

PA10-159

HB5455

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227
May 4, 2010

Total number voting	150
Necessary for adoption	76
Those voting Yea	149
Those voting Nay	1
Those absent and not voting	1

DEPUTY SPEAKER KIRKLEY-BEY:

The bill passes in concurrence with the Senate.

Will the Clerk please call Calendar Number 158.

THE CLERK:

On page 32, Calendar 158, Substitute for House Bill Number 5455, AN ACT CONCERNING THE MASTER TRANSPORTATION PLAN, THE TRANSPORTATION FACILITIES ASSESSMENT REPORT, THE CONNECTICUT PILOT COMMISSION AND THE CONNECTICUT MARITIME COMMISSION, favorable report of the Committee on Appropriations.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Guerrero, you have the floor, sir.

REP. GUERRERA (29th):

Good afternoon, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Good afternoon, sir.

REP. GUERRERA (29th):

Madam Speaker, I move acceptance of the joint committee's favorable report and passage of the bill.

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DEPUTY SPEAKER KIRKLEY-BEY:

The question before us is on acceptance and passage of the joint committee's favorable report and passage of the bill.

REP. GUERRERA (29th):

Thank you, Mr. Speaker.

Madam Speaker, House Bill 5455 does two things. This is basically DOT omnibus and basically updates two reports submitted by the DOT, the master transportation plan and also eliminates the reimbursement requirements for members of the Connecticut Pilot and Connecticut Maritime Commissions for annual savings of about \$2500.

Madam Speaker, the Clerk as an amendment, LCO 523 -- I'm sorry -- 5324. Would the Clerk please call the amendment and I be allowed to summarize.

DEPUTY SPEAKER KIRKLEY-BEY:

Will the Clerk please call LCO 5324, which will be designated House Amendment "A."

THE CLERK:

LCO Number 5324, House "A," offered by Representatives Guerrero and Scribner.

DEPUTY SPEAKER KIRKLEY-BEY:

The Representative has asked leave to summarize.

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Is there any objection?

Hearing none, please proceed, sir.

REP. GUERRERA (29th):

Thank you, Madam Speaker.

Madam Speaker, this amendment just as several provisions to the underlying bill. It just clarifies the crosswalks designated by traffic authorities, providing markings and signage, requires the DOT to review the state traffic emission process and report back to the Transportation Committee on the time limits of its review in the application and any suggestions for improvement on the overall process and revises the commemorative bridge naming that was passed last sessions for some corrections. Madam Speaker, I move adoption of the amendment.

DEPUTY SPEAKER KIRKLEY-BEY:

The question before us is on adoption.

Will you remark? Will you remark further on the amendment that is before us.

If not, let me try your minds. All those in favor, please signify by saying, aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER KIRKLEY-BEY:

Those opposed, nay.

The ayes have it. The amendment is adopted.

Will you remark further on the bill as amended?

Representative Scribner, you have the floor, sir.

REP. SCRIBNER (107th):

Thank you, Madam Speaker. Good evening.

I rise in support of the Department of Transportation bill as reported out of the Transportation Committee and as amended here this evening. I can say very truthfully that this was a very collaborative effort on what we see before us, our efforts that have been made to work with the Department of Transportation to comply with other state and federal law.

It also is a demonstration of how we respond to the transportation needs of the state and to those of our colleagues as we work through the process.

I'd like to thank the chairman, Representative Guerrero, and members of the Transportation Committee played a very active role as we put this bill together and certainly do think the commissioner of the Department of Transportation and particularly to Pam Sucato, who has played an integral role in communicating with us the needs between the

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administration and the legislative branch. I strongly urge support from my fellow members of the chamber.

Thank you.

DEPUTY SPEAKER KIRKLEY-BEY:

Thank you, sir.

Will you remark? Will you remark further on the bill as amended?

If not, staff and guests please come to the well. Members take your seats. The machine will be opened.

THE CLERK:

The House of Representatives is voting by roll call. Members to the chamber. Members to the chamber: The House is voting by roll call.

DEPUTY SPEAKER KIRKLEY-BEY:

Have all members voted? Have all members voted? Please check the board to see that your vote has been properly cast. The machine will be locked and the Clerk will prepare the talent.

Representative Janowski, for what reason do you rise?

REP. JANOWSKI (56th):

I wish to cast my vote in the affirmative.

DEPUTY SPEAKER KIRKLEY-BEY:

Her vote will be cast in the affirmative.

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Has the Clerk prepared the tally?

THE CLERK:

Yeah.

DEPUTY SPEAKER KIRKLEY-BEY:

Please announce it, sir.

THE CLERK:

House Bill 5455 as amended by House "A."

Total number voting 150

Necessary for adoption 76

Those voting Yea 150

Those voting Nay 0

Those absent and not voting 1

DEPUTY SPEAKER KIRKLEY-BEY:

The bill as amended passes.

Representative Merrill, you have the floor.

REP. MERRILL (54th):

Thank you, Madam Speaker.

I would move that we transmit all items previously discussed and decided on to the Senate -- all those that need further action to the Senate.

DEPUTY SPEAKER KIRKLEY-BEY:

All bills needing further action by the Senate have been proposed to be referred.

Is there any objection? Is there any objection?

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Clerk, please announce the tally.

THE CLERK:

House Bill 5286.

Total Number voting 139

Necessary for adoption 101

Those voting Yea 138

Those voting Nay 1

Those absent and not voting 12

SPEAKER DONOVAN:

The bill is repassed.

Will the Clerk please call Calendar 158.

THE CLERK:

On page 2, Calendar 158, Substitute for House Bill Number 5455, AN ACT CONCERNING THE MASTER TRANSPORTATION PLAN, THE FACILITIES ASSESSMENT REPORT, THE CONNECTICUT PILOT AND MARITIME COMMISSIONS, A REVIEW OF THE STATE TRAFFIC COMMISSION AND CHANGES TO THE STAMFORD TRANSPORTATION CENTER, AND REQUIRING NEW CROSSWALKS TO PROVIDE TIME FOR SAFE CROSSING OF PEDESTRIANS, favorable report by the Committee on Appropriations.

SPEAKER DONOVAN:

Representative Stripp, for what reason do you

rise?

REP. STRIPP (135th):

Thank you, Mr. Speaker.

Mr. Speaker, information has come to my attention in the last several days, that being involved in this discussion or voting on it might be a potential conflict of interest.

So I'd like to absent myself from the Chamber during the period.

Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative.

The Chamber will please stand at ease.

(Chamber at ease.)

SPEAKER DONOVAN:

The Chamber will come back to order.

Representative Guerrero.

REP. GUERRERA (29th):

Thank you, Mr. Speaker.

Mr. Speaker, move for the reconsideration of House Bill 5455.

SPEAKER DONOVAN:

The question before the Chamber is on reconsideration of House Bill 5455.

For the benefit of the Chamber I will note that Representative Guerrero was on the prevailing side on this issue when the Chamber passed this measure and is therefore an appropriate member to make the motion for reconsideration.

