



General Assembly

January Session, 2021

Substitute Bill No. 6664



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 Section 1-120 of the general statutes is repealed and the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 separation*
30 *agreements and contracts entered into or renewed on or after said date*) (a) For
31 the purposes of this section, "separation agreement" means an
32 agreement to pay less than fifty thousand dollars to an employee who
33 resigns or retires from employment with a quasi-public agency (1) for
34 the purposes of avoiding costs associated with potential litigation
35 related to such employment, or (2) pursuant to a nondisparagement
36 agreement.

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

45 (c) On and after October 1, 2021, any quasi-public agency that intends
46 to enter into or renew a contract with a value of more than one million
47 dollars shall provide notice and an opportunity for public comment on
48 such contract at least two weeks prior to entering into or renewing such
49 contract. As used in this subsection, "contract" means a construction
50 contract or consulting contract, but excludes an employment contract.

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

72 Sec. 4. (NEW) (*Effective July 1, 2021*) Any quasi-public agency
73 established on or after July 1, 2021, shall (1) adopt procedures, as defined
74 in section 1-120 of the general statutes, as amended by this act, setting
75 forth its organization and governance, and submit such procedures to
76 the joint standing committee of the General Assembly having
77 cognizance of matters relating to such quasi-public agency for review
78 prior to conducting any business; (2) hire an executive director, subject
79 to the approval of the board, and hire any staff necessary for its
80 operation; (3) create a written chart setting forth the hierarchy of
81 supervisory and nonsupervisory staff and other members of the quasi-
82 public agency, and provide such chart (A) to the executive director, and
83 (B) to the joint standing committee of the General Assembly having
84 cognizance of matters relating to such quasi-public agency not less than

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

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

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

107 (b) Notwithstanding any provision of the general statutes, if a
108 vacancy occurs on the board of a quasi-public agency and (1) the board
109 has notified the appointing authority of such vacancy three months or
110 more after the occurrence of such vacancy, and (2) the appointment
111 remains unfilled by the appointing authority for a period greater than
112 six months after receipt of such notice, a quorum of the membership of
113 such board may fill such vacancy by voting to appoint a person who
114 satisfies the qualifications set forth in the authorizing statute to fill such
115 vacancy for the remainder of the term. Any subsequent appointment
116 shall be filled in the manner set forth in the authorizing statute, unless
117 the provisions of this section are applicable.

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

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

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

150 Sec. 9. Section 1-123 of the general statutes is repealed and the

151 following is substituted in lieu thereof (*Effective July 1, 2021*):

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

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

181 (c) For the quarter commencing July 1, 2010, and for each quarter
182 thereafter, the board of directors of each quasi-public agency shall
183 submit a personnel status report to the Office of Fiscal Analysis. Such

184 report shall include, but not be limited to: (1) The total number of
185 employees by the end of the quarter; (2) the positions vacated and the
186 positions filled by the end of the quarter; and (3) the positions estimated
187 to be vacant and the positions estimated to be filled at the end of the
188 fiscal year.

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

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

207 (e) On or before January 15, 2022, and biennially thereafter, the board
208 of directors of each quasi-public agency shall submit a report to the joint
209 standing committee of the General Assembly having cognizance of
210 matters relating to such quasi-public agency, or, if none, to the joint
211 standing committee of the General Assembly having cognizance of
212 matters relating to government administration, in accordance with the
213 provisions of section 11-4a. Not later than August 1, 2021, the Secretary
214 of the Office of Policy and Management shall adopt guidelines
215 concerning the content and format of such report and shall mail a copy
216 of such guidelines to each quasi-public agency. Not later than thirty

217 days after receipt of such report or the commencement of the regular
218 session of the General Assembly, whichever is later, the joint standing
219 committee of the General Assembly having cognizance of matters
220 relating to the quasi-public agency submitting the report, or, if none, the
221 joint standing committee of the General Assembly having cognizance of
222 matters relating to government administration, shall hold a public
223 hearing concerning such report. A representative of the quasi-public
224 agency shall appear at such hearing to answer any questions of the
225 committee members.

