# FINANCE ADVISORY COMMITTEE

## AGENDA

June 11, 2015

Room 1E, Legislative Office Building – 1:00 P.M.

1. Minutes of the May 7, 2015 meeting.

2. New transactions as follows:

| | | |
|---|---|---|
| 2015-15 | Office of the State Comptroller | $13,000,000.00 |
| 2015-16 | Office of the State Comptroller | $ 660,000.00 |
| 2015-17 | Department of Emergency Services and Public Protection | Fee Approval |
| 2015-18 | Department of Labor | $ 66,000.00 |
| 2015-19 | Department of Developmental Services | $ 7,882,000.00 |
| 2015-20 | Department of Transportation | $ 2,153,300.00 |
| 2015-21 | Department of Transportation | Assurance – Mianus River, Dredging and Maintenance |
| 2015-22 | Department of Transportation | Assurance – North Cove Anchorage and Channel Dredging and Maintenance |

| | | |
|---|---|---|
| 2015-23 | Department of Social Services | $ 6,100,000.00 |
| 2015-24 | Department of Education | $13,985,000.00 |
| 2015-25 | Department of Children and Families | $10,278,996.00 |

ALLOTMENT OR APPROPRIATION
ADJUSTMENT REQUEST
B-107 REV 5/2008

TO: STATE OF CONNECTICUT
BUDGET AND FINANCIAL MANAGEMENT
OFFICE OF POLICY AND MANAGEMENT

PAGE OF

DOCUMENT NUMBER
15-10

☐ ALLOTMENT adjustment
☐ APPROPRIATION adjustment
☒ APPROPRIATION adjustment, requiring Finance Advisory Committee action

| COMPT. USE ONLY | | | | |
|---|---|---|---|---|
| EFFECTIVE DATE | | FAC NUMBER | AGENCY ACRONYM | REQUEST NUMBER |
| | | 2015-15 | OSC | |

| AGENCY NO. | AGENCY NAME |
|---|---|
| | |

| F.Y. | FUND | AGENCY | SID | BUD REF | REDUCE * | INCREASE ** | ACCOUNT TITLE/PROJECT NUMBER |
|---|---|---|---|---|---|---|---|
| | | | | | Allotment | Allotment | |
| 2015 | 11000 | OSC15000 | 12005 | 2015 | $2,900,000.00 | | Unemployment Compensation |
| 2015 | 11000 | OSC15000 | 12007 | 2015 | $9,400,000.00 | | Higher Ed Alternate Retirement |
| 2015 | 11000 | OSC15000 | 12008 | 2015 | $100,000.00 | | Pension- Other Statutory |
| 2015 | 11000 | OSC15000 | 12010 | 2015 | $600,000.00 | | Group Life |
| 2015 | 11000 | OSC15000 | 12013 | 2015 | | $13,000,000.00 | Retired State Employees Health Services Cost |

REASON FOR ADJUSTMENT

To transfer $13,000,000 to the Retired State Employees Health Services Cost

S. Ulrich 5-20-15

Bond Commission Date:

| STATUTORY AUTHORITY *(for adjustments in appropriations)* | REQUESTING OFFICIAL (Signature) | *(Title)* | DATE SIGNED |
|---|---|---|---|
| **4-87** | Kevin Lembo | **State Comptroller** | 5-20-15 |

ACTION

| UNALLOTTED / AVAILABLE BALANCE | | APPROVED *(Secretary, Office of Policy and Management)* | DATE |
|---|---|---|---|
| REVIEWED BY *(Analyst)* | DATE | APPROVED *(Governor)* | DATE |
| RECOMMENDED *(Undersecretary, Bud. & Fin. Mgmt.)* | DATE | | |

* USE ONLY UNALLOTTED, ALLOTMENT, RESOURCES OF FUND
** USE ONLY UNALLOTTED, ALLOTMENT, RESOURCES OF FUND

**ORIGINAL - OPM**

Office of the State Comptroller
Financial Advisory Committee (FAC) Transfer Request for FY 2015
General Fund
June 11, 2015

We are requesting to transfer funds within our Miscellaneous Fringe Benefit Accounts due to a deficiency in the Retiree Healthcare Account.

General Fund:

We request to transfer a total of $13,000,000 from the following accounts:

$2,900,000: Unemployment Compensation: The Unemployment has a surplus due to lower than anticipated unemployment claims

$9,400,000: Higher Ed Alternate Retirement (ARP): ARP has a surplus due to a lower enrollment in the plan. The appropriation reflects the current needs.

$100,000: Pension & Retirement – Other Statutory: Other pensions has a surplus due to a decrease in enrollment

$600,000: Group Life: Costs were lower than expected

We are requesting to transfer to the following accounts:

$13,000,000 Retiree Healthcare Account

The retiree healthcare account has a deficit due to the following reasons:

1. We did not receive the full amount requested in FY 2015. Although the DOC retiree numbers were not as high as expected, there was still an increase in retirees
2. Prescription Drug costs were higher than expected
3. EGWP subsidies from the federal government were lower than expected

ALLOTMENT OR APPROPRIATION
ADJUSTMENT REQUEST
B-107 REV 5/2008

TO: STATE OF CONNECTICUT
BUDGET AND FINANCIAL MANAGEMENT
OFFICE OF POLICY AND MANAGEMENT

PAGE OF

DOCUMENT NUMBER
15-11

☐ ALLOTMENT adjustment
☐ APPROPRIATION adjustment
☒ APPROPRIATION adjustment, requiring Finance Advisory Committee action

| COMPT. USE ONLY EFFECTIVE DATE | | FAC NUMBER | AGENCY ACRONYM | REQUEST NUMBER | |
|---|---|---|---|---|---|
| | | 2015-16 | OSC | | |

| AGENCY NO. | AGENCY NAME |
|---|---|
| | Officeof the State Comptroller |

| F.Y. | FUND | AGENCY | SID | BUD REF | REDUCE * | INCREASE ** | ACCOUNT TITLE/PROJECT NUMBER |
|---|---|---|---|---|---|---|---|
| | | | | | Allotment | Allotment | |
| 2015 | 12001 | OSC15000 | 12010 | 2015 | $15,000.00 | | Group Life Insurance |
| 2015 | 12001 | OSC15000 | 12011 | 2015 | $645,000.00 | | Social Security Tax |
| 2015 | 12001 | OSC15000 | 12012 | 2015 | | $660,000.00 | State Employees Health Services Cost |

REASON FOR ADJUSTMENT

To transfer $660,000 to the State Employees Health Services Cost

D. Vann 5-20-15

Bond Commission Date:

| STATUTORY AUTHORITY *(for adjustments in appropriations)* | REQUESTING OFFICIAL (Signature) | *(Title)* | DATE SIGNED |
|---|---|---|---|
| **4-87** | Kevin Lembo | **State Comptroller** | 5-20-15 |

ACTION

| UNALLOTTED / AVAILABLE BALANCE | | APPROVED *(Secretary, Office of Policy and Management)* | DATE |
|---|---|---|---|
| REVIEWED BY *(Analyst)* | DATE | APPROVED *(Governor)* | DATE |
| RECOMMENDED *(Undersecretary, Bud. & Fin. Mgmt.)* | DATE | | |

* USE ONLY UNALLOTTED, ALLOTMENT, RESOURCES OF FUND
** USE ONLY UNALLOTTED, ALLOTMENT, RESOURCES OF FUND

**ORIGINAL - OPM**

Office of the State Comptroller

Financial Advisory Committee (FAC) Transfer Request for FY 2015

Transportation Fund

June 11, 2015

We are requesting to transfer funds within our Miscellaneous Fringe Benefit Accounts due to a deficiency in the Active Healthcare Account.

Transportation Fund:

We request to transfer a total of $660,000 from the following accounts:

| | |
|---|---|
| $15,000 | Group Life: The group life account has a surplus due to lower than anticipated costs |
| $645,000 | Social Security: The Social Security has a surplus due to hiring delays |

We are requesting to transfer to following account:

| | |
|---|---|
| $660,000 | Active Healthcare |

The deficit in the Active Healthcare account in the Transportation Fund is due in large part to the severe winter. The increased overtime funds expended for DOT employees and the shift of employees from other funds to the transportation fund for snow removal resulted in a higher than anticipated spend in Fringe Benefit costs. In addition to the $660,000, we are requesting $2,340,000 in the deficiency bill.

| DAS/BEST<br>55 Farmington Ave<br>Hartford, CT 06105 | FAC # 2015-17<br>DPH/DESPP Fees<br>5/20/15 | Connecticut Interactive, LLC<br>One Constitution Plaza, 8th Floor<br>Hartford, CT 06103 |
|---|---|---|

Pursuant to Connecticut General Statutes, Section 4-60u, the Department of Emergency Services and Public Protection (DESPP) respectfully requests the Finance Advisory Committee (FAC) approve vendor fees for payment processing of Long Term Care Health Facilities' (LTC) requests for pre-employment finger-print supported, state and national criminal history records check ("background checks"). Pursuant to Connecticut General Statute Section 19a-491c, each LTC is required to obtain a pre-employment background check, prior to extending an offer of employment to, or entering into a contract for, the provision of long-term care services with any individual who will have direct access to a patient or resident of a long-term care facility as defined in the statute. Connecticut General Statute, Section 19a-491c authorizes the Department of Public Health DPH to prescribe the manner by which ..."individuals submit to the state and national criminal history records checks", including requiring DESPP to report the results of such checks to DPH.

The vendor will charge a 3% fee for each background check transaction. The proposed fee structure is broken down as follows:

- Fee to DESPP for background check: $79.75, comprised of a $15.00 fingerprint collection fee; $50.00 state criminal history record search fee; and $14.75 FBI national criminal history record search fee. The FBI fee is lower for volunteer applicants, currently $13.50, the $15.00 fingerprint collection fee and $50.00 state criminal history record search fee remain the same. The total fee for volunteer applicants is $78.50. Note: Federal fee subject to FBI adjustment.

Vendor will charge LTC a 3% fee for each background check completed. In exchange for its 3% fee, the vendor will provide an electronic, online secure payment processing system allowing LTCs to pay for background checks via credit card or ACH payments. The payment processing service will allow LTCs the ability to setup a payment account in advance and select their preferred method of payment. The payment processing system will interface with DPH's existing Applicant Background Check Management System (ABCMS) provided to LTCs. After receiving its 3% fee, the balance of the funds will be processed by the vendor and transferred and deposited into the appropriate DESPP accounts.

Projected transactions: 1250 per month.

Background

Public Act 12-2 of the June 2014 special session added language to C.G.S. Section 4-60u that allows the Secretary of Office of Policy and Management (OPM) to "authorize any state agency to enter into agreements with private and nonprofit entities to facilitate the public's utilization of government services and programs electronically." This language authorizes self-funding models to improve government programs and services through information technology advancements. Under this authority, OPM authorized the Department of Administrative Services to enter into a competitive bidding process for a vendor to provide eGovernment services to the executive branch.

Under the self-funded model, which is used by more than 25 states to fund eGovernment programs, a vendor derives revenues through the collection of administrative fees assessed on certain high-volume transactions conducted on a state's web portal aimed primarily at business users who are willing to pay a small additional fee for expedited and enhanced online customer service.

FAC approval of the 3% service fee proposed herein will allow the vendor to create an electronic payment service to facilitate eGovernment services to Connecticut, including customer service support with respect to LTC payments for background checks required under Connecticut General Statutes, Section 19a-491c.

It is anticipated that the vendor's electronic payment portal for fingerprint-based criminal history record checks will result in significant efficiencies in such transactions. In the absence of an electronic payment portal, LTCs would either require individuals to personally pay for such pre-employment background checks or require that LTCs provide applicants with business checks (or cash) to submit at the time of fingerprinting, neither alternative presents a viable solution. The cost of fingerprint-based background searches, for example, would likely present a significant barrier to applicants entering the workforce. Also, both LTCs and DESPP would likely experience cumbersome logistical issues were LTCs to provide applicants with business checks (or cash) to submit to fingerprint processing technicians for payment. For example, instances of applicants not "showing" for fingerprinting as well as account tracking/refunds/customer service questions, etc., would prove inefficient, confusing and costly to both DESPP and LTCs.

ALLOTMENT OR APPROPRIATION
ADJUSTMENT REQUEST
B-107 REV 5/2008

TO: STATE OF CONNECTICUT
BUDGET AND FINANCIAL MANAGEMENT
OFFICE OF POLICY AND MANAGEMENT

PAGE OF

DOCUMENT NUMBER
DOL000104

☐ ALLOTMENT adjustment ☐ APPROPRIATION adjustment ☒ APPROPRIATION adjustment, requiring Finance Advisory Committee action

| COMPT. USE ONLY EFFECTIVE DATE | | FAC NUMBER | AGENCY ACRONYM | REQUEST NUMBER | |
|---|---|---|---|---|---|
| | | 2015-18 | DOL40000 | **15-17** | |

| AGENCY NO. | AGENCY NAME |
|---|---|
| DOL40000 | Department of Labor |

| F.Y. | FUND | AGENCY | SID | BUD REF | REDUCE * | INCREASE ** | ACCOUNT TITLE/PROJECT NUMBER |
|---|---|---|---|---|---|---|---|
| | | | | | Unallotted | Allotment | |
| 2015 | 11000 | DOL40000 | 12576 | 2015 | $66,000.00 | | Veteran's Opportunity Pilot |
| 2015 | 11000 | DOL40000 | 10020 | 2015 | | $66,000.00 | Other Expenses |

REASON FOR ADJUSTMENT

The Department of Labor is requesting approval to transfer $66,000 from Fund 11000 SID 12576 "Veteran's Opportunity Pilot" to Fund 11000 SID 10020 "Other Expenses" in order to cover the anticipated operational needs of the Agency for the remainder of the current fiscal year. The requested transfer of funds to the "Other Expenses" account are available from the "Veterans Opportunity Pilot" because this pilot program was newly appropriated in FY 2015 and incurred hiring and start up delays which generated budgetary savings. The funds transferred to "Other Expenses" will be used to fully fund Board Member Fees for the Board of Mediation and Arbitration and the Board of Labor Relations. The transfer will also provide assurance that the agency will be able to meet all of its end of the year obligations for utilities and other recurring expenses. Transfer excess FY15 Veteran's Opportunity Pilot Funding to Other Expenses to cover OE Deficit pursuant to CGS 4-87(a).

