



General Assembly

Amendment

January Session, 2021

LCO No. 9467



Offered by:

SEN. HASKELL, 26th Dist.
REP. LEMAR, 96th Dist.
SEN. SOMERS, 18th Dist.
SEN. OSTEN, 19th Dist.
SEN. NEEDLEMAN, 33rd Dist.

SEN. FORMICA, 20th Dist.
REP. CONLEY, 40th Dist.
REP. NOLAN, 39th Dist.
REP. DE LA CRUZ, 41st Dist.

To: Subst. Senate Bill No. 241

File No. 658

Cal. No. 389

**"AN ACT CONCERNING OVERSIGHT AND TRANSPARENCY AT
THE CONNECTICUT PORT AUTHORITY."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective from passage*) (a) On or before October 1,
4 2021, and quarterly thereafter, the executive director of the Connecticut
5 Port Authority shall submit a report regarding the status of pending and
6 current contracts, small harbor projects and the construction project at
7 the State Pier in the town of New London to the joint standing
8 committee of the General Assembly having cognizance of matters
9 relating to transportation, in accordance with the provisions of section
10 11-4a of the general statutes. The Commissioner of Administrative
11 Services and the Secretary of the Office of Policy and Management shall

12 jointly verify each such report before such report is submitted to the
13 committee.

14 (b) On or before January 1, 2022, and annually thereafter, the
15 Commissioner of Administrative Services and the Secretary of the Office
16 of Policy and Management shall submit a report regarding the projects
17 undertaken by the Connecticut Port Authority in the preceding year and
18 the authority's finances to the joint standing committee of the General
19 Assembly having cognizance of matters relating to transportation, in
20 accordance with the provisions of section 11-4a of the general statutes.

21 Sec. 2. Subsections (b) and (c) of section 15-31a of the general statutes
22 are repealed and the following is substituted in lieu thereof (*Effective*
23 *from passage and applicable to appointments made on and after said date*):

24 (b) The powers of the authority shall be vested in and exercised by a
25 board of directors, which shall consist of [~~fifteen~~] twenty-one voting
26 members as follows: (1) The State Treasurer, or the Treasurer's designee,
27 the Commissioner of Energy and Environmental Protection, or the
28 commissioner's designee, the Commissioner of Transportation, or the
29 commissioner's designee, the Commissioner of Economic and
30 Community Development, or the commissioner's designee, [and] the
31 Secretary of the Office of Policy and Management, or the secretary's
32 designee, the chief elected official of the town of New London, or such
33 official's designee, the chief elected official of the city of New Haven, or
34 such official's designee, and the chief elected official of the city of
35 Bridgeport, or such official's designee, all of whom shall serve ex officio;
36 (2) one appointed by the speaker of the House of Representatives; [for a
37 term of four years;] (3) one appointed by the majority leader of the
38 House of Representatives, [for a term of two years] who is the chief
39 elected official of a town with a small harbor, or such official's designee;
40 (4) one appointed by the minority leader of the House of
41 Representatives; [for a term of two years;] (5) one appointed by the
42 president pro tempore of the Senate, [for a term of four years] who is a
43 member or employee of a local port authority; (6) one appointed by the
44 majority leader of the Senate; [for a term of two years;] (7) one appointed

45 by the minority leader of the Senate; [for a term of four years;] and (8)
46 [four] seven appointed by the Governor, [two for a term of four years
47 and two for a term of two years. Thereafter, said] one of whom is the
48 chief elected official of a town with a small harbor, or such official's
49 designee. Said members of the General Assembly and the Governor
50 shall appoint members of the board to succeed [such] appointees whose
51 terms expire and each member so appointed shall hold office for a
52 period of four years from the first day of July in the year of his or her
53 appointment. Appointed members shall include [; (A) Individuals]
54 individuals who have experience and expertise in [one or more of the
55 following areas: (i) International] international trade, [; (ii)] marine
56 transportation, [; (iii)] finance [;] or [(iv)] economic development. [; (B)
57 one member or employee of a local port authority; (C) one elected or
58 appointed municipal official from a coastal municipality with a
59 population not greater than one hundred thousand; and (D) one elected
60 or appointed municipal official from a coastal community with a
61 population not greater than fifty thousand.] The board of directors shall
62 select the chairperson from among the members of the board, who shall
63 serve for a term of two years. The board of directors shall select a vice-
64 chairperson from among its members and such other officers as it deems
65 necessary.

