

Pursuant to Public Act 14-222

Report to the Governor and General Assembly Regarding the Connecticut Port Authority



Department of Economic and
Community Development

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I. Introduction and Executive Summary

Governor Malloy and Members of the Connecticut General Assembly Joint Standing Committees on Commerce, Transportation and the Environment:

Enclosed for your review and consideration please find a report of activities, findings and recommendations concerning the establishment of the Connecticut Port Authority (CPA), pursuant to Section 3 of Public Act 14-222, passed unanimously by both chambers, and signed by Governor Malloy in New London in June 2014.

Connecticut is blessed to have a shoreline that provides an important dimension of our quality of life and economic activities. Our working group and the Department agree that our ports are currently a critical but underutilized part of our economy. We believe that the establishment of the new Connecticut Port Authority will help focus attention on bringing more business activity to the state, and strongly support the overall goals of Public Act 14-222.

This report includes a series of findings and recommendations designed to build upon and fine tune the legislation passed in 2014 and to ensure that the new Connecticut Port Authority has the operational focus, resources and authorities it needs to become a successful driver of economic development along our coastline. The recommendations are mindful, however, of the limited revenue streams currently available to support the CPA, of the work that will be required to build up a larger revenue profile for the new Authority, and of the budget challenges facing the State this year. I believe that the foundation that will be laid with the implementation of the port authority legislation, will serve us well as we continue to find ways to align and incorporate more activity in and with our ports and their communities leading to a stronger base of economic activity in the state.

Included in the recommendations are the following key highlights:

- Maintaining the CPA as a quasi-public entity, but organized “for administrative purposes only” with DECD to minimize start-up, staff costs and other expenses
- Recommending a small appropriation to support the operations of the CPA for its first few years of operations
- Directing the CPA to maintain a strategic focus on Connecticut’s three deepwater ports but to also serve the other commercial port operations involving the waterborne movement of cargo and passengers
- Directing the CPA to manage the State Pier Facility in New London
- Continuing successful State existing programs that support the maritime economy, particularly in smaller and mid-size harbors, and specifically giving responsibility for existing dredging programs to the CPA

On behalf of the Department of Economic and Community Development, I would like to thank all of the members of the Port Authority Working Group for their time, energy and excellent

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suggestions. The group spent a significant amount of time researching, debating and formulating recommendations, and we are incredibly appreciative of their commitment to and enthusiasm for Connecticut's maritime economy.

I would also like to thank our partners within the state government at the Office of the Treasurer, the Department of Energy and Environmental Protection, the Office of Policy and Management and the Department of Transportation, and particularly Commissioner James P. Redeker, who co-chaired the Working Group. Under his leadership, the DOT has prioritized investments in infrastructure and in initiatives like the Connecticut Port Authority that are making Connecticut's economy more competitive and more conducive to job creation.

We look forward to working with the Governor and the General Assembly to develop a legislative package based on these recommendations that will position the Connecticut Port Authority for a successful launch.

The State's maritime economy is poised for growth and development, and with smart investments through the Connecticut Port Authority, we believe that our State can be home to more jobs and more economic activity in and along our diverse waterfront.

Respectfully submitted,



Catherine H. Smith

Commissioner, Department of Economic and Community Development

The undersigned members of the Port Authority Working Group support the findings and recommendations contained in the report prepared by the Commissioner of Economic and Community Development for submission to the Governor and the General Assembly.

The members of the Working Group have spent a significant amount of time together learning about best practices of port authorities in Connecticut and elsewhere, and how the Connecticut ports and harbors currently function. We have heard suggestions from a wide variety of stakeholders on how to improve Connecticut's ports and their economic development potential. The Working Group discussions were robust, and in the end resulted in a series of well thought out recommendations that we believe will serve the newly created Port Authority as its board begins its efforts to improve the economic vitality and well-being of Connecticut's ports.

We believe that with the creation of the Connecticut Port Authority, Connecticut's ports can generate more economic activity, create jobs and attract private investment. Connecticut's commercial waterfront is an important asset for the State, and we believe that the structure and strategy proposed by this report represent an historic opportunity to maximize the return on this asset.

For all these reasons, we support the report prepared by the Commissioner.

