

PA13-299

HB6363

Government Admin. & Elections	693-694, 696-712, 954- 955, 997, 999	23
House	5283-5291	9
Senate	5405-5408, 5426, 5428, 5438-5439	8
		40

H – 1165

**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2013**

**VOL.56
PART 16
5210 – 5544**

The House of Representatives is voting by roll. Will members please return to the chamber immediately.

SPEAKER SHARKEY:

Have all the members voted? Have all the members voted? Would the members please check the board to make sure your vote is properly cast.

If all the members have voted, the machine will be locked, and the Clerk will take a tally.

Clerk, please announce the tally.

THE CLERK:

SB 273, as amended by House "A," not in concurrence with the Senate

Total Number Voting	135
Necessary for Passage	68
Those voting Yea	113
Those voting Nay	22
Those absent and not voting	15

SPEAKER SHARKEY:

The bill, as amended, passes.

Will the Clerk please call Calendar 242.

THE CLERK:

On page 6, Calendar 242, favorable report of the joint standing committee on Planning and Development, Substitute House Bill 6363, AN ACT STREAMLINING STATE

GOVERNMENT AND INCREASING EFFECTIVENESS.

SPEAKER SHARKEY:

Representative Jutila.

REP. JUTILA (37th):

Thank you, Mr. Speaker.

I move acceptance of the joint committee's favorable report and passage of the bill.

SPEAKER SHARKEY:

The question is on acceptance of the joint committee's favorable report and passage of the bill.

Will you remark, sir?

REP. JUTILA (37th):

Thank you, Mr. Speaker.

Yes, as the title indicates, this bill will help to streamline state government, and it does that by eliminating approximately 30 boards and commissions and making adjustments to several others. And of those 30 boards and commissions, they are all being eliminated because they are either inactive, obsolete, or duplicative.

And, Mr. Speaker, the Clerk has in his possession an amendment, LCO 7287, and I would ask that the Clerk please call the amendment and that I be given leave of the Chamber to summarize.

SPEAKER SHARKEY:

The Clerk please call LCO 7287, which will be designated House Amendment "A."

THE CLERK:

House Amendment "A," LCO 7287, as introduced by Representative Jutila, et al.

SPEAKER SHARKEY:

The gentleman seeks leave of the Chamber to summarize.

Is there objection? Is there objection?

You may proceed with summarization, sir.

REP. JUTILA (37th):

Thank you, Mr. Speaker.

The bill itself -- one of the committees that it would eliminate is the committee to encourage employment by the state of persons with disabilities, and since that time, the Senate has passed Senate Bill 434 and it is currently on our calendar and that bill, rather than eliminating the committee, keeps the committee but renames it and adds members to it and by doing that refocuses the committee in a way that makes it relevant. So, this amendment strips out the part of the bill that would have eliminated that committee, and I would urge adoption.

SPEAKER SHARKEY:

Thank you, sir.

The question before the chamber is adoption of
House Amendment "A."

Do you care to remark?

Representative Hwang of 134th.

REP. HWANG (134th):

Thank you, Mr. Speaker. I rise in support of
this amendment.

Through you:

SPEAKER SHARKEY:

Thank you, sir.

Do you care to remark further on the amendment
that's before us? Do you care to remark further on
House Amendment "A"?

If not, let me try your minds. All those in
favor of House Amendment "A," please signify by saying
aye.

REPRESENTATIVES:

Aye.

SPEAKER SHARKEY:

Those opposed, nay.

The ayes have it.

The amendment is adopted.

Representative Jutila, you still have the floor.

REP. JUTILA (37th):

Thank you, Mr. Speaker.

The Clerk also has in his possession an amendment, LCO 7249, and again, I would ask that the Clerk call the amendment and that I be granted leave to summarize.

SPEAKER SHARKEY:

Will the Clerk please call LCO 7249, which will be designated House Amendment "B."

THE CLERK:

House Amendment "B," LCO 7249, introduced by Representative Jutila, et al.

SPEAKER SHARKEY:

The representative seeks leave of the chamber to summarize.

Is there objection? Is there objection?

Seeing none, you may proceed with summarization, sir.

REP. JUTILA (37th):

Thank you, Mr. Speaker.

The bill itself makes a change to the Metro-North New Haven Rail Council. It changes it to the Connecticut Commuter Rail Council which is a good

change, and the amendment makes it even better by requiring that the Connecticut Commuter Rail Council study all aspects of the statewide commuter lines as opposed to just the New Haven line and recommend changes to improve efficiency and quality of service throughout the entire statewide network and it also would allow the council members to select their own chairman.

And this is good amendment, Mr. Speaker, and I want to thank, particularly, Representative Hwang for his leadership and hard work on putting this amendment together. And I think -- I'm not sure but we may have set a record for the number of co-sponsors on a single amendment, and I would urge passage.

SPEAKER SHARKEY:

Thank you, sir.

Care to remark further on House Amendment "B"?

Representative Hwang of the 134th.

REP. HWANG (134th):

Thank you Mr. Speaker.

I rise in support of this amendment, as well. It truly is a product of bipartisanship, and I want to extend my appreciation to the good chair of GAE, Representative Jutila, as well as Senator Musto and my

cah/cjd/lgg/cd/gbr
HOUSE OF REPRESENTATIVES

331
May 21, 2013

ranking member, Senator McLachlan. I, also, want to extend my thanks to the Governor's Office for their hard work and cooperation.

You know, I think, for me, it is really important for us to understand that the Rail Commuter Council for over 26 years is an all-volunteer, all-commuter agency that has been advocating the interest of rail commuters in our community. And the fact of the matter is last Friday, we had the horrific derailment, and we fully came to recognize the fact that rail commuters are an integral part of our community, our quality of life, and our economic engine. And so, for us to be able to restore this, for them to continue the advocacy for commuters and ensure their safety is something that I'm very proud of us being able to do, and I'm hoping for the full support of this chamber as well so thank you.