Bond Commission Date:

| STATUTORY AUTHORITY *(for adjustments in appropriations)* | REQUESTING OFFICIAL (Signature) | *(Title)* | DATE SIGNED |
|---|---|---|---|
| **CGS 4-87(a)** | | **Chief Fiscal Officer** | **5/21/2015** |

ACTION

| UNALLOTTED / AVAILABLE BALANCE | | APPROVED *(Secretary, Office of Policy and Management)* | DATE |
|---|---|---|---|
| REVIEWED BY *(Analyst)* | DATE 5/21/15 | APPROVED *(Governor)* | DATE |
| RECOMMENDED *(Undersecretary, Bud. & Fin. Mgmt.)* | DATE | | |

* USE ONLY UNALLOTTED, ALLOTMENT, RESOURCES OF FUND

** USE ONLY UNALLOTTED, ALLOTMENT, RESOURCES OF FUND

**ORIGINAL - OPM**

ALLOTMENT OR APPROPRIATION
ADJUSTMENT REQUEST
B-107 REV 5/2008

TO: STATE OF CONNECTICUT
BUDGET AND FINANCIAL MANAGEMENT
OFFICE OF POLICY AND MANAGEMENT



DOCUMENT NUMBER: DDS1001

☐ ALLOTMENT adjustment
☐ APPROPRIATION adjustment
☒ APPROPRIATION adjustment, requiring Finance Advisory Committee action

| COMPT. USE ONLY | | | | |
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| EFFECTIVE DATE | | FAC NUMBER | AGENCY ACRONYM | REQUEST NUMBER |
| | | 2015-19 | DDSM1 | 15-005 |

| AGENCY NO. | AGENCY NAME |
|---|---|
| DDS50000 | Department of Developmental Services |

| F.Y. | FUND | AGENCY | SID | BUD REF | REDUCE * | INCREASE ** | ACCOUNT TITLE/PROJECT NUMBER |
|---|---|---|---|---|---|---|---|
| | | | | | Allotted | Allotment | |
| 2015 | 11000 | DDS50000 | 10010 | 2015 | $3,500,000.00 | | Personal Services |
| 2015 | 11000 | DDS50000 | 10020 | 2015 | $350,000.00 | | Other Expenses |
| 2015 | 11000 | DDS50000 | 12185 | 2015 | $356,000.00 | | Clinical Services |
| 2015 | 11000 | DDS50000 | 12340 | 2015 | $640,000.00 | | Autism Services |
| 2015 | 11000 | DDS50000 | 12521 | 2015 | $125,000.00 | | Suppl Payments for Med Svcs |
| 2015 | 11000 | DDS50000 | 16108 | 2015 | $2,911,000.00 | | Empl Opp & Day Services |
| 2015 | 11000 | DDS50000 | 12192 | 2015 | | $2,900,000.00 | Early Intervention |
| 2015 | 11000 | DDS50000 | 16122 | 2015 | | $4,982,000.00 | Comm. Residential Services |
| | | | | Total | $7,882,000.00 | $7,882,000.00 | |

REASON FOR ADJUSTMENT

Transfer of funds necessary to meet end of year requirements.

Bond Commission Date:

| STATUTORY AUTHORITY *(for adjustments in appropriations)* | REQUESTING OFFICIAL (Signature) | *(Title)* | DATE SIGNED |
|---|---|---|---|
| **CGS 4-87** | Myra H. Muray | **Commissioner** | 5/20/15 |

ACTION

| UNALLOTTED / AVAILABLE BALANCE | | APPROVED *(Secretary, Office of Policy and Management)* | DATE |
|---|---|---|---|
| REVIEWED BY *(Analyst)* Shelly Majnes | DATE 5/20/15 | APPROVED *(Governor)* | DATE |
| RECOMMENDED *(Undersecretary, Bud. & Fin. Mgmt.)* | DATE | | |

* USE ONLY UNALLOTTED, ALLOTMENT, RESOURCES OF FUND
** USE ONLY UNALLOTTED, ALLOTMENT, RESOURCES OF FUND

ORIGINAL - OPM

**Finance Advisory Committee**
**Meeting June 11, 2015**

The Department of Developmental Services requests the transfer of $7,882,000 from several accounts to cover shortfalls in the Early Intervention and Community Residential Services accounts.

Personal Services (10010) – $3.5 million is available in the Personal Services account due to retirements and other separations of staff, as well as delays in refilling certain positions. The transfer amount is above and beyond the Personal Services holdback of $2,208,244 and rescissions totaling $5,340,000.

Other Expenses (10020) – $350,000 is available in the Other Expenses account largely due to managed reductions across a variety of areas including maintenance and repairs at state-owned facilities, supplies, IT and legal costs. The transfer amount is above and beyond the Other Expenses holdback of $79,286 and rescissions totaling $1,099,704.

Clinical Services (12185) – $356,000 is available in the Clinical Services account through reduced reliance on pool nursing services. Those funds have been redirected towards improved clinical supports for individuals who have significant behavioral needs. The net effect of these changes allow the department to achieve the rescission of $215,036 as well as the requested transfer amount.

Autism Services (12340) – $640,000 is available in the Autism Services account due to the prolonged ramp-up period for the Early Childhood Autism Waiver (services for high needs three and four year-olds). The transfer amount is above and beyond the rescission of $131,876.

Supplemental Payments for Medical Services (12521) – $125,000 is available in the Supplemental Payments for Medical Services account due to a declining residential census at Southbury Training School. The transfer amount is net above and beyond the rescissions totaling $263,905.

Employment Opportunities & Day Services (16108) – Funding of $2.9 million is available in the Employment Opportunities & Day Services account. Day providers are reimbursed based on the actual attendance of the people they support. Additionally, savings are attributable to changes in a person's medical, behavioral or living situation. The transfer amount is beyond the rescissions totaling $5.0 million.

The amounts are being transferred to cover the following needs:

Early Intervention (12192) – $2.9 million is necessary to support a 3.4% enrollment beyond the 2014 level and higher than anticipated individuals with autism spectrum disorder diagnoses resulting in higher direct service units and supplemental service costs for children in need of intensive services. In addition, there has been an increase in the number of Medicaid eligible children (from 50% in FY 2014 to over 60% in FY 2015) resulting in a reduction of commercial insurance receipts that offset program costs.

Community Residential Services (16122) – A transfer of $4,982,000 is necessary to cover the shortfalls in the Community Residential Services account resulting from a variety of reasons. Prior year actions to address funding reductions were addressed with one time savings efforts instead of addressing structural issues. Additional shortfalls have resulted from ongoing emergency placements.

| | Reduce | Increase |
|---|---|---|
| Personal Services | $3,500,000 | |
| Other Expenses | 350,000 | |
| Clinical Services | 356,000 | |
| Autism Services | 640,000 | |
| Suppl. Payments for Medical Services | 125,000 | |
| Employment Opportunity & Day Services | 2,911,000 | |
| Total | $7,882,000 | |

| | |
|---|---|
| Early Intervention | $2,900,000 |
| Community Residential Services | 4,982,000 |
| Total | $7,882,000 |

ALLOTMENT OR APPROPRIATION
ADJUSTMENT REQUEST
B-107 REV 5/2008

TO: STATE OF CONNECTICUT
BUDGET AND FINANCIAL MANAGEMENT
OFFICE OF POLICY AND MANAGEMENT



DOCUMENT NUMBER: DOT9820

☐ ALLOTMENT adjustment
☐ APPROPRIATION adjustment
☒ APPROPRIATION adjustment, requiring Finance Advisory Committee action

| COMPT. USE ONLY | | | | |
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| EFFECTIVE DATE | | FAC NUMBER | AGENCY ACRONYM | REQUEST NUMBER |
| | | 2015-20 | DOT | 13943 |

| AGENCY NO. | AGENCY NAME |
|---|---|
| 57000 | Department of Transportation |

| F.Y. | FUND | AGENCY | SID | BUD REF | REDUCE * | INCREASE ** | ACCOUNT TITLE/PROJECT NUMBER |
|---|---|---|---|---|---|---|---|
| | | | | | Allotment | Allotment | |
| 2015 | 12001 | DOT57000 | 12175 | 2015 | $ 2,153,300.00 | | Bus Operations |
| 2015 | 12001 | DOT57000 | 12378 | 2015 | | $ 2,153,300.00 | ADA Para-transit Program |
| | | | | | $ 2,153,300.00 | $ 2,153,300.00 | Total |

REASON FOR ADJUSTMENT

See attached

| STATUTORY AUTHORITY *(for adjustments in appropriations)* | REQUESTING OFFICIAL (Signature) | *(Title)* | DATE SIGNED |
|---|---|---|---|
| **Sec. 4-87** | | **Bureau Chief** | 5-20-15 |

ACTION

| UNALLOTTED / AVAILABLE BALANCE | | APPROVED *(Secretary, Office of Policy and Management)* | DATE |
|---|---|---|---|
| REVIEWED BY *(Analyst)* | DATE 5/26/15 | APPROVED *(Governor)* | DATE |
| RECOMMENDED *(Undersecretary, Bud. & Fin. Mgmt.)* | DATE | | |

* USE ONLY UNALLOTTED, ALLOTMENT, RESOURCES OF FUND
** USE ONLY UNALLOTTED, ALLOTMENT, RESOURCES OF FUND

ORIGINAL - OPM

**Finance Advisory Committee**
**Meeting June 11, 2015**

The Department of Transportation (Department) requires the transfer of $2,153,300 to its ADA Para-Transit Program appropriation, from the Department's Bus Operations Appropriation to cover operating requirements for the remainder of the fiscal year.

The transfer of funding to the **ADA Para-Transit Program** is required to address a shortfall in this mandated program, where monthly expenditures for the remainder of the year are projected to exceed budgeted amounts.

Funds are available in the **Bus Operations** appropriations due to the recent approval of Federal Congestion Mitigation and Air Quality Improvement (CMAQ) funds to offset CT*fastrak* operations.

| FUND – SID | Appropriation Title | Transfer Amount |
|---|---|---|
| 12001-12378 | ADA Para-Transit Program | $2,153,300 |
| | Total Transfers In | $2,153,300 |
| | | |
| 12001-12175 | Bus Operations | ($2,153,300) |
| | Total Transfers Out | ($2,153,300) |

**Department of Transportation**
**Explanation of Finance Advisory Committee Item** 2015-21

The Mianus River at Cos Cob Harbor in Greenwich has federal boating/shipping channels under the jurisdiction of the U.S. Army Corps of Engineers (USACE); which is responsible for maintenance dredging of this river channel. Historically, USACE dredging is funded through Congressional appropriations; sometimes with contributions from the affected municipalities.

When the Department of Transportation (Department) determines that the Mianus River is in need of maintenance dredging and no federal money is available to fully fund the dredging project, the Department seeks State bond authorization from the General Assembly, and, if obtained, allocation and bond authorization is sought from the State Bond Commission. Here, State funding was made available through Public Act 11-57, Section 32(f) and Public Act 13-239, Section 32(f) (Attachment 1). On March 13, 2013, and May 11, 2015, the State Bond Commission approved the request by the Department for $3,000,000.00 for dredging the Mianus River at Cos Cob Harbor in Greenwich (Attachment 2).

It is in the State's best interest for this channel to be maintained, and, where, as here, federal money is not available to fund or fully fund maintenance dredging projects, such projects would not proceed without State funding.

In order for the Department to pass the State funding to the USACE, such that the USACE will commence the work, the USACE requires the Department to enter into a Memorandum of Agreement (MOA) with the USACE that covers each project. The MOAs are virtually non-negotiable, with the USACE providing the required language.

Included in the MOAs is a USACE-required indemnification provision whereby the Department agrees to "hold and save the [Federal] Government free from all damages arising from the Maintenance Work, except for damages due to the fault or negligence of the [Federal] Government or its contractors." The Department's ability to so agree to indemnify the federal government is dependent on the Governor, with the approval of the Finance Advisory Committee, signing an "assurance"; generally to the effect that the State will hold the United States harmless. The statutory ability for the Governor to do so is set forth in § 25-83 of the Connecticut General Statutes, which provides:

> The Governor, with the approval of the Finance Advisory Committee, is authorized to give assurances that the state will hold and save the United States free from claims or damages resulting from any project or system for the improvement of navigation of any harbor or river or for the protection of life and property against damage by floods, erosion or tidal flooding, including all claims and damages resulting from any reconstruction, repair or maintenance of any such improvement or protection project or system, and to enter into an agreement with the federal government for such purpose. (Attachment 3).

The Assurance under consideration for your approval is pursuant to this statutory requirement. (Attachment 4).

# ATTACHMENT 1

**AN ACT AUTHORIZING BONDS OF THE STATE FOR CAPITAL IMPROVEMENTS AUTHORIZING SPECIAL TAX OBLIGATION BONDS OF THE STATE FOR TRANSPORTATION PURPOSES AND AUTHORIZING STATE GRANT COMMITMENTS FOR SCHOOL BUILDING PROJECTS.**
3 of 27 document(s) retrieved

***Senate Bill No. 1242***

## *Public Act No. 11-57*

***AN ACT AUTHORIZING BONDS OF THE STATE FOR CAPITAL IMPROVEMENTS AUTHORIZING SPECIAL TAX OBLIGATION BONDS OF THE STATE FOR TRANSPORTATION PURPOSES AND AUTHORIZING STATE GRANT COMMITMENTS FOR SCHOOL BUILDING PROJECTS.***

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

Section 1. (*Effective July 1, 2011*) The State Bond Commission shall have power, in accordance with the provisions of sections 1 to 7, inclusive, of this act, from time to time to authorize the issuance of bonds of the state in one or more series and in principal amounts in the aggregate, not exceeding $ 239,146,556.

Sec. 2. (*Effective July 1, 2011*) The proceeds of the sale of bonds described in sections 1 to 7, inclusive, of this act, to the extent hereinafter stated, shall be used for the purpose of acquiring, by purchase or condemnation, undertaking, constructing, reconstructing, improving or equipping, or purchasing land or buildings or improving sites for the projects hereinafter described, including payment of architectural, engineering, demolition or related costs in connection therewith, or of payment of the cost of long-range capital programming and space utilization studies as hereinafter stated:

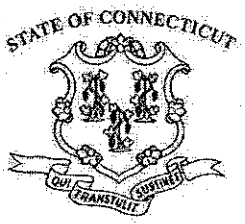
* * *

Sec. 32. (*Effective July 1, 2012*) The proceeds of the sale of the bonds described in sections 31 to 38, inclusive, of this act, shall be used for the purpose of providing grants-in-aid and other financing for the projects, programs and purposes hereinafter stated:

* * *

(f) For the Department of Transportation: Grants-in-aid for improvements to ports and marinas, including dredging and navigational direction, not exceeding $ 25,000,000.

* * *




***Substitute Senate Bill No. 842***

## *Public Act No. 13-239*

***AN ACT AUTHORIZING AND ADJUSTING BONDS OF THE STATE FOR CAPITAL IMPROVEMENTS, TRANSPORTATION, ELIMINATION OF THE ACCUMULATED GAAP DEFICIT AND OTHER PURPOSES.***

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

Section 1. (*Effective July 1, 2013*) The State Bond Commission shall have power, in accordance with the provisions of this section and sections 2 to 7, inclusive, of this act, from time to time to authorize the issuance of bonds of the state in one or more series and in principal amounts in the aggregate, not exceeding $316,120,522.

