



General Assembly

February Session, 2020

Raised Bill No. 467

LCO No. 2993



Referred to Committee on PLANNING AND DEVELOPMENT

Introduced by:
(PD)

***AN ACT CONCERNING THE METROPOLITAN DISTRICT OF
HARTFORD COUNTY.***

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

1 Section 1. Section 19 of number 511 of the special acts of 1929 is
2 amended to read as follows (*Effective July 1, 2020*):

3 No bonds, notes or other certificates of debt, except such as are to
4 mature in six months or less and to be paid from current taxes shall be
5 issued under authority of [this act] number 511 of the special acts of 1929
6 if such issue shall bring the total outstanding indebtedness of the district
7 to an amount in excess of five per centum of the combined grand lists of
8 said district unless otherwise provided by special act. The grand lists for
9 the purpose of this section shall be deemed to include the assessed value
10 of all shares of capital stock the taxes on which are required by section
11 1205 of the general statutes, revision of 1918, as amended to be remitted
12 annually to the towns and cities composing the district by the state. In
13 computing the total outstanding indebtedness of the district for the
14 purposes of this section, there shall be deducted the amount of the
15 district's sinking fund, the amount of bonds issued for the supply of

16 water or for the construction of subways or underground conduits for
17 cables, wires or pipes, the principal amount of all such bonds having
18 been refunded or replaced by other indebtedness the proceeds and
19 projected earnings on which or other funds are held in escrow to pay
20 and are sufficient to pay the principal, interest and any redemption
21 premium until maturity or earlier planned redemption of such
22 indebtedness and the amount of such other bonds of the district as may
23 be issued under any act of the legislature, especially providing that the
24 bonds issued [thereunder] under any such act shall be deducted in
25 computing the total outstanding indebtedness of the district.

26 Sec. 2. Section 8 of number 511 of the special acts of 1929, as amended
27 by section 3 of special act 83-31, section 1 of special act 99-12 and section
28 3 of special act 14-21, is amended to read as follows (*Effective July 1,*
29 *2020*):

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

50 commissions appointed by the district board shall, unless otherwise
51 provided in the appointment or [herein] in this section, hold such
52 membership until the end of the fiscal year of their appointment and
53 thereafter shall hold membership for terms of two years and until their
54 successors shall be appointed and shall have qualified. The managers of
55 the water bureau and of the bureau of public works and such others of
56 the officers as by the district board shall be especially so designated shall
57 hold office during good behavior and shall be removed only for cause.
58 All other officers and employees may be removed at any time by the
59 district board at pleasure. All vacancies may be filled by the district
60 board. Said district board [shall have power to] may fill any vacancy
61 occurring in its number for the unexpired portion of the term and,
62 except as otherwise expressly provided, shall act in all cases by a
63 majority of those present at any regular or special meeting, duly
64 warned. A majority of the board shall constitute a quorum and the time,
65 place and manner of calling meetings and the holding thereof, including
66 the manner of dissolving tie votes, shall be prescribed by said board by
67 by-law or otherwise. The district board shall be the final judge of the
68 election returns and validity of elections and qualifications of its
69 members and shall decide all tie votes in elections. Except as hereinafter
70 provided, the district board shall have power to authorize the sale,
71 transfer and conveyance of real and personal estate belonging to the
72 district, and shall provide by by-law or otherwise for the form and
73 manner of execution of the documents and instruments convenient
74 therefor. The Auditors of Public Accounts, established under chapter 23
75 of the general statutes, shall audit the district accounts annually in
76 accordance with the provisions of said chapter. The district board [shall
77 make provision for the proper auditing of the district accounts and] may
78 cause any officer to execute bonds to the district with surety to the
79 acceptance of the district board for the faithful performance of
80 duties. The district board shall post the current budget of the district in
81 a conspicuous location on the district's Internet web site.

