The Senate was called to order at 4:20 o’clock p.m., the President in the Chair.

THE CHAIR:

Good afternoon. Would the Senate please come to order? Members and guests, please rise, and direct your attention to our very distinguished chaplain, Rabbi Lazowski.

CHAPLAIN LAZOWSKI:

Our thought for today is from the book of Isaiah, chapter 61, verse 9. "All who see them shall acknowledge that they are a people whom the Lord has blessed."

Let us pray. Oh Lord our God, we thank You for Your blessings to our senators in the past and ask for your continued blessing and grace in the days to come. Grant them a sense of purpose, shine upon them and lead them to work together for the good of our beloved State of Connecticut. Look in kindness upon our nation, our president, governor, our lieutenant governor, our state and all our leaders. Protect our defenders of freedom and keep them safe
in your care. Oh Lord, hear our voices as we pray and let us all say Amen.

THE CHAIR:

Thank you, Rabbi Lazowski. And it is now my honor to ask Senator James Maroney to come forward to lead us in the Pledge of Allegiance.

SENATOR MARONEY (14TH) AND ALL:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

THE CHAIR:

Thank you, Senator Maroney. Good afternoon, Senator Duff.

SENATOR DUFF (25TH):

Good afternoon, Madam President. Madam President, does the Clerk Senate Agenda No. 1 on his desk?

THE CHAIR:

Mr. Clerk.

CLERK:

The Clerk is in possession of Senate Agenda, No. 1, dated Monday, June 3, 2019.

THE CHAIR:
Thank you, Madam President. Madam President, I move all items on Senate Agenda No. 1, dated Monday, June 3, 2019, be acted upon as indicated and that the Agenda be incorporated by reference into the Senate Journal and Senate transcripts.

THE CHAIR:

So noted and so ordered.

Thank you, Madam President. I have a few markings.

THE CHAIR:

Please proceed.

Thank you, Madam President. Madam President, I'd like -- on Calendar page 66, Calendar 432, Senate Bill, 653, go. On Calendar page 15, Calendar 269, Senate Bill, 924, go. On Calendar page 63, Calendar 138, Senate Bill, 70, go. On Calendar page 24, Calendar 399, Senate Bill, 1111, go. And on Calendar page 5 -- I'm sorry. And on Calendar page 20, Calendar 364, Senate Bill, 641, go.

Thank you, Madam President.
Thank you very much, Senator Duff. Mr. Clerk.

CLERK:

Page 66, Calendar No. 432, Senate Bill, No. 653 - AN ACT CONCERNING OPEN FILE DISCLOSURE IN CRIMINAL CASES. There is an amendment.

THE CHAIR:

Good afternoon, Senator Winfield.

SENATOR WINFIELD (10TH):

Good afternoon, Madam President. I move acceptance of the Joint Committee's favorable report and passage of the bill.

THE CHAIR:

And the question is on passage. Will you remark?

SENATOR WINFIELD (10TH):

Yes. Thank you, Madam President. There's an LCO which is a strike-all. I'd ask that it be called and I be granted leave of the Chamber to summarize. It's LCO 10470.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO, No. 10470, Senate Schedule "A".
THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Thank you, Madam President. Madam President, what the LCO before us does is it causes the bill that we had to be a study, studying general statutes in the Connecticut Practice Book concerning a disclosure of evidence, and it also causes a report back not later than January 31st of 2020. I urge adoption.

THE CHAIR:

Thank you, Senator Winfield. Will you remark further on the amendment that is before the Chamber?

SENATOR KISSEL (7TH):

Good afternoon, Madam President. Great to see you this afternoon. Just a couple of questions for clarification, through you, to the proponent of the amendment, which becomes the bill?

THE CHAIR:

Please -- please proceed, sir.

SENATOR KISSEL (7TH):

Thank you very much. I just want to make -- I have the amendment here before me and just to clarify, though, the last iteration that we had discussed would have three groups working to -- on this study, the State's Attorney's Office, public defenders and
representatives of the judicial branch. Is that what's in this amendment?

Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

That would be correct.

Through you, Madam President.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much. I just want to thank Senator Winfield for working with me regarding concerns that were expressed to me by folks in the Chief State's Attorney's Office. Senator Looney as well. I think these three groups of individuals have plenty of ability and has plenty of time to work this out. The date the report has to be delivered to the Judiciary Committee will be before we begin the short session in February. And I think this is a very beneficial and productive way to go about looking at when and how issues regarding evidence and court matters and the open file policies here in the State of Connecticut can be pursued. And again, many thanks for the good Chair of Judiciary as well as President of the Senate, Pro tem Senator Looney, for working in a collaborative way on this amendment.
which becomes the bill. I urge my colleagues to support it as well.

Thank you very much.

THE CHAIR:

Thank you, Senator Kissel. Will you remark further on the amendment that is before the Chamber? Will you remark further on the amendment that is before the Chamber? If not, let me try your minds. All in favor of the amendment, please signify by saying aye.

SENATORS:

Aye.

THE CHAIR:

Opposed? The amendment is adopted. Will you remark further on the bill as amended? Will you remark further on the bill as amended? Senator Winfield.

SENATOR WINFIELD (10TH):

Uh, yes. Thank you, Madam President. Just before I ask this be placed on consent, I want to thank Senator Kissel. This was a bill attempted to do what I think was something good, but hadn't quite gotten there, and then he brought language to me that made the bill before us, and I really want to thank him for helping us to get this done. And if there's no further comment or question, I'd ask this be placed on consent.

THE CHAIR:
Without objection, so ordered. Mr. Clerk.

CLERK:

Page 15, Calendar No. 269, substitute for Senate Bill, No. 924 - AN ACT IMPLEMENTING THE DEPARTMENT OF MOTOR VEHICLES' RECOMMENDATIONS REGARDING MOTOR VEHICLE REGISTRATION NOTICE. THE INTERNATIONAL REGISTRATION PLAN, CARRIERS, THE MEDICAL ADVISORY BOARD AND OTHER MOTOR VEHICLE STATUTES. There are amendments.

THE CHAIR:

Good afternoon, Senator Leone.

SENATOR LEONE (27TH):

Good afternoon, Madam President. Good to see you there today. Madam President, I move acceptance of the Joint Committee's favorable report and passage of the bill.

THE CHAIR:

And the question is on passage. Will you remark?

SENATOR LEONE (27TH):

Thank you, Madam President. The bill before us is the annual agency bill for the Department of Motor Vehicles. It has a number of items in the bill, which I'll go through just a moment. But as such, I do have an amendment that will become a strike-all. So, if -- Madam President, if you will, the Clerk is
in possession of LCO Amendment, No. 10174. I would ask that he call the amendment.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 10174, Senate Schedule "A".

THE CHAIR:

Senator Leone.

SENATOR LEONE (27TH):

Thank you, Madam President. Again, as I mentioned, this is a strike-all amendment. I would move the amendment and seek leave to summarize?

THE CHAIR:

Thank you, sir. Please proceed to summarize.

SENATOR LEONE (27TH):

Thank you. Again, as we're working on these multiple agency bills, the other night, we passed the Connecticut Airport Authority Bill. This is the Department of Motor Vehicles. In a short while, we'll hopefully have the Department of Transportation Bill in front of us as well. but this being the Department of Motor Vehicle Bill, this has been a work and effort which has been collaborative with our Ranking Members, so I want to extend my thanks to Senator Martin for his
leadership on this as well as the Ranking down in the House, Representative Devlin, as well as my Co-Chair, Representative Lemar.

And what this bill does has a number of items. I'll just read through them briefly. One of the bullets, it is will permit DMV to send a compliance notice instead of a registration renewal application to individuals who cannot renew without resolving compliance issues, so they'll basically get a notice in the mail. It will make technical changes related to dual plates. It will add conforming language which is a national change on the International Registration Plan. It also aligns physical qualifications standards for public passenger license endorsements and school bus and student transportation vehicles with federal law.

It also makes conforming technical changes regarding the physical qualification standards for operating commercial vehicles and eliminates and obsoletes school transportation safety training requirement. It also eliminates the requirement that DMV ensure that school districts and school bus companies are reviewing suspended and revoke driver's license instead of requirement to register with DMV the name of the employer or agent reviewing the list. It sort of expedites the process.

It also provides existing penalties for operating a motor vehicle not equipped with required ignition interlock devices. So, this just is an update to our statutes there. It eliminates requirements that the DMV commissioner select members with a motor vehicle operator's license, Medical Advisory Board from certain nominees' list. And this, again, is also to streamline the process. There was a
requirement that members of the Medical Advisory Board must be on the list, but not all of them that could be there. So, this is a change that would give a little bit more flexibility, so if someone can be there, they will.

It limits the use of crosshatches next to parking reserved for people with disabilities to authorized vehicles. It increases the underlying fines. So, basically, if you park in a handicap area, the fines have increased. It prohibits people from crossing railroad tracks when warned of the approach of equipment on such tracks, and again, safety is paramount when it comes to railroad tracks and anyone crossing them. It establishes a task force to study ways to prevent improper registration of vehicles of out of state. This has been an ongoing issue with us in the state to how we need to correctly enforce it. It has been very complicated. We haven't had the bandwidth to really flush it out, which is the reason why we're coming up with the task force to help us.

It does permit school bus drivers to use electronic devices in the same manner as a two-way radio so that emergency communication can happen immediately, especially in this day and age with issues with our schools and our kids' safety. It requires DMV and DES to jointly study the current system for evaluating motor carriers that seek to provide commercial motor vehicle service to the state or municipality, and this is a way to see if the regulations that we put in place after the Avon crash have become too stringent and we want to make sure -- we'll take a look at it, but we don't want to recall anything unnecessarily. So, again, this
gives us a chance to study it to see where we are in this day and age.

It changes the definition of an operator under the AV Pilot Program; and AV is autonomous vehicles, so that someone who is physically inside the AV rather than a person seated in the driver’s seat and delays the program’s initial reporting deadline. And that's in anticipation of autonomous vehicles coming online. It also allows the Autonomous Vehicle Task Force to elect its own chair so that the task force can continue on with an operation. So, that is the bulk of the bill, Madam President. Again, this is the Department of Motor Vehicles Agency Bill that incorporates quite a bit of things that we all agree on. It is my hope that we will pass this overwhelmingly in unanimous support and I would urge adoption. Thank you.

THE CHAIR:

Thank you, Senator Leone. Will you remark further on the amendment that is before us? Good afternoon, Senator Martin.

SENATOR MARTIN (31ST):

Good afternoon, Madam President. Madam President, I rise in support of this bill. I want to thank Senator Leone and our Ranking Members as well, our - - Representative Devlin and Co-Chair Lemar for putting up a pretty good bill here together, and as well as our Clerk, Phil Mannarino (Phonetic), and Heather and Katrina as well for doing a great job of getting us some language here that we all agreed to. But simply, just to summarize, just in brief here as well.
You know, it does allow -- the bill allows the DMV to change its way it processes its renewal, specifically for those that have not paid a tax or paid a fine. So, now, instead of getting a renewal application, they are going to be receiving a compliance notice that they need to fill out first. There are various technical changes in this as well. It aligns the physical qualification standards for public passenger license as well as school bus and student transportation vehicles with the federal law. It also requires that school districts and school bus compliance to register with the DMV the name of the employees or agent reviewing suspended or revoked drivers' list.

In addition, it provides that the existing penalties for operating a motor vehicle not equipped with the required ignition interlock device, the IID, extend to everyone who first completes the terms of the license suspension and who is eligible to -- for a license reinstatement, but does not install the IDD and chooses to drive. So, it addresses that. In addition, it allows the DMV commissioner to select medical professionals to the Motor Vehicle Operations Licensed Medical Advisory Board. That was a mouthful. And then in addition to that, it prohibits people from the crossing -- crossing railroad tracks when a -- when they're being warned of an approaching track equipment.

Also, it includes a study for the ways to prevent improper registration of vehicles. So, Madam President, I urge adoption of this bill. Thank you.

THE CHAIR:
Thank you, Senator Martin. Will you remark further on the amendment that is before the Chamber? Will you remark further on the bill as amended? Will you remark further on the amendment that is before the Chamber? If not, let me try your minds. All in favor of the amendment, please signify by saying aye.

SENATORS:

Aye.

THE CHAIR:

Opposed? The motion is adopted. Will you remark further on the bill that is -- as amended? Good afternoon, Senator Sampson.

SENATOR SAMPSON (80TH):

Good afternoon, Madam President. I rise for the purpose of offering an amendment. The Clerk has LCO 10630. I ask that it be called and I be allowed to summarize.

THE CHAIR:

Thank you. Mr. Clerk.

CLERK:

LCO No. 10630, Senate Schedule "B".

THE CHAIR:

Senator Sampson.
SENATOR SAMPSON (80TH):

Thank you, Madam President. This is a very simple amendment. It inserts after the last section of the bill, as amended, a statement that says that motor vehicles, the department, will provide interpreter services to non-English-speaking persons who request such services and they must post notices of the availability of those services. I move adoption and I ask that when the vote is taken it be taken by roll.

THE CHAIR:

A roll call vote will be taken on the amendment. Will you remark further? Senator Sampson.

SENATOR SAMPSON (80TH):

Thank you very much, Madam President. I'm kind of disappointed that I am standing here before the Chamber today to offer this amendment. I was approached by a constituent of mine from Waterbury, who lives within the Vietnamese community, and she approached me to tell me of a problem that we have with our Department of Motor Vehicles. And that is that our motor vehicle operator's examination is only available in certain languages and Vietnamese is not among them. It was -- in the past, I believe it was, but I do believe during the last revision of the software it was removed.

The concern I have, because I understood that we would only offer the test to certain language speakers once they reach a certain threshold within our state's population. But when I heard her story, she explained to me that people from Waterbury who
live in the Vietnamese community who happen to be American citizens, U.S. citizens, who live here in our state, in the City of Waterbury, because of their difficulty and ability of taking the driver's exam in a Connecticut Motor Vehicle Department, they are actually travelling to Massachusetts to get a driver's license.

I didn't believe it at first, but she actually took me for a trip into the community and I met with a number of constituents, and sure enough, people that live right there in Waterbury, they've got to lie about their address and use a friend's address in Massachusetts because they're just simply not able to take the test in Connecticut. And when I heard this story, I went to the liaison for the Department of Motor Vehicles and I spoke with some very nice folks there who seemed like they wanted to help. But at the end of the day, nothing's been done, Madam President. They have offered every possible solution up to the solution that would make the most sense, which would be to add Vietnamese back onto the list of languages that the software allows. But everything up and including paying out of their own pocket for an interpreter to be allowed to take the test, and at every turn they have been told no, we are just not gonna accommodate this population.

I've got to tell you, Madam President, I have a huge problem with this. These people are U.S. citizens. They are minorities in our state and, apparently, because they are such significant minorities, they are willing to be overlooked by our state government. I think it is shameful that our state government gives driver's licenses to illegal aliens, but yet we cannot accommodate U.S. citizens who speak certain languages. Once I started down
this path, Madam President, I started speaking with other people, particularly folks in Waterbury who live in the Albanian community, and I found out the same exact thing happens to them.

So, as I said, Madam President, I'm disappointed that we are here today. I'm disappointed that I have to bring it to the attention of the State Senate something that I think should've been accommodated by officials at the Department of Motor Vehicles simply because I asked. To be offering an amendment on the floor today to point out that we have U.S. citizens who are minorities, who live in our state, that deserve the same right to take the test in their language as anyone else we offer it to. I urge my colleagues to support this amendment. We can fix this right here. It's a simple couple of lines added to this DMV Bill. They could do it within their appropriations. The Department of Motor Vehicles already schedules these exams in advance. Even if they accommodated these folks one day a month at one location, that would satisfy them and it would satisfy me. I urge adoption of the amendment, Madam President. Thank you.

THE CHAIR:

Thank you, Senator Sampson. Will you remark further on the amendment that is before the Chamber? Senator Leone.

SENATOR LEONE (27TH):

Thank you, Madam President. I rise in opposition to this amendment and I'll lay out some of the reasons why. It's not for the reasons that my good colleague, Senator Sampson, mentioned as he's
advocating for his constituents, which I believe is laudable. We probably all have members in our communities that speak various languages. And for the state to all of a sudden make room for each and every language that is possibly out there, is a huge, significant cost to the state and it's not within the appropriations of the Department of Motor Vehicles' budget. Each language will roughly cost about $35 to $40 thousand dollars for an interpreter going forward. So, obviously, for the Albanian and the Vietnamese, that's an $80 thousand dollar hit at the moment that we do not have, unless the good Senator is willing to work with us to find the revenues for these languages and many, many more.

So, the significant fiscal hit could be quite significant as we contemplate each and every language that is potentially out there. The state in its wisdom made a one-percent threshold for these languages so that they could absorb the cost. And unfortunately, those languages have not quite hit that, but the DMV has always been willing to work on a case-by-case basis and help out people that need to come forward and find an ability to get their license renewed or even enabled. So, I've spoken with the DMV commissioner. They have extended that courtesy many, many times before. They continue to extend that courtesy. I would be more than happy to find funding for this particular issue down the road, but at this point and time, with our fiscal constraints as we're trying to balance our budget, I would respectfully urge not to adopt this. And again, as mentioned, when the roll is called, I would ask for a roll call vote.

THE CHAIR:
Thank you, Senator Leone. Will you remark further on the amendment that is before the Chamber? Will you remark further on the amendment that is before the Chamber? Good afternoon, Senator Witkos.

SENATOR WITKOS (8TH):

Good afternoon, Madam President. I stand in support of the amendment. you know, I don't think, if we're talking about good public policy in the state, we should look for an escape clause to say, well, we haven't hit the one-percent mark as far as a population goes, so we're exempt from trying to find interpretation services for that segment of our society. You know, that opens up a wide, a wide, wide argument in a lens on the melting pot of America and who dominates and who is the true minority in this case, and what services shall we provide at the state level.