SPEAKER SHARKEY:

Thank you, sir.

Do you care to remark? Do you care to remark further on House Amendment "B"?

If not, let me try your minds. All those in favor of House Amendment "B," please signify by saying aye.

cah/cjd/lgg/cd/gbr
HOUSE OF REPRESENTATIVES

332
May 21, 2013

REPRESENTATIVES:

Aye.

SPEAKER SHARKEY:

Those opposed, nay.

The ayes have it.

The amendment is adopted.

Do you care to remark further on the bill as amended? Do you care to remark further on the bill as amended?

If not, staff and guests to the well of the House. Members take your seats. The machine will be open.

THE CLERK:

The House of Representatives is voting by roll.

The House of Representatives is voting by roll. Will members please return to the chamber immediately.

SPEAKER SHARKEY:

Have all the members voted? Have all the members voted?

Members please check the board to make sure your vote is properly cast.

If all the members have voted, the machine will be locked, and the Clerk will take a tally.

Clerk, please announce the tally.

THE CLERK:

Substitute House Bill 6363, as amended by House
"A" and "B"

Total Number Voting	134
Necessary for Passage	68
Those voting Yea	134
Those voting Nay	0
Those absent and not voting	16

SPEAKER SHARKEY:

The bill, as amended, passes.

Chamber stand at ease.

(Chamber at ease.)

SPEAKER SHARKEY:

The Chamber will come back to order.

Will the Clerk please call Calendar Number 106.

THE CLERK:

On page 41, Calendar Number 106, favorable report
of the joint standing committee on Government
Administration, Elections, House Bill 6373, AN ACT
CONCERNING THE POLICING OF INDIAN TRIBAL LAND.

SPEAKER SHARKEY:

Representative Dargan.

**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2013**

**VETO
SESSION**

**VOL. 56
PART 17
5161 - 5482**

THE CHAIR:

Mr. Clerk.

THE CLERK:

On page 10, Calendar 644, Substitute for House Bill Number 6363, AN ACT STREAMLINING STATE GOVERNMENT AND INCREASING EFFECTIVENESS, favorable report of the Joint Committee on Government Administration and Elections.

THE CHAIR:

Senator Musto.

SENATOR MUSTO:

Good evening, Madam President.

THE CHAIR:

Good evening again, sir.

SENATOR MUSTO:

Madam President, I move the joint committee's favorable report and passage of the bill.

THE CHAIR:

The motion is on acceptance and passage.

Will you remark, sir?

SENATOR MUSTO:

Yes, Madam President, thank you.

This bill is a little bit bigger than the last two. It has many changes in it, and most of these changes are, as the title suggests, streamlining state government.

It removes -- I've got a list here because it's rather large so it removes the Adult Literacy Leadership Board, the Advisory Committee for the Center for Real

Estate and Urban Studies, the Bipartisan Farmington River Watershed Advisory Committee, the Board of Directors for Lower Fairfield County, Conference and Exhibit Authority, the Child Day Care Council, the Commission on Innovation and Productivity, the Committee on Career Entry and Mobility, the Committee to Encourage Employment by State Persons with Disabilities, Computer Assisted Mass Appraisal Systems, Connecticut International Trade Council, the Connecticut Progress Council, the Risk Assessment Board.

On page two: Game and Policy Board -- which is actually the majority of the sections in this bill -- the Health First Connecticut Authority, the Housing Advisory Committee, the Nurturing Families Network Advisory Commission, The Quinebaug and Shetucket Rivers National Heritage Corridor Committee, The Small Business Air Pollution Compliance Advisory Council, the Southwest Corridor Action Council, Statewide Community and Tenant Television Advisory Council, Student Financial Aid Information Council and Waiver Application Development Council.

It removes all of those, Madam President, because they are either no longer -- none of them are active anymore, basically. So none of these are in any way going to hurt the citizens and in spite of some of their impressive titles. It does make some other changes to different boards and commissions that are enumerated in the statute.

Basically, what it does, Madam President, is make state government just a little smaller and gets rid of some of the surplus things that we are not using anymore. It makes some other changes, conforming changes, and some changes to things that we are still using. It streamlines them a little bit and helps us be a little more efficient as the State of Connecticut. And so for those reasons, Madam President, I would ask again for the Chamber's support of this bill.

THE CHAIR:

Thank you.

Will you remark? Will you remark?

Senator Witkos.

SENATOR WITKOS:

Thank you, Madam President.

Now just one question, if I may, to the proponent of the amendment.

THE CHAIR:

Please proceed, sir.

SENATOR WITKOS:

Thank you.

Through you to Senator Musto, Madam President. Senator Musto you mentioned some of the Bi-State Farmington River Commission that will no longer be in place and I'm looking at the description and it was to make recommendations for the towns being considered for designation under the federal Wild and Scenic Rivers Act and while I'm very proud of the fact that the upper half of the Farmington River has received that wild and scenic river designation that there are attempts now to move forward for the lower half of the Farmington River to do that and by removal of this board that won't have any impact on their attempts to get a second -- the lower half designation.

THE CHAIR:

I'm sorry, Senator Witkos.

Senator Looney.

SENATOR LOONEY:

Yes, thank you.

I apologize, Senator Witkos.

Madam President, if this item might be passed temporarily and if we might stand at ease for a moment to prepare the next item?

THE CHAIR:

So ordered, sir. The Senate will stand at ease.

(Chamber at ease.)

THE CHAIR:

Senator Looney.

The Senate will come back to order.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, as the next item to be called and previously marked go, Calendar page 18, Calendar 239, Senate Bill 190, an item from the Transportation Committee.

Thank you, Madam President.

THE CHAIR:

Thank you.

Senator Maynard.

