



General Assembly

Bill No. 1057

January Session, 2005

LCO No. 3483

* SB01057TRA__032805__ *

Referred to Committee on Transportation

Introduced by:

SEN. DELUCA, 32nd Dist.

REP. WARD, 86th Dist.

**AN ACT CONCERNING THE GOVERNOR'S TRANSPORTATION
IMPROVEMENT PROGRAM, THE TRANSPORTATION FUND, TAX ON
FUEL AND THE AUTHORIZATION OF SPECIAL TAX OBLIGATION
BONDS OF THE STATE FOR TRANSPORTATION PURPOSES.**

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2005*) As used in this section and
2 sections 2, 15 to 19, inclusive, sections 13b-57q and 13b-57r of the
3 general statutes, as amended by this act, sections 26 to 28, inclusive,
4 subsection (b) of section 13b-74 of the general statutes, as amended by
5 this act, and section 13b-57m of the general statutes, as amended by
6 this act:

7 (1) "New Haven Line" means the rail passenger service operated
8 between New Haven and intermediate points and Grand Central
9 station, including the Danbury, Waterbury and New Canaan branch
10 lines.

11 (2) "New Haven Line Revitalization account" means the account
12 established by subsection (b) of section 15 of this act.

13 (3) "New Haven Line Revitalization program" means the design,
14 development, construction and acquisition of maintenance facilities,
15 rail cars and related equipment for use on the New Haven Line, as
16 specified in subdivisions (1) and (2) of section 2 of this act. Projects
17 undertaken as part of said program are not a "TSB project" for the
18 purposes of section 13b-57i of the general statutes.

19 (4) "Transportation Strategy Board projects account" means the
20 account created by subsection (a) of section 13b-57r of the general
21 statutes, as amended this act.

22 Sec. 2. (NEW) (*Effective July 1, 2005*) The Commissioner of
23 Transportation shall:

24 (1) Acquire not less than three hundred forty-two self-propelled rail
25 cars for use on the New Haven Line;

26 (2) Design and construct rail maintenance facilities to support the
27 self-propelled rail cars;

28 (3) Design and construct operational improvements to Interstate 95
29 between Greenwich and North Stonington;

30 (4) Purchase twenty-five transit buses; and

31 (5) Evaluate, design and construct improvements to highways other
32 than Interstate 95.

33 Sec. 3. (NEW) (*Effective July 1, 2005*) The State Bond Commission
34 shall have power, in accordance with the provisions of sections 3 to 8,
35 inclusive, of this act, to authorize the issuance of special tax obligation
36 bonds of the state in one or more series and in principal amounts in the
37 aggregate, not exceeding \$485,650,000, provided: (1) \$26,450,000 shall
38 be effective July 1, 2005, (2) \$32,800,000 shall be effective July 1, 2006,
39 (3) \$49,400,000 shall be effective July 1, 2007, (4) \$55,000,000 shall be
40 effective July 1, 2008, (5) \$55,000,000 shall be effective July 1, 2009, (6)
41 \$54,000,000 shall be effective July 1, 2010, (7) \$54,000,000 shall be

42 effective July 1, 2011, (8) \$54,000,000 shall be effective July 1, 2012, (9)
43 \$54,000,000 shall be effective July 1, 2013, and (10) \$51,000,000 shall be
44 effective July 1, 2014.

45 Sec. 4. (NEW) (*Effective July 1, 2005*) The proceeds of the sale of such
46 bonds, to the extent hereinafter stated, shall be used for the purpose of
47 payment of the transportation costs, as defined in subdivision (6) of
48 section 13b-75 of the general statutes, with respect to the projects and
49 uses hereinafter described, which projects and uses are hereby found
50 and determined to be in furtherance of one or more of the authorized
51 purposes for the issuance of special tax obligation bonds set forth in
52 section 13b-74 of the general statutes, as amended by this act. Any
53 proceeds from the sale of the bonds may be used by the Department of
54 Transportation for the Bureau of Public Transportation for rail rolling
55 stock and maintenance facilities, including rights-of-way, other
56 property acquisition and related projects, not exceeding \$485,650,000.

57 Sec. 5. (NEW) (*Effective July 1, 2005*) None of the bonds issued
58 pursuant to sections 3 to 8, inclusive, of this act shall be authorized
59 except upon a finding by the State Bond Commission that there has
60 been filed with it (1) a request for such authorization, which is signed
61 by the Secretary of the Office of Policy and Management or by or on
62 behalf of such state officer, department or agency and stating such
63 terms and conditions as the commission, in its discretion, may require,
64 and (2) any capital development impact statement and any human
65 services facility colocation statement required to be filed with the
66 Secretary of the Office of Policy and Management pursuant to section
67 4-26b of the general statutes, any advisory report regarding the state
68 conservation and development policies plan required pursuant to
69 section 16a-31 of the general statutes, and any statement regarding
70 farmland required pursuant to subsection (g) of section 3-20 of the
71 general statutes and section 22-6 of the general statutes, provided the
72 State Bond Commission may authorize the bonds without a finding
73 that the reports and statements required by subdivision (2) of this
74 section have been filed with it if the commission authorizes the

75 secretary of the commission to accept the reports and statements on its
76 behalf. No funds derived from the sale of bonds authorized by the
77 commission without a finding that the reports and statements required
78 by subdivision (2) of this section have been filed with it shall be
79 allotted by the Governor for any project until the reports and
80 statements required by subdivision (2) of this section, with respect to
81 such project, have been filed with the secretary of the commission.