Sec. 2. (*Effective July 1, 2013*) The proceeds of the sale of bonds described in sections 1 to 7, inclusive, of this act, to the extent hereinafter stated, shall be used for the purpose of acquiring, by purchase or condemnation, undertaking, constructing, reconstructing, improving or equipping, or purchasing land or buildings or improving sites for the projects hereinafter described, including payment of architectural, engineering, demolition or related costs in connection therewith, or of payment of the cost of long-range capital programming and space utilization studies as hereinafter stated:

* * *

Sec. 32. (*Effective July 1, 2014*) The proceeds of the sale of the bonds described in sections 31 to 38, inclusive, of this act shall be used for the purpose of providing grants-in-aid and other financing for the projects, programs and purposes hereinafter stated:

* * *

(f) For the Department of Transportation: Grants-in-aid for improvements to ports and marinas, including dredging and navigational direction, not exceeding $5,000,000.

* * *

# ATTACHMENT 2

**MINUTES OF THE MEETING**
**OF THE**
**STATE BOND COMMISSION**

Held in Room 1E, Legislative Office Building on May 11, 2015

***Present and Voting:***

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| Dannel P. Malloy | Governor and Chairman |
| Benjamin Barnes | Secretary of the Office of Policy and Management<br>Secretary of the Commission |
| George C. Jepsen | Attorney General |
| Kevin P. Lembo | State Comptroller |
| Denise L. Nappier | State Treasurer |
| Melody A. Currey | Commissioner, Department of Administrative Services |
| Carlo Leone | Senator and Member of the Joint Standing Committee on Finance, Revenue and Bonding |
| Joeseph Verrengia | Representative and Member of the Joint Standing Committee on Finance, Revenue and Bonding |
| L. Scott Frantz | Senator and Ranking Member of the Joint Standing Committee on Finance, Revenue and Bonding |
| Christopher Davis | Representative and Ranking Member of the Joint Standing Committee on Finance, Revenue and Bonding |

***Invited Co-Chairs/Ranking Members:***

Representative Betty Boukus; Representative Livvy Floren; Representative Jonathan Steinberg

***Other Attendees:***

Lieutentant Governor Nancy Wyman; Representative Buddy Altobello; Representative Daniel Rovero; Dan Birmingham, Hawkins, Delafield and Wood, Glenn Rybacki, Day Pitney; Sandy Dawson, Updike Kelley and Spellacy; Keisha Palmer, Robinson and Cole; Frank Cleary, Pullman and Comley; Bruce Chudwick, Shipman and Goodwin; Sarah Sanders, Bettina Ferguson; Kristin Wirtanen, Treasurer's Office; Doug Moore, Glenn Knapsack, Terrence Reid, Department of Administrative Services; Michael Murphy, Linda Miller, Office of Fiscal Analysis; Diana Palmer, House Democrats; Commissioner Catherine Smith, Deputy Commissioner Ron Angelo, Joyce Herriot, Department of Economic and Community Development; Commissioner Robert Klee, Department of Energy and Environmental Protection; Deputy Commissioner Cheryl Cepelak, Steven Link, Department of Correction; Harriet Feldlaufer, Amparo Garcia, Office of Early Childhood; Stephen DiPietro, Doreen DelBianco, Department of Mental Health and Addiction Services; Commissioner James Redeker, Bob Card, Department of Transportation; Tony Lazzaro, Capital Region Development Authority; Joanne Lombardo, Laura Cruikshank, University of Connecticut; Mark Ojakian, Paul Mounds, Governor's Office; Deputy Secretary Susan Weisselberg, Gian-Carl Casa, Tom Fiore, Paul Potamianos, April Capone, Garrett Eucallito; Brian Tassinari, Steve Kitowicz, Office of Policy and Management and Members of the Press.

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As provided at the reorganization meeting of the Commission held on July 28, 1978 Governor Dannel P. Malloy, as Chairman, called the meeting to order at 10:33 a.m. on Monday, May 11, 2015 after noting the presence of a quorum and the Secretary of the Office of Policy and Management, as Secretary, recorded the minutes of the meeting.

Upon a motion duly made and seconded, it was voted to approve the minutes of the meeting held on March 17, 2015.

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SECTIONS 12 THROUGH 19 OF PUBLIC ACT 13-239 OF THE GENERAL ASSEMBLY OF THE STATE OF CONNECTICUT, JANUARY 2013 SESSION, AS AMENDED, (AN ACT AUTHORIZING AND ADJUSTING BONDS OF THE STATE FOR CAPITAL IMPROVEMENTS, TRANSPORTATION, ELIMINATION OF THE ACCUMULATED GAAP DEFICIT AND OTHER PURPOSES)

Under Sections 12 through 19 of Public Act 13-239 of the General Assembly of the State of Connecticut, January 2013 Session, as amended (the "Act"), there was filed with the Commission one or more requests, signed by or on behalf of the Secretary of the Office of Policy and Management or by or on behalf of an officer, department or agency referred to in the Act, dated May 11, 2015, and entitled: "Request Nos. 7 and 8 to the State Bond Commission Pursuant to Section 15 of Public Act 13-239 of the General Assembly of the State of Connecticut, January 2013 Session, as amended, for Authorization of $41,000,000 Bonds of the State for Purposes Described in Section 13 of said Act", in form and substance as required by law for authorization of bonds for the purposes described in Section 13 of the Act.

The Secretary of the Office of Policy and Management or his designee then proceeded to explain and discuss with the Commission the items mentioned in the request or requests. After review of the item, it was voted to approve the same for the amounts set forth below

| REQUEST | PROJECT | BOND FUND ACCOUNT | AMOUNT |
|---|---|---|---|
| 7 | Sec. 13(a)(2) For the Office of Policy and Management<br>Grants-in aid to municipalities for infrastructure improvements and programs, including planning, property acquisition, site preparation, construction and off-site improvements | 12052 | $36,000,000 |
| 8 | Sec. 13(g) For the Department of Transportation<br>Grant-in aid for improvements to ports and marinas, including dredging and navigational direction | 12052 | $5,000,000[3] |
| | | | $41,000,000 |

Thereupon there was submitted to the Commission, in writing, a proposed form of a resolution to authorize pursuant to Public Act 13-239 the issuance of the bonds referred to in the request and entitled "Resolution of the State Bond Commission Authorizing $41,000,000 Bonds of the State of Connecticut Pursuant to Section 13 of Public Act 13-239 of the General Assembly of the State of Connecticut, January 2013 Session, as amended."

After review and discussion of the documents so filed and submitted and upon motion duly made, seconded and carried, the Commission adopted the resolution as follows:

RESOLUTION OF THE STATE BOND COMMISSION AUTHORIZING $41,000,000 BONDS OF THE STATE OF CONNECTICUT PURSUANT TO SECTION 13 OF PUBLIC ACT 13-239 OF THE GENERAL ASSEMBLY OF THE STATE OF CONNECTICUT, JANUARY 2013 SESSION, AS AMENDED

The State Bond Commission of the State of Connecticut, existing under and by virtue of Section 3-20 of the General Statutes of Connecticut and consisting of the Governor, the Treasurer, the Comptroller, the Attorney General, the Secretary of the Office of Policy and Management, the Commissioner of the Department of Administrative Services and the Co-chairpersons and the ranking minority members of the Joint Standing Committee on Finance, Revenue and Bonding of the General Assembly of the State,

DOES HEREBY FIND THAT there has been filed with the State Bond Commission one or more requests by or on behalf of the Secretary of the Office of Policy and Management of the

3 Total State funding for the project and purposes described is $9.5 million which includes $3,505,508 under Item 17 and $994,492 under Item 23.

State of Connecticut for the authorization of the bonds hereinafter mentioned, which request is dated May 11, 2015 and entitled "Request Nos. 7 and 8 to the State Bond Commission Pursuant to Section 15 of Public Act 13-239 of the General Assembly of the State of Connecticut, January 2013 Session, as amended, for Authorization of $41,000,000 Bonds of the State for Purposes Described in Section 13 of said Act";

THAT said request is signed by or on behalf of the Secretary of the Office of Policy and Management or by or on behalf of an officer, department, or agency referred to in the Act, and all such terms and conditions as the State Bond Commission requires are stated therein and the request or requests are in all other respects sufficient for authorization of bonds of the State under or pursuant to Section 13 of Public Act 13-239 of the General Assembly of the State of Connecticut, January 2013 Session, as amended; INCLUDING THAT the agenda of the State Bond Commission meeting was made available to the members of the Commission on May 4, 2015, which was not later than five (5) business days prior to the meeting and in accordance with § 3-20(g)(2) of the Connecticut General Statutes. The agenda, or supporting documents thereto, included a reference to Public Act 13-239, which is the source of any funds to be used for such project or purpose on such agenda, including any contingency funds and any reuse or reallocation of funds previously approved for any other use or project, as the source of funds to be used for the projects or purposes described in such item of the agenda, as well as, if applicable, the notations of any outside sources of funds received;

THAT, there has been filed with the State Bond Commission all other documents required by subsection (g) of Section 3-20 of the General Statutes of Connecticut or by the State Bond Commission, including any human services facility colocation statement, to be filed with the Secretary of the Office of Policy and Management, if so requested by the Secretary, pursuant to Section 4b-23, as amended, of the General Statutes of Connecticut, any statement from the Commissioner of Agriculture pursuant to Section 22-6 of the General Statutes of Connecticut for projects which would convert twenty-five acres or more of prime farmland to a non-agricultural use, any capital development impact statement required to be filed with the Secretary of the Office of Policy and Management, if so required by the Secretary, pursuant to Section 4b-23, as amended of the General Statutes of Connecticut, a statement as to the full cost of the project or purpose when completed and the estimated operating cost for any structure, equipment or facility to be constructed or acquired, and any advisory statement regarding the State Conservation and Development Policies Plan required by Section 16a-31 of the General Statutes; and THAT the authorization of such bonds will be in the best interests of the State; and

DOES HEREBY DIRECT THAT all federal, private and other moneys now available or hereafter to be made available for costs in connection with the project or purpose described and identified in said request by or on behalf of the Secretary of the Office of Policy and Management shall be added to the State moneys available or becoming available under said Act for such project and be used for such project as if constituting such State moneys; and

DOES HEREBY RESOLVE THAT:

Section 1. The amount of General State Purposes Bonds (2013 Act) authorized to be issued pursuant to Section 13 of Public Act 13-239 of the January 2013 Session, of the General Assembly of the State of Connecticut, as amended, is hereby increased by $41,000,000 in order to provide funds for the purpose and project described in the request submitted by or on behalf of the Secretary of the Office of Policy and Management and entitled "Request Nos. 7 and 8 to the State Bond Commission Pursuant to Section 15 of Public Act 13-239 of the General Assembly of the State of Connecticut, January 2013 Session, as amended for Authorization of $41,000,000 Bonds of the State for Purposes Described in Section 13 of said Act", dated May 11, 2015, and hereby approved and ordered to be filed with the records of this meeting.

The aggregate amount of General State Purposes Bonds (2013 Act) authorized to date pursuant to Section 13 of the Act, including the $41,000,000 authorized by this resolution, is $74,080,000 of which amount $31,930,000 bonds have been previously issued.

Section 2. The form, date, maturities and other details of such authorized but unissued bonds shall be hereafter determined by this Commission or by the State Treasurer acting in accordance with procedures to be established by this Commission.

(Items 12-13)

SUBSECTION (h)(1) OF SECTION 13 OF PUBLIC ACT 13-239 OF THE GENERAL ASSEMBLY OF THE STATE OF CONNECTICUT, 2013 SESSION, AS AMENDED, (AN ACT AUTHORIZING AND ADJUSTING BONDS OF THE STATE FOR CAPITAL IMPROVEMENTS, TRANSPORTATION, ELIMINATION OF ACCUMULATED GAAP DEFICIT AND OTHER PURPOSES)

Under Section 13 of the above mentioned Public Act, the State Bond Commission voted to approve a request of the Department of Education to approve the use of previously allocated funds available in the amount of $1,489,160 to provide grants-in-aid for the purposes of reallocating costs for capital start-up costs related to development of new interdistrict magnet schools under Sheff v. O'Neill.

(Item 14)

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SECTIONS 31 THROUGH 38 OF PUBLIC ACT 13-239 OF THE GENERAL ASSEMBLY OF THE STATE OF CONNECTICUT, JANUARY 2013 SESSION, AS AMENDED, (AN ACT AUTHORIZING AND ADJUSTING BONDS OF THE STATE FOR CAPITAL IMPROVEMENTS, TRANSPORTATION, ELIMINATION OF THE ACCUMULATED GAAP DEFICIT AND OTHER PURPOSES)

Under Sections 31 through 38 of Public Act 13-239 of the General Assembly of the State of Connecticut, January 2013 Session, as amended (the "Act"), there was filed with the Commission one or more requests, signed by or on behalf of the Secretary of the Office of Policy and Management or by or on behalf of an officer, department or agency referred to in the Act, dated May 11, 2015, and entitled: "Request No. 3 to the State Bond Commission Pursuant to Section 34 of Public Act 13-239 of the General Assembly of the State of Connecticut, January 2013 Session, as amended, for Authorization of $3,505,508 Bonds of the State for Purposes Described in Section 32 of said Act", in form and substance as required by law for authorization of bonds for the purposes described in Section 32 of the Act.

The Secretary of the Office of Policy and Management or his designee then proceeded to explain and discuss with the Commission the items mentioned in the request or requests. After review of the item, it was voted to approve the same for the amount set forth below:

| REQUEST | PROJECT | BOND FUND ACCOUNT | AMOUNT |
|---|---|---|---|
| 3 | Sec. 32(f) Department of Transportation<br>Grants-in-aid for improvements to ports and marinas, including dredging and navigational direction | 12052 | $3,505,508[5] |
| | | | $3,505,508 |

Thereupon there was submitted to the Commission, in writing, a proposed form of a resolution to authorize pursuant to Public Act 13-239 the issuance of the bonds referred to in the request and entitled "Resolution of the State Bond Commission Authorizing $3,505,508 Bonds of the State of Connecticut Pursuant to Section 32 of Public Act 13-239 of the General Assembly of the State of Connecticut, January 2013 Session, as amended."

