



House of Representatives

General Assembly

File No. 362

February Session, 2012

Substitute House Bill No. 5540

House of Representatives, April 11, 2012

The Committee on Planning and Development reported through REP. GENTILE of the 104th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT TRANSFERRING CERTAIN POWERS OF THE BRISTOL RESOURCE RECOVERY FACILITY OPERATING COMMITTEE TO THE WEST CENTRAL CONNECTICUT SOLID WASTE AND RECYCLING BOARD.

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

1 Section 1. Section 1 of special act 92-25, as amended by section 1 of
2 special act 01-10, is amended to read as follows (*Effective July 1, 2014*):

3 As used in special act 92-25, as amended by [this act, and] special
4 act 93-40, special act 01-10, section 67 of public act 04-2 of the May
5 special session and this act, section 8 of [this act] special act 01-10, as
6 amended by this act, and section 9 of this act:

7 (1) "Bonds" means bonds, notes or other obligations, including, but
8 not limited to, refunding bonds.

9 (2) "Inter-community agreement" means the agreement dated as of
10 August 1, 1985, by and among the towns and cities of Bristol and New

11 Britain and the towns of Berlin, Burlington, Plainville, Plymouth,
12 Southington and Washington, as such agreement has been amended to
13 include the towns of Wolcott, Warren, Hartland, Branford, Seymour
14 and Prospect and as such agreement may be further amended from
15 time to time.

16 [(3) "Original bonds" means the seventy-three million five hundred
17 twenty thousand dollars face amount of Connecticut Development
18 Authority Solid Waste and Electric Revenue Bonds, Ogden Martin
19 Systems of Bristol, Inc. Project -1985 Series, issued September 18, 1985.

20 (4) "Original project agreements" means all agreements or contracts
21 and amendments thereto entered into with respect to the issuance of
22 the original bonds and the security therefor, including, but not limited
23 to, the loan agreement, security agreement, service agreement, project
24 agreement, inter-community agreement, reimbursement agreement and
25 guarantee.]

26 [(5)] (3) "Project" means activities required to provide services to the
27 municipalities of the [committee] board that may include, but are not
28 limited to, (A) [the mass burn solid waste disposal, electric power
29 generating and resource recovery facility in the city of Bristol, financed
30 by the original bonds including any additions, renovations or other
31 improvements thereto, (B)] any landfill project, or [(C)] (B) any solid
32 waste disposal and resource recovery facility, including any electric
33 power generating facility in connection therewith, or recycling facility,
34 as defined in chapter 446d, or any plant, works, system or component
35 of such a facility, equipment, machinery or other element of such a
36 facility, or any part of such a facility, that the [committee] board or
37 other person or entity designated by the [committee] board plans,
38 designs, finances, constructs, manages, operates or maintains,
39 including real estate and improvements thereto and the extension or
40 provision of utilities and other appurtenant facilities deemed necessary
41 by the [committee] board for the operation of the facility or a portion
42 of the facility, including all property rights, easements and interests
43 required and any additions, renovations or other improvements

44 thereto.

45 [(6)] (4) "Refunding bonds" means bonds issued pursuant to [this
46 act] special act 92-25, as amended by special act 93-40, special act 01-10,
47 section 67 of public act 04-2 of the May special session and this act, to
48 refinance the project and to finance related [cost] costs of such
49 refinancing and to refinance any bonds issued by the [committee]
50 board.

51 [(7)] (5) "Committee" means the [resource recovery operating
52 committee] Bristol Resource Recovery Facility Operating Committee,
53 created pursuant to subsection (c) of section 22a-221 of the general
54 statutes and the inter-community agreement.

55 [(8)] (6) "Landfill project" means activities required to provide
56 landfill services to the municipalities of the [committee] board that
57 include, but are not limited to, the planning, acquiring, constructing,
58 closing or expanding the city of Bristol landfill; providing a new
59 landfill or access to a new landfill in any location; the payment of
60 engineering and consulting fees; site preparation; wetlands replication;
61 storm water management; landfill capping; monitoring, acquisition or
62 transfer of real property or interests therein; providing gas control
63 mechanisms, equipment, landscaping and all necessary and
64 appropriate appurtenances thereto or the financing of costs, including,
65 but not limited to, legal, printing, administrative, financing and related
66 costs or the [committee's] board's share of such costs pursuant to an
67 agreement to provide, develop or operate a landfill and share costs
68 with other entities in connection with the landfill project.

