



General Assembly

February Session, 2010

Governor's Bill No. 29

LCO No. 478

*00478 _____ *

Referred to Committee on Government Administration and Elections

Introduced by:

SEN. MCKINNEY, 28th Dist.

REP. CAFERO, 142nd Dist.

AN ACT ESTABLISHING THE PERFORM COMMISSION AND THE PERFORM REVIEW BOARD.

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

1 Section 1. (*Effective from passage*) (a) For purposes of this section and
2 sections 2 to 5, inclusive, of this act:

3 (1) "PERFORM Commission" or "commission" means the Plan to
4 Effectively Reorganize the Functions, Operations, Responsibilities and
5 Mission of State Agencies Commission established under this section;
6 and

7 (2) "PERFORM Review Board" or "board" means the Plan to
8 Effectively Reorganize the Functions, Operations, Responsibilities and
9 Mission of State Agencies Review Board established under section 3 of
10 this act.

11 (b) There is established the Plan to Effectively Reorganize the
12 Functions, Operations, Responsibilities and Mission of State Agencies

13 Commission or the PERFORM Commission, which shall examine
14 current state government institutions, structures, functions and
15 delivery of services to determine how such institutions, structures,
16 functions and delivery may be realigned to achieve efficiencies,
17 eliminate redundancies and reduce the size and cost of state
18 government in accordance with the provisions of subsection (a) of
19 section 2 of this act.

20 (c) The PERFORM Commission shall consist of the following
21 members:

22 (1) Three appointed by the speaker of the House of Representatives;

23 (2) Three appointed by the president pro tempore of the Senate;

24 (3) Three appointed by the minority leader of the House of
25 Representatives;

26 (4) Three appointed by the minority leader of the Senate;

27 (5) Six appointed by the Governor; and

28 (6) Six appointed by the Chief Justice of the Supreme Court.

29 (d) Any member of the PERFORM Commission appointed pursuant
30 to subdivisions (1) to (4), inclusive, of subsection (c) of this section may
31 be a member of the General Assembly, provided no more than twelve
32 members of the commission may be members of the General
33 Assembly.

34 (e) All appointments to the PERFORM Commission shall be made
35 not later than thirty days after the effective date of this section. Any
36 vacancy shall be filled by the appointing authority. The cochairpersons
37 shall schedule the first meeting of the commission, which shall be held
38 not later than forty-five days after the effective date of this section.

39 (f) There shall be three cochairpersons of the PERFORM
40 Commission. The Governor and the Chief Justice of the Supreme Court

41 shall each appoint one cochairperson and the speaker of the House of
42 Representatives and the president pro tempore of the Senate shall
43 jointly appoint one cochairperson.

44 (g) Administrative support for the PERFORM Commission shall be
45 provided equally by the Office of Policy and Management, the
46 Legislative Commissioners' Office and the legislative Office of Fiscal
47 Analysis and Office of Legislative Research and such support shall
48 include research, drafting, staff and supplies. The commission may
49 accept in-kind contributions from public and private donors to be used
50 in the fulfillment of its duties, with the prior approval of the Office of
51 State Ethics, provided all such in-kind contributions shall be publicly
52 disclosed.

53 (h) Notwithstanding the provisions of chapter 14 of the general
54 statutes, the commission may not hold any executive sessions, as
55 defined in section 1-200 of the general statutes, and all commission
56 files, drafts, correspondence and other documents shall be available for
57 public inspection.

58 (i) All lobbyist contacts or communications with commission
59 members shall be publicly disclosed.

60 Sec. 2. (*Effective from passage*) (a) The PERFORM Commission
61 established in section 1 of this act shall develop recommendations for
62 reorganizing state government to meet the fiscal challenges and other
63 challenges of the twenty-first century. In developing such
64 recommendations, the commission shall consider the following
65 criteria: (1) Whether the missions of state agencies coincide or overlap
66 and if so, how best to eliminate any redundancies; (2) whether
67 functions of state agencies could be more effectively and efficiently
68 accomplished and if so, whether it is appropriate to (A) merge
69 agencies; (B) transfer a division within one agency to another agency
70 or combine divisions in several agencies; (C) subdivide agencies or
71 divisions within agencies; or (D) arrange for such functions to be
72 provided by another entity; (3) whether any agency functions are

73 outdated and can be eliminated; (4) whether boards and commissions
74 are necessary or their functions can be either eliminated or carried out
75 by other agency administrative staff; (5) whether the current
76 administrative overhead of agencies is cost effective and appropriate
77 and if not, what structural changes are necessary to achieve an
78 appropriate and cost-effective level of administrative overhead; (6)
79 whether information technology is being effectively used to provide
80 efficient, cost-effective and timely services, and if not, how such
81 technology can be more effectively utilized; (7) whether administrative
82 functions may be provided in a more efficient and cost-effective
83 manner and if so, how such efficiencies may be achieved; and (8) any
84 other criteria the commission believes will result in more effective and
85 efficient government.

