



General Assembly

January Session, 2015

Raised Bill No. 6671

LCO No. 3161



Referred to Committee on GOVERNMENT ADMINISTRATION
AND ELECTIONS

Introduced by:
(GAE)

***AN ACT CONCERNING THE LEGISLATIVE COMMISSIONERS'
RECOMMENDATIONS FOR TECHNICAL AND MINOR REVISIONS TO
THE GOVERNMENT ADMINISTRATION STATUTES.***

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

1 Section 1. Subdivision (12) of section 1-79 of the general statutes, as
2 amended by section 4 of public act 14-222, is repealed and the
3 following is substituted in lieu thereof (*Effective October 1, 2015*):

4 (12) "Quasi-public agency" means Connecticut Innovations,
5 Incorporated, the Connecticut Health and Education Facilities
6 Authority, the Connecticut Higher Education Supplemental Loan
7 Authority, the Connecticut Student Loan Foundation, the Connecticut
8 Housing Finance Authority, the State Housing Authority, the Materials
9 Innovation and Recycling Authority, the Capital Region Development
10 Authority, the Connecticut Lottery Corporation, the Connecticut
11 Airport Authority, [the Health Information Technology Exchange of
12 Connecticut,] the Connecticut Health Insurance Exchange, the
13 Connecticut Green Bank, [and] the Connecticut Port Authority and the

14 State Education Resource Center.

15 Sec. 2. Subdivision (1) of section 1-120 of the general statutes, as
16 amended by section 5 of public act 14-222, is repealed and the
17 following is substituted in lieu thereof (*Effective October 1, 2015*):

18 (1) "Quasi-public agency" means Connecticut Innovations,
19 Incorporated, the Connecticut Health and Educational Facilities
20 Authority, the Connecticut Higher Education Supplemental Loan
21 Authority, the Connecticut Student Loan Foundation, the Connecticut
22 Housing Finance Authority, the Connecticut Housing Authority, the
23 Materials Innovation and Recycling Authority, the Capital Region
24 Development Authority, the Connecticut Lottery Corporation, the
25 Connecticut Airport Authority, [the Health Information Technology
26 Exchange of Connecticut,] the Connecticut Health Insurance Exchange,
27 the Connecticut Green Bank, [and] the Connecticut Port Authority and
28 the State Education Resource Center.

29 Sec. 3. Section 1-124 of the general statutes, as amended by section 6
30 of public act 14-222, is repealed and the following is substituted in lieu
31 thereof (*Effective October 1, 2015*):

32 (a) Connecticut Innovations, Incorporated, the Connecticut Health
33 and Educational Facilities Authority, the Connecticut Higher
34 Education Supplemental Loan Authority, the Connecticut Student
35 Loan Foundation, the Connecticut Housing Finance Authority, the
36 Connecticut Housing Authority, the Materials Innovation and
37 Recycling Authority, [the Health Information Technology Exchange of
38 Connecticut,] the Connecticut Airport Authority, the Capital Region
39 Development Authority, the Connecticut Health Insurance Exchange,
40 the Connecticut Green Bank, [and] the Connecticut Port Authority and
41 the State Education Resource Center shall not borrow any money or
42 issue any bonds or notes which are guaranteed by the state of
43 Connecticut or for which there is a capital reserve fund of any kind
44 which is in any way contributed to or guaranteed by the state of

45 Connecticut until and unless such borrowing or issuance is approved
46 by the State Treasurer or the Deputy State Treasurer appointed
47 pursuant to section 3-12. The approval of the State Treasurer or said
48 deputy shall be based on documentation provided by the authority
49 that it has sufficient revenues to (1) pay the principal of and interest on
50 the bonds and notes issued, (2) establish, increase and maintain any
51 reserves deemed by the authority to be advisable to secure the
52 payment of the principal of and interest on such bonds and notes, (3)
53 pay the cost of maintaining, servicing and properly insuring the
54 purpose for which the proceeds of the bonds and notes have been
55 issued, if applicable, and (4) pay such other costs as may be required.

56 (b) To the extent Connecticut Innovations, Incorporated, the
57 Connecticut Higher Education Supplemental Loan Authority, the
58 Connecticut Student Loan Foundation, the Connecticut Housing
59 Finance Authority, the Connecticut Housing Authority, the Materials
60 Innovation and Recycling Authority, the Connecticut Health and
61 Educational Facilities Authority, [the Health Information Technology
62 Exchange of Connecticut,] the Connecticut Airport Authority, the
63 Capital Region Development Authority, the Connecticut Health
64 Insurance Exchange, the Connecticut Green Bank, [or] the Connecticut
65 Port Authority or the State Education Resource Center is permitted by
66 statute and determines to exercise any power to moderate interest rate
67 fluctuations or enter into any investment or program of investment or
68 contract respecting interest rates, currency, cash flow or other similar
69 agreement, including, but not limited to, interest rate or currency swap
70 agreements, the effect of which is to subject a capital reserve fund
71 which is in any way contributed to or guaranteed by the state of
72 Connecticut, to potential liability, such determination shall not be
73 effective until and unless the State Treasurer or his or her deputy
74 appointed pursuant to section 3-12 has approved such agreement or
75 agreements. The approval of the State Treasurer or his or her deputy
76 shall be based on documentation provided by the authority that it has
77 sufficient revenues to meet the financial obligations associated with the

78 agreement or agreements.

