 4200
300 CAPITOL AVENUE
HARTFORD, CT 06106-1591

TOLL FREE: (800) 842-1423
CAPITOL: (860) 240-8700
Vincent.Candelora@housegop.ct.gov

May 10, 2021

Attorney General William Tong
Office of the Attorney General
165 Capitol Avenue
Hartford, CT 06106

Dear Attorney General Tong:

I'm writing to ask that you review the constitutionality of the "Connecticut Equitable Investment Fund" as proposed pursuant to section 13 of House Bill 6443 of the current legislative session which was favorably reported out of the Finance Committee on April 22, 2021.

This Fund is contemplated to be the depository of a variety of new taxes being imposed on the citizens of our state, including a new wage compensation tax, a new consumption tax, a new digital advertising tax, new taxes on recreational cannabis and cannabis products, and a diversion of future revenues generated by any form of online gaming.

Even more disturbing is the fact that this new account will be non-lapsing and will carry forward these funds from year to year. There is no mechanism for the expenditure of these funds to ever come before the legislature. In fact, all decisions regarding these funds are left to just nine people only two of whom are elected officials accountable to the citizens of our state.

While I strongly maintain that these new and additional taxes are being imposed at the worst possible time, just as our state and country are beginning – finally – to emerge from a worldwide pandemic, the concern that prompts my letter relates to the process by which these additional revenues are expended.

Pursuant to subsection (a), the "[m]oneys in the fund shall be expended by the Connecticut Equitable Investment Council. . ." and that Council is, pursuant to subsection (c), made up of nine members - the Governor, the Treasurer, the Secretary of the Office of Policy and Management, and six members of the public appointed by the president pro tempore of the Senate and the speaker of the House of Representatives.

Placing sole discretion over hundreds of millions of dollars of taxpayer funds in the hands of nine people, none of whom are even legislators, is an outrageous abdication of budget-making authority reserved to the legislature pursuant to our state constitution.

Given the unprecedented significance of this budget bill proposal, I am formally requesting that your office review this legislation and evaluate the constitutionality of such a delegation of legislative authority.

Very truly yours,

A handwritten signature in black ink that reads "Vincent J. Candelora". The signature is written in a cursive style with a large, stylized initial "V".

Vincent Candelora
House Minority Leader