And I'm aware, Madam President, that the State of Connecticut provides telephonic interpretative services through the Department of Social Services from -- you name the language, they provide it. Also, through the Judiciary Department, the same thing. I think it's troubling that -- you know, we heard the story in caucus that the DMV didn't want to allow the constituents of Senator Sampson's to take the test because they didn't trust the interpreter. I mean, give me a break. These people are professional. They go by a code of ethics. They have contracts with the State of Connecticut already.

And to say that we don't want to allow your constituents who speak a specific language to use the interpretative services that we allow folks that
are appearing before our judicial system to use because we don't trust that they're gonna give them the answer. Come on. If there's a will there's a way. We should be doing everything we can to help these folks out. And if we can't get into the state agency to say, well, let's look at it; then it's our job in this Circle to make sure that this is the pulse and we want to make sure we try to find accommodations for everyone. And if it's a simple phone call, it's already utilized by many of our state agencies, I'm sure that if there's a cost involved, it will be minimal.

And I would urge those agency heads that are responsible for signing onto these contracts that they reach out to all state agencies to say there may be a need for interpretation services at the Department of Motor Vehicles, so going forward, when you sign up for the contractor, you open up for an RFP it should include all state agencies. And I'm not even sure that the contract with those two agencies doesn't include other state agencies. I mean, I would hope somebody would have the opportunity to look into that going forward, but we may not need to if the amendment gets adopted today.

So, Madam President, I'd urge the members to support the amendment before you. Thank you.

THE CHAIR:

Thank you, Senator Witkos. Will you remark further on the amendment before the Chamber? Good afternoon, Senator Miner.

SENATOR MINER (30TH):
Thank you, Madam President. Good afternoon to you. Madam President, I rise in supporting the amendment. I think I've told the story before. It might not have been in the Chamber here. But when I, in an earlier life, owned a gas station with a repair facility, I had a family of Koreans that I hired the father. He did not speak one word of English. In fact, I think the only thing I heard him mutter one day was MacGyver, and that was because back then MacGyver would make things out of almost nothing. Couldn't have asked for a nicer family. Couldn't have asked for a harder working employee. And I couldn't imagine coming to this country and not being able to speak English. I, today, can't imagine after all these years that we have an agency who for some reason believes that a one-percent threshold is the status, the percentage that we're gonna hang our hat on and say we just don't have to provide these services.

I can tell you that in certain parts of our district, that percentage is much higher than one percent. It may be a one-percent statewide number, but as Senator Witkos said, we have other agencies that actually have these services available. Why is it that we're not just reaching out to them when you end up with one of these smaller numbers? Why is it that we wouldn't be thinking having that individual have a Connecticut license, be properly licensed here in the state, and feeling like they are a part of this community has some value? I'm sure it's a fluke. I'm sure somebody overlooked it. I'm sure it was probably could've been handled had it been done in a different way. But it hasn't been done in a different way.
Today, I think we could very easily have said let's include this option with this large, we'll call it aircraft carrier DMV Bill. It would send the right message here in the State of Connecticut. I don't think it's a lot to ask. I would think that we would not be in the marketplace for two or three or four interpreters. We've required hospitals to have a relationship with interpreters. Could you imagine, Mr. President, that you have someone presenting themselves in an -- into an emergency room and no one knows what they're talking about? We wouldn't allow that to happen. The health care system wouldn't allow that to happen. We shouldn't allow it to happen at Motor Vehicle. I think there's a way. I think we should find a way and today is the day we could do it.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Miner. Will you remark further on the amendment, on Senate Amendment Schedule "B", LCO 10630? Senator. Yes, Senator Berthel.

SENATOR BERTHEL (32ND):

Good afternoon, Mr. President. Thank you. I also rise in support of the amendment for many of the same reasons stated by Senator Miner. I represent arguably, as does Senator Sampson, one of the largest Albanian communities in Connecticut, a burgeoning part of our population. And what I see is we have -- we have many people who are business owners in this community, that are homeowners. They are looking to obtain a Connecticut driver's license legally, to do things the right way.
And we have an opportunity with the amendment to remove the obstacle for those who are not fluent in English, which, let's face it, many of our ancestors came to this country at one point and time and they weren't fluent in English and we made accommodations for them. And I think this is an easily resolved issue for us to do as a state that, certainly, through this legislative session and in prior sessions has taken up legislation to make access to services and to make accommodations for those that are living amongst us available.

And for that reason, I think we should give this a serious thought today and make a simple accommodation to allow certain people who are not fluent in English that we know are a growing population in Connecticut since that last census was taken nearly ten years ago, and to help them to obtain a Connecticut driver's license legally.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator. Will you remark further on the amendment, on Senate Amendment Schedule "B"? Will you remark further? We will -- a roll call vote has been requested. The Clerk will please proceed to a roll call vote on Senate Amendment Schedule "B".

CLERK:

Immediate roll call vote has been ordered in the Senate. An immediate roll call vote has been ordered in the Senate. Senate Bill 924, Senate Amendment "B," LCO, No. 10630. An immediate roll
call vote has been ordered in the Senate. Senate Amendment "B," LCO, No. 10630. Immediate roll call vote has been ordered in the Senate.

THE CHAIR:

Have all the members voted? Please check the machine to make sure that your votes are properly cast. And, Mr. Clerk, if you would take the tally.

CLERK:

Senate Bill 924, Senate Amendment "B", LCO, No. 10630,

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THE CHAIR:

The amendment fails. Will you remark further on the bill? Senator Fasano, the distinguished Republican Leader of the Senate.

SENATOR FASANO (34TH):

Thank you, Mr. President. I appreciate that compliment. Mr. President, we have had a number of car thefts in and about the State of Connecticut. We've talked about them before on other bills with respect to juvenile justice and things of that nature and we did some really good stuff. But
perhaps one way of curtailing the theft of cars is by making sure that the parts are traceable. And one way of doing that is by this thing called "etching," which isn't scratching in, but it is actually stamping car parts where an invisible light picks up on the stencil. If you remove it, you've damaged the car part.

It's a very interesting, new, sophisticated way of doing it. The information's in a database. The database is shared with other auto body shops as well as police. It is not an extra cost to the consumer. Mr. President, this is something that has started to evolve. We do have on our books that you must put etching in certain areas. We've talked about that years ago I think with, Mr. President, your bill with respect to new cars. This is something a little different. So, I'd like the Clerk to call LCO 9466.

THE CHAIR:

Mr. Clerk, if you would please call the amendment.

CLERK:

LCO, No. 9466, Senate Schedule "C".

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Mr. President. Mr. President, I'd request to adopt the amendment and permission to summarize.
THE CHAIR:

Please proceed, sir.

SENATOR FASANO (34TH):

Thank you. So, what this amendment does is it allows or affirmatively states that car parts will be etched with this invisible ink. It remains invisible during the entire time until it is shone by a light. It would be on the major parts of the components of the car as so listed and, once again, it would be part of a database. Mr. President, what this does is curtail, one would argue, the ability of one to take a car, chop-shop it, and then sell the parts. What was really interesting, just in East Haven, they were using this. This is going back a couple of years ago. And five Lexuses were stolen one night and two days later they showed up at some place, and but for this light, they never would've found these cars. So, there is a certain use that I think we could get in our system that would curtail theft.

Mr. President, I hope the Circle will join me in adopting this amendment. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Fasano. Will you remark further on the amendment? Will you remark further on Senate Amendment Schedule "C", LCO 9466? Senator Leone, the distinguished Chair of the Transportation Committee.

SENATOR LEONE (27TH):
Thank you, Mr. President. It's a pleasure to see you up there as well. I rise to respectfully not be in support of this amendment, and again, I'll mention the reasons why. And I want to thank the good Minority Leader, Senator Fasano, for bringing this forward because it does -- it could easily have a place in our policy with how we label our vehicles with this etching, this vehicle identification number.

But at this point and time, it's a new policy that does raise a lot of questions. More questions than we have time to probably answer. I know Senator Fasano mentioned it doesn't have a cost to the consumer, but it would have a cost to the dealer. And as I'm reading the section, the dealer would specify the charge for such service separately on the order for the sale, so it could easily be passed on to the consumer, and we're not sure what those charges are. I'm not sure if there's a flat rate or if the rates could be different, either per the vehicle, or per the dealer, for that matter.

And Mr. Speaker -- I mean, Mr. President, we've had these kind of issues before where we want to see what we can do, but because it's so wide ranging -- and I bring up an example such as the conveyance tax on motor vehicles for the sale. Different dealers have different conveyance taxes. And a number of years ago we passed legislation that the conveyance fee would be above the line and could be negotiated. That -- I don't see that in here either. So, I believe this idea has some merit. I spoke with Senator Fasano and I believe we might have a chance to look at this in the next session, possibly do a study to really dive into it to see what we can do
and how much we can do so that we can actually make this an option for people going forward. As long as they know what it's gonna cost, how much it's gonna cost, and would it be negotiated, as well as many other questions that would need to be answered.

So, based on those comments, even though the idea has merit, at this point and time I would urge for not adoption and so that we can study this next year in the upcoming session. I commit to the Senator to doing just that. With that, when the roll is taken, I would ask for a roll call.

THE CHAIR:

Thank you, Senator. A roll call vote will be ordered at the appropriate time. Will you remark further? Will you remark further on Senate Amendment Schedule "C"? Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Mr. President. Mr. President, I do appreciate the comments of the distinguished Chairman of the Transportation Committee. I thank him for his generous comments and I appreciate that we can work on that next year, with the assumption it is going to fail on this vote going around the Circle now. So, with that assumption, I'll take him up on that offer and still put it forward.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Fasano. Will you remark further? Will you remark further on Senate Amendment Schedule
"C"? If not, the Clerk will please call the roll on Senate Amendment Schedule "C", LCO 9466.

CLERK:

Immediate roll call vote has been ordered in the Senate. An immediate roll call vote has been ordered in the Senate on Senate Amendment "C", LCO, No. 9466, Senate Bill 924. An immediate roll call vote has been ordered in the Senate, Senate Amendment "B", LCO, No. 9466. Immediate roll call vote in the Senate.

THE CHAIR:

Have all the members voted? Please check the machine to make sure your votes are properly cast. Mr. Clerk, if you would take the tally.

CLERK:

Senate Bill 924, Senate Amendment "C", LCO, No. 9466,

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THE CHAIR:

The amendment fails. Will you remark further on the bill? Senator Miner.
SENATOR MINER (30TH):

Thank you, Mr. President. If I might, through you, a couple of questions to the proponent of the bill as amended?

THE CHAIR:

Senator Miner. Senator Leone, if you would prepare yourself for the questions.

SENATOR MINER (30TH):

Thank you, Mr. President. So, in section 15, there seems to be an expansion of when a handheld mobile telephone or other electronic device can be used by a school bus operator. And through you, in the case of an accident, if a driver were found to be speaking to someone other than the list that's identified in the statute as being acceptable exceptions, what would the charge be?

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Miner. Senator Leone, would you care to respond?

SENATOR LEONE (27TH):

Yes. Thank you, Mr. President. As I'm looking at the bill, just give me one moment. I believe it would fall under the normal sections of the cell phone regulations. So, if there were to be determined a situation where they were acting not
according to the statute or the proposed statute, then all fees and fines would fall under that same category.
Through you, Mr. President.

THE CHAIR:

Thank you, Senator Leone. Senator Miner, you have the floor.

SENATOR MINER (30TH):

Thank you, Mr. President. I thank the gentleman for his explanation. And then if I can now turn to the area between the line 354 and 362, which deal with the interlock system on a motor vehicle. It seems that this section is attempting to compel an individual that may be outside the term of time when the individual is not supposed to be driving, may even go to a point and time when a vehicle -- the individual no longer owns the vehicle. And if I read this correctly, it seems to me to be almost a catch 22.

So, I'm thinking of a situation where one of our constituents certainly committed a series of these crimes and then found themselves in a situation where they could not drive, even upon release from prison, without an interlock system. I am aware in some cases my constituents have sold their vehicle. They couldn't insure it. They couldn't keep it. They no longer have it. So, the reason for why they were not driving, even during that grace period, with the ignition system might make sense. Is this prospective, through you, Mr. President, so it would be from the effective date forward if someone were released and this was the obligation they had?
Through you.

THE CHAIR:

Thank you, Senator Miner. Senator Leone.

SENATOR LEONE (27TH):

Thank you, Mr. President, through you. As I'm reading this language, this is new language so I would take it that this is prospective going forward. But again, this is for someone who did have a license suspension and because of the interlock ignition device there has been many, many work-arounds to not actually incorporate it, and this is the reason for this language. And basically what it says is if you do -- if you do lose your license due to a DUI or a DWI, where you will need an interlock ignition device, you must go through providing an interlock ignition device in your vehicle. Just because you sold your vehicle or not doesn't mean -- you still must follow the law. Because then a person could at any time purchase a new car and you don't want that new purchase then to not be part of the rule.

So, it's not to punish. It's to more to make sure that anyone who is suspended for these reasons must go through this process. They must institute an ignition device. It is a national model. It is through all 50 states and that is the reason for this language.

Through you, Mr. President.

THE CHAIR:
Thank you, Senator Leone. Senator Miner, you have the floor.

SENATOR MINER (30TH):

Thank you, Mr. President. So, now, I'm a little bit confused. If an individual was incarcerated and as part of the release the individual accepted the obligation to install an interlock device in a vehicle should they operate it within two years, once you're outside that two-year period of time, it would seem to me that the driver had satisfied his obligation to the court. And so, I'm not aware that there is another circumstance where the court, once it's been satisfied, could then come in and say, well, by the way, you bought a new vehicle or a used vehicle four or five years later, we want you to put an interlock device on that.

I don't -- I don't like the fact that the system could be scammed, so to speak, and someone could be doing a work-around, as the gentleman suggests, but the real life implications of enough DUIs is that you can't get insurance, you can't -- you can't finance an automobile. In many cases, the only way you can get to work is to get a ride. And in this case, I just want to be clear that it's prospective. So, if someone's released, now, after the effective date, these would be the rules. Rather than someone who's already been released, already almost completing the two-year term, and that somehow because we've passed this legislation now, even outside the window of when they'd be required to have an interlock device, we would be saying, oh, by the way, you've got to put one in at any time in which you buy a vehicle or use a vehicle even if
it's after the date at which you would have completed your service to the court, so to speak.

Through you, Mr. President. So, the question is, is it really prospective or is it retrospective?

THE CHAIR:

Thank you, Senator Miner. Senator Leone.

SENATOR LEONE (27TH):

Thank you, Mr. President, through you. I have a question myself, through you. I'm wondering where the good Senator is looking that this is a two-year program. I don't see that here in the language.

Through you, Mr. President.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

Thank you, Mr. President. I was referring to some earlier language here where the court may decide that it could be for a period of time, such as if the court said you could -- you're ready for release. You would otherwise remain in jail. You would otherwise not be able to drive. But because you're being released, if you choose to do that, if you choose to get a job and you choose to get a work-related opportunity to go back to driving, whatever the time period might be, one year, two years, three years, that the court would have made that decision and not have it be an administrative
procedure. So, it would've been something that already occurred, not something that might occur after today.

THE CHAIR:

Senator Leone, would you care to reply?

SENATOR LEONE (27TH):

Yes. Thank you, Mr. President, and through you. Whatever the court may decide. I would allow the court to use its authority as they see fit and relevant. But as I look at this language, this is simply all about someone who loses their license, in order to get it reinstated they will have to go through the interlock ignition device at when such time they will have a vehicle in their possession. So, it would be, as I read it, going prospective, that they still have to follow the law because at any such time you want to make sure that there's not a loophole for getting out from this. Not that having a prison sentence is a way to get away from it, but it's still to make sure that someone has had their license suspended still follows the rules and that is the incentive not to do it in the first place. So, that would be my response.

Through you, Mr. President.

THE CHAIR:

Senator Miner, you have the floor.

SENATOR MINER (30TH):
Thank you, Mr. President. I do thank the gentleman for his answer. I am thinking that this may not be as prospective as it might be thought, only because the administrative process probably runs separate from the court process. And even though the court may have been the one to make the decision that for a period of time it has to be in your vehicle, at least until you come out from underneath the -- any of the oversight of the court, this looks like it might be retrospective with regard to an administrative proceeding because after this date, Motor Vehicle, by my read, might be able to say it doesn't really matter what the court said. We're not gonna give you a license until you buy one of these things and put it in a vehicle, even if you've been able to demonstrate through some other mechanism that you are sober, have had no indication of operating a motor vehicle under the influence since you actually were incarcerated.

But thank you, Mr. President, and I thank the gentleman for his response.

THE CHAIR:


SENATOR LEONE (27TH):

Thank you, Mr. President. If there's no further comments or objection, I would ask that this be placed on the Consent Calendar.

THE CHAIR:
There's objection to placing it on the Consent Calendar. I would call for a roll call -- Senator Sampson.

SENATOR SAMPSON (80TH):

Thank you, Mr. President. I would just like -- ask for a roll call vote on this bill.

THE CHAIR:

Yes, a roll call vote will be ordered. Will you remark further on the bill? Would you remark further on the bill? Will you remark further on the bill? If not, the Clerk will please call for a roll call vote on Senate Bill 924.

CLERK:

Immediate roll call vote has been ordered in the Senate. An immediate roll call vote has been ordered in the Senate on Senate Bill 924 as amended by Senate "A". An immediate roll call vote has been ordered in the Senate on Senate Bill 924 as amended by Senate "A". Immediate roll call vote in the Senate. Senate Bill 924 as amended by Senate "A". Immediate roll call vote in the Senate.

THE CHAIR:

Have all the members voted? Have all the members voted? Please check the machine to make sure that your vote is properly cast, and the Clerk will take a tally.

CLERK:
Senate Bill 924 as amended by Senate "A",

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THE CHAIR:

The bill passes. (Gavel) Mr. Clerk.

