



General Assembly

Substitute Bill No. 6465

January Session, 2009

* HB06465PD 032309 *

AN ACT CONCERNING SMART GROWTH AND TRANSPORTATION PLANNING.

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

1 Section 1. Section 13b-57g of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2009*):

3 (a) Not later than January 15, 2002, the board shall propose to the
4 General Assembly an initial transportation strategy.

5 (b) In developing the strategy and the revisions, the board shall take
6 into account: (1) The strategic concerns associated with the movement
7 of people and goods; (2) the technological options and multimodal
8 options, including, but not limited to, transportation by rail, road, air
9 or water, available to address such concerns; (3) the relationship of
10 such concerns and options to sustainable economic growth,
11 environmental quality, urban development, open space, open space
12 preservation, access to employment by residents of the state and public
13 safety; (4) that transportation is a cornerstone of the state's economic
14 vitality and overall quality of life and therefore inextricably linked to
15 other key policies that deal with the state's future including, but not
16 limited to, land use planning, environmental quality, urban vitality
17 and access to quality jobs and services for the state's residents; (5) the
18 connectivity of the state to the northeast, continental and international
19 economies and that the mobility of people and goods within the state

20 are critical to vibrant and sustainable economic growth; (6) that the
21 benefits of leveraging existing transportation assets and infrastructure,
22 especially in urban centers, and the reduction of automobile-oriented
23 demands, are highly desirable; (7) managing demand for
24 transportation assets, including using employer and employee-based
25 initiatives as an integral part of the strategy; (8) the integration of
26 brownfields remediation and affordable housing and access to
27 employment that should occur as a result of implementing the
28 strategy; (9) the need to engage local planning agencies and other
29 relevant constituencies in developing the strategy; (10) the need to
30 engage representatives of the state's major transportation assets and of
31 the transportation industry in the strategy to help ensure that the
32 strategy is multimodal and integrated; (11) the benefits of technology
33 to expand capacity, enhance safety, provide information and access
34 funding alternatives; (12) the need to reduce congestion by
35 encouraging greenway initiatives, safe-routes-to-school programs and
36 rideshare programs; (13) the need to fully explore the sources and
37 methodologies for funding investments in transportation
38 infrastructure, and for annual operating and maintenance costs and the
39 regulations applicable to the expenditure of federal and state funds;
40 (14) that the development of appropriate metrics, methodologies and
41 standards is essential for determining customer needs, for evaluating
42 the return on transportation investments and for the prioritization of
43 specific projects and the degree of success in meeting these needs; (15)
44 that the state needs to play a leadership role with the other
45 northeastern states and the eastern Canadian provinces in developing
46 and advocating a transportation strategy for the northeast region of the
47 continent; (16) that the analyses and decision-making related to
48 transportation initiatives in the strategy needs to be done expeditiously
49 within the existing statutory and regulatory framework and that any
50 amendments to the general statutes or to the Regulations of
51 Connecticut State Agencies that are needed to achieve such objectives
52 should be identified; (17) the development, renovation and expansion
53 of Bradley International Airport; (18) the state conservation and
54 development plan, established pursuant to section 16a-24; and (19) that

55 the role, including the role of financial incentives, of private sector
56 companies, public agencies and institutions needs to be clearly defined
57 with respect to (A) encouraging and supporting employees to use
58 public transportation, (B) providing employees with appropriate
59 alternatives to the locations at which and during the times they
60 perform their work, including, but not limited to, flexible working
61 hours and telecommuting, (C) developing an effective means for
62 delivering goods within and through the state, and (D) encouraging
63 different sectors to participate with the state in specific initiatives. In
64 developing the strategy and the revisions pertaining to roads, the
65 board shall establish as its priority for improving transportation on
66 public highways the use of public transportation and other traffic
67 mitigation methods not involving the improvement or expansion of
68 public highways. The board shall propose improving public highway
69 transportation by the improvement or expansion of public highways
70 only after it has determined that no means of public transportation or
71 other traffic mitigation method exists that will accomplish such
72 improvement. The board shall include an explanation and
73 documentation of such determination with any proposed
74 improvement or expansion of any public highway.