66 (c) [No] Except as provided in subsection (b) of this section, no
67 appointed member of the board of directors may designate a
68 representative to perform his or her respective duties under this section
69 in such member's absence. Any appointed member who fails to attend
70 three consecutive meetings of the board or who fails to attend fifty per
71 cent of all meetings of the board held during any calendar year shall be
72 deemed to have resigned from the board. Any vacancy occurring other
73 than by expiration of term shall be filled not later than thirty days
74 following the occurrence of such vacancy in the same manner as the
75 original appointment for the balance of the unexpired term. The
76 appointing authority for any member may remove such member for
77 inefficiency, neglect of duty or misconduct in office after giving the
78 member a copy of the charges against the member and an opportunity

79 to be heard, in person or by counsel, in the member's defense, upon not
80 less than ten days' notice. If any member shall be so removed, the
81 appointing authority for such member shall file in the office of the
82 Secretary of the State a complete statement of charges made against such
83 member and the appointing authority's findings on such statement of
84 charges, together with a complete record of the proceedings.

85 Sec. 3. (*Effective from passage*) On or before January 1, 2022, the
86 executive director of the Connecticut Port Authority shall submit a plan
87 to ensure a transparent and equitable process for selecting and
88 disbursing grants through the program known as the Small Harbor
89 Improvement Projects Program to the joint standing committee of the
90 General Assembly having cognizance of matters relating to
91 transportation in accordance with the provisions of section 11-4a of the
92 general statutes.

93 Sec. 4. Subsection (o) of section 15-31a of the general statutes is
94 repealed and the following is substituted in lieu thereof (*Effective from*
95 *passage*):

96 (o) On or before January 1, [2017] 2022, and annually thereafter, the
97 board of directors shall submit [, in writing] a report, in accordance with
98 the provisions of section 11-4a, to the Governor [(1)] and the joint
99 standing committee of the General Assembly having cognizance of
100 matters relating to transportation. Such report shall include, but need
101 not be limited to: (1) A summary of the authority's activities; (2) a list of
102 projects which, if undertaken by the state, would support the state's
103 maritime policies and encourage maritime commerce and industry; [(2)]
104 (3) recommendations for improvements to existing maritime policies,
105 programs and facilities; and [(3) such other recommendations as the
106 board considers appropriate. Copies of such report shall be submitted
107 to the joint standing committee of the General Assembly having
108 cognizance of matters relating to transportation, in accordance with the
109 provisions of section 11-4a] (4) recommendations for legislation to
110 promote the authority's purpose.

111 Sec. 5. Section 3-125 of the general statutes is repealed and the
112 following is substituted in lieu thereof (*Effective from passage*):

113 The Attorney General shall appoint a deputy, who shall be sworn to
114 the faithful discharge of his duties and shall perform all the duties of the
115 Attorney General in case of his sickness or absence. He shall appoint
116 such other assistants as he deems necessary, subject to the approval of
117 the Governor. The Attorney General may also appoint not more than
118 four associate attorneys general who will serve at the pleasure of the
119 Attorney General and will be exempt from the classified service. The
120 Attorney General shall have general supervision over all legal matters
121 in which the state is an interested party, except those legal matters over
122 which prosecuting officers have direction. He shall appear for the state,
123 the Governor, the Lieutenant Governor, the Secretary, the Treasurer and
124 the Comptroller, and for all heads of departments and state boards,
125 commissioners, agents, inspectors, committees, auditors, chemists,
126 directors, harbor masters, and institutions and for the State Librarian
127 and the Connecticut Pilot Commission in all suits and other civil
128 proceedings, except upon criminal recognizances and bail bonds, in
129 which the state is a party or is interested, or in which the official acts and
130 doings of said officers are called in question, and for all members of the
131 state House of Representatives and the state Senate in all suits and other
132 civil proceedings brought against them involving their official acts and
133 doings in the discharge of their duties as legislators, in any court or other
134 tribunal, as the duties of his office require; and all such suits shall be
135 conducted by him or under his direction. When any measure affecting
136 the State Treasury is pending before any committee of the General
137 Assembly, such committee shall give him reasonable notice of the
138 pendency of such measure, and he shall appear and take such action as
139 he deems to be for the best interests of the state, and he shall represent
140 the public interest in the protection of any gifts, legacies or devises
141 intended for public or charitable purposes. All legal services required
142 by such officers and boards in matters relating to their official duties
143 shall be performed by the Attorney General or under his direction. All
144 writs, summonses or other processes served upon such officers and

