

CONNECTICUT STATE ETHICS COMMISSION
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ADVISORY OPINION NUMBER 78-18

"Executive Agency" Under Public Act Number 77-605.

An attorney who represents a taxicab company has, on behalf of his client, filed a petition with the Greater Hartford Transit District requesting that it change its regulations. The attorney, already registered with the State Ethics Commission as a lobbyist for the taxicab company, has requested the advice of the Commission as to whether his activities before the Transit District should be included in his quarterly financial report concerning administrative lobbying.

A registrant who attempts to influence administrative action must file quarterly a financial report concerning his lobbying activities. Public Act Number 77-605, section 7. "Administrative action" includes action or non-action of any executive agency of the State with respect to the amendment, adoption, or repeal of a regulation. *Id.*, section 1(a). Since the attorney is attempting to amend the Transit District's regulations, he is required to include these activities in his quarterly report concerning administrative lobbying activities provided the Greater Hartford Transit District is an "executive agency of the State."

"Executive agency" means a "commission, board, agency, or other body or official in the executive branch of the state government and any independent body of the state government that is not a part of the legislative or judicial branch." *Id.*, section 1(e). The Greater Hartford Transit District has been established under the provisions of chapter 103a, Connecticut General Statutes, to provide systems of mass transportation within the Hartford metropolitan area. It is composed of those municipalities in the Hartford area which wish to join it. Connecticut General Statutes, section 7-273b(c). The Transit District is a body corporate and politic, with many of the powers of a municipal corporation. *Id.*, section 7-273b(d). It has the power of eminent domain in pursuit of its purposes. *Id.*, section 7-273e(c). It may issue bonds and notes which are lawful investments of the State and may be guaranteed by the State. *Id.*, section 7-273d. As authorized by section 7-273d, Connecticut General Statutes, it has assumed the powers of the Public Utilities Control Authority to regulate and supervise the operation of transit systems within the District.

By assuming some powers of the Public Utilities Control Authority, manifestly an executive agency of the State, the Transit District

acquired some resemblance to an executive agency of the State. However, it exercises those powers not statewide but only within its limited geographic area. It is not organizationally within any executive department, nor is it listed as an independent executive agency in the State of Connecticut Register and Manual 1978. In that directory it is listed under "local government." Id. pages 584 and 585. This is consonant with what appears to be its actual status, that of a quasi-municipal corporation, authorized by the legislature to aid the State in some public work, other than community government, for the general welfare. Cf. Regional High School District No. 3 v. Newtown, 134 Conn. 613, 620-621 (1948); 1 McQuillin Mun. Corp. sections 2.13, 2.28 (3d ed. rev. 1971).

As a quasi-municipal corporation, with authority confined to the Hartford metropolitan area, the Greater Hartford Transit District is not an executive agency of the State as defined in Public Act Number 77-605.

Therefore, that Act does not apply to appearances before the Transit District. A person registered under the Act need not include in his financial report his activities before that body.

By order of the Commission,



Rev. Thomas J. Lynch
Chairman

Dated August 11, 1978