79 Sec. 4. Section 1-125 of the general statutes, as amended by section 7
80 of public act 14-222, is repealed and the following is substituted in lieu
81 thereof (*Effective October 1, 2015*):

82 The directors, officers and employees of Connecticut Innovations,
83 Incorporated, the Connecticut Higher Education Supplemental Loan
84 Authority, the Connecticut Student Loan Foundation, the Connecticut
85 Housing Finance Authority, the Connecticut Housing Authority, the
86 Materials Innovation and Recycling Authority, including ad hoc
87 members of the Materials Innovation and Recycling Authority, the
88 Connecticut Health and Educational Facilities Authority, the Capital
89 Region Development Authority, [the Health Information Technology
90 Exchange of Connecticut,] the Connecticut Airport Authority, the
91 Connecticut Lottery Corporation, the Connecticut Health Insurance
92 Exchange, the Connecticut Green Bank, [and] the Connecticut Port
93 Authority and the State Education Resource Center and any person
94 executing the bonds or notes of the agency shall not be liable
95 personally on such bonds or notes or be subject to any personal
96 liability or accountability by reason of the issuance thereof, nor shall
97 any director or employee of the agency, including ad hoc members of
98 the Materials Innovation and Recycling Authority, be personally liable
99 for damage or injury, not wanton, reckless, wilful or malicious, caused
100 in the performance of his or her duties and within the scope of his or
101 her employment or appointment as such director, officer or employee,
102 including ad hoc members of the Materials Innovation and Recycling
103 Authority. The agency shall protect, save harmless and indemnify its
104 directors, officers or employees, including ad hoc members of the
105 Materials Innovation and Recycling Authority, from financial loss and
106 expense, including legal fees and costs, if any, arising out of any claim,
107 demand, suit or judgment by reason of alleged negligence or alleged
108 deprivation of any person's civil rights or any other act or omission
109 resulting in damage or injury, if the director, officer or employee,
110 including ad hoc members of the Materials Innovation and Recycling

111 Authority, is found to have been acting in the discharge of his or her
112 duties or within the scope of his or her employment and such act or
113 omission is found not to have been wanton, reckless, wilful or
114 malicious.

115 Sec. 5. Subsection (d) of section 4-168a of the general statutes is
116 repealed and the following is substituted in lieu thereof (*Effective from*
117 *passage*):

118 (d) The requirements contained in this section shall not apply to
119 emergency regulations issued pursuant to subsection [(f)] (g) of section
120 4-168; regulations that do not affect small businesses directly,
121 including, but not limited to, regulations concerning the
122 administration of federal programs; regulations concerning costs and
123 standards for service businesses such as nursing homes, long-term care
124 facilities, medical care providers, day care facilities, water companies,
125 nonprofit 501(c)(3) agencies, group homes and residential care
126 facilities; and regulations adopted to implement the provisions of
127 sections 4a-60g to 4a-60i, inclusive.

128 Sec. 6. Subsection (f) of section 4-170 of the general statutes is
129 repealed and the following is substituted in lieu thereof (*Effective from*
130 *passage*):

131 (f) If an agency fails to submit any regulation approved in whole or
132 in part by the standing legislative regulation review committee to the
133 office of the Secretary of the State as provided in section 4-172, not later
134 than fourteen days after the date of approval, the agency shall notify
135 the committee, not later than five days after such fourteen-day period,
136 of its reasons for failing to submit such regulation. If any agency fails
137 to comply with the time limits established under subsection [(b)] (c) of
138 section 4-168, or under subsection (e) of this section, the administrative
139 head of such agency shall submit to the committee a written
140 explanation of the reasons for such noncompliance. The committee,
141 upon the affirmative vote of two-thirds of its members, may grant an

142 extension of the time limits established under subsection [(b)] (c) of
143 section 4-168 and under subsection (e) of this section. If no such
144 extension is granted, the administrative head of the agency shall
145 personally appear before the standing legislative regulation review
146 committee, at a time prescribed by the committee, to explain such
147 failure to comply. After any such appearance, the committee may,
148 upon the affirmative vote of two-thirds of its members, report such
149 noncompliance to the Governor. [Within] Not later than fourteen days
150 thereafter, the Governor shall report to the committee concerning the
151 action the Governor has taken to ensure compliance with the
152 provisions of section 4-168 and with the provisions of this section.

153 Sec. 7. Subsection (a) of section 4-258 of the general statutes is
154 repealed and the following is substituted in lieu thereof (*Effective from*
155 *passage*):

156 (a) Any agency seeking to enter into a public-private partnership
157 shall conduct a competitive procurement process for the selection of a
158 contractor. The agency shall use, where appropriate, in accordance
159 with the nature and scope of the project, (1) competitive bidding, as
160 defined in section 4e-1, or (2) competitive negotiation, as defined in
161 section [4a-250] 4a-50.