82 Sec. 6. (NEW) (*Effective July 1, 2005*) For the purposes of sections 3 to
83 8, inclusive, of this act, each request filed as provided in section 5 of
84 this act, for an authorization of bonds shall identify the project for
85 which the proceeds of the sale of the bonds are to be used and
86 expended and, in addition to any terms and conditions required
87 pursuant to section 5 of this act, include the recommendation of the
88 person signing the request as to the extent to which federal, private or
89 other moneys then available or thereafter to be made available for
90 costs in connection with any such project should be added to the state
91 moneys available or becoming available from the proceeds of bonds
92 and temporary notes issued in anticipation of the receipt of the
93 proceeds of bonds. If the request includes a recommendation that some
94 amount of the federal, private or other moneys should be added to the
95 state moneys, then, if and to the extent directed by the State Bond
96 Commission at the time of authorization of the bonds, the amount of
97 the federal, private or other moneys then available or thereafter to be
98 made available for costs in connection with the project shall be added
99 to the state moneys.

100 Sec. 7. (NEW) (*Effective July 1, 2005*) Any balance of proceeds of the
101 sale of the bonds authorized for the projects or purposes of section 4 of
102 this act, in excess of the aggregate costs of all the projects so authorized
103 shall be used in the manner set forth in sections 13b-74 to 13b-77,
104 inclusive, of the general statutes, as amended by this act, and in the
105 proceedings of the State Bond Commission respecting the issuance and
106 sale of the bonds.

107 Sec. 8. (NEW) (*Effective July 1, 2005*) The bonds issued pursuant to
108 sections 3 to 8, inclusive, of this act, shall be special obligations of the
109 state and shall not be payable from nor charged upon any funds other
110 than revenues of the state pledged therefor in subsection (b) of section
111 13b-61 of the general statutes and section 13b-69 of the general statutes,
112 or such other receipts, funds or moneys as may be pledged therefor.
113 The bonds shall neither be payable from nor charged upon any funds
114 other than the pledged revenues or such other receipts, funds or
115 moneys as may be pledged therefor. The state or any political
116 subdivision of the state shall not be subject to any liability on the
117 bonds, except to the extent of the pledged revenues or such other
118 receipts, funds or moneys as may be pledged therefor. The bonds shall
119 be issued under and in accordance with the provisions of sections 13b-
120 74 to 13b-77, inclusive, of the general statutes, as amended by this act.

121 Sec. 9. (NEW) (*Effective July 1, 2005*) The State Bond Commission
122 shall have power, in accordance with the provisions of sections 9 to 14,
123 inclusive, of this act, to authorize the issuance of special tax obligation
124 bonds of the state in one or more series and in principal amounts in the
125 aggregate, not exceeding \$344,500,000, provided that: (1) \$26,500,000
126 shall be effective July 1, 2005, (2) \$48,000,000 shall be effective July 1,
127 2006, (3) \$70,000,000 shall be effective July 1, 2007, (4) \$100,000,000
128 shall be effective July 1, 2008, and (5) \$100,000,000 shall be effective
129 July 1, 2009. Each such authorization shall include the amount
130 authorized and the project or projects for which the proceeds of the
131 bonds will be used.

132 Sec. 10. (NEW) (*Effective July 1, 2005*) The proceeds of the sale of the
133 bonds to the extent hereinafter stated shall be used for the purpose of
134 payment of the transportation costs, as defined in subdivision (6) of
135 section 13b-75 of the general statutes, with respect to the projects and
136 uses hereinafter described, which projects and uses are hereby found
137 and determined to be in furtherance of one or more of the authorized
138 purposes for the issuance of special tax obligation bonds set forth in
139 section 13b-74 of the general statutes, as amended by this act:

140 (1) For the Bureau of Engineering and Highway Operations:

141 (A) Operational improvements to Interstate 95 between Greenwich
142 and North Stonington, \$187,000,000.

143 (B) Interstate and intrastate highway projects on roads other than
144 Interstate 95, \$150,000,000.

145 (2) For the Bureau of Public Transportation: Bus rolling stock, not
146 exceeding \$7,500,000.

147 Sec. 11. (NEW) (*Effective July 1, 2005*) None of the bonds issued
148 pursuant to sections 9 to 14, inclusive, of this act, shall be authorized
149 except on a finding by the State Bond Commission that there has been
150 filed with it (1) a request for such authorization, which is signed by the
151 Secretary of the Office of Policy and Management or by or on behalf of
152 such state officer, department or agency and stating such terms and
153 conditions as said commission, in its discretion, may require, and (2)
154 any capital development impact statement and any human services
155 facility colocation statement required to be filed with the Secretary of
156 the Office of Policy and Management pursuant to section 4-26b of the
157 general statutes, any advisory report regarding the state conservation
158 and development policies plan required pursuant to section 16a-31 of
159 the general statutes, and any statement regarding farmland required
160 pursuant to subsection (g) of section 3-20 of the general statutes and
161 section 22-6 of the general statutes, provided the State Bond
162 Commission may authorize the bonds without a finding that the
163 reports and statements required by subdivision (2) of this section have
164 been filed with it if the commission authorizes the secretary of the
165 commission to accept the reports and statements on its behalf. No
166 funds derived from the sale of bonds authorized by the commission
167 without a finding that the reports and statements required by
168 subdivision (2) of this section have been filed with it shall be allotted
169 by the Governor for any project until the reports and statements
170 required by subdivision (2) of this section, with respect to the project,
171 have been filed with the secretary of the commission.

172 Sec. 12. (NEW) (*Effective July 1, 2005*) For the purposes of sections 9
173 to 14, inclusive, of this act, each request filed as provided in section 11
174 of this act, for an authorization of bonds shall identify the project for
175 which the proceeds of the sale of the bonds are to be used and
176 expended and, in addition to any terms and conditions required
177 pursuant to section 11 of this act, include the recommendation of the
178 person signing the request as to the extent to which federal, private or
179 other moneys then available or thereafter to be made available for
180 costs in connection with any such project should be added to the state
181 moneys available or becoming available from the proceeds of bonds
182 and temporary notes issued in anticipation of the receipt of the
183 proceeds of bonds. If the request includes a recommendation that some
184 amount of the federal, private or other moneys should be added to the
185 state moneys, then, if and to the extent directed by the State Bond
186 Commission at the time of authorization of the bonds, the amount of
187 the federal, private or other moneys then available or thereafter to be
188 made available for costs in connection with the project shall be added
189 to the state moneys.