Is there objection for the motion to reconsider? Is there objection? Without objection, the bill will be reconsidered.

Representative Guerrero.

REP. GUERRERA (29th):

Thank you, Mr. Speaker.

I move for the repassage of the bill.

SPEAKER DONOVAN:

The question before the Chamber is on repassage of the bill. Representative Guerrero, you have the floor.

REP. GUERRERA (29th):

Thank you, Mr. Speaker.

Mr. Speaker, this bill passed overwhelmingly last session 150 to zero on a bipartisan effort of my colleagues on the other side of the aisle, and especially my ranking member Representative Dave

Scribner.

And therefore, I would just ask that the members of this Chamber to give it the same consideration.

Thank you.

SPEAKER DONOVAN:

The question is on repassage. Would you care to remark further? Would you care to remark further? If not, staff and guests please come to the well of the House. Members take their seats. The machine will be open.

THE CLERK:

The House of Representatives is voting by roll call. Members to the chamber. The House is taking a roll call vote. Members to the chamber, please.

SPEAKER DONOVAN:

Have all the members voted? Have all the members voted? Please check the roll call board and make sure your vote has been properly cast. If all the members have voted the machine will be locked. The Clerk, please take a tally. The Clerk, please announce the tally.

THE CLERK:

House Bill 5455.

Total Number voting	138
Necessary for adoption	101
Those voting Yea	138
Those voting Nay	0
Those absent and not voting	13

SPEAKER DONOVAN:

The bill is repassed.

Will the Clerk please call Calendar Number
191.

THE CLERK:

On page 3, Calendar 191, Substitute for House
Bill Number 5207, AN ACT CONCERNING CRIMINAL
BACKGROUND CHECKS FOR PROSPECTIVE STATE EMPLOYEES,
favorable report by the Committee on Government
Administration and Elections.

SPEAKER DONOVAN:

Representative O'Brien.

REP. O'BRIEN (24th):

Thank you, Mr. Speaker.

I move for reconsideration of the bill.

SPEAKER DONOVAN:

The question before the Chamber is on
reconsideration of House Bill 5207.

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Have all members voted? If all members have voted, the Clerk -- please check your board and make sure you voted correctly.

Mr. Clerk.

THE CLERK:

Motion's on passage of the Senate Bill 394 in concurrence with the action in the House.

Total Number Voting 32

Those voting Yea 32

Those voting Nay 0

Those absent and not voting 4

THE CHAIR:

Senate Bill 394 passed in concurrence with the House.

Mr. Clerk --

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, I believe that the item next marked is ready for action. I believe it is single starred. I'd asked for a suspension to take up calendar page 22, Calendar 568, House Bill 5455.

Mr. Clerk -- is there any objection? Seeing no objection, Mr. Clerk.

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SENATOR LOONEY:

Thank you, Mr. President.

THE CLERK:

Calendar page 22, Calendar Number 568, File Number
283, Substitute for House Bill 5455, AN ACT
CONCERNING THE MASTER TRANSPORTATION PLAN, THE
TRANSPORTATION FACILITIES ASSESSMENT REPORT, THE
CONNECTICUT PILOT COMMISSION AND THE CONNECTICUT
MARITIME COMMISSION, favorable report of the committees
on Transportation and Appropriations. The House passed
with House Amendment Schedule "A."

THE CHAIR:

Senator DeFronzo.

SENATOR DEFRONZO:

Thank you, Mr. President.

Mr. President, I move acceptance of the joint
committee's favorable report and passage of the bill in
concurrence with the House.

THE CHAIR:

On acceptance and passage in concurrence with the
House, will you remark?

SENATOR DEFRONZO:

Thank you, Mr. President.

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Mr. President, I this the DOT agency bill with a few additions. I'll take just a moment to summarize some of the major provisions.

The bill modifies the scope of the Department of Transportation's Master Plan process, makes certain previously mandated criteria, now optional for the commissioner, and makes some additional timing changes.

The bill eliminates reimbursements for members of the Connecticut Pilot Commission and the Connecticut Maritime Commission. The bill requires a study of the efficiency of the State Traffic Commission, requires state and local traffic authorities to ensure that any new crosswalks shall be appropriately signed with appropriate markings and control signal devices to ensure safety for pedestrians.

And the bill also requires that previously authorized bonds for the construction of a parking garage in the City of Stamford be used for the state-owned parking facility in that city.

And that about does it, Mr. President. I ask passage of the bill.

THE CHAIR:

Thank you, Senator.

Will you remark? Will you remark further?

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Will you remark further? If not, Mr. Clerk,
please call -- announce --

THE CLERK:

The roll call has been ordered in the Senate.

Will all Senators please return to the chamber.

Immediate roll call has been ordered in the Senate.

Will all Senators return to the chamber.

THE CHAIR:

Senator Gomes?

Senator Musto? Senator Musto?

Have all members voted? If all members voted,
please check the machine to make sure your vote has been
accurately recorded. If all members have voted,
Mr. Clerk, please take a tally.

THE CLERK:

Motion on -- is on passage of House Bill 5455 in
concurrence with the action of the House.

Total Number Voting	35
Those voting Yea	35
Those voting Nay	0
Those absent and not voting	1

THE CHAIR:

The bill is passed.

Senator Looney.

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vote. The machine will be open.

THE CLERK:

Immediate roll call vote has been ordered in the Senate. Will all Senators please return to the chamber. Immediate roll call vote has been ordered in the Senate. Will all Senators please return to the chamber.

THE CHAIR:

Have all Senators voted? If all Senators have voted, please check your vote. The machine will be locked. The Clerk will call the tally.

THE CLERK:

The motion is on repassage of House Bill 5286.

Total Number Voting	36
Necessary for Adoption	19
Those voting Yea	34
Those voting Nay	2
Those absent and not voting	0

THE CHAIR:

House Bill 5286 passes.

Senator Looney:

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, continuing on Senate Agenda

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Number 5 for the reconvened session. The fourth item on the agenda is Substitute House Bill Number 5455. This matter also was passed by the General Assembly. It was subsequently vetoed by the Governor. The House of Representatives has voted to override that veto.

Mr. President, I was on the prevailing side when that matter was considered in the Senate and would move for reconsideration of House Bill -- Substitute House Bill 5455.

THE CHAIR:

Thank you, sir.

Will you remark? Will you remark further on the reconsideration of House Bill 5455?

Will you remark further? If not, I will try your minds. All those in favor, please signify by saying, aye.

SENATORS:

Aye.

THE CHAIR:

Opposed, nays.

The ayes have it. The bill is before us for reconsideration.

Senator Looney.

SENATOR LOONEY:

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Yes. Thank you, Mr. President.

Mr. President, now that the bill is once again before us, I would yield to Senator DeFronzo the chair of the Transportation Committee for a motion to repass the bill.

THE CHAIR:

Senator DeFronzo, do you accept the yield, sir.