162 Sec. 8. Subsection (b) of section 17b-354c of the general statutes is
163 repealed and the following is substituted in lieu thereof (*Effective from*
164 *passage*):

165 (b) No later than December 31, 2001, the commissioner shall publish
166 proposed regulations pursuant to subsections (a) to [(e)] (f), inclusive,
167 of section 4-168 implementing this section.

168 Sec. 9. Section 11-4a of the general statutes is repealed and the
169 following is substituted in lieu thereof (*Effective from passage*):

170 Each commission, task force or committee appointed by the
171 Governor or the General Assembly, or both, and required to report its

172 findings and recommendations, and each state agency which submits a
173 report to the General Assembly or any committee of the General
174 Assembly, shall submit its report electronically to the clerks of the
175 Senate and the House of Representatives and the Office of Legislative
176 Research, and shall file one copy with the State Librarian. [Any report
177 submitted pursuant to subsection (n) of section 17b-179 may be in
178 electronic form.]

179 Sec. 10. Section 13b-212b of the general statutes is repealed and the
180 following is substituted in lieu thereof (*Effective from passage*):

181 (a) There is established a Connecticut Commuter Rail Council which
182 shall consist of fifteen members appointed with the advice and consent
183 of the General Assembly, all of whom shall be (1) commuters who
184 regularly use the transportation services of the New Haven commuter
185 railroad line which includes the New Canaan, Danbury and Waterbury
186 branches of such line, (2) commuters who regularly use the
187 transportation services of the Shoreline East railroad line, or (3)
188 residents of a municipality in which the Commissioner of
189 Transportation has proposed a new rail line or in which a rail line has
190 commenced operation after July 1, 2013. Members shall be appointed
191 as follows: (A) The Governor shall appoint four members, one of
192 whom shall be the chief elected official of a municipality located on an
193 operating or proposed new rail line; (B) the president pro tempore of
194 the Senate shall appoint three members; (C) the speaker of the House
195 of Representatives shall appoint three members; (D) the minority
196 leader of the Senate shall appoint one member; (E) the minority leader
197 of the House of Representatives shall appoint one member; (F) the
198 chairpersons of the joint standing committee of the General Assembly
199 having cognizance of matters relating to transportation shall each
200 appoint one member, one of whom shall be from a municipality in
201 which the Commissioner of Transportation has proposed a new rail
202 line or in which a rail line has commenced operation after July 1, 2013,
203 and one of whom shall be from a municipality in which a station for
204 the Shoreline East railroad line is located; and (G) the ranking

205 members of said committee shall jointly appoint one member who
206 shall be from a municipality served by the Danbury or Waterbury
207 branches of the New Haven commuter railroad line. Each member
208 shall serve for a term of four years, [commencing on August 1, 2013.]
209 All initial appointments to the council shall be made by August 1,
210 2013, and initial members shall serve a four-year term commencing on
211 August 1, 2013. Any vacancy shall be filled by the original appointing
212 authority by appointment for the unexpired portion of any term.
213 Members of the council shall serve until their respective successors are
214 appointed and approved by the General Assembly.

215 (b) The members of the council shall choose one of the members of
216 the council to be chairperson of the council. A majority of the members
217 of the council then in office shall constitute a quorum for the
218 transaction of any business, and action shall be by vote of a majority of
219 the members present at a meeting. The council shall meet at least once
220 during each calendar quarter and at such other times as the
221 chairperson deems necessary or upon the request of a majority of the
222 members in office. Special meetings shall be held at the request of such
223 majority after notice in accordance with the provisions of section 1-225.
224 Any member who fails to attend fifty per cent of all meetings held
225 during any calendar year or who fails to attend three consecutive
226 meetings shall be deemed to have resigned from office.

227 Sec. 11. Subsection (b) of section 46a-55 of the general statutes is
228 repealed and the following is substituted in lieu thereof (*Effective from*
229 *passage*):

230 (b) The executive director, through the supervising attorney, may
231 assign a commission legal counsel to represent the commission in any
232 hearing or appeal under subdivision [(3)] (2) of subsection [(b)] (e) of
233 section 4-61dd.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2015</i>	1-79(12)
Sec. 2	<i>October 1, 2015</i>	1-120(1)
Sec. 3	<i>October 1, 2015</i>	1-124
Sec. 4	<i>October 1, 2015</i>	1-125
Sec. 5	<i>from passage</i>	4-168a(d)
Sec. 6	<i>from passage</i>	4-170(f)
Sec. 7	<i>from passage</i>	4-258(a)
Sec. 8	<i>from passage</i>	17b-354c(b)
Sec. 9	<i>from passage</i>	11-4a
Sec. 10	<i>from passage</i>	13b-212b
Sec. 11	<i>from passage</i>	46a-55(b)

Statement of Purpose:

To make technical and minor revisions to the government administration statutes.

[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.]