



House of Representatives

General Assembly

File No. 277

February Session, 2006

Substitute House Bill No. 5063

House of Representatives, March 31, 2006

The Committee on Government Administration and Elections reported through REP. CARUSO of the 126th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING THE EXTENSION OR RENEWAL OF CERTAIN CONTRACTS BY THE CONNECTICUT RESOURCES RECOVERY AUTHORITY.

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

1 Section 1. Subsection (b) of section 22a-266 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

4 (b) (1) Any contracts authorized by this chapter shall be entered into
5 by the authority [(1)] (A) on the same basis and subject to the same
6 limitations and considerations applicable to municipal and regional
7 resources recovery authorities pursuant to subsection (c) of section 7-
8 273bb, and [(2)] (B) pursuant to the contracting procedures adopted
9 under section 22a-268a, except that in entering into a contract for a
10 resources recovery facility, solid waste facility, volume reduction plant
11 or solid waste management system, the authority shall consider the
12 best interests of the municipality or region to be served by such

13 facility, plant or system.

14 (2) The authority shall not enter into or renew any contract
15 authorized by this chapter with any person who has illegally used or
16 obtained any property or equipment owned by the authority.

17 Sec. 2. Section 22a-268 of the general statutes is repealed and the
18 following is substituted in lieu thereof (*Effective from passage*):

19 The authority shall utilize private industry, by contract, to carry out
20 the business, design, operating, management, marketing, planning and
21 research and development functions of the authority, unless the
22 authority determines that it is in the public interest to adopt another
23 course of action. The authority is hereby empowered to enter into
24 long-term contracts with private persons for the performance of any
25 such functions of the authority which, in the opinion of the authority,
26 can desirably and conveniently be carried out by a private person
27 under contract provided any such contract shall contain such terms
28 and conditions as will enable the authority to retain overall
29 supervision and control of the business, design, operating,
30 management, transportation, marketing, planning and research and
31 development functions to be carried out or to be performed by such
32 private persons pursuant to such contract. Such contracts shall be
33 entered into either on a competitive negotiation or competitive bidding
34 basis, and the authority in its discretion may select the type of contract
35 it deems most prudent to utilize, pursuant to the contracting
36 procedures adopted under section 22a-268a and considering the scope
37 of work, the management complexities associated therewith, the extent
38 of current and future technological development requirements and the
39 best interests of the state. Whenever a long-term contract is entered
40 into on other than a competitive bidding basis, the criteria and
41 procedures therefor shall conform to applicable provisions of
42 subdivision (16) of subsection (a) and subsections (b) and (c) of section
43 22a-266, as amended by this act, provided however, that any contract
44 for a period of over five years in duration, or any contract for which
45 the annual consideration is greater than fifty thousand dollars shall be

46 approved by a two-thirds vote of the authority's full board of directors.
 47 The terms and conditions of such contracts shall be determined by the
 48 authority, as shall the fees or other similar compensation to be paid to
 49 such persons for such contracts. The authority shall not enter into or
 50 renew a contract with any person who has illegally used or obtained
 51 any property or equipment owned by the authority. The contracts
 52 entered into by the authority shall not be subject to the approval of any
 53 other state department, office or agency. However, copies of all
 54 contracts of the authority shall be maintained by the authority as
 55 public records, subject to the proprietary rights of any party to the
 56 contract. Nothing of the aforesaid shall be deemed to restrict the
 57 discretion of the authority to utilize its own staff and work force for the
 58 performance of any of its assigned responsibilities and functions
 59 whenever, in the discretion of the authority, it becomes necessary,
 60 convenient or desirable to do so. Any litigation with respect to any
 61 terms, conditions or provisions of any contract of the authority, or the
 62 performance or nonperformance of same by either party, shall be tried
 63 before a judge of the Superior Court of Connecticut.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	22a-266(b)
Sec. 2	<i>from passage</i>	22a-268

GAE *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: None

Municipal Impact: None

The Out Years

None

**OLR Bill Analysis
sHB 5063**

AN ACT CONCERNING THE EXTENSION OR RENEWAL OF CERTAIN CONTRACTS BY THE CONNECTICUT RESOURCES RECOVERY AUTHORITY.

SUMMARY:

This bill prohibits the Connecticut Resources Recovery Authority (CRRA) from initiating or renewing a contract with anyone who has illegally used or obtained CRRA property or equipment. By law, CRRA can contract with anyone, including private parties, to perform its duties or execute its powers. These powers and duties consist of planning, designing, building, and operating solid waste disposal, volume reduction, recycling, intermediate processing, and resources recovery facilities.

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 12 Nay 7 (03/14/2006)