69 (7) "Board" means the interlocal advisory board known as the West
70 Central Connecticut Solid Waste and Recycling Board created
71 pursuant to the interlocal agreement, which shall also be considered a
72 committee for the purposes of subsection (c) of section 22a-221 of the
73 general statutes.

74 (8) "Interlocal agreement" means the agreement created under the
75 provisions of sections 7-339a to 7-339l, inclusive, of the general

76 statutes, and as amended from time to time, which establishes the
77 board and which may be made between, without limitation, the cities
78 of Bristol, Meriden and New Britain and the towns of Berlin, Branford,
79 Burlington, Hartland, Morris, Plainville, Plymouth, Prospect, Seymour,
80 Southington, Warren, Washington and Wolcott.

81 (9) "Participating municipality" means a municipality that is a party
82 to the interlocal agreement.

83 Sec. 2. Section 2 of special act 92-25, as amended by section 2 of
84 special act 01-10, is amended to read as follows (*Effective July 1, 2014*):

85 (a) The [committee] board is authorized to issue (1) [refunding
86 bonds to refinance all or any portion of the outstanding original bonds,
87 (2)] bonds to finance a project, and [(3)] (2) refunding bonds. Such
88 bonds may include the cost of issuance, debt service reserve, interest
89 on the bonds for a period not to exceed five years, credit enhancement,
90 call premium, fees and costs associated with any contract entered into
91 by the [committee] board pursuant to this section and notice of
92 redemption of the original or prior bonds, and in connection therewith
93 to enter into forward purchase agreements and agreements to issue
94 bonds at a future date. The [committee] board shall not issue any
95 bonds in amounts which would cause the total amount of bonds
96 issued by the [committee] board and outstanding at any time to exceed
97 one hundred million dollars. Bonds shall not be considered
98 outstanding to the extent they are payable from funds deposited in
99 escrow in an amount sufficient, together with the investment earnings
100 thereon which are to be retained in said escrow, to provide for the
101 payment when due of the principal of and interest and any
102 redemption premium on such bonds. The bonds shall not be
103 indebtedness of the municipalities which are parties to the [inter-
104 community] interlocal agreement, and no such municipality shall be
105 obligated to pay such bonds, directly or indirectly, unless the
106 municipality approves such obligation in accordance with the
107 provisions of the [inter-community] interlocal agreement.
108 Notwithstanding any provision in a participating municipality's

109 charter or by-laws or in any other municipal document, the issuance
110 and repayment of bonds and other indebtedness of the board shall be
111 governed solely by the provisions of the interlocal agreement. If the
112 legislative body of a participating municipality has validly approved
113 the interlocal agreement and such interlocal agreement has become
114 effective as provided therein, then the issuance and repayment of
115 bonds and other indebtedness of the board shall not require approval
116 by the legislative body of a participating municipality or adoption by a
117 referendum of the voters of such participating municipality.

118 (b) In connection with or incidental to the carrying of bonds or in
119 connection with or incidental to the issuance of bonds, the [committee]
120 board may enter into such contracts as it may determine to be
121 necessary or appropriate to place the obligations of the [committee]
122 board, as represented by the bonds, in whole or in part, on such
123 interest rate or cash flow basis as the [committee] board may
124 determine, including, but not limited to, interest rate swap agreements,
125 insurance agreements, forward payment conversion agreements,
126 futures contracts, contracts providing for payments based on levels of
127 or changes in interest rates, or market indices, contracts to manage
128 interest rate risk, including without limitation, interest rate floors or
129 caps, options, puts, calls and similar arrangements. Such contracts
130 shall contain such payment, security, default, remedy and other terms
131 and conditions as the [committee] board may deem appropriate and
132 shall be entered into with such party or parties as the [committee]
133 board may select, after giving due consideration, where applicable, to
134 the creditworthiness of the counter party or counter parties, including
135 any rating by a nationally recognized rating agency, the impact on any
136 rating of any outstanding bonds or any other criteria as the
137 [committee] board may deem appropriate, provided the long-term
138 obligations of the counter party is rated the same or higher than the
139 underlying rating of the [committee] board on the applicable bonds by
140 at least one nationally recognized rating agency. The [committee]
141 board may pledge the collateral that secures the applicable bonds or
142 notes to the [committee's] board's payment obligations under any
143 agreement entered into pursuant to this section. As part of a contract

144 between the [committee] board and the parties to any agreement
145 entered into pursuant to this section, appropriation of all amounts
146 necessary for the punctual payment of the obligations of the
147 [committee] board under such agreement is hereby made and the
148 [committee] board shall pay such amounts as the same become due.