SENATOR DeFRONZO:

Thank you, Mr. President, and I do.

THE CHAIR:

Please proceed, sir.

SENATOR DeFRONZO:

Thank you, Mr. President.

I would like to make a motion to repass Public Act 10-159, House Bill 5455.

THE CHAIR:

There's a motion before the Chamber for repassage of House Bill 5455.

Would you like to remark further, sir.

SENATOR DeFRONZO:

Thank you, Mr. President.

This is a fairly innocuous bill. It concerns the master transportation plan process facility, assessment reports and the Department of

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Transportation, the Connecticut Pilot Maritime Commissions. It requires a review of the procedures of state. It makes changes to the authorization and bonds for the Stamford Transportation Center and requires new crosswalks. And the state of Connecticut to provide adequate time for the safe crossing of pedestrians.

Mr. President, this bill passed both houses of the Legislature unanimously and was overridden in the House earlier today by a margin of 138 to nothing. I would urge members of the Senate to join our colleagues in the House. Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Would you like to remark further on the repassage of House Bill 5455?

Senator Boucher.

SENATOR BOUCHER:

Yes. Thank you, Mr. President.

I do wish to remark on this particular bill, although it may be explained as an innocuous bill, but there is a portion of this bill that appears to be somewhat controversial, and it has to do with a parking garage in the Stamford Train Station, which is

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considered to be one of Metro-North's busiest stations outside of Grand Central Station.

In fact, it serves a good portion of Southwestern Connecticut and certainly a good portion of a lot of our districts as well. There are representatives here that directly represent the area that I'm sure will be further giving a position on this particular part of the bill.

I do understand that some of the issue with the Governor's veto on this is that there's some concern that this particular language that was included in this bill would sharply limit the use of state bonds funds for alternative parking. As I understand it, this parking garage situation has been addressed on a number of occasions: Back in 2007, when the actual appropriations was addressed to put \$35 million aside that would be used for this parking garage that serves such a large population and apparently is in pretty bad shape right now.

In 2009, there was further language, that I'm sure will be explained a little bit later this afternoon, that actually restricted to any improvements or rebuilding of this particular facility. It restricted it unless there were provided

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equal number of spaces within the vicinity for those displaced commuters that would be parking in that facility. And it had to be spaced within the vicinity of this particular parking garage.

I understand that there were several options that were under consideration, some immediately adjacent that at one time might have provided the -- between 7 to 800 spaces required to have a one-to-one replacement of those spots, but now is only able to offer 200 spaces and another piece of property by another owner that could have provided 500 spaces. Again, short of the 750 to 800 spots needed.

Lately, there has been an opportunity to provide all of those spaces, 800 spaces, that would be within the vicinity, but would be a walk of one to two city blocks that could be internal and the offer was made that there would be a pedestrian walkway and that it could be built for the \$35 million set aside while the parking garage was replaced. The biggest concern I have is not necessarily for the political issues surrounding this in the city of Stamford, but for two reasons: one for the commuters of our district that would be displaced should this parking facility be closed.

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And I bring that up -- is because that apparently in the last few years, it has been slowly falling apart and, in fact, some have said that there have been pieces of that garage that have fallen on some of those vehicles that had to be then compensated for. That opens the State to a number of risks, financial risks. And if this continues to happen and that parking facility should be closed in the next year or two, then we have 800 very irate commuters that have no place to go, particularly as the additional space -- excuse me, spaces throughout the city of Stamford are extremely limited, if nonexistent. And if so, if there were some spaces, they would have to be bussed quite a distance through rush-hour traffic to that one parking facility.

So it seems like there's very few options left other than to use the \$35 million to build this alternate parking facility while the renovations take place at that particular spot. I am concerned about the liability issues, and I'm concerned about the possible closure of that particular facility. However, there are many here that have more to add to this that are very close to the situation. I'm very anxious to hear their point of view on this, but it

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has been discussed extensively since the first time this bill was enacted and after the veto message was provided to us.

So those are the facts as I have learned to date, and as I said, you will hear a lot more from my colleagues that do represent Stamford directly. But as ranking member of the Transportation Committee, I felt it was important for me to point out some of the issues as I have learned them and why I feel that it is important to sustain this veto so, in fact, we can move forward within the next 18 months to provide the additional spaces necessary so that the main parking facility could be addressed and be either replaced or renovated. I understand renovation may be out of the question as things have deteriorated so badly.

Thank you very much, Mr. President.

THE CHAIR:

Thank you, Senator Boucher.

Senator Frantz.

SENATOR FRANTZ:

Thank you, Mr. President.

I think you know a little something about this particular facility, and I do as well. It's in the southern part of Stamford. I know most of you have at

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least driven by the facility that is in question here today if you've come down I-95 going towards New York City.

And I'll say this, that we, as a legislative body, are serious about mass transit and increasing the efficiency of the roads, the rails, of transportation in general. We absolutely have to make the right decisions in terms of how we deal with an issue like this.

And as most of you know, the transportation center in Stamford has been plagued for the last 30 or so years with problems, especially in the beginning of the particular buildings and facilities that were built in the early eighties and early nineties. And it's a shame.

Personally speaking, I think when you build something like a parking garage, there's no reason why it shouldn't last 40 or 50 or even 60 or 70 years if it's done properly. And unfortunately, we're dealing with a building that was not built to the standards that we would have liked to have seen, and we are faced with a bit of a dilemma here.

And as we all know that Stamford is one of the shining stars these days in terms of economic

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development. There is no question that getting around that city is becoming more and more difficult for people who live there, who commute there, who are trying to do business there. It has great potential to do great things for the state of Connecticut by acting as more of a magnet than ever before for not only the financial services business, but the studio business, the film business, digital film business, et cetera, et cetera. So we've got to get this right.

At first blush, because I was in favor of the amendment that was put forth on this bill in the regular session, it seemed that the proper sequence of events should include addressing the existing problem, the garage, which unfortunately has rebar in it that's rusting. It has chunks of cement falling from the ceiling onto people's cars. The State of Connecticut is liable for this to the commuters, who unfortunately have their cars pounded by the cement. And at first blush, it seemed like the proper thing to do to address the building; do it in sequences so that you can shut down maybe 10 percent at a time; make the necessary repairs and open them up; and continue on throughout the rest of that particular structure. And especially with money so tight these days, you want to

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do the right thing.

Upon much further investigation, numerous visits to the garage itself, looking at this exposed rebar, which is, in fact, rusting unfortunately, it's a white elephant at this point and has unfortunately outlived its useful life and will have to come down.

Given that it's a near certainty at this particular point in time, the sequencing has to be done very intelligently, and I'm not sure we have much of a choice but to look at an alternate spot to have up to, perhaps as many as a thousand, they're saying, but it looks like more like 750 to 800, but it could be a thousand -- within a reasonable distance of the transportation center.

