



General Assembly

January Session, 2021

**Substitute Bill No. 241**



**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:

1 Section 1. (NEW) (*Effective from passage*) (a) On or before October 1,  
2 2021, and quarterly thereafter, the executive director of the Connecticut  
3 Port Authority shall submit a report regarding the status of pending and  
4 current contracts, small port projects and the construction project at the  
5 State Pier in New London to the joint standing committee of the General  
6 Assembly having cognizance of matters relating to transportation, in  
7 accordance with the provisions of section 11-4a of the general statutes.  
8 The Commissioner of Administrative Services and the Secretary of the  
9 Office of Policy and Management shall jointly verify each such report  
10 before such report is submitted to the committee.

11 (b) On or before January 1, 2022, and annually thereafter, the  
12 Commissioner of Administrative Services and the Secretary of the Office  
13 of Policy and Management shall submit a report regarding the projects  
14 undertaken by the Connecticut Port Authority in the preceding year and  
15 the authority's finances to the joint standing committee of the General  
16 Assembly having cognizance of matters relating to transportation, in  
17 accordance with the provisions of section 11-4a of the general statutes.

18 Sec. 2. Subdivision (15) of subsection (a) of section 15-31b of the  
19 general statutes is repealed and the following is substituted in lieu

20 thereof (*Effective October 1, 2021*):

21 (15) Invest in, acquire, lease, purchase, own, manage, hold and  
22 dispose of real property and lease, convey or deal in or enter into  
23 agreements with respect to such property on any terms necessary or  
24 incidental to carrying out the purposes of sections 15-31a to 15-31i,  
25 inclusive, provided (A) such transactions shall not be subject to  
26 approval, review or regulation by any state agency pursuant to title 4b  
27 or any other provision of the general statutes, except the provisions of  
28 chapter 62, and (B) the authority shall not convey fee simple ownership  
29 in any property associated with the ports or harbors under its  
30 jurisdiction and control without the approval of the State Properties  
31 Review Board and the Attorney General; and

32 Sec. 3. Subdivision (28) of section 4e-1 of the general statutes is  
33 repealed and the following is substituted in lieu thereof (*Effective October*  
34 *1, 2021*):

35 (28) "State contracting agency" means any executive branch agency,  
36 board, commission, department, office, institution, [or] council or the  
37 Connecticut Port Authority, established under section 15-31a. "State  
38 contracting agency" does not include the judicial branch, the legislative  
39 branch, the offices of the Secretary of the State, the State Comptroller,  
40 the Attorney General, the State Treasurer, with respect to their  
41 constitutional functions, any state agency with respect to contracts  
42 specific to the constitutional and statutory functions of the office of the  
43 State Treasurer. For the purposes of section 4e-16, "state contracting  
44 agency" includes any constituent unit of the state system of higher  
45 education and for the purposes of section 4e-19, "state contracting  
46 agency" includes the State Education Resource Center, established  
47 under section 10-4q;

48 Sec. 4. (NEW) (*Effective from passage*) (a) The State Bond Commission  
49 shall authorize the issuance of bonds of the state, in accordance with the  
50 provisions of section 3-20 of the general statutes, in principal amounts  
51 not exceeding in the aggregate twenty-five million dollars for the

52 Connecticut Port Authority established pursuant to section 15-31a of the  
53 general statutes. The amount authorized for the issuance and sale of  
54 such bonds in each of the following fiscal years shall not exceed the  
55 following corresponding amount for each such fiscal year, provided, to  
56 the extent the authority does not provide for the use of all or a portion  
57 of such amount in any such fiscal year, such amount not provided for  
58 shall be carried forward and added to the authorized amount for the  
59 next succeeding fiscal year, and, provided further, the costs of issuance  
60 and capitalized interest, if any, may be added to the capped amount in  
61 each fiscal year, and each of the authorized amounts shall be effective  
62 on July first of the fiscal year indicated as follows:

T1	Fiscal Year Ending	Amount
T2	June Thirtieth	
T3	2022	\$5,000,000
T4	2023	5,000,000
T5	2024	5,000,000
T6	2025	5,000,000
T7	2026	5,000,000
T8	Total	\$25,000,000

63 (b) The State Bond Commission shall approve a memorandum of  
64 understanding between the administrator and the state, acting by and  
65 through the Secretary of the Office of Policy and Management and the  
66 Treasurer, providing for the issuance of said bonds for the purposes of  
67 projects undertaken by the Connecticut Port Authority regarding ports  
68 not located in the towns of New Haven, New London or Bridgeport,  
69 including provisions regarding the extent to which federal, private or  
70 other moneys then available or thereafter to be made available for costs  
71 should be added to the proceeds of the bonds authorized pursuant to  
72 this section for such projects. The memorandum of understanding shall  
73 be deemed to satisfy the provisions of section 3-20 of the general statutes

74 and the exercise of any right or power granted thereby that is not  
75 inconsistent with the provisions of this section.

