
OLR Bill Analysis

sHB 5027 (as amended by House "A")*

AN ACT IMPLEMENTING THE GOVERNOR'S BUDGET RECOMMENDATIONS CONCERNING THE ELIMINATION, CONSOLIDATION AND MODIFICATION OF VARIOUS BOARDS AND COMMISSIONS.

SUMMARY:

This bill eliminates 31 state boards and commissions and designates a successor agency for, or transfers the duties of, three of them. It establishes in statute the Connecticut Council on Developmental Disabilities, which is currently a federally-funded program operating as a state agency, to advocate and promote policy and programs for people with disabilities.

The bill renames the Commission for Educational Technology the Commission for Technology Advancement and revises the commission's charge and goals by requiring it to be the state's principal technology advancement, rather than educational technology, policy advisor.

Additionally, the bill makes minor changes to several other entities (e.g., revising their memberships or reporting requirements). Lastly, it makes technical changes and repeals obsolete language.

*House Amendment "A" adds the provisions concerning the Low Income Energy Advisory Board and, concerning the Commission for Technology Advancement, removes references in the underlying bill to "reasonable rates" for voice, video, and data transmission.

EFFECTIVE DATE: July 1, 2012, except the codification of the Council on Developmental Disabilities is effective upon passage.

REPEALED BOARDS AND COMMISSIONS

Table 1 lists the boards and commissions that the bill repeals (note:

R refers to the bill's repealer sections, which are sections 55-57). The table lists 28 of the 31 repealed boards, while the remaining three are described later in this analysis.

Table 1: Repealed Boards and Commissions

§	Title	Description
1-2, 27, R*	Lower Fairfield County Convention Center Authority	Established in 1990 to stimulate new spending in Connecticut and attract and service large conventions, tradeshow, exhibitions, and conferences (PA 90-320).
3	Innovations Review Panel	Established in 1992 to review and evaluate state employee recommendations to improve the delivery of services or reduce agency costs (PA 92-7, May Special Session, § 2).
4, R	Connecticut Progress Council	Established in 1993 to develop a long-range vision for the state and define benchmarks to measure progress to achieve the vision (PA 93-262).
6, 18, R	Housing Advisory Committee	Established in 1987 to advise the legislature, governor, and agencies on housing matters; monitor housing-related activities of the regional planning agencies; and promote coordination on housing matters among state agencies (PAs 87-550 and 96-68).
7	William Benton Museum Of Art Advisory Committee	Established in 1987 (PA 87-188); the bill allows the UConn Board of Trustees to establish the committee.
8, R	Student Financial Aid Information Council	Established in 1994 to develop procedures to improve student financial aid policy, increase resources and public awareness, and coordinate delivery of financial aid (PA 94-180).
10	Computer-Assisted Mass Appraisal Systems Advisory Board	Established in 1988 to assist in the adoption of standards for certification of a computer system for municipalities to use for property tax revaluation. The standards had to be adopted by December 1, 1988 (PA 88-348).
11-14, 19, 53, R	Connecticut Public Transportation Commission	Established in 1983 as a successor to the

§	Title	Description
		Connecticut Public Transportation Authority to advise and assist the Department of Transportation (DOT) commissioner, governor, and Transportation Committee regarding planning, development, and maintenance of public transportation services (PA 83-487).
15-16, R	Statewide Community Antenna Television Advisory Council	Established in 2007 to assist local cable TV advisory councils and disseminate information to them related to customers' interests (PA 07-253).
19, 25, R	Quinebaug and Shetucket Rivers National Heritage Corridor Advisory Council	Established in 1995 to submit the Cultural Heritage and Corridor Management Plan to the governor by January 1, 1996 (PA 95-250).
20, R	Bi-State Farmington River Commission	Established in 1990 to make recommendations for towns being considered for designation under the federal Wild and Scenic Rivers Act (PA 90-341).
21	Small Business Air Pollution Compliance Advisory Panel	Established in 1993 to advise the Department of Energy and Environmental Protection (DEEP) on the effectiveness of the small business stationary source technical and environmental compliance program (PA 93-428). The program was created to help small businesses comply with the federal Clean Air Act, which requires states to establish this panel (42 USC 7661f).
23, R	Risk Assessment Board	Established in 2006 to develop and use a scale using various factors to determine a sex offender's likelihood of reoffending, which was due October 1, 2007 (PA 06-187).
24, R	Adult Literacy Leadership Board	Established in 2008 to review and advise the Connecticut Employment and Training Commission on workforce investment and adult literacy programs and services. The board had to develop a strategic plan for an adult literacy system by July 1, 2009 and terminates as a standing committee of the commission on July 1, 2012. (PA 08-163).
25, 45, 54	River Protection Advisory Committee	Established in 1991 to assist the environmental protection commissioner in developing a river

