AN ACT ADOPTING THE REQUIREMENTS OF NORTH CAROLINA
STATE BOARD OF DENTAL EXAMINERS V. FEDERAL TRADE
COMMISSION AND REVISING CERTAIN BOARDS AND
COMMISSIONS STATUTES.

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

Section 1. Section 21a-6 of the general statutes is repealed and the
following is substituted in lieu thereof (Effective July 1, 2016):

The following boards shall be within the Department of Consumer
Protection:

1. The Architectural Licensing Board established under chapter 390;
2. Repealed by P.A. 93-151, S. 3, 4;
3. The examining boards for electrical work; plumbing and piping
work; heating, piping, cooling and sheet metal work; elevator
installation, repair and maintenance work; fire protection sprinkler
systems work and automotive glasswork and flat glass work,
established under chapter 393;
4. Repealed by P.A. 99-73, S. 10;
5. [The State Board of Television and Radio Service Examiners
(5) The Commission of Pharmacy established under chapter 400j;

(6) The State Board of Landscape Architects established under chapter 396;

(7) Deleted by P.A. 98-229;

(8) The State Board of Examiners for Professional Engineers and Land Surveyors established under chapter 391;

(9) Repealed by P.A. 80-484, S. 175, 176;

(10) The Connecticut Real Estate Commission established under chapter 392;

(11) The Connecticut Real Estate Appraisal Commission established under chapter 400g;

(12) The State Board of Examiners of Shorthand Reporters established under chapter 400l;

(13) The Liquor Control Commission established under chapter 545;

(14) Repealed by P.A. 06-187, S. 99, effective October 1, 2006;

(15) The Home Inspection Licensing Board established under section 20-490a.

Sec. 2. Section 21a-7 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2016):

(a) Each board or commission [transferred to] within the Department of Consumer Protection under section 21a-6, as amended by this act, shall have the following powers and duties:

(1) Each board or commission shall exercise its statutory functions, including licensing, certification, registration, accreditation of schools and the rendering of findings, orders and adjudications, independently of the Commissioner of Consumer Protection. The final
decision of a board or commission shall be subject to judicial review as provided in section 4-183. Any exercise of such functions by such a board or commission shall be a proposed decision and subject to approval, modification or rejection by the commissioner.

(2) Each board or commission may, in its discretion, issue (A) an appropriate order to any person found to be violating an applicable statute or regulation providing for the immediate discontinuance of the violation, (B) an order requiring the violator to make restitution for any damage caused by the violation, or (C) both. Each board or commission may, through the Attorney General, petition the superior court for the judicial district wherein the violation occurred, or wherein the person committing the violation resides or transacts business, for the enforcement of any order issued by it and for appropriate temporary relief or a restraining order and shall certify and file in the court a transcript of the entire record of the hearing or hearings, including all testimony upon which such order was made and the findings and orders made by the board or commission. The court may grant such relief by injunction or otherwise, including temporary relief, as it deems equitable and may make and enter a decree enforcing, modifying and enforcing as so modified, or setting aside, in whole or in part, any order of a board or commission.

(3) Each board or commission may conduct hearings on any matter within its statutory jurisdiction. Such hearings shall be conducted in accordance with chapter 54 and the regulations established pursuant to subsection (a) of section 21a-9. In connection with any such hearing, the board or commission may administer oaths, issue subpoenas, compel testimony and order the production of books, records and documents. If any person refuses to appear, testify or produce any book, record or document when so ordered, a judge of the Superior Court may make such order as may be appropriate to aid in the enforcement of this section.

(4) Each board or commission may request the Commissioner of Consumer Protection to conduct an investigation and to make findings
and recommendations regarding any matter within the statutory
jurisdiction of the board or commission.

(5) Each board or commission may recommend rules and
regulations for adoption by the Commissioner of Consumer Protection
and may review and comment upon proposed rules and regulations
prior to their adoption by said commissioner.

(6) Each board or commission shall meet at least once in each
quarter of a calendar year and at such other times as the chairperson
deems necessary or at the request of a majority of the board or
commission members. A majority of the members shall constitute a
quorum except that for any examining board, forty per cent of the
members shall constitute a quorum. Any member who fails to attend
three consecutive meetings or who fails to attend fifty per cent of all
meetings during any calendar year shall be deemed to have resigned
from office. Members of boards or commissions shall not serve for
more than two consecutive full terms which commence on or after July
1, 1982, except that if no successor has been appointed or approved,
such member shall continue to serve until a successor is appointed or
approved. Members shall not be compensated for their services but
shall be reimbursed for necessary expenses incurred in the
performance of their duties.