CLERK:

Page 63, Calendar No. 138, substitute for Senate Bill, No. 70 - AN ACT ESTABLISHING THE CONNECTICUT INFRASTRUCTURE BANK, as amended by Senate Amendment Schedule "A", LCO No. 8724. There are amendments.

THE CHAIR:

Senator Bergstein, good afternoon.

SENATOR BERGSTEIN (36TH):

Good afternoon, Mr. President. Thank you. Mr. President, I move acceptance of the Joint Committee's favorable report and passage of the bill. The Clerk is in possession of an amendment, LCO 8724. I would ask the Clerk to please call the amendment and may I have leave to summarize?

THE CHAIR:

Mr. Clerk. Yes, Senator Bergstein, that amendment I believe has already been adopted.

SENATOR BERGSTEIN (36TH):
It's already amended. Yes, right.

THE CHAIR:

So if you could move the bill as amended.

SENATOR BERGSTEIN (36TH):

Okay. Mr. President, I move acceptance of the Joint Committee's favorable report and passage of the bill as amended.

THE CHAIR:

Thank you, Senator. Will you proceed?

SENATOR BERGSTEIN (36TH):

Thank you, Mr. President. This would be an act that establishes the Connecticut Infrastructure Bank which would be a quasi-public agency, with the mission of marrying the public interest in modernizing and upgrading our infrastructure to meet 21st century standards, to promote economic development and active economic growth to draw businesses to our state, to improve real estate values, all of the myriad benefits that come with a modern infrastructure, which we unfortunately in Connecticut do not have. I think everybody has agreed, after multiple sessions on various topics related to transportation and infrastructure, that ours is suffering and it is having a direct impact on our economy.

In order to galvanize economic growth, we need to galvanize investment in our infrastructure. And the
way to do that is with a prove model called an infrastructure bank. More than twenty states have an infrastructure bank. Many of these are active and they have demonstrable results over the past few decades. This is also a model that has been tested and proven incredibly effective in Europe and Asia. They've had infrastructure banks for 30 to 40 years and mobilized billions of dollars in investment, which is why they have such a modern infrastructure. It's a way to multiply public funds with private investment, limiting the risk, and achieving high-efficiency, low-cost, scaled projects. That is what the public expects.

So, that is my summary. I'm happy to continue, but I'm sure there'll be questions.

THE CHAIR:

Thank you, Senator. Will you remark further on the bill as amended by Senate Amendment Schedule "A"? Will you remark further? Senator Berthel.

SENATOR BERTHEL (32ND):

Thank you. Good afternoon, again, Mr. President.

THE CHAIR:

Good afternoon, sir.

SENATOR BERTHEL (32ND):

Mr. President, I actually rise in opposition to the bill today. And I have a few comments that I'd like to make and then I will have a few questions for the proponent. You know --
THE CHAIR:

Please proceed, sir.

SENATOR BERTHEL (32ND):

Thank you, Mr. President. While I understand that infrastructure banks have a purpose at some time in Connecticut's future, I'm not sure that today this bill is the mechanism by which to get there. You know, we enjoyed some very good discussion within the Banks Committee and it's a pleasure to serve with Senator Bergstein on the Banks Committee. And we also had a robust public hearing with a lot of comments with respect to what is proposed before us.

But I'm just not sure that today, at this moment and time, that this is the right direction for us to be going in. And, you know, my research actually shows that there are in some form actually 39 other states that have infrastructure banks in the United States. And as the Senator spoke to, some of them have been existing -- in existence for more than a couple of decades. Some were formed very recently in the last couple of years.

But the research that I did on this shows that in virtually every other state where there is an infrastructure bank, the process by which they formed their bank was very different from what is prescribed here today. Most of them came to be through their legislative process with a study. And I know we study a lot of things in here and I know that there's an amendment filed for a study. But it came with an understanding of the true need. And I think that while it's absolutely true that we have -
- we have an infrastructure problem in Connecticut, certainly with respect to transportation, and we have different views on how we get to fixing that and addressing that within this body and down in the House as well.

But I think we have a responsibility to really understand the need for this type of financial instrument, if you will. I think we have to further understand the process by which other states got to an infrastructure bank. I think we have a -- an inherent responsibility to understand completely the risk that comes with creating this type of financial instrument. And I think we also have a responsibility to understand the benefit of doing that. And what I see in the bill, as amended, is a tremendous amount of authority that the State of Connecticut gives away in one sweep, and I'm concerned about that, and I think we should all be concerned about that.

The bill, as proposed, creates another layer of government in Connecticut, when some would argue we already have a pretty supersized government. The bill requires a pretty significant investment. If I'm reading things correctly, we're look at a -- about a $25 million dollar investment of $20 million dollars in fiscal year '20 and another $5 million dollars in '21. The bill makes the employees of the infrastructure bank not state employees except with regard to health and insurance benefits, which I have some concerns with because of what we know is the ever expanding costs of providing those services to all of us as state employees and everyone else who is a state employee.
And then, the bill allows for what seems to be, because it states one or more in the language of the bill, an endless number of subsidiary infrastructure banks to be formed. And one of the things that was kind of confusing to me, and maybe we'll have a chance to address it, but with respect to the board of directors. The board of directors of the infrastructure bank is very -- the main bank is very clearly defined in the legislation. It's comprised of appointees of the various executive and executive branch and legislative branch leaders and very clearly defines who is in the board of directors for the main bank.

The subsidiaries; however, only require six of the members of their twelve-member board to be part of the subsidiary bank board. And it raises questions for me as to where those other members will come from, who decides the membership, and I think it leaves a -- and unless I missed it, and the bill is 30-some-odd pages long, as amended, maybe there's some detail that I missed there. And then, the other part that I find a little disconcerting, I guess I would say, is a statement about funding sources for the infrastructure bank. And again, this is funding sources that include charitable gifts, grants, investments and contributions, as well as loans from individuals, corporations, other banks, institutional or other investors, university endowments and philanthropic foundations. And I don't know if the influence of those -- the quality of those types of investments possibly has some influence on the actions that the bank takes. And I don't know if other financial institutions accept these types of funding sources or whether this is a commonly-accepted process.
And again, I go back to some of my opening comments a moment ago, that perhaps we need to take some time to look at what other states have done, what type of investments they have allowed, and how they got to that decision, as opposed to the amended bill before us, which, if it passes, becomes passed in this Chamber and on its way to the House. I am glad to see; however, in the language of the amendment the inclusion of the requirement of a Connecticut Infrastructure Bank to make all records and accounts available to the Auditors of Public Accounts.

We have seen, certainly, in recent times, that the Auditors of Public Accounts have demonstrated very clearly that we need to be auditing state agencies. They have uncovered some questionable behaviors and practices within our government that ultimately result in saving taxpayer money and hopefully provide a more efficient performance and operation of the agency they have audited and they also provide a certain level of transparency that should be important to us at all times.

I am concerned, though, with whether or not the Connecticut Infrastructure Bank is required to comply with the findings and recommendations of the Auditors of Public Accounts, because that's an important part of the process for what the auditors do. They audit things, they release their findings, and they make recommendations and findings -- present their findings back to the agency.

So, Mr. President, through you, I do have a few questions for the good Chair of the Bank Committee.

THE CHAIR:
Please proceed, Senator, and Senator Bergstein, be prepared for the questions.

SENATOR BERTHEL (32ND):

Thank you, Mr. President.

THE CHAIR:

Yes, Senator Berthel, you have the floor.

SENATOR BERTHEL (32ND):

Thank you, sir. Through you, Mr. President. The bill speaks to infrastructure improvements and essentially defines all transportation services as well as the delivery and distribution of energy. That's in the very beginning of the bill. And my question to the good Chair is why were these specific items included in the definition of infrastructure improvement?

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Berthel. Senator Bergstein, would you respond?

SENATOR BERGSTEIN (36TH): Yes. Thank you, Mr. President. Yes, the definition of infrastructure improvement was intentionally broad because as we see our economy and technology evolving, we understand that there are synergies between various services that we need to provide as a government to our public so that our economy can operate smoothly, people can be transported, goods and services can be
transported efficiently. So, the inclusion of energy transmission and distribution is intended to allow for the possibility of synergies between mobility infrastructure and energy infrastructure.

For instance, there is an emerging technology. It hasn't been fully developed yet, but there's an emerging technology that I have been told is -- uses cables or some sort of underground transmission lines underneath highways that actually charge electric vehicles as they're driving along. So, we want to be open and flexible for new technology and innovation as it emerges.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Berthel.

SENATOR BERTHEL (32ND):

Thank you, Mr. President. I thank the Senator for the answer. And I guess I would ask, since I did -- I did put a couple of questions out in my opening remarks. Do we know -- Through you, Mr. President. Do we know what -- if other states have included specifically the distribution of energy in their infrastructure banks?

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Berthel. Senator Bergstein.

SENATOR BERGSTEIN (36TH):
Thank you, Mr. President. I have an extensive list of the infrastructure projects that the Florida Department of Transportation has financed with the state infrastructure bank, which they have had for over 20 years. And I would just like to remark that while they have spent a billion dollars in public funds, they've been able to do $9 billion dollars of investment in their infrastructure because they used a state infrastructure bank.

In terms of actual energy-specific projects, I do not have that much detail about each project, but I can tell you they include things like adding lanes and terminals and ports and bridges and transit facilities and airport runways. So, I am sure that in the details of those projects there is some form of energy conveyance. Thank you.

Through you, Mr. Chair.

THE CHAIR:

Thank you, Senator Bergstein. Senator Berthel, you have the floor.

SENATOR BERTHEL (32ND):

Thank you, Mr. President. Thank you, Senator, for the explanation. And since we're talking essentially about transportation, the bill does speak to, I believe, around line 21, the collection of tolls. And the language reads that unless the implementation of such tolls is approved by the General Assembly, and then goes on to define a little bit more of that process. So, my question, Mr. President, through you to the Senator, is if the General Assembly approves tolls, as prescribed at
line 21, can the infrastructure bank collect revenue from those tolls?

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Berthel. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Mr. President. And thank you for that question. This language was specifically added at the request of your colleagues. Because I do want to make it clear that should the General Assembly pass an implementation of tolls, that -- those toll revenues would not be directed towards an infrastructure bank. They are, as we all know, directed towards a lockbox, and from that point on it has not been determined at this point how they would be spent. So, the toll revenue from a future potential tolling system for our highways is -- has not been determined.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Berthel.

SENATOR BERTHEL (32ND):

Okay. Thank you, Mr. President. Mr. President, through you, just for clarification. So, the question was if the General Assembly approves tolls, can the infrastructure bank collect revenue from
those tolls. So, I'm just wondering if I might ask for a yes or a no answer.

Through you, Mr. President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Through you, Mr. President. The answer is no, they will not collect toll revenue. The infrastructure bank must comply with all federal and state laws. And as we all know, revenues from tolls are mandated by a federal law to be used for highway construction only, highway improvements only. And as we have determined in this body, revenues from tolls would go to a lockbox into the Special Transportation Fund and there is a specific carve-out here for special transportation funds.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Berthel.

SENATOR BERTHEL (32ND):

Thank you, Mr. President. And I thank the Senator for the clarification. That is a piece that had been, as the Senator spoke to, had been discussed on a kind of a bipartisan basis with respect to the legislation. And I think it's important that that is very clear in the minds of all of us as we're
listening to the debate on the bill today, as amended.

Since we are speaking, obviously, about transportation infrastructure, the amendment does address the creation of a comprehensive plan by the state treasurer and the commissioner of Transportation to expedite infrastructure improvements. Under the current bonding process, which we essentially use for transportation infrastructure improvements, approval for funding of projects is subject to the review of a subcommittee of the Finance Committee with bipartisan participation and representation of the executive branch and the legislature, the Bonding Committee. So, through you, Mr. President, to the good Senator, my question is this. Does the approval of the infrastructure improvement projects, as outlined in the bill, include participation of the legislative branch?

Through you, Mr. President.

THE CHAIR:

Senator Bergstein.

SENATOR BERTHEL (32ND):

I apologize. Madam President, I did not look up. My apologies, ma'am.

THE CHAIR:

I am back. Thank you, sir. Go ahead, Senator Bergstein. Thank you.
Thank you, Madam President. Yes, to the good Senator. These -- I'm sorry. Would you mind repeating the question?

SENATOR BERTHEL (32ND):

Not at all. I apologize. And it was all the confusion of the changing of the guard and the Chair, so. Yes, I'm happy to repeat the question. Madam President, through you, my question to the good Senator. The bill speaks to the creation of a comprehensive plan by the state treasurer and the commissioner of Transportation to expedite infrastructure improvements. And under the current bonding process, approval for funding of projects is subject to the review of the Bonding Committee within the Finance Committee. My question is this, through you, Madam President. Does the approval of the infrastructure improvement projects, as defined in the amendment, include participation of the legislative branch?

Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. And the answer is a clear yes. The infrastructure bank reports to six legislative bodies, six legislative committees including Banking, Commerce, Energy, Environment, Finance and Transportation. So, there is significant exchange between the agency, quasi-agency, and the legislature. They do not work --
they do not work on their own. They do not work unilaterally. They have to work in collaboration with all of the agencies that want to finance projects as well as the legislative committees that oversee those agencies.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Berthel.

SENATOR BERTHEL (32ND):

Thank you, Madam President. Through you, to the good Senator. Could you identify in the amendment what lines? Because I have read this a number of times, as I'm sure you have, and I did not see that in the amendment.

THE CHAIR:

Senator Bergstein.

Senator BERTHEL (32ND): Through you.

SENATOR BERGSTEIN (36TH):

Through you, Madam President. Yes, lines 348 to 354.

THE CHAIR:

Senator Berthel.

SENATOR BERTHEL (32ND):
Thank you, Madam President. If -- just take a moment, if I could just take a look at that. Okay, I see that now in the amendment. And I thank the Senator again for the answer and for the clarification to the language in the amendment. Madam President, I know there are others that wish to speak on the proposal, on the amendment before us, and again, I -- you know, I -- while I applaud the effort here and I -- through my own research, I believe that there is a time and place for Connecticut to have an infrastructure bank. Again, I just -- I'm just not sure that we can dive kind of feet first on this one in terms of going right from not having an opportunity to, again, look at all of the risks and the benefits and the need and the process that have been played out in so many other states that have gotten them to a point where they have implemented this type of financing structure for infrastructure improvement.

So, again, I thank the Senator for the answers to my questions, and unfortunately, I'm not able to support the bill today.

Thank you very much.

THE CHAIR:

Thank you, Senator Berthel. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. I appreciate my colleague's concern that perhaps this is not the time and place for an infrastructure bank. But I believe it actually is overdue. This is a proven model that's been used successfully throughout the
world, in other states. I've spoken to people who run the Connecticut -- the -- sorry -- New Jersey Infrastructure Bank, the Rhode Island Infrastructure Bank, the Florida Infrastructure Bank. This is a highly successful model of achieving what we all want, which is lower costs, higher quality, faster-delivery infrastructure projects. We all want our roads and our rails and our ports and every other aspect of our infrastructure to be modern, to be fast, to be safe, to be reliable, and to be delivered in a timely fashion with efficiency.

So, this is not an additional layer of government. This is actually a way to marry private-sector investment and private-sector expertise which we do not have in-house. We do not have an in-house project finance team that just specializes in infrastructure. This would give us that. This would give us our own consultants, project finance experts, who do this all the time, who negotiate deals and figure out the best financing that gives taxpayers the best return on our dollars. Essentially, this is a way, this is a mechanism to deliver the accountability and the cost efficiency that the public expects, which we, frankly, have not been able to deliver over the past few decades.

It's a way to save taxpayer money, incentivize efficiency, bring private-sector talent, technology and financing and harness it for the public good. It also is a way to promote transparency, because we have -- as I described before, we have created a dynamic between this quasi, which has the private-sector talent, with the legislature and with DOT. So, they work to enhance the performance and improvement of DOT and, frankly, any other agency that wants to engage in infrastructure projects.
So, they're there to help enhance lower costs and be our marketer, essentially, in the public -- in the private capital markets, which, again, is expertise that we do not yet have.

So, it's not an additional layer of government. It creates the accountability that we all expect from government and we aren't actually getting.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Will you remark further? Good evening, Senator Sampson.

SENATOR SAMPSON (80TH):

Good evening, Madam President. Just listening to the conversation thus far, I will say that I'm very much in sympathy with the comments made by the good Senator regarding the need for engaging private contractors, employers, private ingenuity, innovation and investment in the future of our state. I can agree with her on that completely. My issue, really, with this bill is the way that it's written. The conversation that the two senators just had before us really illustrates what my concerns are from the very beginning, which is whether or not we're actually building that partnership as described, or we're creating a separate autonomous body that has a lot of authority.

And I'm gonna go through the bill in some detail to try and get to the bottom of what this policy actually does by the letter of the document and not
necessarily what we hope it would do. So, the first thing I will ask is. I know this bill has been through several committees. It's been through the Banking Committee. It's been through the Government Administration and Elections Committee, and it's even been through the Finance Committee. And certainly it was relevant in all cases because this certainly does touch on all of those areas. But I noticed that its primary focus is really the development of transportation infrastructure, at least if you read the first paragraph in section one. And yet, the bill was not through the Transportation Committee. And that's the first question I have.

Through you, Madam President, I'd like to ask the Senator if she would let me know why the bill did not go to the Transportation Committee.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. It's my understanding that it was at our discretion whether it should be referred to the Transportation Committee and that was -- that decision was not made. It did go -- went through three committees, which is fairly extensive process. And I recall that one of the original bills put out by the Transportation Committee included a Connecticut Infrastructure Bank. So, I had it on good faith that at least the Chairs of that committee were supportive of this in concept.
Through you, Madam.

THE CHAIR:

Thank you, Senator Bergstein. Senator Sampson.

