



General Assembly

**Amendment**

January Session, 2009

LCO No. 8864

\*HB0654508864HDO\*

Offered by:

REP. RYAN, 139<sup>th</sup> Dist.

SEN. PRAGUE, 19<sup>th</sup> Dist.

To: Subst. House Bill No. 6545

File No. 915

Cal. No. 397

**"AN ACT CONCERNING THE RIGHT TO ORGANIZE FOR CERTAIN EMPLOYEES."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Section 5-270 of the general statutes is repealed and the  
4 following is substituted in lieu thereof (*Effective from passage*):

5 When used in sections 5-270 to 5-280, inclusive, as amended by this  
6 act:

7 [(a)] (1) "Employer" means the state of Connecticut, its executive and  
8 judicial branches, including, without limitation, any board,  
9 department, commission, institution, or agency of such branches or  
10 any appropriate unit thereof and any board of trustees of a state-  
11 owned or supported college or university and branches thereof, public  
12 and quasi-public state corporation, or authority established by state  
13 law, or any person or persons designated by the employer to act in its

14 interest in dealing with employees, but shall not include the State  
15 Board of Labor Relations or the State Board of Mediation and  
16 Arbitration.

17 [(b)] (2) "Employee" means any employee of an employer, whether  
18 or not in the classified service of the employer, except elected or  
19 appointed officials other than special deputy sheriffs, board and  
20 commission members, disability policy specialists assigned to the  
21 Council on Developmental Disabilities, managerial employees and  
22 confidential employees.

23 [(c)] (3) "Professional employee" means: [(1)] (A) Any employee  
24 engaged in work [(A)] (i) predominantly intellectual and varied in  
25 character as opposed to routine mental, manual, mechanical or  
26 physical work; [(B)] (ii) involving the consistent exercise of discretion  
27 and judgment in its performance; [(C)] (iii) of such a character that the  
28 output produced or the result accomplished cannot be standardized in  
29 relation to a given time period; [(D)] (iv) requiring knowledge of an  
30 advanced type in a field of science or learning customarily acquired by  
31 a prolonged course of specialized intellectual instruction and study in  
32 an institution of higher learning or a hospital, as distinguished from a  
33 general academic education or from an apprenticeship or from training  
34 in the performance of routine mental, manual or physical processes; or  
35 [(2)] (B) any employee who has completed the courses of specialized  
36 intellectual instruction and study described in [subsection (c)(1)(D)]  
37 subparagraph (A)(iv) of this subdivision and is performing related  
38 work under the supervision of a professional person to qualify himself  
39 or herself to become a professional employee as defined in [subsection  
40 (c)(1)] subparagraph (A) of this subdivision.

41 [(d)] (4) "Employee organization" means any lawful association,  
42 labor organization, federation or council having as a primary purpose  
43 the improvement of wages, hours and other conditions of employment  
44 among state employees.

45 [(e)] (5) "Confidential employee" means any public employee who

46 would have access to confidential information used in collective  
47 bargaining.

48 [(f)] (6) "Supervisory employee" means any individual in a position  
49 in which the principal functions are characterized by not fewer than  
50 two of the following: [(1)] (A) Performing such management control  
51 duties as scheduling, assigning, overseeing and reviewing the work of  
52 subordinate employees; [(2)] (B) performing such duties as are distinct  
53 and dissimilar from those performed by the employees supervised;  
54 [(3)] (C) exercising judgment in adjusting grievances, applying other  
55 established personnel policies and procedures and in enforcing the  
56 provisions of a collective bargaining agreement; and [(4)] (D)  
57 establishing or participating in the establishment of performance  
58 standards for subordinate employees and taking corrective measures  
59 to implement those standards, provided in connection with any of the  
60 foregoing the exercise of such authority is not merely of a routine or  
61 clerical nature, but requires the use of independent judgment, and  
62 such individuals shall be employees within the meaning of [subsection  
63 (b)] subdivision (2) of this section. The above criteria for supervisory  
64 positions shall not necessarily apply to police or fire departments.