(7) In addition to any other action permitted under the general
statutes, each board or commission may upon a finding of any cause
specified in subsection (c) of section 21a-9: (A) Revoke or suspend a
license, registration or certificate; (B) issue a letter of reprimand to a
practitioner and send a copy of such letter to a complainant or to a
state or local official; (C) place a practitioner on probationary status
and require the practitioner to (i) report regularly to the board or
commission on the matter which is the basis for probation, (ii) limit the
practitioner's practice to areas prescribed by the board or commission,
or (iii) continue or renew the practitioner's education until the
practitioner has attained a satisfactory level of competence in any area
which is the basis for probation. Each board or commission may
discontinue, suspend or rescind any action taken under this subsection.

(8) Each examining board within the Department of Consumer Protection shall conduct any hearing or other action required for an application submitted pursuant to section 20-333 and any completed renewal application submitted pursuant to section 20-335 not later than thirty days after the date of submission for such application or completed renewal application, as applicable.

(b) Each board or commission within the Department of Consumer Protection under section 21a-6, as amended by this act, shall transmit any proposed decision described in subdivision (1) of subsection (a) of this section to the Commissioner of Consumer Protection. Not later than thirty calendar days after receipt of any such proposed decision, the Commissioner of Consumer Protection may notify such board or commission that the commissioner or a designee shall render the final decision concerning such matter. The commissioner or a designee may approve, modify or reject the proposed decision or remand the proposed decision for further review or for the taking of additional evidence. If the commissioner or a designee modifies or rejects the proposed decision of the board or commission, the commissioner or a designee shall inform the board or commission of such modification or rejection and explain the rationale for such modification or rejection. The decision of the commissioner or the commissioner's designee shall be the final decision in accordance with section 4-180 for purposes of reconsideration in accordance with section 4-181 or appeal to the Superior Court in accordance with section 4-183. If the commissioner or a designee fails to approve, modify, reject or remand the proposed decision within such thirty-day period, such proposed decision shall be considered approved by the commissioner and shall become the final decision of the board or commission for purposes of appeal to the Superior Court in accordance with section 4-183.

Sec. 3. Subdivisions (7) and (8) of subsection (a) of section 21a-8 of the general statutes are repealed and the following is substituted in
lieu thereof (Effective July 1, 2016):

(7) The department shall perform any other function necessary to
the effective operation of the board or commission [and not
specifically vested by statute in the board or commission.]

(8) The department shall receive complaints concerning the work
and practices of persons licensed, registered or certified by such boards
or commissions and shall receive complaints concerning unauthorized
work and practice by persons not licensed, registered or certified by
such boards or commissions. The department shall distribute monthly
a list of all complaints received within the previous month to the
chairperson of the appropriate board or commission. The department
shall screen all complaints and dismiss any in which the allegation, if
substantiated, would not constitute a violation of any statute or
regulation. The department shall distribute notice of all such
dismissals monthly to the chairperson of the appropriate board or
commission. The department shall investigate any complaint in which
the allegation, if substantiated, would constitute a violation of a statute
or regulation under its jurisdiction. In conducting the investigation, the
commissioner may seek the assistance of a member of the appropriate
board, an employee of any state agency with expertise in the area, or if
no such member or employee is available, a person from outside state
service licensed to perform the work involved in the complaint. Board
or commission members involved in an investigation shall not
participate in disciplinary proceedings resulting from such
investigation. The Commissioner of Consumer Protection may dismiss
a complaint following an investigation if the commissioner determines
that such complaint lacks probable cause. Notice of such dismissal
shall be given [only after approval by] to the appropriate board or
commission. The commissioner may authorize a settlement if the
settlement is approved by the complainant, the practitioner, and the
board or commission. The commissioner may bring a complaint before
the appropriate board or commission for a formal hearing if the
commissioner determines that there is probable cause to believe that
the offense alleged in the complaint has been committed and that the practitioner named in the complaint was responsible. The commissioner, or the commissioner's authorized agent, shall have the power to issue subpoenas to require the attendance of witnesses or the production of records, correspondence, documents or other evidence in connection with any hearing of a board or commission. All dispositions and final decisions by the Department of Consumer Protection after an investigation into a complaint has begun shall be forwarded to the chairperson of the appropriate board or commission on a monthly basis.

Sec. 4. Subsection (c) of section 21a-8 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2016):

(c) The Commissioner of Consumer Protection shall have the following powers and duties with regard to each board or commission [transferred to] within the Department of Consumer Protection under section 21a-6, as amended by this act:

(1) The commissioner may, in the commissioner's discretion, issue an appropriate order to any person found to be violating any statute or regulation within the jurisdiction of such board or commission providing for the immediate discontinuance of the violation or requiring the violator to make restitution for any damage caused by the violation, or both. The commissioner may, through the Attorney General, petition the superior court for the judicial district in which the violation occurred, or in which the person committing the violation resides or transacts business, for the enforcement of any order issued by the commissioner under this subdivision and for appropriate temporary relief or a restraining order. The commissioner shall certify and file in the court a transcript of the entire record of the hearing or hearings, including all testimony upon which such order was made and the findings and orders made by the commissioner. The court may grant such relief by injunction or otherwise, including temporary relief, as the court deems equitable and may make and enter a decree.
enforcing, modifying and enforcing as so modified, or setting aside, in whole or in part, any order of the commissioner issued under this subdivision.

