



General Assembly

January Session, 2021

Raised Bill No. 6664

LCO No. 4967



Referred to Committee on GOVERNMENT ADMINISTRATION
AND ELECTIONS

Introduced by:
(GAE)

AN ACT CONCERNING QUASI-PUBLIC AGENCY TRANSPARENCY.

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Section 1-120 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2021*):

3 As used in sections 1-120 to 1-123, inclusive, as amended by this act,
4 and sections 2 to 7, inclusive, and section 10 of this act:

5 (1) "Quasi-public agency" means Connecticut Innovations,
6 Incorporated, the Connecticut Health and Educational Facilities
7 Authority, the Connecticut Higher Education Supplemental Loan
8 Authority, the Connecticut Student Loan Foundation, the Connecticut
9 Housing Finance Authority, the Connecticut Housing Authority, the
10 Materials Innovation and Recycling Authority, the Capital Region
11 Development Authority, the Connecticut Lottery Corporation, the
12 Connecticut Airport Authority, the Connecticut Health Insurance
13 Exchange, the Connecticut Green Bank, the Connecticut Retirement
14 Security Authority, the Connecticut Port Authority, the Connecticut

15 Municipal Redevelopment Authority, the State Education Resource
16 Center and the Paid Family and Medical Leave Insurance Authority.

17 (2) "Procedure" means each statement, by a quasi-public agency, of
18 general applicability, without regard to its designation, that
19 implements, interprets or prescribes law or policy, or describes the
20 organization or procedure of any such agency. The term includes the
21 amendment or repeal of a prior regulation, but does not include, unless
22 otherwise provided by any provision of the general statutes, (A)
23 statements concerning only the internal management of any agency and
24 not affecting procedures available to the public, and (B) intra-agency
25 memoranda.

26 (3) "Proposed procedure" means a proposal by a quasi-public agency
27 under the provisions of section 1-121 for a new procedure or for a
28 change in, addition to or repeal of an existing procedure.

29 Sec. 2. (NEW) (*Effective October 1, 2021, and applicable to contracts*
30 *entered into or renewed on or after said date*) (a) For the purposes of this
31 section, "separation agreement" means an agreement to pay less than
32 fifty thousand dollars to an employee who resigns or retires from
33 employment with a quasi-public agency (1) for the purposes of avoiding
34 costs associated with potential litigation related to such employment, or
35 (2) pursuant to a nondisparagement agreement.

36 (b) On and after October 1, 2021, each quasi-public agency shall
37 submit a copy of all (1) separation agreements, and (2) contracts with an
38 annual cost of over one million dollars or a duration of five years or
39 greater, to the Attorney General for review and comment prior to
40 entering into or renewing any such agreement or contract. As used in
41 this subsection, "contract" means any employment contract or
42 consulting contract that a quasi-public agency intends to enter into or
43 renew.

44 (c) On and after October 1, 2021, any quasi-public agency that intends
45 to enter into or renew a contract with a value of more than one million
46 dollars shall provide notice and an opportunity for public comment on

47 such contract at least two weeks prior to entering into or renewing such
48 contract. As used in this subsection, "contract" means a construction
49 contract or consulting contract, but excludes an employment contract.

50 Sec. 3. (NEW) (*Effective July 1, 2021*) The Commissioner of
51 Administrative Services shall examine operating procedures and
52 practices of existing quasi-public agencies. Not later than January 1,
53 2022, the Commissioner of Administrative Services shall develop and
54 publish on the Department of Administrative Services' Internet web site
55 model rules of procedure regarding governance, organization and
56 procurement that are based on the best practices of existing quasi-public
57 agencies and which may be adopted by quasi-public agencies, in
58 accordance with the provisions of chapter 12 of the general statutes.
59 Such model rules shall include, but need not be limited to, rules
60 concerning: (1) Adopting an annual budget and plan of operations; (2)
61 hiring, dismissing, promoting and compensating employees of the
62 quasi-public agency; (3) adopting an affirmative action policy; (4)
63 acquiring personal property and personal services; (5) contracting for
64 financial, legal and other professional services; (6) issuing bonds for the
65 purpose of refunding or refinancing existing debt of the quasi-public
66 agency as required by the terms of such existing debt and retiring bonds,
67 bond anticipation notes and other obligations of the quasi-public
68 agency; and (7) using funds from state grants and other grants. The
69 commissioner shall update such model rules as necessary.

