

History of the Executive and Legislative Nominations Committee

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Issue

This report summarizes the history of the Executive and Legislative Nominations Committee. It expands on OLR Report [97-R-1203](#).

Summary

The Executive and Legislative Nominations Committee, as it is known today, is a joint statutory committee with cognizance over matters relating to certain nominations or appointments made by the governor. This includes the appointment of department heads (e.g., commissioners of state agencies) as well as members of various boards, commissions, and quasi-public agencies ([CGS § 4-5](#)).

Statutory Committees

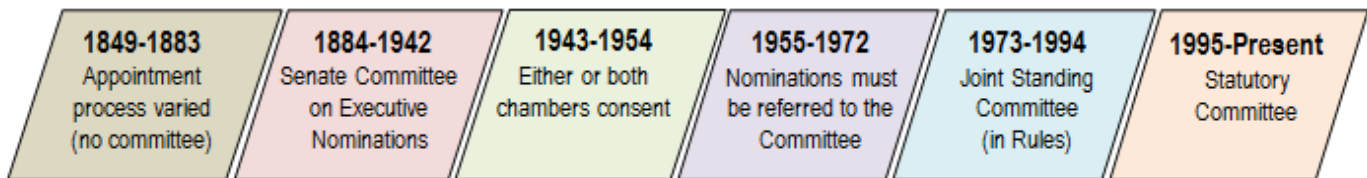
Statutory committees are permanent joint committees that exist by statute and are charged with specific tasks and responsibilities (CT State Register and Manual, 2017).

Executive and legislative nominations requiring action of either or both chambers of the General Assembly must be referred to the Executive and Legislative Nominations Committee, except for nominations of judges, workers' compensation commissioners, and members of the Board of Pardons and Paroles ([Joint Rules, 2017-2018](#)). (More details on the nomination and confirmation process are available in OLR Report [2018-R-0031](#).)

The committee currently consists of eight members of the Senate and 19 members of the House of Representatives. The committee’s membership is further divided between members of the majority and minority parties of both the Senate and the House. These party "caucuses" consist of Senate Democrats, Senate Republicans, House Democrats, and House Republicans. The relative size of these four caucuses determines how the committee’s membership is determined ([Joint Rules, 2017-2018](#)).

This report provides a chronological history of the Executive and Legislative Nominations Committee’s evolution. A separate timeline is attached as Appendix A.

Chronological History (1849-Present)



1849-1864: Appointments made by the Senate or General Assembly

The earliest reference of an appointment process appears to date back to 1849. However, statutory language varied depending on the executive officer being appointed. For example, in 1849 the “commissioners of turnpike roads” were appointed annually by the Senate (Conn. Gen. Stat. Chapter 4 § 39 (1849)). In contrast, during this same period the “school fund commissioner” was appointed by the General Assembly. The governor was allowed to fill a vacancy temporarily if the General Assembly was in recess (Conn. Gen. Stat. Chapter 6 § 81 (1849)).

1865-1874: Appointments made by the Governor, Senate, or General Assembly

During this period, the General Assembly appointed judges, county commissioners, auditors of public accounts, major-generals, railroad commissioners, board of education members, and state directors of banks, among others (Conn. Gen. Stat. Title 7, Chapter 7 § 454 (1866)). However, the governor appointed the insurance commissioner for a three-year term (Conn. Gen. Stat. Title 7, Chapter 7 § 383 (1866)).

1875-1883: Appointments made by the Governor with Advice and Consent from the Senate, the Senate, or the General Assembly

Starting in 1875, the governor was required to seek advice and consent from the Senate on certain appointments, including appointments of the insurance commissioner, railroad commissioners, members of the State Board of Agriculture, and military general officers, among others (Conn. Gen. Stat. Title 3, Chapter 1 Part IX § 1 (1875)). Other officers were appointed by the Senate or the General Assembly (Conn. Gen. Stat. Title 3, Chapter 1 Part XVIII § 1).

1884-1942: Executive Nominations (Senate) Committee

Based on our research, the Executive and Legislative Nominations Committee began as the *Executive Nominations Committee* in 1884 with three senators (CT State Register and Manual, 1884). This committee continued to provide advice and consent to the governor on officer nominations, if applicable, through approximately 1942.