(2) The commissioner may conduct hearings on any matter within the statutory jurisdiction of such board or commission. Such hearings shall be conducted in accordance with chapter 54 and the regulations established pursuant to subsection (a) of section 21a-9. In connection with any such hearing, the commissioner may administer oaths, issue subpoenas, compel testimony and order the production of books, records and documents. If any person refuses to appear, testify or produce any book, record or document when so ordered, a judge of the Superior Court may make such order as may be appropriate to aid in the enforcement of this subdivision.

(3) In addition to any other action permitted under the general statutes, the commissioner may, upon a finding of any cause specified in subsection (c) of section 21a-9: (A) Revoke or suspend a license, registration or certificate; (B) issue a letter of reprimand to a practitioner and send a copy of such letter to a complainant or to a state or local official; (C) place a practitioner on probationary status and require the practitioner to (i) report regularly to the commissioner on the matter which is the basis for probation, (ii) limit the practitioner's practice to areas prescribed by the commissioner, or (iii) continue or renew the practitioner's education until the practitioner has attained a satisfactory level of competence in any area which is the basis for probation. The commissioner may discontinue, suspend or rescind any action taken under this subdivision.

Sec. 5. Subsection (a) of section 10-153f of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) There shall be in the Department of Education an arbitration panel of not less than twenty-four or more than twenty-nine persons to serve as provided in subsection (c) of this section. The Governor shall
appoint the members of such panel, with the advice and consent of the
General Assembly, as follows: (1) Seven members [shall be] who are
representative of the interests of local and regional boards of education
and [shall be] selected from lists of names submitted by such boards;
(2) seven members [shall be] who are representative of the interests of
exclusive bargaining representatives of certified employees and [shall
be] selected from lists of names submitted by such bargaining
representatives; and (3) not less than ten or more than fifteen members
[shall be] who are impartial representatives of the interests of the
public in general, [and shall be] residents of the state of Connecticut,
experienced in public sector collective bargaining interest impasse
resolution and selected from lists of names submitted by the State
Board of Education. The lists of names submitted to the Governor
pursuant to subdivisions (1) to (3), inclusive, of this subsection shall, in
addition to complying with the provisions of section 4-9b, include a
report from the State Board of Education certifying that the process
conducted for soliciting applicants made adequate outreach to
minority communities and documenting that the number and make-up
of minority applicants considered reflect the state's racial and ethnic
diversity. Each member of the panel serving on or appointed after
January 1, 2016, shall serve a term of [two] four years, [provided]
except that each arbitrator shall hold office until a successor is
appointed and [, provided further,] any arbitrator not reappointed
shall finish to conclusion any arbitration for which such arbitrator has
been selected or appointed. Arbitrators may be removed for good
cause. If any vacancy occurs in such panel, the Governor shall act
within forty days to fill such vacancy in the manner provided in
section 4-19. Persons appointed to the arbitration panel shall serve
without compensation but each shall receive a per diem fee for any
day during which such person is engaged in the arbitration of a
dispute pursuant to this section. The parties to the dispute so
 arbitrated shall pay the fee in accordance with subsection (c) of this
section.

Sec. 6. Subsection (a) of section 10a-179 of the general statutes is
repealed and the following is substituted in lieu thereof (Effective from possession):

(a) There is created a body politic and corporate to be known as the "State of Connecticut Health and Educational Facilities Authority". Said authority is constituted a public instrumentality and political subdivision of the state and the exercise by the authority of the powers conferred by this chapter shall be deemed and held to be the performance of an essential public and governmental function. Notwithstanding the provisions of the general statutes or any public or special act, the board of directors of said authority shall consist of ten members, two of whom shall be the Secretary of the Office of Policy and Management and the State Treasurer, ex officio, and eight of whom shall be residents of the state appointed by the Governor, not more than four of such appointed members to be members of the same political party. Three of the appointed members shall be current or retired trustees, directors, officers or employees of institutions for higher education, two of the appointed members shall be current or retired trustees, directors, officers or employees of health care institutions and one of such appointed members shall be a person having a favorable reputation for skill, knowledge and experience in state and municipal finance, either as a partner, officer or employee of an investment banking firm which originates and purchases state and municipal securities, member of the financial business industry or as an officer or employee of an insurance company or bank whose duties relate to the purchase of state and municipal securities as an investment and to the management and control of a state and municipal securities portfolio. On or before the first day of July, annually, the Governor shall appoint a member or members to succeed those whose terms expire, each for a term of five years and until a successor is appointed and has qualified. The Governor shall fill any vacancy for the unexpired term. A member of the board shall be eligible for reappointment. Any member of the board may be removed by the Governor for misfeasance, malfeasance or wilful neglect of duty. Each member of the board shall take and subscribe the oath or
affirmation required by article XI, section 1, of the State Constitution prior to assuming such office. A record of each such oath shall be filed in the office of the Secretary of the State. Each ex-officio member may designate [his] a deputy or any member of [his] such member's staff to represent him or her as a member at meetings of the board with full power to act and vote in his or her behalf.

