

State of Connecticut

RICHARD BLUMENTHAL
ATTORNEY GENERAL



Hartford
November 16, 2006

Laurie Hunt
Director of Legal Services
Connecticut Resources Recovery Authority
100 Constitution Plaza - 6th Floor
Hartford, CT 06103-1722

Dear Attorney Hunt:

I appreciated your November 8, 2006 letter concerning the duties of the four municipal members of the CRRA board of directors. I agree the Connecticut General Assembly has specifically directed those municipal board members to serve dual official capacity roles -- as municipal officials and CRRA board members -- and that therefore they do not have a conflict of interest or duties in matters affecting both the CRRA and their towns while serving in these dual official capacities.

As you note, Conn. Gen. Stat. 22a-261(c) requires four municipal officials to be appointed to the CRRA board. The statute also specifically directs that each municipal official appointed to the CRRA board be from "a municipality that has entered into a solid waste disposal services contract with the authority and pledged the municipality's full faith and credit for the payment of obligations under such contract." Since numerous actions by the CRRA board may affect the towns of all the municipal CRRA board members, the legislature would not have mandated the inclusion of such municipal officials on the CRRA board if such board members were required to continually recuse themselves from matters that could affect their municipalities, thereby impairing the ability of the CRRA board to fulfill its responsibilities. The legislature is always presumed not to enact meaningless or futile legislation. Quarry Knoll II Corp. v. Planning and Zoning Commission, 256 Conn. 674, 722 (2001).

We agree with your conclusion, therefore, that the legislature intended that there is no conflict of interest or duties when municipal officials serve as both CRRA board members and municipal officials, and decide matters affecting the CRRA and their municipalities.

If I can be of further assistance, do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "Richard Blumenthal".

RICHARD BLUMENTHAL

RB/pas