SENATOR SAMPSOn (80TH):

Thank you, Madam President. And I appreciate the answer. I'll just note that the first paragraph talks about infrastructure improvement and mentions construction, equipping, reconstruction, repair, rehabilitation, improvement of and acquisition of easements and rights of a with respect to roadways, highways, bridges, commuter and freight railways, transit and intermodal systems, airports, aeronautic facilities, ports, harbors as a navigable water base. All of those are transportation infrastructure items. Every last one of those, until we get to energy transmission and distribution resources. And we just heard a few moments ago that the nexus between energy transmission and distribution resources might be this new technology that helps electric cars be charged while travelling down the highways.

So, I'll just state for the record that I believe that this is a transportation bill more than anything else and I find it odd that it didn't go through Transportation. I also noticed that in a previous version of this bill there was a -- the term, tele-networks, was included in this definition and I'm curious to know why that was removed.

Through you, Madam President.

THE CHAIR:
Thank you, Senator Sampson. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Thank you for noticing that. We originally did include telecommunications and we removed it because we were told on good authority that the private sector already provides over 97 percent of our telecommunications and they do it well and they own the cables. And perhaps at some future date, that partnership will be revisited, but for the moment we did not want to disrupt what the private sector was already doing quite well on its own.

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Sampson.

SENATOR SAMPSON (80TH):

Thank you, Madam President. And I appreciate that answer. Would you read that to mean that this language, not including tele-networks, would be a prohibition on the Connecticut Infrastructure Bank being involved in those technologies?

Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):
Thank you, Madam President. Their involvement with telecommunications is not contemplated at this time.

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Sampson.

SENATOR Sampson (80TH):

Thank you, Madam President. That was a diplomatic answer and I appreciate it. Moving on to a section that was already mentioned by a previous Senator during the questions that he asked. Lines 18-23 seem pretty specific. It says the funds shall not receive any amount received or collected by the state or any officer thereof on account of or derived from an electronic toll collection system implemented on the highways of the state unless the implementation of such toll collection systems is specifically approved by an affirmative vote of the General Assembly.

Now, when I read that, my reaction was this language is here to tell everyone in this room that this is not a toll bill. **This is not a toll bill.** That's what it says. I don't know why we need to mention that explicitly since we have a lot of bills that come through here that are not toll bills and we don't need to put that in there. I guess my question is, is there any additional reason beyond trying to make it abundantly clear that this is not intended to be a mechanism or to be funded by our potential implementation of highway tolls in this state?
Through you, Madam President.

THE CHAIR:

Thank you, Senator Sampson. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. It is intended to make it abundantly clear that that is not -- even if passed, that is not to be considered the primary source of funding for an infrastructure bank. That's why we intentionally carved it out. It was at the suggestion of your colleagues that we did that. So, we also carved out special transportation funds, funds from the Connecticut Port Authority, funds from the Connecticut Airport Authority. The intention of the infrastructure bank should be eminently clear. It is not to step on the toes of existing funding streams. It is actually to enhance existing funding streams and to find novel and innovative sources of revenue.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Sampson.

SENATOR SAMPSON (80TH):

Thank you, Madam President. And I appreciate the answer. So, similar to my previous question, I will ask, does this statement create a prohibition for the Connecticut Infrastructure Bank from receiving toll revenue, period?
Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. This states -- it says exactly what it says, which is that no toll revenue is contemplated to be a funding source of the infrastructure bank.

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Sampson.

SENATOR SAMPSON (80TH):

Thank you, Madam President. I understand the language that's written there is quite clear and it essentially says that, notwithstanding anything else that might happen, the legislature passing another law and changing this policy, we can certainly do that. This proposal does not allow for tolls on our highways. But I am -- I will ask if I am correct in stating that this bill would allow the infrastructure bank to in fact place tolls in other places around this state. Is that correct?

Through you, Madam President.

THE CHAIR:

Senator Bergstein.
SENATOR BERGSTEIN (36TH):

Thank you, Madam President. No, not correct. This does not contemplate creating a tolling system of any kind. It also specifically carves out special transportation funds. And we know that if tolls are enacted by the General Assembly that they would go into the Special Transportation Fund. So, by virtue of that connection, we know that even if tolls are enacted, they will not come to the infrastructure bank.

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Sampson.

SENATOR SAMPSON (80TH):

Thank you, Madam President. I was gonna go through this bill kind of line by line, but we've got to, just based on the last conversation, jump ahead to line 210. Line 210 is very simple. It says, "Funding sources may include but are not limited to," and the next paragraph tells us where money can come from. And the very first thing listed on line 211 is, "funds received by the state from transportation-related fees," and it says, "included but not limited to fees for bus, rail or ferry service, parking, electronic vehicle charging and so forth." It does say, "provided such funds are not required to be deposited into the SDF."

But it does not say that tolls are not a potential. In fact, I don't know what else you might consider a fee for the use of, you know, transportation-related
infrastructure created in section one, even a ferry service, in some ways, I think could be considered a toll by many. I'm just trying to get to the bottom of the bill. I'm not trying to imply that somehow this is a mechanism to create tolls in our state. I just want to make sure that, for the record, we are going to make it clear that, a) we are not allowing highway tolls with this legislation, and what we are in fact allowing and does that include, for instance, the infrastructure bank to partner with a private entity to maybe make a highway onramp and then use a toll at that onramp to fund the infrastructure bank and repay the project. Is that possible?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Sampson. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. No, that is not possible. And that is why the language is so specific and limited to fees for bus, rail, ferry service, parking, electric vehicle charging, etcetera. So, those types of fees are not called tolls. They're called tickets, ticket prices. So, when someone goes on a bus or a rail or a ferry service, they pay a ticket price and that price can fluctuate depending on service provided, and that is a source of revenue that an infrastructure bank could use eventually, some day, if they provide better service. It could also be coupled with an increase in a fare charge for that improved service.
Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Sampson.

SENATOR SAMPSON (80TH):

Thank you, Madam President. And I appreciate the answer. I don't want to be cute, but it does say, "Funds received by the state from transportation-related fees including but not limited to," which, to me, tells me any way you want to derive funds. And I think that trying to make the point that a toll could be called something else. You know, I have a joke among my friends. We call tolls road taxes. (Chuckles) But whether you call it a ticket or a fee for the onramp that I described, it would still be a toll. If you are not calling it a toll, through you, Madam President, would it be allowed to charge a fee under the circumstance I described if the infrastructure bank partnered with a private entity for the use of a bridge or for an onramp that they constructed?

Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. I'm sorry if my previous answer was unclear, but I thought I said very clearly that, no, a toll on an onramp is not a
permissible source of funding for this. We are not contemplating tolling of any kind.

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Sampson.

SENATOR SAMPSON (80TH):

Thank you, Madam President. And I appreciate the answer. I don't doubt the sincerity of your response. But I don't see in the language where it precludes that. I only see language that enables it. But I will move on since we've discussed it enough for the record and I'm confident that I'm gonna get the same answer again. In lines 42 through 46, it describes the infrastructure bank being created as a body politic incorporate, constituting a public instrumentality and political subdivision of the State of Connecticut, established and created for the performance of an essential public and government function. That's very, very straightforward. That's typical language you might see in a quasi or a public-private partnership.

But then it says, "The Connecticut Infrastructure Bank shall not be construed to be a department, institution or agency of the state." I think that's also acceptable language if you're trying to make it quite clear that this is a private entity. I'm bringing it up only because as we go through this bill I think it's going to be clear that this Connecticut Infrastructure Bank, as written in this bill, attempts to be both things. Right in lines 48 through 55, it talks about how the Connecticut
Infrastructure Bank shall develop a plan to expedite development and the structuring of high-quality infrastructure improvement projects and it's supposed to consult with the state treasurer and the commissioner of Transportation.

Consult with, to me, is a question mark. But let me ask the question. Is there a list of infrastructure projects that they'll be working from or will they be developing their own list? And where in the bill do I understand that that list exists that they have to work from?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Sampson. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam Chair. Thank you for that question and I'm happy to eliminate the process. So, the process would originate with the Department of Transportation or any other agency that wanted to fund infrastructure projects. And as I understand currently, the system is that the Department of Transportation creates its own list of priority projects and then they confer with the legislature to determine if it meets their standards and then they proceed with their projects. This quasi-public agency would simply intervene in that process in order to enable better performance and better financing. So, they would simply look at the list of priority projects and assess it based on these criteria here, which are high quality, cost efficiency, and, this is very important because we
don't really have a metric for this yet, whether or not the projects would stimulate and encourage economic growth and development.

So, we don't have a mechanism to date that assesses the economic impact of various transportation infrastructure projects. And I think it's really important for taxpayers to know what they're gonna get from the money that we are investing on their behalf. So, the economic impact of each of those projects is really vital information and analyzing that before we decide to fund, before we decide how to fund individual projects is an essential element to responsible public finance.

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Sampson.

SENATOR SAMPSON (80TH):

Thank you, Madam President. And I appreciate that answer. If you go back to my very first opening comment, I said that the things contemplated in this bill are things I am very much in favor of, including everything the good Senator just mentioned. I want to see exactly that happen. My question and I'll repeat the end of the first question. I know it was a multipart question. Is where is the list contemplated in this legislation before us that they will be choosing the projects from? Because I see nothing on this -- in this language that says that they must contemplate the list that the Department of Transportation has of infrastructure projects. To me, it looks like the
Connecticut Infrastructure Bank can choose whatever projects they want because there's nothing in here that says that they have to use that list.

And the second part of that question is, while I appreciate what's happening here, where is the legislative oversight? Where is the legislature in that decision-making process to make sure that this is in fact an infrastructure project that will stimulate and encourage economic growth? The reason why we're all here, Madam President, is because we represent our constituents and our job is to write policy that is best for them and look out for their interests. To me, this is a dangerous part of this bill that transfers a lot of that responsibility to an outside group of people that are not responsible to us. So, that's the reason why I ask the question. I appreciate the desire for these goals. I think these are great goals. But where is the list and where is the oversight?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Sampson. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. I would just like to characterize the infrastructure bank not as an outside group with possible, you know, nefarious interests. This is actually a group. The board is entirely accountable to the legislature and the government -- the Governor, sorry, because it's appointed by the legislature and the Governor. So, it's a body of twelve board members, eleven of whom
are voting. They are appointed by treasurer, the Department of Transportation commissioner, DECD commissioner, House Minority Leader, Senate President, Senate Minority Leader, House Speaker, for -- from the Governor. And they have to have specific expertise in infrastructure financing, project finance, environment, and other types of expertise which are really critical to have on a board which is going to make some sophisticated analysis and decisions.

But again, they are not working unilaterally. They are not coming up with their own projects out of the ether. They are there to provide support and expertise to our existing state agencies which want to accomplish a public mission of providing 21st century infrastructure so that we can have a growth economy. So, this is not a rogue entity that has its own agenda. It has public mission as its agenda and that public mission is stated quite clearly in lines 50 through 55.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Sampson.

SENATOR SAMPSON (80TH):

Thank you, Madam President. And I appreciate the answer. I want to just state for the record I never said anything about a nefarious purpose. I don't believe that is the intent of the language. I completely understand that the goal here is to improve the infrastructure in our state and come up with a better, more progressive way to achieve that.
I completely understand that and it's something that I share in. But the concerns I've laid out so far and will continue to do discussing this bill are legitimate concerns and I just want to make sure that we're not attempting to change the argument into whether or not I think the idea is good. The idea is good. It's the implementation that I have a concern with.

I'll just point out, by the way, that the board, while it does include certain appointments from the legislative chambers, that Minority Leader, Majority Leader, and so forth, the Speaker, and like a lot of different, you know, studies that we produce and a lot of different task force, those members are on there. But generally speaking, they don't produce a final work product. They bring their work product back to the legislature for final review and approval. And in this case, that doesn't happen. What's happening is we are giving them the autonomy to act on their own. And just since we're on the subject of the members of that board, I will point out that even though this is the Connecticut Infrastructure Bank, the Banking commissioner does not serve on this board.

The comptroller, who would play a distinct role in something like this, I believe, should have a role, and he is not. But there are labor representatives and environmental representatives on the board. I don't think that's a problem, but I think it's worth pointing out that those positions were chosen over having someone with some banking background that is responsible to our state government.

So, just continuing on, lines 65 through 69 talk about the Connecticut Infrastructure Bank's powers.
It says it may assume or take title to any real property and that also may mortgage, convey or dispose of its assets, etcetera. It goes on and gives it some authority. I'm curious to know if these assets that will be purchased by the Connecticut Infrastructure Bank will be assets of the taxpayers of the State of Connecticut.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Sampson. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. I first want to address the good Senator's concern about whether the infrastructure bank can make independent financing decisions. And there is a mechanism whereby the treasurer must approve any bonds or financing issued by the infrastructure bank. So, no, they cannot act independently.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Sampson.

SENATOR SAMPSON (80TH):

Forgive me, Madam President, I don't know if the answer to my question was in there. I was distracted by someone for a moment. But I had asked whether these assets that are discussed in line 65 through 69 would be owned by the taxpayers. Is that
correct? And I'm sorry if you did answer the question.

Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Oh. Thank you, Madam President. Anything purchased by the Connecticut Infrastructure Bank is owned, in essence, by the taxpayers of Connecticut. The purpose of the infrastructure bank is to advance the interests of the taxpayers of Connecticut.

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Sampson.

SENATOR SAMPSON (80TH):

Thank you, Madam President. So, just following in that theme, lines 93 and 94 speak to the power to invest in, acquire, lease, purchase, own, manage, hold, sell and dispose of real or personal property or any interest therein. So, normally when any other state agency or even quasi-governmental agency in our state attempts to do any of those things, they are required to go through several processes. And number one of those things is through the Department of Administrative Services. I'm curious to know if there's any oversight through DAS on the purchase of land and whether or not there is a
competitive bidding process, or this Connecticut Infrastructure Bank simply gets to make the decision on their own whether it's a good investment.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Sampson. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. There is no specific language about a review by the Department of Administrative Services because, again, the underlying intention of the Connecticut Infrastructure Bank is to streamline the process and to allow for the public interest to be advanced with a private sector expertise and financing. There is -- I don't believe there's any risk to the taxpayers. In fact, the risk of any of these projects only reverts back to the infrastructure bank and not to the state itself.

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Sampson.

SENATOR SAMPSON (80TH):

Well, thank you, Madam President. That's a very important point. I would -- I hesitate to -- I want to be agreeable on the subject, but I do see a risk to the citizens of the state and that is because there's a purpose for oversight. I could hardly be
accused of someone in this Chamber of someone wanting to see more government. But there's a reason why we have government. I think the first two priorities are public safety and consumer protection. And in this particular case, I think creating a somewhat autonomous group of people who can make this decision on their own without a competitive bidding process, without the oversight of the Department of Administrative Services to make a purchase of property because they feel it is a good investment, should be a concern of this body.

It says in line 95, "they also have the authority to borrow money or guarantee a return to investors or lenders." I'm curious to know what happens if they fail to live up to the return that they have promised. Is there any chance, through you, Madam President, that the taxpayers of the State of Connecticut might be responsible or held accountable for that lack of achievement of their goals by the Connecticut Infrastructure Bank and require the taxpayers to pay that return?

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. I'd like to refer the good Senator to line 77 of the bill, which says that "the indebtedness shall be payable solely from the assets, revenues and other resources of the bank." So, there is no liability to the state beyond what
the assets and revenues are in the infrastructure bank.

As to the competitive bidding process that the good Senator referred to, this actually enables a competitive bidding process so that we can invite private developers and other providers into the process of developing plans for designing, engineering and executing our infrastructure projects. And like any investment, it will be judged on its merits. It will be judged on its performance. So, another advantage of the infrastructure bank is it allows for performance metrics, so that we actually can ensure that we get good P3s and not bad P3s, and again, that we get cost-efficient projects that do not become a liability for the state and its taxpayers.

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Sampson.

SENATOR SAMPSON (80TH):

Thank you, Madam President. I appreciate that answer. It does make me wonder. I don’t know under this bill what would become assets or the Connecticut Infrastructure Bank and whether or not those assets could be construed to be assets of the State of Connecticut, and whether or not -- if the only thing that is subject to protecting that guaranteed return that the infrastructure bank is assets that they own. Would that be sufficient to satisfy investors? Or is the infrastructure bank relying on its quasi-public relationship with the
State of Connecticut to encourage investors to work with us because we are backed by the state and its taxpayers?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Sampson. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Again, just to emphasize that there is no liability to the state, simply to the infrastructure bank itself for the projects that it finances. And those projects are not backed solely by the assets of the bank, but by the revenue generated from those projects. That is the source of the funding and actually what happens is that as more projects are done and more revenue is generated and a portion of those revenues come back to the infrastructure bank, the infrastructure bank becomes self-sustaining. So, it no longer needs any input from the state, any equity from the state. So, it becomes a revolving fund and it's called a development fund in other parts of the world, and it just keeps growing and doing more projects for the benefit of the public.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Sampson.

SENATOR SAMPSON (80TH):
Thank you, Madam President. I -- again, all of the answers I'm hearing are great except I don't see that in the bill anywhere. What is see is that this infrastructure bank is going to be funded by the taxpayers of the state to the tune of $50 million dollars over three years; $5 million dollars upfront, $25 million dollars in year two, and $20 million dollars in year three. Those, I believe, would be assets of the Connecticut Infrastructure Bank. And if the only thing that is potentially at risk because of a failure to meet a guaranteed return are assets of the Connecticut Infrastructure Bank, I think we've just shown that that $50 million dollars, and potentially more, are taxpayer funds that are at risk.

I'm just gonna move on. Line 117 mentions the operation of a northeast regional infrastructure bank. Through you, Madam President, what is this and why is it in the bill before us?

THE CHAIR:

Thank you, Senator Sampson. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. And I'm so glad that you raised that question because, ideally, we would be part of a regional infrastructure bank once all of our neighboring states have infrastructure banks, and they are in the process of putting them in place. New York and Massachusetts are in the process. New Jersey already has one. Then, with a regional infrastructure bank, if we participate in that, we can do major infrastructure projects that cross state lines. Rails, highways, bridges,
tunnels, all sorts of things that, as we know, infrastructure does not stop at our state border. So, we need to be able to partner with other states to do major projects that truly transform all of our state's infrastructure and that can be a way of developing our regional economy.