149 (c) The [committee] board may obtain from a commercial bank or an
150 insurance company authorized to do business within or without this
151 state a letter of credit, line of credit or other liquidity facility or credit
152 facility for the purpose of providing funds for the payment in respect
153 of bonds required by the holder thereof to be redeemed or repurchased
154 prior to maturity or for providing additional security for such bonds.
155 In connection therewith, the [committee] board may enter into
156 reimbursement agreements, remarketing agreements, standby bond
157 purchase agreements or any other necessary or appropriate
158 agreements. The [committee] board may pledge the collateral that
159 secures the applicable bonds for the [committee's] board's payment
160 obligations under any agreement entered into pursuant to this section.
161 As part of the contract between the [committee] board and the parties
162 to any agreement entered into pursuant to this section, appropriation
163 of all amounts necessary for the punctual payment of the obligations of
164 the [committee] board under such agreement is hereby made and the
165 [committee] board shall pay such amounts as the same become due.

166 (d) Any pledge of collateral made pursuant to this section shall be in
167 effect until the obligation for which the pledge is made has been fully
168 paid or terminated, or provision has been made for such payment. Any
169 such pledge shall be valid and binding from the time when the pledge
170 is made; moneys or rents so pledged and thereafter received by the
171 [committee] board shall immediately be subject to the lien of such
172 pledge without any physical delivery thereof or further act; and the
173 lien of any such pledge shall be valid and binding as against parties
174 having claims of any kind in tort, contract, or otherwise, against the
175 [committee] board, irrespective of whether such parties have notice of
176 such lien. Neither the resolution, trust indenture pledge or security
177 agreement nor any other instrument by which a pledge is created need

178 be recorded.

179 Sec. 3. Section 3 of special act 92-25, as amended by section 9 of
180 special act 93-40, section 3 of special act 01-10 and section 67 of public
181 act 04-2 of the May special session, is amended to read as follows
182 (*Effective July 1, 2014*):

183 The principal of and interest on bonds issued by the [committee]
184 board, and any agreement as set forth in section 2 of special act 92-25,
185 as amended by [this act] special act 01-10 and this act, may be secured
186 by a pledge of any revenues and receipts of the [committee] board
187 derived from the project and may be additionally secured by the
188 assignment of a lease of the project or by an assignment of the
189 revenues and receipts derived by the [committee] board from any such
190 lease. The payment of principal and interest on such bonds may be
191 additionally secured by a pledge of any other property, revenues,
192 moneys or funds available to the [committee] board for such purpose,
193 including, without limitation, fees payable by the board's participating
194 municipalities. The resolution authorizing the issuance of bonds and
195 any such lease may contain or authorize agreements and provisions
196 respecting (1) the establishment of reserves to secure such bonds, (2)
197 the maintenance and insurance of the project covered thereby, (3) the
198 fixing and collection of rents for any portion thereof leased by the
199 [committee] board to others, (4) the creation and maintenance of
200 special funds from such revenues, (5) the rights and remedies available
201 in the event of default, (6) provision for a trust agreement by and
202 between the [committee] board and a corporate trustee or trustees
203 which may be any trust company or bank having the powers of a trust
204 company within or without the state, which agreement may provide
205 for the pledge or assigning of any assets or income from assets to
206 which or in which the [committee] board has rights or interest, the
207 vesting in such trustee or trustees of such property, rights, powers and
208 duties in trust as the [committee] board may determine, which may
209 include any or all of the rights, powers and duties of any trustee
210 appointed by the holders of any bonds and limiting or abrogating the
211 right of the holders of any bonds to appoint a trustee or limiting rights,

