



General Assembly

January Session, 2023

Committee Bill No. 5888

LCO No. 6080



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 8 of number 511 of the special acts of 1929, as
2 amended by section 3 of special act 83-31, section 1 of special act 99-12
3 and section 3 of special act 14-21, is amended to read as follows (*Effective*
4 *July 1, 2023*):

5 Said board, either directly or under committees consisting of one or
6 more members of said board, shall organize bureaus for the convenient
7 carrying into effect of the several functions herein committed to said
8 board and may define the powers and duties of such bureaus and
9 delegate to them such powers and duties by ordinance, by-law or
10 otherwise as may, in the judgment of the board, be necessary for the
11 convenient operation of the same. No member of the board shall receive
12 any pay for his or her services as such member or as a member of a sub-
13 committee of the board except that a reasonable sum may annually be
14 appropriated for the actual expenses of said board. The board may, by
15 ordinance, by-law or otherwise, fix the salaries and define the duties of
16 all officers and employees or may delegate the fixing of salaries of

17 employees and assignment of duties of employees to sub-committees or
18 bureau managers. The chairman and vice-chairman of said district and
19 of all sub-committees, bureaus, boards and commissions appointed by
20 the district board shall, unless otherwise provided in the appointment
21 or [herein] in this section, hold office until the end of the fiscal year of
22 their appointment and thereafter shall be appointed for terms of two
23 years and until their successors shall be appointed and shall have
24 qualified. The members of all sub-committees, bureaus, boards and
25 commissions appointed by the district board shall, unless otherwise
26 provided in the appointment or [herein] in this section, hold such
27 membership until the end of the fiscal year of their appointment and
28 thereafter shall hold membership for terms of two years and until their
29 successors shall be appointed and shall have qualified. The managers of
30 the water bureau and of the bureau of public works and such others of
31 the officers as by the district board shall be especially so designated shall
32 hold office during good behavior and shall be removed only for cause.
33 All other officers and employees may be removed at any time by the
34 district board at pleasure. All vacancies may be filled by the district
35 board. Said district board [shall have power to] may fill any vacancy
36 occurring in its number for the unexpired portion of the term and,
37 except as otherwise expressly provided, shall act in all cases by a
38 majority of those present at any regular or special meeting, duly
39 warned. A majority of the board shall constitute a quorum and the time,
40 place and manner of calling meetings and the holding thereof, including
41 the manner of dissolving tie votes, shall be prescribed by said board by
42 by-law or otherwise. The district board shall be the final judge of the
43 election returns and validity of elections and qualifications of its
44 members and shall decide all tie votes in elections. Except as hereinafter
45 provided, the district board shall have power to authorize the sale,
46 transfer and conveyance of real and personal estate belonging to the
47 district, and shall provide by by-law or otherwise for the form and
48 manner of execution of the documents and instruments convenient
49 therefor. The Auditors of Public Accounts, established under chapter 23
50 of the general statutes, shall audit the district accounts annually in

51 accordance with the provisions of said chapter. The district board [shall
52 make provision for the proper auditing of the district accounts and] may
53 cause any officer to execute bonds to the district with surety to the
54 acceptance of the district board for the faithful performance of duties.
55 The district board shall post the current budget of the district in a
56 conspicuous location on the district's Internet web site.

57 Sec. 2. Section 8 of special act 14-21 is amended to read as follows
58 (*Effective July 1, 2023*):

59 The [Metropolitan District Commission] Auditors of Public Accounts
60 shall, annually, submit a copy of the audit prepared pursuant to
61 [chapter 111 of the general statutes] section 8 of number 511 of the
62 special acts of 1929, as amended by section 3 of special act 83-31, section
63 1 of special act 99-1, section 3 of special act 14-21 and this act, to the
64 Office of Fiscal Analysis.

65 Sec. 3. Subsection (a) of section 4 of special act 90-27, as amended by
66 section 6 of public act 93-380 and section 9 of special act 14-21, is
67 amended to read as follows (*Effective July 1, 2023*):

68 (a) The Metropolitan District in Hartford County created pursuant to
69 number 511 of the special acts of 1929, as amended, may issue bonds or
70 other obligations, or may enter into leases of real or personal property
71 or any interest [therein] in such property, from time to time for the
72 purpose of paying all or any part of the cost of designing, acquiring,
73 purchasing, constructing, reconstructing, improving, extending,
74 financing, refinancing, operating or managing any facility, system,
75 program or equipment necessary or desirable in connection with
76 carrying out any of its authorized purposes, including payment of
77 expenses of administration properly chargeable thereto, including,
78 without limitation, legal, architectural and engineering expenses and
79 fees, [and costs of audits,] and payment of costs, fees and expenses
80 which the district board may deem necessary or advantageous in
81 connection with the authorization, sale and issuance of bonds or notes
82 or other obligations, including but not limited to, underwriters' discount

