



Senate Bill No. 801

Public Act No. 05-112

AN ACT CONCERNING LEGISLATIVE REVIEW AND APPROVAL OF WAIVER APPLICATIONS PRIOR TO SUBMITTAL TO THE FEDERAL GOVERNMENT.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 17b-8 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2005*):

(a) The Commissioner of Social Services shall submit an application for a federal waiver of any assistance program requirements, except such application pertaining to routine operational issues, to the joint standing [committee] committees of the General Assembly having cognizance of matters relating to human services and appropriations and the budgets of state agencies [and to the joint standing committee of the General Assembly having cognizance of matters relating to human services] prior to the submission of such application to the federal government. [Within] Not later than thirty days after the date of their receipt of such application, the joint standing committees [may] shall: (1) Hold a public hearing on the waiver application, and (2) thereafter advise the commissioner of their approval, denial or modifications, if any, of [his] the commissioner's application. If the joint standing committees advise the commissioner of their denial of the commissioner's application, the commissioner shall not submit the

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application for a federal waiver to the federal government. If such committees do not concur, the committee chairpersons shall appoint a committee of conference which shall be comprised of three members from each joint standing committee. At least one member appointed from each joint standing committee shall be a member of the minority party. The report of the committee of conference shall be made to each joint standing committee, which shall vote to accept or reject the report. The report of the committee of conference may not be amended. If a joint standing committee rejects the report of the committee of conference, such committee shall notify the commissioner of the rejection and the commissioner's application shall be deemed approved. If the joint standing committees accept the report, the committee having cognizance of matters relating to appropriations and the budgets of state agencies shall advise the commissioner of their approval, denial or modifications, if any, of the commissioner's application. If the joint standing committees do not so advise the commissioner during the thirty-day period, the application shall be deemed approved. Any application for a federal waiver submitted by the commissioner, pursuant to this section, shall be in accordance with the approval or modifications, if any, of the joint standing committees of the General Assembly having cognizance of matters relating to human services and appropriations and the budgets of state agencies.

(b) If in developing the budget for the department for the next fiscal year, the commissioner contemplates applying for a federal waiver, [he] the commissioner shall notify the joint standing committee of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies and the joint standing committee of the General Assembly having cognizance of matters relating to human services of the possibility of such application.

(c) Prior to submission of an application for a waiver from federal

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law to the General Assembly under subsection (a) of this section, the Commissioner of Social Services shall publish a notice that the commissioner intends to seek such a waiver in the Connecticut Law Journal, along with a summary of the provisions of the waiver application and the manner in which individuals may submit comments. The commissioner shall allow fifteen days for written comments on the waiver application prior to submission of the application for a waiver to the General Assembly under subsection (a) of this section and shall include all written comments with the waiver application in the submission to the General Assembly.

(d) The commissioner shall include with any waiver application submitted to the federal government pursuant to this section: (1) Any written comments received pursuant to subsection (c) of this section; and (2) a complete transcript of the joint standing committee proceedings held pursuant to subsection (a) of this section, including any additional written comments submitted to the joint standing committees at such proceedings. The joint standing committees shall transmit any such materials to the commissioner for inclusion with any such waiver application.

Vetoed June 24, 2005