And I know none of us like hearing that you have to walk a block and a half or two to get from your car to the train station, especially on a day when there's inclement weather, but as far as I understand it, the developer -- and I know this is in a very early stage at this point, no MOUs or anything like that -- but in the minds of the developers and the state officials and DOT, the idea is to create a little bit of Faneuil Hall type atmosphere; have a covered walkway where you need to go outside, which would only be for a short

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portion of one block. The rest of it would all be internal with a retail component to it, all in a very attractive fashion.

So the more I think about, if we don't take the proper course, which is to provide for the additional 750 plus parking spots in this new location and spend the money there, we're putting ourselves into a very serious corner in that if we don't do that and we have to take the other one down because of some catastrophic event here in the not-too-distant future or because it's the right thing to do, what do we do?

We end up busing people from as far away as three or four miles where they're able to park their cars to get down to the transportation center. And this goes against the grain of what modern-day public transportation is all about.

And by the way, if you haven't come down to our neck of the woods recently, it looks as though the recession is over. The roads are jampacked with all the development that's going on down in Stamford, particularly the south end of Stamford. It's a logjam down there.

So we need to do the right things. We're asking for your help, and I believe that this is the proper

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course of action.

Thank you very much, Mr. President.

THE CHAIR:

Thank you, sir.

Senator McDonald.

SENATOR McDONALD:

Thank you, Mr. President.

Mr. President, just briefly, as the Senator who represents the area where the Stamford Transportation Center is located, I think that my experience differs from those who have commented about the transportation center before me.

Let me just say to the members of the circle, I appreciated your unanimous support when this legislation was passed during the regular session. I appreciate the unanimous support of the House in overriding the Governor's veto today.

And I think that override is particularly important because what we have heard about the proposal by the Governor is nothing more than a press conference. We have never seen any firm plans for this project. There has never been any public hearing.

When I asked the commissioner of transportation

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whether he had a memorandum of understanding with this proposed developer, the answer came back, no, I do not. When I asked the commissioner of transportation whether he had a term sheet for this development, the answer was, no, I do not.

Mr. President, there's not even an executive summary of what this thing is. We had a pretty picture put in front of us and told that's how we should invest \$35 million in Stamford. The fact of the matter is, Mr. President, the commissioner of transportation has acknowledged that this proposal by the Governor is underfunded by at least \$60 million. What she has launched is not ready for implementation.

Mr. President, the Governor, I understand, feels strongly about this subject, but in my opinion she stands alone in that view. The business community of Stamford does not support this proposal. The Commuter Rail Council does not support this proposal, and until today, no Legislator who represents any portion of the city of Stamford has ever supported this proposal.

The fact is that the garage is decaying. That's why we are asking for this \$35 million dollars to be dedicated to the repair or replacement of that garage. The Governor has never shared with any of us what she

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proposes to do with the existing garage because there is no plan. Senator Frantz is exactly right. This garage has had problems for a long period of time. That's why we need to fix it now.

That's why kicking the can down the road is unacceptable, and that's why I ask all of you to support this override effort. Thank you, Mr. President.

THE CHAIR:

Thank you.

Senator DeFronzo.

SENATOR DeFRONZO:

Thank you, Mr. President. I just want to add a few comments to those of Senator McDonald's. In background, you know, we spend a lot of time in the session just concluded. Going through the bond act, we deauthorized \$422 million dollars' worth of projects. We spent all of February, March, and April looking at those projects. Not once was the issue of the Stamford parking garage raised. Not once was there a discussion about that authorization.

If this project was so important, perhaps the commissioner of transportation or the Governor's office might have deemed it appropriate to have a

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discussion with the chairs of the Transportation Committee or the Finance Committee. That did not happen.

The Governor's veto message indicates a timing issue that the amendment put on this bill was attached in the last several days of the session. And that is correct. And that is because her proposal on this came in the closing days of the session. And in order to clarify and reassert the legislative intent of the original authorization, an amendment was needed.

This is an important issue. It's a big issue, and the Governor's proposal represents a piecemeal approach to it. To take the \$35 million we allocated for the state-owned garage and moved it to a private developer's garage without, at the same time addressing the broader need of the entire comprehensive parking picture down there, leaves us in a bit of quandary. We may have \$35 million for part of the project, but where are going to come up with the money to fund the entire project.

So before we go down the line of the Governor's proposal, we ought to know how much it's going to cost, what the full commitment will be, how much is this going to require in terms of debt service.

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Nothing in here precludes the Governor from making additional authorization requests for parking facilities down there. Nothing is inconsistent with the concept of providing alternative parking prior to the work on the state owned garage. And for all these reasons, Mr. President, and I think it's imperative that the Legislature reassert its will and its intent on its original authorization and override the Governor's veto.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President.

Mr. President, I rise in support of the Governor's veto having voted for the bill towards the end of session, but I think it's important to explain what we've learned in hindsight. And I think I would start by saying that both sides are essentially correct in their arguments. And so then the question is with a problem at the Stamford Train Station with respect to parking, which of the solutions presented are better, or what is the way to solve the problem?

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Things that both Senator McDonald and Senator DeFronzo have said no public hearings; not a lot -- not a lot of talks, more information; it all came at the last minute -- are correct.

Folks, we've passed a lot of bills without public hearings. We've done a lot of things at the last minute. And folks from Stamford and not only the people in the circle who weren't invited to press conferences held by the Governor, that's not a reason to get upset and change state law.

Now, I know a little something about the Stamford Train Station, as well, because it bears my father's name because he brought in the federal money to build the transportation center in the first place. And from the very first day of the first parking garage there was built, it's been a mistake. And I remember him telling me about meetings with the former mayor of Stamford, Tom Seranni, about trying to get the mayor of Stamford not to file a lawsuit originally because it would have stopped construction, hurt commuters. Let it be built and try to solve the problem later. Well, it's been more than 20 years, and we still have a problem with the parking garage at the Stamford Train Station.

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Now, there is \$35 million that was originally allocated to the existing garage. It was transferred by the Governor to get replacement parking. Why was that done? Because this Legislature passed a law that required replacement parking to be put in place before you could work on the existing garage. Guess what? That's good policy. You can't -- if you have to tear down the existing garage, and I guess there's some debate whether or not you could work on it piecemeal and keep part of it open or tear the whole garage down. My assumption is you're probably going to have to tear the whole thing down. If you're going to have to do that, you need parking for those commuters in place first. And as someone who -- along with Senator Boucher and Senator Duff and Senator McDonald and Senator Frantz, most of our constituents rely on that mass transportation system to Stamford or to New York. This is a huge issue. You cannot leave commuters without parking spaces or you will cripple our economy.

So you have to find that replacement parking. Where do you go? There are private building owners right next to the existing garage owned by the State. The State, as I understand it, did attempt to

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negotiate with them and were quoted prices in excess of a hundred million dollars. Simply unaffordable for the State.

Real estate, commercial real estate in Stamford, Connecticut, near the train station are some of the highest prices in the country, I imagine.

