

OLR BILL ANALYSIS

HB 5027 (LCO 539)

***AN ACT IMPLEMENTING THE GOVERNOR'S BUDGET
RECOMMENDATIONS CONCERNING THE ELIMINATION,
CONSOLIDATION AND MODIFICATION OF VARIOUS BOARDS
AND COMMISSIONS.***

SUMMARY:

This bill eliminates 25 state boards and commissions, designates a successor agency for four of them, makes minor changes to eight other entities, combines the Uniform Law Commission and the Law Revision Commission (LRC), and establishes in statute the Connecticut Council on Developmental Disabilities.

EFFECTIVE DATE: July 1, 2012, except the codification of the Council on Developmental Disabilities is effective upon passage.

§ 1-2, 4, 6, 8-10, 12-17, 19-24, 26-27, 29-32, & 35

These sections make conforming changes for consistency with the bill's repealer provisions.

§ 3—INNOVATIONS REVIEW PANEL

The bill eliminates the Innovations Review Panel, established in 1992 to review and evaluate state employee recommendations to improve the delivery of services or reduce agency costs (PA 92-7, May Special Session, § 2).

§ 5—GEOSPATIAL INFORMATION SYSTEMS COUNCIL

The bill eliminates the Geospatial Information Systems Council and makes the Office of Policy and Management (OPM) its successor agency for purposes of coordinating a uniform geospatial information system capacity for towns, regional planning agencies, state agencies, and other users. It requires the OPM secretary to submit, by January 1, 2013, the annual report to the Planning and Development Committee that the council currently provides on related activities.

§ 7—WILLIAM BENTON MUSEUM OF ART ADVISORY COMMITTEE

The bill eliminates the statutory advisory committee for the William Benton Museum of Art at the University of Connecticut, established in 1987 (PA 87-188), and gives the university's Board of Trustees authority to establish one.

§ 11—COMPUTER-ASSISTED MASS APPRAISAL SYSTEMS ADVISORY BOARD

The bill eliminates the Computer-Assisted Mass Appraisal Systems Advisory Board comprised of seven appointed municipal assessors. It was established in 1988 (PA 88-348) to assist in the adoption of standards for certification of a computer system for municipalities to use for property tax revaluation. The standards had to be adopted by December 1, 1988.

§ 18—STATE-WIDE PRIMARY CARE ACCESS AUTHORITY CHANGES

Rather than the chairpersons of the HealthFirst Connecticut Authority (repealed by the bill), the bill requires the members of the State-Wide Primary Care Access Authority to elect its two chairpersons from among the members. The bill gives the public health commissioner authority to appoint two people to replace the HealthFirst members.

§ 25—MOBILE MANUFACTURED HOME ADVISORY COUNCIL CHANGE

The bill reduces the membership on this council, from 15 to 14, to reflect the elimination of a representative from the Housing Advisory Committee, which the bill repeals.

§ 28—SMALL BUSINESS AIR POLLUTION COMPLIANCE ADVISORY PANEL

The bill eliminates this 10-member panel established in 1993 to advise the currently named-Department of Energy and Environmental Protection (DEEP) on the effectiveness of the small business stationary source technical and environmental compliance program (PA 93-428). The program was created to help small businesses comply with the federal Clean Air Act, which apparently still requires states to create such a panel (42 USC 7661f).

§ 33—CONNECTICUT-ISRAEL EXCHANGE COMMISSION SUCCESSOR

The bill eliminates the commission and makes the commissioner of Department of Economic and Community Development (DECD) its successor. The bill deletes the authority to create and delegate duties to committees and appointees.

§ 34—CONNECTICUT INTERNATIONAL TRADE COUNCIL SUCCESSOR

The bill makes the DECD commissioner the successor agency to this council.

§ 36—GREATER HARTFORD FLOOD COMMISSION CHANGE

The bill replaces the governor with the mayor of Hartford as the appointing authority for the seven members of this commission, which was created by special act (No. 72) in November 1955.

§ 37—MEDICAL INEFFICIENCY COMMITTEE EXTENSION

The bill extends the termination date for this committee from January 1, 2012 to July 1, 2012. It keeps the earlier date as the submission deadline for the committee's final report. By law, the committee is charged with advising the Department of Social Services (DSS) on amending the definition of "medically necessary" services in connection with the administration of Medicaid (to reflect savings, reduce inefficiencies, and maintain the quality of care).

§§ 38-40—COMMISSION ON UNIFORM LEGISLATION AND LAW REVISION COMMISSION

The bill transfers the duties of the eight-member Commission on Uniform Legislation to the LRC. It reduces the membership of the LRC by one and slightly alters the appointing authority of the members.

Under current law, the Senate president pro tempore, the House speaker, and minority leaders of the Senate and House are members of the LRC, but each may appoint a designee. In addition, the Senate president and House speaker each have two appointments. Under the bill, the legislative leaders are not ex-officio members, but the Senate president, House speaker, and Senate minority leader each appoint one commission member, who may be a legislator. Under both current law and the bill, the co-chairpersons and ranking members of the Judiciary Committee are members of the LRC.