190 Sec. 13. (NEW) (*Effective July 1, 2005*) Any balance of proceeds of the
191 sale of the bonds authorized for the projects or purposes of section 10
192 of this act, in excess of the aggregate costs of all the projects so
193 authorized shall be used in the manner set forth in sections 13b-74 to
194 13b-77, inclusive, of the general statutes, as amended by this act, and in
195 the proceedings of the State Bond Commission respecting the issuance
196 and sale of the bonds.

197 Sec. 14. (NEW) (*Effective July 1, 2005*) The bonds issued pursuant to
198 sections 9 to 14, inclusive, of this act, shall be special obligations of the
199 state and shall neither be payable from nor charged upon any funds
200 other than revenues of the state pledged therefor in subsection (b) of
201 section 13b-61 of the general statutes and section 13b-69 of the general
202 statutes, or such other receipts, funds or moneys as may be pledged
203 therefor. The bonds shall neither be payable from nor charged upon
204 any funds other than the pledged revenues or such other receipts,

205 funds or moneys as may be pledged therefor. The state or any political
206 subdivision of the state shall not be subject to any liability thereon,
207 except to the extent of the pledged revenues or such other receipts,
208 funds or moneys as may be pledged therefor. The bonds shall be
209 issued under and in accordance with the provisions of sections 13b-74
210 to 13b-77, inclusive, of the general statutes, as amended by this act.

211 Sec. 15. (NEW) (*Effective January 1, 2008*) (a) On and after January 1,
212 2008, and terminating on July 1, 2015, a surcharge of one dollar per trip
213 on the New Haven Line and its branches is imposed on each ticket for
214 travel, either originating or terminating in the state. The Commissioner
215 of Transportation shall, by regulations adopted in accordance with
216 chapter 54 of the general statutes, determine the method by which the
217 surcharge shall be applied to weekly and monthly commutation
218 tickets.

219 (b) There is hereby created a restricted capital project account to be
220 known as the New Haven Line Revitalization account. The following
221 funds shall be deposited into the account: (1) The proceeds of the
222 surcharge imposed by subsection (a) of this section, and (2) any other
223 funds required by law to be deposited in the account. Funds in the
224 account shall be used solely for capital costs incurred as part of the
225 New Haven Line Revitalization program undertaken pursuant to this
226 act.

227 (c) The Secretary of the Office of Policy and Management shall, in
228 consultation with the Commissioner of Transportation, annually
229 prepare a budget detailing how funds in the New Haven Line
230 Revitalization account shall be spent during the next fiscal year. On the
231 approval of such budget by the Governor, the Commissioner of
232 Transportation may expend funds for the purposes stated therein.

233 (d) On termination of the surcharge, any funds remaining in the
234 restricted account after the payment of authorized capital costs may be
235 used by the Treasurer to, at such time as the Treasurer considers
236 appropriate, defease bonds issued pursuant to sections 1, 15 to 18,

237 inclusive, and 26 of this act.

238 Sec. 16. (NEW) (*Effective from passage*) During the fiscal year ending
239 June 30, 2005, the annual financing plan adopted pursuant to section
240 13b-57q of the general statutes, as amended by this act, shall include
241 the sum of five million dollars to be expended from the Transportation
242 Strategy Board projects account to support the New Haven Line
243 Revitalization program undertaken pursuant to sections 1, 15 to 18,
244 inclusive, and 26 of this act. The funds shall remain available until
245 expended.

246 Sec. 17. (NEW) (*Effective July 1, 2005*) During the fiscal year ending
247 June 30, 2006, the sum of twenty million dollars shall be expended
248 from the Transportation Strategy Board projects account to support the
249 New Haven Line Revitalization program undertaken pursuant to this
250 act. The funding shall be included in the annual financing plan
251 adopted pursuant to section 13b-57q of the general statutes, as
252 amended by this act. The funds shall remain available until expended.

253 Sec. 18. (NEW) (*Effective July 1, 2006*) During the fiscal years ending
254 June 30, 2007, to June 30, 2015, inclusive, the sum of fifteen million
255 dollars shall be expended from the Transportation Strategy Board
256 projects account to support the New Haven Line Revitalization
257 program undertaken pursuant to this act. The funding shall be
258 included in the annual financing plan adopted pursuant to section 13b-
259 57q of the general statutes, as amended by this act. The funds shall
260 remain available until expended.

261 Sec. 19. (NEW) (*Effective July 1, 2005*) On and after July 1, 2015, in
262 each fiscal year the sum of fifteen million dollars shall be expended
263 from the Transportation Strategy Board projects account to pay debt
264 service on special tax obligation bonds issued pursuant to sections 1 to
265 8, inclusive of this act. The funding shall be included in the annual
266 financing plan adopted pursuant to section 13b-57q of the general
267 statutes, as amended by this act. The funds shall remain available until
268 expended.

