



General Assembly

February Session, 2014

Raised Bill No. 5461

LCO No. 1900



Referred to Committee on TRANSPORTATION

Introduced by:
(TRA)

***AN ACT CONCERNING REVISIONS TO STATUTES RELATING TO
THE CONNECTICUT AIRPORT AUTHORITY.***

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

1 Section 1. Subsection (b) of section 15-120ll of the 2014 supplement
2 to the general statutes is repealed and the following is substituted in
3 lieu thereof (*Effective July 1, 2014*):

4 (b) To the extent that the authority is authorized by sections 15-
5 120aa to 15-120oo, inclusive, to exercise powers or duties with respect
6 to Bradley, the general aviation airports and any other airports, which
7 powers are also granted to the commissioner by the general statutes or
8 any public or special act, the authority shall not exercise such powers
9 or perform such duties except to the extent that such powers or duties
10 are ceded to the authority by the commissioner. The authority and the
11 commissioner shall enter into one or more memoranda of
12 understanding that will facilitate the authority's governance of such
13 airports, and provide for an orderly transition and transfer of
14 ownership, jurisdiction or authority to control, operate and maintain
15 such airports from the Department of Transportation to the authority.

16 Such memoranda of understanding shall include, but not be limited to:
17 (1) The administrative support functions to be provided by the
18 Department of Transportation, including, but not limited to, human
19 resources, payroll processing, purchasing, accounts payable,
20 information technology, planning, engineering, construction
21 inspection and additional services mutually agreed upon between the
22 authority and the department; (2) those powers that will be exercised
23 and duties that will be performed by each party, either as principal or
24 as agent for the state, with respect to Bradley, the general aviation
25 airports and any other airport, including responsibilities for ensuring
26 compliance with all federal obligations; (3) those assets, funds and
27 accounts, contracts and liabilities, powers and duties associated with
28 Bradley, the general aviation airports and any other airport that will be
29 transferred to the authority, whether by deed, lease, management
30 contract, agency agreement, assignment or assumption, and the
31 manner of such transfer; (4) the transfer of any employees as
32 contemplated by section 15-120mm, as amended by this act; (5) the
33 time or times when such transfers shall be effective; and (6) the
34 reimbursement to the state for the services provided under any
35 memorandum of understanding. [Such memoranda of understanding
36 shall also provide that the Commissioner of Transportation shall make
37 available] Notwithstanding any memoranda of understanding or
38 provision of the general statutes, commencing on July 1, 2014, any
39 funds appropriated for use in connection with the general aviation
40 airports shall be appropriated directly to the authority for use by the
41 authority in support of its functions with respect to the general
42 aviation airports. In addressing development and implementation of,
43 and accountability for, policy relevant to the execution of powers and
44 duties and conduct of administrative support functions under the
45 memoranda of understanding, the memoranda of understanding shall
46 defer to the powers and duties granted and transferred to the authority
47 under sections 15-120aa to 15-120oo, inclusive. The memoranda of
48 understanding shall provide for the lease, assignment or transfer of
49 ownership, jurisdiction or authority to control the airports, together

50 with all assets, funds and accounts, contracts and liabilities, powers
51 and duties and the manner and timing of any such lease, assignment
52 or transfer. The authority, from time to time, shall advise the
53 Department of Transportation of its readiness to accept any such lease,
54 assignment or transfer in accordance with such memoranda of
55 understanding, and such leases, assignments or transfers shall not be
56 unreasonably delayed or withheld. If any bonds or other obligations
57 issued under chapter 266a remain outstanding, the Treasurer shall also
58 be party to any such memorandum of understanding. Once any such
59 power, duty, asset, fund or account, contract or liability shall have
60 been transferred to the authority, the commissioner shall not thereafter
61 exercise any such power, perform such duty or take action with
62 respect to any such asset, fund or account, contract or liability.