65 [(g)] (7) "Managerial employee" means any individual, excluding  
66 the head or deputy head of a state agency or an individual appointed  
67 by the Governor or who would have access to confidential information  
68 used in collective bargaining, in a position in which the principal  
69 functions are characterized by not fewer than two of the following,  
70 provided for any position in any unit of the system of higher  
71 education, one of such two functions shall be as specified in  
72 [subdivision (4) of this subsection: (1)] subparagraph (D) of this  
73 subdivision: (A) Responsibility for direction of a subunit or facility of a  
74 major division of an agency or assignment to an agency head's staff;  
75 [(2)] (B) development, implementation and evaluation of goals and  
76 objectives consistent with agency mission and policy; [(3)] (C)  
77 participation in the formulation of agency policy; or [(4)] (D) a major  
78 role in the administration of collective bargaining agreements or major  
79 personnel decisions, or both, including staffing, hiring, firing,

80 evaluation, promotion and training of employees. Such individuals  
81 shall be employees within the meaning of subdivision (2) of this  
82 section.

83 Sec. 2. Subsection (a) of section 5-278 of the general statutes is  
84 repealed and the following is substituted in lieu thereof (*Effective from*  
85 *passage*):

86 (a) When an employee organization has been designated, in  
87 accordance with the provisions of sections 5-270 to 5-280, inclusive, as  
88 amended by this act, as the exclusive representative of employees in an  
89 appropriate unit, the employer shall be represented in collective  
90 bargaining with such employee organization in the following manner:  
91 (1) In the case of an executive branch employer, including the Division  
92 of Criminal Justice, by the chief executive officer whether elected or  
93 appointed, or his or her designated representative, [;] who shall  
94 maintain a close liaison with the legislature relative to the negotiations  
95 and the potential fiscal ramifications of any proposed settlement; (2) in  
96 the case of a judicial branch employer, by the Chief Court  
97 Administrator, or his or her designated representative; and (3) in the  
98 case of each segment of the system of higher education, the faculty and  
99 professional employees shall negotiate with their own board of  
100 trustees or its designated representative.

101 Sec. 3. Section 31-101 of the general statutes is repealed and the  
102 following is substituted in lieu thereof (*Effective from passage*):

103 When used in this chapter:

104 (1) "Agent" means the representative of the board who handles all  
105 investigations of complaints and violations of this chapter;

106 (2) "Board" means the labor relations board provided for in section  
107 31-102;

108 (3) "Commissioner" means the Labor Commissioner or any  
109 representative designated by him or her;

110 (4) "Company union" means any committee, employee  
111 representation plan or association of employees which exists for the  
112 purpose, in whole or in part, of dealing with employers concerning  
113 grievances or terms and conditions of employment which the  
114 employer has initiated or created or whose initiation or creation he or  
115 she has suggested or participated in or the formulation of whose  
116 governing rules or policies or the conduct of whose management,  
117 policies or elections the employer participates in or supervises or  
118 which the employer manages, finances, controls, dominates or assists  
119 in maintaining or financing, whether by compensation to anyone for  
120 service performed in its behalf or by donating free service, equipment,  
121 materials, office or meeting space or anything else of value or by any  
122 other means;

123 (5) "Department" means the Labor Department;

124 (6) "Employee" includes, but shall not be restricted to, any  
125 individual employed by a labor organization, any individual whose  
126 employment has ceased as a consequence of, or in connection with,  
127 any current labor dispute or because of any unfair labor practice, and  
128 who has not obtained any other regular and substantially equivalent  
129 employment, and shall not be limited to the employees of a particular  
130 employer; but shall not include any individual employed by his or her  
131 parent or spouse or in the domestic service of any person in his or her  
132 home, any individual employed only for the duration of a labor  
133 dispute or any individual employed as an agricultural worker;

134 (7) "Employer" means any person acting directly or indirectly in the  
135 interest of an employer in relation to an employee, but shall not  
136 include any person engaged in farming, or any person subject to the  
137 provisions of the National Labor Relations Act, unless the National  
138 Labor Relations Board has declined to assert jurisdiction over such  
139 person, or any person subject to the provisions of the Federal Railway  
140 Labor Act, or the state or any political or civil subdivision thereof or  
141 any religious agency or corporation, or any labor organization, except  
142 when acting as an employer, or any one acting as an officer or agent of

143 such labor organization. An employer licensed by the Department of  
144 Public Health under section 19a-490 shall be subject to the provisions  
145 of this chapter with respect to all its employees except those licensed  
146 under chapters 370 and 379, unless such employer is the state or any  
147 political subdivision thereof;