The bill gives the governor eight, rather than five, appointments. Current law requires that three of these appointees be members of the state bar, one be a Superior or Supreme court judge, and one be a

Connecticut law school faculty member. The bill uses the same appointment criteria, adding an Appellate Court judge, but does not specify the distribution. Of the governor's eight appointments, no more than four can be from the same political party.

Under the bill, the terms of current LRC members expire on July 1, 2012, by which time new members must be appointed. As under current law, the members serve four-year staggered terms.

Members are not compensated other than for their necessary expenses. By law, the state pays the annual contribution for membership in the National Conference of Commissioners on Uniform State Laws.

The bill should include in the list of repealed sections § 2-80, which establishes the eight-member Commission on Uniform Legislation.

§ 41-42—SPECIAL CONTAMINATED PROPERTY REMEDIATION AND INSURANCE FUND ADVISORY BOARD

The bill eliminates this seven-member advisory board (but not the fund), established in 1995 to annually advise and review the progress of the fund. It transfers the board's duties to the 13-member Brownfields Working Group established in 2010 to examine how brownfields are being cleaned up and developed in Connecticut and how permits and liability affect these activities. The bill also makes the working group permanent by eliminating a final reporting deadline and instead requiring annual reports beginning January 15, 2013.

§ 43-44—LONG ISLAND SOUND

Advisory Councils

By law, each of the three Long Island Sound Advisory Councils (Eastern, Central, and Western) prepares reports on the use and preservation of the sound within its respective boundaries. The bill eliminates five public members of each council whom the governor appoints, thereby reducing the number of public members from nine to four. The remaining members are (1) the four appointees of the Senate president pro tempore, the House speaker, and Senate and House minority leaders and (2) the chief executive officers (or designees) of each council's member municipalities.

Assembly

The bill reduces each advisory council's representation on the Long Island Sound Assembly from seven to four members, thus reducing

the assembly's total membership from 21 to 12. Rather than three chief executive officers from each council, the chair must appoint two; and rather than four council members from among those appointed by the governor or legislators, two legislative appointees serve on the assembly, under the bill.

The bill also simplifies the distribution of the assembly's annual report to the legislature, requiring an electronic submission that the Environment Committee must post on its website.

§ 45—CONNECTICUT COUNCIL ON DEVELOPMENTAL DISABILITIES

The bill codifies the Connecticut Council on Developmental Disabilities which is currently a federally funded program operating as a state agency to advocate and promote policy and programs for people with disabilities. The existing state council was established in 1971 by Governor Thomas J. Meskill and the bill makes this council the successor to that agency. Current members are appointed by the governor for three-year terms under the authority of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (P.L. 106-402, 42 USCA §§ 15001 et seq.)

Membership

The bill establishes the council in statute as a 24-member agency with the following membership requirements:

1. persons with developmental disabilities (five members);
2. parents or guardians of children with developmental disabilities or parents, immediate relatives, or guardians of adults with mentally impairing developmental disabilities (five members);
3. persons listed in either category above, at least one of whom must be a person, family member, or guardian of a person with such a disability who resides or resided in an institution (five members);
4. a member representing each of the following: (a) the departments of Education, Public Health, and Developmental Services, (b) the Bureau of Rehabilitative Services, (c) the DSS' Aging Services Division, (d) the Office of Protection and Advocacy for Persons with Disabilities, and (e) the A.J. Pappanikou Center for Excellence in Developmental Disabilities (seven members); and

5. local, nongovernmental nonprofit groups concerned with persons with developmental disabilities (two members).

No state employee can serve as one of the members who has a developmental disability, or who is a family member or guardian of someone with such a disability.

Appointments

The current members of the council serve until 60 days after the bill's passage unless a successor is appointed earlier, at which point they must resign. The governor has 60 days from the bill's passage to appoint the 24 members who serve staggered three-year terms.

Duties

The council must adopt policies and procedures for the conduct of its duties to carry out the requirements of the federal law.

§ 46—LOW-INCOME ENERGY ADVISORY BOARD

The bill makes the OPM secretary and DSS commissioner, or their designees, nonvoting, rather than voting, members and adds the DEEP commissioner, or his designee, to the board as another nonvoting member. It removes the option of the Public Utilities Regulatory Authority (PURA) chairperson and the consumer counsel to appoint a designee to serve on the board. It removes the OPM secretary from the position of board chairperson; instead, the board must elect the chairperson and vice-chairperson from among the voting members. The board was established in 2005 to advise and assist OPM and DSS in planning, developing, implementing, and coordinating energy assistance- and weatherization assistance-related programs and policies (PA 05-204).

§ 47-56—COMMISSION FOR EDUCATIONAL TECHNOLOGY

The bill renames the Commission for Educational Technology the Commission for Technology Advancement and moves it from the Department of Administrative Services to OPM. The bill makes a corresponding change to the name of the educational technology account. The bill removes from the current commission the PURA chairperson, the chief executive officers of the constituent units of the higher education system, a representative of the Connecticut Educators Computer Association, a secondary school teacher appointed by the Connecticut Education Association, an elementary school teacher representing the Connecticut Federation of Educational and Professional Employees, and a member representing business with

information technology expertise appointed by the lieutenant governor.