§	Title	Description
		protection program (PA 91-394).
49, R	Technology Advisory Committee	Established in 1989 to provide technical expertise and advice to the legislature (PA 89-257).
50	Waiver Application Development Council	Established in 1995 to assist the Department of Social Services (DSS) in its Medicaid waiver application (PA 95-257).
52, R	Child Day Care Council	Established in 1967 to make recommendations to the Department of Public Health on the regulations for child day care centers, group day care homes, and family day care homes and to DSS on grant management and planning and development of child day care services. It also provides advice on the state's child care plan (PA 696).
R	Commission On Innovation and Productivity	Established in 1993 to recommend innovations for cost-effectiveness and efficiency in state government (PA 93-351).
R	Advisory Committee For The Center For Real Estate and Urban Economic Studies at UConn School Of Business Administration	Established in 1965 to advise the center (PA 621).
R	Southwest Corridor Action Council	Established in 1998 to advise DOT and report on the progress of implementing the transportation plan for the southwest corridor (PA 98-119).
R	Nurturing Families Network (NFN) Advisory Commission	Established in 1997 to monitor the statewide implementation of the NFN, a voluntary program that generally provides information and assistance to first-time parents through home visits and connections between parents, volunteers, and the community (PA 97-288).
R	HealthFirst Connecticut Authority	Established in 2007 to evaluate the state's sustainable health care policy and make recommendations for cost containment, improved health care quality, and financing and affordability and report by December 1, 2008 (PA 07-185).
R	Residential Water-Saving Advisory Board	Established in 1989 to advise the public health commissioner on water conservation (PA 89-

§	Title	Description
		266).
R	Connecticut War Veterans Memorial Register of Remembrance Commission	Established in 1991 to develop a plan to create the Memorial Register of Remembrance for Connecticut War Veterans (SA 91-22).
R	Connecticut Equestrian Center Corporation	Established in 1996 to attract and service large equestrian events and related trade shows, exhibitions, and activities (SA 96-14).
R	Committee to Review and Assess Pathways to Baccalaureate Degrees in Early Childhood Education	Established in 2005 to assess pathways to baccalaureate degrees in early childhood education and child development to promote the professionalization of the early childhood education workforce. The committee's report was due January 1, 2006 (PA 05-245).
R	Task Force to Develop Recommendations for Establishing an Administrative Hearings Division	Established in 2009 to develop recommendations for establishing an administrative hearings division within the Commission on Human Rights and Opportunities. The task force report was due February 1, 2010 (PA 09-7, Sept. Special Session).

*R: Repealer, §§ 55, 56, and 57 of the bill

§§ 5, 9 & 22 — GEOSPATIAL INFORMATION SYSTEMS COUNCIL

The bill eliminates the Geospatial Information Systems Council and makes the Office of Policy and Management (OPM) its successor agency for purposes of coordinating a uniform geospatial information system capacity for towns, regional planning agencies, state agencies, and other users. It requires the OPM secretary to submit, by January 1, 2013, the annual report to the Planning and Development Committee that the council currently provides on related activities.

§ 17 — STATE-WIDE PRIMARY CARE ACCESS AUTHORITY

The bill requires (1) the public health commissioner to appoint two people to the State-wide Primary Care Access Authority and (2) the authority to elect two chairpersons from among its members. Under current law, the chairpersons of the HealthFirst Connecticut Authority (repealed by the bill) serve as the chairpersons of the State-wide

Primary Care Access Authority.

§ 18 — MOBILE MANUFACTURED HOME ADVISORY COUNCIL

The bill reduces the council's membership, from 15 to 14, to reflect the elimination of a representative from the Housing Advisory Committee, which the bill repeals.