63 Sec. 2. Subsection (a) of section 15-120mm of the 2014 supplement to
64 the general statutes is repealed and the following is substituted in lieu
65 thereof (*Effective from passage*):

66 (a) The authority shall be a successor employer to the state and shall
67 recognize existing bargaining units and collective bargaining
68 agreements existing at the time of transfer of Bradley and the general
69 aviation airports to the authority. The employees of the authority shall
70 be considered state employees under the provisions of sections 5-270
71 to 5-280, inclusive. Managerial employees and other employees not
72 covered by a collective bargaining agreement shall be exempt from the
73 classified service. [With regard to unclassified positions, the] The
74 authority shall not be required to comply with personnel policies and
75 procedures of the Department of Administrative Services and the
76 Office of Policy and Management with regard to approval for the
77 creation of new positions, the number of such positions, the decision to
78 fill such positions or the time for filling such positions. The authority,
79 not the executive branch, shall have the power to determine whether
80 an individual in the unclassified service or in the classified service who
81 is not required to take an examination is qualified to fill [an
82 unclassified position] a vacancy at the authority. Employees of the

83 authority covered by a collective bargaining agreement shall be
84 members of the classified service. The authority shall establish
85 classifications and determine the qualifications and set the terms and
86 conditions of employment of employees not covered by a collective
87 bargaining agreement, including the establishment of compensation
88 and incentive plans.

89 Sec. 3. Section 15-120mm of the 2014 supplement to the general
90 statutes is amended by adding subsection (h) as follows (*Effective from*
91 *passage*):

92 (NEW) (h) The executive director, as defined in subsection (d) of
93 section 15-120bb, and those unclassified employees who, under the
94 authority's organizational chart report directly to the executive
95 director, may, at the discretion of the authority and at the one-time
96 irrevocable option of the employee, be exempted from the provision of
97 subsection (g) of this section for the purposes of retirement under
98 chapter 66 or group welfare benefits under sections 5-257 and 5-259. If
99 the employee elects such option, as approved by the authority, the
100 employee's participation in the retirement or group benefits plan shall
101 be suspended during the period of such election while the employee is
102 an employee of the authority. The authority may develop and
103 implement retirement plans and group welfare benefits for the
104 executive director and those employees who report directly to the
105 executive director who are exempted from the provisions of subsection
106 (g) of this section. Such plans shall not be subject to supervision,
107 oversight or approval by the State Employees Retirement Commission
108 under chapter 66 or the Comptroller, Attorney General or Insurance
109 Commissioner under chapter 67, provided any such retirement plan
110 shall be considered a Connecticut retirement plan for purposes of
111 subsection (d) of section 5-160.

112 Sec. 4. Section 20-340 of the general statutes is repealed and the
113 following is substituted in lieu thereof (*Effective from passage*):

114 The provisions of this chapter shall not apply to: (1) Persons
115 employed by any federal, state or municipal agency; (2) employees of
116 any public service company regulated by the Public Utilities
117 Regulatory Authority or of any corporate affiliate of any such
118 company when the work performed by such affiliate is on behalf of a
119 public service company, but in either case only if the work performed
120 is in connection with the rendition of public utility service, including
121 the installation or maintenance of wire for community antenna
122 television service, or is in connection with the installation or
123 maintenance of wire or telephone sets for single-line telephone service
124 located inside the premises of a consumer; (3) employees of any
125 municipal corporation specially chartered by this state; (4) employees
126 of any contractor while such contractor is performing electrical-line or
127 emergency work for any public service company; (5) persons engaged
128 in the installation, maintenance, repair and service of electrical or other
129 appliances of a size customarily used for domestic use where such
130 installation commences at an outlet receptacle or connection
131 previously installed by persons licensed to do the same and
132 maintenance, repair and service is confined to the appliance itself and
133 its internal operation; (6) employees of industrial firms whose main
134 duties concern the maintenance of the electrical work, plumbing and
135 piping work, solar thermal work, heating, piping, cooling work, sheet
136 metal work, elevator installation, repair and maintenance work,
137 automotive glass work or flat glass work of such firm on its own
138 premises or on premises leased by it for its own use; (7) employees of
139 industrial firms when such employees' main duties concern the
140 fabrication of glass products or electrical, plumbing and piping, fire
141 protection sprinkler systems, solar, heating, piping, cooling, chemical
142 piping, sheet metal or elevator installation, repair and maintenance
143 equipment used in the production of goods sold by industrial firms,
144 except for products, electrical, plumbing and piping systems and
145 repair and maintenance equipment used directly in the production of a
146 product for human consumption; (8) persons performing work
147 necessary to the manufacture or repair of any apparatus, appliances,

