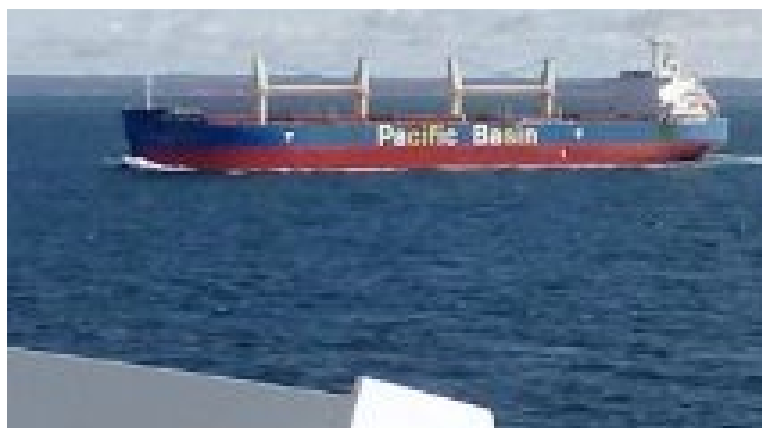


Deep Water Port *notes*

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Connecticut Port Authority Update

Public Act No. 14-222 establishes the Connecticut Port Authority (CPA), a quasi-public agency, effective 1 October 2015. The purpose of the CPA shall be to coordinate port development, with a focus on private and public investments, pursue federal and state funds for dredging and other infrastructure improvements to increase cargo movement through Connecticut ports, market the advantages of such ports to the domestic and international shipping industry, coordinate the advantages of such ports to the domestic and international shipping industry, coordinate the planning and funding of capital projects promoting the development of such ports and develop strategic entrepreneurial initiatives that may be available to the state. Substitute Bill No. 6816 further defines the CPA and is summarized below:



Picture Caption: Freighter Cape Trafalgar bound for Gateway Terminal, Port of New Haven with a cargo of steel plate and beams loaded in China. Photo taken by Senior Connecticut Pilot Charles P. Jonas from the tanker Great Eastern outbound from New Haven after discharging gasoline at Motiva.

Proposed Substitute Bill No. 6816, AA Concerning the Connecticut Port Authority (Summary prepared by the Connecticut Office of Policy and Management)

Section	Subject	Summary
1	Establishment of Port Authority	<p>Effective July 1, 2015</p> <p>1a. Creates a quasi-public entity, Connecticut Port Authority</p> <p>– 1a(9): employees shall be unclassified and only considered state employees for purposes of group welfare benefits and retirement</p> <p>1c. Board of Directors consists of 15 members: 6 legislative appointments; the Treasurer; Commissioners of DEEP, DECD and DOT; and 5 Governor appointments. The Board of Directors selects Chairperson of the Board</p> <p>1e. Board shall appoint an Executive Director with experience in development and management of multi-use port operations</p>
2-5	Bonding Authority	<p>Effective July 1, 2015</p> <p>2. Authorizes the authority to issue bonds mirroring the exact language found in section 6a-6n of the CT Airport Authority (CAA) bill</p> <p>3. Authorizes the authority to refund bonds mirroring the exact language found in section 7a-7b of the CAA bill</p> <p>4. Recognizes the authority will be performing an essential government function and such bonds issued hereunder are made securities, mirroring the exact language found in section 8a-8b of the CAA bill</p> <p>5. Pledges to holders of bonds that the state will not limit or alter the rights vested in the authority until its obligations are fully met, mirroring the exact language found in section 10 of the CAA bill</p>

**Proposed Substitute Bill No. 6816, AA Concerning the Connecticut Port Authority
(Summary prepared by the Connecticut Office of Policy and Management)
(continued)**

6-7	Memorandum of Understanding	<p>Effective July 1, 2015</p> <p>6. Authorizes the authority to enter into a MoU with DECD for (1) administrative support and services and (2) coordination of management and operational activities. Any such MoU shall terminate on July 30, 2017</p> <p>7. Authorizes the authority to enter into MoU's with DOT modeled after language found in sections 12b, 12d, and 12e of the CAA bill</p> <p>7a. Specifies that such MoU's may be entered for transfer of assets, funds and accounts, contracts and liabilities, powers and duties related to ports, and the time or times such transfers shall be effective (Modeled after 12b of CAA bill)</p> <p>7b. General limitation on transfer of authorities, mirroring the exact language found in 12d of the CAA bill (minus references to chapter 266a of the general statutes)</p> <p>7c. Declares that the authority must comply with federal law when conducting such MoU's, mirroring 12e of the CAA bill</p>
8	DECD Transition Plan	<p>Effective July 1, 2015</p> <p>8a. DECD, in consultation with DOT, DEEP, OPM and the Port Authority Working Group, shall develop a plan to transition maritime functions of DOT to the new Port Authority, review state policies affecting ports, develop a plan to transition functions of Connecticut Maritime Commission to the new Port Authority, develop a business and operating plan for the new Port Authority, and submit the report to the General Assembly no later than March 1, 2015</p> <p>8b. On or after July 1, 2016, no further actions shall be required pursuant to this section</p>
9-16	Transfer of Dredging and other Harbor Improvement Projects & Responsibilities	<p>9. Repeals 13b-53 of the general statutes and substitutes the executive director of the CPA for the Commissioner of DOT regarding the maintaining, operating, acquiring, owning of any land near any navigable waterway or port related to the transportation of goods or people; effective July 1, 2015</p> <p>10. Repeals 13b-54 of the general statutes and substitutes the executive director of the CPA for the Commissioner of DOT regarding consultation and cooperation with federal authorities for river/harbor improvements and facilities/services improvements or the construction of any bridge over navigable waters of the state; effective July 1, 2015</p> <p>11. Repeals 13b-55 of the general statutes and substitutes the executive director of the CPA for the Commissioner of DOT for selling and conveying land or other property; effective July 1, 2015</p> <p>12. Repeals 13b-55a of the general statutes and substitutes the executive director of the CPA for the Commissioner of DOT and the board of directors of the authority for the CT Maritime Commission regarding prioritization or inclusion of harbor improvement projects; effective July 1, 2015</p> <p>13. Repeals 13b-55a of the general statutes, as amended by section 8 of public act 14-222, and makes it consistent with section 12 of this bill; effective October 1, 2015</p> <p>14. Repeals 13b-55b of the general statutes, substituting power to expend funds from the "harbor improvement account" from the Commissioner of DOT to the executive director of the authority; effective July 1, 2015</p> <p>15. Repeals 13b-56 of the general statutes, substituting power to review and approve submissions of harbor improvement projects by any "harbor improvement agency" from the Commissioner of DOT to the executive director of the authority; effective July 1, 2015</p> <p>16. Repeals 13b-57 of the general statutes, substituting power to enter into contracts with municipalities for state financial assistance of harbor improvement projects from the DOT to the authority; any contract shall be subject to the discretion and approval of the executive director of the authority; the executive director will submit any such application to the Commissioner of DEEP for review; effective July 1, 2015</p>