We have such potential in this region for really stupendous economic growth if we take advantage of innovative processes and efficiencies between state governments to achieve our collective goals.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Sampson.

SENATOR SAMPSON (80TH):

Thank you, Madam President. Again, it sounds like a loft goal and one that I am very sympathetic to. But I come back to the question that I've asked repeatedly, and that is where is the oversight, where are the people of the State of Connecticut when it comes to the decision-making power here, especially when we are giving this Connecticut Infrastructure Bank and its very limited in scope board of directors the power to engage another state in potentially a, you know, billion dollar investment project. I'm just gonna move on from that, though. I mean, it's -- the theme of this bill for me is I like the idea, where are the taxpayers' investments looked after, where is the oversight.
Lines 128 through 132 speak of the potential of an MOU with the Connecticut Green Bank regarding the sharing of space, office systems or staff administrative support. And I'm just curious to know how that works. I mean, the Connecticut Green Bank is its own entity. Are they prepared to share their resources with the Connecticut Infrastructure Bank? Is there a plan in place? Have they agreed to work with the Connecticut Infrastructure Bank as far as providing that space, office systems and administrative support?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Sampson. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Yes, the Connecticut Green Bank has agreed to work with the shared services agreement and in fact they are most supportive of this concept, and they testified in favor of the infrastructure bank.

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Sampson.

SENATOR SAMPSON (80TH):

Thank you, Madam President. The next session, 135 through 144, which is section E of the authority granted to the infrastructure bank, essentially says
it can create its own subsidiaries. I know Senator Berthel touched on this also and I won't even ask a question. But I will ask one rhetorically. And that is, again, who is exercising oversight over this subsidiary other than the infrastructure bank itself? I notice it in lines 195 and 196, it says, "The infrastructure bank may seek to qualify for community developed financial institution under a U.S. Code." I'm guessing, without looking that up, that those are federal grants. Are those federal grants available to private entities or government entities, or, in this case, what is construed to be a quasi-public?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Sampson. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. First, let me just address your question about subsidiaries. The purpose of allowing the infrastructure bank to create subsidiaries, as is one in the private sector, is to limit the risk of a project simply to the assets of that project. So, that is a customary way for banks or any other finance entity to do business.

In terms of your question about the community development financial institution, yes, those are federal funds. And if the infrastructure bank qualifies, they would be entitled to it. But as it stated elsewhere in the bill, the infrastructure bank must comply with all federal and state laws,
and again, there is no intention to divert federal funds that might be going to another agency to the infrastructure bank. It simply -- this paragraph enables them to apply for such funds, which I believe are for distressed, low-income areas.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Sampson.

SENATOR SAMPSON (80TH):

Thank you, Madam President. So, we're in agreement, then, that this essentially is giving the infrastructure bank the ability to qualify for certain types of federal grants that would normally be issued to government entities for the purpose of developing these, I think, they're distressed communities, as was just stated. My concern here is whether or not we are going to put the infrastructure bank in direct competition with our other state agencies and how is that resolved in a case where both the Connecticut Infrastructure Bank or maybe another state agency, housing authority or other entity, are competing for the same funds. Do we have a mechanism to resolve that anywhere in this language?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Sampson. Senator Bergstein.

SENATOR BERGSTEIN (36TH):
Thank you, Madam President. And I appreciate the good Senator's concern about interagency competition. But again, that is not the purpose of the infrastructure bank. It is not to divert federal funds to itself over the better interest of another agency. The purpose of the infrastructure bank is to enhance the capabilities of existing agencies. So for instance, if the housing authority wanted to apply to funds, they might consult with the infrastructure bank and determine, based on that consultation, who is in the better position to apply. Perhaps there's some efficiency that could be gained from the infrastructure bank conducting that process on behalf of the housing authority.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Sampson.

SENATOR SAMPSON (80TH):

Thank you, Madam President. I know I sound like a broken record up here. I appreciate the answer very much. I like the answer very much. But I don't see it in the bill. If we're going to say that there is a mechanism to prevent this interagency competition, as it was described, I think it needs to show up in the bill, and it's not here. All it says is that they can apply for these federal grants, which I presume our other state agencies are applying for. To me, that creates a problem that should be addressed. I'll just reiterate in lines 210 through 216 give broad authority to the infrastructure bank for funding sources and it makes it quite clear that
it can receive state funds, funds received by the state, from transportation-related fees, included but not limited to a plethora of items. This goes to the discussion we had earlier about what the assets of the infrastructure bank are and whether they are taxpayer dollars or not.

Lines 238 -- I'm sorry, 239 and 240, say, "the Connecticut Infrastructure Bank can enter into contracts," but it also says, "The average rate of return on such debt or equity shall be set by the board of directors." And then on lines 249 and 250, it says, "the bank may assess reasonable fees on its financing activities." So, a question, through you, Madam President, is the Connecticut Infrastructure Bank subject to the banking regulations that would apply to any other entity looking to conduct either of these acts, setting the return on investments or charging reasonable fees on its financing activities?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Sampson. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Yes, the Connecticut Infrastructure Bank is subject to all state and federal law and whatever banking policies may apply. But I'd like to address the Senator's previous statement, his concern about competition between the infrastructure bank and state agencies. And I guess I would posit that this is really a question of perspective. If someone believes that our state
agencies are operating at full capacity and full efficiency and delivering the best possible results for our constituents, then, correct, they would not need any oversight or any support.

If you don't believe that, if you're somewhat disappointed by the results of some of our state agencies, including the Department of Transportation, then actually this provides the type of oversight and intervention that is actually constructive. So, the infrastructure bank can receive state funds. Again, it is not there to compete with the state agencies. It's there to enhance their productivity and efficiency so we can deliver the results the public expects.

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Sampson.

SENATOR SAMPSON (80TH):

Thank you, Madam President. What the gentle lady has just described sounds like a private entity to me, which is the thing I keep going back and forth to. In some ways, this is a state agency that's eligible for state privileges, for lack of a better term, and in other ways it is a completely autonomous body. I thought that when I had asked the previous question about whether or not there would be any prohibition on competing with other state agencies that I would be pointed to the next section I'll bring up, which is 264 through 269, which basically says exactly that. It says, "The
infrastructure bank shall not apply directly or through a subsidiary for federal grants."

But it only specifies a few state agencies and this illustrates my concern. We bothered to write this bill in this way to address the problem that I already pointed out, but we only did it in the case of the Department of Transportation, the airport authority and the port authority. We did not do it to protect the Department of Housing, for instance. And I'm certain there are other state agencies that will end up in direct competition with the infrastructure bank, which I would argue, under this language, has no obligation to consult with them whatsoever. And I know that we're going to talk about the oversight of the legislative committees that's coming up in a few short sections and I cannot wait to discuss that also.

Through you, Madam President, I guess, I will just ask, why are there not other agencies? Why does it only list these three agencies, I guess? Why only DOT, the port authority and the airport authority? Why not Housing or any of the other state agencies that might be involved in similar projects?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Sampson. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. I would just like to correct the previous statement because these lines say that, "the Connecticut Infrastructure Bank shall
not apply unless they have the approval of the state treasurer and the commissioner of Transportation." So, there is a process by which they can apply. If everybody at the table agrees it's in the best interest of the implementation and financing of the project.

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Sampson.

SENATOR SAMPSON (80TH):

Thank you, Madam President. And I thank you for the answer, but it's not the answer to the question I asked. It says that the infrastructure bank shall not apply for federal grants. Two of those three agencies I mentioned without the approval of the state treasurer or the commissioner of Transportation. It says nothing about the Department of Housing or any other state agency.

THE CHAIR:

Thank you, Senator Sampson. Is there a question?

SENATOR SAMPSON (80TH):

I wasn't asking a question. I'm just making a statement there. Lines 270 through 272 also give me some pause. It says, "No director, officer, employee or agency of the Connecticut Infrastructure Bank, while acting within the scope of his or her authority, shall be subject to any personal liability." This -- I just mentioned that in some
ways we are giving the folks on this board within the infrastructure bank all of the authority of a private entity to act independently. But on the other side, we're also giving them the benefit of this protection from liability that you would only get from a state agency. And it's of great concern to me.

And it's just one of the list of things that I would point to that give me great pause in a bill that I want to support, Madam President. I don't know if I made that clear from the very beginning, that I like the idea of public-private partnerships when they are done properly, when there is proper oversight from the citizens of this state to make sure that their investments are looked out for in their entirety.

The next session is all about the board of directors, which we already talked about. Going on to line 335. Here's another thing. It says -- this is actually the only real oversight I see in the bill, which says, "no member of the board shall be a trustee, director or partner or officer of any person, firm or corporation that has a financial interest in the investment part of the projects." And I think that's good. But I'm curious to know why we have just this limited amount of language rather than what would be expected of any other state agency that's operating with the taxpayers' money, potentially. For instance, we had a bill recently, discussing the Office of State Ethics, review of the spouses of members of organizations just like this. Are they covered by this?

Through you, Madam President.
THE CHAIR:

Thank you, Senator Sampson. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. I first want to address your previous statements about board members not being subject to personal liability. That is a customary practice in the private sector that board members are not subject to personal liability and, in fact, are insured against it. And that is how we recruit top talent to the infrastructure bank and it's also why it's so critical that board members not have any financial interest in any of the projects. So, again, as I stated previously, the performance of board members, the performance of the infrastructure bank overall is judged by the success of their projects and by the return on investment and the growth of the fund. And if you're concerned about transparency and accountability, as am I, there are specific requirements in the bill stating that the infrastructure bank and all of the terms of their deals are subject to FOIA disclosure, ethics, every other form of accountability and transparency that we have in our toolbox.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Sampson.

SENATOR SAMPSON (80TH):

Thank you, Madam President. I'll just reiterate. I asked a very straightforward question, which was,
are the spouses of the boards of directors covered under this language.

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. I'm sorry I neglected to answer that. I do not see a specific mention of spouses of board members, but it is my legislative intent that, yes, spouses should also not have a financial interest in any of the projects conducted by the infrastructure bank.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Sampson.

SENATOR SAMPSON (80TH):

Thank you, Madam President. I want to move on, but I do want to just go back to one thing that we just touched on and that is the personal liability language, 270 to 272. I don't believe that there is anyone as a private citizen involved in a private enterprise that is protected from personal liability. I don't know if the good Senator misstated. I'm quite certain that a board of directors might write a contract to have the company assume liability. But you cannot be held immune from the accusation or a lawsuit from another party.
And in fact, the conclusion of the language in here, to me, is concerning because it seems that we are trying to extend the state's sovereign immunity to this entity and their board of directors, at the same time giving them a lot of independent ability to act.

And case in point, lines 393 through 90 -- 395, I wrote next to in my notes, "scary sentence," because it is a scary sentence. It says, "the powers enumerated in this section shall be interpreted broadly to effectuate the purposes established in this section and shall not be construed as a limitation of powers." It basically says that this board of directors of this infrastructure bank is going to have complete autonomy on how to handle all of the things that we've already discussed, the purchase of assets, the guarantee of a rate of return, the charging of fees, and the -- essentially, the entire act of a private investment firm, essentially, that is in some ways guaranteed by the State of Connecticut.

To the extent that the provisions of this section are inconsistent with the provisions of any general statute or special act or parts thereof, like any other law that we make, the provisions of this section shall be deemed controlling. That should give everyone pause in this room, that we would include language like that ever in any legislation. That this bill supersedes anything else we have to say on the subject. The next few sections are all about bonding. I know the Finance Committee had an opportunity to look at that. It's not my area of expertise, so I'm just gonna kind of skip over that.
I do think it's interesting that we are granting even that authority to this organization. I hesitate to call it a quasi-public. If I really believed it was a quasi-public, I might be much more in support of the legislation. I just don't think that it's structured in that way to the letter of this bill. Lines 590 through 592, again, the Connecticut Infrastructure Bank is authorized to fix, revise, charge and collect rates, rents and fees and charges for the use of and for services furnished or to be furnished by each project and to contract with any individual partnership, corporation or association. A tremendous amount of authority granted to this agency, and again, no mention of legislative oversight.

And I will just point out that I've been speaking over and over about the lack of oversight in this bill and that is because I really want to drive this point home. And nothing drives it home more than line 605 through line 608 of this bill. This is the biggest line in the entire bill as far as I'm concerned. It says, "Such rates, rents, fees and charges shall not be subject to supervision or regulation by any department, commission, board, body, bureau or agency of this state other than said bank." Wow. That is a lot of authority to be granting a -- even a quasi-public, which I don't believe this is because of that lack of oversight.

I guess I'll just end right there. I've made my points pretty thoroughly. My concern is that the Connecticut Infrastructure Bank, despite the talking points that I think are lofty and admirable and something I would get behind, in practice, the language of this bill does not follow in form and function. This creates really an autonomous body
that has little to no legislative oversight, who has the ability to spend, to bond, to tax, to assess fees without any of the regulation that we would impose upon anybody else conducting any of those things.

I share the concerns that Senator Berthel mentioned -- Berthel mentioned out of the gate, that great idea, but the bill needs to be tightened up in a way that we can hold these folks accountable so that they truly, truly are responsive to the needs of our Connecticut residents and do provide a brighter future for our state.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Sampson. Will you remark further? Good evening, Senator Martin.

SENATOR MARTIN (31ST):

Good evening, Madam President. I rise for a few questions to the proponent of the bill?

THE CHAIR:

Please proceed, sir.

SENATOR MARTIN (31ST):

So, we're creating a new bank which will be called Connecticut Infrastructure Bank and it seems to take -- or it looks to improve the infrastructure here in the State of Connecticut as well as create an infrastructure improvement bank. Is that correct?
Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. It creates a Connecticut Infrastructure Improvement Fund as part of the infrastructure bank.

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam President. I meant to say funds instead of bank. And the purpose of that, from what I understand here, is to acquire, to remove, to construct and it says equipping, reconstruction, repair, rehabilitation, improvement of easements, right of ways, highways, bridges, rails, airports, harbors, etcetera. Can you provide a few examples of how this bank infrastructure -- the infrastructure bank would be involved in these projects?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Martin. Senator Bergstein.
SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Yes, I'd be delighted to provide some examples. For instance, in Florida, which is also a coastal state, they have ports. They wanted to be able accommodate new vessels into their ports but they didn't have the appropriate docks. So, they funded the construction of new docking facilities for different vessels with the future revenue stream from the dockage fees of those vessels. They were able to build the appropriate docks by financing it with the future revenues from the vessels that would be docking there. So, that's a perfect example of what a revenue-producing project; that is not tolls, and is, frankly, nothing to do with tolls, that can create the sort of infrastructure we need to grow our ports, grow our cities and develop into a thriving economy.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Martin.

SENATOR MARTIN (31ST):

Thank you. Thank you for that answer. So, it sounds like that was a new harbor or a new port that was developed there? Or was that something they were refurbishing or renovating?

Through you, Madam Chair -- Mr. President. We had a switch.

THE CHAIR:
Thank you, Senator Martin. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Mr. President. This was an enhancement of an existing port, just like any other infrastructure project. Everything needs to be updated and modernized and adapt to current technology. So, the vessels -- they either didn't have enough space to accommodate the vessels that wanted to dock there or the spaces they had were not adequate for the vessels that wanted to dock there. So, in order to create the appropriate docking, they needed to finance the construction of that and they did that by using the revenue stream of the dockage fees that would come in once they had built it. So, it's a way to leverage revenues, a future revenue stream, to derive the present value of that so they can -- so we can construct the facilities that we need to grow our economy.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. (Laughs)

SENATOR BERGSTEIN (36TH):

I apologize.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):
Thank you. So, if we did that here in the state and we do charge fees for the use of the harbors and the ports, and the revenues, perhaps, some of those go to the STF fund. So, would be taking those funds that we currently use, and you said that -- it sounded like they used the future revenue streams to use as a -- their equity in order to leverage for the funds needed to construct. So, if we use -- well, would we be transferring STF funds to this infrastructure bank should we do something similar to what you just used as an example?

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Martin. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Mr. President. No, we would not be diverting funds from the Special Transportation Fund.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Martin.

SENATOR MARTIN (31ST):

Thank you. The bill talks about a comprehensive plan. Can you explain to me what that looks like?

THE CHAIR:
Thank you, Senator Martin. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Mr. President. Yes. Comprehensive plan, which is on -- described in more detail on lines 50 through 55, is very concrete in its objectives. The objectives of the plan are to expedite the development, structuring, execution of high-quality, cost-efficient infrastructure projects that also encourage and stimulate economic growth and development in our state. And as I said previously, we do not currently have an assessment tool to determine which infrastructure projects are going to deliver the maximum economic benefit for our state.

And I just want to address some of the comments that the good Senator made previously, Senator Sampson, about his concern about lack of legislative oversight for this bank, and to say that I think we may have had too much legislative oversight in our process to date. And that actually the problem isn't the availability of funds, because there is over a trillion dollars in the capital markets that we have not accessed. There is plenty of money available for infrastructure projects. The problem is really politics and the fact that the process is so political. So, this is a way -- the infrastructure bank is a way to depoliticize the project and use objective metrics, performance metrics, to determine the viability of infrastructure projects.

Through you, Mr. President.
Thank you, Senator Bergstein. Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Mr. President. I beg to differ slightly here because I think if you speak with the department, the Transportation Department, they would provide you with a list of priority projects that they have and they've assessed and they know where we have to invest for our -- invest our funds for a better infrastructure here in the state. The problem has always been that we don't have enough funds or allocated and prioritized the funding that we do have to take care of those transportation needs.

So, you mentioned that the reporting requirements of different agencies earlier with one of the other good Senators here, and that there would be a report submitted to various agencies and commissions. I guess the question that I have is -- it's just a report. It didn't look like there was room in there for suggestions or any authority that the agencies or the various commissions have over this quasi, I guess, board that would be assembled. So, I guess the question is. Who would be overseeing this board?