SENATOR MAYNARD:

Thank you, Madam President. I move the bill.

THE CHAIR:

I'm sorry. The motion is on acceptance and passage.

Will you remark?

SENATOR MAYNARD:

Yes, Madam President, I believe --

issues related to the implementer and other items that we hope to conclude in the rest of the evening.

THE CHAIR:

Thank you.

SENATOR LOONEY:

Thank you, Madam President.

THE CHAIR:

The Senate will stand at recess.

(On motion of Senator Looney of the 11th, the Senate at 9:55 p.m. recessed.)

(The Senate reconvened at 10:44 p.m., Senator Duff of the 25th in the Chair.)

THE CHAIR:

The Senate will come back to order?

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, before proceeding to any more items, I have some more items to add to the Consent Calendar at this time. Mr. President, first, Calendar page 6, Calendar 522, House Bill 5598.

Calendar page 7, Calendar 571, House Bill Number 6492.

Calendar page 10, Calendar 644, House Bill Number 6363.

Calendar Page 12, Calendar 668, House Bill Number 6362.

Mr. President, if we might stand at ease for just a moment, I need to verify a few additional items.

THE CHAIR:

So ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Now, Mr. President, at this time if the Clerk would call as the next item, Calendar page 5, Calendar 479, Senate Bill 115.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Mr. Clerk.

THE CLERK:

On page 5, Calendar 479, Senate Bill Number 115, AN ACT CONCERNING RESIDENTIAL NURSING HOME FACILITIES SERVING INMATES AND MENTAL HEALTH PATIENTS, favorable report of the Committee on Human Services.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE:

Good evening, Mr. President.

THE CHAIR:

Good evening.

SENATOR DOYLE:

I move acceptance of the joint committee's favorable report and passage of the bill.

THE CHAIR:

Thank you, Mr. President.

Mr. President, if the clerk would now call -- would now list the items on the Consent Calendar so that we might proceed to a vote on the Consent Calendar before taking up additional items.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Page 2 -- sorry -- House Bill 6672, and then on page 2, Calendar 423, House Bill 5907.

On page 4, Calendar 464, House Bill 5601; Calendar 465, House Bill 6630.

On page 5: 485, House Bill 6602; Calendar 503, House Bill 6635.

On page 6: Calendar 19, House Bill 5903; Calendar 522, House Bill 5598.

On page 7: Calendar 570, House Bill 6486; Calendar 571, House Bill 6492.

On page 8: Calendar 601, House Bill 6490; Calendar 606, House Bill 6674.

On page 10, Calendar 644, House Bill 6363.

On page 12, Calendar 668, House Bill 6362; and Calendar 672, House Bill 548.

On page 15: Calendar 695, House Bill 5289; Calendar 696, House Bill 6658.

On page 16: Calendar 704, House Bill 6692; 705, House Bill 6703.

On page 17: Calendar 706, House Bill 6651.

And on page 21: Calendar 431, Senate Resolution Number 15.

HB 5480

THE CHAIR:

Mr. Clerk, please announce the pendency of a roll call vote, the machine will be open.

THE CLERK:

Immediate roll call has been ordered in the Senate.
Senators please return to the chamber. Immediate roll call on Consent Calendar Number 2 has been ordered in the Senate.

THE CHAIR:

Have all members have voted? If all members have voted, please check the board to make sure your vote is accurately recorded.

If all members have recorded, the machine will be closed and the clerk will announce the tally.

THE CLERK:

The second Consent Calendar

Total Number Voting	35
Those voting Yea	35
Those voting Nay	0
Those absent and not voting	0

THE CHAIR:

Consent Calendar Number 2 passes.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, I just wanted to review and have we adopted Senate Agendas 3 and 4?

THE CHAIR:

**JOINT
STANDING
COMMITTEE
HEARINGS**

**GOVERNMENT
ADMINISTRATION
AND ELECTIONS
PART 3
618 - 999**

2013

71 February 25, 2013
smj/vd/gbr GOVERNMENT ADMINISTRATION 11:00 A.M.
AND ELECTIONS COMMITTEE

REP. D'AGOSTINO: Mr. Chairman?

REP. JUTILA: Yes.

REP. D'AGOSTINO: Just for the record, Senator Musto asked for the case cites, and the one I was quoting from on the standard was U.S. Steel v. Multi-tax State Commission 434 U.S. 452 reproved by the professor, 1978. And a case that I found kind of interesting subsequently interpreting the compact and applying that standard is a Third Circuit case, McComb v. Wambaugh 934 F.2d 474 Third Circuit 1991.

A VOICE: What are you using?

REP. JUTILA: Thank you for that information, Representative D'Agostino. And thank you again, Professor.

The next speaker is Chris Drake.

CHRISTOPHER DRAKE: Good afternoon, Senator Musto, Representative Jutila, Senator McLachlan, and Representative Hwang and other distinguished members of the Government Administration and Elections Committee. My name is Christopher Drake, deputy legal counsel to Governor Malloy, and I'm here to testify in support of two Governor's bills, H.B. 6362 and H.B. 6363. Just an editorial point. I'm not here to testify on national popular vote. I guess we won't have that to talk about.

6363, An Act Streamlining State Government and Increasing Effectiveness, proposes the elimination or reconfiguration of various boards and commissions, a list of which is attached to my written testimony. This bill is part of the Governor's continued effort to

streamline government. A similar bill, H.B. 5027, was submitted by the Governor last session, was passed unanimously in the House, but fell victim to timing issues at the end of the rush of the session. Many of these boards and commissions are no longer active and have not met in several years. Others are duplicative of the functions performed by more active boards.

We intend to continue to evaluate boards and commissions and may propose additional eliminations and consolidations in future Legislative Sessions. There may be boards, commissions, task forces, and other groups that should be added to this list and we invite Committee members and members -- and other members of the General Assembly to suggest additions. Our office stands ready to work with members of this Committee with the other members of the General Assembly and with the public in rightsizing and streamlining State Government.