After review and discussion of the documents so filed and submitted and upon motion duly made, seconded and carried, the Commission adopted the resolution as follows:

RESOLUTION OF THE STATE BOND COMMISSION AUTHORIZING $3,505,508 BONDS OF THE STATE OF CONNECTICUT PURSUANT TO SECTION 32 OF PUBLIC ACT 13-239 OF THE GENERAL ASSEMBLY OF THE STATE OF CONNECTICUT, JANUARY 2013 SESSION, AS AMENDED

The State Bond Commission of the State of Connecticut, existing under and by virtue of Section 3-20 of the General Statutes of Connecticut and consisting of the Governor, the Treasurer, the Comptroller, the Attorney General, the Secretary of the Office of Policy and Management, the Commissioner of the Department of Administrative Services and the Co-chairpersons and the ranking minority members of the Joint Standing Committee on Finance, Revenue and Bonding of the General Assembly of the State,

DOES HEREBY FIND THAT there has been filed with the State Bond Commission one or more requests by or on behalf of the Secretary of the Office of Policy and Management of the State of Connecticut for the authorization of the bonds hereinafter mentioned, which request is dated May 11, 2015 and entitled "Request No. 3 to the State Bond Commission Pursuant to Section 34 of Public Act 13-239 of the General Assembly of the State of Connecticut, January 2013

5 Total State funding for the project and purposes described is $9.5 million which includes $5 million under Item 13 and $994,492 under Item 23.

Session, as amended, for Authorization of $3,505,508 Bonds of the State for Purposes Described in Section 32 of said Act";

THAT said request is signed by or on behalf of the Secretary of the Office of Policy and Management or by or on behalf of an officer, department, or agency referred to in the Act, and all such terms and conditions as the State Bond Commission requires are stated therein and the request or requests are in all other respects sufficient for authorization of bonds of the State under or pursuant to Section 32 of Public Act 13-239 of the General Assembly of the State of Connecticut, January 2013 Session, as amended; INCLUDING THAT the agenda of the State Bond Commission meeting was made available to the members of the Commission on May 4, 2015, which was not later than five (5) business days prior to the meeting and in accordance with § 3-20(g)(2) of the Connecticut General Statutes. The agenda, or supporting documents thereto, included a reference to Public Act 13-239, which is the source of any funds to be used for such project or purpose on such agenda, including any contingency funds and any reuse or reallocation of funds previously approved for any other use or project, as the source of funds to be used for the projects or purposes described in such item of the agenda, as well as, if applicable, the notations of any outside sources of funds received;

THAT, there has been filed with the State Bond Commission all other documents required by subsection (g) of Section 3-20 of the General Statutes of Connecticut or by the State Bond Commission, including any human services facility colocation statement, to be filed with the Secretary of the Office of Policy and Management, if so requested by the Secretary, pursuant to Section 4b-23, as amended, of the General Statutes of Connecticut, any statement from the Commissioner of Agriculture pursuant to Section 22-6 of the General Statutes of Connecticut for projects which would convert twenty-five acres or more of prime farmland to a non-agricultural use, any capital development impact statement required to be filed with the Secretary of the Office of Policy and Management, if so required by the Secretary, pursuant to Section 4b-23, as amended of the General Statutes of Connecticut, a statement as to the full cost of the project or purpose when completed and the estimated operating cost for any structure, equipment or facility to be constructed or acquired, and any advisory statement regarding the State Conservation and Development Policies Plan required by Section 16a-31 of the General Statutes; and THAT the authorization of such bonds will be in the best interests of the State; and

DOES HEREBY DIRECT THAT all federal, private and other moneys now available or hereafter to be made available for costs in connection with the project or purpose described and identified in said request by or on behalf of the Secretary of the Office of Policy and Management shall be added to the State moneys available or becoming available under said Act for such project and be used for such project as if constituting such State moneys; and

DOES HEREBY RESOLVE THAT:

Section 1. The amount of General State Purposes Bonds (2013 Act) authorized to be issued pursuant to Section 32 of Public Act 13-239 of the January 2013 Session, of the General Assembly of the State of Connecticut, as amended, is hereby increased by $3,505,508 in order to provide funds for the purpose and project described in the request submitted by or on behalf of the Secretary of the Office of Policy and Management and entitled "Request No. 3 to the State Bond Commission Pursuant to Section 34 of Public Act 13-239 of the General Assembly of the State of Connecticut, January 2013 Session, as amended for Authorization of $3,505,508 Bonds of the State for Purposes Described in Section 32 of said Act", dated May 11, 2015, and hereby approved and ordered to be filed with the records of this meeting.

The aggregate amount of General State Purposes Bonds (2013 Act) authorized to date pursuant to Section 32 of the Act, including the $3,505,508 authorized by this resolution, is $33,505,508 of which amount no bonds have been previously issued.

Section 2. The form, date, maturities and other details of such authorized but unissued bonds shall be hereafter determined by this Commission or by the State Treasurer acting in accordance with procedures to be established by this Commission.

(Item 17)

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SECTIONS 31 THROUGH 38 OF PUBLIC ACT NO. 11-57 OF THE GENERAL ASSEMBLY OF THE STATE OF CONNECTICUT, JANUARY 2011 SESSION, AS AMENDED, (AN ACT AUTHORIZING BONDS OF THE STATE FOR CAPITAL IMPROVEMENTS AUTHORIZING SPECIAL TAX OBLIGATION BONDS OF THE STATE FOR TRANSPORTATION PURPOSES AND AUTHORIZING STATE GRANT COMMITMENTS FOR SCHOOL BUILDING PROJECTS)

Under Sections 31 through 38 of Public Act No. 11-57 of the General Assembly of the State of Connecticut, January 2011 Session, as amended (the "Act"), there was filed with the Commission one or more requests, signed by or on behalf of the Secretary of the Office of Policy and Management or by or on behalf of an officer, department or agency referred to in the Act, dated May 11, 2015, and entitled: "Request Nos. 12 and 13 to the State Bond Commission Pursuant to Section 34 of Public Act No. 11-57 of the General Assembly of the State of Connecticut, January 2011 Session, as amended, for Authorization of $10,994,492 Bonds of the State for Purposes Described in Section 32 of said Act", in form and substance as required by law for authorization of bonds for the purposes described in Section 32 of the Act.

The Secretary of the Office of Policy and Management or his designee then proceeded to explain and discuss with the Commission the items mentioned in the request or requests. After review of the item, it was voted to approve the same for the amounts set forth below:

| REQUEST | PROJECT | BOND FUND ACCOUNT | AMOUNT |
|---|---|---|---|
| 12 | Sec. 32(b) Department of Economic and Community Development<br>Regional brownfield redevelopment grant and loan fund to provide funding for the brownfield programs established pursuant to section 32-9KK, and the staffing and marketing of such programs | 12052 | $10,000,000 |
| 13 | Sec. 32(f) Department of Transportation<br>Grants-in-aid for improvements to ports and marinas, including dredging and navigational direction | 12052 | 994,492[6] |
| | | | $10,994,492 |

Thereupon there was submitted to the Commission, in writing, a proposed form of a resolution to authorize pursuant to Public Act No. 11-57 the issuance of the bonds referred to in the request and entitled "Resolution of the State Bond Commission Authorizing $10,994,492 Bonds of the State of Connecticut Pursuant to Section 32 of Public Act No. 11-57 of the General Assembly of the State of Connecticut, January 2011 Session, as amended."

After review and discussion of the documents so filed and submitted and upon motion duly made, seconded and carried, the Commission adopted the resolution as follows:

RESOLUTION OF THE STATE BOND COMMISSION AUTHORIZING $10,994,492 BONDS OF THE STATE OF CONNECTICUT PURSUANT TO SECTION 32 OF PUBLIC ACT NO. 11-57 OF THE GENERAL ASSEMBLY OF THE STATE OF CONNECTICUT, JANUARY 2011 SESSION, AS AMENDED

The State Bond Commission of the State of Connecticut, existing under and by virtue of Section 3-20 of the General Statutes of Connecticut and consisting of the Governor, the Treasurer, the Comptroller, the Attorney General, the Secretary of the Office of Policy and

6 Total State funding for the project and purposes described is $9.5 million which includes $5 million under item 13 and $3,505,508 under item 17.

Management, the Commissioner of the Department of Construction Services and the Co-chairpersons and the ranking minority members of the Joint Standing Committee on Finance, Revenue and Bonding of the General Assembly of the State,

DOES HEREBY FIND THAT there has been filed with the State Bond Commission one or more requests by or on behalf of the Secretary of the Office of Policy and Management of the State of Connecticut for the authorization of the bonds hereinafter mentioned, which request is dated May 11, 2015, and entitled "Request Nos. 12 and 13 to the State Bond Commission Pursuant to Section 34 of Public Act No. 11-57 of the General Assembly of the State of Connecticut, January 2011 Session, as amended, for Authorization of $10,994,492 Bonds of the State for Purposes Described in Section 32 of said Act";

THAT said request is signed by or on behalf of the Secretary of the Office of Policy and Management or by or on behalf of an officer, department, or agency referred to in the Act, and all such terms and conditions as the State Bond Commission requires are stated therein and the request or requests are in all other respects sufficient for authorization of bonds of the State under or pursuant to Section 32 of Public Act No. 11-57 of the General Assembly of the State of Connecticut, January 2011 Session, as amended; INCLUDING THAT the agenda of the State Bond Commission meeting was made available to the members of the Commission on May 4, 2015, which was not later than five (5) business days prior to the meeting and in accordance with § 3-20(g)(2) of the Connecticut General Statutes. The agenda, or supporting documents thereto, included a reference to Public Act No. 11-57, which is the source of any funds to be used for such project or purpose on such agenda, including any contingency funds and any reuse or reallocation of funds previously approved for any other use or project, as the source of funds to be used for the project or purpose described in such item of the agenda, as well as, if applicable, the notations of any outside sources of funds received;

THAT, there has been filed with the State Bond Commission all other documents required by subsection (g) of Section 3-20 of the General Statutes of Connecticut or by the State Bond Commission, including any human services facility colocation statement, to be filed with the Secretary of the Office of Policy and Management, if so requested by the Secretary, pursuant to Section 4b-23, as amended, of the General Statutes of Connecticut, any statement from the Commissioner of Agriculture pursuant to Section 22-6 of the General Statutes of Connecticut for projects which would convert twenty-five acres or more of prime farmland to a non-agricultural use, any capital development impact statement required to be filed with the Secretary of the Office of Policy and Management, if so required by the Secretary, pursuant to Section 4b-23, as amended of the General Statutes of Connecticut, a statement as to the full cost of the project or purpose when completed and the estimated operating cost for any structure, equipment or facility to be constructed or acquired, and any advisory statement regarding the State Conservation and Development Policies Plan required by Section 16a-31 of the General Statutes; and THAT the authorization of such bonds will be in the best interests of the State; and

DOES HEREBY DIRECT THAT all federal, private and other moneys now available or hereafter to be made available for costs in connection with the project or purpose described and identified in said request by or on behalf of the Secretary of the Office of Policy and Management shall be added to the State moneys available or becoming available under said Act for such project and be used for such project as if constituting such State moneys; and

DOES HEREBY RESOLVE THAT:

Section 1. The amount of General State Purposes Bonds (2011 Act) authorized to be issued pursuant to Section 32 of Public Act No. 11-57 of the January 2011 Session, of the General Assembly of the State of Connecticut, as amended, is hereby increased by $10,994,492 in order to provide funds for the purpose and project described in the request submitted by or on behalf of the Secretary of the Office of Policy and Management and entitled "Request Nos. 12 and 13 to the State Bond Commission Pursuant to Section 34 of Public Act No. 11-57 of the General Assembly of the State of Connecticut, January 2011 Session, as amended for Authorization of $10,994,492 Bonds of the State for Purposes Described in Section 32 of said Act", dated May 11, 2015, and hereby approved and ordered to be filed with the records of this meeting.

The aggregate amount of General State Purposes Bonds (2011 Act) authorized to date pursuant to Section 32 of the Act, including the $10,994,492 authorized by this resolution, is $53,173,746.00 of which amount $33,295,241.36 bonds have been previously issued.

Section 2. The form, date, maturities and other details of such authorized but unissued bonds shall be hereafter determined by this Commission or by the State Treasurer acting in accordance with procedures to be established by this Commission.

(Items 22-23)

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MINUTES OF THE MEETING
OF THE
STATE BOND COMMISSION

Held In Room 1E, Legislative Office Building on March 13, 2013

***Present and Voting:***

| | |
|---|---|
| Dannel P. Malloy | Governor and Chairman |
| Karen Buffkin | Deputy Secretary of the Office of Policy and Management<br>Secretary of the Commission |
| George C. Jepsen | Attorney General |
| Kevin P. Lembo | State Comptroller |
| Christine Shaw | Deputy State Treasurer |
| Donald DeFronzo | Acting Commissioner, Department of Construction Services |
| John W. Fonfara | Senator and Co-Chair of the Joint Standing Committee on Finance, Revenue and Bonding |
| Patricia M. Widlitz | Representative and Co-Chair of the Joint Standing Committee on Finance, Revenue and Bonding |
| L. Scott Frantz* | Senator and Ranking Member of the Joint Standing Committee on Finance, Revenue and Bonding |
| Vincent Candelora | Representative and Member of the Joint Standing Committee on Finance, Revenue and Bonding |

*Senator Frantz joined the meeting at Item 3 of the agenda.

***Invited Co-Chairpersons/Ranking Members:***

Senator Andrea Stillman; Representative Livvy Floren; Representative Betty Boukus; Representative David Scribner

***Other Attendees:***

Representative Buddy Altobello; Frank Clearly, Pullman and Comley; Kelsha Palmer, Robinson and Cole; Sandy Dawson, Updike Kelley and Spellacy; Bruce Chudwick, Shipman and Goodwin; Namita Shah, Day Pitney; Laurie Hall, Hawkins, Delafield and Wood; Deputy Treasurer Christine Shaw, Sarah Sanders, Sharon Peay, Peter McAlpine, Treasurer's Office; Deputy Comptroller Marty Carlson; Deputy Commissioner Pasquale Salemi, Terence Reid, Department of Construction Services; Doug Moore, Glenn Knapsack, Shane Mallory, Department of Administrative Services; Lisa Hammersley, Senate Republicans; Ken Saccente, House Democrats; Mary Finnegan, John Chaput, Finance Revenue and Bonding Committee; Anne Brennan Carroll, Legislative Commissioner's Office; Linda Miller, Office of Fiscal Analysis; Commissioner Catherine Smith, Deputy Commissioner Ron Angelo, Joyce Heriot, Department of Economic and Community Development; Deputy Commissioner Joseph Perkins, Department of Veteran's Affairs; Commissioner James Redecker, Bob Card, Pam Sucato, Department of Transportation; Commissioner Sharon Palmer, Department of Labor; Louis Magnarelli, Mike Last, Agricultural Experiment Station; Peg Fitzgerald, Daria Kovel, Connecticut Housing Finance Authority; Robert Sheeley, Southern Connecticut State University; Steve Heclmovich, Department of Mental Health and Addiction Services; Mark Panniccione, Department of Emergency Services and Public Protection; Mark Ojakian, Brian Durand, Paul Mounds, Andrew Doba, Governor's Office; Glan-Carl Casa, Paul Potamianos, Brian Tassinari, Steve Kitowicz, Office of Policy and Management and Members of the Press.