70 Sec. 4. (NEW) (*Effective July 1, 2021*) Any quasi-public agency
71 established on or after July 1, 2021, shall (1) adopt rules of procedure, as
72 defined in section 1-120 of the general statutes, as amended by this act,
73 setting forth its organization and governance, and submit such rules to
74 the joint standing committee of the General Assembly having
75 cognizance of matters relating to such quasi-public agency for review
76 prior to conducting any business, (2) hire an executive director, subject
77 to the approval of the board, and hire any staff necessary for its
78 operation, (3) create a written chart setting forth the hierarchy of
79 supervisory and nonsupervisory staff and other members of the quasi-
80 public agency, and provide such chart (A) to the executive director, and

81 (B) to the joint standing committee of the General Assembly having
82 cognizance of matters relating to such quasi-public agency not less than
83 annually, (4) establish a budget and tracking software before incurring
84 any expenses, other than initial expenses associated with establishing
85 the quasi-public agency, and (5) establish an accounting methodology
86 using software that incorporates commonly accepted accounting
87 standards. The quasi-public agency shall submit a status report
88 summarizing the quasi-public agency's progress on complying with the
89 provisions of this section, in accordance with the provisions of section
90 11-4a of the general statutes, to the joint standing committees of the
91 General Assembly having cognizance of matters relating to such quasi-
92 public agency and government administration, not later than six months
93 after the quasi-public agency is established, and shall submit an
94 updated report not later than six months after such initial submittal, and
95 annually thereafter.

96 Sec. 5. (NEW) (*Effective October 1, 2021*) Prior to incurring any
97 expense, a quasi-public agency shall obtain the approval of (1) the
98 executive director of the quasi-public agency, in the case of an expense
99 under five thousand dollars, and (2) the board of directors of the quasi-
100 public agency, in the case of an expense that is five thousand dollars or
101 more.

102 Sec. 6. (NEW) (*Effective October 1, 2021*) (a) For the purposes of this
103 section, "appointing authority" means the person or body authorized to
104 make an appointment pursuant to a provision of the general statutes.

105 (b) Notwithstanding any provision of the general statutes, if a
106 vacancy occurs on the board of a quasi-public agency and (1) the board
107 has notified the appointing authority of such vacancy at least three
108 months after the occurrence of such vacancy, and (2) the appointment
109 remains unfilled by the appointing authority for a period greater than
110 six months after receipt of such notice, a quorum of the membership of
111 such board may fill such vacancy by voting to appoint a person who
112 satisfies the qualifications set forth in the authorizing statute to fill such
113 vacancy for the remainder of the term. Any subsequent appointment

114 shall be filled in the manner set forth in the authorizing statute, unless
115 the provisions of this section are applicable.

116 Sec. 7. (NEW) (*Effective October 1, 2021*) Any quasi-public agency that
117 receives notice that it is the subject of a state or federal regulatory or
118 criminal investigation or that receives a subpoena relating to a criminal
119 matter shall notify the joint standing committee of the General
120 Assembly having cognizance of matters relating to such quasi-public
121 agency, or if none, the joint standing committee of the General Assembly
122 having cognizance of matters relating to government administration,
123 not later than fifteen days after receiving such notice or subpoena. Such
124 notification may be in electronic form.

125 Sec. 8. Section 1-122 of the general statutes is repealed and the
126 following is substituted in lieu thereof (*Effective October 1, 2021*):

127 The Auditors of Public Accounts shall [~~biennially~~] annually conduct
128 a compliance audit of each quasi-public agency's activities during the
129 [~~agency's two fiscal years preceding each such audit~~] preceding agency
130 fiscal year or contract with a person, firm or corporation for any such
131 audit or audits. Each such audit shall determine whether the quasi-
132 public agency has complied with its regulations concerning affirmative
133 action, personnel practices, the purchase of goods and services, the use
134 of surplus funds and the distribution of loans, grants and other financial
135 assistance. Each audit shall include a review of all or a representative
136 sample of the agency's activities in such areas during [the relevant fiscal
137 years] such fiscal year. The Auditors of Public Accounts shall submit
138 each audit report to the Governor and to the joint standing committee
139 of the General Assembly having cognizance of matters relating to the
140 quasi-public agency, in accordance with the provisions of section 11-4a.
141 Each quasi-public agency shall pay the cost of conducting such
142 [~~biennial~~] annual compliance audit of the agency. If any such audit is
143 not completed within such annual period, the Auditors of Public
144 Accounts shall notify the joint standing committee of the General
145 Assembly having cognizance of matters relating to such quasi-public
146 agency of the delay and the anticipated date of completion for such

147 audit.