H.B. 6362, An Act Concerning the Transparency and Accessibility of the Regulations of the Connecticut State Agencies, is related to Public Act 1292, An Act Transitioning the Regulations of Connecticut State Agencies to an Online Format. P.A. 1292 established the regulation's modernization task force which I chaired to develop a plan to ensure that by July 1, 2013, the regulations of Connecticut State agencies are available to the public in an easily accessible online format.

Information about the task force is available on the Governor's web site, including a list of the members and the final report that was adopted by consensus of all the task force members. And Secretary Merrill, spoke at the

system to create and promulgate regulations no later than October 1 of 2014. The regulation-making process in Connecticut is established by the Uniform Administrative Procedures Act. We are proposing only slight changes to the procedures to account for the fact that all documents created in the regulation-making process will be made available to the public online and in real time, and that the online regulations will now be the official version of the regulations of Connecticut State agencies.

Funding for this project has already been approved by the bond Commission through the Technology Capital Investment Program established by Section 2A of Public Act 12189. These regulations will be available through the Secretary of the State's web site, although the design and implementation will be a joint effort between the Governor's Office, the Secretary of State, and the Bureau of Enterprise Services and Technologies, formerly known as DOIT. We hope to begin implementation of this project within the next few weeks.

Thank you for the opportunity to speak with you today, and I'm happy to attempt to answer any questions you have. Thanks.

REP. JUTILA: Thank you.

Questions from members of the Committee?
Senator McLachlan.

SENATOR McLAUHLAN: Thank you, Mr. Chairman. Thank you, Mr. Drake, for your testimony on behalf of the Governor. Some specific questions about the boards and commissions that are affected by this legislation.

HB 6363

The Board of Trustees for the Department of Veterans Affairs, could you clarify for us -- as I understood it, the Board of Trustees were some of our best advocates for the Department of Veterans Affairs. Is this an organization that is, as you mentioned, some now inactive and not meeting?

CHRISTOPHER DRAKE: No. Some of the, some of the boards and commissions indicated on this list are not being eliminated. They're being reconfigured, and that's one of them. There's a provision in the statute creating the Board of Trustees for DBA. That required a majority of the members to be veterans of World War II, Korea, or the Vietnam War. Obviously those folks are harder and harder to come by, and we think that some of the spots on the board should be reserved for veterans of the first Gulf War, the Iraq War, and Afghanistan as well as other conflicts in the future. So, the changes in the bill reflect that. That essentially just says that a majority of the members will be veterans of armed U.S. conflicts instead of specifically identifying the conflict.

SENATOR McLAUHLAN: Thank you. And could you clarify for us the changes to the gaming policy board?

CHRISTOPHER DRAKE: It's being eliminated in this bill.

SENATOR McLAUHLAN: And for further clarification, the Gaming Policy Board at one time in the state of Connecticut was, frankly, one of the most powerful organizations at the State capital. What's happened? What's going on with gaming policy since that has required you to propose elimination?

76
smj/vd/gbr GOVERNMENT ADMINISTRATION February 25, 2013
AND ELECTIONS COMMITTEE 11:00 A.M.

CHRISTOPHER DRAKE: So, its power is indicative of the fact the bill is 104 pages long. Fifty-four pages of it is dedicated to the removal of the Gaming Policy Board. The Gaming Policy Board, we believe, has outlived its usefulness and I don't want to bury it (inaudible). There are only two active members on the Gaming Policy Board and both -- it's reflected on the minutes that are posted on the board's web site. Both agree that it's out lived its usefulness and should be eliminated. They he did so at their January 25th meeting.

The Gaming Policy Board was created in the '70s, and since then things have changed. In the '70s and the '80s, Connecticut was both the regulator and the operator of, of gaming in the state. Since that time the State has divested itself of the lottery by creating the Connecticut Lottery Corporation. It's divested itself of pari-mutuel betting. And obviously we now have two very large private casinos in the State. So, we think times have changed. The Gaming Policy Board has two -- had two main functions which we think are just duplicative now in 2013, and were probably useful back in the '70s when it was created.

The first is that it has essentially approval authority over any regulation that -- we used to be called the Special Revenue, but is now part of DECP, Division of Special Revenue. So, when they issue gaming regulations, the Gaming Policy Board currently has the ability to approve or disapprove those regulations. That's a step that's sort of unheard of in any other -- any other facet. They're still -- the regulations would still have to go through the normal regulation process which requires Attorney General certification, public hearing

or public comment, legislative regulation review oversight. So, any gaming regulations that the DECP came up with would still go through that normal process. They would just -- the step of having to go through the Gaming Policy Board would be eliminated in making the DECP regulations similar to all other State regulations.

The other thing that the Gaming Policy Board could do theoretically is hear appeals of people who have been rejected for gaming licenses, and which they haven't done in three years. There hasn't been one appeal in three years. They haven't overruled the decision of the department in over 10 years, and it's a power that is -- it's unique in that DECP licenses, many, many other professions, and the appeal is directly to the Superior Court. There is not to an interim board. So, for those reasons we think times have changed and it's just outlived its usefulness.

SENATOR McLAUHLAN: Thank you for that clarification, and I'll read some more on it to have a better feeling for whether that's the right move to make. Thank you.

CHRISTOPHER DRAKE: Thank you.

REP. JUTILA: Other questions? Okay, Senator Musto.

SENATOR MUSTO: Thank you. Thank you, Mr. Drake. I have a few questions for you about various sections of the bill, moving to Section 6, same bill that Senator McLachlan was discussing with you.

Section 6 of the bill removes the benchmarks under Section 4-67R. Could you tell us why?

CHRISTOPHER DRAKE: Which board are you referring to, Senator?

