

SA 11-001

SB1194

House	658-682	25
<u>Senate</u>	<u>432-437</u>	<u>6</u>
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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2011**

**VOL.54
PART 2
345 – 704**

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resolution to the Senate.

SPEAKER DONOVAN:

The motion is for immediate transmittal of the
last item to the Senate. Any objection? Hearing
none, the item is immediately transmitted.

Representative Grogins.

REP. GROGINS (129th):

Yes. Thank you, Mr. Speaker.

May I just have the record note that I recused myself from this vote for a possible conflict of interest and left the Chamber and did not vote on this matter. So --

SPEAKER DONOVAN:

The record will so note.

And nice to see you here this afternoon,
Representative.

REP. GROGINS (129th):

Thank you.

SPEAKER DONOVAN:

Will the Clerk please call Emergency Certified
Bill 1194.

THE CLERK:

Senate Bill Number 1194, AN ACT CONCERNING THE
AUTHORIZATION OF BONDS OF THE STATE FOR CAPITAL

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RESURFACING AND RELATED RECONSTRUCTION PROJECTS, LCO
Number 4612, introduced by Senators Williams, Looney,
Representatives Donovan and Sharkey.

SPEAKER DONOVAN:

Representative Andres Ayala of Bridgeport, you
have the floor, sir.

REP. AYALA (128th):

Good afternoon, Mr. Speaker.

SPEAKER DONOVAN:

Good afternoon, sir.

REP. AYALA (128th):

I move passage of the bill.

SPEAKER DONOVAN:

The question is passage of the bill. You have the
floor.

REP. AYALA (128th):

Yes, Mr. Speaker. This bill will issue
\$68.9 million in special tax obligation bonds. The
\$68.9 million in special tax obligation bonds will be
used to leverage \$8.1 million in federal highway
funding. These combined funds will resurface
approximately 200 lane miles and generate 1,050 jobs
according to OPM.

The reason why this bond request is being e-certed

is because we want to get a jump on the weather to make sure that we can go out and resurface and take care a lot of the pot holes due to the severe weather we've had this past year.

SPEAKER DONOVAN:

Thank you, Representative.

Will you remark further on the bill?

Representative Williams of the 68th District, you have the floor.

REP. WILLIAMS (68th):

Thank you, Mr. Speaker and good afternoon to you.

Through you, just a few quick questions to the proponent of the bill please.

SPEAKER DONOVAN:

Please proceed, sir.

REP. WILLIAMS (68th):

Thank you, Mr. Speaker.

And through you to the Representative, I'm curious as to -- I understand the explanation that you gave as to why we are e-certing it. We had a bad winter and we need to go out and resurface these roads, but is this going to happen tomorrow? Is this going to happen immediately?

I mean, this could have gone to the finance

committee process. We already had a public hearing on this, of course, but why not have the Finance Committee JF this bill out and go through that normal process that we would go to?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Ayala.

REP. AYALA (128th):

Thank you, Mr. Speaker.

It's my understanding that this has been some past practice that we have done in the past, but initially the reason why we want to do this is because a lot of the information that we're getting from towns and municipalities -- the fact that these roads are really bad. And we want to get a jump on it to make sure that we can get as much possible done as quickly as possible.

SPEAKER DONOVAN:

Representative Williams.

REP. WILLIAMS (68th):

Thank you, Mr. Speaker.

I guess I accept that answer, but I still do not frankly understand why the Finance Committee could not have held a meeting to approve this and actually take an up or down vote. I mean, you know, if we did it today

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or tomorrow would it really have made a difference?
And I don't know that anybody could say that we have,
unless Representative Ayala has an explanation for
that.

Through you.

SPEAKER DONOVAN:

Representative Ayala.

REP. AYALA (128th):

Yes, Mr. Speaker. The intentions are to get onto
the March bonding schedule and to get this done as soon
as possible.

SPEAKER DONOVAN:

Representative Williams.