148 Sec. 9. Section 1-123 of the general statutes is repealed and the
149 following is substituted in lieu thereof (*Effective July 1, 2021*):

150 (a) The board of directors of each quasi-public agency shall annually
151 submit a report to the Governor and the Auditors of Public Accounts.
152 Such report shall include, but need not be limited to, the following: (1)
153 A list of all bond issues for the preceding fiscal year, including, for each
154 such issue, the financial advisor and underwriters, whether the issue
155 was competitive, negotiated or privately placed, and the issue's face
156 value and net proceeds; (2) a list of all projects other than those
157 pertaining to owner-occupied housing or student loans receiving
158 financial assistance during the preceding fiscal year, including each
159 project's purpose, location, and the amount of funds provided by the
160 agency; (3) a list of all outside individuals and firms receiving in excess
161 of five thousand dollars in the form of loans, grants or payments for
162 services, except for individuals receiving loans for owner-occupied
163 housing and education; (4) a complete set of financial statements; (5) the
164 cumulative value of all bonds issued, the value of outstanding bonds,
165 and the amount of the state's contingent liability; (6) the affirmative
166 action policy statement, a description of the composition of the agency's
167 work force by race, sex, and occupation and a description of the agency's
168 affirmative action efforts; and (7) a description of planned activities for
169 the current fiscal year.

170 (b) For the quarter commencing July 1, 2010, and for each quarter
171 thereafter, the board of directors of each quasi-public agency shall
172 submit a report to the Office of Fiscal Analysis. Such report shall
173 include, but not be limited to, for each fund and account of the agency:
174 (1) The beginning fiscal year balance; (2) all funds expended and all
175 revenue collected by the end of the quarter; and (3) total expenditures
176 and revenues estimated at the end of the fiscal year. For the purposes of
177 this subsection, "expenditures" and "revenues" have the same meaning
178 as provided in section 4-69.

179 (c) For the quarter commencing July 1, 2010, and for each quarter
180 thereafter, the board of directors of each quasi-public agency shall
181 submit a personnel status report to the Office of Fiscal Analysis. Such
182 report shall include, but not be limited to: (1) The total number of
183 employees by the end of the quarter; (2) the positions vacated and the
184 positions filled by the end of the quarter; and (3) the positions estimated
185 to be vacant and the positions estimated to be filled at the end of the
186 fiscal year.

187 (d) (1) On or before January 15, 2022, and annually thereafter, the
188 board of directors of each quasi-public agency shall submit a report, in
189 accordance with the provisions of section 11-4a, concerning the salaries
190 of all of its employees to (A) the Comptroller, (B) the Office of Fiscal
191 Analysis, and (C) the joint standing committee of the General Assembly
192 having cognizance of matters relating to such quasi-public agency.

193 (2) Not less than thirty days prior to any action by the board of
194 directors on a proposed increase in salary for an employee, excluding
195 any increase due to a promotion, the board of directors of the quasi-
196 public agency shall submit notice of the proposed change in salary to
197 the joint standing committee of the General Assembly having
198 cognizance of matters relating to such quasi-public agency, or if none,
199 to the joint standing committee of the General Assembly having
200 cognizance of matters relating to appropriations and the budgets of state
201 agencies. As used in this subdivision, "increase in salary" means an
202 increase that (A) will result in a salary exceeding two hundred thousand
203 dollars a year, or (B) is equivalent to an increase of more than five per
204 cent.

205 (e) On or before January 15, 2022, and biennially thereafter, the board
206 of directors of each quasi-public agency shall submit a report to the joint
207 standing committee of the General Assembly having cognizance of
208 matters relating to such quasi-public agency, or if none, to the joint
209 standing committee of the General Assembly having cognizance of
210 matters relating to government administration, in accordance with the
211 provisions of section 11-4a. Not later than August 1, 2021, the Secretary

212 of the Office of Policy and Management shall adopt guidelines
213 concerning the content and format of such report and shall mail a copy
214 of such guidelines to each quasi-public agency. Not later than thirty
215 days after receipt of such report or the commencement of the regular
216 session of the General Assembly, whichever is later, the joint standing
217 committee of the General Assembly having cognizance of matters
218 relating to the quasi-public agency submitting the report, or if none, the
219 joint standing committee of the General Assembly having cognizance of
220 matters relating to government administration, shall hold a public
221 hearing concerning such report. A representative of the quasi-public
222 agency shall appear at such hearing to answer any questions of the
223 committee members.

224 Sec. 10. (NEW) (*Effective July 1, 2021*) Notwithstanding any provision
225 of the general statutes, the Secretary of the Office of Policy and
226 Management, or the secretary's designee, shall be an ex-officio member
227 of any finance committee formed by a quasi-public agency. Any such
228 finance committee shall notify the secretary electronically not less than
229 seven days prior to any scheduled meeting of the committee.