269 Sec. 20. Section 13b-57q of the general statutes is repealed and the
270 following is substituted in lieu thereof (*Effective July 1, 2005*):

271 (a) On or before [December 1, 2003, and] August first of each year,
272 [thereafter,] the Department of Transportation, in consultation with the
273 Secretary of the Office of Policy and Management, the State Treasurer
274 and the Transportation Strategy Board, shall prepare a financing plan
275 for the annual funding and financing of the projects and purposes
276 described in section 13b-57h. Such annual financing plan shall be
277 based upon the [authorized funding amount establishing the
278 maximum aggregate use of cash from the incremental revenues and
279 use of special tax obligation bond proceeds to fund some or all of such
280 projects and purposes] funding available or anticipated to be available
281 in the Transportation Strategy Board projects account, as well as the
282 use of any federal revenue, grants or other transportation-related
283 financial assistance which may be available in such fiscal year. [, and
284 shall otherwise meet all requirements of state statutes and applicable
285 trust indenture provisions, including any coverage requirements,
286 relating to such financing plan] The annual financing plan shall
287 include funding mandated by sections 16 to 19, inclusive, of this act.
288 Upon the approval of such annual financing plan by the Governor,
289 [incremental revenues] funding identified in the annual financing plan
290 [for cash funding] shall be paid within the fiscal year of such annual
291 financing plan into the Transportation Strategy Board projects account,
292 established under section 13b-57r, as amended by this act, of the
293 Special Transportation Fund and shall be available to fund those
294 projects and purposes identified in such annual financing plan. [for
295 cash funding. Upon the approval of the portion of the annual financing
296 plan relating to the use of bond proceeds to fund some or all of such
297 projects and purposes by the Treasurer and the Secretary of the Office
298 of Policy and Management, incremental revenues identified in the
299 annual financing plan to pay debt service and other expenditures
300 related to the issuance of special tax obligation bonds to fund such
301 projects and purposes shall be paid into the Transportation Strategy
302 Board project account, established under section 13b-57r, of the Special

303 Transportation Fund during the fiscal year covered by such financing
304 plan and shall be available to pay debt service requirements, as
305 defined in section 13b-75, in accordance with the provisions of
306 subsection (a) of section 13b-69 and the Treasurer shall proceed to
307 issue the requisite amount of special tax obligation bonds, subject to
308 any required approval of the State Bond Commission, to fund those
309 projects and purposes identified in such annual financing plan to be
310 funded by bond proceeds, and the Commissioner of Transportation
311 shall direct the expenditure of such bond proceeds. The proceeds of
312 any special tax obligation bonds issued to fund the projects and
313 purposes described in section 13b-57h as those projects and purposes
314 may be modified, less costs of issuance and the funding of required
315 reserves, shall be deposited in a subaccount of the Infrastructure
316 Improvement Fund created by the senior indenture for special tax
317 obligation bonds and shall be available to fund those projects and
318 purposes identified in such annual financing plan to be funded by the
319 issuance of special tax obligation bonds. Any such projects or purposes
320 so financed are hereby found and determined to be in furtherance of
321 one or more of the authorized purposes for the issuance of special tax
322 obligation bonds set forth in subdivision (6) of subsection (b) of section
323 13b-74. Said special tax obligation bonds are hereby authorized to be
324 issued in an amount up to the authorized funding amount with respect
325 to each fiscal year for the projects and purposes set forth in section 13b-
326 57h and shall be special obligations of the state and shall not be
327 payable from nor charged upon any funds other than revenues of the
328 state pledged therefor in subsection (b) of section 13b-61 and section
329 13b-69, or such other receipts, funds or moneys as may be pledged
330 therefor. Said bonds shall not be payable from nor charged upon any
331 funds other than such pledged revenues or such other receipts, funds
332 or moneys as may be pledged therefor, nor shall the state or any
333 political subdivision thereof be subject to any liability thereon, except
334 to the extent of such pledged revenues or such other receipts, funds or
335 moneys as may be pledged therefor. Said bonds shall be issued under
336 and in accordance with the provisions of sections 13b-74 to 13b-77,

337 inclusive, and sections 13b-57m to 13b-57q, inclusive.]

338 (b) In addition to the preparation of the annual financing plans, the
339 Department of Transportation shall prepare a five-year financing plan
340 that shall project for a period of five years the [incremental revenues]
341 funds to be credited to the Transportation Strategy Board projects
342 account, established under section 13b-57r, as amended by this act, of
343 the Special Transportation Fund, [the expenditures anticipated under
344 section 13b-57o,] the anticipated use of cash funding, [bond proceeds]
345 including funding mandated by sections 16 to 19, inclusive, of this act,
346 and federal revenue, grants or other transportation related financial
347 assistance to fund or finance the projects and purposes described in
348 section 13b-57h. Such five-year financing plan shall be updated on or
349 before August first of each year at the same time as the preparation of
350 the annual financing plan and shall be provided by the Commissioner
351 of Transportation to the Transportation Strategy Board, the State
352 Treasurer, the Secretary of the Office of Policy and Management and
353 the joint standing committees of the General Assembly having
354 cognizance of matters relating to transportation and finance, revenue
355 and bonding.

356 Sec. 21. Section 13b-57r of the general statutes is repealed and the
357 following is substituted in lieu thereof (*Effective July 1, 2005*):

358 (a) There shall be a Transportation Strategy Board projects account,
359 which shall be a nonlapsing account within the Special Transportation
360 Fund.

361 (b) For the fiscal year ending June 30, 2004, five million dollars of
362 the moneys received or collected by the state or any officer thereof on
363 account of, or derived from, the incremental revenues received
364 pursuant to section 14-50a shall be deposited into the account
365 established under subsection (a) of this section and shall be used to
366 provide funding for the projects and purposes of the Transportation
367 Strategy Board.

368 [(c) On and after July 1, 2004, all moneys received or collected by the
369 state or any officer thereof on account of, or derived from, one-half of
370 the incremental revenues received pursuant to section 14-50a shall be
371 deposited]

372 (c) For the fiscal year ending June 30, 2006, the Treasurer shall
373 deposit the sum of twenty million three hundred thousand dollars
374 from the resources of the Special Transportation Fund into the account
375 established under subsection (a) of this section and shall be used to
376 provide funding for the projects and purposes of the Transportation
377 Strategy Board. For the fiscal year ending June 30, 2007, and each fiscal
378 year thereafter, the Treasurer shall annually deposit the sum of fifteen
379 million three hundred thousand dollars from the resources of the
380 Special Transportation Fund into the account established under
381 subsection (a) of this section and shall be used to provide funding for
382 the projects and purposes of the Transportation Strategy Board.