REP. WILLIAMS (68th):

Thank you, Mr. Speaker.

Thank you to Representative Ayala for that answer.
I still believe that the Finance Committee could have
JFed it, but to me it's not that important to oppose
the bill.

The term of these bonds, I'm not sure what the term
of these bonds are and maybe Mr. -- Representative
Ayala can answer that.

Through you.

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Representative Ayala.

REP. O'NEILL (69th):

Yes, Mr. Speaker.

Through you, these bonds are 20-year bonds. This information has come to us from OFA and we've always done 20-year bonds.

SPEAKER DONOVAN:

Representative Williams.

REP. WILLIAMS (68th):

Thank you, Mr. Speaker.

And lastly, what is the federal match or the federal money that will come in as a result of the issuance of these bonds?

Through you.

SPEAKER DONOVAN:

Representative Ayala.

REP. AYALA (128th):

Thank you, Mr. Speaker.

Through you, the federal match is \$8.1 million.

SPEAKER DONOVAN:

Representative Williams.

REP. WILLIAMS (68th):

Thank you, Mr. Speaker.

I would urge support for the measure here this

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afternoon. I think that while we are cash strapped as a State, there are certain capital improvements that we need to make. And if there's one thing that our constituents expect it's that we will keep the roads clear and safe and I think that this is an important measure. So I thank Representative Ayala for his answers and for bringing this bill out today.

Thank you.

SPEAKER DONOVAN:

Thank you, Representative.

Representative Giuliano.

REP. GIULIANO (23rd):

Thank you, Mr. Speaker.

A couple of questions through you to Representative Ayala.

SPEAKER DONOVAN:

Please go ahead, Representative.

REP. GIULIANO (23rd):

Thank you very much, Mr. Speaker.

Through you, I understand that the cost of this project is \$68 million and I also understand that the term of the bond is 20 years. Through you, Mr. Speaker, in the part of the project that has to do with resurfacing roads, would the Representative please

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tell me how long the resurfacing lasts or endures for?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Ayala.

REP. AYALA (128th):

Through you, Mr. Speaker, that is -- I do not have an expertise on roads and the longevity of roads. So I would defer that question to someone who may have that knowledge.

SPEAKER DONOVAN:

Representative Giuliano.

REP. GIULIANO (23rd):

Mr. Speaker, if such a person is willing, through you, to give that response I would be happy to receive it.

Thank you, Mr. Speaker. Through you.

SPEAKER DONOVAN:

Representative, I think you have to direct the question to someone. So I see no one forthcoming.

So Representative, you may proceed with other questions if you have one.

REP. GIULIANO (23rd):

Thank you, Mr. Speaker.

Mr. Speaker, let me say that in conversations with

the DOT engineers it has come to my attention, and I was interested in confirmation through Representative Ayala, that a resurfacing such as is being proposed in this emergency certified bill, generally lasts for about 12 years. And it was the Representative's statement that the bond is for 20 years.

So it would seem then if that information is correct, from the DOT engineers, that the bonding for this project far exceeds the duration of the project itself. Would that be correct?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Ayala.

REP. AYALA (128th):

I would imagine that the wear and tear on roads would depend on various variables that would exist as far as how much usage is done. I know that through past experience and sitting on the Bridgeport City Council we usually -- on the city level, when we do our paving we have about a 20-year lifespan on city roads, but I guess that not being an expert, I can't qualify that statement. But that has been through past experience of mine.

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Representative Giuliano.

REP. GIULIANO (23rd):

Thank you, Mr. Speaker.

I'd like to thank the Representative for his responses, and make the comment that \$68 million of borrowing bonding for a project that will need to be redone in about half the time before the bonds are paid off, does not strike me as a particularly good investment for the State of Connecticut. And for that reason I don't think that this expenditure will have my support.

Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative.

Representative Hetherington.

REP. HETHERINGTON (125th):

Thank you, Mr. Speaker. If I may, through you to the proponent.

Through you, Mr. Speaker, where do the requests for these project financings originate?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Ayala.

