

---

---

## **OLR BILL ANALYSIS**

### **SB 1003**

#### ***AN ACT CONCERNING THE CONNECTICUT AIRPORT AUTHORITY.***

#### **SUMMARY:**

This act replaces the Bradley Board of Directors with the quasi-public Connecticut Airport Authority (authority), responsible for overseeing and developing Bradley and five other state-owned general aviation airports (Danielson, Groton/New London, Brainard, Waterbury-Oxford and Windham). Under the bill, the authority assumes the Bradley board's duties, powers, and authority over Bradley. The bill grants the authority additional powers, such as bonding and hiring, and authorizes it to exercise its new and existing powers over Bradley and the other five airports.

The bill gives the authority, rather than the State Bond Commission, the power to issue revenue bonds to carry out its purposes. It authorizes the authority to enter into contracts, receive funding and borrow money, hire employees and engage consultants, and take other actions necessary to accomplish its purposes. It gives the authority, rather than the state Treasurer, the power to buy bonds or notes of the state, to hold money with respect to the airports and to invest or deposit it.

It gives the authority, rather than the transportation commissioner, the power to acquire land by condemnation. It also makes the authority, rather than the commissioner, responsible for managing and operating the airports; collecting fees, rents, rates, and charges for use of the airport facilities; approving (in consultation with the commissioner) and selecting, contractors; and reporting to the governor and legislature, among other things.

Under current law, the state may establish, maintain, operate, and

expand airports in the state. The bill gives the authority these powers.

It gives the authority, rather than the transportation department the authority to prepare and submit an annual operating budget to the Office of Policy and Management (OPM). (It directs the authority to submit an annual operating budget for Bradley Airport only but requires the budget to include revenue estimates to meet the estimated expenditures of Bradley and the other five airports.)

It requires the authority, within the first 90 days of each calendar year, to report on its operation for the previous year to the governor. It must report to the legislature annually by March 15. The report must include a summary of the authority's activities, a complete operating and financial statement, and recommended legislation. The bill subjects the authority's accounts to annual audits by the State Auditors.

It requires revenue from the operation of the general aviation airports, in addition to those the law already requires for Bradley, to be paid to the Treasurer. She must deposit the general aviation airport funds in a separate non-lapsing account to be known as the General Aviation Airports Enterprise Fund.

### ***Authority Employees***

The bill makes the authority a successor employer to the state that must recognize state bargaining units and collective bargaining agreements (CBA). Its employees are deemed state employees. Officers and employees of the authority are considered state employees for the purposes of collective bargaining and health and retirement benefits.

The bill gives the authority, not the executive branch, the power to determine if an individual is qualified to fill a vacancy. The authority need not comply with personnel policies and procedures of the administrative services department or OPM and does not need their approval to create new positions, decide on the number of positions, or whether and when to fill them. Under the bill, the authority's non-managerial employees are in the classified service; managerial

employees are exempt from the classified service.

Existing DOT employees must be offered the opportunity to transfer, with their positions, to the authority. If the authority has does not have enough positions it must offer the opportunity to transfer based on seniority. Anyone covered by a collective bargaining agreement who transfers will retain his or her position and remain in the same bargaining unit as at DOT.

No DOT employee in a bargaining unit will be laid off because of the authority's creation. Employees no longer employed by DOT will be assigned, with their position, to another state agency, based on seniority. DOT employees may decline to transfer. Employees who choose to be laid off rather than transfer will be entitled to be rehired according to the CBA. Laws concerning quasi-public agencies, the Division of Special Revenue, and the Connecticut Lottery Commission will not affect DOT employees' collective bargaining rights.

The authority's board of directors (see below) may create new employee classifications. Starting July 1, 2011, and until either the CBA for transferred employees expires or the legislature approves an interim agreement, whichever is earlier, the authority may hire employees and set the initial terms and conditions of employment without regard to a CBA.

Six months after the hiring of the first such employee the union representing transferred employees and the executive branch, on behalf of the authority, must engage in mid-term bargaining for classification at either party's request. The scope of the bargaining must include all employment terms except compensation, as long as the average annual compensation for the classification is at least the average annual compensation for transferred employees. Upon the expiration of the CBA covering transferred employees all terms and conditions of employment in a new classification must be subject to collective bargaining as part of the negotiation of a common successor agreement. The executive branch will negotiate for the authority and represent it in collective bargaining but the authority may have a

representative present at the bargaining meetings.

Arbitrators dealing with authority employees must consider the laws concerning quasi-public agencies as well as those governing the division of special revenue and gaming policy board and Connecticut Lottery Corporation, the authority's entrepreneurial mission and the need for flexibility and innovation.

***Authority Board of Directors and Executive Director***

The bill creates an authority board of directors, and requires each member to post a surety bond. The board may appoint an executive director, who must also post a surety bond.

The board replaces the Bradley board of directors and apparently expands its membership from seven to eight. Members must be appointed with the advice and consent of the legislature. The bill eliminates from the new board a representative of the Transportation Strategy Board, adds one representative of the airports, and expands, from one to three, the number of gubernatorial appointees. One of the governor's appointees must be designated chairman. Members serve four-year terms, and in the initial four year term one of the governor's appointees must be from the Bradley Board of Directors.

The bill specifies that it will not be a conflict of interest for certain people to serve on the board as long as they abstain from deliberating or voting in connection with the individuals or firms they represent. It specifies that no state employees or officials will lose their position or job because they serve on the board.

It also makes conforming changes.

EFFECTIVE DATE: July 1, 2011