



General Assembly

January Session, 2015

Raised Bill No. 6816

LCO No. 3848



Referred to Committee on TRANSPORTATION

Introduced by:
(TRA)

AN ACT CONCERNING THE CONNECTICUT PORT AUTHORITY.

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

1 Section 1. Section 32-435 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2015*):

3 (a) There is hereby established and created a body politic and
4 corporate, constituting a public instrumentality and political
5 subdivision of the state of Connecticut established and created for the
6 performance of an essential public and governmental function, to be
7 known as the Connecticut Port Authority. The authority shall not be
8 construed to be a department, institution or agency of the state. The
9 purposes of the Connecticut Port Authority shall be to coordinate port
10 development, with a focus on private and public investments, pursue
11 federal and state funds for dredging and other infrastructure
12 improvements to increase cargo movement through Connecticut ports,
13 market the advantages of such ports to the domestic and international
14 shipping industry, coordinate the planning and funding of capital
15 projects promoting the development of such ports and develop
16 strategic entrepreneurial initiatives that may be available to the state.

17 The authority is authorized and empowered to:

18 (1) Have perpetual succession as a body politic and corporate and to
19 adopt bylaws for the regulation of its affairs and the conduct of its
20 business;

21 (2) Adopt an official seal and alter the same at pleasure;

22 (3) Maintain an office at such place or places as it may designate;

23 (4) Sue and be sued in its own name, and plead and be impleaded;

24 (5) Develop an organizational and management structure that will
25 best accomplish the goals of the authority concerning Connecticut
26 ports;

27 (6) Create a code of conduct for the board of directors of the
28 authority consistent with part I of chapter 10;

29 (7) Adopt rules for the conduct of its business, which shall not be
30 considered regulations as defined in subdivision (13) of section 4-166;
31 and

32 (8) Adopt an annual budget and plan of operations, including a
33 requirement of board approval before the budget or plan may take
34 effect.

35 (b) The authority shall continue as long as it has bonds or other
36 obligations outstanding and until its existence is terminated by law,
37 provided no such termination shall affect any outstanding contractual
38 obligation of the authority and the state shall succeed to the obligations
39 of the authority under any contract. Upon the termination of the
40 existence of the authority, all its rights and properties shall pass to and
41 be vested in the state of Connecticut.

42 (c) The powers of the authority shall be vested in and exercised by a
43 board of directors, which shall consist of fifteen voting members as

44 follows: (1) The State Treasurer, or the Treasurer's designee, the
45 Commissioner of Energy and Environmental Protection, or the
46 commissioner's designee, the Commissioner of Transportation, or the
47 commissioner's designee, and the Commissioner of Economic and
48 Community Development, or the commissioner's designee, all of
49 whom shall serve ex officio; (2) one appointed by the speaker of the
50 House of Representatives for a term of [two] four years; (3) one
51 appointed by the majority leader of the House of Representatives for a
52 term of [two] four years; (4) one appointed by the minority leader of
53 the House of Representatives for a term of [two] four years; (5) one
54 appointed by the president pro tempore of the Senate for a term of four
55 years; (6) one appointed by the majority leader of the Senate for a term
56 of four years; (7) one appointed by the minority leader of the Senate for
57 a term of four years; and (8) five appointed by the Governor, two for a
58 term of four years and three for a term of two years. Thereafter, such
59 members of the General Assembly and the Governor shall appoint
60 members of the board to succeed such appointees whose terms expire
61 and each member so appointed shall hold office for a period of four
62 years from the first day of July in the year of his or her appointment.
63 Appointed members shall have business and management experience
64 and shall include individuals who have experience and expertise in
65 one or more of the following areas: (A) International trade, (B) marine
66 transportation, (C) finance, or (D) economic development. The board
67 of directors shall select the chairperson from among the members of
68 the board, who shall serve for a term of four years. The board of
69 directors shall select a vice-chairperson from among its members and
70 such other officers as it deems necessary.