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Martin. Senator Bergstein.

SENATOR BERGSTEIN (36TH):
Thank you, Mr. President. First, let me address your first statement, that we simply don't have enough funds for infrastructure projects. That is accurate, but it's because we have never accessed private investment funds. So, that's what I meant when I said there is a trillion dollars in capital market funding out there that we have never been able to access. This would allow us access to that so we could leverage our public funds with private funds to the tune of five to ten times. So, this is how Florida has taken a billion dollars of its public funds over ten, fifteen years, and multiplied it into $9 billion dollars. That is an incredible multiplier effect. That is exactly what the infrastructure bank would do, so.

And as to your concern about the infrastructure bank reporting to agencies and the board interface with agencies, again, the infrastructure bank is there to enhance the performance of agencies and to help them deliver the projects that they want to deliver to the public. So, it is -- it doesn't act unilaterally. It's not entirely independent. It provides expertise, support, analysis, and again, unlocks private-sector capital that we've never been able to access before.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Mr. President. Two comments. First is, it's -- with the leveraging of funds through the
private sector, it's actually bonding. So, we'd be borrowing for these projects. Second, regarding the oversight, where in the bill does it say that there is someone overseeing the board or the infrastructure bank?

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Martin. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Mr. President. The board is appointed by the legislature and the Governor with staggering times, so the board is responsible to the legislature and to the public. But again, their primary responsibility is to the public. And I'm in favor of that. I would much prefer to see people with actual project finance expertise developing projects and designing the financing of those projects that are accountable to the public and not necessarily to the political process.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Martin.

SENATOR MARTIN (31ST):

So, it sounds like there is no oversight other than the appointments made by the legislature and that there is no cognizant -- committee of cognizance where they would report to.
Through you, Mr. President.

THE CHAIR:

Thank you, Senator Martin. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Mr. President. Oh, I'm sorry. I did state earlier an answer in response to a previous question that the infrastructure bank reports to six committees of cognizance.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Mr. President. How different or how will this bank be different than what the DOT or how the DOT operates today?

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Martin. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Mr. President. There are several differences, but generally speaking, one; this is a board that has expertise in project finance. So,
that is all they do, all the time. The DOT does not have that in-house expertise. And furthermore, the most significant way they differ is that they can go out to the private markets and they can determine -- they can do requests for proposals and have a competitive bidding process so we can actually take advantage of the best technology and the lowest-cost provider of whatever it is we want built for our state. And I'll give you a concrete example.

In Miami, they determined that they needed to build the Port of Miami Tunnel and it was gonna be a major, major project. Their DOT priced it out at $1.2 billion dollars. They were able to open the bidding process up to the private sector and they got a bid for $600 million dollars because that company had better technology for delivering the tunnel. And so they were able to get the project done at a higher quality, faster, and at half the price.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Mr. President. I'd -- I have not looked into that project. I'd like to see the -- that project in itself. I guess I look at the cost of money and relative to what the state could borrow money at. It would be interesting to see how much -- what impact that had on that project. But along those lines, slightly, so what are the startup costs should we decide to do this?
Through you, Mr. President.

THE CHAIR:

Thank you, Senator Martin. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Mr. President. The startup costs would really be de minimis because of the shared services agreement with the Green Bank. They would share space. They would share staff. The Green Bank has done preliminary modeling and it would be really modest in terms of actual costs. And what we would like to do is enable the infrastructure bank, not only to set up in parallel with the Green Bank, but also to collaborate across sectors. Because as we all know, infrastructure is not built in isolation and there could be a lot of synergy between environmental infrastructure and transportation infrastructure. For instance, if we had -- if it made sense to have solar panels along our highways or some sort of energy generation mechanism, these two entities could work in collaboration.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Mr. President. So, I go to Maine, not frequently, but periodically, and I have to travel across the Kittery Bridge and there's a toll gantry
that catches and charges, you know, that gives us a -- charges us for crossing the Kittery Bridge. So, knowing that, you know, what's being proposed by the Governor regarding his toll bill, you know, we're talking about 95, 91, 84, parts of 15. So, I can see that through this bill that there's a possibility of us doing some reconstruction of various bridges and I -- you used a harbor as an example. Which is it fair to say that a bridge reconstruction would be another example of what this infrastructure bank could tap into or fund?

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Martin. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Mr. President. Yes, bridge reconstructions are contemplated, but not tolls on bridges.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Mr. President. So, basically we're just changing the word from "tolling" to "fees." Is that correct, Mr. President?

Through you.
Thank you, Senator Martin. Senator Bergstein.

Thank you, Mr. President. No, we're not changing the word, "tolls," to "fees." Fees are entirely separate from tolls. So, for instance, in your hypothetical about how would we improve bridges, there are several failing bridges underneath our trains, our Metro-North Trains. I certainly hope that we could use the infrastructure bank to finance a complete rehabilitation of that line, which would include rehabilitating at least four structurally-deficient bridges.

And the way we could do that is by using an increased fee on a portion of the train service for express trains or a business class, anything that we can -- that the infrastructure bank could generate, where there is demand, where there's public demand for a higher level of service, would generate a higher fee. That fee -- so I'm not talking about increasing fares, general fares, but creating a premium service for which a higher fee could be charged. That revenue stream could then fund the improvement of the entire rail line.

Through you, Mr. President.

Thank you, Senator Bergstein. Senator Martin.

Thank you, Senator Martin. Senator Bergstein.
Thank you, Mr. President, through you. So, can you tell me what train line or rail line that was -- that you just used as an example for the bridges?

Through you, Mr. Chair.

THE CHAIR:

Thank you, Senator Martin. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Mr. President. Sure, I'd be happy to elaborate. So, first of all, I just want to mention that the Regional Plan Association, which is a hundred-year-old nonprofit that specializes in assessing infrastructure needs in the metropolitan area and determining what the priority projects are for maximum economic growth and development and also figuring out how to finance them, has made the infrastructure bank one of their top priorities. So -- because they recognize that by doing exactly what I just said, capturing the revenue from an increased benefit, we can -- which is a future revenue stream, we can finance today major infrastructure improvements that we have not been able to finance with public funds alone.

So, again, in the example of the trains, and I'm actually referencing the 30-30-30 plan that the Governor mentioned in his opening address to the General Assembly. If we want that to be a reality, as I do, 30-minute trains between New Haven and Stamford, and Stamford and New York, which would have tremendous impact on our economic growth, would draw businesses here, would make real estate values go up. We can achieve that. We can actually
achieve that with this mechanism for, again, leveraging public funds with private investments, through revenue-generating projects such as what I just described.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Mr. President. The question that I asked was -- you gave me an example of where you would use this infrastructure bank in order to do the enhancements needed to improve the railway and bridges, and I asked you what rail line were you thinking of.

Through you, Mr. Chair.

THE CHAIR:

Thank you, Senator Martin. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Mr. President. Metro-North Rail Line.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Martin.

SENATOR MARTIN (31ST):
So, Metro-North, there's the Danbury line that's called that. There is the New Canaan line, New Haven line, excuse me. So, it's subsidized and to the tune of -- for example, the Danbury line, it's $17.58. So, did I understand you that we would use this infrastructure bank to finance that project? And we currently subsidize it to a little more than $17.50. So, would we be using the -- and charging more than that for the fee? How is that -- how would that work? So, you know, the fees are one thing, but we're subsidizing it through the state. How are we going to pay for that subsidy if we are going to be leveraging and borrowing money? How does that work with the entity that's funding this project?

Through you, Mr. Chair.

THE CHAIR:

Thank you, Senator Martin. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Mr. President. So, we would not, again, be raising the ticket price or increasing the subsidy for existing rail service. We -- the infrastructure bank would devise a way to offer enhanced service, something that does not currently exist, and charging for that enhanced service for -- only for those who choose to consume it. So, this is a fair market solution, you're offering something new. And those who want it, you know, supply and demand would pay for it and the projected revenue from that new service would be the source of revenue for the bonded project.
Through you, Mr. President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Martin.

SENATOR MARTIN (31ST):

I guess I'm -- I need to be educated in this and I'm sure it won't take place tonight. But if currently the State of Connecticut is subsidizing the railway and we're going to do improvements on that railway, using the infrastructure bank, there are gonna be funds that we are going to be borrowing or the bank, the infrastructure bank, will be borrowing with investors. There will be a fee to that to some extent. Well, there will be a fee to it. And I'm just curious to see how does that work, how does the -- how does the impact to the riders -- what's the impact to the riders and how does the subsidy that we used to provide funding for, how does that come into play? How does -- do we not have to worry about it anymore or is there going to be additional costs to the State of Connecticut?

Through you, Mr. Chair.

THE CHAIR:

Thank you, Senator Martin. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Mr. President. No additional subsidies by the state are contemplated. In fact, the subsidies may go away all together because the infrastructure could potentially derive more revenue
than it does now. And I would -- I would actually suggest that the impact to riders would be highly beneficial because they would be able to get to their destinations faster. So, this is a way to deliver what riders want, which is faster, safer, modern transportation, mass transit with Wi-Fi so that they could work, while driving to work or whatever it is they're going. And we would actually probably see an increase in ridership.

And since you mentioned New Canaan, I will just -- which I represent. I'll just offer that the train ride from New Canaan to New York is actually about twelve minutes slower now than it was 20 years ago and I find that to be an example of how the agencies, the legislature, our process in general, has failed to provide what our public deserves, which is a constantly improving infrastructure and not a crumbling infrastructure that only gets worse over time.

So, if we keep doing the same thing and using the same mechanisms and relying on the agencies exclusively, we really can't expect different results. But if we -- if we have actual expertise that has a private expertise with a public mission and we can access private capital for the first time, we can, not only create accountability and efficiency, but greatly improve results for our public.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Martin.
SENATOR MARTIN (31ST):

Well, I believe that if I was a rider in that area and it sounded like some of the subsidies might need to be, I guess, taken over sort of by the private entity, I'm pretty sure that they're not going -- they're not in the business to lose money or to subsidize the rail service. So, I would be awfully cautious if I was a rider in that area, knowing that, gee, the state subsidizes $17.50 for the Danbury line, that I might have to pay for, or even the Shore Line East, where the state subsidizes $44.91 a rider. So, I would be very cautious about that.

But, going on. You have a section in here that talks about powers and authorities. Section one, lines 393 to 398. The bill specifies the bank's powers. Could you explain what those lines mean?

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Martin. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Mr. President. Thank you for drawing those sections to our attention. Those sections are not intended to be scary or to create any powers that would not be consistent with the mission of the infrastructure bank. They're simply there to call out that if there is some minor inconsistency, an unintended inconsistency that would prevent the infrastructure bank from fulfilling its public purpose, that the terms of this bill would prevail.
Of course, if there is any sort of true conflict; that would be resolved simply because it says elsewhere in the statute that state law prevails.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Mr. President. I've signed contracts before, but I'd like to know specifically what I am signing when I do sign a contract. And when I read language like this, "that it shall be interpreted broadly to effectuate the purposes established in this section and shall not be construed as a limited of powers," I do raise questions and concerns regarding that. Another section that I'd like to have put -- ask a question is line 605 through 608. So, we're given very -- a lot of authority to this board here. And the way that I read this, it could affect various fees that we charge throughout our state, one of which is the parks and fees for the rails.

Would the bank's board be able to raise park fees or rail fees without legislative oversight?

Through you, Mr. Chair.

THE CHAIR:

Thank you, Senator Martin. Senator Bergstein.

SENATOR BERGSTEIN (36TH):
Thank you, Mr. President. No. Again, they would not be able to act unilaterally. They're disclosing all of their terms of their projects. They report annually. They have to work with the legislature and the agencies. So, no, they could not unilaterally decide to raise fees on public property.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Martin.

SENATOR MARTIN (31ST):

Well, the -- from those lines that I just read in addition to from 590 to 608, it says, "such rates, rent, fees and charges shall not be subject to supervision or regulation by any department, commission, board, body, bureau or agency of this state other than said bank." So, how can we not be interpreting this by this document and these lines to say, gee, they have the authority to raise rail fees or park fees?

Through you, Mr. Chair.

THE CHAIR:

Thank you, Senator Martin. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Mr. President. The intent of these lines, which says the fees and charges shall not be
subject to supervision or regulation, simply means that we can outsource the operation of revenue-generating projects.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Mr. Chair. Mr. Chair, I've asked a lot of questions. I want to thank the good Senator for her answers and tolerating me. But nonetheless, I think there's just a lot of vagueness and a lot of broad powers, specifically, and I think it needs -- it doesn't have my support and I just want to say that it needs -- in my reading of this document, it just needs to be tweaked some more and the overall concept, as well, needs to have a further debate.

So, through you, I am done and thank you for your time.

THE CHAIR:

Thank you, Senator Martin. Would you like to comment? Senator Hwang, you have the floor.

SENATOR HWANG (28TH):

Thank you, Mr. President. It's good to see you up there.

THE CHAIR:
Thank you.

SENATOR HWANG (28TH):

Good evening. Through you, some questions. First, I rise to speak on this because the infrastructure and transportation is obviously a critical issue in our state and I do applaud the good Senator for raising these considerations and having a dialog on this. But I am concerned. I am concerned by what I've read and some of the questions that entailed in this conversation. So, through you, Mr. President, some questions of the proponent of this bill.

THE CHAIR:

Sure, Senator Hwang. Senator Bergstein, would you be ready? Thank you.

SENATOR HWANG (28TH):

Thank you.

THE CHAIR:

Go ahead, Senator Hwang.

SENATOR HWANG (28TH):

Thank you very much. The establishment of a quasi-public is not ever to be taken lightly and it's critical to define its role, its authority, and its legislative oversight in that. Through you, could you share with me the dynamic in which this current proposed bank would be placed onto the Green Bank for administrative purposes? What does that mean? And I know it was asked earlier, but I don't think I
got a clear answer to that, and that is a real -- that's a critical question for me is the oversight of a quasi-public. Again, I'll rephrase the question. It is being placed -- the infrastructure bank is being placed into the Green Bank, but for administrative purposes. But there is no explanation or no real clearly-defined role and expectations of it.

Through you.

THE CHAIR:

Thank you, Senator Hwang. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Mr. President. Thank you for allowing me to clarify. The Connecticut Infrastructure Bank is not placed within the Connecticut Green Bank. It simply has a memorandum of agreement for shared services. And some of those shared services in the beginning would include establishing a governing structure, setting up accounting systems, setting up operations, and other initial startup services.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Hwang.

SENATOR HWANG (28TH):

Through you. I'm a little bit confused because what I just heard is it's not part of the Green Bank, but these administrative services that were just
outlined, do they sit in the Green Bank or do they sit outside of it? Because if they do sit within the Green Bank, in essence, they are part of that structure and that has been the big question. And, in fact, if I could refer to the OLR bill analysis that's provided on the bottom of page one, which quotes that, "the bill places the infrastructure bank within the Connecticut Bank for administrative purposes only," which the bill does not define. It also makes it a successor to the Green Bank with respect to the infrastructure improvement funds. "It's unclear how the bank may be a successor to the newly created fund." How does the good proponent explain that in the term of saying it's not part of the Green Bank, but it is?

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Hwang. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Mr. President. The intention is for the Connecticut Infrastructure Bank to be a parallel entity to the Connecticut Green Bank. Actually, the enabling statute for the Green Bank was used as a template for this legislation. In terms of sitting within the Green Bank, it does not sit within the Green Bank. It shares space and services with the Green Bank, just like other startups might share a co-working space. They might interface. They might share knowledge and network and expertise, but they are not necessarily the same business and they operate independently, ultimately.
Through you, Mr. President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Mr. President. And that's the key point. As I mentioned earlier, this is going to be a quasi-public agency. It is going to use state funds in its administration. It is not a private company. And that is the point of concern. And I think what was said earlier by the proponent was it's not in the Green Bank, but it runs parallel to it. But then I would refer to page 7 of the same OLR report that says, in the last line, has a relationship to the Green Bank. Because the infrastructure improvement fund is a new fund established by the bill, it was never administered by or related to the Green Bank, and the legal effect of these provisions are unclear. Again, as the good proponent mentioned earlier, it runs on a parallel path, but there is no clearly delineated legislative track to this. It causes concern for me that we are creating a quasi-public, without any basis for a new fund, with no oversight.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Hwang. Senator Bergstein.

SENATOR BERGSTEIN (36TH):
Thank you, Mr. President. I believe the good Senator is referring to the OLR report that analyzes the initial bill. But the bill has been amended, and so that language has been taken out. And if you -- if you have the amended bill, I refer you to lines 128 to 132, which states that the infrastructure bank would enter into a memorandum of understanding with the Connecticut Green Bank for shared space, office systems, staff support.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Hwang.

SENATOR HWANG (28TH):

Thank you. And I appreciate the good Senator's clarification on that. It does get a little confusing with amendment "A's" and updates to that. So, what I'm hearing is that it does not utilize and it runs on a parallel path and it has a memorandum of understanding. So, in essence, we are setting up a new fund, a new quasi-public, without any correlative background. It's kind of running on its own right off the get go should this bill be passed. Would that be correct?

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Hwang. Senator Bergstein.

SENATOR BERGSTEIN (36TH):
Thank you, Mr. President. Yes. It is intended to be independent and it actually has a different area of expertise than the Connecticut Green Bank, although it's modeled on the same principle, which is a revolving fund. So, it would be sharing space, sharing some initial startup services so that we don't have to go out and rent new office space and find new accountants or whoever it is that will do the initial startup work. But again, the cost of that startup work is de minimis. The infrastructure bank does have its own fund because it's addressing transportation infrastructure, not environment infrastructure, and it would have a board that would represent the expertise that we currently do not have in-house, project finance expertise, infrastructure finance expertise, so that we can do the kinds of public-private partnerships that we all say we want.

Thanks, Mr. President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Hwang.

