



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19 general statutes is repealed and the following is substituted in lieu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33 repealed and the following is substituted in lieu thereof (*Effective October*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 Connecticut Port Authority and the state,
65 acting by and through the Secretary of the Office of Policy and
66 Management and the Treasurer, providing for the issuance of said
67 bonds for the purposes of projects undertaken by the Connecticut Port
68 Authority regarding ports not located in the towns of New Haven, New
69 London or Bridgeport, including provisions regarding the extent to
70 which federal, private or other moneys then available or thereafter to be
71 made available for costs should be added to the proceeds of the bonds
72 authorized pursuant to this section for such projects. The memorandum
73 of understanding shall be deemed to satisfy the provisions of section 3-

74 20 of the general statutes and the exercise of any right or power granted
75 thereby that is not 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 4(b), "administrator" was changed to "Connecticut Port Authority" for accuracy.

TRA *Joint Favorable Subst.-LCO C/R* APP
APP *Joint Favorable Subst.-LCO*