230 Sec. 11. Subsection (i) of section 1-84 of the general statutes is repealed
231 and the following is substituted in lieu thereof (*Effective October 1, 2021*):

232 (i) (1) No public official or state employee or member of the official
233 or employee's immediate family or a business with which he is
234 associated shall enter into any contract with the state, valued at one
235 hundred dollars or more, other than a contract (A) of employment as a
236 state employee, (B) with the Technical Education and Career System for
237 students enrolled in a school in the system to perform services in
238 conjunction with vocational, technical, technological or postsecondary
239 education and training any such student is receiving at a school in the
240 system, subject to the review process under subdivision (2) of this
241 subsection, (C) with a public institution of higher education to support
242 a collaboration with such institution to develop and commercialize any
243 invention or discovery, or (D) pursuant to a court appointment, unless
244 the contract has been awarded through an open and public process,

245 including prior public offer and subsequent public disclosure of all
246 proposals considered and the contract awarded. In no event shall an
247 executive head of an agency, as defined in section 4-166, including a
248 commissioner of a department, or an executive head of a quasi-public
249 agency, as defined in section 1-79, or the executive head's immediate
250 family or a business with which he is associated enter into any contract
251 with that agency or quasi-public agency. Nothing in this subsection
252 shall be construed as applying to any public official who is appointed as
253 a member of the executive branch [or as a member or director of a quasi-
254 public agency] and who receives no compensation other than per diem
255 payments or reimbursement for actual or necessary expenses, or both,
256 incurred in the performance of the public official's duties unless such
257 public official has authority or control over the subject matter of the
258 contract. Any contract made in violation of this subsection shall be
259 voidable by a court of competent jurisdiction if the suit is commenced
260 not later than one hundred eighty days after the making of the contract.

261 (2) The superintendent of the Technical Education and Career System
262 shall establish an open and transparent process to review any contract
263 entered into under subparagraph (B) of subdivision (1) of this
264 subsection.

265 Sec. 12. Subsection (h) of section 2-90 of the general statutes is
266 repealed and the following is substituted in lieu thereof (*Effective October*
267 *1, 2021*):

268 (h) Where there are statutory or common law requirements of
269 confidentiality with regard to such records and accounts or
270 examinations of nongovernmental entities which are maintained by a
271 state agency, including, but not limited to, privilege by reason of an
272 attorney-client relationship, such requirements of confidentiality and
273 the penalties for the violation thereof shall apply to the auditors and to
274 their authorized representatives in the same manner and to the same
275 extent as such requirements of confidentiality and penalties apply to
276 such state agency. Any disclosure under this subsection of information
277 that is privileged by reason of an attorney-client relationship shall not

278 constitute a waiver of the privilege. In addition, the portion of (1) any
279 audit or report prepared by the Auditors of Public Accounts that
280 concerns the internal control structure of a state information system or
281 the identity of an employee who provides information regarding
282 alleged fraud or weaknesses in the control structure of a state agency
283 that may lead to fraud, or (2) any document that may reveal the identity
284 of such employee, shall not be subject to disclosure under the Freedom
285 of Information Act, as defined in section 1-200.

286 Sec. 13. Section 52-146r of the general statutes is repealed and the
287 following is substituted in lieu thereof (*Effective October 1, 2021*):

288 (a) As used in this section:

289 (1) "Authorized representative" means an individual empowered by
290 a public agency to assert the confidentiality of communications that are
291 privileged under this section;

292 (2) "Confidential communications" means all oral and written
293 communications transmitted in confidence between a public official or
294 employee of a public agency acting in the performance of his or her
295 duties or within the scope of his or her employment and a government
296 attorney relating to legal advice sought by the public agency or a public
297 official or employee of such public agency from that attorney, and all
298 records prepared by the government attorney in furtherance of the
299 rendition of such legal advice;

300 (3) "Government attorney" means a person admitted to the bar of this
301 state and employed by a public agency or retained by a public agency
302 or public official to provide legal advice to the public agency or a public
303 official or employee of such public agency; and

304 (4) "Public agency" means "public agency" as defined in section 1-200.

305 (b) In any civil or criminal case or proceeding or in any legislative or
306 administrative proceeding, all confidential communications shall be
307 privileged and a government attorney shall not disclose any such

308 communications unless an authorized representative of the public
309 agency consents to waive the privilege and allow such disclosure. In any
310 legislative proceeding, the disclosure by a government attorney who
311 represents a quasi-public agency, as defined in section 1-120, as
312 amended by this act, of confidential communications to a joint standing
313 committee of the General Assembly conducting an investigation under
314 section 2-46 shall not constitute a waiver of the privilege and such
315 confidential communications shall not be subject to disclosure under the
316 Freedom of Information Act, as defined in section 1-200.