So the State DOT had to come up with an alternative. We can't buy it next to this garage. We need to get our own space. They found space, I think on Atlantic Street or Atlantic Avenue. It's not right next door. It is somewhat more inconvenient, there is no doubt. But it can be built as replacement parking within 18 months. That does sound ambitious, but within 18 months for \$35 million as opposed to the hundred million they're quoted by existing building owners.

Now, what do we do with the existing garage? Can you solve both problems with \$35 million? Absolutely not. Governor Rell, Commissioner Marie will be the first to tell you that you can't build replacement parking and fix the existing garage for \$35 million. But the law says build replacement parking first, then fix existing garage. This veto override says take the \$35 million to the existing parking, not to the

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replacement parking. It doesn't make logical sense.

The \$35 million, which will go to the existing garage, falls short of what will be needed if the entire garage needs to be demolished. So in fairness, the very reason why Senator DeFronzo argues this plan falls short, this plan falls short because you cannot demolish that existing garage and build a new one for \$35 million. The ultimate solution will come from the next Governor of the state of Connecticut and the next Legislature.

I would argue that all five individuals running for Governor have a pretty good handle on what's happening in mass transportation in Stamford. I know the Lieutenant Governor knows those problems, and he'll solve them probably in its first day at office. My guess this the mayor of Stamford would probably solve those problems pretty well, but I like your chances better.

But seriously, I think all five candidates, one who is chairman of the Transportation Strategy Board, they all know the issues. Those of us in this circle of Republicans and Democrats from Fairfield County support the issue. I was asked by a reporter earlier today -- we're in economic troubles. You've talked.

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Candidates for Governor have talked. Others have talked about the need to not borrow so much money -- what if they can't borrow that much money to help Stamford?

And I informed this reporter that I think he's misheard what I've said. What I've said is you cannot earmark and bond as much as we've bonded because we need the capacity we have left for critical, important state obligations, none of which are more important than mass transportation because all of us understand that we need mass transportation capacity to grow our economy, especially in Fairfield County.

So increasing capacity with this replacement parking and building a new garage, not only just helps Stamford and the greater Stamford area; it helps our state's economy grow. And it has my support, and I imagine it has the support of a majority of Legislators in this Senate and this House.

Wouldn't it be nice if there were one solution to solve the whole problem put forward? Of course it would. But we don't have that. We don't have that under your solution, and we don't have that under ours. So if the best scenario is one overall solution, that scenario is not available. Then we

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have two scenarios left: The Governor's proposal, which is to build a replacement parking and do it within 18 months or yours, which jeopardizes that the replacement parking doesn't happen until there's a next Governor, which delays the project at least until next January.

Neither option is a full solution. Both options have their faults, but the Governor's option is to build that replacement parking, build it now and build it at a price that is about one-third of what has been quoted at other locations.

There are limited options in terms of land for parking in Stamford, Connecticut, near the train station. You cannot tear down the existing garage and build new parking there as the solution. You need to first have parking somewhere else. If you don't build it at this spot you are looking at being held hostage by developers and building owners to the tune of over to two to three to four times what this replacement parking would cost.

So I respect the position of Senator McDonald. I know he's worked hard on behalf of his constituents, but we have two options with flaws. The Governor's option is the better avenue, and I would ask members

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to sustain her veto.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President.

I, like those who are not from Fairfield County know little about the history of the Stamford parking issues, how we got to where we are and where we're going from here.

And through you, Mr. President to Senator McDonald, I'd like to pose a couple of questions.

THE CHAIR:

Senator McDonald.

SENATOR RORABACK:

Thank you, Mr. President.

Through you, Mr. President to Senator McDonald, was Senator McDonald listening to Senator McKinney as he laid out the reasons for sustaining the Governor's veto. Through you, Mr. President to Senator McDonald.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Ardently.

THE CHAIR:

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Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President.

And through you, Mr. President to Senator McDonald, does Senator McDonald disagree with any of the facts that were laid out by Senator McKinney in his presentation? Mr. President, through to Senator McDonald.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

I do, Mr. President. And I guess apologies to the circle to get into the nitty-gritty of these facts, but I do disagree with many of the facts that were set forth, particularly with respect to the notion that the legislation that was already passed would require the Governor to build an entirely new parking garage two blocks away from the existing train station. It simply doesn't say that. It simply requires that there be alternative temporary parking before the existing garage is torn down and replaced.

So unless the proposition is that the Governor intends to build an 800-car garage for \$35 million and characterize that as the temporary parking necessary

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in advance of her placing the existing parking garage, I think the characterization of the nature of that replacement parking on a temporary basis is misplaced.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President.

And again, as one who is, but not be less familiar with the problems that confront the parking situation in Stamford, is it the case today that there's adequate -- well, there's never adequate parking for a train station, I guess, it's the -- for those of us to travel from afar, we know that we can never get a parking -- or rarely get a parking place in a Fairfield County train station.

But through you, Mr. President to Senator McDonald, is the issue one of repairing an existing facility which is deteriorated or of the need to build a new facility. Through you, Mr. President to Senator McDonald.

THE CHAIR:

Senator Roraback -- I mean, Senator McDonald.

SENATOR McDONALD:

Thank you, Mr. President.

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Mr. President, the part of the problem here, the administration has never shared, at least with me, any information to disclose that any systematic engineering study has ever been undertaken which would require that the building must be demolished as opposed to repaired. It could potentially be repaired in place.

But to answer Senator Roraback's question, there was, as I think I mentioned earlier, there was never any RFP pursued by the Governor with respect to the Stamford Transportation Center. There had been something I had never heard of called an RFEI, a request for expressions of interest, and they got no response. There was no expression of interest when the administration rolled out its plan, or rolled out its proposal I should say.

So as we sit here today, there still isn't a comprehensive plan by the administration that has been set forth or presented to this Legislature, to the Transportation Committee, or certainly to my constituents.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

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Thank you, Mr. President.

And through you to Senator McDonald, just trying to get a grasp on the underlying issue. How many spaces, through you, Mr. President to Senator McDonald, does the existing parking garage have in Stamford, if Senator McDonald knows.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Thank you, Mr. President.

There are actually two parking garages. One is approximately 750 parking spots. The newer parking garage, which is not affected by this proposal, has approximately 1200 parking spots.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President, and is it commonly recognized that the garage with 750 spots has to undergo substantial either repairs or reconstruction?

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

I would agree with that, Mr. President.

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THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

And is it currently being used today, the 750 spots?

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Yes, it is. And we have been assured repeatedly by the Department of Transportation that it's continued utilization is safe for the commuting public. They've actually included several hundreds of thousands of dollars in the last year or so in repairs to the garage.

So much of the exposed rebar that Senator Frantz was commenting about is no longer exposed. There have been substantial repairs made. And frankly, nobody has told us what the real longevity of the garage is for the remainder of its life.

THE CHAIR:

Roraback. Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President.

I guess --

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THE CHAIR:

I'm going to start calling you Roraback now.