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As provided at the reorganization meeting of the Commission held on July 28, 1978 Governor Dannel P. Malloy, as Chairman, called the meeting to order at 10:31 a.m. on Wednesday, March 13, 2013 after noting the presence of a quorum and the Secretary of the Office of Policy and Management, as Secretary, recorded the minutes of the meeting.

Upon a motion duly made and seconded, it was voted to approve the minutes of the meeting held on January 25, 2013.

* * *

SECTIONS 31 THROUGH 38 OF PUBLIC ACT NO. 11-57 OF THE GENERAL ASSEMBLY OF THE STATE OF CONNECTICUT, JANUARY 2011 SESSION, AS AMENDED, (AN ACT AUTHORIZING BONDS OF THE STATE FOR CAPITAL IMPROVEMENTS AUTHORIZING SPECIAL TAX OBLIGATION BONDS OF THE STATE FOR TRANSPORTATION PURPOSES AND AUTHORIZING STATE GRANT COMMITMENTS FOR SCHOOL BUILDING PROJECTS)

Under Sections 31 through 38 of Public Act No. 11-57 of the General Assembly of the State of Connecticut, January 2011 Session, as amended (the "Act"), there was filed with the Commission one or more requests, signed by or on behalf of the Secretary of the Office of Policy and Management or by or on behalf of an officer, department or agency referred to in the Act, dated March 13, 2013, and entitled: "Request No. 2 to the State Bond Commission Pursuant to Section 34 of Public Act No. 11-57 of the General Assembly of the State of Connecticut, January 2011 Session, as amended, for Authorization of $21,350,000 Bonds of the State for Purposes Described in Section 32 of said Act", in form and substance as required by law for authorization of bonds for the purposes described in Section 32 of the Act.

The Secretary of the Office of Policy and Management or his designee then proceeded to explain and discuss with the Commission the items mentioned in the request or requests. After review of the item, it was voted to approve the same for the amounts set forth below:

| REQUEST | PROJECT | BOND FUND ACCOUNT | AMOUNT |
|---|---|---|---|
| 2 | Sec. 32(f) Department of Transportation | 12052 | $21,350,000 |
| | Grants-in aid for improvements to ports and marinas, including dredging and navigational direction, provided $ 1,000,000 shall be used to conduct a study of the strategy for economic development in the New Haven, New London and Bridgeport ports. | | |
| | A. Maintenance dredging of the New Haven Harbor Channel. - $10,000,000 | | |
| | B. Phase 3 dredging of Norwalk Harbor - $1,750,000 | | |
| | C. Dredging of the Mianus River at Cos Cob Harbor in Greenwich - $2,000,000 | | |
| | D. Dredging of shoal areas of the Mystic River in Stonington and Groton near the Mystic Seaport - $5,500,000 | | |
| | E. Maintenance dredging of Wethersfield Cove - $1,100,000 | | |
| | F. Dredging of the of the Saybrook Shoal and Outer Bar on the Connecticut River below the I-95 Bridge in Old Saybrook, Old Lyme and Lyme - $1,000,000 | | |
| | | | $21,350,000 |

Thereupon there was submitted to the Commission, in writing, a proposed form of a resolution to authorize pursuant to Public Act No. 11-57 the issuance of the bonds referred to in the request and entitled "Resolution of the State Bond Commission Authorizing $21,350,000 Bonds of the State of Connecticut Pursuant to Section 32 of Public Act No. 11-57 of the General Assembly of the State of Connecticut, January 2011 Session, as amended."

After review and discussion of the documents so filed and submitted and upon motion duly made, seconded and carried, the Commission adopted the resolution as follows:

RESOLUTION OF THE STATE BOND COMMISSION AUTHORIZING $21,350,000 BONDS OF THE STATE OF CONNECTICUT PURSUANT TO SECTION 32 OF PUBLIC ACT NO. 11-57 OF THE GENERAL ASSEMBLY OF THE STATE OF CONNECTICUT, JANUARY 2011 SESSION, AS AMENDED

The State Bond Commission of the State of Connecticut, existing under and by virtue of Section 3-20 of the General Statutes of Connecticut and consisting of the Governor, the Treasurer, the Comptroller, the Attorney General, the Secretary of the Office of Policy and Management, the Commissioner of the Department of Construction Services and the Co-chairpersons and the ranking minority members of the Joint Standing Committee on Finance, Revenue and Bonding of the General Assembly of the State,

DOES HEREBY FIND THAT there has been filed with the State Bond Commission one or more requests by or on behalf of the Secretary of the Office of Policy and Management of the State of Connecticut for the authorization of the bonds hereinafter mentioned, which request is dated March 13, 2013, and entitled "Request No. 2 to the State Bond Commission Pursuant to Section 34 of Public Act No. 11-57 of the General Assembly of the State of Connecticut, January 2011 Session, as amended, for Authorization of $21,350,000 Bonds of the State for Purposes Described in Section 32 of said Act";

THAT said request is signed by or on behalf of the Secretary of the Office of Policy and Management or by or on behalf of an officer, department, or agency referred to in the Act, and all such terms and conditions as the State Bond Commission requires are stated therein and the request or requests are in all other respects sufficient for authorization of bonds of the State under or pursuant to Section 32 of Public Act No. 11-57 of the General Assembly of the State of Connecticut, January 2011 Session, as amended; INCLUDING THAT the agenda of the State Bond Commission meeting was made available to the members of the Commission on March 6, 2013, which was not later than five (5) business days prior to the meeting and in accordance with § 3-20(g)(2) of the Connecticut General Statutes. The agenda, or supporting documents thereto, included a reference to Public Act No. 11-57, which is the source of any funds to be used for such project or purpose on such agenda, including any contingency funds and any reuse or reallocation of funds previously approved for any other use or project, as the source of funds to be used for the project or purpose described in such item of the agenda, as well as, if applicable, the notations of any outside sources of funds received;

THAT, there has been filed with the State Bond Commission all other documents required by subsection (g) of Section 3-20 of the General Statutes of Connecticut or by the State Bond Commission, including any human services facility colocation statement, to be filed with the Secretary of the Office of Policy and Management, if so requested by the Secretary, pursuant to Section 4b-23, as amended, of the General Statutes of Connecticut, any statement from the Commissioner of Agriculture pursuant to Section 22-6 of the General Statutes of Connecticut for projects which would convert twenty-five acres or more of prime farmland to a non-agricultural use, any capital development impact statement required to be filed with the Secretary of the Office of Policy and Management, if so required by the Secretary, pursuant to Section 4b-23, as amended of the General Statutes of Connecticut, a statement as to the full cost of the project or purpose when completed and the estimated operating cost for any structure, equipment or facility to be constructed or acquired, and any advisory statement regarding the State Conservation and Development Policies Plan required by Section 16a-31 of the General Statutes; and THAT the authorization of such bonds will be in the best interests of the State; and

DOES HEREBY DIRECT THAT all federal, private and other moneys now available or hereafter to be made available for costs in connection with the project or purpose described and identified in said request by or on behalf of the Secretary of the Office of Policy and Management shall be added to the State moneys available or becoming available under said Act for such project and be used for such project as if constituting such State moneys; and

DOES HEREBY RESOLVE THAT:

Section 1. The amount of General State Purposes Bonds (2011 Act) authorized to be issued pursuant to Section 32 of Public Act No. 11-57 of the January 2011 Session, of the General Assembly of the State of Connecticut, as amended, is hereby increased by $21,350,000 in order to provide funds for the purpose and project described in the request submitted by or on behalf of the Secretary of the Office of Policy and Management and entitled "Request No. 2 to the State Bond Commission Pursuant to Section 34 of Public Act No. 11-57 of the General Assembly of the State of Connecticut, January 2011 Session, as amended for Authorization of $21,350,000 Bonds of the State for Purposes Described in Section 32 of said Act", dated March 13, 2013, and hereby approved and ordered to be filed with the records of this meeting.

The aggregate amount of General State Purposes Bonds (2011 Act) authorized to date pursuant to Section 32 of the Act, including the $21,350,000 authorized by this resolution, is $24,350,000 of which amount no bonds have been previously issued.

Section 2. The form, date, maturities and other details of such authorized but unissued bonds shall be hereafter determined by this Commission or by the State Treasurer acting in accordance with procedures to be established by this Commission.

(Item 21)

# ATTACHMENT 3

**Sec. 25-83. Agreements to indemnify the United States.**

The Governor, with the approval of the Finance Advisory Committee, is authorized to give assurances that the state will hold and save the United States free from claims or damages resulting from any project or system for the improvement of navigation of any harbor or river or for the protection of life and property against damage by floods, erosion or tidal flooding, including all claims and damages resulting from any reconstruction, repair or maintenance of any such improvement or protection project or system, and to enter into an agreement with the federal government for such purpose.

**History:**

1949 Rev., S. 4773; 1957, P.A. 14.

# ATTACHMENT 4

**Assurance of the State of Connecticut**
**Regarding Mianus River Dredging and Maintenance**

Whereas, Congress passed the Rivers and Harbor Act of March 1945 (Public Law 79-14) authorizing a Mianus River dredging project ("Project"), including the improvement and maintenance of the dredged channel; and

Whereas, the State of Connecticut and federal government jointly engaged in the construction of the Project; and

Whereas, the State of Connecticut and local communities have an interest in future improvements and maintenance being undertaken on the Project; and

Whereas, when any such work is undertaken jointly by the State of Connecticut and the federal government, the federal government requires certain assurances from the State of Connecticut indemnifying the United States of America from claims and damages resulting from such work; and

Whereas, § 25-83 of the Connecticut General Statutes provides that: "The Governor, with the approval of the Finance Advisory Committee, is authorized to give assurances that the state will hold and save the United States free from claims or damages resulting from any project or system for the improvement of navigation of any harbor or river or for the protection of life and property against damage by floods, erosion or tidal flooding, including all claims and damages resulting from any reconstruction, repair or maintenance of any such improvement or protection project or system, and to enter into an agreement with the federal government for such purpose";

NOW, THEREFORE, the State of Connecticut, pursuant to § 25-83 of the Connecticut General Statutes, hereby agrees to hold and save the federal government free from all claims and damages arising from any future improvement and maintenance work, including, but not limited to reconstruction, repair and dredging, on the Mianus River Project that is undertaken jointly by the State of Connecticut and the federal government, except for damages due to the fault or negligence of the federal government or its contractors.

The Governor of the State of Connecticut hereby executes this Assurance, as approved by the Finance Advisory Committee on this date, for and on behalf of the State of Connecticut this _____ day of _____,

STATE OF CONNECTICUT

By_____
Dannel P. Malloy
Governor

**Department of Transportation**
**Explanation of Finance Advisory Committee Item** 2015-22

The North Cove Anchorage and Channel has federal boating/shipping channels under the jurisdiction of the U.S. Army Corps of Engineers (USACE); which is responsible for maintenance dredging of this channel and harbor. Historically, USACE dredging is funded through Congressional appropriations; sometimes with contributions from the affected municipalities.

When the Department of Transportation (Department) determines that the North Cove Anchorage and Channel is in need of maintenance dredging and no federal money is available to fully fund the dredging project, the Department seeks State bond authorization from the General Assembly, and, if obtained, allocation and bond authorization is sought from the State Bond Commission. Here, State funding was made available through Public Act 13-239, Section 13(g) and 32(f) (Attachment 1). On May 11, 2015, the State Bond Commission approved the request by the Department for $7,500,000.00 for dredging the North Cove (South of the I-95 Baldwin Bridge) (Attachment 2).

It is in the State's best interest for this channel and harbor to be maintained, and, where, as here, federal money is not available to fund or fully fund maintenance dredging projects, such projects would not proceed without State funding.

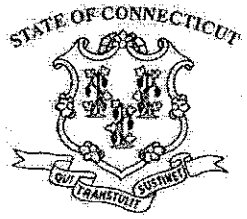
In order for the Department to pass the State funding to the USACE; such that the USACE will commence the work, the USACE requires the Department to enter into a Memorandum of Agreement (MOA) with the USACE that covers each project. The MOAs are virtually non-negotiable, with the USACE providing the required language.

Included in the MOAs is a USACE-required indemnification provision whereby the Department agrees to "hold and save the [Federal] Government free from all damages arising from the Maintenance Work, except for damages due to the fault or negligence of the [Federal] Government or its contractors." The Department's ability to so agree to indemnify the federal government is dependent on the Governor, with the approval of the Finance Advisory Committee, signing an "assurance"; generally to the effect that the State will hold the United States harmless. The statutory ability for the Governor to do so is set forth in § 25-83 of the Connecticut General Statutes, which provides:

> The Governor, with the approval of the Finance Advisory Committee, is authorized to give assurances that the state will hold and save the United States free from claims or damages resulting from any project or system for the improvement of navigation of any harbor or river or for the protection of life and property against damage by floods, erosion or tidal flooding, including all claims and damages resulting from any reconstruction, repair or maintenance of any such improvement or protection project or system, and to enter into an agreement with the federal government for such purpose. (Attachment 3).

The Assurance under consideration for your approval is pursuant to this statutory requirement. (Attachment 4).

# ATTACHMENT 1



**Substitute Senate Bill No. 842**

# Public Act No. 13-239

***AN ACT AUTHORIZING AND ADJUSTING BONDS OF THE STATE FOR CAPITAL IMPROVEMENTS, TRANSPORTATION, ELIMINATION OF THE ACCUMULATED GAAP DEFICIT AND OTHER PURPOSES.***

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

Section 1. (*Effective July 1, 2013*) The State Bond Commission shall have power, in accordance with the provisions of this section and sections 2 to 7, inclusive, of this act, from time to time to authorize the issuance of bonds of the state in one or more series and in principal amounts in the aggregate, not exceeding $316,120,522.

Sec. 2. (*Effective July 1, 2013*) The proceeds of the sale of bonds described in sections 1 to 7, inclusive, of this act, to the extent hereinafter stated, shall be used for the purpose of acquiring, by purchase or condemnation, undertaking, constructing, reconstructing, improving or equipping, or purchasing land or buildings or improving sites for the projects hereinafter described, including payment of architectural, engineering, demolition or related costs in connection therewith, or of payment of the cost of long-range capital programming and space utilization studies as hereinafter stated:

* * *

Sec. 13. (*Effective July 1, 2013*) The proceeds of the sale of the bonds described in sections 12 to 19, inclusive, of this act shall be used for the purpose of providing grants-in-aid and other financing for the projects, programs and purposes hereinafter stated:

* * *

(g) For the Department of Transportation: Grants-in-aid for improvements to ports and marinas, including dredging and navigational direction, not exceeding $5,000,000.