SENATOR MUSTO: It's lines 140 to 143 of the bill, Section C. It says that the, "The annual report that's submitted under section A of the bill shall evaluate the progress of budgeted State agencies in achieving benchmarks established under Section 4-67R." Why is that section being removed?

CHRISTOPHER DRAKE: I don't know the answer to that, Senator. We'll get you the answer.

SENATOR MUSTO: Okay, thank you. Section 7 of the bill establishes the JIS Council. It's being replaced, seems wholesale, by OPM. Is that fair?

CHRISTOPHER DRAKE: Fair.

SENATOR MUSTO: Okay. What is the reason for that?

CHRISTOPHER DRAKE: Well, this is one of the boards that just wasn't active. And, so, the -- rather than remove the function, we thought that this should be consolidated into the State agency that had the most expertise on the matter, and that was OPM.

SENATOR MUSTO: So, has OPM basically taken over the duties of that Council at this time?

CHRISTOPHER DRAKE: That's correct.

SENATOR MUSTO: Okay. Section -- if you'll give me a second to refer to my notes here -- 10, if you can go there, it's line 274 and following. Seems like there's -- I'm not even sure what board is being removed here. In line 288 it says, "The secretary shall" and then the

language is "after a consultation with the board created by Section F of this subsection." So, I'd have to refer to Subsection F. I haven't looked at this bill in a week or two here. That board is -- what board is that that's being removed there?

CHRISTOPHER DRAKE: This is a bit of a jigsaw puzzle bill. I believe it's referring to the Computer Assisted Mass Appraisal Systems Advisory Board.

SENATOR MUSTO: Yeah. What's the status of --

CHRISTOPHER DRAKE: Again, that's another one that hasn't met in years.

SENATOR MUSTO: Okay. I was not familiar with it. I didn't know if it was still active. But if it hasn't met in years, it's not doing anything, it makes sense.

Section 11 seems to remove the Transportation reporting requirement to CPTC. What is the purpose of that?

CHRISTOPHER DRAKE: I'm sorry. Are you talking, Senator, about line --

SENATOR MUSTO: Section 11 of the bill.

CHRISTOPHER DRAKE: -- 370 to 375?

SENATOR MUSTO: I am, yes.

CHRISTOPHER DRAKE: Okay. Well, that's due to the fact that we're proposing to eliminate the Connecticut public transportation Commission.

SENATOR MUSTO: Is that an inactive Commission as well?

CHRISTOPHER DRAKE: That is not.

SENATOR MUSTO: Okay. Then what is it not doing --

CHRISTOPHER DRAKE: That falls under -- sorry, I didn't mean to interrupt you.

SENATOR MUSTO: Well, I mean, if it's -- if it's active, right, if it's still ongoing, what's the purpose of removing it?

CHRISTOPHER DRAKE: Well, that was one of the boards that was seen as being duplicative of -- Department of Transportation may or may not have submitted testimony on this. I know they did last year. They have their own internal boards that meet, and they think that their internal boards are a little bit more flexible and respond more well to the, the issues of public transportation. There are a lot of other boards -- you notice we have reconfigured the Metro North Commuter Rail Council in here to be the Connecticut Commuter Rail Council. There are a lot of other boards that touch on public transportation issues and, so, we thought that this was just one that DOT had not used recommendation that came out of that board in a number of years. They couldn't remember when they had used a recommendation. So, just one of those ones that we felt that had outlived its usefulness.

SENATOR MUSTO: Can you tell us who is on the Connecticut Public Transportation Commission?

CHRISTOPHER DRAKE: I don't have that information right now.

SENATOR MUSTO: I'm sorry, I didn't expect you to. What I meant was how is it, how is it composed? Is it legislative appointments? Is it

executive appointments? Are they elected by somebody? What's the -- I don't know.

CHRISTOPHER DRAKE: So, I should also mention that all the boards on this list have at least one gubernatorial appointment. Otherwise, we didn't look at the board of Commission for a possible consolidation or elimination. So, I know for a fact it has gubernatorial appointments. Whether it has appointments from the leadership of the General Assembly, I don't know off the top of my --

SENATOR MUSTO: Do you know what statute creates that Commission?

CHRISTOPHER DRAKE: Again, it's in the elimination section which is, I believe, way at the back in 104. I can get that information for you, Senator.

SENATOR MUSTO: My concern with this is that if the board is still active and it is providing recommendations which may or may not be being taken by the Department of Transportation, the fact that the DOT is not accepting the recommendations of this Commission doesn't mean the Commission is invalid itself. It may mean that DOT is not doing the right thing. I don't know. But if it's -- if this board is comprised of legislative appointments or municipal appointments, experts in the field, whatever, then perhaps this shouldn't be leaving if it's providing some recommendations and insight.

I'm not familiar with it. When we hear from other people, maybe they'll oppose it or not, or maybe there's no -- there's no reason to keep it around. But if it is -- if it's inactive, it hasn't met in years, that's one

thing. The ones that are active that are actively doing some work, you know, maybe it's more of a dispute of what they're saying rather than that they're not saying anything. So, that's my concern with that one.

CHRISTOPHER DRAKE: We can certainly have a discussion with DOT. I do believe that there is a somewhat of a cost savings by removal of that board. So, it's a weighing of a cost benefit here. DOT, I believe, devotes half a staff person to the maintenance of this board, so -- to be the administrator for this board. They have public hearings around the state on public transportation issues. And, so, I think -- you know, off the top of my head, I couldn't tell you the exact dollar amount, but it is half an FTE that's devoted to this.

SENATOR MUSTO: Okay, thanks. And, again, I just want to know why, if they're working, if they're doing things, we're getting rid of them.

Section 21, it begins at line 87 -- 868. Seems like there is a small business stationary source environmental compliance program and the advisory panel is being removed. Do you know what -- why?