82 Sec. 3. Section 8 of special act 14-21 is amended to read as follows
83 (*Effective July 1, 2020*):

84 The [Metropolitan District Commission] Auditors of Public Accounts
85 shall, annually, submit a copy of the audit prepared pursuant to
86 [chapter 111 of the general statutes] section 8 of number 511 of the
87 special acts of 1929, as amended by section 3 of special act 83-31, section
88 1 of special act 99-1, section 3 of special act 14-21 and this act, to the
89 Office of Fiscal Analysis.

90 Sec. 4. Subsection (a) of section 4 of special act 90-27, as amended by
91 section 6 of public act 93-380 and section 9 of special act 14-21, is
92 amended to read as follows (*Effective July 1, 2020*):

93 (a) The Metropolitan District in Hartford County created pursuant to
94 number 511 of the special acts of 1929, as amended, may issue bonds or
95 other obligations, or may enter into leases of real or personal property
96 or any interest [therein] in such property, from time to time for the
97 purpose of paying all or any part of the cost of designing, acquiring,
98 purchasing, constructing, reconstructing, improving, extending,
99 financing, refinancing, operating or managing any facility, system,
100 program or equipment necessary or desirable in connection with
101 carrying out any of its authorized purposes, including payment of
102 expenses of administration properly chargeable thereto, including,
103 without limitation, legal, architectural and engineering expenses and
104 fees, [and costs of audits,] and payment of costs, fees and expenses
105 which the district board may deem necessary or advantageous in
106 connection with the authorization, sale and issuance of bonds or notes
107 or other obligations, including but not limited to, underwriters' discount
108 and payment of all other items of expense incurred in connection
109 therewith. The district may issue such types of bonds or other
110 obligations as the district board by resolution approved by a majority of
111 its members may determine, including, without limiting the generality
112 of the foregoing, bonds or other obligations payable as to principal and
113 interest exclusively from the income and revenues of a particular
114 facility, system or program. Bonds or other obligations payable as to
115 principal and interest exclusively from the income and revenues of a
116 particular facility, system or program shall not constitute an
117 indebtedness within the meaning of any statutory limitation on the

118 indebtedness of the district or any member municipality.
119 Notwithstanding the provisions of sections 23, 24, 25, 26 and 51 of
120 number 511 of the special acts of 1929, as amended, any surplus moneys
121 not needed in the determination of the district board to meet the
122 purposes of funds established pursuant to said sections and any surplus
123 revenues in the assessable sewer fund may be pledged as additional
124 security for any such bonds or the provider of any credit enhancement
125 for any such bonds, which also may be secured by a pledge of any
126 income or revenues of the district, or a mortgage on any facility or
127 system or the site thereof. Whenever and for so long as the district has
128 issued and has outstanding bonds pursuant to this section, the district
129 board shall fix, charge and collect rates, rents, fees and other charges in
130 accordance herewith. Neither the members of the district nor any person
131 executing the bonds shall be liable personally on the bonds by reason of
132 the issuance thereof. The bonds and other obligations of the district, and
133 such bonds and obligations shall so state on their face, shall not be a debt
134 of the state or any political subdivision thereof, and no person other than
135 the district shall be liable thereon, nor shall such bonds or obligations be
136 payable out of any funds or properties other than those of the district.
137 Bonds of the district issued under the provisions of sections 2 and 13 of
138 number 511 of the special acts of 1929, as amended, and sections 2 and
139 4 of special act 90-27, as amended by public act 93-380 and this act, are
140 declared to be issued for an essential public and governmental purpose.
141 In anticipation of the sale of such bonds the district may issue negotiable
142 bond anticipation notes and may renew the same from time to time, but
143 the maximum maturity of any such note including renewals thereof,
144 shall not exceed five years from the date of issue of the original note.
145 Such notes shall be paid from any revenues of the district available
146 therefor and not otherwise pledged, or from the proceeds of sale of the
147 bonds of the district in anticipation of which they were issued. Such
148 notes and the resolution or resolutions authorizing the same may
149 contain any provisions, conditions or limitations which a bond
150 resolution of the district may contain.