317 Sec. 14. Subsection (b) of section 32-35 of the general statutes is
318 repealed and the following is substituted in lieu thereof (*Effective July 1,*
319 *2021*):

320 (b) The corporation shall be governed by a board of seventeen
321 directors. Nine members shall be appointed by the Governor, six of
322 whom shall be knowledgeable, and have favorable reputations for skill,
323 knowledge and experience, in the development of innovative start-up
324 businesses, including, but not limited to, expertise in academic research,
325 technology transfer and application, the development of technological
326 invention and new enterprise development and three of whom shall be
327 knowledgeable, and have favorable reputations for skill, knowledge
328 and experience, in the field of financial lending or the development of
329 commerce, trade and business. Four members shall be the
330 Commissioner of Economic and Community Development, the
331 president of the Connecticut State Colleges and Universities, the
332 Treasurer and the Secretary of the Office of Policy and Management,
333 who shall serve ex officio and shall have all of the powers and privileges
334 of a member of the board of directors. Each ex-officio member may
335 designate his deputy or any member of his staff to represent him at
336 meetings of the corporation with full power to act and vote in his behalf.
337 Four members shall be appointed as follows: One by the president pro
338 tempore of the Senate, one by the minority leader of the Senate, one by
339 the speaker of the House of Representatives and one by the minority
340 leader of the House of Representatives. Each member appointed by the
341 Governor shall serve at the pleasure of the Governor but no longer than

342 the term of office of the Governor or until the member's successor is
343 appointed and qualified, whichever is longer. Each member appointed
344 by a member of the General Assembly shall serve in accordance with
345 the provisions of section 4-1a. A director shall be eligible for
346 reappointment. The Governor shall fill any vacancy for the unexpired
347 term of a member appointed by the Governor. The appropriate
348 legislative appointing authority shall fill any vacancy for the unexpired
349 term of a member appointed by such authority. Any appointed member
350 who fails to attend three consecutive meetings or who fails to attend
351 fifty per cent of all meetings held during any calendar year shall be
352 deemed to have resigned from the board.

353 Sec. 15. Subsection (a) of section 10a-179 of the general statutes is
354 repealed and the following is substituted in lieu thereof (*Effective July 1,*
355 *2021*):

356 (a) There is created a body politic and corporate to be known as the
357 "State of Connecticut Health and Educational Facilities Authority". Said
358 authority is constituted a public instrumentality and political
359 subdivision of the state and the exercise by the authority of the powers
360 conferred by this chapter shall be deemed and held to be the
361 performance of an essential public and governmental function.
362 Notwithstanding the provisions of the general statutes or any public or
363 special act, the board of directors of said authority shall consist of ten
364 members, two of whom shall be the Secretary of the Office of Policy and
365 Management and the State Treasurer, *ex officio*, and eight of whom shall
366 be residents of the state appointed by the Governor, not more than four
367 of such appointed members to be members of the same political party.
368 Three of the appointed members shall be current or retired trustees,
369 directors, officers or employees of institutions for higher education, two
370 of the appointed members shall be current or retired trustees, directors,
371 officers or employees of health care institutions and one of such
372 appointed members shall be a person having a favorable reputation for
373 skill, knowledge and experience in state and municipal finance, either
374 as a member of the financial business industry or as an officer or
375 employee of an insurance company or bank whose duties relate to the

376 purchase of state and municipal securities as an investment and to the
377 management and control of a state and municipal securities portfolio.
378 On or before the first day of July, annually, the Governor shall appoint
379 a member or members to succeed those whose terms expire, each for a
380 term of five years and until a successor is appointed and has qualified.
381 The Governor shall fill any vacancy for the unexpired term. A member
382 of the board shall be eligible for reappointment. Any member of the
383 board may be removed by the Governor for misfeasance, malfeasance
384 or wilful neglect of duty. Each member of the board shall take and
385 subscribe the oath or affirmation required by article XI, section 1, of the
386 State Constitution prior to assuming such office. A record of each such
387 oath shall be filed in the office of the Secretary of the State. Each ex-
388 officio member may designate a deputy or any member of such
389 member's staff to represent him or her as a member at meetings of the
390 board with full power to act and vote in his or her behalf. Any appointed
391 member who fails to attend three consecutive meetings or who fails to
392 attend fifty per cent of all meetings held during any calendar year shall
393 be deemed to have resigned from the board.