75 (c) The board shall design the strategy and any revisions to it to
76 achieve the following results:

77 (1) Public benefits that consist of (A) stimulating sustainable
78 economic growth and enhancing the quality of life for the residents of
79 the state, and (B) developing and continuously upgrading analytical
80 tools to demonstrate the link between transportation and the public
81 benefits;

82 (2) Ease of mobility of people and goods within the state and the
83 TIAs, that consists of (A) reducing traffic congestion, (B) enabling
84 inter-corridor movement within the state, and (C) enabling access to
85 employment opportunities and essential services;

86 (3) Connectivity in access to the regional, national and global

87 economies, that consists of (A) improving access (i) to surrounding
88 states, consisting of the Interstate 95 corridor to New York, the
89 Connecticut River Valley and Interstate 91 corridor to Springfield,
90 Massachusetts and southeastern Connecticut to Massachusetts, New
91 York and Rhode Island, and (ii) to the national and global economies;
92 and (B) expanding modal choices for passenger and freight, consisting
93 of (i) developing an airport system that stimulates growth, (ii) linking
94 the state to international rail grids, (iii) developing water-borne
95 alternatives, and (iv) assuring workable freight access to the ports of
96 New York and New Jersey and the corridor related to the North
97 American Free Trade Agreement;

98 (4) Safety and security that consists of (A) adequately maintaining
99 infrastructure and equipment, and (B) enforcing safe operations and
100 use of the transportation systems by customers and operators; and

101 (5) Expanded use of public transportation and other traffic
102 mitigation methods to relieve congestion on public highways.

103 (d) In designing the strategy to achieve the results provided in
104 subsection (c) of this section, the board shall evaluate specific tactics
105 and approaches in the strategy by using the following criteria:

106 (1) Focusing on people who use transportation systems by (A)
107 involving such people directly in planning and through ongoing
108 market research, (B) creating a seamless interface with state, regional,
109 national and global systems, and (C) developing transportation
110 systems that operate as if they had intelligence, including, but not
111 limited to, systems that provide real-time information to their users;

112 (2) Oriented to economic growth by (A) responsiveness to general
113 business needs, (B) responsiveness to specific industry cluster needs,
114 and (C) support for state urban development strategies;

115 (3) Being environmentally responsible by (A) improving air quality,
116 (B) leveraging existing assets to minimize impact on wetlands and
117 open space by directing development to the areas of the state that have

118 the infrastructure to support the development, and (C) reducing
119 energy consumption;

120 (4) Encouraging and enabling intermodal links and usage wherever
121 possible, and managing the transportation systems from a multimodal
122 perspective; and

123 (5) Involving the TIAs by (A) building upon natural economic and
124 service areas, (B) enhancing connectivity of all population centers in
125 the state, and (C) implementing strategic priorities through TIAs.

126 (e) The board shall include in the strategy and any revisions to it the
127 criteria by which the board, the commissioner and the department will
128 evaluate and prioritize existing and proposed transportation projects.

129 (f) The board shall identify in the strategy and any revisions to it the
130 tools and measures by which it intends to assess transportation system
131 performance and analyze the value of projects proposed to implement
132 the strategy, including their overall value to the state as a public
133 investment.

134 (g) The board shall include in the strategy and any revisions to it (1)
135 a projection of the required capital investments and operating costs
136 over the next succeeding ten years and the recommended sources of
137 such funds, (2) a distinction between transportation costs for
138 operations and maintenance and transportation investments which
139 shall (A) be based on the strategy and evaluated against strategic goals,
140 (B) provide additional benefits that are tangible and attainable, (C)
141 include a range of transportation uses including, but not limited to,
142 transit, airways, highways, waterways and freight, to gain public
143 support, (D) reach as many people as possible throughout the entire
144 community in each TIA, and (E) respond to widely perceived needs.

145 (h) The board shall review the TIA corridor plan prepared by each
146 TIA, as provided in section 13b-57f, and may incorporate all or parts of
147 such plans in the strategy and any revisions to it.