Sec. 7. Subsection (b) of section 12-802 of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(b) (1) The corporation shall be governed by a board of thirteen directors. The Governor, with the advice and consent of the General Assembly, shall appoint [four] five directors who [shall] have skill, knowledge and experience in the fields of management, finance or operations in the private sector. [Three] Two directors shall be the State Treasurer [and] the Secretary of the Office of Policy and Management, [and] the executive director of the Division of Special Revenue, all] both of whom shall serve ex officio and shall have all of the powers and privileges of a member of the board of directors. Each ex-officio director may designate his or her deputy or any member of his or her staff to represent him or her at meetings of the corporation with full power to act and vote on his or her behalf. [The executive director of the Division of Special Revenue shall cease to be a director one year from June 4, 1996, or earlier at the discretion of the Governor. The Governor, with the advice and consent of the General Assembly, shall fill the vacancy created by the removal or departure of the executive director of the Division of Special Revenue with a person who shall have skill, knowledge and experience in the fields of management, finance or operations in the private sector. The Governor shall thereafter have the power to appoint a total of five members to the board.] Each director appointed by the Governor shall serve at the pleasure of the Governor, but no longer than the term of office of the Governor or until the director's successor is appointed and qualified, whichever term is longer. The Governor shall fill any vacancy for the
unexpired term of a director appointed by the Governor. The procedures of section 4-7 shall apply to the confirmation of the Governor's appointments by both houses of the General Assembly.

(2) Six directors shall be appointed as follows: One by the president pro tempore of the Senate, one by the majority leader of the Senate, one by the minority leader of the Senate, one by the speaker of the House of Representatives, one by the majority leader of the House of Representatives and one by the minority leader of the House of Representatives. [Each director appointed by the Governor shall serve at the pleasure of the Governor but no longer than the term of office of the Governor or until the director's successor is appointed and qualified, whichever term is longer.] Each director appointed by a member of the General Assembly shall serve in accordance with the provisions of section 4-1a. [The Governor shall fill any vacancy for the unexpired term of a member appointed by the Governor.] The appropriate legislative appointing authority shall fill any vacancy for the unexpired term of a [member] director appointed by such authority.

(3) Any appointed director, other than the executive director of the Division of Special Revenue, shall be eligible for reappointment. The Commissioner of Consumer Protection shall not serve as a director. Any director may be removed by order of the Superior Court upon application of the Attorney General for misfeasance, malfeasance or wilful neglect of duty. Such actions shall be tried to the court without a jury and shall be privileged in assignment for hearing. If the court, after hearing, finds there is clear and convincing evidence of such misfeasance, malfeasance or wilful neglect of duty it shall order the removal of such director. Any director so removed shall not be reappointed to the board. [Each appointing authority shall make his initial appointment to the board no later than six months following June 4, 1996.]

Sec. 8. Subsections (a) and (b) of section 20-8a of the general statutes are repealed and the following is substituted in lieu thereof (Effective
(a) There shall be within the Department of Public Health a Connecticut Medical Examining Board.

[(1) Said board shall consist of fifteen members appointed by the Governor, subject to the provisions of section 4-9a, in the manner prescribed for department heads in section 4-7, as follows: Five physicians practicing in the state; one physician who shall be a full-time member of the faculty of The University of Connecticut School of Medicine; one physician who shall be a full-time chief of staff in a general-care hospital in the state; one physician who shall be a supervising physician for one or more physician assistants; one physician who shall be a graduate of a medical education program accredited by the American Osteopathic Association; one physician assistant licensed pursuant to section 20-12b and practicing in this state; and five public members.]

[(2) On and after October 1, 2012, said (1) Said board shall consist of twenty-one members, thirteen of whom are physicians, one of whom is a physician assistant and seven of whom are public members, all of whom are appointed by the Governor, subject to the provisions of section [4-9a, in the manner prescribed for department heads in section 4-7] 4-1a, as follows: Three physicians of any specialty; three physicians who [shall be] are specialists in internal medicine; one physician who [shall be] is a psychiatrist; one physician who [shall be] is a surgeon; one physician who [shall be] is an obstetrician-gynecologist; one physician who [shall be] is a pediatrician; one physician who [shall be] is an emergency medical physician; one physician who [shall be] is a supervising physician for one or more physician assistants; one physician who [shall be] is a graduate of a medical education program accredited by the American Osteopathic Association; one physician assistant licensed pursuant to section 20-12b; and seven public members.]

