



# Senate

General Assembly

**File No. 481**

February Session, 2014

Substitute Senate Bill No. 332

*Senate, April 10, 2014*

The Committee on Planning and Development reported through SEN. OSTEN of the 19th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

***AN ACT AMENDING THE CHARTER OF THE METROPOLITAN DISTRICT IN HARTFORD COUNTY.***

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

1 Section 1. Number 358 of the special acts of 1931, as amended by  
2 special act 77-62, is amended to read as follows (*Effective October 1,*  
3 *2014*):

4 The Metropolitan District is authorized to supply water [, at rates  
5 uniform with those charged within said district,] to any town or city,  
6 any part of which is situated not more than twenty miles from the state  
7 capitol at Hartford, or to the inhabitants thereof, or to any state facility  
8 located within such area, upon such terms as may be agreed upon, but  
9 all other sources belonging to any such town or city shall be developed  
10 by such consumer or made available for development by said district.  
11 The district shall supply such water at rates uniform with those  
12 charged within said district, provided the district may impose an  
13 additional surcharge upon such town or city, inhabitants or state

14 facility. For purposes of this section, "rate" includes any water use  
15 charge, customer service charge or general surcharge. The cost of  
16 constructing the pipe connection between the district and such town or  
17 city shall be paid by such town or city. The cost of constructing the  
18 pipe connection between the district and any such state facility shall be  
19 paid by the state of Connecticut. Nothing herein shall authorize The  
20 Metropolitan District to supply any water in competition with any  
21 water system in any town or city, except by agreement.

22 Sec. 2. Section 8 of number 511 of the special acts of 1929, as  
23 amended by section 3 of special act 83-31 and section 1 of special act  
24 99-12, is amended to read as follows (*Effective October 1, 2014*):

25 Said board, either directly or under committees consisting of one or  
26 more members of said board, shall organize bureaus for the convenient  
27 carrying into effect of the several functions herein committed to said  
28 board and may define the powers and duties of such bureaus and  
29 delegate to them such powers and duties by ordinance, by-law or  
30 otherwise as may, in the judgment of the board, be necessary for the  
31 convenient operation of the same. No member of the board shall  
32 receive any pay for his services as such member or as a member of a  
33 sub-committee of the board except that a reasonable sum may  
34 annually be appropriated for the actual expenses of said board. The  
35 board may, by ordinance, by-law or otherwise, fix the salaries and  
36 define the duties of all officers and employees or may delegate the  
37 fixing of salaries of employees and assignment of duties of employees  
38 to sub-committees or bureau managers. The chairman and vice-  
39 chairman of said district and of all sub-committees, bureaus, boards  
40 and commissions appointed by the district board shall, unless  
41 otherwise provided in the appointment or herein, hold office until the  
42 end of the fiscal year of their appointment and thereafter shall be  
43 appointed for terms of two years and until their successors shall be  
44 appointed and shall have qualified. The members of all sub-  
45 committees, bureaus, boards and commissions appointed by the  
46 district board shall, unless otherwise provided in the appointment or  
47 herein, hold such membership until the end of the fiscal year of their

48 appointment and thereafter shall hold membership for terms of two  
49 years and until their successors shall be appointed and shall have  
50 qualified. The managers of the water bureau and of the bureau of  
51 public works and such others of the officers as by the district board  
52 shall be especially so designated shall hold office during good  
53 behavior and shall be removed only for cause. All other officers and  
54 employees may be removed at any time by the district board at  
55 pleasure. All vacancies may be filled by the district board. Said district  
56 board shall have power to fill any vacancy occurring in its number for  
57 the unexpired portion of the term and, except as otherwise expressly  
58 provided, shall act in all cases by a majority of those present at any  
59 regular or special meeting, duly warned. A majority of the board shall  
60 constitute a quorum and the time, place and manner of calling  
61 meetings and the holding thereof, including the manner of dissolving  
62 tie votes, shall be prescribed by said board by by-law or otherwise. The  
63 district board shall be the final judge of the election returns and  
64 validity of elections and qualifications of its members and shall decide  
65 all tie votes in elections. Except as hereinafter provided, the district  
66 board shall have power to authorize the sale, transfer and conveyance  
67 of real and personal estate belonging to the district, and shall provide  
68 by by-law or otherwise for the form and manner of execution of the  
69 documents and instruments convenient therefor. The district board  
70 shall make provision for the proper auditing of the district accounts  
71 and may cause any officer to execute bonds to the district with surety  
72 to the acceptance of the district board for the faithful performance of  
73 duties. The district board shall post the current budget of the district in  
74 a conspicuous location on the district's Internet web site.