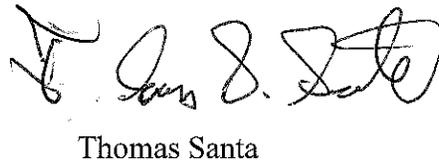

Commissioner James P.
Redeker (Working Group Co-Chair)


Bill Cash

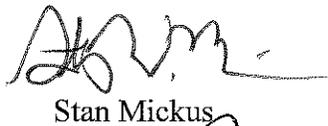

Sarah Sanders


Andrew Anastasio


John Johnson

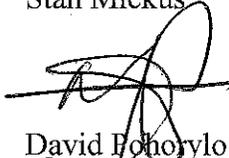

Thomas Santa

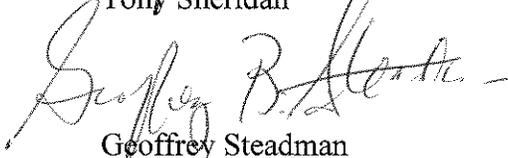

Kevin Cavanagh


Stan Mickus

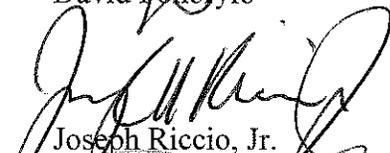

Tony Sheridan


Orest T. Dubno


David Fohorylo

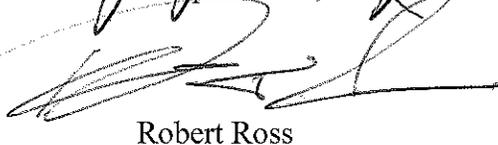

Geoffrey Steadman


Pamela Elkow


Joseph Riccio, Jr.


Brian Thompson


Garrett Eucalitto


Robert Ross


Parker Wise

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III. Public Act 14-222

In June 2014, Public Act 14-222 was signed into law by Governor Dannel P. Malloy after being passed unanimously by the Connecticut General Assembly. The legislation establishes the Connecticut Port Authority as an independent state governmental body that will come into existence on October 1, 2015. Public Act 14-222 also outlined the responsibilities and purposes of the new organization. The Connecticut Port Authority is intended to:

“coordinate port development, with a focus on private and public investments, pursue federal and state funds for dredging and other infrastructure improvements to increase cargo movement through Connecticut ports, market the advantages of such ports to the domestic and international shipping industry, coordinate the planning and funding of capital projects promoting the development of such ports and develop strategic entrepreneurial initiatives that may be available to the state.”^{vi}

The legislation also calls for a Board of Directors to govern the Connecticut Port Authority and appoint an Executive Director.ⁱⁱ

Connecticut Port Authority Board of Directors Designations

Position	Appointed By	Initial Length of Term
State Treasurer or Designee	Ex Officio	Indefinite
Commissioner of Economic and Community Development or Designee	Ex Officio	Indefinite
Commissioner of Energy and Environmental Protection or Designee	Ex Officio	Indefinite
Commissioner of Transportation or Designee	Ex Officio	Indefinite
At Large* (3)	Governor	Two (2) Years
At Large* (2)	Governor	Four (4) Years
At Large*	Speaker of the House	Two (2) Years
At Large*	House Majority Leader	Two (2) Years
At Large*	House Minority Leader	Two (2) Years
At Large*	Senate President	Four (4) Years
At Large*	Senate Majority Leader	Four (4) Years
At Large*	Senate Minority Leader	Four (4) Years

* Per PA 14-222, At Large appointees to have “Business/Managerial and International Trade, Marine Transportation, Finance, or Economic Development” experience

While the initial terms vary for members of the Connecticut Port Authority Board of Directors, after the initial terms have expired, each appointed position will have a term of four years (starting July 1st of a given year).ⁱⁱⁱ

In addition to establishing the Connecticut Port Authority, Public Act 14-222 created a Port Authority Working Group.^{iv} The Port Authority Working Group was created to provide guidance and recommendations regarding the Connecticut Port Authority and its Board of Directors to the Department of Economic and Community Development. The Port Authority Working Group is

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composed of members appointed by the Connecticut General Assembly, Governor Malloy, the State Treasurer, the Commissioner of the Department of Economic and Community Development and members appointed by the Commissioner of DECD.^v Per P.A. 14-222, the Port Authority Working Group will cease to exist on October 1, 2015, when the Connecticut Port Authority comes into existence.^{vi} The Commissioner of the Department of Economic and Community Development is charged with submitting this report, after consulting the Department of Transportation, Department of Energy and Environmental Protection, Office of Policy and Management, and the Port Authority Working Group, to the Governor and the Connecticut General Assembly's committees on commerce, transportation, and the environment by March 1, 2015.^{vii}