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

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

234 (i) (1) No public official or state employee or member of the official
235 or employee's immediate family or a business with which he is
236 associated shall enter into any contract with the state, valued at one
237 hundred dollars or more, other than a contract (A) of employment as a
238 state employee, (B) with the Technical Education and Career System for
239 students enrolled in a school in the system to perform services in
240 conjunction with vocational, technical, technological or postsecondary
241 education and training any such student is receiving at a school in the
242 system, subject to the review process under subdivision (2) of this
243 subsection, (C) with a public institution of higher education to support
244 a collaboration with such institution to develop and commercialize any
245 invention or discovery, or (D) pursuant to a court appointment, unless
246 the contract has been awarded through an open and public process,
247 including prior public offer and subsequent public disclosure of all
248 proposals considered and the contract awarded. In no event shall an
249 executive head of an agency, as defined in section 4-166, including a

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

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

267 Sec. 12. Subsection (h) of section 2-90 of the general statutes is
268 repealed and the following is substituted in lieu thereof (*Effective October*
269 *1, 2021*):

270 (h) Where there are statutory or common law requirements of
271 confidentiality with regard to such records and accounts or
272 examinations of nongovernmental entities which are maintained by a
273 state agency, including, but not limited to, privilege by reason of an
274 attorney-client relationship, such requirements of confidentiality and
275 the penalties for the violation thereof shall apply to the auditors and to
276 their authorized representatives in the same manner and to the same
277 extent as such requirements of confidentiality and penalties apply to
278 such state agency. Any disclosure under this subsection of information
279 that is privileged by reason of an attorney-client relationship shall not
280 constitute a waiver of the privilege. In addition, the portion of (1) any
281 audit or report prepared by the Auditors of Public Accounts that
282 concerns the internal control structure of a state information system or

283 the identity of an employee who provides information regarding
284 alleged fraud or weaknesses in the control structure of a state agency
285 that may lead to fraud, or (2) any document that may reveal the identity
286 of such employee, shall not be subject to disclosure under the Freedom
287 of Information Act, as defined in section 1-200.

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

290 (a) As used in this section:

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

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

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

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

307 (b) In any civil or criminal case or proceeding or in any legislative or
308 administrative proceeding, all confidential communications shall be
309 privileged and a government attorney shall not disclose any such
310 communications unless an authorized representative of the public
311 agency consents to waive the privilege and allow such disclosure. In any
312 legislative proceeding, the disclosure by a government attorney who

313 represents a quasi-public agency, as defined in section 1-120, as
314 amended by this act, of confidential communications to a joint standing
315 committee of the General Assembly conducting an investigation under
316 section 2-46 shall not constitute a waiver of the privilege and such
317 confidential communications shall not be subject to disclosure under the
318 Freedom of Information Act, as defined in section 1-200.

319 Sec. 14. Subsection (b) of section 32-35 of the general statutes is
320 repealed and the following is substituted in lieu thereof (*Effective July 1,*
321 *2021*):

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

346 by a member of the General Assembly shall serve in accordance with
347 the provisions of section 4-1a. A director shall be eligible for
348 reappointment. The Governor shall fill any vacancy for the unexpired
349 term of a member appointed by the Governor. The appropriate
350 legislative appointing authority shall fill any vacancy for the unexpired
351 term of a member appointed by such authority. Any appointed member
352 who fails to attend three consecutive meetings or who fails to attend
353 fifty per cent of all meetings held during any calendar year shall be
354 deemed to have resigned from the board.