SENATOR RORABACK:

Thank you, Governor.

The -- I think from a distant observer's point of view, if it is the case that we might be able to limp along with perhaps an unattractive parking garage, but one that remains functional, through you, Mr. President to Senator McDonald, I don't know the degree of urgency that needs to attach to the work that needs to be done or whether, in these times, we can squeeze a few more years out of this facility without compromising public safety and with continuing to provide adequate parking.

Through you, Mr. President to Senator McDonald, I think it was John C. Calhoun, or maybe -- or Henry Clay, someone who said a strong conviction that something must be done is the parent of many bad measures. And Mr. President, through you to Senator McDonald, I don't know if there is a strong conviction that something must be done or whether we could get by with what we've got.

THE CHAIR:

Senator McDonald.

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SENATOR McDONALD:

Certainly, Mr. President. Everybody wants a solution to this problem, but we want one comprehensive, integrated solution, not this piecemeal approach that has been advanced thus far.

In my opinion, we need to have that comprehensive solution. We have been repeatedly told by the commissioner of transportation that there is no immediate safety need that would require this type of urgency, which -- or speed with which the Governor has been pursuing this plan, particularly when there is no plan in place.

I should also mention, if it's relevant to anybody, that nobody has actually talked to anybody in the Planning and Zoning Department about the development of the site. And so how it is conceived that this could be rushed through before January of this year is something that has been lost on me.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President.

I'm very grateful to Senator McDonald for the education. And it's regrettable that there isn't --

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hasn't been an opportunity for everyone to arrive at the same place, but I appreciate the Chamber's indulgence in having some of my questions answered.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark further on the repassage of House Bill 5455?

Senator Frantz, for the second time.

SENATOR FRANTZ:

Thank you, Mr. President.

If any of you are familiar with the south end of Stamford or even just the central part of Stamford, you'll appreciate some of the logistical and transportation problems that we face down there. It is, as I said before, it's a shining beacon in terms of economic development. There are several new corporations moving to that particular area, some of whom you know and some of whom are under wraps right now. And I see it as a critical exercise in the -- in good decision-making in terms of working out this transportation problem.

You have, in essence, the entire south end leveled and spoken for in terms of the buildings that

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are going in, the different facilities and all the infrastructure to support that. In order for all of that to work, we have to address a whole slew of other problems. You have to deal with the underpasses that go underneath I-95 and also the railroad tracks, Metro-North tracks, to get to the south end. We have existing corporate tenants now, Pitney Bowes in particular, who are throwing their arms up in the sky saying, please, get this right in terms of reconstructing the transportation route down there, and particularly those underpasses, and please, for God's sake, please get the parking situation right so that the flows are correct and so that we have the capacity there so we have a good, viable mass-transportation system and an easy way to access it and get out of the area to where either people are working or where they're living.

It is one of the most busy places I've ever seen outside of a JFK airport or a Grand Central Station or Penn Station, anywhere in this country. You ought to see it during rush hour. It's really, really incredible.

So, again, we have to -- we have to make the right decisions here, and if you think about the,

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again, the sequential schedule of this particular project is one that has to be done correctly. If we waver on this decision, if we decide that the \$35 million has to go into the existing garage then a lot other steps need to be taken before any reconstruction or demolition can take place. That's going to take a long period of time as well. And in the backdrop, you have an increasing demand, perpetually it seems like in Stamford, for additional parking in that area. It's not just the transportation center that needs that sort of capacity. It's a lot of the other facilities down there. There's a lot of residential that's going in in the south area -- South End area as well as retail. There's shopping centers going in, big food shopping markets are going in as well. So the additional parking in that area is vital, and there's going to be a high price or a high value placed on it.

And so when the price is right, like that guy in the Staples ad who -- when I heard 35 million, I said, yeah, that's a low price. If we can, in fact, do that -- and I know there's some question marks about it. Senator McDonald is absolutely right. There isn't even an MOU in place, but if we -- if we have a

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little bit of a bridge of faith here, the mayor is highly encouraged and highly confident that this will, in fact, be a reality in as little as 18 months or so if everything comes together as according to plan and he's pretty sure that it will.

So I think it's something that we have to take into account, this big demand for parking. If you have two garages in that particular area, it's going to help a lot of the problems. And again, the backdrop is we have so many chokepoints and so many bottlenecks down there, if we don't get this particular decision right, it's going to contribute to that and lead to a worsening situation. So again, I'd highly recommend everybody have an open mind about this to move forward.

Times will get better, and there's no question that the funding will be available to rehab the existing garage. Hopefully, it is good for at least a few more years, but there seems to be some differing opinions about it. And yes, the DOT, the commissioner did say that we could probably get through a few more years, but we really don't know. He can't say that with a great deal of certainty.

So I know you don't want to hear about the

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parking garage for the rest of the day and the rest of the night, but I do want you to have an open mind about this and continue to consider this going forward. Again, making the right decision here is critical. With that, Mr. President, thank you.

THE CHAIR:

Thank you, sir.

Senator Boucher for the second time.

SENATOR BOUCHER:

Yes. Thank you, Mr. President.

For the second time for clarification, I just want to get the facts straight as possible. Through you to distinguished Chair of the Transportation Committee.

THE CHAIR:

Senator DeFronzo.

SENATOR BOUCHER:

Through you, Mr. President, I understand that there is language that is in the statute that was proposed by the Stamford delegation that does restrict any work on the parking garage in question so that there must be provided equal number of spaces within the facility if any work were to be done on this facility.

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Through you, Mr. President.

THE CHAIR:

Senator DeFronzo.

SENATOR DeFRONZO:

Thank you, Mr. President.

We passed that a couple years ago so I can't -- can't recall whether that's a one-for-one replacement requirement, but I do know that you are correct.

There is a -- essentially a basic requirement that alternative parking be in place, not necessarily a permanent structure, but alternative parking be in place before the state-owned garage, which is the garage that we're talking about here, is closed so that the commuters there will be able to have parking and their needs be facilitated through the construction period. Through you, Mr. President.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Thank you, Mr. President.

I do understand, at least it was explained to me that it would be either equal or better parking be provided. And I see this is a Catch-22 you know, which came first, the chicken or egg? Or can anyone

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move off of first base to get this moving forward?

Through you, Mr. President, may I ask a further question? Has there been any negotiations in maybe changing that language so that there is some flexibility so that other situations or opportunities or alternatives could be considered? Through you, Mr. President.

THE CHAIR:

Senator DeFronzo.

SENATOR DeFRONZO:

Thank you, Mr. President. Through you, no one has ever approached me with any proposal to reopen those discussions. Through you, Mr. President.

SENATOR BOUCHER:

Thank you for the clarification, Mr. President.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

It sounds to me like there might be some work that could be done on fashioning new language that might allow for a different outcome. Because right now, it appears that alternate parking should be found before any work would actually be done on that facility directly.

