



General Assembly

Amendment

January Session, 2019

LCO No. 10979



Offered by:

REP. MCCARTHY VAHEY, 133rd Dist.

SEN. CASSANO, 4th Dist.

To: Subst. House Bill No. 7192

File No. 861

Cal. No. 424

"AN ACT CONCERNING MUNICIPAL AND REGIONAL OPPORTUNITIES AND EFFICIENCIES."

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

3 "Section 1. Section 7-395 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective July 1, 2019*):

5 (a) The secretary shall review each audit report filed with said
6 secretary as provided in section 7-393, except said secretary shall
7 review the audit reports on each audited agency biennially and may
8 review the audit reports on any municipality or regional school district
9 biennially, provided such secretary shall, in any year in which he does
10 not review the report of any such municipality or regional school
11 district, review the comments and recommendations of the
12 independent auditor who made such audit. If, upon such review of the
13 audit report, evidence of fraud or embezzlement is found, he shall
14 report such information to the state's attorney for the judicial district in

15 which such municipality, regional school district or audited agency is
16 located. If, in the review of such audit report said secretary finds that
17 such audit has not been prepared in compliance with the provisions of
18 subsection (a) of section 7-394a, or said secretary finds evidence of any
19 unsound or irregular financial practice in relation to commonly
20 accepted standards in municipal finance, said secretary shall prepare a
21 report concerning such finding, including necessary details for proper
22 evaluation of such finding and recommendations for corrective action
23 and shall refer such report to the Municipal Finance Advisory
24 Commission established under section 7-394b. A copy of such report
25 shall be filed with: (1) The chief executive officer of such municipality
26 or audited agency or the superintendent of such school district and, in
27 the case of a town, city or borough, with the clerk of such town, city or
28 borough; and (2) the Auditors of Public Accounts.

29 (b) If, upon such review of the audit report, the secretary finds (1)
30 that such audit has not been prepared in accordance with subsection
31 (a) of section 7-394a, and the municipality, regional school district or
32 audited agency did not request permission to have the audit report
33 prepared in a manner not in compliance with said subsection; or (2)
34 evidence of unsound or irregular financial practices or management
35 letter comments or lack of internal controls in relation to commonly
36 accepted standards in municipal finance, then the secretary shall
37 prepare a report concerning such finding, including, but not limited to,
38 information to aid in the evaluation of such finding and
39 recommendations for corrective action. The secretary shall submit such
40 report to (A) the Municipal Finance Advisory Commission established
41 pursuant to section 7-394b; (B) the Auditors of Public Accounts; and
42 (C) the chief executive officer and clerk of the municipality,
43 superintendent of schools for the regional school district or chief
44 executive officer of the audited agency.

45 (c) Upon receipt of a report submitted pursuant to subsection (b) of
46 this section, the chief executive officer of a municipality or audited
47 agency or superintendent of schools for the regional school district
48 shall attest to and explain the secretary's findings and submit a plan

49 for corrective action, in writing, to the secretary.

50 (d) The secretary shall refer to the Municipal Finance Advisory
51 Commission any municipality that has not been previously referred to
52 said commission pursuant to subsection (b) of this section or section 7-
53 576, 7-576a or 7-576c, provided the municipality has:

54 (1) A negative fund balance percentage;

55 (2) Reported a fund balance percentage of less than five per cent in
56 the three immediately preceding fiscal years;

57 (3) Reported a declining fund balance trend in the two immediately
58 preceding fiscal years;

59 (4) Issued tax or bond anticipation notes in the three immediately
60 preceding fiscal years to meet cash liquidity;

61 (5) Had a general fund annual operating budget deficit of one and
62 one-half per cent or more of such municipality's general fund revenues
63 in the immediately preceding fiscal year;

64 (6) Had a general fund annual operating budget deficit of two per
65 cent or more of such municipality's average general fund revenues in
66 the two immediately preceding fiscal years; or

67 (7) Received a bond rating below A from a bond rating agency.