REP. AYALA (128th):

It's my understanding that they originate from the Department of Transportation.

SPEAKER DONOVAN:

Representative Hetherington.

REP. HETHERINGTON (125th):

Thank you.

Through you, Mr. Speaker, but how do they come to the Department of Transportation?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Ayala.

REP. AYALA (128th):

I'm looking up that information right now, Mr. Speaker.

REP. HETHERINGTON (125th):

Perhaps I -- if I may, Mr. Speaker, maybe I could clarify my question a little bit if it would be helpful.

Through you, Mr. Speaker, did they originate with towns, towns come forward with proposed projects?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Ayala.

REP. AYALA (128th):

According to the bill, it does not. It does not

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state on the bill that they originate from the towns.

REP. HETHERINGTON (125th):

Okay. Thank you, Mr. Speaker. Well --

SPEAKER DONOVAN:

Representative Hetherington.

REP. HETHERINGTON (125th):

Thank you. Thank you.

I thank the Representative. I will follow the subsequent comments on this.

The point of my inquiry, or the ultimate thrust of the inquiry is to determine where they come from and how some are selected to go forward and others not. And I just wanted to learn a little bit about that process. So I'll wait.

Thank you. Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative.

Representative Miner of the 66th.

REP. MINER (66th):

Thank you, Mr. Speaker.

Mr. Speaker, I had some questions also that kind of focused around those asked by Representative Giuliano. And I don't know if the chairman of the Transportation Committee is in the audience.

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Well, I don't see him. Maybe I'll try the horse
I'm on. How's that?

SPEAKER DONOVAN:

Go, ahead Representative.

REP. MINER (66th):

If I could about through you a couple of
questions to Representative Ayala.

SPEAKER DONOVAN:

Please proceed, sir.

REP. MINER (66th):

Through you, Mr. Speaker, when Representative
Giuliano asked the question about how long the bonding
lasts and -- well, wait a minute.

If I could, through you, Mr. Speaker, could I pose
a question to the chairman of the Transportation
Committee?

SPEAKER DONOVAN:

You've been switching various sources midstream,
but go ahead Representative.

REP. MINER (66th):

Hopefully that will be the last switch.

Through you, Mr. Speaker, Representative Giuliano
asked a question about bonding and how it relates to
the average length of time that a road that would be

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resurfaced with these dollars would last. And I think the question that she was raising was, if we borrow money for 20 years and the road lasts 12, what happens after that 12 years? Are we, in fact, back in the bond market borrowing money to resurface the same road?

So through you, is her question an accurate depiction of what happens to state roads?

Through you.

SPEAKER DONOVAN:

Representative Guerrero, are you prepared to answer the question?

REP. GUERRERA (29th):

Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Please proceed then.

REP. GUERRERA (29th):

Let me just state that sometimes roads are, obviously as we all know, depending on the usage of it, could last, 10, 12, 15, 20 even 30 years. So I think what they're talking about here is an average.

And I have to be quite honest, I think the average of roads when they are resurfaced is a good 15 to 25 years. So when we talk a bond for 20 years, I think it's a fair assumption that that's a good number to put

on there.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

And so if we make that assumption, then in all likelihood barring some deterioration that might be greater than what the engineers that work for DOT anticipate, the note on the \$68 million worth of road projects, resurfacing projects would probably expire in the aggregate at about the time these roads would deteriorate in the aggregate.

So we're not in effect leaving some future population with a note on a road that's worn out.

SPEAKER DONOVAN:

Representative Guerrero.

REP. GUERRERA (29th):

That is true, Representative. Through you, Mr. Speaker, that is true, Representative.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

And to the extent the question is asked about, why now? Why do we need the money now? Is there a ramp-up process that goes on with highway construction so that,

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you know, if we approve the money today and the bond commission approved it a week from now, somebody could walk in somewhere with \$10 million and say, make me asphalt? Or is that -- do those -- are those plants online now?

Through you.