383 Sec. 22. Subdivision (2) of subsection (a) of section 12-458 of the
384 general statutes is repealed and the following is substituted in lieu
385 thereof (*Effective from passage*):

386 (2) On said date and coincident with the filing of such return each
387 distributor shall pay to the commissioner for the account of the
388 purchaser or consumer a tax (A) on each gallon of such fuels sold or
389 used in this state during the preceding calendar month of twenty-six
390 cents on and after January 1, 1992, twenty-eight cents on and after
391 January 1, 1993, twenty-nine cents on and after July 1, 1993, thirty cents
392 on and after January 1, 1994, thirty-one cents on and after July 1, 1994,
393 thirty-two cents on and after January 1, 1995, thirty-three cents on and
394 after July 1, 1995, thirty-four cents on and after October 1, 1995, thirty-
395 five cents on and after January 1, 1996, thirty-six cents on and after
396 April 1, 1996, thirty-seven cents on and after July 1, 1996, thirty-eight
397 cents on and after October 1, 1996, thirty-nine cents on and after
398 January 1, 1997, thirty-six cents on and after July 1, 1997, thirty-two
399 cents on and after July 1, 1998, and twenty-five cents on and after July

400 1, 2000; twenty-six cents on and after July 1, 2005; twenty-seven cents
401 on and after July 1, 2006; twenty-nine cents on and after July 1, 2007;
402 thirty cents on and after July 1, 2008; thirty-one cents on and after July
403 1, 2013; and thirty cents on and after July 1, 2016; and (B) [in lieu of
404 said taxes, each distributor shall pay a tax on each gallon of gasohol, as
405 defined in section 14-1, sold or used in this state during such preceding
406 calendar month, of twenty-five cents on and after January 1, 1992,
407 twenty-seven cents on and after January 1, 1993, twenty-eight cents on
408 and after July 1, 1993, twenty-nine cents on and after January 1, 1994,
409 thirty cents on and after July 1, 1994, thirty-one cents on and after
410 January 1, 1995, thirty-two cents on and after July 1, 1995, thirty-three
411 cents on and after October 1, 1995, thirty-four cents on and after
412 January 1, 1996, thirty-five cents on and after April 1, 1996, thirty-six
413 cents on and after July 1, 1996, thirty-seven cents on and after October
414 1, 1996, thirty-eight cents on and after January 1, 1997, thirty-five cents
415 on and after July 1, 1997, thirty-one cents on and after July 1, 1998, and
416 twenty-four cents on and after July 1, 2000, and twenty-five cents on
417 and after July 1, 2004; and (C)] in lieu of such rate, on each gallon of
418 diesel fuel, propane or natural gas sold or used in this state during
419 such preceding calendar month, of eighteen cents on and after
420 September 1, 1991, and twenty-six cents on and after August 1, 2002.

421 Sec. 23. Section 12-458d of the general statutes is repealed and the
422 following is substituted in lieu thereof (*Effective from passage*):

423 (a) An excise tax per gallon of fuel, as defined in subsection (b) of
424 section 12-455a, is hereby imposed [in the following amounts on the
425 following dates, upon all persons] on each person licensed to sell fuel
426 under the provisions of section 14-319: [Two cents per gallon on
427 December 31, 1992, one cent per gallon on June 30, 1993, one cent per
428 gallon on December 31, 1993, one cent per gallon on June 30, 1994, one
429 cent per gallon on December 31, 1994, one cent per gallon on June 30,
430 1995, one cent per gallon on September 30, 1995, one cent per gallon on
431 December 31, 1995, one cent per gallon on March 31, 1996, one cent per
432 gallon on June 30, 1996, one cent per gallon on September 30, 1996, and

433 one cent per gallon on December 31, 1996, provided no excise tax shall
434 be imposed on diesel fuel on and after August 31, 1991] One cent a
435 gallon on June 30, 2005, one cent a gallon on June 30, 2006, two cents a
436 gallon on June 30, 2007, one cent a gallon on June 30, 2008, and one
437 cent a gallon on June 30, 2013. The provisions of this section shall not
438 apply to diesel fuel.

439 (b) Each such licensee shall, not later than the [first business]
440 fifteenth day of the second month next following the date on which
441 such tax is imposed, file with the Commissioner of Revenue Services,
442 on forms prescribed by said commissioner, a report which shall show
443 the number of gallons of fuel in inventory as of the close of business on
444 the date on which such tax is imposed, or [at midnight of] if the
445 business closes after eleven fifty-nine p.m. on such date, at eleven fifty-
446 nine p.m. on such date. [, and at the same time shall pay such tax based
447 upon the total gallonage shown on such report.] The tax shall be due
448 and payable on the due date of the report. If any person required to file
449 a report under this section fails to file the report on or before the date
450 required, the commissioner shall make an estimate of the gallons of
451 fuel in such person's inventory as of the close of business on the date
452 on which the tax is imposed, based on any information which is in the
453 commissioner's possession or which may come into the commissioner's
454 possession. The Commissioner of [Motor Vehicles] Consumer
455 Protection shall cooperate with the Commissioner of Revenue Services
456 in the enforcement of this tax. The provisions of chapter 221
457 pertaining to failure to file returns, examination of returns by the
458 commissioner, the issuance of deficiency assessments or assessments
459 where no return has been filed, the collection of tax, the imposition of
460 penalties, and the accrual of interest shall apply to the persons
461 required to pay the tax imposed under this section as if the persons
462 were distributors licensed under chapter 221. Failure to file such report
463 and pay the tax when due shall be sufficient reason to revoke any state
464 license or permit held by [such] the person. [and interest at the rate of
465 one per cent per month or fraction thereof shall be assessed on the
466 amount of such tax not paid when due, from the date such tax

467 becomes due to the date of payment.]