148 (i) In developing and revising the strategy, the board may: (1)
149 Conduct public hearings; (2) consult and cooperate with officials and
150 representatives of the federal government, neighboring states,
151 interstate commissions and authorities, local agencies and authorities,
152 interested corporations and other organizations concerning problems
153 affecting transportation in the state; (3) request and receive from any
154 agency or other unit of the government, of the state or of any political
155 subdivision of the state, or from any public authority, such assistance
156 and data as may be necessary to enable the board to carry out the
157 board's responsibilities under this section; and (4) to the extent the
158 board may deem appropriate, make use of, and incorporate in the
159 strategy and any revisions to it, any existing long-range transportation
160 plan, survey or report developed by any public or private agency or
161 person.

162 (j) Not later than January 1, 2007, and quadrennially thereafter, the
163 board shall review and, if necessary, revise the strategy adopted
164 pursuant to subsection (a) of this section. A report describing any
165 revisions and the reasons for them shall be submitted to the Governor
166 and, pursuant to section 11-4a, the General Assembly. Such report
167 shall include a prioritized list of projects which the board, in
168 consultation with the commissioner, determines are necessary to
169 implement the recommended strategy, including the estimated capital
170 and operating costs and time frame of such projects, and completion
171 schedule for all projects. Not later than January 31, 2007, and
172 quadrennially thereafter, the joint standing committees of the General
173 Assembly having cognizance of matters relating to transportation,
174 finance, revenue and bonding and planning and development and the
175 chairpersons and ranking members of the joint standing committee
176 having cognizance of matters relating to commerce, shall meet with the
177 Commissioners of Transportation and Economic and Community
178 Development, the Secretary of the Office of Policy and Management,
179 the chairperson of the Transportation Strategy Board and such other
180 persons as they deem appropriate to consider the report required by
181 this subsection.

182 (k) Copies of the strategy and revisions to the strategy shall be kept
183 on file as a public record in the department.

184 (l) The board shall include in any revision after October 1, 2009, a
185 capital plan for transportation investment that incorporates the
186 principles of smart growth, as defined in section 1 of substitute house
187 bill 6467 of the current session.

188 Sec. 2. (NEW) (*Effective October 1, 2009*) The Transportation Strategy
189 Board shall submit to the State Bond Commission, prior to the
190 allocation of any bond funds for any transportation capital project, an
191 advisory statement commenting on the extent to which such project
192 incorporates the principles of smart growth, as defined in section 1 of
193 substitute house bill 6467 of the current session. The commission shall
194 consider the advisory statement in the allocation of bond funds for
195 such project.

196 Sec. 3. Subsection (g) of section 3-20 of the general statutes is
197 repealed and the following is substituted in lieu thereof (*Effective*
198 *October 1, 2009*):

199 (g) (1) With the exception of refunding bonds, whenever a bond act
200 empowers the State Bond Commission to authorize bonds for any
201 project or purpose or projects or purposes, and whenever the State
202 Bond Commission finds that the authorization of such bonds will be in
203 the best interests of the state, it shall authorize such bonds by
204 resolution adopted by the approving vote of at least a majority of said
205 commission. No such resolution shall be so adopted by the State Bond
206 Commission unless it finds that there has been filed with it (A) any
207 human services facility colocation statement to be filed with the
208 Secretary of the Office of Policy and Management, if so requested by
209 the secretary, pursuant to section 4b-23; (B) a statement from the
210 Commissioner of Agriculture pursuant to section 22-6, for projects
211 which would convert twenty-five or more acres of prime farmland to a
212 nonagricultural use; (C) prior to the meeting at which such resolution
213 is to be considered, any capital development impact statement

