



Senate

General Assembly

File No. 420

February Session, 2006

Substitute Senate Bill No. 371

Senate, April 6, 2006

The Committee on Government Administration and Elections reported through SEN. DEFRONZO of the 6th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING RESIDENTIAL FACILITIES OPERATED BY THE DEPARTMENT OF CHILDREN AND FAMILIES.

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

1 Section 1. (NEW) (*Effective from passage*) (a) Notwithstanding any
2 provision of the general statutes, on and before January 1, 2009, no
3 state agency, including, but not limited to, the Department of Children
4 and Families, may implement a plan to close a residential facility
5 operated by the Department of Children and Families without
6 obtaining prior legislative approval of the plan in accordance with this
7 section. In developing such plan, if any, the relevant state agency shall
8 consult with the chairpersons and ranking members of the joint
9 standing committees of the General Assembly having cognizance of
10 matters relating to appropriations, human services and the judiciary,
11 and the select committee of the General Assembly having cognizance
12 of matters relating to children.

13 (b) To obtain such legislative approval, the state agency shall file the

14 plan with the clerks of the House of Representatives and the Senate.
15 The plan shall include details about (1) the proposed closure and any
16 proposed new facility; (2) the number of residents and staff affected by
17 the proposed closure and the number of potential residents of any
18 proposed new facility; (3) the associated costs of the proposed closure
19 and any proposed new facility; and (4) a summary of statutory
20 changes necessary to implement the closure or construction of a
21 proposed new facility.

22 (c) Not later than five days after receiving the plan, the clerks of the
23 House of Representatives and the Senate shall refer the plan to the
24 select committee of the General Assembly having cognizance of
25 matters relating to children. The committee shall hold a public hearing
26 on the plan not later than thirty days after receiving the plan. The
27 committee may seek input from other committees or members of the
28 General Assembly. Not later than five days after the hearing, the
29 committee shall (1) hold a roll-call vote to approve or reject the plan, in
30 whole, and (2) forward the plan and a record of the committee's vote to
31 the General Assembly.

32 (d) The General Assembly may approve or reject the plan, in whole,
33 by a majority vote of each house. If the plan is submitted when the
34 General Assembly is not in session, the plan shall be deemed rejected if
35 the General Assembly fails to convene to consider the plan not later
36 than thirty days after it receives the plan from the committee.

37 (e) If the plan is approved pursuant to subsection (d) of this section,
38 the state agency may implement the plan, provided any required
39 amendments to the general statutes are enacted prior to
40 implementation. If the plan is rejected pursuant to subsection (d) of
41 this section, the state agency may submit an amended plan for
42 approval in accordance with subsection (b) of this section.

43 Sec. 2. (*Effective October 1, 2006*) Not later than December 1, 2006, the
44 Commissioner of Children and Families shall submit a report to the
45 select committee of the General Assembly having cognizance of
46 matters relating to children, in accordance with section 11-4a of the

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:

Agency Affected	Fund-Effect	FY 07 \$	FY 08 \$
Legislative Mgmt.	GF - Cost	0 - 9,000	0 - 9,000
Children & Families, Dept.	GF - See Below	See Below	See Below

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill requires the Select Committee on Children to hold a public hearing and vote on any plan to close a Department of Children and Families (DCF) operated residential facility. This would result in minor costs to Legislative Management for legislator mileage reimbursements (currently 44.5 cents per mile) which are budgeted as part of normal agency resources. Subsequently, the plan must be forwarded for a vote by the full General Assembly. If such a plan were voted on by the General Assembly during regular session, no additional costs would be incurred. However, if this necessitated a special session, additional costs of \$9,000 per session day would result for sessional staff, printing and legislator mileage reimbursements.

The DCF operates five residential facilities. At this time, only the Connecticut Juvenile Training School (CJTS) is being considered for closure. The Governor has proposed \$5 million in bond funding to allow the department to plan for and develop treatment and reintegration centers (TRECs), which would replace the CJTS. However, sSB 52 ("AA Authorizing Bonding of the State for Capital Improvements and Other Purposes," as favorably reported by the Finance, Revenue and Bonding Committee) does not contain this authorization. Should any enacted bonding package include an authorization for planning and development of TRECs, allocation of

any such bond funding may be delayed given passage of this bill (sSB 371).

The department will be able to compile information and submit the report concerning the Connecticut Juvenile Training School by 12/1/06 within its normally budgeted resources.

The Out Years

State Impact:

Agency Affected	Fund-Effect	FY 09 \$	FY 10 \$	FY 11 \$
Legislative Mgmt.	GF - Cost	0-9,000	None	None
Children & Families, Dept.	GF - See Above	See Above	See Above	See Above

Note: GF=General Fund

Municipal Impact: None

OLR Bill Analysis**sSB 371*****AN ACT CONCERNING RESIDENTIAL FACILITIES OPERATED BY THE DEPARTMENT OF CHILDREN AND FAMILIES.*****SUMMARY:**

This bill creates a moratorium, through January 1, 2009, on any state agency implementing a plan to close a Department of Children and Families (DCF)-operated residential facility without advance legislative approval.

It also requires the DCF commissioner to file a legislative report by December 1, 2006 on the status of the Connecticut Juvenile Training School (CJTS).

EFFECTIVE DATE: Upon passage, except the reporting provision is effective October 1, 2006.

PLANNED RESIDENTIAL FACILITY CLOSURES***Proposed Plan***

The bill requires any agency developing a plan to close CJTS, High Meadows, Connecticut Children's Place, or Riverview Hospital to consult with the Appropriations, Human Services, Judiciary, and Children's committee chairpersons and ranking members.

To obtain legislative approval, the agency must file its plan with the House and Senate clerks. The plan must include details about:

1. the proposed closure and any proposed new facility,
2. how many residents and staff the closure will affect and the residential capacity of any proposed new facility,

3. the costs associated with implementing the plan, and
4. a summary of needed statutory changes.

Legislative Actions

The House and Senate clerks must refer the plan to the Children's Committee within five days of receipt. The committee must hold a public hearing on the plan no later than 30 days after it receives it, and may also seek input from other legislative committees and legislators.

No later than five days after the hearing, the committee must (1) hold a roll call vote to approve or reject the plan in whole and (2) forward the plan and a record of its vote to the full General Assembly.

Plan Approval. A majority vote of each chamber is required to approve a plan. The legislature must pass any required statutory amendments before an agency can implement it.

Plan Rejection. Any plan submitted when the legislature is not in session is deemed rejected if the legislature does not convene to consider it within 30 days of receipt. The bill allows an agency whose plan the legislature rejected to amend and resubmit it following the process described above.

CJTS REPORT

DCF's status report on CJTS must indicate:

1. the number of residents,
2. whether the population increased or decreased in the past calendar year, and
3. details of any plan being considered to close the school or transfer residents to another facility.

It is unclear how the agency must calculate residents and population increases or decreases.

COMMITTEE ACTION

Select Committee on Children

Joint Favorable Substitute Change of Reference

Yea 12 Nay 0 (03/09/2006)

Human Services Committee

Joint Favorable Change of Reference

Yea 12 Nay 3 (03/16/2006)

Government Administration and Elections Committee

Joint Favorable

Yea 12 Nay 7 (03/22/2006)