148 (8) "Labor dispute" includes, but shall not be restricted to, any  
149 controversy between employers and employees or their  
150 representatives concerning terms, tenure or conditions of employment  
151 or concerning the association or representation of persons in  
152 negotiating, fixing or maintaining, or seeking to negotiate, fix,  
153 maintain or change, terms or conditions of employment;

154 (9) "Labor organization" means any organization which exists and is  
155 constituted for the purpose, in whole or in part, of collective  
156 bargaining, or of dealing with employers concerning grievances, terms  
157 or conditions of employment, or other mutual aid or protection, and  
158 which is not a company union as defined herein;

159 (10) "Person" includes individuals, partnerships, associations,  
160 corporations, limited liability companies, trustees, receivers and legal  
161 representatives;

162 (11) "Representative" includes a labor organization or an individual,  
163 whether or not employed by the employer or those whom he or she  
164 represents;

165 (12) "Unfair labor practice" means only those unfair labor practices  
166 listed in section 31-105;

167 (13) "Supervisor" means any individual having authority, in the  
168 interest of the employer, to hire, transfer, suspend, lay off, recall,  
169 promote, discharge, assign, reward or discipline other employees, or  
170 responsibility to direct them, or to adjust their grievances, or  
171 effectively to recommend such action, if in connection with the  
172 foregoing the exercise of such authority is not of a merely routine or  
173 clerical nature, but requires the use of independent judgment, and

174 such individuals shall be "employees" within the meaning of  
175 subdivision (6) of this section;

176 (14) "Professional employee" means (A) any employee engaged in  
177 work (i) predominantly intellectual and varied in character as opposed  
178 to routine mental, manual, mechanical or physical work; (ii) involving  
179 the consistent exercise of discretion and judgment in its performance;  
180 (iii) of such a character that the output produced or the result  
181 accomplished cannot be standardized in relation to a given period of  
182 time; and (iv) requiring knowledge of an advanced type in a field of  
183 science or learning customarily acquired by a prolonged course of  
184 specialized intellectual instruction and study in an institution of higher  
185 learning or a hospital, as distinguished from a general academic  
186 education or from an apprenticeship or from training in the  
187 performance of routine mental, manual or physical processes; or (B)  
188 any employee who (i) has completed the courses of specialized  
189 intellectual instruction and study described in [clause (iv) of]  
190 subparagraph [(A)] (A)(iv) of this subdivision, and (ii) is performing  
191 related work under the supervision of a professional person to qualify  
192 himself or herself to become a professional employee as defined in said  
193 subparagraph (A).

194 Sec. 4. Subdivision (30) of section 5-196 of the general statutes is  
195 repealed and the following is substituted in lieu thereof (*Effective from*  
196 *passage*):

197 (30) "Managerial employee" means any person presently covered by  
198 the existing managerial compensation plan pursuant to [subsection (g)]  
199 subdivision (7) of section 5-270, as amended by this act.

200 Sec. 5. Subsection (b) of section 5-200c of the general statutes is  
201 repealed and the following is substituted in lieu thereof (*Effective from*  
202 *passage*):

203 (b) Upon the completion of the studies referred to in subdivisions  
204 (2) and (3) of subsection (a) of this section and the implementation of  
205 the results of such studies, collective bargaining negotiations

206 concerning wage changes as a result of objective job evaluations shall  
207 commence not later than April 1, 1993. Notwithstanding the provisions  
208 of subsection (a) of section 5-278, as amended by this act, such  
209 negotiations shall be conducted between the employer, as defined in  
210 [subsection (a)] subdivision (1) of section 5-270, as amended by this act,  
211 and a coalition committee which represents all state employees who  
212 are members of any designated employee organization. The results of  
213 any such negotiations shall be implemented as of July 1, 1995. All wage  
214 inequities shall be deemed to have been eliminated upon the  
215 implementation of such results. Nothing in this subsection shall be  
216 deemed to affect any appeal related to any objective job evaluation  
217 studies previously taken or allowed or any litigation pending on June  
218 25, 1991, or to prohibit the continued use of a point factor value system  
219 for the evaluation of newly created job classifications.