SPEAKER DONOVAN:

Representative Guerrero.

REP. GUERRERA (29th):

Through you, Mr. Speaker, I believe they are.

And just to touch upon Representative Miner's comments, too, that doesn't -- there's no reason why we can't even pay off the bond earlier if we have to, too, even though we're using that 20-year limit.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

Okay. So to your knowledge the plants are open and this, some of this work may be in the southern part of the State, begins, oh, now?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Guerrero.

REP. GUERRERA (29th):

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Yes, Representative Miner. Through you, Mr. Speaker, the asphalt plants, believe it or not, have been open throughout the winter in regards to cold patch. But they've been -- they have been gearing up as of April 1st -- they will start up.

And this, this process will enable a lot of companies out there, municipalities and the State to start this process now rather than waiting, say, July, which only gives them a timeframe of, like, as we know, during the construction season; usually ends by Thanksgiving or December 1st. So it gives them much more needed time to start resurfacing these roads.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

And the last question, in terms of the repayment of this obligation, if you know, is this general fund obligation? Or is this an obligation under the state transportation fund? Do these things run separately and is there a separate funding source?

Through you.

SPEAKER DONOVAN:

Representative Guerrero, is this a question you

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have knowledge over? Or should refer the question to Representative Ayala?

REP. GUERRERA (29th):

I would refer to the question to Representative Ayala.

SPEAKER DONOVAN:

Okay. Representative Miner, if you could read -- redirect the -- one more horse. If you could redirect the question to Representative Ayala.

REP. MINER (66th):

I'm a big guy, so two horses may be good.

If I could, through -- to Representative Ayala, please.

SPEAKER DONOVAN:

Please proceed, sir.

REP. MINER (66th):

Thank you, Mr. Speaker.

SPEAKER DONOVAN:

If you could repeat the question.

REP. MINER (66th):

Thank you, Mr. Speaker.

The question is, with regard to the repayment of the debt, is this a general fund obligation? Or is this a special transportation fund obligation? That is, do

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all the fees that go into motor vehicle registrations and tax on gasoline refund this obligation? Or are these, I guess for another source, income tax funds?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Ayala.

REP. AYALA (128th):

These are special tax obligation bonds that are being funded.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

So those are special tax obligation funds that operate out of that pool of transportation revenues, not general fund revenues?

Through you.

SPEAKER DONOVAN:

Representative Ayala.

REP. AYALA (128th):

Yes. That is correct. From the transportation fund.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

And I thank the gentlemen, both of them for their answers.

Mr. Speaker, I -- this is kind of an annual rite of passage here and I was trying to remember the first time that I remember this occurring. And I think it might have been Representative Altobello standing up at some point saying, we almost forgot to bond money for road repair. I may be wrong.

Mr. Speaker, my only real concern about the timing is that this is one piece of a very large puzzle in the State of Connecticut. And understand the timing and I understand the perception on the industry that if we take this step today, we send a clear indication to people who make asphalt and those that we would hire as subcontractors, that we're trying to stimulate jobs and look ahead into the springtime and hope that the economy will continue to improve.

But as I said, this is one piece of a puzzle. Serving on the Appropriations Committee we're poring through pages and pages and have a lot of testimony about expenditures. And this all interconnects somewhere. When I asked the question about state transportation bonds as opposed to general fund bonds

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I think most people in the community and our State would say, they come out of our pocket. It's really all our money one way or another.

And so while I'm inclined to listen to the conversation about the urgency to do it today, I am cautioned that this is such a small piece of the big picture, that by moving this budget process along in pieces we are kind of de facto backing ourselves into a tax package, a new revenue package, that somehow it takes money to do all this stuff.

We haven't voted out an appropriations budget yet. The Finance Committee hasn't voted out a tax package yet. I know the Governor's budget talks about an increase in the gas tax as a means to try and balance the budget. So to the extent that all these things I think work together or work against each other in this process, I admit that it's not an unusual event, but I am very concerned that this in and of itself is only one piece of all the budget stuff that we need to be dealing with.