68 (e) The secretary may, at the secretary's discretion and based upon
69 the review conducted pursuant to subsection (a) of this section, refer to
70 the Municipal Finance Advisory Commission any municipality that
71 has not been previously referred to said commission pursuant to
72 subsection (b) of this section or section 7-576, 7-576a or 7-576c.

73 (f) For the purposes of this section, "deficit", "fund balance" and
74 "fund balance percentage" have the same meanings as provided in
75 section 7-560.

76 Sec. 2. Section 2-79a of the general statutes is repealed and the

77 following is substituted in lieu thereof (*Effective July 1, 2019*):

78 (a) ~~(1)~~ There shall be a Connecticut Advisory Commission on
79 Intergovernmental Relations. The purpose of the commission shall be
80 to enhance coordination and cooperation between the state and local
81 governments. [The]

82 ~~(2) Before July 1, 2019, the~~ commission shall consist of the president
83 pro tempore of the Senate, the speaker of the House of
84 Representatives, the minority leader of the Senate, the minority leader
85 of the House of Representatives, the Secretary of the Office of Policy
86 and Management, the Commissioners of Education, Energy and
87 Environmental Protection, Economic and Community Development,
88 or their designees, and sixteen additional members as follows: [(1)] (A)
89 Six municipal officials appointed by the Governor, four of whom shall
90 be selected from a list of nominees submitted to [him] the Governor by
91 the Connecticut Conference of Municipalities and two of whom shall
92 be selected from a list submitted by the Council of Small Towns. Two
93 of such six officials shall be from towns having populations of twenty
94 thousand or less persons, two shall be from towns having populations
95 of more than twenty thousand but less than sixty thousand persons
96 and two shall be from towns having populations of sixty thousand or
97 more persons; [(2)] (B) two local public education officials appointed
98 by the Governor, one of whom shall be selected from a list of nominees
99 submitted to [him] the Governor by the Connecticut Association of
100 Boards of Education and one of whom shall be selected from a list
101 submitted by the Connecticut Association of [School Administrators]
102 Public School Superintendents; [(3)] (C) one representative of a
103 regional council of governments appointed by the Governor from a list
104 of nominees submitted to [him] the Governor by the [Regional
105 Planning Association of] Connecticut Association of Councils of
106 Governments; [(4)] (D) five persons who do not hold elected or
107 appointed office in state or local government, one of whom shall be
108 appointed by the Governor, one of whom shall be appointed by the
109 president pro tempore of the Senate, one of whom shall be appointed
110 by the speaker of the House of Representatives, one of whom shall be

111 appointed by the minority leader of the Senate and one of whom shall
112 be appointed by the minority leader of the House of Representatives;
113 [(5)] (E) one representative of the Connecticut Conference of
114 Municipalities appointed by said conference; and [(6)] (F) one
115 representative of the Council of Small Towns appointed by said
116 council. [Each]

117 (3) On and after July 1, 2019, the commission shall consist of the
118 president pro tempore of the Senate, speaker of the House of
119 Representatives, minority leader of the Senate, minority leader of the
120 House of Representatives, Secretary of the Office of Policy and
121 Management, Commissioner of Education, Commissioner of Energy
122 and Environmental Protection and Commissioner of Economic and
123 Community Development, or their designees, and seventeen
124 additional members as follows: (A) Six municipal officials appointed
125 by the Governor, four of whom shall be selected from a list of
126 nominees submitted to the Governor by the Connecticut Conference of
127 Municipalities and two of whom shall be selected from a list submitted
128 by the Council of Small Towns. One of such six officials shall be from a
129 town having a population of ten thousand or less persons, one shall be
130 from a town having a population of more than ten thousand but less
131 than twenty thousand persons, two shall be from towns having
132 populations of more than twenty thousand but less than sixty
133 thousand persons and two shall be from towns having populations of
134 sixty thousand or more persons; (B) two local public education officials
135 appointed by the Governor, one of whom shall be selected from a list
136 of nominees submitted to the Governor by the Connecticut Association
137 of Boards of Education and one of whom shall be selected from a list
138 submitted by the Connecticut Association of Public School
139 Superintendents; (C) one representative of a regional council of
140 governments appointed by the Governor from a list of nominees
141 submitted to the Governor by the Connecticut Association of Councils
142 of Governments; (D) one representative of organized labor appointed
143 by the Governor from a list of nominees submitted to the Governor by
144 the Connecticut AFL-CIO; (E) five persons who do not hold elected or