Public Act 14-222 also adds the Connecticut Port Authority to the statutory list of "quasi-public" agencies, as well as qualifying the Connecticut Port Authority and its Board of Directors and employees for the same protections and authorities as other Connecticut "quasi-public" agencies.^{viii} Additionally, the legislation specifies that municipal grant-in-aid requests and harbor improvement projects will be recommended to the Department of Transportation by the Connecticut Port Authority.^{ix} The final sections of the legislation address taxes for petroleum products.^x

IV. Port Authority Working Group: Charge and Process

The Port Authority Working Group, as established by Public Act 14-222, convened to research and craft recommendations to the Governor and Assembly regarding:

“(1) Employment and personnel practices and policies, including those relating to hiring, promotion, compensation, retirement and collective bargaining; (2) issuance of bonds; (3) authority to acquire, lease, purchase, own, manage, hold and dispose of personal and real property; (4) authority to make and enter into contracts and agreements; and (5) any other powers, duties or functions of the Connecticut Port Authority.”^{xi}

The recommendations from the Department of Economic and Community Development for the Connecticut Port Authority are provided in a later section of this report.

The Port Authority Working Group first convened on October 1, 2014 and has met five times. Department of Economic and Community Development Commissioner Catherine H. Smith and Department of Transportation Commissioner James P. Redeker serve as co-chairs of the Working Group.

Regular meetings of the Port Authority Working Group have generally consisted of informational presentations, as well as discussion among members. Port Authority Working Group members also conducted outside research to support their input on recommendations for

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the Connecticut Port Authority. In addition to regular meetings, the Port Authority Working Group convened two subgroups that met separately during November 2014. The sub-group meetings were focused on crafting recommendations regarding the scope and structure of the future Connecticut Port Authority. Meetings were held in a variety of locations in Connecticut, including two of the deepwater ports, New Haven and New London.

V. Connecticut Ports: Situation Assessment

Connecticut is home to three deepwater ports (Bridgeport, New Haven and New London) where the bulk of Connecticut's commercial maritime industry operates, as well as small and mid-size coastal and river harbors that also make important contributions to the State's economy. From the terminals in New Haven, New London and Bridgeport to commercially successful ferry operations in Bridgeport and New London to major shipyards such as Electric Boat and the U.S. Navy Sub Base in Groton to numerous marinas to fishing fleets and boat repair facilities, Connecticut's commercial waterfront is an important contributor of jobs, economic activity and tax revenue. In total, 24 municipalities in Connecticut have Harbor Management Commissions, and three municipalities (Bridgeport, New Haven and New London) have existing port authorities. Connecticut's coastal economy is broad and diverse.

Prior to the onset of the Great Recession, Connecticut's maritime industry contributed more than \$5 billion to the state's economy and employed more than 30,000 people, according to a study published in 2010 by the Connecticut Maritime Coalition. In 2007, according to the same study, average wages in the maritime industry were 15 percent higher than the state average. According to recent analysis by DECD found that the industry has rebounded from the impact of the Great Recession, again employing slightly more than 30,000 people.

The last several years have seen significant challenges for Connecticut's commercial cargo ports, with declines in cargo import volumes of more than 80% since 2006, driven mostly by the global recession but also because Connecticut has not been active enough in marketing its ports in the global marketplace. Other ports on the Eastern seaboard have maintained or increased their port activity. In addition to the largest ports in New York/New Jersey and Norfolk, Virginia, there are several other smaller ports operated by comprehensive port authorities.

These port authorities vary in structure, as well as in scope and governance, and were reviewed by the Port Authority Working Group. A summary comparison of East Coast Port Authorities is included in Appendix C of



2009 Metric Tonnage

Source: U.S. Dept. of Trans., Research and Innovative Technology Administration, Bureau of Transportation Statistics

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this report.

In order to compete with other well-established port authorities, it is necessary for the Connecticut Port Authority to be structured appropriately to Connecticut's size and potential in the maritime and marine economies.

Consistent with the overall strengthening of Connecticut's economy since 2011, Governor Malloy's economic development strategy has prioritized major investments in critical infrastructure – including the New Haven-Hartford-Springfield rail line, CTfastrak, the State's first comprehensive energy strategy and the creation of the Connecticut Airport Authority – that will attract private investment and allow more people and goods to move into, out of and through Connecticut – all of which drives economic growth and helps create jobs. The legislation signed in June similarly recognizes that Connecticut's ports and harbors are critical economic development assets that can be engines for economic growth.