* * *

Sec. 32. (*Effective July 1, 2014*) The proceeds of the sale of the bonds described in sections 31 to 38, inclusive, of this act shall be used for the purpose of providing grants-in-aid and other financing for the projects, programs and purposes hereinafter stated:

* * *

(f) For the Department of Transportation: Grants-in-aid for improvements to ports and marinas, including dredging and navigational direction, not exceeding $5,000,000.

* * *

ATTACHMENT 2

# MINUTES OF THE MEETING
# OF THE
# STATE BOND COMMISSION

Held in Room 1E, Legislative Office Building on May 11, 2015

***Present and Voting:***

| | |
|---|---|
| Dannel P. Malloy | Governor and Chairman |
| Benjamin Barnes | Secretary of the Office of Policy and Management<br>Secretary of the Commission |
| George C. Jepsen | Attorney General |
| Kevin P. Lembo | State Comptroller |
| Denise L. Nappier | State Treasurer |
| Melody A. Currey | Commissioner, Department of Administrative Services |
| Carlo Leone | Senator and Member of the Joint Standing Committee on Finance, Revenue and Bonding |
| Joeseph Verrengia | Representative and Member of the Joint Standing Committee on Finance, Revenue and Bonding |
| L. Scott Frantz | Senator and Ranking Member of the Joint Standing Committee on Finance, Revenue and Bonding |
| Christopher Davis | Representative and Ranking Member of the Joint Standing Committee on Finance, Revenue and Bonding |

***Invited Co-Chairs/Ranking Members:***

Representative Betty Boukus; Representative Livvy Floren; Representative Jonathan Steinberg

***Other Attendees:***

Lieutentant Governor Nancy Wyman; Representative Buddy Altobello; Representative Daniel Rovero; Dan Birmingham, Hawkins, Delafield and Wood, Glenn Rybacki, Day Pitney; Sandy Dawson, Updike Kelley and Spellacy; Keisha Palmer, Robinson and Cole; Frank Cleary, Pullman and Comley; Bruce Chudwick, Shipman and Goodwin; Sarah Sanders, Bettina Ferguson; Kristin Wirtanen, Treasurer's Office; Doug Moore, Glenn Knapsack, Terrence Reid, Department of Administrative Services; Michael Murphy, Linda Miller, Office of Fiscal Analysis; Diana Palmer, House Democrats; Commissioner Catherine Smith, Deputy Commissioner Ron Angelo, Joyce Herriot, Department of Economic and Community Development; Commissioner Robert Klee, Department of Energy and Environmental Protection; Deputy Commissioner Cheryl Cepelak, Steven Link, Department of Correction; Harriet Feldlaufer, Amparo Garcia, Office of Early Childhood; Stephen DiPietro, Doreen DelBianco, Department of Mental Health and Addiction Services; Commissioner James Redeker, Bob Card, Department of Transportation; Tony Lazzaro, Capital Region Development Authority; Joanne Lombardo, Laura Cruikshank, University of Connecticut; Mark Ojakian, Paul Mounds, Governor's Office; Deputy Secretary Susan Weisselberg, Gian-Carl Casa, Tom Fiore, Paul Potamianos, April Capone, Garrett Eucalitto; Brian Tassinari, Steve Kitowicz, Office of Policy and Management and Members of the Press.

************

As provided at the reorganization meeting of the Commission held on July 28, 1978 Governor Dannel P. Malloy, as Chairman, called the meeting to order at 10:33 a.m. on Monday, May 11, 2015 after noting the presence of a quorum and the Secretary of the Office of Policy and Management, as Secretary, recorded the minutes of the meeting.

Upon a motion duly made and seconded, it was voted to approve the minutes of the meeting held on March 17, 2015.

* * *

SECTIONS 12 THROUGH 19 OF PUBLIC ACT 13-239 OF THE GENERAL ASSEMBLY OF THE STATE OF CONNECTICUT, JANUARY 2013 SESSION, AS AMENDED, (AN ACT AUTHORIZING AND ADJUSTING BONDS OF THE STATE FOR CAPITAL IMPROVEMENTS, TRANSPORTATION, ELIMINATION OF THE ACCUMULATED GAAP DEFICIT AND OTHER PURPOSES)

Under Sections 12 through 19 of Public Act 13-239 of the General Assembly of the State of Connecticut, January 2013 Session, as amended (the "Act"), there was filed with the Commission one or more requests, signed by or on behalf of the Secretary of the Office of Policy and Management or by or on behalf of an officer, department or agency referred to in the Act, dated May 11, 2015, and entitled: "Request Nos. 7 and 8 to the State Bond Commission Pursuant to Section 15 of Public Act 13-239 of the General Assembly of the State of Connecticut, January 2013 Session, as amended, for Authorization of $41,000,000 Bonds of the State for Purposes Described in Section 13 of said Act", in form and substance as required by law for authorization of bonds for the purposes described in Section 13 of the Act.

The Secretary of the Office of Policy and Management or his designee then proceeded to explain and discuss with the Commission the items mentioned in the request or requests. After review of the item, it was voted to approve the same for the amounts set forth below

| REQUEST | PROIECT | BOND FUND ACCOUNT | AMOUNT |
|---|---|---|---|
| 7 | Sec. 13(a)(2) For the Office of Policy and Management<br>Grants-in aid to municipalities for infrastructure improvements and programs, including planning, property acquisition, site preparation, construction and off-site improvements | 12052 | $36,000,000 |
| 8 | Sec. 13(g) For the Department of Transportation<br>Grant-in aid for improvements to ports and marinas, including dredging and navigational direction | 12052 | $5,000,000[3] |
| | | | $41,000,000 |

Thereupon there was submitted to the Commission, in writing, a proposed form of a resolution to authorize pursuant to Public Act 13-239 the issuance of the bonds referred to in the request and entitled "Resolution of the State Bond Commission Authorizing $41,000,000 Bonds of the State of Connecticut Pursuant to Section 13 of Public Act 13-239 of the General Assembly of the State of Connecticut, January 2013 Session, as amended."

After review and discussion of the documents so filed and submitted and upon motion duly made, seconded and carried, the Commission adopted the resolution as follows:

RESOLUTION OF THE STATE BOND COMMISSION AUTHORIZING $41,000,000 BONDS OF THE STATE OF CONNECTICUT PURSUANT TO SECTION 13 OF PUBLIC ACT 13-239 OF THE GENERAL ASSEMBLY OF THE STATE OF CONNECTICUT, JANUARY 2013 SESSION, AS AMENDED

The State Bond Commission of the State of Connecticut, existing under and by virtue of Section 3-20 of the General Statutes of Connecticut and consisting of the Governor, the Treasurer, the Comptroller, the Attorney General, the Secretary of the Office of Policy and Management, the Commissioner of the Department of Administrative Services and the Co-chairpersons and the ranking minority members of the Joint Standing Committee on Finance, Revenue and Bonding of the General Assembly of the State,

DOES HEREBY FIND THAT there has been filed with the State Bond Commission one or more requests by or on behalf of the Secretary of the Office of Policy and Management of the

3 Total State funding for the project and purposes described is $9.5 million which includes $3,505,508 under Item 17 and $994,492 under Item 23.

State of Connecticut for the authorization of the bonds hereinafter mentioned, which request is dated May 11, 2015 and entitled "Request Nos. 7 and 8 to the State Bond Commission Pursuant to Section 15 of Public Act 13-239 of the General Assembly of the State of Connecticut, January 2013 Session, as amended, for Authorization of $41,000,000 Bonds of the State for Purposes Described in Section 13 of said Act";

THAT said request is signed by or on behalf of the Secretary of the Office of Policy and Management or by or on behalf of an officer, department, or agency referred to in the Act, and all such terms and conditions as the State Bond Commission requires are stated therein and the request or requests are in all other respects sufficient for authorization of bonds of the State under or pursuant to Section 13 of Public Act 13-239 of the General Assembly of the State of Connecticut, January 2013 Session, as amended; INCLUDING THAT the agenda of the State Bond Commission meeting was made available to the members of the Commission on May 4, 2015, which was not later than five (5) business days prior to the meeting and in accordance with § 3-20(g)(2) of the Connecticut General Statutes. The agenda, or supporting documents thereto, included a reference to Public Act 13-239, which is the source of any funds to be used for such project or purpose on such agenda, including any contingency funds and any reuse or reallocation of funds previously approved for any other use or project, as the source of funds to be used for the projects or purposes described in such item of the agenda, as well as, if applicable, the notations of any outside sources of funds received;

THAT, there has been filed with the State Bond Commission all other documents required by subsection (g) of Section 3-20 of the General Statutes of Connecticut or by the State Bond Commission, including any human services facility colocation statement, to be filed with the Secretary of the Office of Policy and Management, if so requested by the Secretary, pursuant to Section 4b-23, as amended, of the General Statutes of Connecticut, any statement from the Commissioner of Agriculture pursuant to Section 22-6 of the General Statutes of Connecticut for projects which would convert twenty-five acres or more of prime farmland to a non-agricultural use, any capital development impact statement required to be filed with the Secretary of the Office of Policy and Management, if so required by the Secretary, pursuant to Section 4b-23, as amended of the General Statutes of Connecticut, a statement as to the full cost of the project or purpose when completed and the estimated operating cost for any structure, equipment or facility to be constructed or acquired, and any advisory statement regarding the State Conservation and Development Policies Plan required by Section 16a-31 of the General Statutes; and THAT the authorization of such bonds will be in the best interests of the State; and

DOES HEREBY DIRECT THAT all federal, private and other moneys now available or hereafter to be made available for costs in connection with the project or purpose described and identified in said request by or on behalf of the Secretary of the Office of Policy and Management shall be added to the State moneys available or becoming available under said Act for such project and be used for such project as if constituting such State moneys; and

DOES HEREBY RESOLVE THAT:

Section 1. The amount of General State Purposes Bonds (2013 Act) authorized to be issued pursuant to Section 13 of Public Act 13-239 of the January 2013 Session, of the General Assembly of the State of Connecticut, as amended, is hereby increased by $41,000,000 in order to provide funds for the purpose and project described in the request submitted by or on behalf of the Secretary of the Office of Policy and Management and entitled "Request Nos. 7 and 8 to the State Bond Commission Pursuant to Section 15 of Public Act 13-239 of the General Assembly of the State of Connecticut, January 2013 Session, as amended for Authorization of $41,000,000 Bonds of the State for Purposes Described in Section 13 of said Act", dated May 11, 2015, and hereby approved and ordered to be filed with the records of this meeting.

The aggregate amount of General State Purposes Bonds (2013 Act) authorized to date pursuant to Section 13 of the Act, including the $41,000,000 authorized by this resolution, is $74,080,000 of which amount $31,930,000 bonds have been previously issued.

Section 2. The form, date, maturities and other details of such authorized but unissued bonds shall be hereafter determined by this Commission or by the State Treasurer acting in accordance with procedures to be established by this Commission.

(Items 12-13)

SUBSECTION (h)(1) OF SECTION 13 OF PUBLIC ACT 13-239 OF THE GENERAL ASSEMBLY OF THE STATE OF CONNECTICUT, 2013 SESSION, AS AMENDED, (AN ACT AUTHORIZING AND ADJUSTING BONDS OF THE STATE FOR CAPITAL IMPROVEMENTS, TRANSPORTATION, ELIMINATION OF ACCUMULATED GAAP DEFICIT AND OTHER PURPOSES)

Under Section 13 of the above mentioned Public Act, the State Bond Commission voted to approve a request of the Department of Education to approve the use of previously allocated funds available in the amount of $1,489,160 to provide grants-in-aid for the purposes of reallocating costs for capital start-up costs related to development of new interdistrict magnet schools under Sheff v. O'Neill.

(Item 14)

* * *

SECTIONS 31 THROUGH 38 OF PUBLIC ACT 13-239 OF THE GENERAL ASSEMBLY OF THE STATE OF CONNECTICUT, JANUARY 2013 SESSION, AS AMENDED, (AN ACT AUTHORIZING AND ADJUSTING BONDS OF THE STATE FOR CAPITAL IMPROVEMENTS, TRANSPORTATION, ELIMINATION OF THE ACCUMULATED GAAP DEFICIT AND OTHER PURPOSES)

Under Sections 31 through 38 of Public Act 13-239 of the General Assembly of the State of Connecticut, January 2013 Session, as amended (the "Act"), there was filed with the Commission one or more requests, signed by or on behalf of the Secretary of the Office of Policy and Management or by or on behalf of an officer, department or agency referred to in the Act, dated May 11, 2015, and entitled: "Request No. 3 to the State Bond Commission Pursuant to Section 34 of Public Act 13-239 of the General Assembly of the State of Connecticut, January 2013 Session, as amended, for Authorization of $3,505,508 Bonds of the State for Purposes Described in Section 32 of said Act", in form and substance as required by law for authorization of bonds for the purposes described in Section 32 of the Act.

The Secretary of the Office of Policy and Management or his designee then proceeded to explain and discuss with the Commission the items mentioned in the request or requests. After review of the item, it was voted to approve the same for the amount set forth below:

| REQUEST | PROJECT | BOND FUND ACCOUNT | AMOUNT |
|---|---|---|---|
| 3 | Sec. 32(f) Department of Transportation<br>Grants-in-aid for improvements to ports and marinas, including dredging and navigational direction | 12052 | $3,505,508[5] |
| | | | $3,505,508 |

Thereupon there was submitted to the Commission, in writing, a proposed form of a resolution to authorize pursuant to Public Act 13-239 the issuance of the bonds referred to in the request and entitled "Resolution of the State Bond Commission Authorizing $3,505,508 Bonds of the State of Connecticut Pursuant to Section 32 of Public Act 13-239 of the General Assembly of the State of Connecticut, January 2013 Session, as amended."