468 Sec. 24. (NEW) (*Effective from passage*). The Department of
469 Transportation may solicit bids or qualifications for equipment,
470 materials or services for a project funded pursuant to this act at any
471 time in the fiscal year, notwithstanding the fact that all required funds
472 may not be available for expenditure until later in the same or a
473 succeeding fiscal year.

474 Sec. 25. (NEW) (*Effective from passage*) Notwithstanding any
475 provision of law, the Commissioner of Transportation, with the
476 approval of the Governor, may enter into agreements with the United
477 States Department of Transportation or any agency or instrumentality
478 thereof, the State of New York or any agency or instrumentality
479 thereof or the Metropolitan Transportation Authority or any
480 subsidiary thereof to carry out the purposes of this act.

481 Sec. 26. (NEW) (*Effective January 1, 2006*) Not later than September
482 first of each year the Commissioner of Transportation shall report to
483 the Governor and the joint standing committee of the General
484 Assembly having cognizance of matters relating to transportation, in
485 accordance with section 11-4a of the general statutes concerning (1) the
486 status of the New Haven Line Revitalization program authorized by
487 this act; and (2) the capital needs of the passenger rail services in the
488 state.

489 Sec. 27. (NEW) (*Effective from passage*) The unexpended balance of
490 the funds transferred to the Department of Transportation pursuant to
491 section 2 of public act 04-177 shall not lapse on June 30, 2005, and such
492 funds shall continue to be available to support the implementation of
493 the increased motorist assistance services recommended by the
494 Transportation Strategy Board during the fiscal year ending June 30,
495 2006.

496 Sec. 28. (NEW) (*Effective from passage*) The unexpended balance of
497 funds appropriated to the Department of Transportation for the

498 Transportation Strategy Board in subsection (a) of section 47 of special
499 act 01-1 of the June special session, and carried forward in subdivision
500 (2) of subsection (a) of section 47 of special act 01-1 of the June special
501 session, as amended by section 2 of special act 01-1 of the November 15
502 special session, section 16 of public act 02-1 of the May 9 special
503 session, subsection (a) of section 42 of public act 03-1 of the June 30
504 special session, section 36 of public act 03-4 of the June 30 special
505 session and section 8 of public act 04-177 shall not lapse on June 30,
506 2005, and such funds shall continue to be available during the fiscal
507 years ending June 30, 2006, and June 30, 2007, for the programs and
508 purposes of the Transportation Strategy Board.

509 Sec. 29. Subsection (b) of section 13b-74 of the general statutes is
510 repealed and the following is substituted in lieu thereof (*Effective July*
511 *1, 2005*):

512 (b) The purposes for which special tax obligation bonds may be
513 issued pursuant to sections 13b-74 to 13b-77, inclusive, as amended by
514 this act, are as follows:

515 (1) Planning, acquisition, removal, construction, equipping,
516 reconstruction, repair, rehabilitation and improvement of, and
517 acquisition of easements and rights-of-way with respect to, state
518 highways and bridges;

519 (2) Payment of the state's share of the costs of planning, acquisition,
520 removal, construction, equipping, reconstruction, repair, rehabilitation
521 and improvement of, and acquisition of easements and rights-of-way
522 with respect to, (A) state highways, (B) projects on the interstate
523 highway system, (C) alternate highway projects in the interstate
524 highway substitution program, commonly referred to as the interstate
525 trade-in program, (D) state bridges, (E) mass transportation and transit
526 facilities, (F) aeronautic facilities, excluding Bradley International
527 Airport, and (G) waterway projects;

528 (3) Payment of the state's share of the costs of planning, acquisition,

529 removal, construction, equipping, reconstruction, repair, rehabilitation
530 and improvement of, and acquisition of easements and rights-of-way
531 with respect to, the local bridge program established under sections
532 13a-175p to 13a-175u, inclusive, and payment of state contributions to
533 the Local Bridge Revolving Fund established under section 13a-175r, as
534 amended by this act;

535 (4) Planning, acquisition, removal, construction, equipping,
536 reconstruction, repair, rehabilitation and improvement of, and
537 acquisition of easements and rights-of-way with respect to, the
538 highway safety program, including the rail-highway crossing, hazard
539 elimination and other highway safety programs on the state highway
540 system; and

541 (5) Planning, acquisition, removal, construction, equipping,
542 reconstruction, repair, rehabilitation and improvement of, and
543 acquisition of easements and rights-of-way with respect to, the
544 maintenance garages and administrative facilities of the Department of
545 Transportation. [; and]

546 [(6) Planning, acquisition, removal, construction, equipping,
547 reconstruction, repair, rehabilitation and improvement of, and
548 acquisition of easements and rights-of-way with respect to, projects
549 and purposes included in section 13b-57h which have been approved
550 for financing with special tax obligation bonds or notes as provided in
551 the annual financing plan of the Transportation Strategy Board, as
552 described in section 13b-57q, as well as related financing costs,
553 including, without limitation, costs of issuance and required reserves.]

554 Sec. 30. Subsection (j) of section 13b-76 of the general statutes is
555 repealed and the following is substituted in lieu thereof (*Effective July*
556 *1, 2005*):

557 (j) The proceeds of bonds and bond anticipation notes issued
558 pursuant to sections 13b-74 to 13b-77, inclusive, as amended by this
559 act, may be used to pay only transportation costs. [; provided the

560 proceeds of bonds and bond anticipation notes whose issuance has
561 been proposed pursuant to the process set forth in section 13b-57q
562 shall be used to pay only the costs of projects described in subdivision
563 (6) of subsection (b) of section 13b-74 and related financing costs,
564 including, without limitation, costs of issuance and funding required
565 reserves and provided further nothing in this subsection shall limit the
566 issuance of refunding bonds pursuant to subsection (l) of this section.]