214 required to be filed with the Secretary of the Office of Policy and
215 Management; (D) a statement as to the full cost of the project or
216 purpose when completed and the estimated operating cost for any
217 structure, equipment or facility to be constructed or acquired; [and] (E)
218 a statement from the Transportation Strategy Board for any
219 transportation capital project on the extent to which such project
220 incorporates the principles of smart growth, as defined in section 1 of
221 substitute house bill 6467 of the current session; and (F) such requests
222 and such other documents as it or said bond act requires, provided no
223 resolution with respect to any school building project financed
224 pursuant to section 10-287d or any interest subsidy financed pursuant
225 to section 10-292k shall require the filing of any statements pursuant to
226 subparagraph (A), (B), (C), (D), [or] (E) or (F) of this subdivision and
227 provided further any resolution requiring a capital impact statement
228 shall be deemed not properly before the State Bond Commission until
229 such capital development impact statement is filed. Any such
230 resolution so adopted by the State Bond Commission shall recite the
231 bond act under which said commission is empowered to authorize
232 such bonds and the filing of all requests and other documents, if any,
233 required by it or such bond act, and shall state the principal amount of
234 the bonds authorized and a description of the purpose or project for
235 which such bonds are authorized. Such description shall be sufficient if
236 made merely by reference to a numbered subsection, subdivision or
237 other applicable section of such bond act.

238 (2) The agenda of each meeting shall be made available to the
239 members of the commission not later than five business days prior to
240 the meeting at which such agenda is to be considered. The day of the
241 meeting shall count as one of the business days. The agenda of each
242 meeting, or any supporting documents included with such agenda,
243 shall include a reference to the statute or public or special act which is
244 the source of any funds to be used for any project on such agenda,
245 including any contingency funds and any reuse or reallocation of
246 funds previously approved for any other use or project, and a notation
247 of the outside source from which any funds for any such project were

248 received, if any.

249 (3) Upon adoption of a resolution, the principal amount of the
250 bonds authorized therein for such purpose or project shall be deemed
251 to be an appropriation and allocation of such amount for such purpose
252 or project, respectively, and subject to approval by the Governor of
253 allotment thereof and to any authorization for such project or purpose
254 that may otherwise be required, contracts may be awarded and
255 obligations incurred with respect to any such project or purpose in
256 amounts not in the aggregate exceeding such authorized principal
257 amount, notwithstanding that such contracts and obligations may at a
258 particular time exceed the amount of the proceeds from the sale of
259 such bonds theretofore received by the state. In any such resolution so
260 adopted, the State Bond Commission may include provision for the
261 date or dates of such bonds, the maturity of such bonds and,
262 notwithstanding the provisions of any bond act taking effect prior to
263 July 1, 1973, provision for either serial or term, sinking fund or other
264 reserve fund requirements, if any, due dates of the interest thereon, the
265 form of such bonds, the denominations and designation of such bonds,
266 registration, conversion and transfer privileges and the terms of
267 redemption with or without premium and the date and manner of sale
268 of such bonds, provisions for the consolidation of such bonds with
269 other bonds including refunding bonds for the purpose of sale as
270 provided in subsection (h) of this section, limitations with respect to
271 the interest rate or rates on such bonds, provisions for receipt and
272 deposit or investment of the good faith deposit pending delivery of
273 such bonds and such other terms and conditions of such bonds and of
274 the issuance and sale thereof as the State Bond Commission may
275 determine to be in the best interest of the state, provided the State
276 Bond Commission may delegate to the Treasurer all or any part of the
277 foregoing powers in which event the Treasurer shall exercise such
278 powers until the State Bond Commission, by adoption of a resolution
279 prior to exercise of such powers by the Treasurer shall elect to
280 reassume the same. Such powers shall be exercised from time to time
281 in such manner as the Treasurer shall determine to be in the best

282 interests of the state and the Treasurer shall file a certificate of
283 determination setting forth the details thereof with the secretary of the
284 State Bond Commission on or before the date of delivery of such
285 bonds, the details of which were determined by the Treasurer in
286 accordance with such delegation.

287 (4) The State Bond Commission may authorize the Commissioner of
288 Economic and Community Development to defer payments of interest
289 or principal, or a portion thereof, in the case of a troubled loan, as
290 defined in subdivision (1) of subsection (e) of section 8-37x, made by
291 the commissioner under any provision of the general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2009</i>	13b-57g
Sec. 2	<i>October 1, 2009</i>	New section
Sec. 3	<i>October 1, 2009</i>	3-20(g)

PD *Joint Favorable Subst.*