
OLR Bill Analysis

sHB 5125

AN ACT INCREASING MUNICIPAL REPRESENTATION ON THE BOARD OF DIRECTORS FOR THE CONNECTICUT RESOURCES RECOVERY AUTHORITY.

SUMMARY:

Beginning July 1, 2012, this bill changes the composition of the Connecticut Resources Recovery Authority's (CRRA) board of directors by:

1. increasing the board's membership from 11 to 15;
2. phasing out ad hoc member appointments;
3. increasing municipal representation;
4. decreasing the population threshold for municipal official appointments from 50,000 to 30,000;
5. allowing municipal official appointments to be from any Connecticut town; and
6. increasing the members needed for a quorum from six to eight, consistent with the increase in the board's size, and the municipal members needed for a quorum from two to four.

The bill removes obsolete provisions regarding the (1) board's membership before June 1, 2002 and (2) establishment of a CRRA steering committee that the board dissolved in 2005. It also deletes a provision regarding the current board's initial term lengths that began June 1, 2002 and established staggered terms. The bill retains provisions regarding conflicts of interest, civil immunity, expense reimbursement, removal from office, and other operational matters.

It also makes technical and conforming changes.

CRRA is a quasi-public agency that designs, builds, and operates solid waste disposal, volume reduction, recycling, intermediate processing, and resource recovery facilities.

EFFECTIVE DATE: Upon passage

CRRA BOARD COMPOSITION

Selection and Qualifications

Under current law, the governor and four legislative leaders appoint the 11 directors on the CRRA board. The governor appoints three, one of whom must be a municipal official from a town with a population of 50,000 or less, and one of whom must be an energy expert. The Senate president, House speaker, and minority leaders each appoint two directors. Of these, two must be municipal officials from towns with populations of 50,000 or less; two must be municipal officials from towns with populations over 50,000; three must be experts in finance, business, or industry; and one must be an expert in environmental issues. The law identifies the appointing authority for each.

The board also has two ad hoc members appointed by the governor to represent each facility CRRA operates. The ad hoc members generally must be electors from a municipality served by such facility. At least half of the ad hoc members must be municipal chief elected officials or their designees. The ad hoc members may only vote on matters affecting the facility they represent.

Beginning July 1, 2012, the bill expands the CRRA board to the following 15 directors:

1. three appointed by the governor, one of whom must be a municipal official from a town with a population of 30,000 or less;
2. the ad hoc members serving on June 30, 2012 (see below); and
3. eight directors appointed by the Senate president, House speaker, and minority leaders, two of whom must be municipal

officials from towns with populations of 30,000 or less, and two must be municipal officials from towns with populations over 30,000.

The bill retains the current law's designation of the required expertise for each appointing authority's appointments.

It appears that a current member who fails to meet the new eligibility requirements (e.g., representing a municipality with a population more or less than 30,000 instead of 50,000) can no longer serve after June 30, 2012.

Confirmation and Terms

By law and unchanged by the bill, the CRRRA directors must be confirmed by both legislative houses. No director can be a member of the General Assembly. Only two of the governor's three appointees can be from the same political party. The governor chooses the board's chairperson from among the directors. The chairperson must also be confirmed by both legislative houses and serves at the pleasure of the governor.

Under current law, each director serves a four-year term, staggered so that half of them are subject to reappointment every two years. Ad hoc members serve four-year terms and are confirmed by both legislative houses. Under the bill, each director who is not a former ad hoc member serves a four-year term.

Ad Hoc Members

Under the bill, the four ad hoc members as of June 30, 2012 continue to serve as board members after July 1, 2012 until the end of their original four-year terms as appointees of each of the four legislative leaders. At the end of these ad hoc members' terms, each of the legislative leaders appoints a second municipal official to the board, from a town with a population either more or less than 30,000, as specified in the bill.

Attendance and Vacancy Policies

As under current law, the bill deems board members to have

resigned if they fail to attend (1) three consecutive board meetings or (2) at least half of all board meetings in a calendar year. It also retains the current provision that vacancies occurring before a term expires are filled for the remainder of the term in the same manner as the original appointment.

Municipal Official

Currently, for purposes of the CRRA law, a “municipal official” is the first selectman, mayor, city or town manager, or chief financial officer from a municipality that has contracted for solid waste disposal services with CRRA and pledged the municipality’s full faith and credit under the contract. The bill expands the definition on and after July 1, 2012 to include the first selectman, mayor, city or town manager, or chief financial officer of any Connecticut municipality.

BACKGROUND

Related Bill

sSB 333, reported favorably by the Energy and Technology Committee, makes changes to the composition of the CRRA board of directors, among other things.

COMMITTEE ACTION

Environment Committee

Joint Favorable

Yea 29 Nay 0 (03/14/2012)