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## OLR Bill Analysis

### sHB 6363

#### ***AN ACT STREAMLINING STATE GOVERNMENT AND INCREASING EFFECTIVENESS.***

#### **SUMMARY:**

This bill eliminates 33 state boards and commissions and designates a successor agency for, or transfers the duties of, three of them. It establishes the Connecticut Commuter Rail Council to replace the Metro North New Haven Rail Commuter Council, which the bill eliminates. The bill also eliminates the Gaming Policy Board and transfers its functions and responsibilities to the Department of Consumer Protection (DCP).

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

EFFECTIVE DATE: July 1, 2013

#### **REPEALED BOARDS AND COMMISSIONS**

Table 1 lists 28 of the 33 boards and commissions that the bill repeals (note: R refers to the bill's repealer sections, which are sections 95 and 96). The remaining five are described later in this analysis.

**Table 1: Repealed Boards and Commissions**

<b>§</b>	<b>Title</b>	<b>Description</b>
1-2, 25, 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, 4, R	Committee on Career Entry and Mobility	Established in 1977 to determine how career counseling can best be provided and training opportunities best be met and made available

<b>§</b>	<b>Title</b>	<b>Description</b>
		within allotted funds (PA 77-250).
5, 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).
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.
9	Computer-Assisted Mass Appraisal Systems Advisory Board	Established in 1988 to assist in adopting standards for certifying a computer system for municipalities to use for property tax revaluation. The standards had to be adopted by December 1, 1988 (PA 88-348).
10-13, 15, 39, R	Connecticut Public Transportation Commission	Established in 1983 as a successor to the 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).
16-17, 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).
18, 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).
20	Small Business Air Pollution Compliance Advisory Panel	Established in 1993 to advise the Department of Energy and Environmental Protection 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).

<b>§</b>	<b>Title</b>	<b>Description</b>
22, 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 terminated as a standing committee of the commission on July 1, 2012. (PA 08-163).
23, 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).
23, 30	River Protection Advisory Committee	Established in 1991 to assist the environmental protection commissioner in developing a river protection program (PA 91-394).
37, 38, 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 the Department of Social Services (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).
43, 44, 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 of housing matters among state agencies (PAs 87-550 and 96-68).
R	Commission On Innovation and Productivity	Established in 1993 to recommend innovations for cost-effectiveness and efficiency in state government (PA 93-351).
R	Committee to encourage employment by state of people with disabilities	Established in 1998 to advise state agencies regarding adaptation of employment examinations and alternative hiring processes for, and reasonable accommodation of, individuals with disabilities (PA 98-205)

<b>§</b>	<b>Title</b>	<b>Description</b>
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).
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 among parents, volunteers, and the community (PA 97-288).
R	Waiver Application Development Council	Established in 1995 to assist DSS in its Medicaid waiver application (PA 95-257).
R	Residential Water-Saving Advisory Board	Established in 1989 to advise the public health commissioner on water conservation (PA 89-266).
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).
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).
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,

<b>§</b>	<b>Title</b>	<b>Description</b>
		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, §§ 95 and 96 of the bill

### **§§ 6, 8 & 21 — 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 geospatial information system capacity for towns, regional planning agencies, and state agencies. The bill eliminates requirements that this capacity be (1) coordinated within available appropriations and (2) uniform. It requires the OPM secretary to submit, by January 1, 2014, the annual report to the Planning and Development Committee that the council currently provides.

The bill also modifies several of the system's requirements. Under the bill, OPM must (1) establish policies for collecting, managing, and distributing geospatial information and (2) set standards for acquiring, managing, and reporting this information and for acquiring, creating, or using applications employing the information by any executive branch agency. The bill eliminates current law's requirements that the system include provisions for (1) promoting a forum in which geospatial information may be centralized and distributed and (2) creating, maintaining, and disseminating geographic information or imagery used to precisely identify, or create maps or information

profiles in graphic or electronic form about certain locations or areas.

The bill requires that the system be for the purpose of (1) facilitating communication and coordination regarding the use of geospatial information system technology, (2) eliminating duplicative use of the technology, and (3) expanding its use within the state. It eliminates current law's requirement that the system be for the purpose of guiding or assisting state and municipal officials in land use planning; transportation; economic development; public service delivery; environmental, cultural, and natural resources management; and other areas, as necessary.

### **§§ 14 & 15 — COMMUTER RAIL COUNCILS**

The bill eliminates the Metro North New Haven Rail Commuter Council and replaces it with the Connecticut Commuter Rail Council. The bill requires that (1) appointments to the new council be made by, and members' terms begin on, August 1, 2013 and (2) the governor choose the chairperson.

The councils are the same size and have the same appointing authorities, but the bill adds specific criteria to some of the new council's appointees and modifies its duties and membership criteria. Table 2 compares the councils' characteristics, and Table 3 compares their membership requirements.