151 Sec. 5. Subsection (c) of section 2-90 of the general statutes is repealed

152 and the following is substituted in lieu thereof (*Effective July 1, 2020*):

153 (c) Said auditors shall audit, on a biennial basis if deemed most
154 economical and efficient, or as frequently as they deem necessary, the
155 books and accounts of each officer, department, commission, board and
156 court of the state government, all institutions supported by the state and
157 all public and quasi-public bodies, politic and corporate, created by
158 public or special act of the General Assembly and not required to be
159 audited or subject to reporting requirements, under the provisions of
160 chapter 111, except that said auditors shall audit, on an annual basis, or
161 as frequently as they deem necessary, the books and accounts of the
162 Metropolitan District of Hartford County. Each such audit may include
163 an examination of performance in order to determine effectiveness in
164 achieving expressed legislative purposes. The auditors shall report their
165 findings and recommendations to the Governor, the State Comptroller
166 and the joint standing committee of the General Assembly having
167 cognizance of matters relating to appropriations and the budgets of state
168 agencies.

169 Sec. 6. Section 7-391 of the general statutes is repealed and the
170 following is substituted in lieu thereof (*Effective July 1, 2020*):

171 When used in this chapter, unless the context otherwise requires, the
172 following terms shall have the meanings herein specified: "Secretary"
173 means the Secretary of the Office of Policy and Management;
174 "municipality" includes each town, consolidated town and city,
175 consolidated town and borough, city and borough; "audited agency"
176 includes each district, as defined in section 7-324, or other municipal
177 utility, [the Metropolitan District of Hartford County,] each regional
178 council of governments, any other political subdivision of similar
179 character which is created and any other agency created or designated
180 by a municipality to act for such municipality whose annual receipts
181 from all sources exceed one million dollars, excluding the Metropolitan
182 District of Hartford County; "reporting agency" includes each district,
183 as defined in section 7-324, or other municipal utility, each regional
184 council of governments, any other political subdivision of similar

185 character which is created and any other agency created or designated
186 by a municipality to act for such municipality whose annual receipts
187 from all sources do not exceed one million dollars; "appointing
188 authority" means the legislative body of a municipality or the board,
189 committee or other governing body of such audited agency, except in
190 any town where the authority to adopt a budget rests with a town
191 meeting or a representative town meeting "appointing authority" means
192 the board of finance or other board, committee or body charged with
193 preparing the budget, or in a town that has no board of finance or other
194 such board, committee or body, means the board of selectmen or the
195 town council; "audit report" means the report of the independent
196 auditor and the annual financial statements of the municipality or
197 audited agency; "independent auditor" means a public accountant who
198 is licensed to practice in the state of Connecticut and who meets the
199 independence standards included in generally accepted government
200 auditing standards; "public accountant" means an individual who meets
201 standards included in generally accepted government auditing
202 standards for personnel performing government audits and the
203 licensing requirements of the State Board of Accountancy; "receipts"
204 means amounts accrued or received by a municipality, audited agency
205 or reporting agency and reportable as revenues in accordance with
206 generally accepted accounting principles; "municipal utility" means
207 every Connecticut municipality or department or agency thereof, or
208 Connecticut district, manufacturing, selling or distributing gas or
209 electricity to be used for light, heat or power or water.

210 Sec. 7. Section 2 of special act 75-73, as amended by section 2 of special
211 act 83-18, section 2 of special act 84-75, section 17 of public act 93-380
212 and section 4 of special act 14-21, is amended to read as follows (*Effective*
213 *July 1, 2020*):

214 (a) The members of the board of commissioners appointed prior to
215 and holding office on the effective date of special act 75-73, special act
216 83-18, special act 84-75, public act 93-380, [or this act] special act 14-21
217 or this act shall continue to serve until the expiration of their terms for
218 which they were appointed. Thereafter, members shall be appointed by

219 the legislative body of each member municipality, to replace the
220 members whose terms expire and until their successors are appointed
221 and qualify, provided, in no event shall the total number of members
222 appointed by the legislative body of any member municipality exceed:
223 (1) Six in the city of Hartford, (2) three in the city of East Hartford, (3)
224 one in the town of Rocky Hill, (4) one in the town of Wethersfield, (5)
225 one in the town of Newington, (6) one in the town of Windsor, (7) one
226 in the town of Bloomfield and (8) three in the town of West Hartford.