75 Sec. 3. Section 2 of special act 75-73, as amended by section 2 of  
76 special act 83-18, section 2 of special act 84-75 and section 17 of public  
77 act 93-380, is amended to read as follows (*Effective October 1, 2014*):

78 (a) The members of the board of commissioners appointed prior to  
79 and holding office on the effective date of special act 75-73, special act  
80 83-18, special act 84-75, [or this act] public act 93-380 or this act shall  
81 continue to serve until the expiration of their terms for which they were

82 appointed. Thereafter, members shall be appointed by the legislative  
83 body of each member municipality, to replace the members whose terms  
84 expire and until their successors are appointed and qualify, provided, in  
85 no event shall the total number of members appointed by the legislative  
86 body of any member municipality exceed: (1) Six in the city of Hartford,  
87 (2) three in the city of East Hartford, (3) one in the town of Rocky Hill, (4)  
88 one in the town of Wethersfield, (5) one in the town of Newington, (6)  
89 one in the town of Windsor, (7) one in the town of Bloomfield and (8)  
90 three in the town of West Hartford.

91 (b) Appointments to the district board by the legislative bodies of  
92 the member municipalities shall be made in accordance with the  
93 following schedule:

94 (1) The legislative body of the city of Hartford shall appoint (A)  
95 three commissioners for a term of two years to commence January 1,  
96 1977, and (B) three commissioners for a term of six years to commence  
97 January 1, 1981;

98 (2) The legislative body of the city of East Hartford shall appoint (A)  
99 two commissioners for a term of four years to commence January 1,  
100 1977, and (B) one commissioner for a term of six years to commence  
101 January 1, 1979;

102 (3) The legislative body of the town of Wethersfield shall appoint  
103 one commissioner for a term of six years to commence January 1, 1979;

104 (4) The legislative body of the town of Newington shall appoint one  
105 commissioner for a term of six years to commence January 1, 1981;

106 (5) The legislative body of the town of Windsor shall appoint one  
107 commissioner for a term of six years to commence January 1, 1981;

108 (6) The legislative body of the town of Bloomfield shall appoint one  
109 commissioner for a term of two years to commence January 1, 1987;

110 (7) The legislative body of the town of Rocky Hill shall appoint one  
111 commissioner for a term of six years to commence January 1, 1977;

112 (8) The legislative body of the town of West Hartford shall appoint  
113 (A) one commissioner for a term of one year to commence January 1,  
114 1984, (B) one commissioner for a term of three years to commence  
115 January 1, 1984, and (C) one commissioner for a term of five years to  
116 commence January 1, 1984.

117 (c) Upon the expiration of the initial terms of appointment under  
118 this section, members shall be appointed for terms of six years from  
119 January first in the year of their appointment and shall serve until their  
120 successors are appointed and qualify.

121 (d) On and after January 1, 1989, the eight members appointed by  
122 the governor to the district board shall be electors from The  
123 Metropolitan District, not more than three of whom shall be from any  
124 one municipality within said district nor shall such appointees  
125 represent more than fifty per cent of any municipality's representation  
126 on the district board. The appointments by the governor shall be for six  
127 years and shall be made in accordance with the following schedule:

128 (1) Three commissioners from the city of Hartford for a term to  
129 commence January 1, 1989;

130 (2) One commissioner from the city of East Hartford for a term to  
131 commence January 1, 1989;

132 (3) One commissioner from the town of Wethersfield for a term to  
133 commence January 1, 1989;

134 (4) One commissioner from the town of Newington for a term to  
135 commence January 1, 1991;

136 (5) One commissioner from the town of Windsor for a term to  
137 commence January 1, 1989;

138 (6) One commissioner from the town of West Hartford for a term to  
139 commence January 1, 1989.

140 (e) The four commissioners appointed by the designated members

141 of the General Assembly shall be appointed as follows: (1) One  
142 commissioner by the president pro tempore of the Senate, for a term of  
143 five and one-half years commencing July 1, 1993; (2) one commissioner  
144 by the speaker of the House of Representatives, for a term of four and  
145 one-half years commencing July 1, 1993; (3) one commissioner by the  
146 minority leader of the Senate, for a term of three and one-half years,  
147 commencing July 1, 1993, and (4) one commissioner by the minority  
148 leader of the House of Representatives, for a term of two and one-half  
149 years, commencing July 1, 1993. After such initial appointment the  
150 terms of all such commissioners shall thereafter be six years. Such  
151 commissioners shall be electors from The Metropolitan District,  
152 provided no two commissioners shall be residents of the same  
153 municipality.