145 legislators shall, forthwith, be transmitted by them to the Attorney
146 General. All suits or other proceedings by such officers shall be brought
147 by the Attorney General or under his direction. He shall, when required
148 by either house of the General Assembly or when requested by the
149 president pro tempore of the Senate, the speaker of the House of
150 Representatives, or the majority leader or the minority leader of the
151 Senate or House of Representatives, give his opinion upon questions of
152 law submitted to him by either of said houses or any of said leaders. He
153 shall advise or give his opinion to the head of any executive department
154 or any state board or commission upon any question of law submitted
155 to him. He may procure such assistance as he may require. Whenever a
156 trustee, under the provisions of any charitable trust described in section
157 45a-514, is required by statute to give a bond for the performance of his
158 duties as trustee, the Attorney General may cause a petition to be lodged
159 with the probate court of the district in which such trust property is
160 situated, or where any of the trustees reside, for the fixing, accepting
161 and approving of a bond to the state, conditioned for the proper
162 discharge of the duties of such trust, which bond shall be filed in the
163 office of such probate court. The Attorney General shall prepare a
164 topical and chronological cross-index of all legal opinions issued by the
165 office of the Attorney General and shall, from time to time, update the
166 same.

167 Sec. 6. Section 1-125 of the general statutes is repealed and the
168 following is substituted in lieu thereof (*Effective from passage*):

169 The directors, officers and employees of Connecticut Innovations,
170 Incorporated, the Connecticut Higher Education Supplemental Loan
171 Authority, the Connecticut Student Loan Foundation, the Connecticut
172 Housing Finance Authority, the Connecticut Housing Authority, the
173 Materials Innovation and Recycling Authority, including ad hoc
174 members of the Materials Innovation and Recycling Authority, the
175 Connecticut Health and Educational Facilities Authority, the Capital
176 Region Development Authority, the Connecticut Airport Authority, the
177 Connecticut Lottery Corporation, the Connecticut Health Insurance
178 Exchange, the Connecticut Green Bank, the Connecticut Retirement

179 Security Authority, the Connecticut Port Authority, the Connecticut
180 Municipal Redevelopment Authority, the State Education Resource
181 Center, [and] the Paid Family and Medical Leave Insurance Authority
182 and the Connecticut Pilot Commission and any person executing the
183 bonds or notes of the agency shall not be liable personally on such bonds
184 or notes or be subject to any personal liability or accountability by
185 reason of the issuance thereof, nor shall any director or employee of the
186 agency, including ad hoc members of the Materials Innovation and
187 Recycling Authority, be personally liable for damage or injury, not
188 wanton, reckless, wilful or malicious, caused in the performance of his
189 or her duties and within the scope of his or her employment or
190 appointment as such director, officer or employee, including ad hoc
191 members of the Materials Innovation and Recycling Authority. The
192 agency shall protect, save harmless and indemnify its directors, officers
193 or employees, including ad hoc members of the Materials Innovation
194 and Recycling Authority, from financial loss and expense, including
195 legal fees and costs, if any, arising out of any claim, demand, suit or
196 judgment by reason of alleged negligence or alleged deprivation of any
197 person's civil rights or any other act or omission resulting in damage or
198 injury, if the director, officer or employee, including ad hoc members of
199 the Materials Innovation and Recycling Authority, is found to have been
200 acting in the discharge of his or her duties or within the scope of his or
201 her employment and such act or omission is found not to have been
202 wanton, reckless, wilful or malicious."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage and applicable to appointments made on and after said date</i>	15-31a(b) and (c)
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>from passage</i>	15-31a(o)
Sec. 5	<i>from passage</i>	3-125
Sec. 6	<i>from passage</i>	1-125