76 (c) All provisions of section 3-20 of the general statutes, or the exercise  
77 of any right or power granted thereby, that are not inconsistent with the  
78 provisions of this section are hereby adopted and shall apply to all  
79 bonds authorized by the State Bond Commission pursuant to this  
80 section. Temporary notes in anticipation of the money to be derived  
81 from the sale of any such bonds so authorized may be issued in  
82 accordance with said section, and from time to time renewed. All bonds  
83 issued pursuant to this section shall be general obligations of the state  
84 and the full faith and credit of the state of Connecticut are pledged for  
85 the payment of the principal of and interest on said bonds as the same  
86 become due, and accordingly and as part of the contract of the state with  
87 the holders of said bonds, appropriation of all amounts necessary for  
88 punctual payment of such principal and interest is hereby made, and  
89 the Treasurer shall pay such principal and interest as the same become  
90 due.

91 (d) Subject to the amount of limitations of the capping provisions in  
92 subsection (a) of this section, the principal amount of the bonds  
93 authorized under this section shall be deemed to be an appropriation  
94 and allocation of such amount, and such approval of such request shall  
95 be deemed the allotment by the Governor of such capital outlays within  
96 the meaning of section 4-85 of the general statutes.

97 Sec. 5. Subdivision (1) of subsection (b) of section 12-18b of the  
98 general statutes, as amended by section 5 of public act 21-3, is repealed  
99 and the following is substituted in lieu thereof (*Effective July 1, 2021*):

100 (1) The grant payable to any municipality for state, municipal or tribal  
101 property under the provisions of this section in the fiscal year ending  
102 June 30, 2017, and each fiscal year thereafter, shall be equal to the total  
103 of:

104 (A) One hundred per cent of the property taxes that would have been

105 paid with respect to any facility designated by the Commissioner of  
106 Correction, on or before August first of each year, to be a correctional  
107 facility administered under the auspices of the Department of  
108 Correction or a juvenile detention center under direction of the  
109 Department of Children and Families that was used for incarcerative  
110 purposes during the preceding fiscal year. If a list containing the name  
111 and location of such designated facilities and information concerning  
112 their use for purposes of incarceration during the preceding fiscal year  
113 is not available from the Secretary of the State on August first of any  
114 year, the Commissioner of Correction shall, on said date, certify to the  
115 Secretary of the Office of Policy and Management a list containing such  
116 information;

117 (B) One hundred per cent of the property taxes that would have been  
118 paid with respect to that portion of the John Dempsey Hospital located  
119 at The University of Connecticut Health Center in Farmington that is  
120 used as a permanent medical ward for prisoners under the custody of  
121 the Department of Correction. Nothing in this section shall be construed  
122 as designating any portion of The University of Connecticut Health  
123 Center John Dempsey Hospital as a correctional facility;

124 (C) One hundred per cent of the property taxes that would have been  
125 paid on any land designated within the 1983 Settlement boundary and  
126 taken into trust by the federal government for the Mashantucket Pequot  
127 Tribal Nation on or after June 8, 1999;

128 (D) One hundred per cent of the property taxes that would have been  
129 paid with respect to the property and facilities owned by the  
130 Connecticut Port Authority;

131 ~~[(D)]~~ (E) Subject to the provisions of subsection (c) of section 12-19a,  
132 sixty-five per cent of the property taxes that would have been paid with  
133 respect to the buildings and grounds comprising Connecticut Valley  
134 Hospital and Whiting Forensic Hospital in Middletown;

135 ~~[(E)]~~ (F) With respect to any municipality in which more than fifty per

136 cent of the property is state-owned real property, one hundred per cent  
137 of the property taxes that would have been paid with respect to such  
138 state-owned property;

139 [(F)] (G) Forty-five per cent of the property taxes that would have  
140 been paid with respect to all municipally owned airports; except for the  
141 exemption applicable to such property, on the assessment list in such  
142 municipality for the assessment date two years prior to the  
143 commencement of the state fiscal year in which such grant is payable.  
144 The grant provided pursuant to this section for any municipally owned  
145 airport shall be paid to any municipality in which the airport is located,  
146 except that the grant applicable to Sikorsky Airport shall be paid one-  
147 half to the town of Stratford and one-half to the city of Bridgeport;

148 [(G)] (H) Forty-five per cent of the property taxes that would have  
149 been paid with respect to any land designated within the 1983  
150 Settlement boundary and taken into trust by the federal government for  
151 the Mashantucket Pequot Tribal Nation prior to June 8, 1999, or taken  
152 into trust by the federal government for the Mohegan Tribe of Indians  
153 of Connecticut, provided the real property subject to this subparagraph  
154 shall be the land only, and shall not include the assessed value of any  
155 structures, buildings or other improvements on such land; and

156 [(H)] (I) Forty-five per cent of the property taxes that would have  
157 been paid with respect to all other state-owned real property.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>October 1, 2021</i>	15-31b(a)(15)
Sec. 3	<i>October 1, 2021</i>	4e-1(28)
Sec. 4	<i>from passage</i>	New section
Sec. 5	<i>July 1, 2021</i>	12-18b(b)(1)

**Statement of Legislative Commissioners:**

In Section 1(a), "each" was added for clarity and in Section 4, the effective date was changed to "Effective from passage" for consistency with the other provisions of the section.

**TRA**

*Joint Favorable Subst.-LCO C/R*

APP