CHRISTOPHER DRAKE: Again, same answer to the -- or same answer to the question that you asked before. This is one of the boards that has just not met in a number of years.

SENATOR MUSTO: Okay. They haven't been doing anything?

CHRISTOPHER DRAKE: Right.

SENATOR MUSTO: Okay. Section 25, the Connecticut

International Trade Council is being changed to DECD. Was that part of the reorganization of last year?

CHRISTOPHER DRAKE: It's not -- it's not per se part of the reorganization. It's -- number one, it's one of those boards that hasn't met in a while. I'm not sure if it ever really met, but it's a good idea for DEC to do. And, so, we didn't want to remove the function. We wanted to remove the board and tell -- and direct DECD to perform this function internally.

SENATOR MUSTO: With a lot of these, again, you know, I'd like to know the reasons. If they're not doing anything, if no one is objecting, you know, nobody comes forth and says, "Hey, this is a bad idea because," then I'm not necessarily opposed to streamlining government which is, I understand, the purpose of the bill. I am concerned if they're doing something. But when we hear, we'll find out, I guess.

Those sections that are referred to in that bill, C.G.S. 32500 through 32512, it seems like, if I'm reading this correctly and if you'll let me take another look at it real quick. It says here that -- what is -- are those sections just one chapter of the Connecticut's General Statutes? Are we --

CHRISTOPHER DRAKE: You know, that looks like it might be an LCO clarification. Without having all the general statutes in front of me --

SENATOR MUSTO: Sure.

CHRISTOPHER DRAKE: I probably should have brought my laptop, but I mean, it looks like it's sort of an LCO cleanup effort.

SENATOR MUSTO: Okay, all right. Section 27 is a Contaminated Property Board. The power goes to, again, to DECD. What can you tell me about the Contaminated Property Board?

CHRISTOPHER DRAKE: Well, I can tell you that that board hasn't met in a long time, and the reason is because the fund doesn't have any money in it.

SENATOR MUSTO: Okay.

CHRISTOPHER DRAKE: So, to the extent that the fund is ever re-funded, we didn't want to eliminate the fund, but the board seems to be superfluous at this point since there's, there's no money in the fund to do anything about it.

SENATOR MUSTO: And that fund is -- that fund does what exactly?

CHRISTOPHER DRAKE: Well, I -- I mean, just from what the name suggests, that it -- it is a fund established to remediate contaminated properties.

SENATOR MUSTO: But is it any contaminated properties? Is it limited to gasoline or -- is it limited in any way or is it just any contaminated property that might be within the bounds of the state?

CHRISTOPHER DRAKE: That I don't know.

SENATOR MUSTO: Okay. Because I remember we did something last year regarding gas station remediations, thanks, things like that. I didn't know if that was --

CHRISTOPHER DRAKE: There was a, there was a

revising of the underground storage tank insurance program.

SENATOR MUSTO: Okay. But that was not this.

CHRISTOPHER DRAKE: Oh, this is not. That was a gigantic fund that is ongoing.

SENATOR MUSTO: Okay.

CHRISTOPHER DRAKE: And is in the process of being dissolved.

SENATOR MUSTO: All right, thank you. I just wanted to clarify that.

Section 29 is the Long Island Sound Advisory Council.

CHRISTOPHER DRAKE: Yes.

SENATOR MUSTO: It seems like the Governor -- I think in this case the Governor is just removing his appointments; is that correct?

CHRISTOPHER DRAKE: Correct. This is really something that -- this is just a shifting the -- not responsibilities, but it is an acknowledgment of the fact that most of the board is made up of municipal officials. We run into this from time to time where we have ex officio members or members from a department, the staff members from the departments that are asked to sit on boards in lieu of the Commissioner. And they're required to sign off on, on reports and, you know, other thing that the councils are doing or the boards of commissions are doing that might not jibe with administrative policy or with the views of their Commissioner. But as a member of the task force of board or Commission, even if they

vote no on the report, they're still indicated as, you know, being a part of this body that came up with this solution.

So, in this case it was just an acknowledgment of the fact that the Governor's appointments are, by far, minority representation on these councils. We're not suggesting that the councils should just be eliminated, but it's really just -- it will increase the local control.

SENATOR MUSTO: Sorry. Okay, thank you. Section, I think the next one I had a question about was Section 31, specifically lines 1214 following, that abolishes or seems to withdraw the authority to establish -- that's the right way to say it -- the River Protection Advisory Committee. Can you tell me -- what can you tell me about the River Protection Advisory Committee?

CHRISTOPHER DRAKE: I know a little bit about it.

SENATOR MUSTO: Well, first question, is it still active, I guess?

CHRISTOPHER DRAKE: No. No, because it's already happened. I believe that committee has been superseded by another -- by another committee having to do with the Farmington River. I can get you that information. But after consultation with DEEP, we were told that -- that the River Protection Advisory Committee was no longer necessary because its sole purpose was to come up with a plan that, you know, was come up with in the early '90s and that -- and, so, it's pretty much moot at this point.

SENATOR MUSTO: Okay. So, they were supposed to

come up with a plan. They came up with a plan and that was --

CHRISTOPHER DRAKE: And they created a different Council which is active and which we're not requiring or which we're not proposing to eliminate.

SENATOR MUSTO: Okay, thank you. Section 35 starting at line 1359, the Waiver Application Development Council, what's going on with this?

CHRISTOPHER DRAKE: I don't know the answer to that, Senator. I mean, obviously has to do with the advisory Council to advise DSS on Medicaid waivers. We can ask DSS to get back to you. I'm not seeing it on my list of boards of commissions that are proposed to be eliminated.

SENATOR MUSTO: Okay. I can tell you last year I was the Chair of Human Services, and according to this, I was a member of this Commission and I don't remember --

CHRISTOPHER DRAKE: Do you remember meeting?