83 and payment of all other items of expense incurred in connection
84 therewith. The district may issue such types of bonds or other
85 obligations as the district board by resolution approved by a majority of
86 its members may determine, including, without limiting the generality
87 of the foregoing, bonds or other obligations payable as to principal and
88 interest exclusively from the income and revenues of a particular
89 facility, system or program. Bonds or other obligations payable as to
90 principal and interest exclusively from the income and revenues of a
91 particular facility, system or program shall not constitute an
92 indebtedness within the meaning of any statutory limitation on the
93 indebtedness of the district or any member municipality.
94 Notwithstanding the provisions of sections 23, 24, 25, 26 and 51 of
95 number 511 of the special acts of 1929, as amended, any surplus moneys
96 not needed in the determination of the district board to meet the
97 purposes of funds established pursuant to said sections and any surplus
98 revenues in the assessable sewer fund may be pledged as additional
99 security for any such bonds or the provider of any credit enhancement
100 for any such bonds, which also may be secured by a pledge of any
101 income or revenues of the district, or a mortgage on any facility or
102 system or the site thereof. Whenever and for so long as the district has
103 issued and has outstanding bonds pursuant to this section, the district
104 board shall fix, charge and collect rates, rents, fees and other charges in
105 accordance herewith. Neither the members of the district nor any person
106 executing the bonds shall be liable personally on the bonds by reason of
107 the issuance thereof. The bonds and other obligations of the district, and
108 such bonds and obligations shall so state on their face, shall not be a debt
109 of the state or any political subdivision thereof, and no person other than
110 the district shall be liable thereon, nor shall such bonds or obligations be
111 payable out of any funds or properties other than those of the district.
112 Bonds of the district issued under the provisions of sections 2 and 13 of
113 number 511 of the special acts of 1929, as amended, and sections 2 and
114 4 of special act 90-27, as amended by public act 93-380 and this act, are
115 declared to be issued for an essential public and governmental purpose.
116 In anticipation of the sale of such bonds the district may issue negotiable

117 bond anticipation notes and may renew the same from time to time, but
118 the maximum maturity of any such note including renewals thereof,
119 shall not exceed five years from the date of issue of the original note.
120 Such notes shall be paid from any revenues of the district available
121 therefor and not otherwise pledged, or from the proceeds of sale of the
122 bonds of the district in anticipation of which they were issued. Such
123 notes and the resolution or resolutions authorizing the same may
124 contain any provisions, conditions or limitations which a bond
125 resolution of the district may contain.

126 Sec. 4. Subsection (c) of section 2-90 of the general statutes is repealed
127 and the following is substituted in lieu thereof (*Effective July 1, 2023*):

128 (c) Said auditors shall audit, on a biennial basis if deemed most
129 economical and efficient, or as frequently as they deem necessary, the
130 books and accounts, records of operations and activities, systems and
131 data of each officer, department, commission, board and court of the
132 state government, all institutions supported by the state and all public
133 and quasi-public bodies, politic and corporate, created by public or
134 special act of the General Assembly and not required to be audited or
135 subject to reporting requirements, under the provisions of chapter 111,
136 except that said auditors shall, on an annual basis, or as frequently as
137 they deem necessary, audit the books and accounts of the Metropolitan
138 District of Hartford County. Each such audit may include an
139 examination of any relevant information concerning the department,
140 commission, board or court of state government being audited that is in
141 the possession or control of a private entity that has a contract with such
142 department, commission, board or court, and such information shall be
143 provided upon demand in a format prescribed by the auditors at no cost
144 to the auditors or the department, commission, board or court. Each
145 such audit may include an examination of performance in order to
146 determine effectiveness in achieving expressed legislative purposes.
147 The auditors shall report their findings and recommendations to the
148 Governor, the State Comptroller and the joint standing committee of the
149 General Assembly having cognizance of matters relating to

150 appropriations and the budgets of state agencies.

151 Sec. 5. Section 7-391 of the general statutes is repealed and the
152 following is substituted in lieu thereof (*Effective July 1, 2023*):