145 appointed office in state or local government, one of whom shall be
146 appointed by the Governor, one of whom shall be appointed by the
147 president pro tempore of the Senate, one of whom shall be appointed
148 by the speaker of the House of Representatives, one of whom shall be
149 appointed by the minority leader of the Senate and one of whom shall
150 be appointed by the minority leader of the House of Representatives;
151 (F) one representative of the Connecticut Conference of Municipalities
152 appointed by said conference; and (G) one representative of the
153 Council of Small Towns appointed by said council.

154 (4) Before July 1, 2019, each member of the commission appointed
155 pursuant to [subdivisions (1) to (6)] subparagraphs (A) to (F),
156 inclusive, of subdivision (2) of this subsection shall serve for a term of
157 two years. On and after July 1, 2019, each member of the commission
158 appointed pursuant to subparagraphs (A) to (G), inclusive, of
159 subdivision (3) of this subsection shall serve for a term of two years
160 and may serve until a successor is appointed and has qualified. All
161 other members shall serve for terms which are coterminous with their
162 terms of office. The Governor shall appoint a chairperson and a vice-
163 chairperson from among the commission members. Members of the
164 General Assembly may serve as gubernatorial appointees to the
165 commission. Members of the commission shall not be compensated for
166 their services but shall be reimbursed for necessary expenses incurred
167 in the performance of their duties.

168 (b) The commission shall: (1) Serve as a forum for consultation
169 among state and local government officials; (2) conduct research on
170 intergovernmental issues; (3) encourage and coordinate studies of
171 intergovernmental issues by universities, research and consulting
172 organizations and others; (4) initiate policy development and make
173 recommendations for consideration by all levels and branches of
174 government. The commission shall issue, from time to time, public
175 reports of its findings and recommendations and shall issue, annually,
176 a public report on its activities.

177 (c) On or before [October 1, 2019] the second Wednesday after the

178 convening of the regular session of the General Assembly in 2020, and
179 every four years thereafter on such second Wednesday, the
180 commission shall submit to the General Assembly a report which lists
181 each existing state mandate, as defined in subsection (a) of section 2-
182 32b, and which (1) categorizes each mandate as constitutional,
183 statutory or executive, [(2) provides the date of original enactment or
184 issuance along with a brief description of the history of the mandate,
185 and (3) analyzes the costs incurred by] and (2) describes the potential
186 impacts on local governments [in] implementing the mandate. In each
187 report the commission may also make recommendations on state
188 mandates for consideration by the commission. On and after October
189 1, 1996, the report shall be submitted to the joint standing committee of
190 the General Assembly having cognizance of matters relating to
191 appropriations and budgets of state agencies, to any other joint
192 standing committee of the General Assembly having cognizance and,
193 upon request, to any member of the General Assembly. A summary of
194 the report shall be submitted to each member of the General Assembly
195 if the summary is two pages or less and a notification of the report
196 shall be submitted to each member if the summary is more than two
197 pages. Submission shall be by mailing the report, summary or
198 notification to the legislative address of each member of the
199 committees or the General Assembly, as applicable. The provisions of
200 this subsection shall not be construed to prevent the commission from
201 making more frequent recommendations on state mandates.

202 (d) Commencing on or before [the second Wednesday after the
203 convening of the 1997 regular session of the General Assembly]
204 January 15, 1997, and every year thereafter except a year in which a
205 report is filed pursuant to subsection (c) of this section, the commission
206 shall submit to the General Assembly a supplement to the report
207 required in [said subsection (c)] said subsection identifying any new
208 mandates adopted and any mandates changed in the previous year.

209 (e) The Office of Policy and Management shall provide such staff as
210 is necessary for the performance of the functions and duties of the
211 Connecticut Advisory Commission on Intergovernmental Relations.