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

230 (1) The legislative body of the city of Hartford shall appoint (A) three
231 commissioners for a term of two years to commence January 1, 1977, and
232 (B) three commissioners for a term of six years to commence January 1,
233 1981;

234 (2) The legislative body of the city of East Hartford shall appoint (A)
235 two commissioners for a term of four years to commence January 1,
236 1977, and (B) one commissioner for a term of six years to commence
237 January 1, 1979;

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

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

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

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

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

248 (8) The legislative body of the town of West Hartford shall appoint
249 (A) one commissioner for a term of one year to commence January 1,
250 1984, (B) one commissioner for a term of three years to commence
251 January 1, 1984, and (C) one commissioner for a term of five years to
252 commence January 1, 1984.

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

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

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

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

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

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

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

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

276 (e) The four commissioners appointed by the designated members of

277 the General Assembly shall be appointed as follows: (1) One
278 commissioner by the president pro tempore of the Senate, for a term of
279 five and one-half years commencing July 1, 1993; (2) one commissioner
280 by the speaker of the House of Representatives, for a term of four and
281 one-half years commencing July 1, 1993; (3) one commissioner by the
282 minority leader of the Senate, for a term of three and one-half years,
283 commencing July 1, 1993, and (4) one commissioner by the minority
284 leader of the House of Representatives, for a term of two and one-half
285 years, commencing July 1, 1993. After such initial appointment the terms
286 of all such commissioners shall thereafter be six years. Such
287 commissioners shall be electors from The Metropolitan District,
288 provided no two commissioners shall be residents of the same
289 municipality.

290 (f) On and after October 1, 2014, the legislative bodies of nonmember
291 municipalities shall appoint four members to the board of
292 commissioners, provided in no event shall the total number of members
293 appointed by the legislative body of any nonmember municipality
294 exceed: (1) One from the town of Glastonbury; (2) one from the town of
295 South Windsor; (3) one from the town of East Granby; and (4) one from
296 the town of Farmington. Such commissioners shall be ex-officio,
297 nonvoting members of the board of commissioners, except that, on and
298 after July 1, 2020, commissioners appointed pursuant to this subsection
299 may vote with regard to approval of rates established by the water
300 bureau for the use of water. Commissioners appointed pursuant to this
301 subsection shall be appointed for terms of six years from January first in
302 the year of their appointment and shall serve until their successors are
303 appointed and qualify.

304 Sec. 8. (*Effective July 1, 2020*) (a) There is established a task force to
305 examine the organization and operations of the Metropolitan District of
306 Hartford County. The task force shall include, but not be limited to, a
307 review of (1) current procedures related to water rate increases within
308 the district, (2) the potential need for the Public Utilities Regulatory
309 Authority to provide oversight of the district, and (3) existing
310 mechanisms related to district governance and structure of the district's

311 board of commissioners.

312 (b) The task force shall consist of the following members:

313 (1) One appointed by the speaker of the House of Representatives,
314 who is a member of the administrative staff of the Capitol Region
315 Council of Governments;

316 (2) One appointed by the president pro tempore of the Senate, who is
317 a representative of an organization that advocates for environmental
318 protection and conservation;

319 (3) One appointed by the minority leader of the House of
320 Representatives, who is an officer of an engineering or consulting firm
321 involved in infrastructure improvements to the wastewater system of
322 the Metropolitan District of Hartford County to achieve goals of the
323 federal Clean Water Act, 33 USC 1251 et seq.;

324 (4) One appointed by the minority leader of the Senate, who is an
325 officer of an investor-owned public water supply company operating in
326 the state;