Proposed Substitute Bill No. 6816, AA Concerning the Connecticut Port Authority (Summary prepared by the Connecticut Office of Policy and Management) (continued)

17-23	Transfer of Marine Pilot Activities & Oversight	<p>Effective July 1, 2015</p> <p>17. Repeals 15-13 of the general statutes, substituting the executive director of the authority for the Commissioner of DOT regarding all licensing powers, oversight, and fee collection related to marine pilots</p> <p>18. Repeals 15-13c of the general statutes, transferring the Connecticut Pilot Commission from DOT to the authority in order to assist and advise the executive director of the authority</p> <p>19. Repeals 15-14 of the general statutes, transferring power to establish the rates of pilotage from the Commissioner of DOT to the executive director of the authority</p> <p>20. Repeals 15-15a of the general statutes, removing the Commissioner of DOT and substituting that the executive director of the authority shall adopt written procedures for the conduct and duties of marine pilots</p> <p>21. Repeals 15-15b of the general statutes, substituting the executive director of the authority for the Commissioner of DOT for the reporting of marine pilots every three months</p> <p>22. Repeals 15-15d of the general statutes, substituting the executive director of the authority for the Commissioner of DOT regarding the power to executive agreements with the pilot commission of any other state (specifically mentions Long Island Sound)</p> <p>23. Repeals 15-15e of the general statutes, substituting the executive director of the authority for the Commissioner of DOT regarding the ability to adopt procedures for the embarkation and disembarkation of pilots and required operation/equipment of each vessel; it also changes every reference from “regulation” to “procedure”</p>
24	Fines for Removal or Damage of State Property	<p>Effective July 1, 2015</p> <p>Repeals 15-25 of the general statutes, simply removing “Commissioner of Transportation” language as a qualifier describing the placement of state property; such property is now described as being placed “by the authority of the state...”</p>
25	Hazards and Obstructions in Public Waterways	<p>Effective July 1, 2015</p> <p>Repeals 15-140d of the general statutes, substituting the Commissioner of DEEP for the Commissioner of DOT regarding the power to determine whether any item placed in state tidal waters constitutes a hazard and to order its removal or take other measures to eliminate the danger; this section also reiterates the Commissioner of DEEP’s same power with respect to non-tidal waters</p>
26-29	Water Resources & Environmental Protection	<p>Effective July 1, 2015</p> <p>26. Repeals subsection (a) of 22a-337 of the general statutes, saying the Commissioner of DEEP shall request and consider recommendations from the board of directors of the authority (rather than the Commissioner of DOT) for all agreements or compacts entered into for the purposes of flood protection that relate to river and harbor improvement or navigability</p> <p>27. Repeals 22a-340 of the general statutes, substituting the executive director of the authority for the Commissioner of DOT regarding notice and recommendations given by the Commissioner of DEEP related to the designation and laying out of channels for the purpose of access and navigability; substitutes the board of directors of the authority for the Commissioner of DOT regarding authorization to initiate proceedings</p> <p>28. Repeals subsection (b) of 22a-359 of the general statutes, substituting the executive director of the authority for the Commissioner of DOT regarding required consultation by the Commissioner of DEEP related to consideration of sunken structures as “encroachment”</p> <p>29. Repeals subsection (b) of 22a-361 of the general statutes, substituting the executive director of the authority for the Commissioner of DOT regarding the requirement of notice directed by the Commissioner of DEEP prior to approval or denial of permit applications</p>



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Connecticut Port Authority Update continued from page 3

Proposed Substitute Bill No. 6816, AA Concerning the Connecticut Port Authority (Summary prepared by the Connecticut Office of Policy and Management) (continued)

30-33	Quasi-public Statutes	<p>Effective July 1, 2015</p> <p>30 & 31. Includes the Port Authority in statutes defining a “Quasi-public agency”</p> <p>32. Includes the Port Authority in statutes defining bonding authority of “Quasi-public agencies”</p> <p>33. Includes the Port Authority in statutes defining “Quasi-public agency” liability</p>
34	Repealer Section	<p>Effective July 1, 2015</p> <p>Repeals 13b-51a (Connecticut Maritime Commission), 13b-51b (State Maritime Office), and 32-435 (previous version of the Connecticut Port Authority) of the general statutes</p>

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