

116TH CONGRESS
1ST SESSION

S. 1452

To establish a program to provide assistance for education and research
harbors.

IN THE SENATE OF THE UNITED STATES

MAY 14, 2019

Mr. MARKEY (for himself, Ms. WARREN, and Mr. MERKLEY) introduced the
following bill; which was read twice and referred to the Committee on
Commerce, Science, and Transportation

A BILL

To establish a program to provide assistance for education
and research harbors.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Maritime Academy Re-
5 investment And Training Improvements for Mariner Em-
6 ployment Act” or the “MARITIME Act”.

7 **SEC. 2. EDUCATION AND RESEARCH HARBORS.**

8 (a) IN GENERAL.—Chapter 541 of title 46, United
9 States Code, is amended by adding at the end the fol-
10 lowing new section:

1 **“§ 54103. Education and research harbors**

2 “(a) DEFINITIONS.—In this section:

3 “(1) ADMINISTRATOR.—The term ‘Adminis-
4 trator’ means the Administrator of the Maritime Ad-
5 ministration.

6 “(2) ELIGIBLE HARBOR.—The term ‘eligible
7 harbor’ means a harbor that supports or will support
8 a federally owned vessel operated by—

9 “(A) a State maritime academy (as defined
10 in section 51102 of this title); or

11 “(B) a non-Federal oceanographic research
12 facility.

13 “(b) ESTABLISHMENT OF PROGRAM.—The Adminis-
14 trator shall establish a program to provide assistance to
15 a non-Federal interest for a project relating to an eligible
16 harbor.

17 “(c) FORM OF ASSISTANCE.—A non-Federal interest
18 may receive assistance for a project for—

19 “(1) the construction or maintenance dredging
20 of an eligible harbor;

21 “(2) the construction, installation, or mainte-
22 nance of infrastructure in an eligible harbor, includ-
23 ing bulkheads, aprons, and piles;

24 “(3) the construction or maintenance dredging
25 of a berth in an eligible harbor; or

1 “(4) the construction or maintenance dredging
2 providing access from an eligible harbor to the near-
3 est navigation channel or deep water.

4 “(d) LOCAL COOPERATION AGREEMENT.—

5 “(1) IN GENERAL.—Before providing assistance
6 under this section, the Administrator shall enter into
7 a local cooperation agreement (referred to in this
8 subsection as an ‘agreement’) with a non-Federal in-
9 terest to provide for design or construction of the
10 project to be carried out with the assistance.

11 “(2) REQUIREMENTS.—An agreement entered
12 into under this subsection shall provide for the fol-
13 lowing:

14 “(A) PLAN.—Development by the Adminis-
15 trator, in consultation with appropriate Federal
16 and State officials, of a facilities or resource
17 protection and development plan, including ap-
18 propriate engineering plans and specifications.

19 “(B) LEGAL AND INSTITUTIONAL STRUC-
20 TURES.—Establishment of such legal and insti-
21 tutional structures as are necessary to ensure
22 the effective long-term operation of the project
23 by the non-Federal interest.

24 “(3) COST SHARING.—

“(A) IN GENERAL.—Except as otherwise provided in this paragraph, the Federal share of project costs for a project under this section—

“(i) shall not exceed 65 percent; and

“(ii) may be in the form of grants or reimbursements of project costs.

“(B) CREDIT FOR DESIGN WORK.—The non-Federal interest shall receive credit for the reasonable costs of design work completed by the non-Federal interest before entering into an agreement with the Administrator for a project.

“(C) CREDIT FOR INTEREST.—In the case of a delay in the funding of the Federal share of the costs of a project under this section, the non-Federal interest shall receive credit for reasonable interest incurred in providing the Federal share of the project costs.

“(D) LAND, EASEMENTS, RIGHTS-OF-WAY, AND RELOCATIONS.—The non-Federal interest shall receive credit for land, easements, rights-of-way, and relocations provided by the non-Federal interest toward the non-Federal share of project costs (including all reasonable costs associated with obtaining permits necessary for the construction, operation, and maintenance of

1 the project on publicly owned or controlled
 2 land), but not to exceed 25 percent of the total
 3 project cost.

4 “(E) OPERATION AND MAINTENANCE.—
 5 The non-Federal share of operation and mainte-
 6 nance costs for a project constructed under this
 7 section shall be 100 percent.

8 “(e) APPLICABILITY OF OTHER FEDERAL AND
 9 STATE LAWS.—Nothing in this section waives, limits, or
 10 otherwise affects the applicability of any provision of Fed-
 11 eral or State law (including regulations) that would other-
 12 wise apply to a project under this section.

13 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
 14 is authorized to be appropriated to carry out this section
 15 for each fiscal year an amount not greater than
 16 \$15,000,000, to remain available until expended.”.

17 (b) CLERICAL AMENDMENT.—The table of sections
 18 at the beginning of such chapter is amended by adding
 19 at the end the following new item:

“54103. Education and research harbors.”.

20 **SEC. 3. CENTERS OF EXCELLENCE FOR DOMESTIC MARI-**
 21 **TIME WORKFORCE TRAINING AND EDU-**
 22 **CATION.**

23 Section 54102 of title 46, United States Code, is
 24 amended by adding at the end the following:

1 “(d) STATE MARITIME ACADEMY.—The Secretary of
2 Transportation shall designate each State Maritime Acad-
3 emy, as defined in section 51102(4) of this title, as a cen-
4 ter of excellence under this section.”.