220 Sec. 6. Section 5-226f of the general statutes is repealed and the  
221 following is substituted in lieu thereof (*Effective from passage*):

222 Notwithstanding the provisions of subsection (d) of section 5-272  
223 the employer, as defined in [subsection (a)] subdivision (1) of section 5-  
224 270, as amended by this act, and an employee organization, as defined  
225 in [subsection (d)] subdivision (4) of [said] section 5-270, as amended  
226 by this act, as the exclusive representative of employees in an  
227 appropriate unit, may engage in a pilot program to discuss the state  
228 classifications and examination system. Neither party may negotiate  
229 pursuant to the provisions of section 5-276a, as amended by this act.  
230 Any agreement reached by the parties shall be reduced to writing and  
231 submitted to the General Assembly pursuant to the provisions of  
232 subsection (b) of section 5-278.

233 Sec. 7. Subsection (a) of section 5-248i of the general statutes is  
234 repealed and the following is substituted in lieu thereof (*Effective from*  
235 *passage*):

236 (a) The Commissioner of Administrative Services may develop and  
237 implement guidelines, in cooperation with interested employee

238 organizations, as defined in [subsection (d)] subdivision (4) of section  
239 5-270, as amended by this act, authorizing telecommuting and work-  
240 at-home programs for state employees where such arrangements are  
241 determined to be cost effective.

242 Sec. 8. Subsection (a) of section 5-276a of the general statutes is  
243 repealed and the following is substituted in lieu thereof (*Effective from*  
244 *passage*):

245 (a) In the event that either the employer, as defined in [subsection  
246 (a)] subdivision (1) of section 5-270, as amended by this act, or a  
247 designated employee organization, as defined in [subsection (d)]  
248 subdivision (4) of [said] section 5-270, as amended by this act, may  
249 desire negotiations with respect to an original or successor collective  
250 bargaining agreement, such party, not more than three hundred thirty  
251 days prior to the expiration of the existing collective bargaining  
252 agreement or less than one hundred fifty days prior thereto, shall serve  
253 written notice thereof upon the other party. Negotiations shall  
254 commence within thirty days of such service. Negotiations as to wage  
255 reopeners shall commence within twenty days of receipt by one party  
256 of a written notice with respect thereto, served in accordance with the  
257 provisions of any such reopener in the affected contract or, if none is  
258 stated therein, not more than sixty days or less than thirty days prior to  
259 the effective date of such reopener.

260 Sec. 9. Subdivision (7) of section 9-601 of the general statutes is  
261 repealed and the following is substituted in lieu thereof (*Effective from*  
262 *passage*):

263 (7) "Organization" means all labor organizations, (A) as defined in  
264 the Labor-Management Reporting and Disclosure Act of 1959, as from  
265 time to time amended, or (B) as defined in subdivision (9) of section  
266 31-101, as amended by this act, employee organizations as defined in  
267 [subsection (d)] subdivision (4) of section 5-270, as amended by this  
268 act, and subdivision (6) of section 7-467, bargaining representative  
269 organizations for teachers, any local, state or national organization, to

270 which a labor organization pays membership or per capita fees, based  
271 upon its affiliation or membership, and trade or professional  
272 associations which receive their funds exclusively from membership  
273 dues, whether organized in or outside of this state, but does not mean  
274 a candidate committee, party committee or a political committee.

275 Sec. 10. Section 32-23e of the general statutes is repealed and the  
276 following is substituted in lieu thereof (*Effective from passage*):

277 To accomplish the purposes of the authority, as defined in  
278 subsection (t) of section 32-23d, which are hereby determined to be  
279 public purposes for which public funds may be expended, and in  
280 addition to any other powers provided by law, the authority shall have  
281 power to: (1) Determine the location and character of any project to be  
282 financed under the provisions of said chapters and sections, provided  
283 any financial assistance shall be approved in accordance with written  
284 procedures prepared pursuant to subdivision (14) of this section; (2)  
285 purchase, receive, by gift or otherwise, lease, exchange, or otherwise  
286 acquire, and construct, reconstruct, improve, maintain, equip and  
287 furnish one or more projects, including all real and personal property  
288 which the authority may deem necessary in connection therewith, and  
289 to enter into a contract with a person therefor upon such terms and  
290 conditions as the authority shall determine to be reasonable, including  
291 but not limited to reimbursement for the planning, designing,  
292 financing, construction, reconstruction, improvement, equipping,  
293 furnishing, operation and maintenance of the project and any claims  
294 arising therefrom and establishment and maintenance of reserve and  
295 insurance funds with respect to the financing of the project; (3) insure  
296 any or all payments to be made by the borrower under the terms of  
297 any agreement for the extension of credit or making of a loan by the  
298 authority in connection with any economic development project to be  
299 financed, wholly or in part, through the issuance of bonds or mortgage  
300 payments of any mortgage which is given by a mortgagor to the  
301 mortgagee who has provided the mortgage for an economic  
302 development project upon such terms and conditions as the authority  
303 may prescribe and as provided herein, and the faith and credit of the