After review and discussion of the documents so filed and submitted and upon motion duly made, seconded and carried, the Commission adopted the resolution as follows:

RESOLUTION OF THE STATE BOND COMMISSION AUTHORIZING $3,505,508 BONDS OF THE STATE OF CONNECTICUT PURSUANT TO SECTION 32 OF PUBLIC ACT 13-239 OF THE GENERAL ASSEMBLY OF THE STATE OF CONNECTICUT, JANUARY 2013 SESSION, AS AMENDED

The State Bond Commission of the State of Connecticut, existing under and by virtue of Section 3-20 of the General Statutes of Connecticut and consisting of the Governor, the Treasurer, the Comptroller, the Attorney General, the Secretary of the Office of Policy and Management, the Commissioner of the Department of Administrative Services and the Co-chairpersons and the ranking minority members of the Joint Standing Committee on Finance, Revenue and Bonding of the General Assembly of the State,

DOES HEREBY FIND THAT there has been filed with the State Bond Commission one or more requests by or on behalf of the Secretary of the Office of Policy and Management of the State of Connecticut for the authorization of the bonds hereinafter mentioned, which request is dated May 11, 2015 and entitled "Request No. 3 to the State Bond Commission Pursuant to Section 34 of Public Act 13-239 of the General Assembly of the State of Connecticut, January 2013

5 Total State funding for the project and purposes described is $9.5 million which includes $5 million under Item 13 and $994,492 under Item 23.

Session, as amended, for Authorization of $3,505,508 Bonds of the State for Purposes Described in Section 32 of said Act";

THAT said request is signed by or on behalf of the Secretary of the Office of Policy and Management or by or on behalf of an officer, department, or agency referred to in the Act, and all such terms and conditions as the State Bond Commission requires are stated therein and the request or requests are in all other respects sufficient for authorization of bonds of the State under or pursuant to Section 32 of Public Act 13-239 of the General Assembly of the State of Connecticut, January 2013 Session, as amended; INCLUDING THAT the agenda of the State Bond Commission meeting was made available to the members of the Commission on May 4, 2015, which was not later than five (5) business days prior to the meeting and in accordance with § 3-20(g)(2) of the Connecticut General Statutes. The agenda, or supporting documents thereto, included a reference to Public Act 13-239, which is the source of any funds to be used for such project or purpose on such agenda, including any contingency funds and any reuse or reallocation of funds previously approved for any other use or project, as the source of funds to be used for the projects or purposes described in such item of the agenda, as well as, if applicable, the notations of any outside sources of funds received;

THAT, there has been filed with the State Bond Commission all other documents required by subsection (g) of Section 3-20 of the General Statutes of Connecticut or by the State Bond Commission, including any human services facility colocation statement, to be filed with the Secretary of the Office of Policy and Management, if so requested by the Secretary, pursuant to Section 4b-23, as amended, of the General Statutes of Connecticut, any statement from the Commissioner of Agriculture pursuant to Section 22-6 of the General Statutes of Connecticut for projects which would convert twenty-five acres or more of prime farmland to a non-agricultural use, any capital development impact statement required to be filed with the Secretary of the Office of Policy and Management, if so required by the Secretary, pursuant to Section 4b-23, as amended of the General Statutes of Connecticut, a statement as to the full cost of the project or purpose when completed and the estimated operating cost for any structure, equipment or facility to be constructed or acquired, and any advisory statement regarding the State Conservation and Development Policies Plan required by Section 16a-31 of the General Statutes; and THAT the authorization of such bonds will be in the best interests of the State; and

DOES HEREBY DIRECT THAT all federal, private and other moneys now available or hereafter to be made available for costs in connection with the project or purpose described and identified in said request by or on behalf of the Secretary of the Office of Policy and Management shall be added to the State moneys available or becoming available under said Act for such project and be used for such project as if constituting such State moneys; and

DOES HEREBY RESOLVE THAT:

Section 1. The amount of General State Purposes Bonds (2013 Act) authorized to be issued pursuant to Section 32 of Public Act 13-239 of the January 2013 Session, of the General Assembly of the State of Connecticut, as amended, is hereby increased by $3,505,508 in order to provide funds for the purpose and project described in the request submitted by or on behalf of the Secretary of the Office of Policy and Management and entitled "Request No. 3 to the State Bond Commission Pursuant to Section 34 of Public Act 13-239 of the General Assembly of the State of Connecticut, January 2013 Session, as amended for Authorization of $3,505,508 Bonds of the State for Purposes Described in Section 32 of said Act", dated May 11, 2015, and hereby approved and ordered to be filed with the records of this meeting.

The aggregate amount of General State Purposes Bonds (2013 Act) authorized to date pursuant to Section 32 of the Act, including the $3,505,508 authorized by this resolution, is $33,505,508 of which amount no bonds have been previously issued.

Section 2. The form, date, maturities and other details of such authorized but unissued bonds shall be hereafter determined by this Commission or by the State Treasurer acting in accordance with procedures to be established by this Commission.

(Item 17)

* * *

SECTIONS 31 THROUGH 38 OF PUBLIC ACT NO. 11-57 OF THE GENERAL ASSEMBLY OF THE STATE OF CONNECTICUT, JANUARY 2011 SESSION, AS AMENDED, (AN ACT AUTHORIZING BONDS OF THE STATE FOR CAPITAL IMPROVEMENTS AUTHORIZING SPECIAL TAX OBLIGATION BONDS OF THE STATE FOR TRANSPORTATION PURPOSES AND AUTHORIZING STATE GRANT COMMITMENTS FOR SCHOOL BUILDING PROJECTS)

Under Sections 31 through 38 of Public Act No. 11-57 of the General Assembly of the State of Connecticut, January 2011 Session, as amended (the "Act"), there was filed with the Commission one or more requests, signed by or on behalf of the Secretary of the Office of Policy and Management or by or on behalf of an officer, department or agency referred to in the Act, dated May 11, 2015, and entitled: "Request Nos. 12 and 13 to the State Bond Commission Pursuant to Section 34 of Public Act No. 11-57 of the General Assembly of the State of Connecticut, January 2011 Session, as amended, for Authorization of $10,994,492 Bonds of the State for Purposes Described in Section 32 of said Act", in form and substance as required by law for authorization of bonds for the purposes described in Section 32 of the Act.

The Secretary of the Office of Policy and Management or his designee then proceeded to explain and discuss with the Commission the items mentioned in the request or requests. After review of the item, it was voted to approve the same for the amounts set forth below:

| REQUEST | PROJECT | BOND FUND ACCOUNT | AMOUNT |
|---|---|---|---|
| 12 | Sec. 32(b) Department of Economic and Community Development<br>Regional brownfield redevelopment grant and loan fund to provide funding for the brownfield programs established pursuant to section 32-9KK, and the staffing and marketing of such programs | 12052 | $10,000,000 |
| 13 | Sec. 32(f) Department of Transportation<br>Grants-in-aid for improvements to ports and marinas, including dredging and navigational direction | 12052 | 994,492[6] |
| | | | $10,994,492 |

Thereupon there was submitted to the Commission, in writing, a proposed form of a resolution to authorize pursuant to Public Act No. 11-57 the issuance of the bonds referred to in the request and entitled "Resolution of the State Bond Commission Authorizing $10,994,492 Bonds of the State of Connecticut Pursuant to Section 32 of Public Act No. 11-57 of the General Assembly of the State of Connecticut, January 2011 Session, as amended."

After review and discussion of the documents so filed and submitted and upon motion duly made, seconded and carried, the Commission adopted the resolution as follows:

RESOLUTION OF THE STATE BOND COMMISSION AUTHORIZING $10,994,492 BONDS OF THE STATE OF CONNECTICUT PURSUANT TO SECTION 32 OF PUBLIC ACT NO. 11-57 OF THE GENERAL ASSEMBLY OF THE STATE OF CONNECTICUT, JANUARY 2011 SESSION, AS AMENDED

The State Bond Commission of the State of Connecticut, existing under and by virtue of Section 3-20 of the General Statutes of Connecticut and consisting of the Governor, the Treasurer, the Comptroller, the Attorney General, the Secretary of the Office of Policy and

6 Total State funding for the project and purposes described is $9.5 million which includes $5 million under Item 13 and $3,505,508 under Item 17.

Management, the Commissioner of the Department of Construction Services and the Co-chairpersons and the ranking minority members of the Joint Standing Committee on Finance, Revenue and Bonding of the General Assembly of the State,

DOES HEREBY FIND THAT there has been filed with the State Bond Commission one or more requests by or on behalf of the Secretary of the Office of Policy and Management of the State of Connecticut for the authorization of the bonds hereinafter mentioned, which request is dated May 11, 2015, and entitled "Request Nos. 12 and 13 to the State Bond Commission Pursuant to Section 34 of Public Act No. 11-57 of the General Assembly of the State of Connecticut, January 2011 Session, as amended, for Authorization of $10,994,492 Bonds of the State for Purposes Described in Section 32 of said Act";

THAT said request is signed by or on behalf of the Secretary of the Office of Policy and Management or by or on behalf of an officer, department, or agency referred to in the Act, and all such terms and conditions as the State Bond Commission requires are stated therein and the request or requests are in all other respects sufficient for authorization of bonds of the State under or pursuant to Section 32 of Public Act No. 11-57 of the General Assembly of the State of Connecticut, January 2011 Session, as amended; INCLUDING THAT the agenda of the State Bond Commission meeting was made available to the members of the Commission on May 4, 2015, which was not later than five (5) business days prior to the meeting and in accordance with § 3-20(g)(2) of the Connecticut General Statutes. The agenda, or supporting documents thereto, included a reference to Public Act No. 11-57, which is the source of any funds to be used for such project or purpose on such agenda, including any contingency funds and any reuse or reallocation of funds previously approved for any other use or project, as the source of funds to be used for the project or purpose described in such item of the agenda, as well as, if applicable, the notations of any outside sources of funds received;

THAT, there has been filed with the State Bond Commission all other documents required by subsection (g) of Section 3-20 of the General Statutes of Connecticut or by the State Bond Commission, including any human services facility colocation statement, to be filed with the Secretary of the Office of Policy and Management, if so requested by the Secretary, pursuant to Section 4b-23, as amended, of the General Statutes of Connecticut, any statement from the Commissioner of Agriculture pursuant to Section 22-6 of the General Statutes of Connecticut for projects which would convert twenty-five acres or more of prime farmland to a non-agricultural use, any capital development impact statement required to be filed with the Secretary of the Office of Policy and Management, if so required by the Secretary, pursuant to Section 4b-23, as amended of the General Statutes of Connecticut, a statement as to the full cost of the project or purpose when completed and the estimated operating cost for any structure, equipment or facility to be constructed or acquired, and any advisory statement regarding the State Conservation and Development Policies Plan required by Section 16a-31 of the General Statutes; and THAT the authorization of such bonds will be in the best interests of the State; and

DOES HEREBY DIRECT THAT all federal, private and other moneys now available or hereafter to be made available for costs in connection with the project or purpose described and identified in said request by or on behalf of the Secretary of the Office of Policy and Management shall be added to the State moneys available or becoming available under said Act for such project and be used for such project as if constituting such State moneys; and

DOES HEREBY RESOLVE THAT:

Section 1. The amount of General State Purposes Bonds (2011 Act) authorized to be issued pursuant to Section 32 of Public Act No. 11-57 of the January 2011 Session, of the General Assembly of the State of Connecticut, as amended, is hereby increased by $10,994,492 in order to provide funds for the purpose and project described in the request submitted by or on behalf of the Secretary of the Office of Policy and Management and entitled "Request Nos. 12 and 13 to the State Bond Commission Pursuant to Section 34 of Public Act No. 11-57 of the General Assembly of the State of Connecticut, January 2011 Session, as amended for Authorization of $10,994,492 Bonds of the State for Purposes Described in Section 32 of said Act", dated May 11, 2015, and hereby approved and ordered to be filed with the records of this meeting.

The aggregate amount of General State Purposes Bonds (2011 Act) authorized to date pursuant to Section 32 of the Act, including the $10,994,492 authorized by this resolution, is $53,173,746.00 of which amount $33,295,241.36 bonds have been previously issued.

Section 2. The form, date, maturities and other details of such authorized but unissued bonds shall be hereafter determined by this Commission or by the State Treasurer acting in accordance with procedures to be established by this Commission.

(Items 22-23)

* * *

# ATTACHMENT 3

**Sec. 25-83. Agreements to indemnify the United States.**

The Governor, with the approval of the Finance Advisory Committee, is authorized to give assurances that the state will hold and save the United States free from claims or damages resulting from any project or system for the improvement of navigation of any harbor or river or for the protection of life and property against damage by floods, erosion or tidal flooding, including all claims and damages resulting from any reconstruction, repair or maintenance of any such improvement or protection project or system, and to enter into an agreement with the federal government for such purpose.

**History:**

1949 Rev., S. 4773; 1957, P.A. 14.

# ATTACHMENT 4

**Assurance of the State of Connecticut**
**Regarding North Cove-Old Saybrook Dredging and Maintenance**

Whereas, Congress passed the Rivers and Harbor Act of March 1945 authorizing a North Cove dredging project ("Project"), including the improvement and maintenance of the dredged channel and anchorage; and

Whereas, the State of Connecticut and federal government jointly engaged in the construction of the Project; and

Whereas, the State of Connecticut and local communities have an interest in future improvements and maintenance being undertaken on the Project; and

Whereas, when any such work is undertaken jointly by the State of Connecticut and the federal government, the federal government requires certain assurances from the State of Connecticut indemnifying the United States of America from claims and damages resulting from such work; and

Whereas, § 25-83 of the Connecticut General Statutes provides that: "The Governor, with the approval of the Finance Advisory Committee, is authorized to give assurances that the state will hold and save the United States free from claims or damages resulting from any project or system for the improvement of navigation of any harbor or river or for the protection of life and property against damage by floods, erosion or tidal flooding, including all claims and damages resulting from any reconstruction, repair or maintenance of any such improvement or protection project or system, and to enter into an agreement with the federal government for such purpose";

NOW, THEREFORE, the State of Connecticut, pursuant to § 25-83 of the Connecticut General Statutes, hereby agrees to hold and save the federal government free from all claims and damages arising from any future improvement and maintenance work, including, but not limited to reconstruction, repair and dredging, on the North Cove Anchorage and Channel Project that is undertaken jointly by the State of Connecticut and the federal government, except for damages due to the fault or negligence of the federal government or its contractors.

The Governor of the State of Connecticut hereby executes this Assurance, as approved by the Finance Advisory Committee on this date, for and on behalf of the State of Connecticut this _____ day of _____.