212 powers and duties of such trustee, and may further provide for such
213 other rights and remedies exercisable by the trustee as may be proper
214 for the protection of the holders of any bonds and not otherwise in
215 violation of law. Such trust agreement may provide for the restriction
216 of rights of any individual holder of bonds of the [committee] board
217 and may contain any provisions which are reasonable to delineate
218 further the respective rights, due safeguards, responsibilities and
219 liabilities of the [committee] board, persons and collective holders of
220 bonds of the [committee] board and the trustee, (7) covenants to do or
221 refrain from doing acts and things as may be necessary or convenient
222 or desirable in order to better secure bonds of the [committee] board,
223 or which, in the discretion of the [committee] board, will tend to make
224 any bonds to be issued more marketable, notwithstanding that such
225 covenants or things may not be enumerated in [this act] special act 92-
226 25, as amended by special act 93-40, special act 01-10, section 67 of
227 public act 04-2 of the May special session and this act, and (8) any
228 other matters of like or different character, which in any way affect the
229 security or protection of the bonds, all as the [committee] board shall
230 deem advisable and not in conflict with the provisions of [this act]
231 special act 92-25, as amended by special act 93-40, special act 01-10,
232 section 67 of public act 04-2 of the May special session and this act.
233 Each pledge, agreement or assignment of lease made for the benefit or
234 security of any bonds of the [committee] board shall be in effect until
235 the principal of and interest on the bonds for the benefit of which the
236 same were made have been fully paid, or until provision has been
237 made for the payment in the manner provided in the resolution or
238 resolutions authorizing the issuance. Any pledge made in respect of
239 such bonds shall be valid and binding from the time when the pledge
240 is made; moneys or rents so pledged and thereafter received by the
241 [committee] board shall immediately be subject to the lien of such
242 pledge without any physical delivery thereof or further act; and the
243 lien of any such pledge shall be valid and binding as against parties
244 having claims of any kind in tort, contract or otherwise against the
245 [committee] board, irrespective of whether such parties have notice
246 thereof. Neither the resolution, trust indenture nor any other

247 instrument by which a pledge is created need be recorded. The
248 [committee] board may, without further approval of the legislative
249 bodies of the municipalities which are [parties to the original project
250 agreements] participating municipalities of the board, assign, amend,
251 reaffirm, or terminate any or all of [such original project] the
252 agreements [to secure] securing the bonds and exercise the powers set
253 forth in [this act] special act 92-25, as amended by special act 93-40,
254 special act 01-10, section 67 of public act 04-2 of the May special session
255 and this act, by vote taken in accordance with the [inter-community]
256 interlocal agreement. The resolution authorizing the issuance of such
257 bonds may provide for the enforcement of any such pledge or security
258 in any lawful manner. The [committee] board shall be considered a
259 political subdivision of the state for purposes of subdivision (14) of
260 subsection (d) of section 42a-9-109 of the general statutes, as amended
261 by [this act] public act 04-2 of the May special session.

262 Sec. 4. Section 4 of special act 92-25, as amended by section 12 of
263 special act 93-40 and section 4 of special act 01-10, is amended to read
264 as follows (*Effective July 1, 2014*):

265 The exercise of the powers granted by [this act] special act 92-25, as
266 amended by special act 93-40, special act 01-10, section 67 of public act
267 04-2 of the May special session and this act, constitutes the
268 performance of an essential governmental function and the
269 [committee] board shall not be required to pay any taxes or
270 assessments upon or in respect of any project, or any property or
271 moneys of the [committee] board, levied by any municipality or
272 political subdivision or special district having taxing powers of the
273 state, nor shall the [committee] board be required to pay state taxes of
274 any kind, and the [committee] board, its projects, property and money
275 and any bonds issued under the provisions of [this act] special act 92-
276 25, as amended by special act 93-40, special act 01-10, section 67 of
277 public act 04-2 of the May special session and this act, their transfer
278 and the income therefrom, including revenues derived from the sale
279 thereof, shall at all times be free from taxation of every kind by the
280 state except for estate or succession taxes and by the municipalities and

281 all other political subdivisions or special districts having taxing powers
282 of the state, provided nothing herein shall prevent the [committee]
283 board from entering into agreements to make payments in lieu of taxes
284 with respect to property acquired by it or by any person leasing a
285 project from the [committee] board or operating or managing a project
286 on behalf of the [committee] board and neither the [committee] board
287 nor its projects, properties, money or bonds shall be obligated, liable or
288 subject to lien of any kind for enforcement, collection or payment
289 thereof. If and to the extent the proceedings under which the bonds
290 authorized to be issued under the provisions of [this act] special act 92-
291 25, as amended by special act 93-40, special act 01-10, section 67 of
292 public act 04-2 of the May special session and this act, so provide, the
293 [committee] board may agree to cooperate with the lessee or operator
294 of the project in connection with any administrative or judicial
295 proceedings for determining the validity or amount of such payment
296 and may agree to appoint or designate and reserve the right in and for
297 such lessees or operators to take all action which the [committee]
298 board may lawfully take in respect of such payments and all matters
299 relating thereto, and such agreement may provide such lessee or
300 operator shall bear and pay costs and expenses of the [committee]
301 board thereby incurred at the request of such lessee or operator or by
302 reason of any such action taken by such lessee or operator in behalf of
303 the [committee] board. Any lessee or operator of a project which has
304 paid the amounts in lieu of taxes permitted by this section to be paid
305 shall not be required to pay any such taxes in which a payment in lieu
306 thereof has been made to the state or to any such municipality or other
307 political subdivision or special district having taxing powers, any other
308 statutes to the contrary notwithstanding.