It adds the OPM secretary, the DECD commissioner, the UConn president, the consumer counsel, and representatives of the Connecticut Conference of Municipalities and the Connecticut Council of Small Towns. Rather than electing its own chairperson, the governor must appoint the chairperson.

The bill revises the commission’s charge and goals. It (1) requires the commission to report biennially, rather and annually, to the legislature and (2) eliminates the requirement that it report to the State Board of Education and the Board of Regents for Higher Education.

§§ 57 & 58—REPEALERS

The bill repeals the following:

<i>Title</i>	<i>CGS §</i>
Commission on Innovation and Productivity, established in 1993 to recommend innovations for the improvements of cost-effectiveness and efficiency in state government (PA 93-351).	2-110
Connecticut Progress Council, established in 1993 to develop a long-range vision for the state and define benchmarks to measure progress to achieve the vision (PA 93-262).	4-67r
Housing Advisory Committee, formerly the Central Housing Committee, that was established in 1987 to advise the legislature, governor, and agencies on housing matters; monitor housing-related activities of the regional planning agencies; and promote coordination on housing matters among state agencies (PAs 87-550 and 96-68).	8-385
Advisory Committee for the Center for Real Estate and Urban Economic Studies in the University of Connecticut School of Business Administration, established in 1965 (PA 621).	10a-124
Student Financial Aid Information Council established in 1994 to develop procedures to improve	10a-161b

<p>student financial aid policy, increase resources and public awareness, and coordinate delivery of financial aid (PA 94-180).</p>	
<p>Connecticut Public Transportation Commission, established in 1983 as successor to the Connecticut Public Transportation Authority to advise and assist the Department of Transportation (DOT) commissioner, governor, and Transportation Committee regarding planning, development, and maintenance of public transportation services.</p>	<p>13b-11a & 2c-2b (d)(5)</p>
<p>Southwest Corridor Action Council, established in 1998 to advise DOT and report on the progress of implementing the transportation plan for the southwest corridor (PA 98-119).</p>	<p>13b-16b</p>
<p>Statewide Community Antenna Television Advisory Council, established in 2007 to assist local cable TV advisory councils and disseminate information to them related to customers' interests (PA 07-253).</p>	<p>16-331ee</p>
<p>Child Day Care Council, established in 1967 to make recommendations to the Department of Public Health on the regulations for child day care centers, group day care homes, and family day care homes and to DSS on grants management and planning and development of child day care services. It also provides advice on the state's child care plan (PA 696).</p>	<p>17b-748 & 2c-2b(a)(23)</p>
<p>Nurturing Families Network (NFN) Advisory Commission, established with 11 members in 1997 to monitor the statewide implementation of the NFN, a voluntary program that generally provides information and assistance to first-time parents through home visits and connections between parents, volunteers, and the community (PA 97-288).</p>	<p>17b-751c</p>
<p>HealthFirst Connecticut Authority, established in 2007 to evaluate the state's sustainable health care policy and make recommendations for cost containment, improved health care quality, and financing and affordability and report by December 1,</p>	<p>19a-6g</p>

2008 (PA 07-185).	
State Board of Examiners of Shorthand Reporters, established in 1997 to supervise the examination, licensing, and conduct of licensed shorthand reporters (PA 97-166).	20-651 & 21a-6(12)
Quinebaug and Shetucket Rivers National Heritage Corridor Advisory Council, established in 1995 to submit the Cultural Heritage and Corridor Management Plan to the governor by January 1, 1996 (PA 95-250).	25-109q
Bi-State Farmington River Commission, established in 1990 to make recommendations for towns being considered for designation under the Wild and Scenic Rivers Act (PA 90-341).	25-175 to -177
Adult Literacy Leadership Board, established in 2008 to review and advise the Connecticut Employment and Training Commission on workforce investment and adult literacy programs and services. The board had to develop a strategic plan for an adult literacy system by July 1, 2009 and terminates as a standing committee of the commission on July 1, 2012. (PA 08-163).	31-11bb to 31-11ee
Connecticut-Israel Exchange Commission, established in 1988 to promote mutual prosperity, development, and understanding between Connecticut and Israel (PA 88-209). Section 33 of the bill makes the DECD commissioner its successor agency.	32-180 & 32-182
Lower Fairfield County Convention Center Authority, established in 1990 to stimulate new spending in Connecticut and attract and service large conventions, tradeshow, exhibitions, and conferences (PA 90-320).	32-200 to -212
Connecticut International Trade Council, established in 1994 to advise the DECD commissioner on the state's infrastructure and programs for promoting the growth of import and export businesses (PA 94-237). Section 34 of the bill makes the DECD commissioner	32-511

its successor agency.	
Risk Assessment Board, established in 2006 to develop and use a scale using various factors to determine a sex offender's likelihood of reoffending (PA 06-187).	54-259a

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