304 state are pledged thereto; (4) in connection with the insuring of  
305 payments of any mortgage, request for its guidance a finding of the  
306 municipal planning commission, or, if there is no planning  
307 commission, a finding of the municipal officers, of the municipality in  
308 which the economic development project is proposed to be located, or  
309 of the regional planning agency of which such municipality is a  
310 member, as to the expediency and advisability of the economic  
311 development project; (5) sell or lease to any person, all or any portion  
312 of a project, purchase from eligible financial institutions mortgages  
313 with respect to economic development projects, purchase or  
314 repurchase its own bonds, and sell, pledge or assign to any person any  
315 such bonds, mortgages, or other loans, notes, revenues or assets of the  
316 authority, or any interest therein, for such consideration and upon  
317 such terms as the authority may determine to be reasonable; (6)  
318 mortgage or otherwise encumber all or any portion of a project  
319 whenever it shall find such action to be in furtherance of the purposes  
320 of said chapters and sections; (7) enter into agreements with any  
321 person, including prospective mortgagees and mortgagors, for the  
322 purpose of planning, designing, constructing, acquiring, altering and  
323 financing projects, providing liquidity or a secondary market for  
324 mortgages or other financial obligations incurred with respect to  
325 facilities which would qualify as a project under this chapter,  
326 purchasing loans made by regional corporations under section 32-276,  
327 or for any other purpose in furtherance of any other power of the  
328 authority; (8) grant options to purchase or renew a lease for any of its  
329 projects on such terms as the authority may determine to be  
330 reasonable; (9) employ or retain attorneys, accountants and  
331 architectural, engineering and financial consultants and such other  
332 employees and agents and to fix their compensation and to employ the  
333 Connecticut Development Credit Corporation on a cost basis as it shall  
334 deem necessary to assist it in carrying out the purposes of said  
335 authority legislation; (10) borrow money or accept gifts, grants or loans  
336 of funds, property or service from any source, public or private, and  
337 comply, subject to the provisions of said authority legislation, with the  
338 terms and conditions thereof; (11) accept from a federal agency loans

339 or grants for use in carrying out its purpose, and enter into agreements  
340 with such agency respecting any such loans or grants; (12) provide  
341 tenant lease guarantees and performance guarantees, invest in, extend  
342 credit or make loans to any person for the planning, designing,  
343 financing, acquiring, constructing, reconstructing, improving,  
344 expanding, continuing in operation, equipping and furnishing of a  
345 project and for the refinancing of existing indebtedness with respect to  
346 any facility or part thereof which would qualify as a project in order to  
347 facilitate substantial improvements thereto, which guarantees,  
348 investments, credits or loans may be secured by loan agreements, lease  
349 agreements, installment sale agreements, mortgages, contracts and all  
350 other instruments or fees and charges, upon such terms and conditions  
351 as the authority shall determine to be reasonable in connection with  
352 such loans, including provision for the establishment and maintenance  
353 of reserve and insurance funds and in the exercise of powers granted  
354 in this section in connection with a project for such person, to require  
355 the inclusion in any contract, loan agreement or other instrument, such  
356 provisions for the construction, use, operation and maintenance and  
357 financing of a project as the authority may deem necessary or  
358 desirable; (13) in connection with any application for assistance under  
359 said authority legislation, or commitments therefor, to make and  
360 collect such fees and charges as the authority shall determine to be  
361 reasonable; (14) adopt procedures, in accordance with the provisions  
362 of section 1-121, to carry out the provisions of said authority  
363 legislation, which may give priority to applications for financial  
364 assistance based upon the extent the project will materially contribute  
365 to the economic base of the state by creating or retaining jobs,  
366 providing increased wages or benefits to employees, promoting the  
367 export of products or services beyond the boundaries of the state,  
368 encouraging innovation in products or services, encouraging defense-  
369 dependent business to diversify to nondefense production, promoting  
370 standards of participation adopted by the Connecticut partnership  
371 compact pursuant to section 33-374g of the general statutes, revision of  
372 1958, revised to 1991, or will otherwise enhance existing activities that  
373 are important to the economic base of the state, provided regulation-

