General Assembly

Amendment

February Session, 2014

LCO No. **3647**

SB0033203647SD0

Offered by:
SEN. CASSANO, 4th Dist.

To: Subst. Senate Bill No. **332** File No. 481 Cal. No. 311

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

Strike everything after the enacting clause and substitute the following in lieu thereof:

"Section 1. Number 358 of the special acts of 1931, as amended by special act 77-62, is amended to read as follows (*Effective from passage*):

The Metropolitan District is authorized to supply water **[**, at rates uniform with those charged within said district,**]** to any town or city, any part of which is situated not more than twenty miles from the state capitol at Hartford, or to the inhabitants thereof, or to any state facility located within such area, upon such terms as may be agreed upon, but all other sources belonging to any such town or city shall be developed by such consumer or made available for development by said district. <u>The district shall supply such water at rates uniform with those charged within said district. For purposes of this section, "rate" includes any water use charge, any customer service charge or any</u>

15 surcharge or fee of any kind but does not include any charges related
16 to the construction of capital improvements. No water use charge shall
17 include any costs associated with sewers or wastewater treatment. The
18 cost of constructing the pipe connection between the district and such
19 town or city shall be paid by such town or city. The cost of
20 constructing the pipe connection between the district and any such
21 state facility shall be paid by the state of Connecticut. Nothing herein
22 shall authorize The Metropolitan District to supply any water in
23 competition with any water system in any town or city, except by
24 agreement.

25 Sec. 2. Section 8 of number 511 of the special acts of 1929, as
26 amended by section 3 of special act 83-31 and section 1 of special act
27 99-12, is amended to read as follows (*Effective from passage*):

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

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

78 Sec. 3. Section 2 of special act 75-73, as amended by section 2 of
79 special act 83-18, section 2 of special act 84-75 and section 17 of public
80 act 93-380, is amended to read as follows (*Effective from passage*):

(a) The members of the board of commissioners appointed prior to and holding office on the effective date of special act 75-73, special act 83-18, special act 84-75, [or this act] public act 93-380 or this act shall continue to serve until the expiration of their terms for which they were appointed. Thereafter, members shall be appointed by the legislative body of each member municipality, to replace the members whose terms expire and until their successors are appointed and qualify, provided, in no event shall the total number of members appointed by the legislative body of any member municipality exceed: (1) Six in the city of Hartford, (2) three in the city of East Hartford, (3) one in the town of Rocky Hill, (4) one in the town of Wethersfield, (5) one in the town of Newington, (6) one in the town of Windsor, (7) one in the town of Bloomfield and (8) three in the town of West Hartford.

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

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

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

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

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

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

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

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

115 (8) The legislative body of the town of West Hartford shall appoint
116 (A) one commissioner for a term of one year to commence January 1,
117 1984, (B) one commissioner for a term of three years to commence
118 January 1, 1984, and (C) one commissioner for a term of five years to
119 commence January 1, 1984.

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

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

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

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

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

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

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

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

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

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

169 Sec. 4. Subsection (b) of section 1 of special act 75-73, as amended by
170 section 1 of special act 83-18, section 1 of special act 84-75, section 16 of

171 public act 93-380 and section 4 of special act 99-12, is amended to read
172 as follows (*Effective from passage*):

173 (b) On and after **[**July 1, 1993**]** January 1, 2015, said district board
174 shall be composed of **[**twenty-nine**]** thirty-three electors of said district,
175 seventeen to be appointed by the member municipalities, from among
176 their respective electors, eight to be appointed by the Governor, one to
177 be appointed by the speaker of the House of Representatives, one to be
178 appointed by the minority leader of the House of Representatives, one
179 to be appointed by the president pro tempore of the Senate, and one to
180 be appointed by the minority leader of the Senate, and four to be
181 appointed by the nonmember municipalities, from among their
182 respective electors, all such appointments being subject to the
183 provisions of section 2 of special act 75-73, as amended by section 2 of
184 special act 83-18, section 2 of special act 84-75, **[**and**]** section 17 of
185 public act 93-380 and section 3 of this act. The provisions of section 9-
186 167a of the general statutes shall apply only to appointments made
187 under this section by municipalities having three or more members
188 and only with respect to members appointed by any such
189 municipality. For the commissioners appointed by the member
190 municipalities and the Governor, membership of the district board
191 shall be apportioned among the member municipalities as follows:
192 Nine commissioners from the city of Hartford, four commissioners
193 from the city of East Hartford, one commissioner from the town of
194 Rocky Hill, two commissioners from the town of Wethersfield, two
195 commissioners from the town of Newington, one commissioner from
196 the town of Bloomfield, two commissioners from the town of Windsor
197 and four commissioners from the town of West Hartford.

198 Sec. 5. (*Effective from passage*) The Metropolitan District Commission
199 shall annually prepare a report that includes the following: (1) A list of
200 all bond issues for the preceding fiscal year, including, for each such
201 issue, the financial advisor and underwriters, whether the issue was
202 competitive, negotiated or privately placed, and the issue's face value
203 and net proceeds; (2) a list of all projects receiving financial assistance

204 during the preceding fiscal year, including each project's purpose,
205 location, and the amount of funds provided by the district; (3) a list of
206 all outside individuals and firms receiving in excess of five thousand
207 dollars in the form of loans, grants or payments for services; (4) an
208 accounting showing all revenues and expenditures by source, category
209 and type; (5) the cumulative value of all bonds issued and the value of
210 outstanding bonds; (6) the affirmative action policy statement, a
211 description of the composition of the district's work force by race, sex,
212 and occupation and a description of the district's affirmative action
213 efforts; and (7) a description of planned activities for the current fiscal
214 year. The district shall, not later than January first, submit one copy of
215 such report to the Governor, to the Auditors of Public Accounts and to
216 the Office of Fiscal Analysis and two copies of such report to the
217 Legislative Program Review and Investigations Committee. Not later
218 than thirty days after receiving copies of such report from the district,
219 the Legislative Program Review and Investigations Committee shall
220 prepare an assessment of whether the report complies with the
221 requirements of this section and shall submit the assessment and a
222 copy of the report to the joint standing committee of the General
223 Assembly having cognizance of matters relating to municipalities.

224 Sec. 6. (*Effective from passage*) For the fiscal year commencing July 1,
225 2014, and for each fiscal year thereafter, the Metropolitan District
226 Commission shall submit a personnel status report to the Office of
227 Fiscal Analysis. Such report shall include: (1) The total number of
228 employees at the end of each quarter; (2) the positions vacated and the
229 positions filled during each quarter; and (3) the positions estimated to
230 be vacant and the positions estimated to be filled at the end of the
231 fiscal year.

232 Sec. 7. (*Effective from passage*) The Metropolitan District Commission
233 shall, annually, submit a copy of the audit prepared pursuant to
234 chapter 111 of the general statutes to the Office of Fiscal Analysis."

This act shall take effect as follows and shall amend the following sections:		
Section 1	*from passage*	Number 358 of the special acts of 1931
Sec. 2	*from passage*	Number 511 of the special acts of 1929, Sec. 8
Sec. 3	*from passage*	SA 75-73, Sec. 2
Sec. 4	*from passage*	SA 75-73, Sec. 1(b)
Sec. 5	*from passage*	New section
Sec. 6	*from passage*	New section
Sec. 7	*from passage*	New section