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If the money were appropriated just for the facility, it may have to take some spaces off-line when any work to be done in -- particularly in a safe way and particularly since we understand that as the deterioration is occurring, and it's occurring more rapidly right now.

So it does present quite a problem, and I can well understand why a veto was requested for this particular project, and I think there's good intentions of wanting to move this forward for the -- for the commuters of our state and particularly, as the issue of liability still is out there. Thank you, again, for the second time, Mr. President.

THE CHAIR:

Thank you, Senator Boucher.

Will you remark further on the repassage of House Bill 5455?

Senator Daily.

SENATOR DAILY:

Thank you very much, Mr. President.

Senator McKinney said we had two imperfect options. He's right. We owe the state better than that. We can't be doing projects that we can't afford. We can't throw money away without a solid

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plan behind it.

Senator DeFronzo outlined for the circle the work that went in to the revision to the bond package this year. This project has never been mentioned in the Transportation Committee meeting, nor in a Finance Committee meeting. And I think it's time that we just took stock. We know that we need improved transportation statewide. We know that there are needs in Stamford, but this is not the way to accomplish it. Thank you, Mr. President.

THE CHAIR:

Thank you, madam.

Will you remark further on the repassage of House Bill 5455?

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President.

Mr. President, through you to Senator McDonald, if I may, Mr. President. With respect to the underlying bill, the \$35 million -- that the money that's allocated to build the new parking spaces, is it the understanding that that money is to be used to rehab the existing Stamford parking garage? Through you, Mr. President.

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THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Thank you, Mr. President.

Through you, and the underlying bill and Senator DeFronzo can certainly correct me if I'm wrong, it allows for the use of the money to be used for either the repair or the replacement of that -- of those parking spots on that site.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

And that is -- thank you, Mr. President. Through you, when you say on that site -- so where the existing garage that's deteriorating from my understanding -- I've never been there -- the underlying bill would allocate that money solely to be used to repair that existing garage.

Through you, Mr. President.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Through you, either to repair or replace that existing garage.

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THE CHAIR:

Senator Fasano.

SENATOR FASANO:

And through you, Mr. President, do we have an understanding or was there a document or public hearing to indicate how much that would cost to repair that garage? Through you, Mr. President.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Through you, Mr. President, there was nothing that I'm aware of where they presented us with a cost study. Again, as I've indicated, there was -- there's not any memorandum of understanding that's been developed. I haven't seen any cost estimates nor have my constituents.

The department has simply not presented that level of detail to us.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

And through you, Mr. President, that would be for either site, either the sort of -- there's no estimates with respect to the existing garage, and

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there are no estimates are memorandums of understanding with respect to the other properties. So neither one of them have a plan. Is that my understanding? Through you, Mr. President.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

That's my understanding, Senator Fasano.

In talking with developers. I've been told that parking spots roughly, in my part of the state at least, cost roughly, 35 to 40 thousand dollars per parking spot for construction. So under that theory, the \$35 million would simply be approximately enough for the 800 cars that the Governor is contemplating with no additional funds left for anything of the existing parking garage.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President. I thank Senator McDonald for his answers. And thank you very much, Mr. President.

THE CHAIR:

Thank you. Will you remark further on the repass

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of House Bill 5455? Will you remark further?

If not, Mr. Clerk, please call for a roll call vote. The machine will be open.

THE CLERK:

Immediate roll call vote has been ordered in the Senate. Will all Senators please return to the chamber. Immediate roll call vote has been ordered in the Senate. Will all Senators please return to the chamber.

THE CHAIR:

Have all Senators voted?

Senator Gomes.

Have all Senators voted? If all Senators have voted, please check your vote. The machine will be locked. The Clerk will call the tally.

THE CLERK:

Motion is on repassage of House Bill 5455.

Total Number Voting	36
Necessary for Adoption	24
Those voting Yea	25
Those voting Nay	11
Those absent and not voting	0

THE CHAIR:

House Bill 5455 repasses.

**JOINT
STANDING
COMMITTEE
HEARINGS**

**TRANSPORTATION
PART 2
253 – 519**

2010

March 10, 2010

csd/par TRANSPORTATION COMMITTEE 12:00 P.M.

Repairs Unit. As long as you're going to a garage that is licensed by the State of Connecticut -- and we all have dealer repairs license -- DMV would handle that for you.

REP. GUERRERA: Any other comments? Thank you, Joe, for your testimony.

JOE MIANO: Thank you very much. Commissioner Marie.

COMMISSIONER JOSEPH MARIE: Thank you very much, Senator DeFronzo, Representative Guerrero, Representative Scribner. Thank you also for the three-minute time limit, considering the three-hour testimony that I had last week. I'm most most grateful, no exceptions.

REP. GUERRERA: Can it be done though?

COMMISSIONER JOSEPH MARIE: It can. I'm going to speak rather quickly on just four bills. The first bill is Senate Bill No. 411, AN ACT CONCERNING THE REPLACEMENT OF THE BROAD STREET BRIDGE OVER THE AMTRAK RAILROAD TRACKS IN HARTFORD.

HB5456
HB5457

This is necessary to accommodate the Busway Program that we hope to move forward in the New Starts Program. We recognize state statute currently calls for a twenty foot, six inch clearances on bridges. There are many bridges along this alignment that have similar height constraints, some as low as 18 feet, including the Aetna Viaduct, and we would ask for support of this bill.

The second bill I'd like to talk to you about is House Bill No. 5455, AN ACT UPDATING THE MASTER TRANSPORTATION PLAN IN THE EXISTING TRANSPORTATION FACILITIES ASSESSMENT.

Fundamentally, we view this as a rather minor change, which will bring our program -- sort of our overall planning efforts up to snuff and up to the requirements of the state and federal standards. It also -- the bill currently calls for us to coordinate and orchestrate activities with only the department -- excuse me -- the Council of Public Transportation. We have further consultation, review requirements with other commissions and boards. And this act will help sort of clarify that and consolidate all of our overall planning efforts with regional boards, communities and other entities.

House Bill No. 5456, AN ACT ELIMINATING THE REIMBURSEMENT TO MEMBERS OF THE CONNECTICUT PILOT COMMISSION AND CONNECTICUT MARITIME COMMISSION AND PROVIDING STAFF SUPPORT TO THE CONNECTICUT PILOT COMMISSION, I would say that no other commission or board members actually get reimbursement from the State, with the exception of this one. And this will also codify the support that our DOT maritime staff will give to the Connecticut Pilot Commission.

Lastly, on House Bill No. 5457, AN ACT ENHANCING PENALTIES FOR HARM TO VULNERABLE USERS OF PUBLIC WAY, I think, generally speaking, any -- any act which helps protect our citizens on all of our right-of-ways, is certainly something this department would support, so we are very supportive of this legislation.

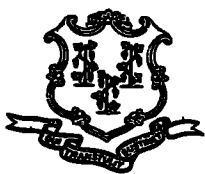
So I think I've stayed within the three minutes.

REP. GUERRERA: Thank you, Commissioner. Any questions? Senator DeFronzo.