The success of this effort will be judged by growth in maritime-related jobs, growth in private investment in the maritime economy, and growth in activity at the state's ports and harbors.

Important investments in Connecticut's maritime infrastructure are already underway. In September, Governor Malloy, Senator Chris Murphy, Senator Richard Blumenthal and Congressman Joseph Courtney announced the awarding of an \$8.2 million federal TIGER grant to upgrade a 19-mile stretch of freight rail that brings cargo to and from the State Pier in New London, paving the way for significant additional capacity on the vital New England Central corridor which runs north from New London through the eastern half of Connecticut. The federal grant followed a \$3.6m investment of State bond funds in 2013 that enabled the first phase of the track upgrade.

Similarly, the State and Federal government and the private sector have made major commitments to maintenance dredging in Connecticut. Since Fiscal 2012, the Malloy Administration and the General Assembly have authorized \$60.9 million in State bond funds to support critical dredging projects, including major projects in New Haven, Guilford, Stratford, Stonington, Wethersfield, and Greenwich.

While the Department of Economic and Community Development believes that the establishment of the Connecticut Port Authority creates a significant opportunity to create jobs and grow Connecticut's maritime economy, the Working Group also identified several critical challenges to the creation of a successful new organization, most crucially a lack of significant existing revenue streams to support ongoing operations. The principal source of State revenues to support maritime operations is the operating agreements for the State Pier in New London with Logistec USA, Inc., and a lease with the Thames River Seafood Co-Op LLC. From Fiscal 2007 through 2014, average revenue to the State was \$393,672, with a high of \$461,762 in FY14 and a low of just \$281,245 in FY10. The revenues from the State Pier Facility currently go into the

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Special Transportation Fund. Additionally, marine pilot licensing fees and pilotage generated \$58,834 in CY14 for the Special Transportation Fund.

Within the Department of Transportation, the State Maritime Office has a total staff of four people (excluding ten operational staff dedicated to the Connecticut River Ferries). The current estimates for these staff costs are approximately \$900,000 per year – thus, current revenues do not even cover current expenses.

Therefore any expansion of activities must be considered in the context of the ongoing challenging fiscal picture for the State. In order to establish a fully independent Connecticut Port Authority, the new organization would need to add new staff to address, at a minimum, legal, finance/budget, legislative liaison, press, technology, purchasing as well as non-personnel expense for office space, capital equipment and office supplies. Conservative estimates indicate such staffing could add at least another \$750,000 per year of operating expenses (which would be in addition to the cost of a salary and fringe benefits for the CPA's Executive Director).

As a result, any discussion of the Connecticut Port Authority's structure, responsibilities and budget should be conscious of the challenges of establishing a new organization with limited revenues and existing staff resources in a period of continuing fiscal challenges for the State.

VI. Recommendations

In order to fully capitalize on the opportunities available to the State, and cognizant of the challenges and constraints of establishing a new organization with minimal existing revenue streams, set forth below are summary recommendations for the consideration of Governor Malloy and the General Assembly. It is important to note that the report does not include recommendations to curtail or end any current financial or technical support provided to municipalities, ports, marinas or harbors – rather it attempts to broaden the State's commitment to growing commercial cargo and passenger activity and maritime related jobs in Connecticut while maintaining and strengthening existing programs and functions.

1. Employment and Personnel Practices and Policies

- In order to attract the strongest possible candidates, the Executive Director of the Connecticut Port Authority should be exempt from the classified service, as currently articulated in P.A. 14-222.
- The CPA should be given the flexibility to add additional unclassified staff for senior leadership positions.
- Any current State employees given the opportunity to transfer to the CPA should retain all status, rights and privileges to which they would otherwise be entitled as State employees at their current respective agencies.