327 (5) The Independent Consumer Advocate, selected pursuant to
328 section 7-334a of the general statutes;

329 (6) The Consumer Counsel, appointed pursuant to section 16-2a of
330 the general statutes, or his or her designee;

331 (7) The chairperson of the Public Utilities Regulatory Authority,
332 elected pursuant to section 16-2 of the general statutes, or his or her
333 designee;

334 (8) One from the city of Hartford, appointed by the mayor thereof;

335 (9) One from the city of East Hartford, appointed by the mayor
336 thereof;

337 (10) One from the town of Wethersfield, appointed by the town
338 manager thereof;

339 (11) One from the town of Newington, appointed by the town
340 manager thereof;

341 (12) One from the town of Windsor, appointed by the town manager
342 thereof;

343 (13) One from the town of West Hartford, appointed by the mayor
344 thereof;

345 (14) One from the town of Bloomfield, appointed by the town
346 manager thereof;

347 (15) One from the town of Rocky Hill, appointed by the town
348 manager thereof;

349 (16) One from the town of Glastonbury, appointed by the town
350 manager thereof;

351 (17) One from the town of East Granby, appointed by the first
352 selectman thereof;

353 (18) One from the town of South Windsor, appointed by the town
354 manager thereof; and

355 (19) One from the town of Farmington, appointed by the town
356 manager thereof.

357 (c) All initial appointments to the task force shall be made not later
358 than thirty days after the effective date of this section. Any vacancy shall
359 be filled by the appointing authority.

360 (d) The Independent Consumer Advocate shall serve as chairperson
361 of the task force and shall schedule the first meeting of the task force,
362 which shall be held not later than sixty days after the effective date of
363 this section.

364 (e) The administrative staff of the joint standing committee of the
365 General Assembly having cognizance of matters relating to planning
366 and development shall serve as administrative staff of the task force.

367 (f) Not later than January 1, 2021, the task force shall submit a report
 368 on its findings and recommendations to the joint standing committee of
 369 the General Assembly having cognizance of matters relating to planning
 370 and development, in accordance with the provisions of section 11-4a of
 371 the general statutes. The task force shall terminate on the date that it
 372 submits such report or January 1, 2021, whichever is later.

373 Sec. 9. (*Effective July 1, 2020*) Notwithstanding the provisions of
 374 resolutions adopted by the Metropolitan District Commission at its
 375 December 16, 2019, meeting concerning its 2020 budget expenditures
 376 and revenues, the Metropolitan District Commission shall (1) make
 377 payment in the amount of \$1,250,000 to Riverfront Recapture, Inc. for
 378 2020, and (2) incrementally reduce such payment annually, by equal
 379 amounts, to \$600,000 commencing with the district's 2025 budget and
 380 each year thereafter.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2020</i>	Number 511 of the special acts of 1929, Sec. 19
Sec. 2	<i>July 1, 2020</i>	Number 511 of the special acts of 1929, Sec. 8
Sec. 3	<i>July 1, 2020</i>	SA 14-21, Sec. 8
Sec. 4	<i>July 1, 2020</i>	SA 90-27, Sec. 4(a)
Sec. 5	<i>July 1, 2020</i>	2-90(c)
Sec. 6	<i>July 1, 2020</i>	7-391
Sec. 7	<i>July 1, 2020</i>	SA 75-73, Sec. 2
Sec. 8	<i>July 1, 2020</i>	New section
Sec. 9	<i>July 1, 2020</i>	New section

Statement of Purpose:

To (1) when computing the Metropolitan District's total outstanding indebtedness, count two consecutive bond issues as one if the proceeds of the new issue are placed in trust to pay off the old issue, (2) require annual audits of the district's books and accounts by the Auditors of Public Accounts, (3) allow district commissioners appointed from

nonmember towns to vote on approval of water rates, (4) establish a task force to examine the organization and operations of the district, and (5) require the district commission to fund Riverfront Recapture, Inc. in 2020 at the same level it was funded in 2019.

[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.]