



# State of Connecticut

SENATOR LEONARD A. FASANO

SENATE REPUBLICAN PRESIDENT PRO TEMPORE

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October 2, 2017

Attorney General George Jepsen  
Office of the Attorney General  
55 Elm Street  
Hartford, CT 06106

Dear Attorney General Jepsen:

I am following up again to my letter sent to you on Friday August 18, 2017 seeking an opinion on the legality of Governor Dannel P. Malloy's Revised Executive Order Allocation Plan of August 18, 2017.

With the governor vetoing the state budget passed by the legislature with bipartisan support, his executive order continues to operate and will lead to severe reductions in school funding to many towns and cities this month. Therefore, it is pressing that your office provides an opinion on this order as requested over a month ago.

Since the governor has now vetoed the legislature's budget, it is imperative that lawmakers know whether or not his executive order is in fact legal, or if these changes violate statutory mandates which would require legislative approval.

I believe it is extremely important that you respond to this outstanding request prior to a veto override session taking place so lawmakers have all the relevant information prior to deciding whether to allow the governor's veto to stand, which will lead to his executive order remaining in effect.

As expressed to your office in my letter and in subsequent conversations between staff members, I specifically requested an opinion on whether the governor has the executive authority to implement the following three elements of his executive order:

- Unilaterally reducing Excess Cost grants for state aid for special education,
- Withholding funding mandated by the Municipal Revenue Sharing Program without legislative approval, and
- Using an executive order to adjust the motor vehicle mill rate tax cap.

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The governor's veto of the legislature's budget and scheduled House of Representatives session to consider a veto override make this request all the more pressing today. I look forward to a prompt response.

Sincerely,

A handwritten signature in blue ink, appearing to be 'Len Fasano', written in a cursive style. The signature is positioned above the typed name.

Len Fasano  
Senate Republican President Pro Tempore