567 Sec. 31. Section 13b-57m of the general statutes is repealed and the
568 following is substituted in lieu thereof (*Effective July 1, 2005*):

569 The purpose of sections 13b-57m to 13b-57q, inclusive, as amended
570 by this act, and subdivision (16) of subsection (b) of section 13b-61 is to
571 promote the welfare and prosperity of the people of this state by
572 enabling the state to implement and fund certain transportation related
573 projects, purposes and strategies, [as provided in section 13b-57o,] as
574 the same may be revised by the Transportation Strategy Board
575 pursuant to [public act 03-4 of the June 30 special session*] section 13b-
576 57g, in order to: (1) Improve personal mobility within and through this
577 state; (2) improve the movement of goods and freight within and
578 through this state; (3) integrate transportation with economic, land use,
579 environmental and quality of life issues; (4) develop policies and
580 procedures that will integrate the state economy with regional,
581 national and global economies; and (5) identify policies and sources
582 that provide an adequate and reliable flow of funding necessary for a
583 quality multimodal transportation system.

584 Sec. 32. Section 13b-57i of the general statutes is repealed and the
585 following is substituted in lieu thereof (*Effective July 1, 2005*):

586 (a) The board shall coordinate preparation of a performance report
587 on the TSB projects specified in section 13b-57h that require
588 accompanying economic development plans. For the purposes of this
589 section, a project undertaken as part of the New Haven Line
590 Revitalization program defined in section 1 of this act is not a TSB
591 project.

592 (b) The board, in consultation with the Departments of
593 Transportation and Economic and Community Development and the
594 Office of Policy and Management, shall determine the format for the
595 report. The report shall include, but not be limited to, the following: (1)
596 A map delineating the boundaries of each TIA and identifying TSB
597 projects and any economic development projects described in
598 subsection (c) of section 13b-57h; (2) a description of funding for,
599 implementation status of and estimated completion date of each TSB
600 project and any economic development projects described in
601 subsection (c) of section 13b-57h; (3) an explanation of how each
602 economic development project described in subsection (c) of section
603 13b-57h meets one or more of the criteria in subdivisions (1) to (4) of
604 subsection (c) of section 13b-57h with regard to one or more TSB
605 projects; (4) a statement describing how each TSB project and each
606 economic development project described in subsection (c) of section
607 13b-57h addresses the goals and objectives of the state plan of
608 conservation and development prepared under chapter 297; (5) a
609 description of the role of municipalities and regional planning agencies
610 in planning and implementing each TSB project and each economic
611 development project described in subsection (c) of section 13b-57h; (6)
612 a description of the extent to which all of the TSB projects and
613 economic development projects described in subsection (c) of section
614 13b-57h in each TIA address the transportation problems, needs or
615 concerns of the TIA; and (7) an evaluation of how each TSB project and
616 each economic development project described in subsection (c) of
617 section 13b-57h addresses the transportation problems, needs or
618 concerns of the TIA based on statistical measures which shall be
619 developed jointly by the board and the Departments of Transportation
620 and Economic and Community Development and the Office of Policy
621 and Management.

622 (c) The report required under subsection (b) of this section shall be
623 submitted, in accordance with the provisions of section 11-4a, not later
624 than December 15, 2004, along with the report required on the same
625 date under subdivision (3) of subsection (k) of section 13b-57g, and

626 thereafter along with said report as required under subdivision (3) of
627 subsection (k) of section 13b-57g, to the joint standing committees of
628 the General Assembly having cognizance of matters relating to
629 transportation, planning and development and finance, revenue and
630 bonding. Not later than fifteen days after receipt of the December
631 fifteenth report, the joint standing committees of the General Assembly
632 having cognizance of matters relating to transportation and planning
633 and development shall review the report and submit comments and
634 recommendations to the bonding subcommittee of the joint standing
635 committee of the General Assembly having cognizance of matters
636 relating to finance, revenue and bonding. Not later than thirty days
637 after receipt of the report, the joint standing committee of the General
638 Assembly having cognizance of matters relating to finance, revenue
639 and bonding shall conduct a public hearing on the report.

640 Sec. 33. Section 13b-61 of the general statutes is repealed and the
641 following is substituted in lieu thereof (*Effective July 1, 2005*):

642 (a) On and after July 1, 1975, there shall be paid promptly to the
643 State Treasurer and thereupon, unless required to be otherwise applied
644 by the terms of any lien, pledge or obligation created by or pursuant to
645 the 1954 declaration or part III (C) of chapter 240, credited to the
646 General Fund:

647 (1) All moneys received or collected by the state or any officer
648 thereof on account of, or derived from, motor fuel taxes; provided on
649 and after July 1, 1983, one cent of the amount imposed per gallon
650 before July 1, 1984, and received or collected from any rate of such tax
651 on motor fuels shall be credited by the State Treasurer to the Special
652 Transportation Fund;

653 (2) All moneys received or collected by the state or any officer
654 thereof on account of, or derived from, motor vehicle taxes;

655 (3) All moneys received or collected by the state or any officer
656 thereof on account of, or derived from, expressway revenues;

657 (4) All moneys becoming payable, under the terms of the 1954
658 declaration and part III (C) of chapter 240, into the Highway or
659 Additional Expressway Construction Funds mentioned in said
660 declaration;

661 (5) All moneys received or collected by the state or any officer
662 thereof on account of, or derived from, highway tolls;

663 (6) All other moneys received or collected by the commissioner or
664 his department; and

665 (7) Any other receipts of the state required by law to be paid into the
666 state Highway Fund or the Transportation Fund other than proceeds
667 of bonds or other securities of the state or of federal grants under the
668 provisions of federal law.