2. Issuance of Bonds

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- Although a powerful tool for the CPA to have at its disposal for the future, given the limited revenue streams likely associated with the CPA, it is unlikely in the near term that the CPA will be able to issue its own bonds. In the near term, the CPA should rely on State bond funds, administered through the Department of Economic and Community Development or the Department of Transportation, for port improvements, dredging and property acquisition.
3. Authority with Regard to Property Ownership
- The CPA should maintain the authority it was granted in P.A. 14-222 to own, lease, acquire and sell real and personal property.
 - The CPA board should consider opportunities to acquire port-related property which may generate attractive revenue opportunities for the CPA as well as properties that would enable it to pursue strategic maritime economic development opportunities.
4. Authority with Regard to Contracts
- The CPA should maintain the authority it was granted in P.A. 14-222 with respecting to contracting.
 - Additionally, language should be added to the CPA’s authorizing statute obligating it to accept and/or adopt any contractual obligations entered into by State agencies (such as DOT) related to any and all assets which are transferred to the CPA.
5. Other Powers, Duties and Functions
- Structure
 - The Connecticut Port Authority (CPA) should remain, as is currently outlined in P.A. 14-222, a quasi-public agency.
 - However, in order to maximize the impact of the very limited revenues available to support its activities, the CPA should be established within the Department of Economic and Community Development “for administrative purposes only” for the first few years of the CPA’s existence to allow the CPA to share resources with DECD such as legal, accounting, communications and administrative services rather than having to fund and hire a fully built-out staff operation.
 - The recommended structure would also allow for maximum synergies between DECD and the CPA, whose primary function is maritime economic development.
 - Governance
 - The Connecticut Port Authority should be governed by the independent Board of Directors currently envisioned in the CPA’s enabling legislation.
 - The Board of Directors should be convened on July 1, 2015.
 - The Board of Directors could benefit from having one or more of the 15 members represent one or more of the deepwater port municipalities.

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- Strategic Focus
 - The strategic focus of the Connecticut Port Authority should be to encourage the growth and development of the Connecticut maritime industry.
 - The CPA's primary focus should be Connecticut's three deepwater ports (Bridgeport, New Haven and New London) as well as other commercial port operations involving the waterborne movement of cargo and passengers.
 - The CPA should also recognize the important economic role that smaller and mid-size harbors play in Connecticut's maritime economy, and provide for the continuation of existing programs that support them.
 - The CPA should focus in the near term on identifying stable revenue streams that would support the CPA on an ongoing basis, such as the acquisition of revenue generating port-related property.
- Responsibilities/Activities of the Connecticut Port Authority
 - Advise the State with respect to overall maritime strategy and policy
 - Market Connecticut's ports.
 - Manage the State Pier Facility and oversight of any third-party operating/lease agreements.
 - Lead statewide dredge and infrastructure improvement project coordination (including allocating funds for needed improvements to mid-size and small harbors and establishing processes for application and allocation of grant-in-aid funds).
 - Administer any maritime-specific development incentives (see below) in conjunction with DECD.
 - Coordinate with local port authorities and relevant municipal development plans, where applicable.
- Other Maritime Activities/Responsibilities
 - In addition to the recommended responsibilities of the CPA, the following allocation of other existing maritime activities/responsibilities is also recommended:
 - Connecticut River Ferries: Department of Transportation (status quo)
 - Oversight of Harbor Masters: The state's Harbor Masters, nominated by the Governor, play an important role in the operation of local ports and harbors. The CPA's primary purpose is to promote economic activity, not provide operational oversight of the local harbors. Therefore, it is recommended that the oversight of Harbor Masters reside with a governmental entity other than the CPA. We recommend that DEEP serve as that agency and continue

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to work with port and harbor stakeholders to develop a proposal for oversight of the Harbor Masters.

- Licensing of State Pilots: DOT currently has regulatory responsibility to license Connecticut pilots (of which there are currently six). This regulatory authority should be statutorily transferred to the CPA. Importantly, legislation has been proposed in the current legislative session to revise the regulation of State Pilots, which is recommended for adoption.
 - Maritime Commission: Disbanded.
- Assets and Revenues
 - Ownership of the State Pier Facility in New London should be transferred to the CPA.
 - Revenues from the Logistec agreement and Thames River Seafood Co-Op lease should be dedicated to the CPA rather than the General or Special Transportation Funds.
 - Bond funds authorized for dredging and harbor improvement should be administered by the CPA.
 - Fiscal
 - The Governor and Assembly should consider making an appropriation, as proposed in the Governor’s current budget proposal, to support the CPA to cover start-up costs as well as staffing needs.
 - The Governor and Assembly should consider creating maritime-specific economic development incentives and programs that would encourage maritime-related development both at the ports themselves but also at inland/upland sites connected to the ports via rail and interstate highway.