§ 26 — CONNECTICUT INTERNATIONAL TRADE COUNCIL

The bill eliminates the council and makes the Department of Economic and Community Development (DECD) its successor agency. The council was established in 1994 to advise the DECD commissioner and the legislature's Commerce Committee on the state's infrastructure and programs for promoting the growth of import and export businesses (PA 94-237).

§ 28 — GREATER HARTFORD FLOOD COMMISSION

The bill replaces the governor with the mayor of Hartford as the appointing authority for the seven members of this commission, which was created by special act (No. 72) in November 1955.

§ 29 — MEDICAL INEFFICIENCY COMMITTEE

The bill requires the committee to terminate on July 1, 2012 or when it submits its final report (due January 1, 2012), whichever is earlier. Under current law, the committee terminates when it submits its final report (due January 1, 2012) or on January 1, 2012, whichever is later. By law, the committee is charged with advising DSS on amending the definition of "medically necessary" services in connection with the administration of Medicaid (to reflect savings, reduce inefficiencies, and maintain the quality of care).

§§ 30 & 31 — SPECIAL CONTAMINATED PROPERTY REMEDIATION AND INSURANCE FUND ADVISORY BOARD

The bill eliminates this seven-member advisory board (but not the fund), established in 1995 to annually advise and review the fund's progress. It transfers the board's duties to the 13-member Brownfields Working Group established in 2010 to examine how Connecticut brownfields are being cleaned up and developed and how permits and

liability issues affect these activities. The bill also makes the working group permanent by eliminating a final reporting deadline and instead requiring annual reports beginning January 15, 2013.

§§ 32 & 33 — LONG ISLAND SOUND

Advisory Councils

By law, each of the three Long Island Sound Advisory Councils (Eastern, Central, and Western) prepares reports on the use and preservation of the sound within its respective boundaries. The bill removes from each council five public members whom the governor appoints, thereby reducing the number of public members from nine to four. The remaining members are (1) four legislative appointees, one each by the Senate president pro tempore, the House speaker, and Senate and House minority leaders and (2) the chief executive officers (or designees) of each council's member municipalities.

Assembly

The bill reduces each advisory council's representation on the Long Island Sound Assembly, which reviews the councils' reports, from seven to four members, thus reducing the assembly's total membership from 21 to 12. Under the bill, each council's chairperson must appoint to the assembly (1) two, rather than three, chief executive officers from the council and (2) two legislative appointees from the council, rather than four council members from among those appointed by the governor or legislators.

The bill also simplifies the distribution of the assembly's annual report to the legislature, requiring an electronic submission that the Environment Committee must post on its website. Under current law, the assembly must, in addition to submitting the report to the Environment Committee and any legislator who requests it, submit a summary or notification of the report to every legislator.

§ 34 — CONNECTICUT COUNCIL ON DEVELOPMENTAL DISABILITIES

The bill codifies the Connecticut Council on Developmental Disabilities, which is currently a federally-funded program operating

as a state agency to advocate and promote policy and programs for people with disabilities. The existing state council was established in 1971 by Governor Meskill and the bill makes this council the successor to that agency. The current council's members are appointed by the governor for three-year terms under the authority of the federal Developmental Disabilities Assistance and Bill of Rights Act of 2000 (P.L. 106-402, 42 USCA §§ 15001 et seq.)

Membership

The bill establishes the council in statute as a 24-member agency (it currently has 27 members) with the following membership requirements:

1. persons with developmental disabilities (five members);
2. parents or guardians of children with developmental disabilities or parents, immediate relatives, or guardians of adults with mentally impairing developmental disabilities (five members);
3. persons listed in either category above, at least one of whom must be a person, family member, or guardian of a person with such a disability who resides or resided in an institution (five members);
4. a member representing each of the following: (a) the departments of Education, Public Health, and Developmental Services, (b) the Bureau of Rehabilitative Services, (c) the DSS' Aging Services Division, (d) the Office of Protection and Advocacy for Persons with Disabilities, and (e) the A.J. Pappanikou Center for Excellence in Developmental Disabilities (seven members); and
5. local, nongovernmental nonprofit groups concerned with persons with developmental disabilities (two members).