212 Such persons may be exempt from the classified service.

213 Sec. 3. Section 2-32c of the general statutes is repealed and the
214 following is substituted in lieu thereof (*Effective July 1, 2019*):

215 On and after [January 1, 2019] July 1, 2019, the Connecticut
216 Advisory Commission on Intergovernmental Relations, established
217 pursuant to section 2-79a, as amended by this act, shall, not more than
218 ninety days after adjournment of any regular or special session of the
219 General Assembly or [September first] November fifteenth
220 immediately following adjournment of a regular session, whichever is
221 [sooner] later, submit to the speaker of the House of Representatives,
222 the president pro tempore of the Senate, the majority leader of the
223 House of Representatives, the majority leader of the Senate, the
224 minority leader of the House of Representatives, [and] the minority
225 leader of the Senate and the chief elected official of each municipality a
226 report [which] that lists each state mandate enacted during said
227 regular or special session of the General Assembly. [Within five days
228 of] Not later than five days after receipt of the report, the speaker and
229 the president pro tempore shall [submit the report to the Secretary of
230 the Office of Policy and Management and] refer each state mandate to
231 the joint standing committee or select committee of the General
232 Assembly having cognizance of the subject matter of the mandate.
233 [The secretary shall provide notice of the report to the chief elected
234 official of each municipality.]

235 Sec. 4. Section 7-148cc of the general statutes is repealed and the
236 following is substituted in lieu thereof (*Effective July 1, 2019*):

237 [Two] Notwithstanding the provisions of the general statutes or any
238 special act, charter, special act charter, home rule ordinance or local
239 law, two or more municipalities may jointly perform any function that
240 each municipality may perform separately under any provisions of the
241 general statutes or of any special act, charter or home rule ordinance
242 by entering into an interlocal agreement pursuant to sections 7-339a to
243 7-339l, inclusive. As used in this section, "municipality" means any

244 municipality, as defined in section 7-187, any district, as defined in
245 section 7-324, any metropolitan district or any municipal district
246 created under section 7-330 and located within the state of
247 Connecticut.

248 Sec. 5. Subdivision (6) of subsection (b) of section 7-576d of the
249 general statutes is repealed and the following is substituted in lieu
250 thereof (*Effective July 1, 2019*):

251 (6) With respect to any municipality referred to the Municipal
252 Accountability Review Board on or after January 1, 2018, in the case of
253 any proposed collective bargaining agreement or amendments
254 negotiated pursuant to sections 7-467 to 7-477, inclusive, including any
255 such agreement negotiated by a board of education, notwithstanding
256 the provisions of subsection (d) of section 7-474, or pursuant to section
257 10-153d, the [board] Municipal Accountability Review Board shall
258 have the same opportunity and authority to approve or reject, on not
259 more than two occasions, collective bargaining agreements or
260 amendments as [is] are provided to the legislative body of such
261 municipality in said respective sections, except that (A) any such
262 agreement negotiated by a board of education shall be submitted to the
263 Municipal Accountability Review Board by the bargaining
264 representative of such board of education not later than fourteen days
265 after any such agreement is reached, and (B) the Municipal
266 Accountability Review Board shall act upon such agreement, pursuant
267 to this subdivision, not later than thirty days after submission by such
268 bargaining representative.

269 Sec. 6. Section 4-124r of the general statutes is repealed and the
270 following is substituted in lieu thereof (*Effective July 1, 2019*):

271 Any regional council of governments established under the
272 provisions of sections 4-124i to 4-124p, inclusive, may purchase real
273 property and borrow funds for such purchase for the purposes of
274 providing administrative office space and program functions for such
275 council."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2019</i>	7-395
Sec. 2	<i>July 1, 2019</i>	2-79a
Sec. 3	<i>July 1, 2019</i>	2-32c
Sec. 4	<i>July 1, 2019</i>	7-148cc
Sec. 5	<i>July 1, 2019</i>	7-576d(b)(6)
Sec. 6	<i>July 1, 2019</i>	4-124r