SENATOR HWANG (28TH):

Thank you. And I appreciate the good proponent's clarification. But I do believe that in our state we have an existing structure. It's called the Department of Transportation. And however, we may agree or disagree with the way it functions; it has all the components that the good Senator has cited in regards to finance, infrastructure analysis. Ultimately, it could be a good complement to private entities. But I am very concerned, as I mentioned earlier.
The establishment of a new quasi-public sends a new structure, a new oversight that has been unproven. So, I will reserve my time to hear more of the dialog and debate. But I'd like to finish component here by saying we have an existing structure. The Connecticut Department of Transportation has the ability and the experience and the expertise. However we may agree or disagree with it, we can make it better, but the current structure exists. And what I see in this possible bill is creating another governmental entity without really proven oversight. That adds another layer and another cost liability to the taxpayers of Connecticut. So, with that, I am extremely cautious and concerned about this bill's intentions.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Hwang. Senator Bergstein, you can respond and go ahead.

SENATOR BERGSTEIN (36TH):

Thank you, Mr. President. I guess I'm a bit surprised to hear the good Senator say that we have an existing structure that is performing to the expectations of the State of Connecticut. The Department of Transportation, although it is certainly well intentioned and has excellent people within it, does not have project finance expertise in-house. And furthermore, it has one of the highest administrative costs in the country. And I know I have heard my colleagues on the other side of the aisle talk about that many, many times.
So, again, if we're going to defend the existing structure of the DOT as being adequate or even acceptable, then I guess that's the same as defending the results that the Department of Transportation has delivered over the past 20 or 30 years. But I have yet to meet anybody on either side of the aisle who thinks that the results that we've gotten from our existing structure are excellent or even adequate. And I would just like to counter the second point the good Senator made, that the model has not been proven. This model of an infrastructure bank has been proven for over 40 years. We are just late to the game.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Good evening, Senator Hwang.

SENATOR HWANG (28TH):

Welcome, Madam President. Welcome back. I wanted to follow up to the good proponent. And I said earlier, the idea and the intent is well-meaning. And I do want to clarify the words that were said. I had offered that our Connecticut Department of Transportation; whether we agree or disagree with them in regards of policy, is an established department with all the areas of skills, expertise that we talked about. Could it be better? Absolutely. Everything we do in this building could be better. That being said, we have an existing structure and format and an organization that is focused on that area. Should we work closer with
them to impart some of the private-public initiatives? Absolutely.

But I caution for us to go into a quasi-public with unclear delineation of roles and scope and reach is dangerous. But I would encourage that we focus and work much more collaboratively, much more intently, with the current structure. I offer that it is important for us as a legislative body through the Department of Transportation, through our committee leadership in Transportation, of which the proponent is an active partner in, to work to make it better. To bring the complements that the individual as proposed to work within an existing agency. We do not need to create another layer of government with unclear guidelines, with a quasi-public role, that could run uncontrolled, unproven, and unpredictable.

So, again, I want to clarify. I do support my Connecticut Department of Transportation for what they try to do. Could they do better? Sure. Again, we all could do better. But the structure is in place. It doesn't need to reinvent the wheel. So, let's focus on what we can do right now in concert on infrastructure with the Department of Transportation, such as prioritizing our projects, be able to address the critical issues that we all know. We have the expertise. We have the technology. We can do it right now with the Connecticut Department of Transportation.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Hwang. Will you remark further? Senator Leone.
SENATOR LEONE (27TH):

Thank you, Madam President. I just rise for a couple of questions to really just to clarify intent to the proponent of the bill.

THE CHAIR:

Certainly, Senator Leone. And we'll go to Senator Anwar after you conclude. Please proceed, sir.

SENATOR LEONE (27TH):

Thank you, Madam President. And forgive me if some of these questions may have been asked earlier as I was in and out of the Chamber. I did try to listen to much of the testimony. And I know it's been a good back and forth on trying to understand this innovative, new way of thinking, a new, innovative way of trying to do business with our infrastructure. And at the same time, we're hearing how the Department of Transportation has so much on its plate and so possibly this could be a way to bridge that gap. But at the same time, as I'm reading the bill, I just wanted to be sure to clarify that if tolls were to be passed and toll revenues go into our lockbox, there is no language in the bill that would divert any of those monies to the infrastructure bank.

Through you, Madam President.

THE CHAIR:

Senator Bergstein.
SENATOR BERGSTEIN (36TH):

Thank you, Madam President. That is correct.

SENATOR LEONE (27TH):

Thank --

THE CHAIR:

Senator Leone.

SENATOR LEONE (27TH):

Thank you, Madam President. I thank the gentle lady for her answer and clarification. Also, this is about trying to leverage private dollars so that we can get more funding for the really large-scale projects that's possible that are not on an immediate list. It doesn't mean they couldn't be on a list down the road. But given the scope and how many projects are outstanding, this could be another tool. So, I understand that the infrastructure bank shall work in consultation with the Department of Transportation as well as the Treasurer's Office, and that is to compile a list of what to work on in terms of potential projects.

But at the same time, the Department of Transportation has its own list outstanding that we must fund going forward, whether it's in the Special Transportation Fund or whether even toll revenues come down the road. So, I just wanted to be clear. If the Department of Transportation is not working in consultation with the infrastructure bank, then they are not beholden to the infrastructure bank. Is that correct?
Through you, Madam President.

THE CHAIR:

Thank you, Senator Leone. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. That is correct.

THE CHAIR:

Senator Leone.

SENATOR LEONE (27TH):

Thank you, Madam President. Again, I offer thanks to our good Chair of the Banking Committee. So, I just wanted to make sure that as we're trying to find all the possible tools to get our state going, to make sure that we have what is necessary for the infrastructure of the future, it'd be great if we could fund everything ourselves. But the case is that might not always be possible or possible when we want it to happen. So, this may be a potential tool. But I just wanted to make sure that the good work that the Department of Transportation does do is not hindered. And from what I'm hearing, that is not the case, and so there is a clearly-defined role between the infrastructure bank and the Department of Transportation. And so, I thank the good gentle lady for her answers.

Thank you, Madam President.

THE CHAIR:
Thank you, Senator Leone. Will you remark further?
Senator Anwar, good evening.

SENATOR ANWAR (3RD):

Good evening, Madam President. I rise in support of the amended bill. I have some comments. I want to leave everybody with some thoughts with some specific words. One is reality, vision and balance. Reality means what -- we have to recognize what's going on our State of Connecticut. If our state is to remain competitive, if our state is to provide the most basic and up-to-speed, 21st century infrastructure, we have a lot of work to do. It does not take a rocket scientist to figure out if you're just driving around Hartford or literally any part of our state that our infrastructure is not in good shape. I think that's something that's important.

If you look at the number of millions of hours that are spent on our roads because of the traffic-related challenges and these are increasing exponentially. It is no surprise that some of the businesses that want to come, some of the larger businesses that want to come to the State of Connecticut, they are hesitant to look at that option. The reason is the infrastructure allows people to come and invest in our state. And if we don't invest in our state, we are not going to be able to achieve success. So, that is the reality.

The other reality is that we do not have the resources. You'll probably hear tonight, again, from various members of our Senate about the limitation of resources and how we need to use our resources in a wise and efficient and effective
manner, which is fair. Now, with those limited resources, we have a big task ahead of us and we have a responsibility ahead of us in how are we going to be able to achieve the new reality that we need to have. And that's where the second word comes in, the vision.

If we want our state to be competitive, just not only in our neighborhood, but beyond, we will have to actually have an effort to try and extend our dollars. And extending our dollars will require us to have a plan of action where we actually can look at the mechanisms that -- we are not the first ones to do this. Actually, many other states have done this with success. So, we are not necessarily coming up with something that is very new and nobody has ever done this. This has been a proven mechanism and a proven system which has shown results in our country, in various parts of the country.

Some of the most complex projects that are out there for trains and train stations, rail systems, they have actually used this mechanism and tool to be able to fix this. So, this is what the conversation is about, about the vision. Are we going to stay the course of where we are and be satisfied with it or do we have a vision of a future where we will be able to make a larger investment in our state without putting our own tax dollars at risk? That's the ultimate issue. We will be able to achieve this without putting the tax dollars of our community at risk, to maximize the potential and be able to invest and get the results for the infrastructure so that we will be at the top level.
Now, look at the infrastructure for other parts of the world. Everybody talks about these bullet trains. Where are the bullet trains? We are the ones who started some of the best work, but we have stopped. We do not have fast trains anymore to the level that other parts of the world have. And then we have a responsibility to actually show the vision for the next generation and we have to try and achieve a sustainable goal. And the sustainability would come from the fact that if you partner with private entities. Because when we are looking at the projects, we are looking for the public good, but when a private entity comes in, they are looking at financial sustainability. And when they do the financial sustainability, that allows them to actually look at the projects in a very critical manner because they want their money back. And they will get their money back if those projects are going to show us the results.

And that's where the private -- public-private partnership require a balance to be able to be created. And that's my third word - the balance. And the balance would require a tool which allows us to be able to achieve the success, but create a mechanism where the public and the private can work together through a tool like a infrastructure bank. And that will require language which would have opportunity for the private to be able to prosper without compromising the public and at the same time this symbiotic relationship is going to achieve success.

This is the conversation today. This is what we are here today. We are talking about something that is going to have an impact for the next many, many years. And I want us to think hard. This is
something that's very critical. If there is something in the language, we need to look at the fact that this language or this kind of language has allowed all the other states to be -- or many of the other states to be as successful. So, why is it that this language is going to become a hurdle for people to actually achieve what needs to be achieved for our state? The state has an expectation that from us to be able to make policies for the next many, many years and put the tools in place for the next many, many years. And this is going to be that tool that will allow us one more opportunity to be able to do this.

So, I urge people to look at it, look at the broader picture, look at the need for the balance. And keep in mind, now, many of the people who are speaking may be smart businessmen. A business person from a private entity is going to want their money back, but we are creating a mechanism that they will get their money back, but so will the entity. And that is where the sustainability would come in. So, Madam President, I would urge my colleagues to move forward and let's do this and then be proud of the fact that we, together, in 2019, passed the Connecticut Infrastructure Bank and that would actually hopefully build on the infrastructure of our state going forward.

Thank you for your time.

THE CHAIR:

Thank you, Senator Anwar. Will you remark further on the legislation that is before us? Will you remark further? Senator Fasano, good evening, sir.
Good evening, Madam President. Thank you. (Pause) Sorry, Madam President. Madam President, I rise with respect to this bill in a number of regards. First, if I could just ask the good Senator just a few questions so I could better understand part of this bill. So, through you, Madam President. It says that for the purposes of infrastructure improvement, the word -- when it says, "acquisition," in general terms, that means taking over, that sort of thing. And so, this would give the enabling legislation to allow this infrastructure bank to have acquisition, taking over, whether it's by purchasing or just simply by transferring assets. That would be the general term, acquisition. Is that accurate?

Through you, Madam President.

And when it says removal, are we talking about obstacles, buildings? Are we talking about removing maybe something that they took over, they'd be able
to remove it out? Can -- what does the word, "removal," mean in there?

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Removal in this context refers simply to removal of an obstruction or perhaps a failing piece of infrastructure that might need to be removed so that a new and better infrastructure piece could replace it. So, for instance, down on the southern of I-95 right now, there is a new bridge that is being constructed, or has been constructed, on the side of the road. The old portion of the bridge has to be removed so that the new piece can replace it.

Through you, Madam Chair.

THE CHAIR:

Thank you, Senator. Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. And with respect to the items for which -- or criteria for which the infrastructure bank would operate, it would include -- it would include roadways, highways, bridges, commuter and freight railway systems, transit, and intermodal systems, airports, aeronautics facilities, ports, harbors, navigable waters, energy transmission, and distribution resources and
transit-oriented development. Is that the list that this would include?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Fasano. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Yes, that is the list.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. In energy transmission and distribution, are we actually talking about -- as you know, way back when, this legislature broke up between distribution and transmission, whether that was a mistake or not. We argue about it all the time in this Chamber. But there's a difference between the two. This would allow this infrastructure bank to own the distribution and transmission at the same time?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Fasano. Senator Bergstein.

SENATOR BERGSTEIN (36TH):
Thank you, Madam President. The infrastructure bank has no intention of stepping on the toes of the utility companies. That is not the legislative intent. This language is simply included so that if there is synergy between some sort of transmission of energy and an infrastructure project, as I described before, possibly having cables that charge electric vehicles underneath our roads, which is an emerging technology, that the infrastructure bank would be able to finance such an innovative project.

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, when I look at line 396 through 398 and also 393 through 395, probably should've said that first. It says, "The powers enumerated in this section shall be interpreted broadly to effectuate the purpose -- purposes established in this section." And number two, it says, "if there is an inconsistency with respect to the powers within this bill with existing state law that this bill would supersede its powers. So, in light of the fact that the powers are very broad and in light of the fact that it supersedes other statutes, going back to that energy transmission and distribution, irrespective of what the intent is, and that may be you sitting here, one could very well argue that the broadness of their powers coupled with their powers supersede their rights under the statute, supersedes another statute when there's a conflict, could they not take over
transmission and distribution by the language within this statute?

Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. That is not the intent of this bill.

Through you, Madam President.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, I'm wondering if the Senator could give me the language that demonstrates that they will not -- the intent of this is not to take over the transmission and distribution. If there's something in here that says notwithstanding anything contained herein, they shall not own both or operate both.

Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):
Thank you, Madam President. There is no specific language in the bill, but the legislative intent is that it is not intended to take over the energy distribution system. There would be no reason for it to take over the energy distribution system, which is functioning quite well through the utilities.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Fasano.

SENATOR FASANO (34TH):

Well, just with respect to that, Madam President, the reason why I raised the issue is, although legislative intent is helpful when there's an ambiguity within the statute, the plain language of the statute supersedes that. In other words, the court would look at the plain language of the statute unless there's ambiguity. To me, there's no ambiguity here.

Madam President, also, may I ask the Senator. I'm looking at lines 18 through I'm gonna say 23. "The fund shall not receive any amount received or collected by state or officer thereof on account of or derived from electronic tolling collection system implemented unless the implementation of such toll collection system was approved." The way I read that sentence -- and going back to Senator Sampson. The way I read that sentence is to say that the implementation of tolls. This bill cannot implement tolls and I think that's clear and I thank the author of the bill for making that abundantly clear.
And clearly this bill doesn't give the authority of the legislature or the infrastructure bank the ability to implement tolls. However, as I read that, if the legislature does implement tolls, once upon implementation, the infrastructure bank can be entitled to the toll under this language because it says, "they shall not receive the amount collected from this implementation unless the implementation of the tolls were initiated by the legislature." So, it seems to me that toll money could be used vis-à-vis that sentence and I'm wondering whether I have misread this sentence perhaps.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Fasano. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. I refer the good Senator to the previous line which begins on line 15, which says, "Provided such federal funds are not required by law to be deposited into the Special Transportation Fund." So, as we know, tolls, if they are implemented by the General Assembly, would be required to be deposited in the Special Transportation Fund, thereby, they would not be a permissible source of funding for the infrastructure bank.

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Fasano.
SENATOR FASANO (34TH):

Madam President, with no tolling bill in front of me, thankfully, I do not know whether or not the tolling money would go to the STF. The only requirement under federal law is not that the tolling money goes to the STF. The only requirement to toll in Connecticut's highway system is the money is supposed to used for infrastructure. The infrastructure bank, no doubt in my mind, if developed under this theory, would use that money for the roads. So, it's compatible with the federal law and absent the state law that says it goes into the STF, which may or may not occur, that's the reason why I raised the issue.

If I can also go through -- I'm wondering, when it talks about the amount of any said fund; this is line 23 through 27, is for the expenditure and the promotion to promote the investment in infrastructure accordance with the plan, etcetera. And it talks about this plan in consulting with DOT. In consulting with DOT, the words, "consult," does not -- that wouldn't carry the weight -- would you agree with me with this? That consulting does not necessarily mean -- it does not mean at the direction of DOT.

Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):
Thank you, Madam President. That is correct. They are not acting at the direction of DOT, but in consultation and collaboration with the agency. Through you, Madam President.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

So, in collaboration and consultation, which I do agree with the good Senator. In the collaboration and consultation with DOT, should the bank -- infrastructure bank say, you know what? I hear DOT. I have -- I think they're wrong. I think this infrastructure shouldn't number one. I think this infrastructure that they say is number ten should be number one. And they wanted to do that, is there anything in this bill that would prohibit them from, after consultation, disagreeing with DOT and then advancing what they believed to be the best infrastructure?

Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Again, they would not act unilaterally. What they would provide is an additional layer of information and analysis so that the list of priorities that DOT provides to the
legislature could be viewed through a wider lens. So, for instance, now, the list of prioritized projects may only consider certain criteria. Once that list has been evaluated by the experts in the infrastructure bank, they will add additional layers of criteria, such as the actual economic benefit projected to be derived from the individual projects. And that additional information, I would think, would be very -- would be well received by the legislature because it's our duty to provide infrastructure that generates economic growth for the entire state and understanding what the individual impacts from various projects is would help us make more informed decisions.

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. And I appreciate the answer, but if I can go back to my original question. If they disagreed with DOT and after all the experts weighed in on the infrastructure bank that this plan is better than that plan or this project should go first, not last, they could unilaterally decide, if they wanted to, under this -- under the words of this bill, to say, forget DOT, this is what we're doing. We thank you. We consulted with you. We collaborated with you. But we're gonna follow what our expert says, not yours, and fund that. They could if they wanted to.

Through you, Madam President.
THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. While that is theoretically possible, that is not the intent of the infrastructure bank.

Through you, Madam President.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

So, is there any language -- through you, Madam President. Thank you. Is there language in here that says that they can't ignore DOT and they must follow DOT? All right. Let me strike that and rephrase the question. Is there any -- is there any sentence in this bill that says they cannot -- they must follow the direction of DOT?