[(3) (2) No professional member of said board shall be an elected or
appointed officer of a professional society or association relating to such member's profession at the time of appointment to the board or have been such an officer during the year immediately preceding appointment or serve for more than two consecutive terms. Professional members shall be practitioners in good professional standing and residents of this state.

(b) All vacancies shall be filled by the Governor in the same manner [prescribed for department heads in section 4-7] as the original appointment. On and after October 1, 2012, successors and appointments to fill a vacancy shall fulfill the same qualifications as the member succeeded or replaced. In addition to the requirements in [sections 4-9a and] section 19a-8, no person whose spouse, parent, brother, sister, child or spouse of a child is a physician, as defined in section 20-13a, or a physician assistant, as defined in section 20-12a, shall be appointed as a public member.

Sec. 9. Subsection (b) of section 31-102 of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(b) Whenever conditions warrant, the Labor Commissioner or the chairman of the board shall request the Governor to appoint, and the Governor shall have authority to appoint, alternate members of said board in such numbers and for such periods of time as [he] the Governor may determine to be necessary [but not longer than one year,] in order that said board may render efficient service in performing the duties committed to it by statute. Any such alternate member shall serve in accordance with the provisions of section 4-1a. Any such alternate member shall meet the same qualifications and receive the same compensation as regular members of the board. An alternate member shall serve in place of an absent member of the board at any time when so directed by the board and while so serving shall have all the powers of members of the board. Alternate members so appointed [shall have power to] may complete any matter pending at the expiration of the term for which they were appointed.
Sec. 10. Subsection (b) of section 19a-178a of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(b) The advisory board shall consist of members appointed in accordance with the provisions of this subsection and shall include the Commissioner of Public Health, [and] the department's emergency medical services medical director and the president of each of the regional emergency medical services councils, or their designees. The Governor shall appoint the following members: (1) One person from each of the regional emergency medical services councils; one person from the Connecticut Association of Directors of Health; (2) three persons from the Connecticut College of Emergency Physicians; (3) one person from the Connecticut Committee on Trauma of the American College of Surgeons; (4) one person from the Connecticut Medical Advisory Committee; (5) one person from the Emergency Department Nurses Association; (6) one person from the Connecticut Association of Emergency Medical Services Instructors; (7) one person from the Connecticut Hospital Association; (8) two persons representing commercial ambulance providers; (9) one person from the Connecticut State Firefighters Association; (10) one person from the Connecticut Fire Chiefs Association; (11) one person from the Connecticut Police Chiefs [of Police] Association; (12) one person from the Connecticut State Police; and (13) one person from the Connecticut Commission on Fire Prevention and Control. An additional eighteen members shall be appointed as follows: (A) Three by the president pro tempore of the Senate; (B) three by the majority leader of the Senate; (C) four by the minority leader of the Senate; (D) three by the speaker of the House of Representatives; (E) two by the majority leader of the House of Representatives; and (F) three by the minority leader of the House of Representatives. The appointees shall include a person with experience in municipal ambulance services; a person with experience in for-profit ambulance services; three persons with experience in volunteer ambulance services; a paramedic; an emergency medical technician; an advanced emergency medical technician; three
consumers and four persons from state-wide organizations with interests in emergency medical services as well as any other areas of expertise that may be deemed necessary for the proper functioning of the advisory board.

Sec. 11. Subsection (a) of section 19a-182 of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) The emergency medical services councils shall advise the commissioner on area-wide planning and coordination of agencies for emergency medical services for each region and shall provide continuous evaluation of emergency medical services for their respective geographic areas. A regional emergency medical services coordinator, in consultation with the commissioner, shall assist the emergency medical services council for the respective region in carrying out the duties prescribed in subsection (b) of this section. As directed by the commissioner, the regional emergency medical services coordinator for each region shall facilitate the work of each respective emergency medical services council including, but not limited to, representing the Department of Public Health at any Council of Regional [Chairpersons] Presidents meetings.

Sec. 12. Section 19a-183 of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

There shall be established an emergency medical services council in each region. A region shall be composed of the towns so designated by the commissioner. Opportunity for membership shall be available to all appropriate representatives of emergency medical services including, but not limited to, one representative from each of the following: (1) Local governments; (2) fire and law enforcement officials; (3) medical and nursing professions, including mental health, paraprofessional and other allied health professionals; (4) providers of ambulance services, at least one of which shall be a member of a volunteer ambulance association; (5) institutions of higher education;

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(6) federal agencies involved in the delivery of health care; and (7) consumers. All emergency medical services councils, including those in existence on July 1, 1974, shall submit to the commissioner information concerning the organizational structure and council bylaws for the commissioner's approval. Such bylaws shall include the process by which each council shall elect a president. The commissioner shall foster the development of emergency medical services councils in each region.