And I'll sit down and listen. Thank you.

SPEAKER DONOVAN:

Thank you, Representative.

Representative Srinivasan, you have the floor,

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sir.

REP. SRINIVASAN (31st):

Through you, Mr. Speaker.

I share the concern that this could have been discussed extensively in the Finance Committee and before it came up here. I know this has been brought up before and I share that concern.

I would also request, through you, Mr. Speaker, if we know, are these only going to be for the state highways? Are we going to be -- this money, will it help resurface some of the towns and municipalities as well? And if it is the state highways alone, do we know has it already been earmarked as to which part of the state? Or has that not yet been done, given the relatively small amount of this budget?

Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative.

Representative Ayala.

REP. AYALA (128th):

Thank you, Mr. Speaker.

Through you, the information is not contained within the packet that I have. So at this point I don't know if it's just for state highways or towns and

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municipalities.

SPEAKER DONOVAN:

Representative Srinivasan.

REP. SRINIVASAN (31st):

Through you, Mr. Speaker, I would also like to know if we already know which of the state highways, through you, Mr. Speaker, have already been designated that the resurfacing will occur.

SPEAKER DONOVAN:

Representative Ayala.

REP. AYALA (128th):

According to the bill, on line 15 through 18 it reads, any proceeds of the bond shall be used by the Department of Transportation for the Bureau of Engineering and Highway Operations for capital resurfacing and related reconstruction projects. That's the information I have according to the bill.

SPEAKER DONOVAN:

Representative Srinivasan.

REP. SRINIVASAN (31st):

Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative.

Would you care to remark further on the bill?

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Would you care to remark further on the bill? If not, staff and guests 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 voting by roll call. Members to the Chamber, please.

SPEAKER DONOVAN:

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

THE CLERK:

Senate Bill Number 1194 in concurrence with the Senate.

Total Number voting	143
Necessary for adoption	72
Those voting Yea	121
Those voting Nay	22
Those absent and not voting	7

SPEAKER DONOVAN:

The bill passes.

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Representative Sharkey.

REP. SHARKEY (88th):

Mr. Speaker, I would go for suspension of our
rules for immediate transmittal of the previous item
to the Governor.

SPEAKER DONOVAN:

The motion is for suspension of the rules for immediate transmittal to the Governor. Is there any objection? Any objection? Hearing none, the bill is immediately transmitted to the Governor.

Will the Clerk please call Calendar Number 40.

THE CLERK:

On page 6, Calendar 40, House Bill Number 6096,
AN ACT PRESERVING GOOD CAUSE FOR LATE FILING OF CERTAIN
UNEMPLOYMENT COMPENSATION APPEALS, favorable report of
the Committee on Labor and Public Employees.

SPEAKER DONOVAN:

The Chair of the Labor Committee, Representative Zalaski, you have the floor, sir.

REP. ZALASKI (81st):

Thank you, Mr. Speaker.

I move for acceptance of the joint committee's favorable report and passage of the bill.

SPEAKER DONOVAN:

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Transcript.

THE CHAIR:

Hearing no objection, hearing no objection so ordered.

SENATOR LOONEY:

Thank you, Madam President.

Having adopted Senate Agenda Number 2, would move that we mark as go to take out the first item on Senate Agenda Number 2, Emergency Certified Senate Bill 1194.

And we will --

A VOICE: (Inaudible).

SENATOR LOONEY:

We'll mark additional calendar items after that, Madam President. Thank you.

THE CHAIR:

Thank you.

Mr. Clerk.

THE CLERK:

Madam President, the Clerk is -- Clerk is in possession of Emergency Certified Bill 1194, AN ACT CONCERNING THE AUTHORIZATION OF BONDS OF THE STATE FOR CAPITAL RESURFACING AND RELATED RECONSTRUCTION PROJECTS.

THE CHAIR:

Senator Fonfara, good morning -- afternoon.