374 making proceedings commenced before January 1, 1989, shall be  
375 governed by sections 4-166 to 4-174, inclusive; (15) adopt an official  
376 seal and alter the same at pleasure; (16) maintain an office at such place  
377 or places within the state as it may designate; (17) sue and be sued in  
378 its own name and plead and be impleaded, service of process in any  
379 action to be made by service upon the executive director of said  
380 authority either in hand or by leaving a copy of the process at the  
381 office of the authority with some person having charge thereof; (18)  
382 employ such assistants, agents and other employees as may be  
383 necessary or desirable for its purposes, which employees shall be  
384 exempt from the classified service and shall not be employees, as  
385 defined in [subsection (b)] subdivision (2) of section 5-270, as amended  
386 by this act; establish all necessary or appropriate personnel practices  
387 and policies, including those relating to hiring, promotion,  
388 compensation, retirement and collective bargaining, which need not be  
389 in accordance with chapter 68 and the authority shall not be an  
390 employer, as defined in [subsection (a)] subdivision (1) of section 5-  
391 270, as amended by this act; contract for and engage appraisers of  
392 industrial machinery and equipment, consultants and property  
393 management services, and utilize the services of other governmental  
394 agencies; (19) when it becomes necessary or feasible for the authority  
395 to safeguard itself from losses, acquire, purchase, manage and operate,  
396 hold and dispose of real and personal property, take assignments of  
397 rentals and leases and make and enter into all contracts, leases,  
398 agreements and arrangements necessary or incidental to the  
399 performance of its duties; (20) in order to further the purposes of said  
400 authority legislation, or to assure the payment of the principal and  
401 interest on bonds or notes of the authority or to safeguard the  
402 mortgage insurance fund, purchase, acquire and take assignments of  
403 notes, mortgages and other forms of security and evidences of  
404 indebtedness, purchase, acquire, attach, seize, accept or take title to  
405 any project by conveyance or, by foreclosure, and sell, lease or rent any  
406 project for a use specified in said chapters and sections or in said  
407 chapter 579; (21) adopt rules for the conduct of its business; (22) invest  
408 any funds not needed for immediate use or disbursement, including

409 any funds held in reserve, in obligations issued or guaranteed by the  
410 United States of America or the state of Connecticut and in other  
411 obligations which are legal investments for savings banks in this state;  
412 (23) do, or delegate, any and all things necessary or convenient to carry  
413 out the purposes and to exercise the powers given and granted in said  
414 authority legislation; provided, in all matters concerning the internal  
415 administrative functions of the authority which are funded by  
416 amounts appropriated by the state to the authority or to the  
417 department, the procedures of the state relating to office space,  
418 supplies, facilities, materials, equipment and professional services shall  
419 be followed, and provided further, that in the acquisition by the  
420 authority of real estate involving the use of appropriated funds or  
421 bonds supported by the full faith and credit of the state, the authority  
422 shall be subject to the provisions of section 4b-23; (24) to accept from  
423 the department: (A) Financial assistance, (B) revenues or the right to  
424 receive revenues with respect to any program under the supervision of  
425 the department, and (C) loan assets or equity interests in connection  
426 with any program under the supervision of the department; to make  
427 advances to and reimburse the department for any expenses incurred  
428 or to be incurred by it in the delivery of such assistance, revenues,  
429 rights, assets or amounts; to enter into agreements for the delivery of  
430 services by the authority, in consultation with the department, the  
431 Connecticut Housing Finance Authority and Connecticut Innovations,  
432 Incorporated, to third parties which agreements may include  
433 provisions for payment by the department to the authority for the  
434 delivery of such services; and to enter into agreements with the  
435 department or with the Connecticut Housing Finance Authority or  
436 Connecticut Innovations, Incorporated for the sharing of assistants,  
437 agents and other consultants, professionals and employees, and  
438 facilities and other real and personal property used in the conduct of  
439 the authority's affairs; and (25) to transfer to the department: (A)  
440 Financial assistance, (B) revenues or the right to receive revenues with  
441 respect to any program under the supervision of the authority, and (C)  
442 loan assets or equity interests in connection with any program under  
443 the supervision of the authority, provided the transfer of such financial