Sec. 13. Subsection (b) of section 19a-184 of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(b) The [chairpersons] presidents, or their designees, of said councils shall meet as a group, at least bimonthly, with the Office of Emergency Medical Services to discuss the planning, coordination and implementation of the state-wide emergency medical care service system.

Sec. 14. Section 22a-261 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2016):

(a) There is hereby established and created a body politic and corporate, constituting a public instrumentality and political subdivision of the state of Connecticut established and created for the performance of an essential public and governmental function, to be known as the Materials Innovation and Recycling Authority. The authority shall not be construed to be a department, institution or agency of the state.

[(b) On and before May 31, 2002, the powers of the authority shall be vested in and exercised by a board of directors, which shall consist of twelve directors: Four appointed by the Governor and two ex-officio members, who shall have a vote including the Commissioner of Transportation and the Commissioner of Economic and Community Development; two appointed by the president pro tempore of the...]

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Senate, two by the speaker of the House, one by the minority leader of the Senate and one by the minority leader of the House of Representatives. Any such legislative appointee may be a member of the General Assembly. The directors appointed by the Governor under this subsection shall serve for terms of four years each, from January first next succeeding their appointment, provided, of the directors first appointed, two shall serve for terms of two years, and two for terms of four years, from January first next succeeding their appointment. Any vacancy occurring under this subsection other than by expiration of term shall be filled in the same manner as the original appointment for the balance of the unexpired term. Of the four members appointed by the Governor under this subsection, two shall be first selectmen, mayors or managers of Connecticut municipalities; one from a municipality with a population of less than fifty thousand, one from a municipality of over fifty thousand population; two shall be public members without official governmental office or status with extensive high-level experience in municipal or corporate finance or business or industry, provided not more than two of such appointees shall be members of the same political party. The chairman of the board under this subsection shall be appointed by the Governor, with the advice and consent of both houses of the General Assembly and shall serve at the pleasure of the Governor. Notwithstanding the provisions of this subsection, the terms of all members of the board of directors who are serving on May 31, 2002, shall expire on said date.]

[(c) (b) On and after June 1, 2002, the powers of the authority shall be vested in and exercised by a board of directors, which shall consist of eleven directors as follows: Three appointed by the Governor, one of whom [shall be] is a municipal official of a municipality having a population of fifty thousand or less and one of whom [shall have] has extensive, high-level experience in the energy field; two appointed by the president pro tempore of the Senate, one of whom [shall be] is a municipal official of a municipality having a population of more than fifty thousand and one of whom [shall have] has extensive high-level experience in public or corporate finance or business or industry; two
appointed by the speaker of the House of Representatives, one of whom [shall be] is a municipal official of a municipality having a population of more than fifty thousand and one of whom [shall have] has extensive high-level experience in public or corporate finance or business or industry; two appointed by the minority leader of the Senate, one of whom [shall be] is a municipal official of a municipality having a population of fifty thousand or less and one of whom [shall have] has extensive, high-level experience in the environmental field. No director may be a member of the General Assembly. [Not more than two of the directors appointed by the Governor shall be members of the same political party.] The appointed directors shall serve for terms of four years each, provided, of the directors first appointed for terms beginning on June 1, 2002, (1) two of the directors appointed by the Governor, one of the directors appointed by the president pro tempore of the Senate, one of the directors appointed by the speaker of the House of Representatives, one of the directors appointed by the minority leader of the Senate and one of the directors appointed by the minority leader of the House of Representatives shall serve an initial term of two years and one month, and (2) the other appointed directors shall serve an initial term of four years and one month. The appointment of each director for a term beginning on or after June 1, 2004, shall be made with the advice and consent of both houses of the General Assembly. The Governor shall designate one of the directors to serve as chairperson of the board, with the advice and consent of both houses of the General Assembly. The chairperson of the board shall serve at the pleasure of the Governor. Any appointed director who fails to attend three consecutive meetings of the board or who fails to attend fifty per cent of all meetings of the board held during any calendar year shall be deemed to have resigned from the board. Any vacancy occurring other than by expiration of term shall be filled in the same manner as the
original appointment for the balance of the unexpired term. As used in this subsection, "municipal official" means the first selectman, mayor, city or town manager or chief financial officer of a municipality, or a municipal employee with extensive public works or waste management and recycling experience that has entered into a solid waste disposal services contract with the authority and pledged the municipality's full faith and credit for the payment of obligations under such contract.