**JOINT
STANDING
COMMITTEE
HEARINGS**

**TRANSPORTATION
PART 3
520 – 755**

2010



STATE OF CONNECTICUT

DEPARTMENT OF TRANSPORTATION

2800 BERLIN TURNPIKE, P.O. BOX 317546
NEWINGTON, CONNECTICUT 06131-7546



Office of the
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**Public Hearing – March 10, 2010
Transportation Committee**

**Testimony Submitted by Commissioner Joseph F. Marie
Department of Transportation**

**H.B. 5455 – An Act Updating the Master Transportation Plan and the Existing Transportation
Facilities Assessment Report.**

(Department of Transportation proposal)

The Department of Transportation (Department or ConnDOT) supports H.B. 5455 to update the Master Transportation Plan required under CGS 13b-15 and the Existing Transportation Facilities Assessment Report required under CGS 13b-16 to reflect changes in state and federal laws.

Master Transportation Plan:

Within the past ten years a number of boards and commissions with statutory responsibilities pertaining to transportation have been established. (Such boards and commissions include the Connecticut Transportation Strategy Board, the Bradley Airport Board, the Connecticut Maritime Commission and the Connecticut Public Transportation Commission.) This bill would amend the Master Transportation Plan to require the Department to also consider reports, plans and studies prepared by these boards and commissions, as well as other boards and commissions that may be created in future years, when developing the Department's master transportation plan.

In recent years, legislation has been passed to require greater coordination of land use planning and transportation and greater coordination among state, regional and municipal levels to encourage responsible growth in Connecticut. H.B. 5455 would require ConnDOT to consider reports, plans and studies prepared by or for the state's Office of Responsible Growth and consider the regional long-range transportation plans prepared by regional planning organizations when developing the master transportation plan, supports such coordination.

Federal surface transportation authorization legislation requires state transportation agencies to prepare long-range transportation plans that address specific factors. Requiring ConnDOT to consider the policies and strategies identified in the state's long-range transportation plan and the mandated factors specified in the current federal surface transportation legislation as outlined in H.B. 5455, would provide for consistency of the state-mandated master transportation plan, which is project-specific, with the state's federally mandated long-range transportation plan, which is a policy document.

The current statute requires that the master transportation plan indicate the priorities for the next two and five-year periods, both by need and by fiscal capability in the area of public transportation. This proposal would provide a common five-year time period for all transportation modes for meeting the project requirements set forth in the existing statute. A five-year period for indicating project priorities

is proposed because the Department's federally-mandated-Statewide Transportation Improvement Program, which lists federally funded projects, covers a four-year period and is used as a source of information on projects when developing the master transportation plan. In light of the fluctuations in the costs of fuel and raw materials, it is not feasible to indicate project priorities by need and fiscal capability beyond a five-year period.

It is proposed that the requirement that the master transportation plan "identify with specificity the expenditures to be made from funds received in the congestion mitigation and air quality grant in relation to the needs identified by employers in their compliance plans submitted pursuant to substitute house bill 5659 of the February, 1992, regular session" be eliminated because it is no longer relevant.

Existing Transportation Facilities Study:

CGS 13b-16 currently requires the Department to annually conduct and complete an investigation and study of the several modes of transportation in the state to evaluate the adequacy of the facilities and services connected with each such mode and determine the needs of the state transportation system. The study must be used to revise the comprehensive long-range master transportation plan. When conducting the study, the commissioner must consult with the Connecticut Public Transportation Commission.

The original provisions of Section 13b-16 were established in 1969 by Public Act 768. They have since been amended by public acts passed in 1972 to delete references to commissions such as the "steamship terminals commission" and the "Connecticut aeronautics commission" that are no longer in existence, in 1975 and 1983 to reflect changes in the structure and name of the Connecticut Public Transportation Authority, and in 2000 to reflect a provision of legislation passed in 1996 to require the master transportation plan to be updated every two years rather than annually.

H.B. 5455 would further update Section 13b-16(a) by:

- 1) changing the time frame for conducting the study of existing facilities from annually to every two years because the master transportation plan is revised every two years;
- 2) replacing the requirement that the "commissioner consult with the Connecticut Public Transportation Commission" with a broader requirement that the commissioner consider the plans and recommendations prepared by the various boards, councils and commissions that have statutory responsibilities pertaining to the various modes of transportation in Connecticut and consider the plans, studies and recommendations prepared by or for regional planning organizations. This change is proposed because other councils, commissions, and boards (such as the Connecticut Commuter Rail Council, the Connecticut Maritime Commission, the Bradley Board of Directors, the Statewide Incident Management Task Force and the Connecticut Transportation Strategy Board) having statutory responsibilities pertaining to various modes of transportation have been established in the past twenty years, and new ones may be established in future years. This change would require ConnDOT to consider the plans, studies and recommendations of current and future boards, councils and commissions with statutory responsibilities with respect to the various modes of transportation in the state;
- 3) changing the requirement that the Department "conduct and complete an investigation and study of the several modes of transportation in the state" for use in revising the master transportation plan with a requirement that the commissioner "conduct and complete an assessment of the several modes of transportation in the state" for use in revising the master transportation plan; This change is proposed because many of the boards commissions and councils with statutory responsibilities pertaining to

various modes of transportation are responsible for developing recommendations, plans and/or policies relative to specific modes of transportation. Within the past twenty years, the role of the state's regional planning organizations has been strengthened and expanded by federal transportation legislation. Federal legislation requires a state's metropolitan planning organizations to prepare regional long-range transportation plans and requires state transportation agencies to consider them when updating the federally mandated, statewide long-range transportation plan. It is the current practice of the Department to consider the plans, studies and recommendations of these bodies when updating the master transportation plan and the federally mandated, statewide long-range transportation plan, rather than conducting studies that would duplicate their efforts; and

4) deleting the words "long-range" when referring to the state-mandated master transportation plan to avoid confusion with the federally mandated, statewide long-range plan which the Department prepares. Federal surface transportation legislation passed in 1991 requires the Department to develop and update, every three to five years, a statewide, 20-year, long-range transportation plan.

The Department currently considers the reports, studies, plans and recommendations of the regional planning organizations and various boards, councils and commissions with statutory responsibilities pertaining to various modes of transportation when revising the federally-mandated, statewide long-range transportation plan, which is a policy document, and the Department's master transportation plan, which is project-specific. An assessment of the adequacy of the various modes of transportation to meet current and future needs was published in June 2007 by the Department in the document, *Transportation in Connecticut: The Existing System*; the Department is currently in the process of updating this document.

Finally, the Department seeks to replace references in current statute to the federal *Transportation Equity Act for the 21st Century*, and replace with more generic wording "the current federal surface transportation authorization legislation," to eliminate the need to update this statute every time new federal surface transportation is passed.

For further information or questions, please contact Pam Sucato, Legislative Program Manager for the Department of Transportation, at (860) 594-3013.