153 When used in this chapter, unless the context otherwise requires, the
154 following terms shall have the meanings herein specified: "Secretary"
155 means the Secretary of the Office of Policy and Management;
156 "municipality" includes each town, consolidated town and city,
157 consolidated town and borough, city and borough; "audited agency"
158 includes each district, as defined in section 7-324, or other municipal
159 utility, [the Metropolitan District of Hartford County], each regional
160 council of governments, any other political subdivision of similar
161 character which is created and any other agency created or designated
162 by a municipality to act for such municipality whose annual receipts
163 from all sources exceed one million dollars, excluding the Metropolitan
164 District of Hartford County; "reporting agency" includes each district,
165 as defined in section 7-324, or other municipal utility, each regional
166 council of governments, any other political subdivision of similar
167 character which is created and any other agency created or designated
168 by a municipality to act for such municipality whose annual receipts
169 from all sources do not exceed one million dollars; "appointing
170 authority" means the legislative body of a municipality or the board,
171 committee or other governing body of such audited agency, except in
172 any town where the authority to adopt a budget rests with a town
173 meeting or a representative town meeting "appointing authority" means
174 the board of finance or other board, committee or body charged with
175 preparing the budget, or in a town that has no board of finance or other
176 such board, committee or body, means the board of selectmen or the
177 town council; "audit report" means the report of the independent
178 auditor and the annual financial statements of the municipality or
179 audited agency; "independent auditor" means a public accountant who
180 is licensed to practice in the state of Connecticut and who meets the
181 independence standards included in generally accepted government
182 auditing standards; "public accountant" means an individual who meets

183 standards included in generally accepted government auditing
184 standards for personnel performing government audits and the
185 licensing requirements of the State Board of Accountancy; "receipts"
186 means amounts accrued or received by a municipality, audited agency
187 or reporting agency and reportable as revenues in accordance with
188 generally accepted accounting principles; "municipal utility" means
189 every Connecticut municipality or department or agency thereof, or
190 Connecticut district, manufacturing, selling or distributing gas or
191 electricity to be used for light, heat or power or water.

192 Sec. 6. (*Effective July 1, 2023*) (a) There is established a task force to
193 examine the organization and operations of the Metropolitan District of
194 Hartford County. The task force's examination shall include, but not be
195 limited to, a review of the (1) district's charter provisions and
196 recommendations for revisions to such provisions, and (2) feasibility,
197 advantages and disadvantages of permitting members of the district's
198 board of commissioners appointed from nonmember municipalities to
199 vote with regard to the approval of rates for the use of water established
200 by the water bureau appointed by such board.

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

202 (1) One appointed by the speaker of the House of Representatives,
203 who is a member of the administrative staff of the Capitol Region
204 Council of Governments;

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

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

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

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

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

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

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

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

226 (10) One from the town of Wethersfield, appointed by the town
227 manager thereof;

228 (11) One from the town of Newington, appointed by the town
229 manager thereof;

230 (12) One from the town of Windsor, appointed by the town manager
231 thereof;

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

234 (14) One from the town of Bloomfield, appointed by the town
235 manager thereof;

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

238 (16) One from the town of Glastonbury, appointed by the town

239 manager thereof;

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

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

244 (19) One from the town of Farmington, appointed by the town
245 manager thereof.

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

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

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

256 (f) Not later than January 1, 2025, the task force shall submit a report
257 on its examination to the joint standing committee of the General
258 Assembly having cognizance of matters relating to planning and
259 development, in accordance with the provisions of section 11-4a of the
260 general statutes. The task force shall terminate on the date that it
261 submits such report or January 1, 2025, whichever is later.

262 Sec. 7. (*Effective July 1, 2023*) Not later than January 1, 2025, the board
263 of commissioners of the Metropolitan District of Hartford County shall
264 adopt, administer and enforce the model code of ethics for
265 municipalities and special districts developed by the State Ethics
266 Commission, pursuant to public act 94-172, and as revised from time to
267 time by the Office of State Ethics.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2023	Number 511 of the special acts of 1929, Sec. 8
Sec. 2	July 1, 2023	SA 14-21, Sec. 8
Sec. 3	July 1, 2023	SA 90-27, Sec. 4(a)
Sec. 4	July 1, 2023	2-90(c)
Sec. 5	July 1, 2023	7-391
Sec. 6	July 1, 2023	New section
Sec. 7	July 1, 2023	New section

Statement of Purpose:

To (1) require annual audits of the Metropolitan District of Hartford County, (2) establish a task force to examine the organization and operation of the district and permitting commissioners from nonmember municipalities to vote on certain rates, and (3) require the board of commissioners of the district to adopt, administer and enforce a model code of ethics.

[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.]

Co-Sponsors: REP. DELNICKI, 14th Dist.; REP. ANDERSON, 62nd Dist.
 REP. DOUCETTE, 13th Dist.; REP. ZAWISTOWSKI, 61st Dist.
 REP. GILCHREST, 18th Dist.; SEN. SLAP, 5th Dist.
 REP. TURCO, 27th Dist.; REP. BARRY, 31st Dist.
 REP. GARIBAY, 60th Dist.; REP. MICHEL, 146th Dist.
 REP. MORRIN BELLO, 28th Dist.; REP. FARRAR K., 20th Dist.

H.B. 5888