[(d)] (c) The chairperson shall, with the approval of the directors, appoint a president of the authority who shall be an employee of the authority and paid a salary prescribed by the directors. The president shall supervise the administrative affairs and technical activities of the authority in accordance with the directives of the board.

[(e)] (d) Each director shall be entitled to reimbursement for [said] such director's actual and necessary expenses incurred during the performance of [said] such director's official duties.

[(f)] (e) Directors may engage in private employment, or in a profession or business, subject to any applicable laws, rules and regulations of the state or federal government regarding official ethics or conflict of interest.

[(g)] (f) Six directors of the authority shall constitute a quorum for the transaction of any business or the exercise of any power of the authority, provided, two directors from municipal government shall be present in order for a quorum to be in attendance. For the transaction of any business or the exercise of any power of the authority, and except as otherwise provided in this chapter, the authority [shall have power to] may act by a majority of the directors present at any meeting at which a quorum is in attendance. If the legislative body of a municipality that is the site of a facility passes a resolution requesting the Governor to appoint a resident of such municipality to be an ad hoc member, the Governor shall make such appointment upon the next vacancy for the ad hoc members representing such facility. The
Governor shall appoint, with the advice and consent of the General Assembly, ad hoc members to represent each facility operated by the authority provided at least one-half of such members shall be chief elected officials of municipalities, or their designees. Each such facility shall be represented by two such members. The ad hoc members shall be electors from a municipality or municipalities in the area to be served by the facility and shall vote only on matters concerning such facility. The terms of the ad hoc members shall be four years.

[(h)] (g) The board may delegate to three or more directors such board powers and duties as it may deem necessary and proper in conformity with the provisions of this chapter and its bylaws. At least one of such directors shall be a municipal official, as defined in subsection [(c)] (b) of this section, and at least one of such directors shall not be a state employee.

[(i)] (h) Appointed directors may not designate a representative to perform in their absence their respective duties under this chapter.

[(j)] (i) As used in this section, "director" [], as used in this section, shall include such persons so designated as provided in this section, and this such designation shall be deemed temporary only and shall not affect any applicable civil service or retirement rights of any person so designated.

[(k)] (j) The appointing authority for any director may remove such director for inefficiency, neglect of duty or misconduct in office after giving the director a copy of the charges against the director and an opportunity to be heard, in person or by counsel, in the director's defense, upon not less than ten days' notice. If any director shall be so removed, the appointing authority for such director shall file in the office of the Secretary of the State a complete statement of charges made against such director and the appointing authority's findings on such statement of charges, together with a complete record of the proceedings.
[(l)] (k) The authority shall continue as long as it has bonds or other obligations outstanding and until its existence is terminated by law. Upon the termination of the existence of the authority, all its rights and properties shall pass to and be vested in the state of Connecticut.

[(m)] (l) The directors, members and officers of the authority and any person executing the bonds or notes of the authority shall not be liable personally on such bonds or notes or be subject to any personal liability or accountability by reason of the issuance thereof, nor shall any director, member or officer of the authority be personally liable for damage or injury, not wanton or wilful, caused in the performance of such person's duties and within the scope of such person's employment or appointment as such director, member or officer.

[(n)] (m) Notwithstanding [the provisions of] any other [law to the contrary] provision of the general statutes, it shall not constitute a conflict of interest for a trustee, director, partner or officer of any person, firm or corporation, or any individual having a financial interest in a person, firm or corporation, to serve as a director of the authority, provided such trustee, director, partner, officer or individual shall abstain from deliberation, action or vote by the authority in specific respect to such person, firm or corporation.

Sec. 15. Section 9-167a of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) (1) Except as provided in subdivision (2) of this subsection, the maximum number of members of any board, commission, legislative body, committee or similar body of the state or any political subdivision thereof, whether elective or appointive, who may be members of the same political party, shall be as specified in the following table:

<table>
<thead>
<tr>
<th>T1</th>
<th>COLUMN I</th>
<th>COLUMN II</th>
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<tr>
<td>T2</td>
<td>Total Membership</td>
<td>Maximum from One Party</td>
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</table>
(2) (A) The provisions of this section shall not apply [(A)] [ (i) to any such board, commission, committee or body whose members are elected wholly or partially on the basis of a geographical division of the state or political subdivision, [(B)] [(ii) to a legislative body of a municipality [(i)] (I) having a town meeting as its legislative body, or [(ii)] (II) for which the charter or a special act, on January 1, 1987, provided otherwise, or (C)] [(iii) to the city council of an unconsolidated city within a town and the town council of such town if the town has a town council and a representative town meeting, the town charter provides for some form of minority representation in the election of members of the representative town meeting, and the city has a city council and a body having the attributes of a town meeting, or [(D)] [(iv) to the board of directors and other officers of any district, as defined in section 7-324, having annual receipts from all sources not in excess of two hundred fifty thousand dollars.