SENATOR MUSTO: No, I do not. I do remember there were hearings, and whenever DSS had a waiver application or an amendment application, they would come before appropriations in Human Services. We'd have a joint meeting and we would review and have to vote on the application for the waiver or for the amendment to the feds. So, to the extent that those two are separate processes, I thought those hearings were very helpful to my understanding of Medicaid in general, to understand what DSS was doing, and they were filled with policy decisions.

To the extent that this is a separate council

that just hadn't met during my two years as chairman, then maybe it is time for it to go. So, I'd like to figure out what's going on with that because it seems like it's -- you're getting -- it says -- the statute says, "There is established a Waiver Application Development Council and it shall be composed of the following members." If that language disappears, then it seems there is no more Waiver Application Development Council, which may not be such a bad thing if it's inactive anyway.

CHRISTOPHER DRAKE: I believe it is inactive. So, I think this -- practically what happens is more in line with your latter comment in that it's an inactive board. We're not suggesting that there shouldn't be legislative oversight over the waivers. I believe, Senator, you are absolutely correct when you describe the process of Federal waiver applications for Medicaid. So, we're not suggesting that that process should change in any way.

SENATOR MUSTO: Okay, I've only got a few more for you.

CHRISTOPHER DRAKE: All right. If you're not a lawyer, you should be. This feels like a deposition.

SENATOR MUSTO: I am a lawyer, and I don't mean to do that. I want to make sure I understand what I'm voting on, so, sorry about that.

Section 40.

CHRISTOPHER DRAKE: Okay.

SENATOR MUSTO: Let's see here. It's line 1549 is the first line of that section and -- oh, this

is the one, I'm sorry, Senator McLachlan asked you about.

CHRISTOPHER DRAKE: Sure. So, that's the change to the Board of Trustees for the Department of Veterans Affairs.

SENATOR MUSTO: Yeah, I had basically the same question and I think I'm satisfied with your answer.

Section 43 remove the Housing Authority -- remove the Housing Advisory Committee, excuse me. And could you tell me what the purpose of that is?

CHRISTOPHER DRAKE: Sure. So, the Housing Advisory Committee, number one, is one that hadn't met in a long time. But, number two, is now going to be duplicative of some of the other housing efforts. As you well know, the Governor -- last year the Department of Housing was created and the Governor recently nominated a Commissioner to the department. And, so, as part of the efforts in housing, as part of other administrative bills which we will -- I can get you the bill numbers if you would like. We're proposing the creation of some other housing Councils to revive discussion on housing matters in the state. So, this is just -- this is, I think, very much just a cleanup effort. We just want to get rid of an old board that hadn't met in a long time and create some new boards that may reflect a better cross-section of the population. And those boards are contained in the Governor's housing bills.

SENATOR MUSTO: Okay, thank you. I did also have Senator McLachlan's same question about the Gaming Policy Board. So, we can skip that.

CHRISTOPHER DRAKE: Okay.

SENATOR MUSTO: So, last question, how does the Governor feel about national popular vote?

CHRISTOPHER DRAKE: I do not believe we have an official position on that.

SENATOR MUSTO: Okay, thank you very much.

CHRISTOPHER DRAKE: Thank you.

SENATOR MUSTO: Are there other questions from members of the Committee?

No? Thank you.

REP. JUTILA: The next speaker is Antoinette Spinelli. Is Antoinette Spinelli in the room? Okay, then we will go to, yeah, to Tom Swan.

TOM SWAN: Good afternoon, Senator Musto, Representative Jutila, members of the GAE Committee. My name is Tom Swan. I'm the Executive Director of the Connecticut Citizen Action Group. I want to thank you for raising S.B. 432 and urge its passage.

CCAG supports the National Popular Vote Compact because it is the best way to ensure the basic principle of one -- that the basic principle of one person one vote is respected. Throughout the history of the United States, we have passed reforms that have been enacted to help us better live up to the democratic ideals on which we were founded. These included winning the right to vote for women, the voting rights act, and granting 18 year olds the right to vote to name just a few. The NPV compact will ensure that all votes will count the same when



**TESTIMONY OF
PETER M. GIOIA
VICE PRESIDENT & ECONOMIST
CONNECTICUT BUSINESS AND INDUSTRY ASSOCIATION
SUBMITTED TO THE
GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE
FEBRUARY 25, 2013
LEGISLATIVE OFFICE BUILDING
STATE CAPITOL
HARTFORD, CONNECTICUT**

Good day. My name is Peter M. Gioia. I am the economist for the Connecticut Business and Industry Association (CBIA). CBIA represents about 10,000 firms, which employ approximately 700,000 women and men in Connecticut. Our membership includes firms of all sizes and types, the vast majority of which are small businesses with fewer than 50 people.

CBIA supports the following bills: HB 6362 An Act Concerning the Transparency and Accessibility of the Regulations of Connecticut State Agencies, and HB 6363 An Act Streamlining State Government and Increasing Effectiveness.

CBIA supports the efforts in the Governor's recommended budget to create a smaller more effective and efficient state system. These two bills make different proposals to help achieve those goals.

Bill 6362 creates a coordinated and transparent electronic system of state regulations that can be accessed by businesses and citizens alike. It ought to make for more user friendly government and help with understanding and compliance.

Bill 6363 creates numerous changes with panels, councils, review groups and more. Overall, we support these efforts and in particular agree with the efforts that:

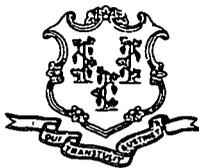
- establishes an innovations review panel to identify and quantify savings ideas generated by employees, something well needed as we have yet to identify such savings in the last biennium's SEBAC agreement.
- establishes a higher education consolidation committee to ensure budget savings in this area
- determines that DECD take the lead in international trade assistance which we believe is proper and will be helpful for firms that export or who wish to begin exporting.
- establishes a council to help DSS proceed with needed waiver applications which ought to allow the department to seek and implement more cost savings.