VII. Port Authority Working Group Membership and Meetings Overview

Port Authority Working Group Members	Appointed By
Commissioner Catherine H. Smith <i>Department of Economic and Community Development (DECD)</i>	Ex Officio
Assistant Treasurer Sarah K. Sanders <i>Office of the State Treasurer</i>	Ex Officio
William Gash	Governor
Pamela Elkow	Governor
Joseph Riccio, Jr.	Governor
John Johnson <i>Connecticut Maritime Trades Association</i>	Speaker of the House
Parker Wise <i>Coastal municipality with a population not greater than 100,000 people</i>	House Majority Leader
Dave Pohorylo	House Minority Leader

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<i>Connecticut Pilot Commission</i>	
Stan Mickus <i>Connecticut Maritime Commission</i>	Senate President
Tom Dubno <i>City of New Haven</i>	Senate Majority Leader
Geoffrey Steadman <i>Connecticut Harbor Management Association</i>	Senate Minority Leader
Kevin Cavanagh <i>City of New London</i>	Co-Chairs of Transportation Committees
Thomas Santa <i>City of Bridgeport</i>	Ranking Members of Transportation Committees
Commissioner James Redeker <i>Department of Transportation</i>	DECD Commissioner
Garrett Eucalitto <i>Office of Policy and Management</i>	DECD Commissioner
Brian Thompson <i>Department of Energy and Environmental Protection</i>	DECD Commissioner
Robert Ross	DECD Commissioner
Andrew Anastasio	DECD Commissioner
Thomas “Tony” Sheridan	DECD Commissioner

Port Authority Working Group Meetings

Meeting Date and Location	Presenters and Presentations
October 1, 2014 Department of Economic and Community Development, Hartford	Commissioner James Redeker, Department of Transportation Review of Department of Transportation’s Maritime Division
	Bob Ross, Director of Office of Military Affairs Review of Connecticut Deepwater Port Strategy Study
	Tim Sullivan, Director of Waterfront, Brownfield, and Transit-Oriented Development at DECD Review of Public Act 14-222 and Discussion of Working Group Work Plan
November 5, 2014 Fort Trumbull State Park, New London	Kevin Dillon, Executive Director of Connecticut Airport Authority Presentation on Connecticut Airport Authority
	Karla Lindquist, Policy Fellow at DECD Port Authority Comparison Presentation
December 1, 2014 South Central Connecticut Regional Water Authority, New Haven	Andrew Nunn, Chief Administrative Officer, City of Bridgeport and Executive Director, Bridgeport Port Authority Overview of Bridgeport Port Authority
	Judy Sheffele, Executive Director, New Haven Port Authority Overview of New Haven Port Authority
	Tammy Daugherty, Director of Development and Planning, City of New London Overview of New London Port Authority

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	Tim Sullivan, Director of Waterfront, Brownfield, and Transit-Oriented Development at DECD Maritime Economic Impact Analysis
January 6, 2015 Department of Transportation, Newington	Geoffrey Steadman, Ned Farman, John Pinto, John Paul Mereen, Ray Redniss Small and Mid-size Ports and Harbors
	Tim Sullivan, Director of Waterfront, Brownfield, and Transit-Oriented Development at DECD Review of Draft Report to the Governor and Assembly
February 5, 2015 Department of Transportation, Newington	Geoffrey Steadman and Garrett Eucalitto, Discussion of Harbor Masters
	David Pohorylo, Discussion of Pilot Licensing
	Bill Gash and David Pohorylo, Discussion of Draft Executive Director Job Description
	Tim Sullivan, Director of Waterfront, Brownfield, and Transit-Oriented Development at DECD Review of Draft Report to the Governor and Assembly

The agenda, minutes and materials presented at all Port Authority Working Group meetings are available on DECD's website (<http://www.ct.gov/ece>).

ⁱ State of Connecticut Public Act No. 14-222. Section 1(a).

ⁱⁱ Ibid, Sections 1(c), 1(e).

ⁱⁱⁱ Ibid, Section 1(c).

^{iv} Ibid, Section 2(a).

^v Ibid, Section 2(b).

^{vi} Ibid, Section 2(a).

^{vii} Ibid, Section 3.

^{viii} Ibid, Sections 4, 5, 6, & 7.

^{ix} Ibid, Section 8.

^x Ibid, Sections 9, 10.

^{xi} Ibid, Section 2(a).