(B) For the purposes of this section, members of an appointive board or commission who serve on such board or commission by virtue of holding a particular and distinct office shall not be included in the calculation, as provided in subsection (b) of this section, to determine the maximum number of members of any political party who may be appointed to such board or commission.

(b) Prior to any election for or appointment to any [such body] board, commission, legislative body, committee or similar body of the

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<td>3 ........................................... 2</td>
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<td>T4</td>
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<td>T5</td>
<td>5 ........................................... 4</td>
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<td>T6</td>
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<td>T7</td>
<td>7 ........................................... 5</td>
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<tr>
<td>T8</td>
<td>8 ........................................... 5</td>
</tr>
<tr>
<td>T9</td>
<td>9 ........................................... 6</td>
</tr>
</tbody>
</table>
| T10 | More than 9 ............................. Two-thirds of total membership
state or any political subdivision thereof, the municipal clerk, in cases of elections, and the appointing authority, in cases of appointments, shall determine the maximum number of members of any political party who may be elected or appointed to such body at such election or appointment. Such maximum number shall be determined for each political party in the following manner: From the number of members of one political party who are members of such body at the time of the election or appointment, subtract the number of members of such political party whose terms expire prior to the commencement of the terms for which such election or appointment is being held or made and subtract the balance thus arrived at from the appropriate number specified in column II of subsection (a) of this section.

(c) In the case of any election to any such body, the winner or winners shall be determined as under existing law with the following exception: The municipal clerk shall prepare a list of the candidates ranked from top to bottom according to the number of votes each receives; when the number of members of any one political party who would be elected without regard to this section exceeds the maximum number as determined under subsection (b) of this section, only the candidates of such political party with the highest number of votes up to the limit of such maximum shall be elected, and the names of the remaining candidates of such political party shall be stricken from the list. The next highest ranking candidates shall be elected up to the number of places to be filled at such election.

(d) If an unexpired portion of a term is to be filled at the same time as a full term, the unexpired term shall be deemed to be filled before the full term for purposes of applying this section. At such time as the minority representation provisions of this section become applicable to any board, commission, committee or body, any vacancy thereafter occurring which is to be filled by appointment shall be filled by the appointment of a member of the same political party as that of the vacating member.

(e) Nothing in this section shall be construed to repeal, modify or
prohibit enactment of any general or special act or charter which
provides for a greater degree of minority representation than is
provided by this section.

(f) Nothing in this section shall deprive any person who is a
member of any such body on July 1, 1960, of the right to remain as a
member until the expiration of his term.

(g) For the purposes of this section, a person shall be deemed to be a
member of the political party on whose enrollment list his name
appears on the date of his appointment to, or of his nomination as a
candidate for election to, any office specified in subsection (a) of this
section, provided any person who has applied for erasure or transfer of
his name from an enrollment list shall be considered a member of the
party from whose list he has so applied for erasure or transfer for a
period of three months from the date of the filing of such application
and provided further any person whose candidacy for election to an
office is solely as the candidate of a party other than the party with
which he is enrolled shall be deemed to be a member of the party of
which he is such candidate.

(h) For the purposes of this section, the appointing authority for any
member of any board or commission shall notify all other appointing
authorities for members of such board or commission of each
appointment made, including the name, town of residence and
political affiliation of the person appointed, not later than five calendar
days after such appointment. Such notification may be transmitted by
electronic means.

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

<table>
<thead>
<tr>
<th>Section</th>
<th>Effect Date</th>
<th>Amendment</th>
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<tr>
<td>1</td>
<td>July 1, 2016</td>
<td>21a-6</td>
</tr>
<tr>
<td>Sec. 2</td>
<td>July 1, 2016</td>
<td>21a-7</td>
</tr>
<tr>
<td>Sec. 3</td>
<td>July 1, 2016</td>
<td>21a-8(a)(7) and (8)</td>
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<tr>
<td>Sec. 4</td>
<td>July 1, 2016</td>
<td>21a-8(c)</td>
</tr>
<tr>
<td>Sec. 5</td>
<td>from passage</td>
<td>10-153f(a)</td>
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<td>Section</td>
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<td>Sec. 6</td>
<td>from passage</td>
<td>10a-179(a)</td>
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<td>Sec. 7</td>
<td>from passage</td>
<td>12-802(b)</td>
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<td>20-8a(a) and (b)</td>
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<td>Sec. 10</td>
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<tr>
<td>Sec. 14</td>
<td>July 1, 2016</td>
<td>22a-261</td>
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<tr>
<td>Sec. 15</td>
<td>from passage</td>
<td>9-167a</td>
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GAE  Joint Favorable Subst.