STATE OF CONNECTICUT

By _____
Dannel P. Malloy
Governor

ALLOTMENT OR APPROPRIATION
ADJUSTMENT REQUEST
B-107 REV 5/2008

TO: STATE OF CONNECTICUT
BUDGET AND FINANCIAL MANAGEMENT
OFFICE OF POLICY AND MANAGEMENT

PAGE OF

☐ ALLOTMENT adjustment ☐ APPROPRIATION adjustment ☒ APPROPRIATION adjustment, requiring Finance Advisory Committee action

DOCUMENT NUMBER: DSS15123

COMPT. USE ONLY

| EFFECTIVE DATE | | FAC NUMBER | AGENCY ACRONYM | REQUEST NUMBER |
|---|---|---|---|---|
| | | 2015-23 | DSS | 2015-123 |

| AGENCY NO. | AGENCY NAME |
|---|---|
| DSS60000 | DEPARTMENT OF SOCIAL SERVICES |

| F.Y. | FUND | AGENCY | SID | BUD REF | REDUCE * | INCREASE * | ACCOUNT TITLE/PROJECT NUMBER |
|---|---|---|---|---|---|---|---|
| | | | | | ALLOTTED | ALLOTMENT | |
| 2015 | 11000 | DSS60000 | 16061 | 2015 | $600,000.00 | | Old Age Assistance |
| 2015 | 11000 | DSS60000 | 16077 | 2015 | $1,000,000.00 | | Aid to the Disabled |
| 2015 | 11000 | DSS60000 | 16090 | 2015 | $1,000,000.00 | | Temporary Assistance to Families-TANF |
| 2015 | 11000 | DSS60000 | 16114 | 2015 | $3,500,000.00 | | Conneticut Home Care Program |
| 2015 | 11000 | DSS60000 | 10020 | 2015 | | $3,400,000.00 | Other Expenses |
| 2015 | 11000 | DSS60000 | 12239 | 2015 | | $2,700,000.00 | Husky Program |
| | | | | | $6,100,000.00 | $6,100,000.00 | |

REASON FOR ADJUSTMENT

Funds are being transferred to meet anticipated end of year requirements in various accounts

| STATUTORY AUTHORITY *(for adjustments in appropriations)* | REQUESTING OFFICIAL (Signature) | *(Title)* | DATE SIGNED |
|---|---|---|---|
| **CGS-4-87(a)** | [signature] | **Director of Financial Services** | **5/22/2015** |

ACTION

| UNALLOTTED / AVAILABLE BALANCE | | APPROVED *(Secretary, Office of Policy and Management)* | DATE |
|---|---|---|---|
| REVIEWED BY *(Analyst)* [signature] | DATE 5/22/15 | APPROVED *(Governor)* | DATE |
| RECOMMENDED *(Undersecretary, Bud. & Fin. Mgmt.)* | DATE | | |

* USE ONLY UNALLOTTED, ALLOTMENT, RESOURCES OF FUND

ORIGINAL - OPM

## SFY 2015 Thursday June 11, 2015 FAC

| | |
|---|---|
| **10020 Other Expenses** | **$3,400,000** |
| **12239 HUSKY Program** | **$2,700,000** |
| | |
| **16061 Old Age Assistance** | **($600,000)** |
| **16077 Aid to the Disabled** | **($1,000,000)** |
| **16090 Temporary Family Assistance** | **($1,000,000)** |
| **16114 Connecticut Home Care Program** | **($3,500,000)** |

Funds are being transferred to the Other Expenses and HUSKY B accounts to meet year-end requirements. Funds are being transferred from Old Age Assistance, Aid to the Disabled, Temporary Family Assistance, and Connecticut Home Care Program accounts.

**OTHER EXPENSES**

Funds in the amount of $3.4 million are being transferred from various accounts into the Other Expenses account to ensure sufficient funding is available to meet year-end requirements. The department has incurred additional administrative expenses this year in several areas but mainly in connection with the implementation and operation of the Health Insurance Exchange.

**HUSKY B**

The department is currently projecting a $2.7 million shortfall in the HUSKY B account. The appropriation of $28.0 million was based on an average enrollment per month of 13,086. This was based on reports that indicated a decline in enrollment following implementation of the Affordable Care Act. Projections assumed that the program enrollment would remain stable at the lower levels throughout the year. Subsequent revised reporting showed a smaller decline in enrollments than projected. The actual average enrollment per month from July 2014 through May 2015 was 13,837. The current projection is $30.7 million. $2.7 million will be transferred from various accounts to meet this shortfall.

**SURPLUS ACCOUNTS**

**OLD AGE ASSISTANCE**

Funds are being transferred from the Aid to the Aged account to meet year-end requirements. A $600,000 surplus is projected to be available for transfer to meet year-end requirements in the Other Expenses and HUSKY B accounts.

## AID TO THE DISABLED

Funds are being transferred from the Aid to the Disabled account to meet year-end requirements. The department is projecting a surplus of $1 million that will be used to offset deficiencies in the department's Other Expenses and HUSKY B accounts.

## TEMPORARY FAMILY ASSISTANCE

The department is projecting a $1 million surplus in the Temporary Family Assistance account due to lower than projected caseload increases in this account. Funds in the amount of $1 million are being transferred to meet year-end requirements in the Other Expenses and HUSKY B accounts.

## CONNECTICUT HOME CARE PROGRAM

The state-funded Connecticut Home Care program is anticipated to have a surplus in SFY 2015, based on current projected costs of $43 million. The appropriation was based on an 18 month trend of increasing costs for Community Care. While Home Health costs had begun to decline, the appropriation was based on a conservative projection pending more established data. Therefore, the projection included increased costs for both service types. Even with enrollments this year averaging 40 per month higher than projected, both Home Health and Community Care costs have declined on a per person basis, resulting in a surplus. $3.5 million is being transferred to meet end of year requirements in Other Expenses and HUSKY B.

ALLOTMENT OR APPROPRIATION
ADJUSTMENT REQUEST
B-107 REV 5/2008

TO: STATE OF CONNECTICUT
BUDGET AND FINANCIAL MANAGEMENT
OFFICE OF POLICY AND MANAGEMENT

PAGE OF

☐ ALLOTMENT adjustment ☐ APPROPRIATION adjustment ☑ APPROPRIATION adjustment, requiring Finance Advisory Committee action

DOCUMENT NUMBER: 283

COMPT. USE ONLY

| EFFECTIVE DATE | FAC NUMBER | AGENCY ACRONYM | REQUEST NUMBER |
|---|---|---|---|
| | 2015-24 | | 2015-38 |

| AGENCY NO. | AGENCY NAME |
|---|---|
| SDE64000 | Department of Education |

| F.Y. | FUND | AGENCY | SID | BUD REF | REDUCE * | INCREASE ** | ACCOUNT TITLE/PROJECT NUMBER |
|---|---|---|---|---|---|---|---|
| | | | | | Allotted Balance | Allotment | |
| 2015 | 11000 | SDE64000 | 16212 | 2015 | 650,000.00 | | Health Foods Initiative |
| 2015 | 11000 | SDE64000 | 17041 | 2015 | 3,500,000.00 | | Education Equalization Grants |
| 2015 | 11000 | SDE64000 | 12457 | 2015 | 250,000.00 | | Sheff Settlement |
| 2015 | 11000 | SDE64000 | 17053 | 2015 | 5,100,000.00 | | Open Choice Program |
| 2015 | 11000 | SDE64000 | 12547 | 2015 | 3,822,000.00 | | Commissioner's Network |
| 2015 | 11000 | SDE64000 | 12549 | 2015 | 663,000.00 | | New or Replicated Schools |
| 2015 | 11000 | SDE64000 | 17047 | 2015 | | 85,000.00 | Special Education Excess Costs |
| 2015 | 11000 | SDE64000 | 17057 | 2015 | | 13,900,000.00 | Magnet Schools |

REASON FOR ADJUSTMENT

Request funds transfer in accordance with FAC requirements set forth in Section 4-87 and Section 10a-8(b) of the General Statutes, which require Finance Advisory Committee approval for transfers to or from any specific appropriation of a sum or sums in any one fiscal year of over $50,000 or ten percent of any specific appropriation, whichever is less.

**Budget Reference 2015**
Bond Commission Date:

| STATUTORY AUTHORITY *(for adjustments in appropriations)* | REQUESTING OFFICIAL (Signature) | *(Title)* | DATE SIGNED |
|---|---|---|---|
| CGS 4-87 and 10a-8(b) | Kathleen Demsey | **Chief Financial Officer** | 6·1·15 |

ACTION

| UNALLOTTED / AVAILABLE BALANCE | | APPROVED *(Secretary, Office of Policy and Management)* | DATE |
|---|---|---|---|
| | [signature] 6/1/15 | | |
| REVIEWED BY *(Analyst)* [signature] | DATE 6/1/15 | APPROVED *(Governor)* | DATE |
| RECOMMENDED *(Undersecretary, Bud. & Fin. Mgmt.)* | DATE | | |

* USE ONLY UNALLOTTED, ALLOTMENT, RESOURCES OF FUND
** USE ONLY UNALLOTTED, ALLOTMENT, RESOURCES OF FUND

**ORIGINAL - OPM**

## CONNECTICUT STATE DEPARTMENT OF EDUCATION

### Finance Advisory Committee (FAC) Request

The Department of Education requests Finance Advisory Committee action on June 11, 2015, to transfer a total of $13,985,000 from various accounts to the Excess Cost-Student Based and Magnet School accounts.

**Transfer of funds is requested from the following accounts:**

**Health Foods Initiative - $650,000** - Though there were 18 new districts and schools for fiscal year 2015, program growth is not expected to fully exhaust the funding in the account.

**Education Equalization - $3,500,000** - ECS has a surplus primarily due to the appropriation for ECS being slightly greater than the entitlements for the grant. State Charter per Student has a surplus because statewide enrollment in the charter schools was below the State Board-approved maximum enrollments by 248 students. Start-up funding for local charters was only awarded to the one new school that opened in New Haven, leaving the remaining funds to lapse.

**Sheff Settlement - $250,000** – The Sheff account expended less than originally expected for required Sheff activities this fiscal year.

**Open Choice - $5,100,000** - These funds are available, in part, because of the need to align agency budget requests with the integration goals of the current Sheff agreement. The target student counts are not always achieved, given the variety of choice opportunities available to students.

**Commissioner's Network - $3,822,000** - The Commissioner's Network increased by five schools this year bringing the total to 16. Given the intensive nature of this work, the Department did not have the capacity to take on more schools and provide the level of intervention needed.

**New or Replicated Schools - $663,000 -** This account funds local charter school students. There is currently only one local charter school in operation in New Haven, and it opened this school year. Funds were more than sufficient to meet the needs of this school.

**Transfer of funds is requested to the following accounts:**

**Special Education Excess Cost-Student Based - $85,000** - Six grantees were overpaid for their initial/February payments. The refunds will not be recovered in time to meet our statutory payment obligations. Therefore, it will be necessary to transfer funds into this account to cover the shortfall.

**Magnet Schools - $13,900,000** - The shortfall is related to the supplemental transportation payments to CREC, which operates the regional transportation system for Sheff programming. These funds will cover the payment for the FY2014 transportation deficit (audited), and half of the projected deficit for the current fiscal year.

ALLOTMENT OR APPROPRIATION
ADJUSTMENT REQUEST
B-107 REV 5/2008

TO: STATE OF CONNECTICUT
BUDGET AND FINANCIAL MANAGEMENT
OFFICE OF POLICY AND MANAGEMENT

PAGE 1 OF 1

DOCUMENT NUMBER

DCF48

☐ ALLOTMENT adjustment ☐ APPROPRIATION adjustment ☒ APPROPRIATION adjustment, requiring Finance Advisory Committee action

| COMPT. USE ONLY EFFECTIVE DATE | | FAC NUMBER | AGENCY ACRONYM | REQUEST NUMBER |
|---|---|---|---|---|
| | | 2015-25 | DCF | 2015-20 |

| AGENCY NO. | AGENCY NAME |
|---|---|
| DCF91000 | Department Of Children And Families |

| F.Y. | FUND | AGENCY | SID | BUD REF | REDUCE * | INCREASE ** | ACCOUNT TITLE/PROJECT NUMBER |
|---|---|---|---|---|---|---|---|
| | | | | | Unencumbered Balance | Allotment | |
| 2015 | 11000 | DCF91000 | 16107 | 2015 | 1,650,000 | | No-Nexus Special Education |
| 2015 | 11000 | DCF91000 | 16132 | 2015 | 1,500,000 | | Board & Care for Children - Adoption |
| 2015 | 11000 | DCF91000 | 16138 | 2015 | 7,128,996 | | Board & Care for Children - Residential |
| 2015 | 11000 | DCF91000 | 10020 | 2015 | | 315,334 | Other Expenses |
| 2015 | 11000 | DCF91000 | 16135 | 2015 | | 9,963,662 | Board & Care for Children - Foster Care |

REASON FOR ADJUSTMENT

The Department of Children and Families requests approval to transfer funds anticipated to lapse in the Department's No -Nexus Special Education, Board & Care For Children - Adoption and Board & Care For Children - Residential accounts to the Other Expenses and the Board & Care For Children - Foster Care Accounts. The Other Expenses account is experiencing a deficit due to an increase in private security guard costs due to a negotiated labor agreement. The Board & Care For Children - Foster Care account is showing a deficit due to increases of 17.45 % in specialized foster care placements to treat children with significant behavioral health issues, 12.8% in children placed in relative care and 8% in regular foster Care placements compared to last year. The lapses in the No-Nexus Special Education and Board & Care For Children - Residential accounts are due to fewer placements in private residential treatment centers, as more children and youth are being served in community settings. Adoption expenditures are projected to be below budgeted levels due to slower than anticipated growth in placements, consistent with an overall reduced caseload.

Bond Commission Date:

| STATUTORY AUTHORITY *(for adjustments in appropriations)* | REQUESTING OFFICIAL *(Signature)* | *(Title)* | DATE SIGNED |
|---|---|---|---|
| **4-87 (a) CGS** | | **Chief Financial Officer** | 6/20/15 |

ACTION

| UNALLOTTED / AVAILABLE BALANCE | | APPROVED *(Secretary, Office of Policy and Management)* | DATE |
|---|---|---|---|
| REVIEWED BY *(Analyst)* | DATE | | |
| | | APPROVED *(Governor)* | DATE |
| RECOMMENDED *(Undersecretary, Bud. & Fin. Mgmt.)* | DATE | | |

* USE ONLY UNALLOTTED, ALLOTMENT, RESOURCES OF FUND

** USE ONLY UNALLOTTED, ALLOTMENT, RESOURCES OF FUND

**ORIGINAL - OPM**

| | | | Proposed FAC Transfers | | |
|---|---|---|---|---|---|
| Account | Original Appropriation | Prior Policy Actions | FROM (Decrease) | TO (Increase) | Available Funding Post-FAC Action |
| No-Nexus Special Education | 3,768,279 | (188,413) | (1,650,000) | | 1,929,866 |
| Board & Care for Children - Adoption | 94,088,769 | | (1,500,000) | | 92,588,769 |
| Board & Care for Children - Residential | 125,373,630 | (6,268,681) | (7,128,996) | | 111,975,953 |
| Other Expenses | 34,261,197 | | | 315,334 | 34,576,531 |
| Board & Care for Children - Foster Care | 117,244,693 | | | 9,963,662 | 127,208,355 |
| | | Total | (10,278,996) | 10,278,996 | |