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SENATOR FONFARA:

Good afternoon, Madam President. It's great to see you up there.

THE CHAIR:

Thank you, sir.

SENATOR FONFARA:

And Madam President I move for passage of Emergency Certified Bill 1194.

THE CHAIR:

Acting in concurrence and approval of the bill, will you remark further?

SENATOR FONFARA:

I will, Madam President.

Madam President, this is an action that we take every two years and in fact this year will be the last time if all goes well in the Governor's budget in that he is proposing a three year bonding road resurfacing program that will allow us to not have to go through this process but we're here this year and what this initiative will do is it authorizes \$68.9 million in special tax obligation bonds and will allow for leveraging of another \$8.1 million in federal highway funding to begin highway resurfacing as early as possible in this -- in this paving season.

And it will allow for some 200 lane miles to be

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resurfaced and begin work as soon as possible and I urge passage. I would yield to my colleague Senator LeBeau at this time.

THE CHAIR:

Senator LeBeau.

SENATOR LEBEAU:

Thank you, Madam President.

The -- I'd also like to speak in favor of -- of this bill -- this emergency certified bill and this truly an emergency in the sense that we want to get this done quickly.

We've seen this bill in the -- in the Finance Committee so it has been through the committee process but we want to -- or the substance of this bill and it's important that we move this as the vice-chair of the Finance Committee pointed out to get our -- to get this being done as soon as possible.

One other additional item that I -- I would add to this is that this is going to employ -- it's projected that this will employ over 1,050 people that we'll put to work in the State of Connecticut in doing this road resurfacing and certainly at this time that is a laudable goal.

Thank you, Madam, President.

THE CHAIR:

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Thank you, Senator.

Will you remark further?

Senator Prague.

SENATOR PRAGUE:

Thank you, Madam President.

Madam President, just for the record, this is a huge opportunity to put people to work. I am hoping that the Department of Transportation, when they issue the contracts to do this road paving, that they look favorably upon Connecticut contractors and hopefully our Connecticut paving contractors will be able to get the contracts so that Connecticut workers will have jobs.

Thank you.

THE CHAIR:

Thank you, Senator.

Will you remark?

Senator Roraback.

SENATOR RORABACK:

Thank you, Madam Chair.

Anyone who came here by car today can appreciate that it can't soon enough that we put our paving contractors to work. It's been a rough winter, Madam President, and the -- the authorization of these bonds will certainly enable our fillings to remain in our mouths we hope going

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forward.

Thank you, Madam President.

THE CHAIR:

Thank you. It will help the Health Care bill also.

Thank you very much.

Will you remark any further? Will you remark any further?

Okay then if not would the Clerk please announce a roll call and the machines will be open.

THE CLERK:

An immediate roll call vote has been ordered in the Senate. Will all Senators please return to the Chamber. An immediate roll call vote has been ordered in the Senate. Will all Senators please return to the Chamber.

THE CHAIR:

Have all members voted -- not yet okay we'll wait -- okay -- will Mr. Clerk -- the vote will be closed. Mr. Clerk will you please announce the tally.

THE CLERK:

Madam President.

Total Number Voting	32
Necessary for Adoption	17
Those voting Yea	32
Those voting Nay	0

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Those absent and not voting 4

THE CHAIR:

Thank you. The bill passed.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, I move for immediate transmittal to the House of Representatives of Emergency Certified Bill Number 1194.

THE CHAIR:

The motion is for immediate transmittal, seeing no objection, so ordered.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Have some additional items to mark as go on the calendar. Beginning on calendar page 1, Madam President, under Executive and Legislative Nominations, first item Calendar Number 37, Senate Joint Resolution Number 29 is marked go. Calendar Number 62, Senate Joint Resolution Number 30 marked go. Moving to calendar page 2, Calendar 63, Senate Joint Resolution Number 31, marked go and Calendar 67, Senate Resolution Number 19 marked go.

And Mister -- Madam President would like if the Clerk