No state employee can serve as one of the members who has a developmental disability, or who is a family member or guardian of someone with such a disability.

Appointments

The bill requires the current council's members to serve until 60 days after the bill's passage unless a successor is appointed earlier, at which point they must resign. The governor has 60 days from the bill's passage to appoint the 24 members, who serve staggered three-year terms. (Eight of the initial appointees serve a two-year term and eight others serve a one-year term.) The bill requires the current council's executive director to provide the governor with a list of candidates recommended to serve as initial members. It prohibits members from serving more than two three-year terms. The council members serve at the governor's pleasure.

Duties

The bill requires the council to elect a chairperson and vice-chairperson from among its members and employ an executive director and other necessary staff. Salaries must be determined by the Department of Administrative Services (DAS) and paid exclusively from the federal act's funding. It conforms the law to current practice by specifying that the Department of Developmental Services is the council's designated agency for purposes of the federal act.

The bill requires the council to adopt policies and procedures for the conduct of its duties to carry out the requirements of the federal law, including undertaking advocacy, capacity-building, and systemic change activities. It allows the council to receive, administer, and spend any funds available under the federal act.

§§ 35-44 — COMMISSION FOR EDUCATIONAL TECHNOLOGY

The bill renames the 17-member Commission for Educational Technology the Commission for Technology Advancement and moves it from DAS to OPM. The bill makes a corresponding change to the name of the educational technology account.

Membership

The bill maintains the commission's size (17 members), but changes its membership by replacing five current members with five new members. The bill removes from the current commission:

1. the Public Utilities Regulatory Authority chairperson,
2. a representative of the Connecticut Educators Computer Association,
3. a secondary school teacher appointed by the Connecticut Education Association, and
4. an elementary school teacher representing the Connecticut Federation of Educational and Professional Employees.

It reduces, from four to three, the number of business representatives with information technology expertise by removing the member appointed by the lieutenant governor.

The bill adds to the commission (1) the OPM secretary, (2) the DECD commissioner, (3) the consumer counsel, and (4) one representative each of the Connecticut Conference of Municipalities and the Connecticut Council of Small Towns. It eliminates the ability of the administrative services and education commissioners, UConn and Board of Regents for Higher Education (BOR) presidents, and state librarian to appoint designees. The bill requires the governor to appoint the chairperson, rather than the commission electing the chairperson as under current law.

Duties

The bill revises the commission's charge and goals by requiring it to be the state's principal technology advancement, rather than educational technology, policy advisor. It makes several conforming changes by replacing references to educational technology with references to technology advancement. It adds municipal facilities to the list of entities to be connected to a statewide high speed communications network.

The bill eliminates the commission's duties to ensure, (1) in cooperation with the State Board of Education (SBE), computing competency for all sixth graders, (2) computing competency and technology integration into the curriculum for all public school

teachers, and (3) that higher education institutions offer a wide range of courses and degree programs through the Internet and other synchronous and asynchronous methods. It also eliminates the commission's responsibility to measure the public availability and use of Internet access sites and recommend strategies for reducing usage and accessibility disparities across the states.

The bill also:

1. requires the commission to report biennially (beginning January 1, 2013), rather than annually, to the legislature;
2. adds the Commerce and Higher Education committees as recipients of the report (under current law the commission reports to the Appropriations and Education committees);
3. eliminates the requirement that the commission report to SBE and BOR; and
4. eliminates a requirement that the report recommend adjustments to the funding formula for the State Department of Education's educational technology grant program.

§ 501 — LOW INCOME ENERGY ADVISORY BOARD

The bill makes the OPM secretary and DSS commissioner, or their designees, nonvoting, rather than voting, members and adds the DEEP commissioner, or his designee, to the board as another nonvoting member. It allows all of the board's members to appoint designees. Under current law, only the OPM secretary, DSS commissioner, Public Utilities Regulatory Authority chairperson, and Consumer Counsel have this ability.

The bill removes the OPM secretary from the position of board chairperson and instead requires the board to elect the chairperson and vice-chairperson from among the voting members. It requires the DEEP commissioner or his designee, rather than the OPM secretary, to (1) provide notice of meetings to board members, (2) maintain minutes, (3) provide space for the meetings, and (4) publish the

board's reports.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 15 Nay 0 (03/21/2012)