



General Assembly

February Session, 2014

Raised Bill No. 5359

LCO No. 1447



Referred to Committee on GOVERNMENT ADMINISTRATION
AND ELECTIONS

Introduced by:
(GAE)

***AN ACT ESTABLISHING THE PUBLIC-PRIVATE PARTNERSHIP
COMMISSION.***

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

- 1 Section 1. (NEW) (*Effective from passage*) (a) There is established the
2 Public-Private Partnership Commission within the Department of
3 Administrative Services. The commission shall make
4 recommendations to the Governor concerning projects submitted by
5 state agencies to the Governor under subsection (a) of section 4-256 of
6 the general statutes, as amended by this act.
- 7 (b) The commission shall consist of the following members:
- 8 (1) One appointed by the speaker of the House of Representatives;
- 9 (2) One appointed by the president pro tempore of the Senate;
- 10 (3) One appointed by the minority leader of the House of
11 Representatives;

12 (4) One appointed by the minority leader of the Senate;

13 (5) Two appointed by the Governor; and

14 (6) The Commissioner of Administrative Services, or a designee.

15 (c) All appointments to the commission shall be made not later than
16 thirty days after the effective date of this section. Any vacancy shall be
17 filled by the appointing authority. Members shall serve until January 1,
18 2015, at which point the commission shall terminate. Members of the
19 commission shall receive no compensation for their services but shall
20 be reimbursed for necessary expenses incurred in the performance of
21 their duties.

22 (d) The members of the commission shall elect a chairperson of the
23 commission from among the members of the commission. Such
24 chairperson shall schedule the first meeting of the commission, which
25 shall be held not later than sixty days after the effective date of this
26 section. A majority of the members of said commission shall
27 constitute a quorum for the transaction of any business. Any action
28 taken by said commission shall be by majority vote of those present.

29 (e) Not later than fifteen days after receipt of an agency submittal of
30 a project under section 4-256 of the general statutes, as amended by
31 this act, the commission shall meet to consider such project and make
32 recommendations concerning such project. Not later than five days
33 after any such meeting, the commission shall submit any
34 recommendations concerning such project to the Governor.

35 Sec. 2. Section 4-256 of the 2014 supplement to the general statutes is
36 repealed and the following is substituted in lieu thereof (*Effective from*
37 *passage*):

38 (a) On and after October 27, 2011, and prior to January 1, 2015, the
39 Governor shall approve not more than five projects to be implemented
40 as public-private partnership projects. The Governor shall not approve

41 any such project unless the Governor finds that the project will result
42 in job creation and economic growth. Any agency seeking to establish
43 a public-private partnership shall, after consultation with the
44 Commissioners of Economic and Community Development,
45 Administrative Services and Transportation, the State Treasurer and
46 the Secretary of the Office of Policy and Management, submit one or
47 more projects to the Governor for approval.

48 (b) In determining whether a project is suitable for a public-private
49 partnership agreement, the agency shall conduct an analysis of the
50 feasibility, desirability and the convenience to the public of the project
51 and whether the project furthers the public policy goals of section 4-
52 255, this section and sections 4-257 to 4-263, inclusive, taking into
53 consideration the following, when applicable:

54 (1) The essential characteristics of the proposed facility;

55 (2) The projected demand for use of the facility and its economic
56 and social impact on the community and the state;

57 (3) The technical function and feasibility of the project and its
58 conformity with the state plan of conservation and development
59 adopted under chapter 297;

60 (4) The benefit to clients of the agency and the public as a whole;

61 (5) An analysis of the value provided for the cost of the project, that
62 at a minimum includes a cost-benefit analysis, an assessment of
63 opportunity costs and any nonfinancial benefits of the project;

64 (6) Any operational or technological risk associated with the
65 proposed project;

66 (7) The cost of the investment to be made and the economic and
67 financial feasibility of the project;

68 (8) An analysis of public versus private financing on a present value

69 basis, and the eligibility of the project for other public funds from local
70 or federal government sources;

71 (9) The impact to the state's finances of undertaking the project by
72 the agency; and

73 (10) The advantages and disadvantages of using a public-private
74 partnership rather than having the state agency perform the function.

75 (c) An agency shall not include a project solely based upon the
76 amount of potential revenue generated by such project.

77 (d) Any agency submitting a project in accordance with subsection
78 (a) of this section shall at the same time transmit, in accordance with
79 the provisions of section 11-4a, a copy of its submission to the Public-
80 Private Partnership Commission established under section 1 of this act
81 and to the joint standing committees of the General Assembly having
82 cognizance of matters relating to finance, revenue and bonding and
83 appropriations and the budgets of state agencies. Said committees
84 shall hold public hearings on any such submission.

85 (e) The Governor shall notify the agency when a project has been
86 approved as a public-private partnership project.

87 (f) On or before January 15, 2013, and annually thereafter, the
88 Governor shall report, in accordance with the provisions of section 11-
89 4a, to the General Assembly concerning the status of the public-private
90 partnerships established under this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	4-256

Statement of Purpose:

To establish the Public-Private Partnership Commission to make recommendations to the Governor concerning agency requests for projects to be made into public-private partnerships.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]