1943-1949: Senate and Joint Committees on Executive Nominations

In 1943, the Executive Nominations Committee consisted of three senators and five representatives. This appears to be the first time representatives were added to the committee (CT State Register and Manual, 1943).

The Executive Nominations Committee was listed as both a Senate Committee and a Joint Committee (i.e., both Senate and House members) in the CT State Register and Manual from 1945 to 1951.

1950: The Commission on State Government Organization

In its 1950 [report](#), the Commission on State Government Organization proposed that department heads be appointed by the governor, to serve at his discretion, without confirmation by either chamber of the General Assembly. The commission contended that the process of confirming governor appointments was subject to political influence from the legislature. The commission found the confirmation process confusing, stating that at that time for many administrative posts the governor's appointment was enough, while for others the consent of the Senate or the General Assembly was required.

Hearings on this matter revealed no general agreement on this point. "By requiring Senate confirmation of the governor's appointments, we can provide a legislative check on the power of the executive, without fear that it will be abused for partisan purposes or to hamper the efforts of the governor to carry out his responsibilities" (1950-1951 Connecticut Senate Journal, Part I, pages 57 & 58).

The commission also recommended that standards covering these appointments be written into statute to ensure that only people with the necessary qualifications and training are appointed.

1951-1954: Appointments made by the Governor with Advice and Consent from either the Senate or the House

In the March 1950 Special Session, the legislature passed Public Act 8 concerning the appointment of executive department commissioners. The act required the governor to appoint each department head with the advice and consent of either chamber of the General Assembly by March 1, 1951, and every four years going forward. It defined “department head” and established their nomination procedures, qualifications, and duties. Under the law as it existed then, the department heads were the commissioners of finance and control, motor vehicles, banks, welfare, insurance, health, public works, farms and markets, tax, highway, athletics, food and drug, labor, and the milk administrator (Conn. Gen. Stat. Title 2, Chapter 6 § 15b (1951 Supp.)).

In 1953 both senators and representatives served on one Executive Nominations Committee (CT State Register and Manual, 1953).

1955-1967: Nominations must be referred to the Executive Nominations Committee

In 1955, the General Assembly passed Public Act 518 requiring nominations and vacancy appointments to be approved by a house of the General Assembly. This act introduced language in the law requiring either chamber to immediately refer the nominations to its committee on executive nominations, which would report its findings by resolution within ten legislative days from the date of reference, effective February 1, 1959 (Conn. Gen. Stat. Title 2, Chapter 6 § 29d (1955 Supp.)).

In the 1957 CT State Register and Manual, Executive Nominations was listed as two Ex-Officio Committees (Senate Committee on Executive Nominations and Joint Committee on Executive Nominations).

1968 - 1978: The Eagleton Institute Study and Resulting Decrease in the Number of Committees

In 1968, the Eagleton Institute research team studied the CT committee system and noticed that some committees had more bills than others. In its final report, the Eagleton Institute recommended that the number of committees be reduced to 13 (Swanson, W., Lawmaking in Connecticut, 1972, pages 27-30).

According to the 1970 CT State Register and Manual, House Joint Resolution 263 required the investigation, research, and proposal of legislation pertaining to the particular jurisdiction of each committee.

In 1971, the General Assembly reorganized the committee system by reducing the total number of joint standing committees from 30 to 19, and total number of Executive Nominations ex-officio committees from two to one (Swanson, W., Lawmaking in Connecticut, 1972, pages 27-30).

In 1973, the Joint Rules of the Senate and House of Representatives added Executive Nomination as a Joint Standing Committee that took action on behalf of both chambers (1973 Senate Journal, Part I, pages 14-16).

1979-1994: Name Changes to Executive and Legislative Nominations Committee

In 1979, the Executive Nominations Committee became known as the Executive and Legislative Nominations Committee (CT State Register and Manual, 1979).

1995-Present: Statutory Committee

According to the 1995 Joint Rules, the Executive and Legislative Nominations Committee became a Statutory Committee (i.e., a committee created by statute instead of by rules) and remains so today.

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Joint Standing Committees

Joint standing committees are permanent committees that carry over from one General Assembly session to another. Their jurisdiction is specified in the Joint Rules of the House and Senate (CT State Register and Manual, 2017).

Appendix A

Timeline: Executive and Legislative Nominations Committee Origin and Historical Changes