154 (f) On and after January 1, 2015, the legislative bodies of  
155 nonmember municipalities shall appoint four members to the board of  
156 commissioners, provided in no event shall the total number of  
157 members appointed by the legislative body of any nonmember  
158 municipality exceed: (1) One from the town of Glastonbury; (2) one  
159 from the town of South Windsor; (3) one from the town of East  
160 Granby; and (4) one from the town of Farmington. Such  
161 commissioners shall be ex-officio, nonvoting members of the board of  
162 commissioners. Commissioners appointed pursuant to this subsection  
163 shall be appointed for terms of six years from January first in the year  
164 of their appointment and shall serve until their successors are  
165 appointed and qualify.

166 Sec. 4. Subsection (b) of section 1 of special act 75-73, as amended by  
167 section 1 of special act 83-18, section 1 of special act 84-75, section 16 of  
168 public act 93-380 and section 4 of special act 99-12, is amended to read  
169 as follows (*Effective October 1, 2014*):

170 (b) On and after [July 1, 1993] January 1, 2015, said district board  
171 shall be composed of [twenty-nine] thirty-three electors of said district,  
172 seventeen to be appointed by the member municipalities, from among  
173 their respective electors, eight to be appointed by the Governor, one to

174 be appointed by the speaker of the House of Representatives, one to be  
 175 appointed by the minority leader of the House of Representatives, one  
 176 to be appointed by the president pro tempore of the Senate, and one to  
 177 be appointed by the minority leader of the Senate, and four to be  
 178 appointed by the nonmember municipalities, from among their  
 179 respective electors, all such appointments being subject to the  
 180 provisions of section 2 of special act 75-73, as amended by section 2 of  
 181 special act 83-18, section 2 of special act 84-75, [and] section 17 of  
 182 public act 93-380 and section 3 of this act. The provisions of section 9-  
 183 167a of the general statutes shall apply only to appointments made  
 184 under this section by municipalities having three or more members  
 185 and only with respect to members appointed by any such  
 186 municipality. For the commissioners appointed by the member  
 187 municipalities and the Governor, membership of the district board  
 188 shall be apportioned among the member municipalities as follows:  
 189 Nine commissioners from the city of Hartford, four commissioners  
 190 from the city of East Hartford, one commissioner from the town of  
 191 Rocky Hill, two commissioners from the town of Wethersfield, two  
 192 commissioners from the town of Newington, one commissioner from  
 193 the town of Bloomfield, two commissioners from the town of Windsor  
 194 and four commissioners from the town of West Hartford.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2014</i>	Number 358 of the special acts of 1931
Sec. 2	<i>October 1, 2014</i>	Number 511 of the special acts of 1929, Sec. 8
Sec. 3	<i>October 1, 2014</i>	SA 75-73, Sec. 2
Sec. 4	<i>October 1, 2014</i>	SA 75-73, Sec. 1(b)

**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.

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**OFA Fiscal Note****State Impact:** None**Municipal Impact:** None**Explanation**

The bill requires The Metropolitan District to (1) supply water at rates uniformly within the district and (2) allows The Metropolitan District to impose an additional surcharge on any town, city, inhabitant, or state facility.

This does not result in a fiscal impact to the state or municipalities as The Metropolitan District currently (1) charges a uniform water rate to member towns<sup>1</sup> and (2) imposes a surcharge on nonmember towns.<sup>2</sup>

**The Out Years****State Impact:** None**Municipal Impact:** None

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<sup>1</sup> Bloomfield, East Hartford, Hartford, Newington, Rocky Hill, West Hartford, Wethersfield, and Windsor.

<sup>2</sup> Portions of East Granby, Farmington, Glastonbury, and South Windsor.

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**OLR Bill Analysis**

**sSB 332**

***AN ACT AMENDING THE CHARTER OF THE METROPOLITAN DISTRICT IN HARTFORD COUNTY.***

**SUMMARY:**

The Office of Legislative Research does not analyze Special Acts.

**COMMITTEE ACTION**

Planning and Development Committee

Joint Favorable Substitute

Yea 19 Nay 1 (03/25/2014)