



House Bill No. 5309

Public Act No. 18-163

AN ACT CONCERNING THE PORT AUTHORITY.

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

Section 1. Section 15-31b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2018*):

(a) The purposes of the Connecticut Port Authority shall be to coordinate the development of Connecticut's ports and harbors, with a focus on private and public investments, pursue federal and state funds for dredging and other infrastructure improvements to increase cargo movement through the ports and maintain navigability of all ports and harbors, market the economic development of such ports and harbors, work with the Department of Economic and Community Development and other state, local and private entities to maximize the economic potential of the ports and harbors, support and enhance the overall development of the state's maritime commerce and industries, coordinate the planning and funding of capital projects promoting the development of the ports and harbors, develop strategic entrepreneurial initiatives that may be available to the state, coordinate the state's maritime policy activities, serve as the Governor's principal maritime policy advisor and undertake such other responsibilities as may be assigned to it. To accomplish the purposes of the authority, the authority shall have the duty and power to:

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

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

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

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

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

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

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

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

(9) Make and enter into all contracts and agreements that are necessary, desirable or incidental to the conduct of its business;

(10) Enter into joint ventures and invest in, and participate with, any person or entity, including, without limitation, governmental or private business entities in the formation, ownership, management and operation of business entities, including stock and nonstock corporations, limited liability companies and general and limited partnerships, formed to advance the purposes of the authority. The officers, employees and members of the board of directors of the authority may serve, without compensation, as directors or officers of any such business entities formed and such service shall be deemed to

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be within the discharge of the duties of such officers, employees or directors to the authority;

(11) Receive and accept, from any source, aid or contributions, including money, property, labor and other things of value;

(12) Award grants and subsidies, make loans and provide other forms of financial assistance to any person or entity under a written policy, adopted in accordance with the provisions of section 1-121, setting forth the eligibility criteria, application process, and such other provisions as may be necessary or desirable to carry out the purposes of this section;

(13) Charge reasonable fees for the services it performs and waive, suspend, reduce or otherwise modify such fees in accordance with written criteria established by the authority, and provided, that no change may be made in fees without at least thirty days prior notice, published in accordance with the provisions of section 1-121;

[(9)] (14) Employ such assistants, agents and other employees as may be necessary or desirable to carry out its purposes. (A) The executive director and such employees shall be exempt from the classified service and, except as provided in subparagraph (B) of this subdivision, shall not be employees, as defined in subsection (b) of section 5-270. The authority shall fix appropriate compensation for such employees and establish all necessary or appropriate personnel practices and policies, including those relating to hiring, promotion, compensation, retirement and collective bargaining, which need not be in accordance with chapter 68, and the authority shall not be an employer, as defined in subsection (a) of section 5-270, and may engage consultants, attorneys and appraisers as may be necessary or desirable to carry out its purposes in accordance with sections 15-31a to 15-31i, inclusive. (B) For purposes of group welfare benefits and retirement, including, but not limited to, those provided under chapter

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66 and sections 5-257 and 5-259, the officers and all other employees of the authority shall be state employees. The authority shall reimburse the appropriate state agencies for all costs incurred by such designation; [and]

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

(16) Adopt any policies and procedures necessary to carry out the provisions of this section in accordance with the provisions of section 1-121.

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

Sec. 2. Section 15-15c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2018*):

The provisions of this chapter shall not apply to (1) vessels navigating under a certificate of enrollment under the control of a federally licensed pilot, (2) American vessels engaged in fishing, [or]

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(3) vessels otherwise exempt by the laws of the United States, or (4) recreational vessels, as defined in 46 USC 2101(25), of less than two hundred feet in length overall.

Approved June 13, 2018