86 (b) The PERFORM Commission may accept and examine
87 suggestions from any individual or entity, provided (1) any such
88 suggestion meets the criteria set forth in subsection (a) of this section,
89 and (2) the commission shall not be required to take action on any such
90 suggestion. Any suggestion received by the commission shall be
91 subject to public disclosure.

92 (c) Not later than September 1, 2010, the PERFORM Commission
93 shall finalize its recommendations and shall submit such final
94 recommendations to the PERFORM Review Board established
95 pursuant to section 3 of this act. The PERFORM Commission shall
96 terminate on the date it submits its recommendations to the PERFORM
97 Review Board or September 1, 2010, whichever is later.

98 Sec. 3. (*Effective August 1, 2010*) (a) There is established the Plan to
99 Effectively Reorganize the Functions, Operations, Responsibilities and
100 Mission of State Agencies Review Board which shall receive and
101 review the recommendations submitted by the PERFORM
102 Commission pursuant to section 2 of this act.

103 (b) The PERFORM Review Board shall consist of the following
104 members: (1) One appointed by the Governor; (2) one jointly

105 appointed by the speaker of the House of Representatives and the
106 president pro tempore of the Senate; (3) one appointed jointly by the
107 minority leaders of the Senate and the House of Representatives; and
108 (4) one appointed by the Chief Justice of the Supreme Court. No
109 member of the PERFORM Review Board shall have previously been a
110 member of the PERFORM Commission established in section 1 of this
111 act.

112 (c) Any member of the board appointed pursuant to subdivision (2)
113 or (3) of subsection (b) of this section may be a member of the General
114 Assembly, provided no more than two members of the board may be
115 members of the General Assembly.

116 (d) Administrative support for the PERFORM Review Board shall
117 be provided equally by the Office of Policy and Management, the
118 Legislative Commissioners' Office and the legislative Office of Fiscal
119 Analysis and Office of Legislative Research and such support shall
120 include research, drafting, staff and supplies. The board may accept in-
121 kind contributions from public and private donors to be used in the
122 fulfillment of its duties, with the prior approval of the Office of State
123 Ethics, provided all such in-kind contributions shall be publicly
124 disclosed.

125 Sec. 4. (*Effective August 1, 2010*) (a) Not later than October 15, 2010,
126 the PERFORM Review Board shall hold one public hearing in each
127 congressional district in the state on the recommendations submitted
128 by the PERFORM Commission.

129 (b) The PERFORM Review Board shall evaluate each
130 recommendation made by the PERFORM Commission in light of the
131 criteria set forth in subsection (a) of section 2 of this act and the
132 testimony received in the public hearings held pursuant to subsection
133 (a) of this section. The board shall, by affirmative vote of at least three
134 members of the board, determine which of the recommendations it
135 will amend or reject. All recommendations not rejected by the board
136 that require statutory revisions in order to be implemented shall be

137 fully drafted in statutory language by the board. All recommendations
 138 not rejected by the board that may be implemented by administrative
 139 action without legislation shall be forwarded for implementation to the
 140 Governor or Chief Justice, as appropriate.

141 (c) Not later than December 1, 2010, the PERFORM Review Board
 142 shall file its recommendations in fully drafted form with the clerk of
 143 the House of Representatives, the clerk of the Senate, the Governor and
 144 the Chief Justice, in accordance with the provisions of section 11-4a of
 145 the general statutes.

146 (d) The PERFORM Review Board shall terminate on the date it files
 147 its recommendations with the clerks of the House of Representatives
 148 and the Senate, the Governor and the Chief Justice or December 1,
 149 2010, whichever is later.

150 Sec. 5. (*Effective August 1, 2010*) Not later than February 28, 2011, the
 151 General Assembly shall vote to enact or reject the recommendations
 152 filed by the PERFORM Review Board in accordance with subsection (c)
 153 of section 4 of this act in their entirety, without amendment.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>August 1, 2010</i>	New section
Sec. 4	<i>August 1, 2010</i>	New section
Sec. 5	<i>August 1, 2010</i>	New section

Statement of Purpose:

To implement the Governor's budget recommendations.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]