**Table 2: Councils' Characteristics**

<b>Provision</b>	<b>Metro North New Haven Rail Commuter Council (Current Law)</b>	<b>Connecticut Commuter Rail Council (The Bill)</b>
Size	15 members	Same
Membership Criteria	Members must be commuters who use (1) the New Haven Line (including its branches) and (2) Shoreline East	Same, except that the bill allows members who are residents of municipalities where the transportation commissioner has proposed a new rail line or where one has commenced operating after July 1, 2013

Chairperson	Elected by council members	Chosen by governor
Duties	Study and investigate all aspects of the New Haven Line's daily operation, monitor its performance, and recommend changes to improve its efficiency and service quality	Work with DOT to advocate for customers of all commuter lines and make recommendations for improving the lines
Authority	Can request and receive from public agencies such assistance and data as it needs to properly carry out its activities	None specified

**Table 3: Councils' Membership**

<b>Appointing Authority</b>	<b>Metro North New Haven Rail Commuter Council (Current Law)</b>	<b>Connecticut Commuter Rail Council (The Bill)</b>
Governor	Four appointments	Same, except that one of the appointees must be the chief elected official of a municipality located on an operating or proposed new rail line
Senate President Pro Tempore	Three appointments	Same
House speaker	Three appointments	Same
Senate Minority Leader	One appointment	Same
House Minority Leader	One appointment	Same
Transportation Committee co-chairpersons	One appointment each	Same, except that (1) one appointee must be from a municipality with a Shoreline East station and (2) the other must be from a municipality where the transportation commissioner has proposed a new rail line or where one has commenced operating after July 1, 2013

Transportation Committee Ranking Members	One joint appointment	Same, except that the appointee must be from a municipality served by the Danbury or Waterbury branches of the New Haven Line
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### **§ 18 — 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.

### **§ 24 — 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).

### **§§ 26 & 27 — SPECIAL CONTAMINATED PROPERTY REMEDIATION AND INSURANCE FUND ADVISORY BOARD**

The bill eliminates this seven-member advisory board, 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, which was 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, 2014.

The bill does not affect the fund, which is used for, among other things, removing and mitigating spills and making loans to municipalities, firms, and individuals for certain environmental assessments or investigations.

**§§ 28 & 29 — 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 eliminates the requirement that the assembly submits its annual report to individual legislators, and instead requires only 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.

**§§ 35 & 36 — CITIZENS ADVISORY COUNCIL FOR HOUSING MATTERS**

The bill renames the Citizens Advisory Council for Housing Matters the Advisory Council to the Superior Court Housing Session. It reduces the council's size from 36 members to 12 by reducing, from nine to three, the number of members from each of the four groups that comprise the board's membership. These groups are residents of

the judicial districts of (1) Hartford or New Britain; (2) New Haven, Waterbury, or Ansonia-Milford; (3) Fairfield or Stamford-Norwalk; or (4) Danbury, Litchfield, Middlesex, New London, Tolland, or Windham.

By law, the governor appoints board members to four-year terms, but the bill specifies that (1) members' terms last for four years beginning July 1 in the year of their appointment and (2) the governor fills any vacant position for the unexpired portion of the term.

#### **§ 40 — BOARD OF TRUSTEES OF THE DEPARTMENT OF VETERANS AFFAIRS**

By law, veterans must comprise a majority of the Board of Trustees of the Department of Veterans Affairs. A veteran is a person honorably discharged from, or released under honorable conditions from active service in, the armed forces. Under current law, the board must include veterans from World War II, the Korean War, and the Vietnam War. The bill instead requires that the board include veterans of armed conflicts authorized by the president. It thus eliminates the requirement that veterans of the three conflicts listed above be represented.

#### **§ 41 — 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.

#### **§ 42 — MEDICAL INEFFICIENCY COMMITTEE**

The bill requires the committee to terminate on July 1, 2013 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).

**§ 44 — 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.

**§§ 45-94 — GAMING POLICY BOARD**

The bill eliminates the Gaming Policy Board and transfers its functions and responsibilities to DCP. By law, DCP’s gaming division (1) issues licenses and permits to all individuals and entities involved in legalized gaming and (2) monitors and ensures compliance with the gaming laws and tribal-state agreements.

Under the bill, if any of DCP’s and the board’s orders or regulations conflict, the DCP commissioner can implement policies or procedures to resolve the conflict while adopting regulations, provided notice of intent to adopt regulations is printed in the *Connecticut Law Journal* within 20 days of implementation.

The bill also makes numerous conforming changes to effectuate the transfer. Under current law, DCP performs several gaming-related duties with the advice and consent of the board. Under the bill, DCP alone must perform these duties (e.g., adopting certain regulations). Similarly, the bill requires gaming-related appeals (e.g., license revocation or suspension) to go directly to Superior Court. Current law requires aggrieved individuals to first appeal to the Gaming Policy Board.

The bill allows former board members to be immediately employed by certain businesses. Under current law, they are prohibited from being employed within two years of leaving by (1) businesses that the board regulates and (2) businesses or government agencies associated with Indian gaming operations within the state.

It also makes other minor, technical, and conforming changes.

**BACKGROUND**

***Gaming Policy Board***

The Gaming Policy Board works in cooperation with DCP to implement and administer the gaming statutes. The board has five voting members; the DCP commissioner serves as an ex officio non-voting member. The governor appoints the board members, with the legislature's consent, for four-year terms. By law, board members (1) must post a \$25,000 performance bond with the state and (2) are prohibited from certain gaming-related and political activities.

Under current law, the board, among other things, approves, suspends, or revokes certain gaming licenses; approves certain contracts; sets racing and jai alai meeting dates; imposes certain fines; advises and approves certain gaming-related activities; and hears appeals for certain gaming permit suspensions and revocations.

***Related Bills***

sHB 1072, favorably reported by the Public Safety and Security Committee, also eliminates the Gaming Policy Board and transfers its functions and responsibilities to DCP.

sSB 434, favorably reported by the Government Administration and Elections Committee, also eliminates the Committee on Career Entry and Mobility. It modifies, but does not repeal, the committee to encourage employment by the state of people with disabilities.

**COMMITTEE ACTION**

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 14    Nay 0    (03/15/2013)