



General Assembly

**Substitute Bill No. 302**

February Session, 2008

\* SB00302ENV\_\_031008\_\_ \*

**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 Section 13b-57 of the general statutes is repealed and the  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) All contracts are subject to final negotiation of the scope and  
32 budget for a given project. Contracting periods may vary depending  
33 on each project. Payments shall be made on a reimbursement basis for  
34 deliverables completed no later than the dates of service of an executed  
35 contract. Appropriate back-up information shall be included with each  
36 payment request indicating that services have been rendered. The  
37 department may elect to provide part or all of the funds necessary as  
38 an upfront payment, provided funds are held in a separate, noninterest  
39 bearing account and are expended not later than sixty days after such  
40 funds are provided.

41 (c) Harbor improvement projects include the preparation of plans,  
42 studies and construction for the alteration and improvement of various  
43 state, municipal and other properties in or adjacent to the waters of the  
44 state, for the purpose of improving the economy and infrastructure of  
45 the state.

46 Sec. 3. (NEW) (*Effective from passage*) (a) There is established an  
47 account to be known as the "harbor improvement account" which shall  
48 be a separate, nonlapsing account within the General Fund. There shall  
49 be deposited in the account: (1) The proceeds of notes, bonds or other  
50 obligations issued by the state for the purpose of deposit therein and  
51 use in accordance with the permissible uses thereof; (2) funds  
52 appropriated by the General Assembly for the purpose of deposit  
53 therein and use in accordance with the permissible uses thereof; and

54 (3) any other funds required or permitted by law to be deposited in the  
55 account. The funds in said account shall be expended by the  
56 Commissioner of Transportation for the purpose of initiating harbor  
57 improvement projects in accordance with section 2 of this act and for  
58 the purposes described in subsection (b) of this section.

59 (b) The harbor improvement account may be used for federal  
60 dredging projects (1) to support, in full or in part, local and state  
61 matching requirements for such projects; (2) to cover the incremental  
62 costs associated with applicable environmental regulatory  
63 requirements or management practices, including beneficial use; and  
64 (3) to cover part or all of the costs of such projects in the absence of  
65 adequate federal funds. If any account funds are used for the purpose  
66 described in subdivision (3) of this subsection, the commissioner shall  
67 pursue reimbursement to the account from the federal government.

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 Legislative Commissioners:**

Former subsection (c) of section 3 was made into new subsection (b) of section 2 for consistency with the purposes of the sections.

**ENV**      *Joint Favorable Subst.*