394 Sec. 16. Subsection (b) of section 10a-179a of the general statutes is
395 repealed and the following is substituted in lieu thereof (*Effective July 1,*
396 *2021*):

397 (b) The Connecticut Higher Education Supplemental Loan Authority
398 shall be governed by a board of directors consisting of the following
399 nine members: (1) The State Treasurer, or the Treasurer's designee, who
400 shall serve as an ex-officio voting member; (2) the Secretary of the Office
401 of Policy and Management, or the secretary's designee, who shall serve
402 as an ex-officio voting member; (3) the president of the Connecticut State
403 Colleges and Universities, or the president's designee, who shall serve
404 as an ex-officio voting member; (4) the chairperson of the board of
405 directors of the Connecticut Health and Educational Facilities
406 Authority; (5) the executive director of the Connecticut Health and
407 Educational Facilities Authority; (6) two residents of the state, each of
408 whom is an active or retired trustee, director, officer or employee of a
409 Connecticut institution for higher education, appointed by the board of

410 directors of the Connecticut Health and Educational Facilities
411 Authority; (7) a resident of this state with a favorable reputation for skill,
412 knowledge and experience in the higher education loan field, appointed
413 by the board of directors of the Connecticut Health and Educational
414 Facilities Authority; and (8) a resident of this state with a favorable
415 reputation for skill, knowledge and experience in either the higher
416 education loan field or in state and municipal finance, appointed by the
417 board of directors of the Connecticut Health and Educational Facilities
418 Authority. Of the four appointed members, not more than two may be
419 members of the same political party. One appointed member shall serve
420 until the earlier of July 1, 2017, or, if such person was a member of the
421 Connecticut Higher Education Supplemental Loan Authority board on
422 June 30, 2012, the date on which such member's then current term was
423 originally scheduled to end. One appointed member shall serve until the
424 earlier of July 1, 2018, or, if such person was a member of the
425 Connecticut Higher Education Supplemental Loan Authority board on
426 June 30, 2012, the date on which such member's then current term was
427 originally scheduled to end. Except as provided in this subsection and
428 notwithstanding the original date of expiration of the term of any person
429 who is an appointed member of the Connecticut Higher Education
430 Supplemental Loan Authority board on June 30, 2012, the term of all
431 such persons shall expire on July 1, 2012. The Connecticut Health and
432 Educational Facilities Authority board shall appoint a member or
433 members each for a term of six years or until his or her successor is
434 appointed and has qualified to succeed the members whose terms
435 expire. Said authority board shall fill any vacancy for the unexpired
436 term. A member of the Connecticut Higher Education Supplemental
437 Loan Authority board shall be eligible for reappointment. Any member
438 of the Connecticut Higher Education Supplemental Loan Authority
439 board may be removed by the appointing authority for misfeasance,
440 malfeasance or wilful neglect of duty. Each member of the Connecticut
441 Higher Education Supplemental Loan Authority board before entering
442 upon his or her duties shall take and subscribe the oath or affirmation
443 required by section 1 of article eleventh of the State Constitution. A
444 record of each such oath shall be filed in the office of the Secretary of the

445 State. Any appointed member who fails to attend three consecutive
446 meetings or who fails to attend fifty per cent of all meetings held during
447 any calendar year shall be deemed to have resigned from the board.

448 Sec. 17. Subsection (a) of section 8-244 of the general statutes is
449 repealed and the following is substituted in lieu thereof (*Effective July 1,*
450 *2021*):

451 (a) There is created a body politic and corporate to be known as the
452 "Connecticut Housing Finance Authority". Said authority is constituted
453 a public instrumentality and political subdivision of this state and the
454 exercise by the authority of the powers conferred by this chapter shall
455 be deemed and held to be the performance of an essential public and
456 governmental function. The Connecticut Housing Finance Authority
457 shall not be construed to be a department, institution or agency of the
458 state. The board of directors of the authority shall consist of sixteen
459 members as follows: (1) The Commissioner of Economic and
460 Community Development, the Commissioner of Housing, the Secretary
461 of the Office of Policy and Management, the Banking Commissioner and
462 the State Treasurer, *ex officio*, or their designees, with the right to vote,
463 (2) seven members to be appointed by the Governor, and (3) four
464 members appointed as follows: One by the president pro tempore of the
465 Senate, one by the speaker of the House of Representatives, one by the
466 minority leader of the Senate and one by the minority leader of the
467 House of Representatives. The member initially appointed by the
468 speaker of the House of Representatives shall serve a term of five years;
469 the member initially appointed by the president pro tempore of the
470 Senate shall serve a term of four years. The members initially appointed
471 by the Senate minority leader shall serve a term of three years. The
472 member initially appointed by the minority leader of the House of
473 Representatives shall serve a term of two years. Thereafter, each
474 member appointed by a member of the General Assembly shall serve a
475 term of five years. The members appointed by the Governor and the
476 members of the General Assembly shall be appointed in accordance
477 with section 4-9b and among them be experienced in all aspects of
478 housing, including housing design, development, finance, management

