



Substitute Senate Bill No. 241

Public Act No. 21-179

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

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

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

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 Subsections (b) and (c) of section 15-31a of the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage and applicable to appointments made on and after said date*):

(b) The powers of the authority shall be vested in and exercised by a board of directors, which shall consist of [~~fifteen~~] twenty-one voting members as follows: (1) The State Treasurer, or the Treasurer's designee,

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the Commissioner of Energy and Environmental Protection, or the commissioner's designee, the Commissioner of Transportation, or the commissioner's designee, the Commissioner of Economic and Community Development, or the commissioner's designee, [and] the Secretary of the Office of Policy and Management, or the secretary's designee, the chief elected official of the town of New London, or such official's designee, the chief elected official of the city of New Haven, or such official's designee, and the chief elected official of the city of Bridgeport, or such official's designee, all of whom shall serve ex officio; (2) one appointed by the speaker of the House of Representatives; [for a term of four years;] (3) one appointed by the majority leader of the House of Representatives, [for a term of two years] who is the chief elected official of a town with a small harbor, or such official's designee; (4) one appointed by the minority leader of the House of Representatives; [for a term of two years;] (5) one appointed by the president pro tempore of the Senate, [for a term of four years] who is a member or employee of a local port authority; (6) one appointed by the majority leader of the Senate; [for a term of two years;] (7) one appointed by the minority leader of the Senate; [for a term of four years;] and (8) [four] seven appointed by the Governor, [two for a term of four years and two for a term of two years. Thereafter, said] one of whom is the chief elected official of a town with a small harbor, or such official's designee. Said members of the General Assembly and the Governor shall appoint members of the board to succeed [such] appointees whose terms expire and each member so appointed shall hold office for a period of four years from the first day of July in the year of his or her appointment. Appointed members shall include [: (A) Individuals] individuals who have experience and expertise in [one or more of the following areas: (i) International] international trade, [; (ii)] marine transportation, [; (iii)] finance [;] or [(iv)] economic development. [; (B) one member or employee of a local port authority; (C) one elected or appointed municipal official from a coastal municipality with a population not greater than one hundred thousand; and (D) one elected

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or appointed municipal official from a coastal community with a population not greater than fifty thousand.] The board of directors shall select the chairperson from among the members of the board, who shall serve for a term of two years. The board of directors shall select a vice-chairperson from among its members and such other officers as it deems necessary.

(c) [No] Except as provided in subsection (b) of this section, no appointed member of the board of directors may designate a representative to perform his or her respective duties under this section in such member's absence. Any appointed member who fails to attend three consecutive meetings of the board or who fails to attend fifty per cent of all meetings of the board held during any calendar year shall be deemed to have resigned from the board. Any vacancy occurring other than by expiration of term shall be filled not later than thirty days following the occurrence of such vacancy in the same manner as the original appointment for the balance of the unexpired term. The appointing authority for any member may remove such member for inefficiency, neglect of duty or misconduct in office after giving the member a copy of the charges against the member and an opportunity to be heard, in person or by counsel, in the member's defense, upon not less than ten days' notice. If any member shall be so removed, the appointing authority for such member shall file in the office of the Secretary of the State a complete statement of charges made against such member and the appointing authority's findings on such statement of charges, together with a complete record of the proceedings.

Sec. 3. (*Effective from passage*) On or before January 1, 2022, the executive director of the Connecticut Port Authority shall submit a plan to ensure a transparent and equitable process for selecting and disbursing grants through the program known as the Small Harbor Improvement Projects Program to the joint standing committee of the General Assembly having cognizance of matters relating to

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transportation in accordance with the provisions of section 11-4a of the general statutes.

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

(o) On or before January 1, [2017] 2022, and annually thereafter, the board of directors shall submit [, in writing] a report, in accordance with the provisions of section 11-4a, to the Governor [(1)] and the joint standing committee of the General Assembly having cognizance of matters relating to transportation. Such report shall include, but need not be limited to: (1) A description of the projects undertaken by the authority in the preceding year; (2) a list of projects which, if undertaken by the state, would support the state's maritime policies and encourage maritime commerce and industry; [(2)] (3) a description of the authority's finances; (4) recommendations for improvements to existing maritime policies, programs and facilities; and [(3) such other recommendations as the board considers appropriate. Copies of such report shall be submitted to the joint standing committee of the General Assembly having cognizance of matters relating to transportation, in accordance with the provisions of section 11-4a] (5) recommendations for legislation to promote the authority's purpose. The Commissioner of Administrative Services and the Secretary of the Office of Policy and Management shall jointly review and comment on each report before such report is submitted to the Governor and the joint standing committee of the General Assembly having cognizance of matters relating to transportation.

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

The Attorney General shall appoint a deputy, who shall be sworn to the faithful discharge of his duties and shall perform all the duties of the

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

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by either house of the General Assembly or when requested by the president pro tempore of the Senate, the speaker of the House of Representatives, or the majority leader or the minority leader of the Senate or House of Representatives, give his opinion upon questions of law submitted to him by either of said houses or any of said leaders. He shall advise or give his opinion to the head of any executive department or any state board or commission upon any question of law submitted to him. He may procure such assistance as he may require. Whenever a trustee, under the provisions of any charitable trust described in section 45a-514, is required by statute to give a bond for the performance of his duties as trustee, the Attorney General may cause a petition to be lodged with the probate court of the district in which such trust property is situated, or where any of the trustees reside, for the fixing, accepting and approving of a bond to the state, conditioned for the proper discharge of the duties of such trust, which bond shall be filed in the office of such probate court. The Attorney General shall prepare a topical and chronological cross-index of all legal opinions issued by the office of the Attorney General and shall, from time to time, update the same.

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

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

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

Approved July 12, 2021