444 assistance, revenues, rights, assets or interests is determined by the  
445 authority to be practicable, within the constraints and not inconsistent  
446 with the fiduciary obligations of the authority imposed upon or  
447 established upon the authority by any provision of the general statutes,  
448 the authority's bond resolutions or any other agreement or contract of  
449 the authority and to have no adverse effect on the tax-exempt status of  
450 any bonds of the authority or the state.

451 Sec. 11. Subdivision (7) of section 32-39 of the general statutes is  
452 repealed and the following is substituted in lieu thereof (*Effective from*  
453 *passage*):

454 (7) To employ such assistants, agents and other employees as may  
455 be necessary or desirable, which employees shall be exempt from the  
456 classified service and shall not be employees, as defined in [subsection  
457 (b)] subdivision (2) of section 5-270, as amended by this act; establish  
458 all necessary or appropriate personnel practices and policies, including  
459 those relating to hiring, promotion, compensation, retirement and  
460 collective bargaining, which need not be in accordance with chapter  
461 68, and the corporation shall not be an employer as defined in  
462 [subsection (a)] subdivision (1) of section 5-270, as amended by this act;  
463 and engage consultants, attorneys and appraisers as may be necessary  
464 or desirable to carry out its purposes in accordance with this chapter.

465 Sec. 12. Subsection (b) of section 32-602 of the general statutes is  
466 repealed and the following is substituted in lieu thereof (*Effective from*  
467 *passage*):

468 (b) For [these] purposes of subsection (a) of this section, the  
469 authority shall have the following powers: (1) To have perpetual  
470 succession as a body corporate and to adopt procedures for the  
471 regulation of its affairs and the conduct of its business as provided in  
472 subsection (f) of section 32-601, to adopt a corporate seal and alter the  
473 same at its pleasure, and to maintain an office at such place or places  
474 within the city of Hartford as it may designate; (2) to sue and be sued,  
475 to contract and be contracted with; (3) to employ such assistants,

476 agents and other employees as may be necessary or desirable to carry  
 477 out its purposes, which employees shall be exempt from the classified  
 478 service and shall not be employees, as defined in [subsection (b)]  
 479 subdivision (2) of section 5-270, as amended by this act, to fix their  
 480 compensation, to establish and modify personnel procedures as may  
 481 be necessary from time to time and to negotiate and enter into  
 482 collective bargaining agreements with labor unions; (4) to acquire,  
 483 lease, hold and dispose of personal property for the purposes set forth  
 484 in this section; [32-602;] (5) to procure insurance against any liability or  
 485 loss in connection with its property and other assets, in such amounts  
 486 and from such insurers as it deems desirable and to procure insurance  
 487 for employees; (6) to invest any funds not needed for immediate use or  
 488 disbursement in obligations issued or guaranteed by the United States  
 489 of America or the state of Connecticut, including the Short Term  
 490 Investment Fund, and the Tax-Exempt Proceeds Fund, and in other  
 491 obligations which are legal investments for savings banks in this state  
 492 and in time deposits or certificates of deposit or other similar banking  
 493 arrangements secured in such manner as the authority determines; and  
 494 (7) to do all acts and things necessary or convenient to carry out the  
 495 purposes of and the powers expressly granted by this section."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	5-270
Sec. 2	<i>from passage</i>	5-278(a)
Sec. 3	<i>from passage</i>	31-101
Sec. 4	<i>from passage</i>	5-196(30)
Sec. 5	<i>from passage</i>	5-200c(b)
Sec. 6	<i>from passage</i>	5-226f
Sec. 7	<i>from passage</i>	5-248i(a)
Sec. 8	<i>from passage</i>	5-276a(a)
Sec. 9	<i>from passage</i>	9-601(7)
Sec. 10	<i>from passage</i>	32-23e
Sec. 11	<i>from passage</i>	32-39(7)
Sec. 12	<i>from passage</i>	32-602(b)