479 and state and municipal finance, and at least one of whom shall be
480 selected from among the officers or employees of the state. At least one
481 shall have experience in the provision of housing to very low, low and
482 moderate income families. On or before July first, annually, the
483 Governor shall appoint a member for a term of five years from said July
484 first to succeed the member whose term expires and until such
485 member's successor has been appointed, except that in 1974 and 1995
486 and quinquennially thereafter, the Governor shall appoint two
487 members. The chairperson of the board shall be appointed by the
488 Governor. The board shall annually elect one of its appointed members
489 as vice-chairperson of the board. Members shall receive no
490 compensation for the performance of their duties hereunder but shall be
491 reimbursed for necessary expenses incurred in the performance thereof.
492 The Governor or appointing member of the General Assembly, as the
493 case may be, shall fill any vacancy for the unexpired term. A member of
494 the board shall be eligible for reappointment. Any member of the board
495 may be removed by the Governor or appointing member of the General
496 Assembly, as the case may be, for misfeasance, malfeasance or wilful
497 neglect of duty. Each member of the board before entering upon such
498 member's duties shall take and subscribe the oath of affirmation
499 required by article XI, section 1, of the State Constitution. A record of
500 each such oath shall be filed in the office of the Secretary of the State.
501 Each ex-officio member may designate such member's deputy or any
502 member of such member's staff to represent such member at meetings
503 of the board with full power to act and vote on such member's behalf.
504 Any appointed member who fails to attend three consecutive meetings
505 or who fails to attend fifty per cent of all meetings held during any
506 calendar year shall be deemed to have resigned from the board.

507 Sec. 18. Subdivision (3) of subsection (b) of section 12-802 of the
508 general statutes is repealed and the following is substituted in lieu
509 thereof (*Effective July 1, 2021*):

510 (3) Any appointed director shall be eligible for reappointment. The
511 Commissioner of Consumer Protection shall not serve as a director. Any
512 appointed director who fails to attend three consecutive meetings or

513 who fails to attend fifty per cent of all meetings held during any
514 calendar year shall be deemed to have resigned from the board. Any
515 director may be removed by order of the Superior Court upon
516 application of the Attorney General for misfeasance, malfeasance or
517 wilful neglect of duty. Such actions shall be tried to the court without a
518 jury and shall be privileged in assignment for hearing. If the court, after
519 hearing, finds there is clear and convincing evidence of such
520 misfeasance, malfeasance or wilful neglect of duty it shall order the
521 removal of such director. Any director so removed shall not be
522 reappointed to the board.

523 Sec. 19. Subdivision (1) of subsection (e) of section 16-245n of the
524 general statutes is repealed and the following is substituted in lieu
525 thereof (*Effective July 1, 2021*):

526 (e) (1) The powers of the Connecticut Green Bank shall be vested in
527 and exercised by a board of directors, which shall consist of eleven
528 voting and two nonvoting members each with knowledge and expertise
529 in matters related to the purpose and activities of said bank appointed
530 as follows: The Treasurer or the Treasurer's designee, the Commissioner
531 of Energy and Environmental Protection or the commissioner's designee
532 and the Commissioner of Economic and Community Development or
533 the commissioner's designee, each serving ex officio, one member who
534 shall represent a residential or low-income group appointed by the
535 speaker of the House of Representatives for a term of four years, one
536 member who shall have experience in investment fund management
537 appointed by the minority leader of the House of Representatives for a
538 term of three years, one member who shall represent an environmental
539 organization appointed by the president pro tempore of the Senate for
540 a term of four years, and one member who shall have experience in the
541 finance or deployment of renewable energy appointed by the minority
542 leader of the Senate for a term of four years. Thereafter, such members
543 of the General Assembly shall appoint members of the board to succeed
544 such appointees whose terms expire and each member so appointed
545 shall hold office for a period of four years from the first day of July in
546 the year of his or her appointment. The Governor shall appoint four

547 members to the board as follows: Two for two years who shall have
548 experience in the finance of renewable energy; one for four years who
549 shall be a representative of a labor organization; and one who shall have
550 experience in research and development or manufacturing of clean
551 energy. Thereafter, the Governor shall appoint members of the board to
552 succeed such appointees whose terms expire and each member so
553 appointed shall hold office for a period of four years from the first day
554 of July in the year of his or her appointment. Any appointed member
555 who fails to attend three consecutive meetings or who fails to attend
556 fifty per cent of all meetings held during any calendar year shall be
557 deemed to have resigned from the board. The president of the
558 Connecticut Green Bank shall be elected by the members of the board.
559 The president of the Connecticut Green Bank shall serve on the board in
560 an ex-officio, nonvoting capacity. The Governor shall appoint the
561 chairperson of the board. The board shall elect from its members a vice
562 chairperson and such other officers as it deems necessary and shall
563 adopt such bylaws and procedures it deems necessary to carry out its
564 functions. The board may establish committees and subcommittees as
565 necessary to conduct its business.