355 Sec. 15. Subsection (a) of section 10a-179 of the general statutes is
356 repealed and the following is substituted in lieu thereof (*Effective July 1,*
357 *2021*):

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

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

396 Sec. 16. Subsection (b) of section 10a-179a of the general statutes is
397 repealed and the following is substituted in lieu thereof (*Effective July 1,*
398 *2021*):

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

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

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

450 Sec. 17. Subsection (a) of section 8-244 of the general statutes is
451 repealed and the following is substituted in lieu thereof (*Effective July 1,*
452 *2021*):

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

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

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

512 (3) Any appointed director shall be eligible for reappointment. The

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

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

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

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

568 Sec. 20. Subsections (b) and (c) of section 31-417 of the general statutes
569 are repealed and the following is substituted in lieu thereof (*Effective July*
570 *1, 2021*):

571 (b) The powers of the authority shall be vested in and exercised by a
572 board of directors, which shall consist of fifteen voting members, each a
573 resident of the state, (1) the State Treasurer who shall serve as an ex-
574 officio voting member; (2) the State Comptroller who shall serve as an
575 ex-officio voting member; (3) the Secretary of the Office of Policy and
576 Management who shall serve as an ex-officio voting member; (4) the
577 Banking Commissioner who shall serve as an ex-officio voting member;
578 (5) the Labor Commissioner who shall serve as an ex-officio voting

579 member; (6) one appointed by the speaker of the House of
580 Representatives, who shall have a favorable reputation for skill,
581 knowledge and experience in the interests of the needs of aging
582 population; (7) one appointed by the majority leader of the House of
583 Representatives, who shall have a favorable reputation for skill,
584 knowledge and experience in the interests of small employers in
585 retirement savings; (8) one appointed by the minority leader of the
586 House of Representatives, who shall have a favorable reputation for
587 skill, knowledge and experience in the interests of retirement
588 investment products; (9) one appointed by the president pro tempore of
589 the Senate, who shall have a favorable reputation for skill, knowledge
590 and experience in the interests of employees in retirement savings; (10)
591 one appointed by the majority leader of the Senate, who shall have a
592 favorable reputation for skill, knowledge and experience in retirement
593 plan designs; (11) one appointed by the minority leader of the Senate,
594 who shall have a favorable reputation for skill, knowledge and
595 experience in the interests of retirement plan brokers; and (12) four
596 appointed by the Governor, one who shall have a favorable reputation
597 for skill, knowledge and experience in matters regarding the federal
598 Employment Retirement Income Security Act of 1974, as amended from
599 time to time, or the Internal Revenue Code of 1986 or any subsequent
600 corresponding internal revenue code of the United States, as amended
601 from time to time, one who shall have a favorable reputation for skill,
602 knowledge and experience in annuity products, one who shall have a
603 favorable reputation for skill, knowledge and experience in retirement
604 investment products, and one who shall have a favorable reputation for
605 skill, knowledge and experience in actuarial science. Each member
606 appointed pursuant to subdivisions (6) to (12), inclusive, of this
607 subsection shall serve an initial term of four years. Thereafter, said
608 members of the General Assembly and the Governor shall appoint
609 members of the board to succeed such appointees whose terms expire
610 and each member so appointed shall hold office for a term of six years
611 from July first in the year of his or her appointment. Any appointed
612 member who fails to attend three consecutive meetings or who fails to
613 attend fifty per cent of all meetings held during any calendar year shall

614 be deemed to have resigned from the board.

615 (c) All initial appointments to the board shall be made not later than
 616 January 1, 2017. Any vacancy shall be filled by the appointing authority
 617 not later than thirty calendar days after the office becomes vacant. Any
 618 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 separation agreements and 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 Legislative Commissioners:

In Section 2, "separation agreements and" was inserted in the effective date provision for consistency, in Sections 3 and 4, "rules of procedure" was changed to "procedures" for consistency with the defined term, in

Section 4(4), "implement" was added before "tracking" for clarity, in Section 6(b), "at least three months" was changed to "three months or more" for clarity and in Section 9(d)(1), "concerning" was changed to "listing" for clarity.

GAE *Joint Favorable Subst. -LCO*