Connecticut's ability to manage its state budget will continue to have a direct effect on our economy. The more effective and efficient that government is, the better our business climate will be. In addition, Connecticut will be better able to compete with other states to grow and retain existing businesses as well as bring new companies into our state. Making Connecticut government more efficient isn't just a desired goal--it's essential to building and sustaining a healthy economy and an improved quality of life.

CBIA urges the legislature to seek areas to further streamline its budget. While controlling state spending is a substantial and difficult task, we hope the committee and the General Assembly will make the necessary difficult decisions that will provide an improved fiscal climate for our state while fully protecting our fragile economy.

Thank you for the opportunity to present this testimony.

14/7



Dannel P. Malloy
GOVERNOR
STATE OF CONNECTICUT

Testimony of Christopher R. Drake

In support of House Bill 6363

An Act Streamlining State Government and Increasing Effectiveness

and House Bill 6362

An Act Concerning the Transparency and Accessibility of the Regulations of Connecticut State Agencies

February 25, 2013

Good morning Sen. Musto, Rep. Jutila, Sen. McLachlan, Rep. Hwang and other distinguished members of the Government Administration and Elections Committee. My name is Christopher Drake, Deputy Legal Counsel to Governor Malloy. I am here to testify in support of two Governor's Bills, HB 6362 and 6363.

House Bill 6363 - An Act Streamlining State Government and Increasing Effectiveness

HB 6363 proposes the elimination or reconfiguration of various boards and commissions, a list of which is attached to my written testimony. This bill is part of the Governor's continued effort to streamline government. A similar bill, HB 5027, was submitted by the Governor last session, was passed unanimously in the House, but fell victim to timing issues with the end of the session rush. Many of these boards and commissions are no longer active and have not met in several years. Others are duplicative of the functions performed by more active boards.

We intend to continue to evaluate boards and commissions and may propose additional eliminations and consolidations in future legislative sessions. There may be boards, commissions, taskforces and other groups that should be added to this list and we invite the committee members and members and other members of the General Assembly to suggest any additions. Our office stands ready to work with members of this committee, with other members of the General Assembly, and with the public in rightsizing and streamlining state government.

House Bill 6362 – An Act Concerning the Transparency and Accessibility of the Regulations of Connecticut State Agencies

HB 6362 is related to Public Act 12-92, An Act Transitioning the Regulations of Connecticut State Agencies to an Online Format. PA 12-92 established the Regulations Modernization Taskforce, which I chaired, to “develop a plan to ensure that by July 1, 2013, the regulations of Connecticut state agencies are available to the public in an easily accessible online format.” Information about the task force is available on the Governor’s website, including a list of the members and the final report *that was adopted by consensus*. I would like to publicly thank all of the task force members for their hard work, including their work in drafting this bill.

The motivation for this bill is simple, Connecticut residents and business are expected to comply with state regulations, but there is no central repository for the public to find the regulations that apply to them. Connecticut is the only state in the country that does not have a central online system for accessing its state regulations. The changes made by this bill and the plan created by the task force will go a long way towards addressing this problem. Creating an online repository for our state regulations will dramatically increase transparency and public awareness of our state’s regulatory process.

This bill provides the legal framework for modernization. The plan created by the task force recommends that the state’s entire regulation-making process be made electronic, making it accessible and transparent to the public. This is a two-step process. First, there are nearly 19,000 pages of state regulations currently in effect. This bill and the task force’s plan require that these regulations be put online no later than July 1st of this year, which meets the mandate set by PA 12-92. Second, in order to ensure that the regulations are kept current, this bill mandates that the entire regulation-making process be made electronic, with all agencies using the same system to create and promulgate regulations by October 1, 2014.

The regulation-making process in Connecticut is established by the Uniform Administrative Procedures Act. We are proposing only slight changes to the procedures to account for the fact that all documents created in the regulation-making process will be made available to the public online and in real time and that the online regulations will be the official version of the Regulations of Connecticut State Agencies.

Funding for this project has already been approved by the Bond Commission through the Technology Capital Investment Program established by Section 2a of Public Act 12-189. These regulations will be available through the Secretary of the State’s website, although the design and implementation will be a joint effort between the Governor’s Office, the Secretary of the State, and the Bureau of Enterprise Services and Technology. We hope to begin implementation of this project within the next few weeks.

Thank you for the opportunity to speak with you today. I am happy to attempt to answer any questions that you have about either bill.

Boards and Commissions for Elimination / Reconfiguration

- Advisory Committee for the Center of Real Estate and Urban Studies
- Advisory Committee for William Benton Museum of Art
- Child Daycare Council
- Computer-Assisted Mass Appraisal Systems Advisory Board
- CT Public Transportation Commission
- Geospatial Systems Information Council
- Greater Hartford Flood Control Commission
- Nurturing Families network Advisory Commission
- Statewide Community Antenna Television Advisory Council
- Adult Literacy Leadership Board
- Bi-State Farmington River Watershed Advisory Committee
- Board of Directors of the Lower Fairfield County Conference/Exhibit Authority
- Commission on Innovation and Productivity
- CT International Trade council
- CT Progress Council
- CT Risk Assessment Board
- HealthFirst Connecticut Authority
- Housing Advisory Committee
- Quinebaug & Shutucket Rivers National Heritage Corridor Advisory Committee
- Small Business Air Pollution Compliance Advisory Panel
- Southwest Corridor Action
- Student Financial Aid Information Council
- Long Island Sound Councils
- Gaming Policy Board
- Committee on Career Entry and Upward Mobility
- Committee to Encourage Employment by the State of Persons with Disabilities
- Metro North New Haven Rail Commuter Council
- Board of Trustees for the Department of Veteran's Affairs

continued