566 Sec. 20. Subsections (b) and (c) of section 31-417 of the general statutes
567 are repealed and the following is substituted in lieu thereof (*Effective July*
568 *1, 2021*):

569 (b) The powers of the authority shall be vested in and exercised by a
570 board of directors, which shall consist of fifteen voting members, each a
571 resident of the state, (1) the State Treasurer who shall serve as an ex-
572 officio voting member; (2) the State Comptroller who shall serve as an
573 ex-officio voting member; (3) the Secretary of the Office of Policy and
574 Management who shall serve as an ex-officio voting member; (4) the
575 Banking Commissioner who shall serve as an ex-officio voting member;
576 (5) the Labor Commissioner who shall serve as an ex-officio voting
577 member; (6) one appointed by the speaker of the House of
578 Representatives, who shall have a favorable reputation for skill,
579 knowledge and experience in the interests of the needs of aging
580 population; (7) one appointed by the majority leader of the House of

581 Representatives, who shall have a favorable reputation for skill,
582 knowledge and experience in the interests of small employers in
583 retirement savings; (8) one appointed by the minority leader of the
584 House of Representatives, who shall have a favorable reputation for
585 skill, knowledge and experience in the interests of retirement
586 investment products; (9) one appointed by the president pro tempore of
587 the Senate, who shall have a favorable reputation for skill, knowledge
588 and experience in the interests of employees in retirement savings; (10)
589 one appointed by the majority leader of the Senate, who shall have a
590 favorable reputation for skill, knowledge and experience in retirement
591 plan designs; (11) one appointed by the minority leader of the Senate,
592 who shall have a favorable reputation for skill, knowledge and
593 experience in the interests of retirement plan brokers; and (12) four
594 appointed by the Governor, one who shall have a favorable reputation
595 for skill, knowledge and experience in matters regarding the federal
596 Employment Retirement Income Security Act of 1974, as amended from
597 time to time, or the Internal Revenue Code of 1986 or any subsequent
598 corresponding internal revenue code of the United States, as amended
599 from time to time, one who shall have a favorable reputation for skill,
600 knowledge and experience in annuity products, one who shall have a
601 favorable reputation for skill, knowledge and experience in retirement
602 investment products, and one who shall have a favorable reputation for
603 skill, knowledge and experience in actuarial science. Each member
604 appointed pursuant to subdivisions (6) to (12), inclusive, of this
605 subsection shall serve an initial term of four years. Thereafter, said
606 members of the General Assembly and the Governor shall appoint
607 members of the board to succeed such appointees whose terms expire
608 and each member so appointed shall hold office for a term of six years
609 from July first in the year of his or her appointment. Any appointed
610 member who fails to attend three consecutive meetings or who fails to
611 attend fifty per cent of all meetings held during any calendar year shall
612 be deemed to have resigned from the board.

613 (c) All initial appointments to the board shall be made not later than
614 January 1, 2017. Any vacancy shall be filled by the appointing authority

615 not later than thirty calendar days after the office becomes vacant. Any
 616 member previously appointed to the board may be reappointed.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2021</i>	1-120
Sec. 2	<i>October 1, 2021, and applicable to contracts entered into or renewed on or after said date</i>	New section
Sec. 3	<i>July 1, 2021</i>	New section
Sec. 4	<i>July 1, 2021</i>	New section
Sec. 5	<i>October 1, 2021</i>	New section
Sec. 6	<i>October 1, 2021</i>	New section
Sec. 7	<i>October 1, 2021</i>	New section
Sec. 8	<i>October 1, 2021</i>	1-122
Sec. 9	<i>July 1, 2021</i>	1-123
Sec. 10	<i>July 1, 2021</i>	New section
Sec. 11	<i>October 1, 2021</i>	1-84(i)
Sec. 12	<i>October 1, 2021</i>	2-90(h)
Sec. 13	<i>October 1, 2021</i>	52-146r
Sec. 14	<i>July 1, 2021</i>	32-35(b)
Sec. 15	<i>July 1, 2021</i>	10a-179(a)
Sec. 16	<i>July 1, 2021</i>	10a-179a(b)
Sec. 17	<i>July 1, 2021</i>	8-244(a)
Sec. 18	<i>July 1, 2021</i>	12-802(b)(3)
Sec. 19	<i>July 1, 2021</i>	16-245n(e)(1)
Sec. 20	<i>July 1, 2021</i>	31-417(b) and (c)

Statement of Purpose:

To impose additional reporting requirements on quasi-public agencies and to increase legislative and executive branch oversight of quasi-public agencies.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]