669 (b) Notwithstanding any provision of subsection (a) of this section
670 to the contrary, there shall be paid promptly to the State Treasurer and
671 thereupon, unless required to be applied by the terms of any lien,
672 pledge or obligation created by or pursuant to the 1954 declaration,
673 part III (C) of chapter 240, credited to the Special Transportation Fund:

674 (1) On and after July 1, 1984, all moneys received or collected by the
675 state or any officer thereof on account of, or derived from, sections 12-
676 458 and 12-479, provided the State Comptroller is authorized to record
677 as revenue to the General Fund for the fiscal year ending June 30, 1984,
678 the amount of tax levied in accordance with said sections 12-458 and
679 12-479, on all fuel sold or used prior to the end of said fiscal year and
680 which tax is received no later than July 31, 1984;

681 (2) On and after July 1, 1984, all moneys received or collected by the
682 state or any officer thereof on account of, or derived from, motor
683 vehicle receipts;

684 (3) On and after July 1, 1984, all moneys received or collected by the
685 state or any officer thereof on account of, or derived from, (A)
686 subsection (a) of section 14-192, and (B) royalty payments for retail

687 sales of gasoline pursuant to section 13a-80;

688 (4) On and after July 1, 1985, all moneys received or collected by the
689 state or any officer thereof on account of, or derived from, license,
690 permit and fee revenues as defined in section 13b-59, except as
691 provided under subdivision (3) of this subsection;

692 (5) On or after July 1, 1989, all moneys received or collected by the
693 state or any officer thereof on account of, or derived from, section 13b-
694 70;

695 (6) On and after July 1, 1984, all transportation-related federal
696 revenues of the state;

697 (7) On and after July 1, 1997, all moneys received or collected by the
698 state or any officer thereof on account of, or derived from, fees for the
699 relocation of a gasoline station under section 14-320;

700 (8) On and after July 1, 1997, all moneys received or collected by the
701 state or any officer thereof on account of, or derived from, section 14-
702 319;

703 (9) On and after July 1, 1997, all moneys received or collected by the
704 state or any officer thereof on account of, or derived from, fees
705 collected pursuant to section 14-327b for motor fuel quality registration
706 of distributors;

707 (10) On and after July 1, 1997, all moneys received or collected by
708 the state or any officer thereof on account of, or derived from, annual
709 registration fees for motor fuel dispensers and weighing or measuring
710 devices pursuant to section 43-3;

711 (11) On and after July 1, 1997, all moneys received or collected by
712 the state or any officer thereof on account of, or derived from, fees for
713 the issuance of identity cards pursuant to section 1-1h;

714 (12) On and after July 1, 1997, all moneys received or collected by

715 the state or any officer thereof on account of, or derived from, safety
 716 fees pursuant to subsection (w) of section 14-49;

717 (13) On and after July 1, 1997, all moneys received or collected by
 718 the state or any officer thereof on account of, or derived from, late fees
 719 for the emissions inspection of motor vehicles pursuant to subsection
 720 (k) of section 14-164c;

721 (14) On and after July 1, 1997, all moneys received or collected by
 722 the state or any officer thereof on account of, or derived from, the sale
 723 of information by the Commissioner of Motor Vehicles pursuant to
 724 subsection (b) of section 14-50a; and

725 (15) On and after October 1, 1998, all moneys received by the state
 726 or any officer thereof on account of, or derived from, section 14-212b.];
 727 and]

728 [(16) On and after July 1, 2003, all moneys received or collected by
 729 the state or any officer thereof on account of, or derived from, the
 730 incremental revenues generated pursuant to sections 1-1h, 14-16, 14-35,
 731 14-41, 14-41a, 14-44i, 14-47, 14-48b, 14-49, 14-50, 14-50b, 14-65, 14-66,
 732 14-67, 14-69, 14-73, 14-96q, 14-192, 14-381, 52-62 and 52-63, and
 733 revenues specified in section 13b-57r and section 114 of public act 03-1
 734 of the June 30 special session* shall be deposited into the
 735 Transportation Strategy Board projects account, established under
 736 section 13b-57r, of the Special Transportation Fund and shall be used
 737 to support the funding of the projects and purposes described in
 738 section 13b-57h.]

739 Sec. 34. Sections 13b-57n and 13b-57o of the general statutes are
 740 repealed. (*Effective July 1, 2005*).

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2005	New section
Sec. 2	July 1, 2005	New section

Sec. 3	July 1, 2005	New section
Sec. 4	July 1, 2005	New section
Sec. 5	July 1, 2005	New section
Sec. 6	July 1, 2005	New section
Sec. 7	July 1, 2005	New section
Sec. 8	July 1, 2005	New section
Sec. 9	July 1, 2005	New section
Sec. 10	July 1, 2005	New section
Sec. 11	July 1, 2005	New section
Sec. 12	July 1, 2005	New section
Sec. 13	July 1, 2005	New section
Sec. 14	July 1, 2005	New section
Sec. 15	January 1, 2008	New section
Sec. 16	from passage	New section
Sec. 17	July 1, 2005	New section
Sec. 18	July 1, 2006	New section
Sec. 19	July 1, 2005	New section
Sec. 20	July 1, 2005	13b-57q
Sec. 21	July 1, 2005	13b-57r
Sec. 22	from passage	12-458(a)(2)
Sec. 23	from passage	12-458d
Sec. 24	from passage	New section
Sec. 25	from passage	New section
Sec. 26	January 1, 2006	New section
Sec. 27	from passage	New section
Sec. 28	from passage	New section
Sec. 29	July 1, 2005	13b-74(b)
Sec. 30	July 1, 2005	13b-76(j)
Sec. 31	July 1, 2005	13b-57m
Sec. 32	July 1, 2005	13b-57i
Sec. 33	July 1, 2005	13b-61
Sec. 34	July 1, 2005	Repealer section

TRA Joint Favorable