



General Assembly

February Session, 2008

Raised Bill No. 302

LCO No. 1557

01557_____ENV

Referred to Committee on Environment

Introduced by:
(ENV)

AN ACT CONCERNING HARBOR IMPROVEMENT PROJECTS.

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

1 Section 1. Section 13b-57 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 The state, acting by and in the discretion of the Commissioner of
4 Transportation, may enter into a contract with a municipality, acting
5 by its harbor improvement agency, for state financial assistance for a
6 harbor improvement project pursuant to a harbor improvement plan
7 approved by the Commissioner of Transportation in the form of a state
8 grant-in-aid. [equal to two-thirds of the net cost of the project as
9 approved by the Commissioner of Transportation, provided state
10 financial assistance to any municipality for such purposes shall not
11 exceed one million dollars.] Any such application for state financial
12 assistance under this section shall be submitted by the Commissioner
13 of Transportation to the Commissioner of Environmental Protection
14 for his review. Said Commissioner of Environmental Protection shall
15 submit a written report to the Commissioner of Transportation, setting
16 forth his findings regarding such application.

17 Sec. 2. (NEW) (*Effective from passage*) (a) In addition to municipal
18 requests for a grant-in-aid pursuant to section 13b-57 of the general
19 statutes, as amended by this act, harbor improvement projects may be
20 initiated by the Commissioner of Transportation on behalf of the state
21 or for the state on behalf of the federal government. Recommendations
22 on the prioritization or inclusion of projects shall be submitted to the
23 commissioner by the Connecticut Maritime Commission. The
24 department shall contract for the provision of goods and services to
25 harbors and waterways for such improvements, and shall provide the
26 funding required under such contracts, except that the commissioner
27 may enter into agreements with other state agencies or municipalities
28 for such agencies or municipalities to provide the funding for any of
29 such contracts. The department shall administer all contracts entered
30 into under this section.

31 (b) Harbor improvement projects include the preparation of plans,
32 studies and construction for the alteration and improvement of various
33 state, municipal and other properties in or adjacent to the waters of the
34 state, for the purpose of improving the economy and infrastructure of
35 the state.

36 Sec. 3. (NEW) (*Effective from passage*) (a) There is established an
37 account to be known as the "harbor improvement account" which shall
38 be a separate, nonlapsing account within the General Fund. There shall
39 be deposited in the account: (1) The proceeds of notes, bonds or other
40 obligations issued by the state for the purpose of deposit therein and
41 use in accordance with the permissible uses thereof; (2) funds
42 appropriated by the General Assembly for the purpose of deposit
43 therein and use in accordance with the permissible uses thereof; and
44 (3) any other funds required or permitted by law to be deposited in the
45 account. The funds in said account shall be expended by the
46 Commissioner of Transportation for the purpose of initiating harbor
47 improvement projects in accordance with section 2 of this act and for
48 the purposes described in subsection (b) of this section.

49 (b) The harbor improvement account may be used for federal
50 dredging projects (1) to support, in full or in part, local and state
51 matching requirements for such projects; (2) to pay the difference
52 between the federal least cost, environmentally acceptable method of
53 disposing of dredge materials and the additional cost created by the
54 state's testing or disposal requirements; and (3) to cover part or all of
55 the costs of such projects in the absence of adequate federal funds. If
56 any account funds are used for the purpose described in subdivision
57 (3) of this subsection, the commissioner shall pursue reimbursement to
58 the account from the federal government.

59 (c) The department is responsible for contract administration. All
60 contracts are subject to final negotiation of the scope and budget for a
61 given project. Contracting periods may vary depending on each
62 project. Payments shall be made on a reimbursement basis for
63 deliverables completed no later than the dates of service of an executed
64 contract. Appropriate back-up information shall be included with each
65 payment request indicating that services have been rendered. The
66 department may elect to provide part or all of the funds necessary as
67 an upfront payment, provided funds are held in a separate, noninterest
68 bearing account and are expended not later than sixty days after such
69 funds are provided.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	13b-57
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	New section

Statement of Purpose:

To maintain the viability of the state's commercial and recreational ports.

[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.]