148 fixtures, equipment or devices produced by it for sale or lease; (9)
149 employees of stage and theatrical companies performing the operation,
150 installation and maintenance of electrical equipment if such
151 installation commences at an outlet receptacle or connection
152 previously installed by persons licensed to make such installation; (10)
153 employees of carnivals, circuses or similar transient amusement shows
154 who install electrical work, provided such installation shall be subject
155 to the approval of the State Fire Marshal prior to use as otherwise
156 provided by law and shall comply with applicable municipal
157 ordinances and regulations; (11) persons engaged in the installation,
158 maintenance, repair and service of glass or electrical, plumbing, fire
159 protection sprinkler systems, solar, heating, piping, cooling and sheet
160 metal equipment in and about single-family residences owned and
161 occupied or to be occupied by such persons; provided any such
162 installation, maintenance and repair shall be subject to inspection and
163 approval by the building official of the municipality in which such
164 residence is located and shall conform to the requirements of the State
165 Building Code; (12) persons who install, maintain or repair glass in a
166 motor vehicle owned or leased by such persons; (13) persons or entities
167 holding themselves out to be retail sellers of glass products, but not
168 such persons or entities that also engage in automotive glass work or
169 flat glass work; (14) persons who install preglazed or preassembled
170 windows or doors in residential or commercial buildings; (15) persons
171 registered under chapter 400 who install safety-backed mirror
172 products or repair or replace flat glass in sizes not greater than thirty
173 square feet in residential buildings; (16) sheet metal work performed in
174 residential buildings consisting of six units or less by new home
175 construction contractors registered pursuant to chapter 399a, by home
176 improvement contractors registered pursuant to chapter 400 or by
177 persons licensed pursuant to this chapter, when such work is limited
178 to exhaust systems installed for hoods and fans in kitchens and baths,
179 clothes dryer exhaust systems, radon vent systems, fireplaces, fireplace
180 flues, masonry chimneys or prefabricated metal chimneys rated by
181 Underwriters Laboratories or installation of stand-alone appliances

182 including wood, pellet or other stand-alone stoves that are installed in
183 residential buildings by such contractors or persons; (17) employees of
184 or any contractor employed by and under the direction of a properly
185 licensed solar contractor, performing work limited to the hoisting,
186 placement and anchoring of solar collectors, photovoltaic panels,
187 towers or turbines; [and] (18) persons performing swimming pool
188 maintenance and repair work authorized pursuant to section 20-417aa;
189 and (19) persons employed by the Connecticut Airport Authority.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2014</i>	15-120ll(b)
Sec. 2	<i>from passage</i>	15-120mm(a)
Sec. 3	<i>from passage</i>	15-120mm
Sec. 4	<i>from passage</i>	20-340

Statement of Purpose:

To (1) appropriate funds in conjunction with the operation of the general aviation airports directly to the Connecticut Airport Authority, (2) exempt the Connecticut Airport Authority from complying with personnel policies and procedures of the Department of Administrative Services and the Office of Policy and Management, (3) provide the Connecticut Airport Authority with flexibility to offer alternatives to the state retirement system when hiring certain employees, and (4) exempt employees of the Connecticut Airport Authority from certain licensing requirements.

[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.]