

Appropriations Committee JOINT FAVORABLE REPORT

Bill No.: SB-106

AN ACT CONCERNING LEGISLATIVE OVERSIGHT AND APPROVAL FOR
THE EXPENDITURE OF FEDERAL TRANSPORTATION INFRASTRUCTURE

Title: FUNDING.

Vote Date: 3/29/2022

Vote Action: Joint Favorable Substitute

PH Date: 3/3/2022

File No.:

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SPONSORS OF BILL:

Appropriations Committee

REASONS FOR BILL:

The reason for the bill is to give the legislature a more integrated, formalized and robust role in the allocation and oversight of Federal Transportation Infrastructure Funding.

SUBSTITUTE LANGUAGE:

LCO No. 4094 – The substitute language creates and proscribes the Connecticut Infrastructure Strategy Board to act on behalf of the legislature and directs the creation of a public information webpage on the Department of Transportation website detailing capital improvement projects.

RESPONSE FROM ADMINISTRATION/AGENCY:

[Commissioner Katie S. Dykes, Department of Energy and Environmental Protection](#), opposed the bill. She highlighted the way the funds are received for the CT Clean Water Revolving Fund that is administered by DEEP, outlining the established process of public comment and compliance with federal regulations. She felt that adding an additional layer of legislative oversight would slow the process set out by the federal government and impact the efficient use of the funding.

[Commissioner Manisha Juthani, Department of Public Health](#), opposed the bill. She said that the additional funding would go to ongoing programs dealing with safe drinking water. She said that the federal process for receiving the funds already had robust required

reporting and public engagement procedures. She was concerned that requiring the legislature's involvement would be an administrative challenge and would challenge the federal deadlines for receiving funds.

[Commissioner Joseph Giulietti, Department of Transportation](#), opposed the bill. He outlined how federal transportation infrastructure funding is administered differently than other sorts of block grants. It is a form of reimbursement for money spent on multiyear, federally approved projects that are part of a federal and state transportation planning process. He said the duplicative transparency and accountability components would add to costs and unnecessary delays for transportation construction projects and endanger successful bidding for grants. He included a [diagram](#) of the existing process

[Acting Secretary, Jeffrey Beckham, Office of Policy and Management](#), opposed the bill. He questioned the constitutionality of the bill with a Committee vote taking the place of the full legislature and executive signing necessary to enact. He also sited that the increased funding would be going to already authorized, existing, well regulated programs and projects. He said that a small portion of the funding would be available for competitive grants that do not lend themselves to legislative approval. He committed to continue an accountable and transparent process and to maintain communication with the Committees of cognizance but that the process outlined in the bill was unworkable.

[Commissioner Mark Boughton, Senior Advisor to the Governor for Infrastructure](#), opposed the bill. He said that the proposed process created a significant risk of the state missing opportunities for competitive grants and handicap existing programs. He expressed ongoing support for community input and providing transparency.

NATURE AND SOURCES OF SUPPORT:

[Christopher Fryxell, President of the Associated Builders and Contractors of Connecticut](#) shared the concerns of adding another layer of bureaucracy but said that additional oversight was needed. He emphasized the need for oversight of Project Labor Agreements to bring down costs.

[Rep. Vincent Candelora, Connecticut House of Representatives](#), addressed the need for more oversight of the allocation process and recommended the reconstituting of the Transportation Strategy Board be added to the bill to provide durational employee oversight.

[Joe Sculley, President of the Motor Transport Association of Connecticut](#), supported the legislature being able to direct the funds to needed transportation projects, siting key interstate highway examples in the state.

[Sen. Kevin Kelly, Senate Republican Leader](#) commended the bill for increasing transparency and accountability. He spoke in favor of the legislature having an oversight role of the executive branch for the sake of accountability and to improve public access.

[Travis Woodward, President of CSEA SEIU Local 2001](#) and [Stacey Zimmerman, SEIU State Council](#) spoke to the DOT being understaffed at a critical time. They spoke in favor of in-house staff instead of outsourcing to save money. They advocated for fully funding the State Contracting Standards Board to increase oversight.

NATURE AND SOURCES OF OPPOSITION:

[The American Council of Engineering Companies of Connecticut](#) said the CTDOT's long term plan for continuous investment was based on a transparent planning process and well thought out, it should not be changed.

[Keith Brothers, President of the Connecticut State Building Trades](#) said he appreciated the intent of the legislation for transparency and oversight but that bureaucratic layers would delay the implementation of the projects.

[Don Shubert, President of the Connecticut Construction Industries Association](#) highlighted the complexity of bringing a infrastructure project to fruition. He opposed allocation modifications that could extend projects beyond their funding deadlines. He supported the Office of Policy and Management taking a more active roll in reporting on these projects to the legislature.

[Ashley Zane, Connecticut Business and Industry Association](#), while being a strong supporter of oversight was concerned that adding additional steps in what is already a very complicated process could result in CTDOT defaulting on the Stewardship and Oversight Agreement endangering millions of dollars in federal funding.

[David Godbout](#) objected to the bill based on constitutional concerns about the legislative process.

Reported by: Elizabeth Gillette

Date: April 3, 2022