71 (d) No appointed member of the board of directors may designate a
72 representative to perform his or her respective duties under this
73 section in such member's absence. Any appointed member who fails to
74 attend three consecutive meetings of the board or who fails to attend
75 fifty per cent of all meetings of the board held during any calendar
76 year shall be deemed to have resigned from the board. Any vacancy

77 occurring other than by expiration of term shall be filled not later than
78 thirty days following the occurrence of such vacancy in the same
79 manner as the original appointment for the balance of the unexpired
80 term. The appointing authority for any member may remove such
81 member for inefficiency, neglect of duty or misconduct in office after
82 giving the member a copy of the charges against the member and an
83 opportunity to be heard, in person or by counsel, in the member's
84 defense, upon not less than ten days' notice. If any member shall be so
85 removed, the appointing authority for such member shall file in the
86 office of the Secretary of the State a complete statement of charges
87 made against such member and the appointing authority's findings on
88 such statement of charges, together with a complete record of the
89 proceedings.

90 (e) The members of the board of directors shall appoint an executive
91 director of the authority who shall not be a member of the board and
92 shall serve at the pleasure of the board and receive such compensation
93 as shall be fixed by the board. The executive director shall: (1) Have
94 extensive experience in the development and management of multiuse
95 port operations; (2) be the chief administrative officer of the authority
96 and direct and supervise administrative affairs and technical activities
97 in accordance with the directives of the board; (3) approve all accounts
98 for salaries, allowable expenses of the authority or of any employee or
99 consultant thereof, and expenses incidental to the operation of the
100 authority; (4) perform such other duties as may be directed by the
101 board in carrying out the purposes of this section; (5) be exempt from
102 the classified service; and (6) attend all meetings of the board, keep a
103 record of the proceedings of the authority and shall maintain and be
104 custodian of all books, documents and papers filed with the authority
105 and of the minute book or journal of the authority and of its official
106 seal. The executive director may cause copies to be made of all minutes
107 and other records and documents of the authority and may give
108 certificates under the official seal of the authority to the effect that such
109 copies are true copies, and all persons dealing with the authority may

110 rely upon such certificates.

111 (f) Each member of the board of directors shall serve without
112 compensation, but shall be reimbursed for such member's actual and
113 necessary expenses incurred during the performance of such member's
114 official duties.

115 (g) Members of the board of directors may engage in private
116 employment, or in a profession or business, subject to any applicable
117 laws, rules and regulations of the state regarding official ethics or
118 conflict of interest.

119 (h) Notwithstanding any provision of the general statutes, it shall
120 not constitute a conflict of interest for a trustee, director, partner or
121 officer of any person, firm or corporation, or any individual having a
122 financial interest in a person, firm or corporation, to serve as a member
123 of the board of directors of the authority, provided such trustee,
124 director, partner, officer or individual shall comply with all applicable
125 provisions of chapter 10.

126 (i) Eight members of the board of directors of the authority shall
127 constitute a quorum for the transaction of any business or the exercise
128 of any power of the authority. For the transaction of any business or
129 the exercise of any power of the authority, and except as otherwise
130 provided in this section, the authority may act by a majority of the
131 members present at any meeting at which a quorum is in attendance.

132 (j) The board may delegate to eight or more members such board
133 powers and duties as it may deem necessary and proper in conformity
134 with the provisions of this section and its bylaws.

135 (k) The initial members of the board may begin service immediately
136 upon appointment, but shall not serve past the sixth Wednesday of the
137 next regular session of the General Assembly unless qualified in the
138 manner provided in section 4-7. Thereafter, all appointments shall be
139 made with the advice and consent of both houses of the General

140 Assembly, in the manner provided in section 4-19.

141 (l) On or before December fifteenth of each year, the board shall
142 report, in accordance with the provisions of section 11-4a, to the
143 Governor and the joint standing committees of the General Assembly
144 having cognizance of matters relating to transportation, commerce and
145 the environment, summarizing the authority's activities, disclosing
146 operating and financial statements and recommending legislation to
147 promote the authority's purposes.

148 (m) Not later than seven days after receiving an audit of the
149 authority conducted by an independent auditing firm, the board shall
150 submit, in accordance with the provisions of section 11-4a, to the joint
151 standing committees of the General Assembly having cognizance of
152 matters relating to appropriations, commerce, the environment and
153 transportation a copy of each such audit.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2015</i>	32-435

Statement of Purpose:

To adjust the terms of service of members of the board of directors of the Connecticut Port Authority.

[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.]