309 Sec. 5. Section 5 of special act 92-25, as amended by section 10 of
310 special act 93-40 and section 5 of special act 01-10, is amended to read
311 as follows (*Effective July 1, 2014*):

312 (a) The bonds may be issued in one or more series in such aggregate
313 principal amounts and bearing rate or rates of interest, be executed by
314 manual or facsimile signatures, be issued as term bonds with

315 mandatory deposit of sinking fund payments, at par, a discount or an
316 original issue discount, with or without redemption provisions, with
317 principal and interest payments at such times and in such amounts, be
318 sold at public sale or by negotiation at such price or prices and at such
319 time or times, and contain and be issued in accordance with such other
320 terms, details and particulars as determined by the [committee] board,
321 or delegated by the [committee] board to such [committee] board
322 members as it shall determine.

323 (b) Any proceeds derived from the sale of the bonds, and revenues,
324 receipts and income pledged to the bonds, or from the project, may be
325 invested and reinvested in such obligations, securities or other
326 investments that are legal investments for the state, and in such
327 obligations, securities, and other investments, including time deposits
328 or certificates of deposit, as shall be provided in the resolution or
329 resolutions authorizing the issuance of the bonds.

330 (c) Whether or not the bonds are of such form and character as to be
331 negotiable instruments under article eight of title 42a of the general
332 statutes, the bonds shall be and are hereby made negotiable
333 instruments within the meaning of and for all the purposes of article
334 eight of said title 42a, subject only to the provisions of the bonds for
335 registration.

336 (d) The [committee] board may provide in any resolution
337 authorizing the issuance of bonds for the time and manner of and
338 requisites for disbursements to be made with respect to such bonds.

339 (e) The [committee] board is further authorized and empowered to
340 issue bonds under [this act] special act 92-25, as amended by special
341 act 93-40, special act 01-10, section 67 of public act 04-2 of the May
342 special session and this act, the interest on which may be excludable or
343 includable in the gross income of the holder or holders thereof under
344 the Internal Revenue Code of 1986, or any subsequent corresponding
345 internal revenue code of the United States, as from time to time
346 amended.

347 Sec. 6. Section 6 of special act 92-25, as amended by section 6 of
348 special act 01-10, is amended to read as follows (*Effective July 1, 2014*):

349 Bonds issued by the [committee] board under the provisions of [this
350 act] special act 92-25, as amended by special act 93-40, special act 01-10,
351 section 67 of public act 04-2 of the May special session and this act, are
352 hereby made securities in which all public officers and public bodies of
353 the state and its political subdivisions, all insurance companies, credit
354 unions, building and loan associations, investment companies, savings
355 banks, banking associations, trust companies, executors,
356 administrators, trustees and other fiduciaries and pension, profit-
357 sharing and retirement funds may properly and legally invest funds,
358 including capital in their control or belonging to them. Such bonds are
359 hereby made securities which may properly and legally be deposited
360 with and received by any state or municipal officer or any agency or
361 municipality of the state for any purpose for which the deposit of
362 bonds or obligations of the state is now or may hereafter be authorized
363 by law.

364 Sec. 7. Section 11 of special act 93-40, as amended by section 7 of
365 special act 01-10, is amended to read as follows (*Effective July 1, 2014*):

366 Bonds of the [committee] board issued pursuant to special act 92-25,
367 as amended by [this act] special act 93-40, special act 01-10, section 67
368 of public act 04-2 of the May special session and this act, shall not be
369 deemed to constitute a debt or liability of the state or of any
370 municipality thereof or a pledge of the faith and credit of the state or of
371 any such municipality, and shall not constitute bonds or notes issued
372 or guaranteed by the state within the meaning of section 3-21 of the
373 general statutes, but shall be payable solely from the revenues and
374 funds herein provided therefor. All such bonds shall contain on the
375 face thereof a statement to the effect that neither the state of
376 Connecticut nor any municipality thereof other than the [committee]
377 board shall be obligated to pay the same or the interest thereon and
378 that neither the faith and credit nor the taxing power of the state of
379 Connecticut or of any such municipality is pledged to the payment of

380 the principal of or the interest on such bonds.

381 Sec. 8. Section 8 of special act 01-10 is amended to read as follows
382 (*Effective July 1, 2014*):

383 In the performance of its duties and purposes under the [inter-
384 community] interlocal agreement, the [committee] board is granted the
385 powers afforded to municipal or regional resource recovery authorities
386 under subsection (a) of section 7-273bb of the general statutes in
387 addition to any other powers it may otherwise have under the general
388 statutes or any public or special act. It is the intention of [this act]
389 special act 01-10, as amended by section 67 of public act 04-2 of the
390 May special session and this act, that the [committee] board shall be
391 granted all powers necessary to fulfill the purposes of [this act] special
392 act 01-10, as amended by section 67 of public act 04-2 of the May
393 special session and this act, and to carry out its responsibilities and
394 that the provisions of [this act] special act 01-10, as amended by section
395 67 of public act 04-2 of the May special session and this act, are to be
396 construed liberally.

397 Sec. 9. (*Effective July 1, 2014*) The powers conferred upon the
398 committee by special act 92-25, as amended by special act 93-40, special
399 act 01-10, section 67 of public act 04-2 of the May special session and
400 this act, shall be transferred to the board and the committee shall cease
401 to possess such powers. This act shall have no effect on the other
402 powers of the committee provided pursuant to any provision of the
403 general statutes or the intercommunity agreement, and the committee
404 shall continue to exist for the purpose of exercising such powers until
405 such committee is terminated pursuant to the intercommunity
406 agreement.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2014</i>	SA 92-25, Sec. 1
Sec. 2	<i>July 1, 2014</i>	SA 92-25, Sec. 2
Sec. 3	<i>July 1, 2014</i>	SA 92-25, Sec. 3

Sec. 4	<i>July 1, 2014</i>	SA 92-25, Sec. 4
Sec. 5	<i>July 1, 2014</i>	SA 92-25, Sec. 5
Sec. 6	<i>July 1, 2014</i>	SA 92-25, Sec. 6
Sec. 7	<i>July 1, 2014</i>	SA 93-40, Sec. 11
Sec. 8	<i>July 1, 2014</i>	SA 01-10, Sec. 8
Sec. 9	<i>July 1, 2014</i>	New section

PD *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact:

Municipalities	Effect	FY 13 \$	FY 14 \$
Bristol; Branford; Berlin; Burlington; Hartland; New Britain; Plainville; Plymouth; Prospect; Seymour; Southington; Warren; Washington; Wolcott	Potential Savings	See Below	See Below

Explanation

The bill could result in savings on solid waste disposal costs for each of the 14 towns that currently have inter-local agreements with the Bristol Resource Recovery Facility (BRRF) Operating Committee to the degree that: (1) a town chooses to adopt an inter-local agreement with the newly-created West Central Connecticut Solid Waste and Recycling Board and (2) the new entity is able to achieve savings in its solid waste operations.

The bill consolidates the functions and financial resources of the Bristol Resource Recovery Facility (BRRF) Operating Committee and the Tunxis Recycling Operating Committee into the newly-created West Central Connecticut Solid Waste and Recycling Board. The consolidation includes the transfer of \$7.9 million in outstanding bonds that remain from a 2005 issuance¹ by BRRF.

The 14 towns that have inter-local agreements with BRRF include Berlin, Branford, Bristol, Burlington, Hartland, New Britain, Plainville,

¹ The original bond issuance was \$41.9 million. The remaining bonds will be paid off in 2014.

Plymouth, Prospect, Seymour, Southington, Warren, Washington and Wolcott.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis

sHB 5540

AN ACT TRANSFERRING CERTAIN POWERS OF THE BRISTOL RESOURCE RECOVERY FACILITY OPERATING COMMITTEE TO THE WEST CENTRAL CONNECTICUT SOLID WASTE AND RECYCLING BOARD.

SUMMARY:

The Office of Legislative Research does not analyze Special Acts.

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable Substitute

Yea 20 Nay 0 (03/23/2012)