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. No, there is no such language because that would just be rubberstamping whatever the DOT has already determined and that wouldn't really provide the additional layer of
oversight and accountability and expertise that the infrastructure bank can offer. And if they were just told what to do by DOT, then we could expect exactly the same results that we've gotten over the past many decades, which is the 41st worst infrastructure in the nation, over 300 failing bridges, etcetera. So, no, they do not act at the direction of DOT. They act in collaboration with DOT to enhance the performance of DOT.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. So, if I were to sum up the last five or eight minutes, I would say I believe the way this bill is written is that they must consult with, collaborate with DOT, but at the end of the day, the infrastructure bank, based upon their experts and their plans, could do what they wanted to do, which I think is a fair reading of the bill. I didn't see this. I don't think it exists, but I want to be clear. I didn't see any rights directly or indirectly for condemnation. Would that -- condemnation of property. Would that be accurate?

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Bergstein.
SENATOR BERGSTEIN (36TH):

Thank you, Madam President. That is correct.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Thank you. And on line 96, 97, "should the infrastructure bank hold copyrights, patents, trademarks, marketing rights," that would all be property right to the infrastructure bank and not to the State of Connecticut, but to the infrastructure bank.

Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Yes. Those would be held by the infrastructure bank. Again, the infrastructure bank is representing the interest of the people of Connecticut, so they would derive the benefit from these assets.

Through you, Madam President.

THE CHAIR:

Senator Fasano.
SENATOR FASANO (34TH):

Thank you, Madam President. And I listened to some of the remarks by my fellow colleagues, Senator Sampson and Senator Berthel, with respect to subsidiaries. And it's my understanding that these subsidiaries would be created and they could create one or more. They can't have employees, but they could hold property, which would be transferred, money, which could be transferred to them. And they also would, as I understand lines -- line 179, be indemnified much like whatever the Green -- not Green Bank. The infrastructure bank was indemnified. These subsidiaries would also have a certain amount of indemnification under section 1-125 of the Connecticut General Statutes. Is that accurate?

Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. The subsidiaries would be governed or self-governed by the Connecticut Infrastructure Bank Board, although some of the subsidiary board members could be from the private sector. And the reason for that is to entice investors from the private sector to do projects that are in our interest, in the public interest. So, to the extent that they are indemnified, it is only to serve the public good.

Through you, Madam President.
THE CHAIR:

Thank you, Senator. Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, through you. Line 195 through 197 talks about the community development and financial institution, a federal organization under 12-USC 4702, that the infrastructure bank may qualify as. And that would open up to federal possibilities and programs and grants and other monies if they qualified, and other powers also if they qualified through that. Is that your understanding?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Fasano. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Yes.

Through you.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, with respect to the earlier question regarding tolls, I
think the good Senator had indicated that on -- that it talked about on line 13 and 14, "the fund may receive amounts required by law to deposit in the fund and any federal funds that become available to the state for infrastructure improvements that were not required to be put in the Transportation Fund." And then, if you take that line and you add in that on line 211 through 214, "funds received by the state from transportation-related fees including but not limited fees for buses, rails, ferry service, parking, electronical vehicle charging, provided the funds are not required to be deposited in the Special Transportation Fund." If you had a fee for buses and this legislature decided to add fifty cents to bus fares and did not direct that into the Special Transportation Fund, under those -- under those sentences, could that fund be allocable to the infrastructure bank?

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Any funding sources that may be derived in the future that the legislature does not designate towards the Special Transportation Fund could be a subject for a discussion, but again, the infrastructure bank is not going to sweep other funds or capture other funds without extensive discussion and process to finance future projects.

Through you, Madam President.
THE CHAIR:

Thank you, Senator Bergstein. Senator Fasano.

SENATOR FASANO (34TH):

My impressions. And if I may, I believe in this as well, the infrastructure has the ability to charge certain fees and rent payments, etcetera. So, do you believe that this authority given by this bill would allow the infrastructure bank to, for instance, put a fee on train tickets or buses or chargings -- electronic charging stations or gasoline? Do you believe that the power to assess fees would include such powers?

Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. To a limited extent. So, when the infrastructure bank is contemplating how to finance a project, they have to determine that there will be a guaranteed future revenue stream. So, they would not haphazardly just assess an increased fee on an existing bus or rail service. To the contrary, only in a case where they are providing an increased service, an increased benefit to the public, then they might project that there would be increased demand for that service. And in that case, they would model out what increased fare the public demand would support. Because again, they have to do very sophisticated financial
modeling to ensure that they would actually have a revenue stream that could support the project.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. I'm wondering if the Senator can point to that paragraph about modeling it out and the thought box and process before they assess a fee and where and how they can assess a fee. I'm wondering if the good Senator could give me that paragraph. I don't think I have found that, but I -- maybe I might've missed it.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. There is no specific language about how to model a project. But that's because that's the expertise of the board which will be recruited. And again, their performance and the performance of the infrastructure bank is tied directly to the success of the project. So, we're recruiting talented project finance experts who have been doing this for years and they know how to do project finance modeling. That is beyond the scope of this particular statute. We're not gonna legislate how they model. We just want to make sure that they have the expertise to deliver the kind of
results that the public expects, which is, frankly, much better infrastructure than our current system has delivered to date, at lower costs, and with higher quality.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Fasano.

SENATOR FASANO (34TH):

So, Madam President, when I look at the lines that talk about the authorizations, which are lines 590 on down, it says, "the infrastructure bank is authorized to fix, revise, charge and collect rates, rents, fees and charges for the use of and for services furnished or to be furnished by the project." And let me ask the -- so, what we talked about, you said that language is not in the bill. And the argument I would indicate, without that language in the bill, irrespective of the good intention that I think the Senator has for this bill, and I think the Senator does, one could get a group of folks in there who can view it as broadly as the other section says and do it without doing any of the backup information because it's not required in the language. But I would ask this. If they decide, the infrastructure bank, to assess fees, charges, rents, would they have to seek approval from the legislature before doing that?

Through you, Madam President.

THE CHAIR:
Thank you, Senator Fasano. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. So, the process for transparency in these projects is quite extensive. The infrastructure bank would not only put together its comprehensive plan of projects, it would also disclose the terms of any projects that it's contemplating, that it's negotiated. So, those terms would be disclosed to the legislature, at which point the legislature has the opportunity to comment.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Fasano.

SENATOR FASANO (34TH):

And, Madam President, I see the portion that talks about the legislature getting a report, but that's after the deal's done. Before the deal is done, before the fees are assessed, the question I've asked, is would they have to request permission of the legislature before assessing those fees? Question one. And question two is, would they have to receive the authority to collect those fees before they collect them? Not after the fact. All before.

Through you, Madam President.

THE CHAIR:
Thank you, Senator Fasano. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. No. The infrastructure bank would not have to get approval from the legislature for assessing fees on a project that it has determined will be a revenue-generating project that will be financed by increased demand because of increased service, better service, provided to the public for which they are willing to pay. And again, that -- the present value of that future revenue stream would enable us to build, rehabilitate, and construct the kind of fast, reliable, 21st century infrastructure that we need to galvanize our economy.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, there are some amendments that I would request to call. And what I'd like to do, perhaps, is start off with the amendment, LCO 10631.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO 10631, Senate Schedule "D".
THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

I would move the amendment and request permission to summarize.

THE CHAIR:

Thank you, sir. Please proceed to summarize.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, can we just take a moment for a second?

THE CHAIR:

The Senate will stand at ease.

CLERK:

LCO 10631, Senate Schedule "B".

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, Senator Bergstein and I have had conversations prior to the proceeding this evening and we have talked about this amendment. And we were gonna do a
friendly amendment in terms of having both names on them; however, given the fact that the LCO is really jammed up and probably can't get it to us in a while, the people tonight are working long tonight. And therefore, I would just say that it has my name on it, but I believe this to be a friendly amendment. With that, Madam President, there's a section of the bill that talks about ignoring the UCC code, that is to say if you -- if the infrastructure bank were to loan some money, they don't have to take out a notice on the Secretary of State's Office that they have a lien against these assets.

And it seems unfair that they could have a business that they have a loan on and then a bank comes in or an individual comes in, and then without even any notice, they would be second to that encumbrance. So, this kind of corrects that language and says that they will do the proper filings, if you would, to ensure notice to the public. So, Madam President, I would move the amendment and yield to Senator Bergstein.

THE CHAIR:

Thank you, Senator Fasano. Senator Bergstein, do you accept the yield?

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. I do. And this is a friendly amendment and I urge my colleagues to support it.

THE CHAIR:
Thank you. Will you remark further on the amendment which is before the Chamber? (Pause) Will you remark further on the amendment that is before the Chamber? Will you remark further? If not, let me try your minds. All in favor of adopting the amendment, please signify by saying aye.

SENATORS:

Aye.

THE CHAIR:

Opposed? The amendment is adopted. Will you remark further on the bill as amended? Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, there's another section of the bill that talks about FOI, freedom of information, and generally what we do with quasis as well as other agencies is it goes through the Department of Administrative Services for FOI requests. If we get them in the legislature, it goes through Legislative Management. In the bill, there's a section 8 that talks about the FOI being determined by the infrastructure bank chairman whether or not that should -- information should be given out. I would ask the Clerk to call LCO 10625.

THE CHAIR:

Mr. Clerk.

CLERK:
LCO, No. 10625, Senate Schedule "C".

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, what this does is strike section 8 and say relative to the new additional language. I believe what it does is say that the FOI would still go through DAS. It would not go through the infrastructure chairman. It would go through DAS, a more objective voice, if you would, on the issue. I would seek support for the amendment.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Fasano. Will you remark further on the amendment that is before the Chamber? Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Could we stand at ease for a moment?

THE CHAIR:

Yes. The Senate will stand at ease.

The Senate will come back to order. Senator Bergstein.

SENATOR BERGSTEIN (36TH):
Thank you, Madam President. I respectfully -- I respectfully urge my colleagues to oppose the amendment simply because we want to preserve the rights of the infrastructure bank to help protect investors when that is appropriate in the structuring of these deals.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Fasano.

SENATOR FASANO (34TH):

I'd ask for a roll call vote, please, Madam President. A roll call, a roll call.

THE CHAIR:

Yes. And when we vote on this amendment, we will vote by roll. Will you remark further on the amendment that is before the Chamber? Will you remark further? If not, Mr. Clerk, kindly call the roll, please, and the machine will be opened.

CLERK:

Immediate roll call vote has been ordered in the Senate. An immediate roll call vote has been ordered in the Senate. Senate Bill 70, Senate Amendment "C", LCO, No. 10625. An immediate roll call vote has been ordered in the Senate on Senate Amendment Senate "C", LCO, No. 10625. Immediate roll call vote in the Senate. Senate Amendment "C", LCO, No. 10625. Immediate roll call vote in the Senate.
THE CHAIR:

Have all the Senators voted? Have all the Senators voted? The machine will be locked. Mr. Clerk, kindly call the tally, please.

CLERK:

Senate Bill 70, Senate Amendment "C", LCO 10625,

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THE CHAIR:

(Gavel) And the amendment fails. Will you remark further on the bill before the Chamber? Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, within this bill it talks about the need for audits and accountants and checking the books. And I have an amendment which I believe to be friendly, and I would ask the Clerk to call LCO 10621.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO, No. 10621, Senate Schedule "D".
THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Madam President, I move the amendment and request permission to summarize.

THE CHAIR:

Please proceed, sir.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, what this does, it says that the audit shall be conducted with generally accepted auditing standards by a certified public accountant. Basically, it's a third party looking at the books just to ensure they're up to speed. And as I said, I will yield to Senator Bergstein.

THE CHAIR:

Senator Bergstein, do you accept the yield?

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Yes, I do accept the yield. And I encourage my colleagues to support this amendment because it also requires that the accountants that are assessing the infrastructure bank will have no interest in the infrastructure bank. And I believe that objectivity is absolutely critical to have a transparent process and the best outcome.
Through you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Will you remark further on the bill -- the amendment that is before the Chamber? Will you remark further? If not, let me try your minds. All in favor of the amendment please signify by saying aye.

SENATORS:

Aye.

THE CHAIR:

Opposed? The amendment is adopted. Will you remark further on the bill as amended? Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. I was hoping for a more enthusiastic aye, but I'll take what I can get at this point.

THE CHAIR:

The hour is late, sir.

SENATOR FASANO (34TH):

Yes, it is. Madam President, first and foremost, before I begin my remarks on this, I do want to thank the Senator for a bunch of things. One, early on, she reached out to me to talk about it. She knew I had some issues with it. Some changes were made in the amendment that eventually got filed and
I thank her for being open-minded on the issue. Number two, the few of the amendments that did go through tonight I think makes the bill a better bill. I cannot support it. And the reasons why I can't was I believe that this bill is good intentioned. I really do. I think that there is a need for public-private partnerships. I think the Governor submitted a bill to GAE which did not have the success which the administration thought it would have. And I think this bill certainly goes well beyond that bill in quite a degree, but the intent of it is where I think we should be going. I think we should be opening up to the world of finance and I think we should be opening up to the world that could get trillions of dollars at play.

That being said, we also have to be very cautious. Now, Madam President, what I mean by that is as follows. We have not tested this theory any place in Connecticut. And in -- the reason why I went on through section, lines 3 through 11, is if you look at what New York did and you look at what New Jersey did, New Jersey's infrastructure bank started in 1987 and it included a transportation finance component and an environmental infrastructure trust. It also -- it was narrowly focused on the private-public partnerships that it was doing. And Rhode Island and New Jersey revenues are derived from business loans, but they were extraordinarily limited. The New Jersey Bank is a state agency, so it's afforded over the oversight that normally we give a state agency, but we open up the investment to the public. And that's quite different than what we have here.

In Rhode Island, it's been around since 1989. It used to be the Clean Water Finance Agency. In 2015,
the name was changed and expanded to include energy and brownfields. The reason why that's important is because when it began in 1989, it was narrow and it built its reputation up and there was a record. And after less than 30 years, the legislature said this concept needs to be expanded. Now, the Rhode Island does the brownfield, the water, commercial property, clean energy, community septic, drinking water, efficient building fund, and the list goes on. But those banks have been around for 30 years. There's a track record. There's an understanding of how it works. There's a balance of power. There's the corralling of power.

In this bill before us, and I understand the enthusiasm, for which you can hear in the Senator's voice because she sees the avenues before us and I appreciate that, but I also have great fear that this Chamber has heard me say time and time again with respect to our quasis. And whether it is the quasis that we deal with on the lottery, DECD, CHFA, the list goes on and on and on, if you've been here for a relatively decent amount of time, you've encountered situations where they haven't acted in our best interest. You've encountered situations where they play hide the ball. In fact, most recently, Kevin Lembo tried to get a couple of these agencies to do that open checkbook thing and where they can check their accounts, we all can go on and see how these checks are written. And a number of these quasis said, no, we're not gonna do it. He had no power to force them.

But that's the transparency that we need. So, Madam President, when we talk about something this big this quick, this fast, with the only oversight being post-execution of documents, and post-contracts or
fees, etcetera, you have to stop and wonder, with the history that we have, does that make a lot of sense to unleash them on so many different areas untested. There has not been a relationship borne between all of us here and this group because it's new. So, when you look at it, those of us who have been here for a while must be timid. This is still ultimately a constituent and taxpayer issues. I don't care if the investment comes in from wherever. The construction, the ability to make sure the money is being used correctly is important.

I don't think the Senator would disagree with the notion that all private-public partnerships -- that's essentially what this is. Private-public partnerships have turned out well. I mean, even an organization talked about why public partnerships don't work, and although I may disagree with the hard notion, I agree that the world organization has indicated -- the World Bank, I should've said, have indicated that public-private partnerships need to be evaluated more closely and very least watched more closely. You're talking about a lot of money. The ability to have corruption is there. Not that it will happen, but it could happen. And our obligation as a state is to do whatever hoops we can and avenues we can to ensure that doesn't happen.

Madam President, this building, I think, a year ago, maybe a little longer now, had several issues with the Lottery Commission. We had issues with a couple of drawings. We had issues with a couple employees. We had issues with money. We had issues with a lottery that the results of the quick-picks were known to the lottery machine guy as they were coming out, so he could take the quick-pick out that was a winning ticket and give them a fake quick-pick from
a -- you know, holding a bunch of bad quick-picks down here, even though that's a winner quick-pick, he would take that out, put a bad one in, and give them the tickets. We've had that happen. We've had it happen where that agency knew about it and did nothing for six to eight months, but for a whistleblower.

Those are the things we have to be careful of. And in the lottery, I don't think there are people that even know how they're budgeted. I don't think there are people in this building who know. You don't see a hefty line item for the lottery in our budget because they take the money in and they take off the top and give us the balance. Who's watching that? Who's watching that? And when you argue with them, they said, hey, we're making you money, why you yelling at us? We give you more money than the casinos, so we get to do what we want to do. No, you don't. You better be making money. We rigged the game so that we make the money, but that's the whole idea of the game, is that we -- we're the house; we gotta make money, so your odds go down. So, don't tell me you're making money.

With the way you do the games in terms of statistics, of course you're gonna win. But no one's watching them. It doesn't come as a line item that they're in a deficit, so we're, like, yeah, whatever. You've give $300 and something million dollars. Thank you very much. But we should care more, but we're all too busy about -- not that we're neglectful on it, it just doesn't come across our radar screen until there's a whistleblower, until someone says, hey, you know what's happening at the lottery. And that's what happened with the lottery. What happened with the lottery, I mean, my office,
we got a call that there was a problem after the cash five was the next issue, that there's a problem, by an anonymous phone call.

And when we started looking into it, this is what was uncovered. And that's a quasi. We had the CAA, which I know looked -- everyone loves them. I get it. There was a payout of -- a bonus of $50,000 thousand dollars. Why? Why? And the Green Bank, look, I know it's taboo to go after the Green Bank because green is the magic word, and if you go after green, you gotta be anti-green, I guess. I don't know. So -- but if you look at them, their salaries are extraordinarily high and we give them more power. And they want to get into more things. We had a bill floating around here that talked about getting into more things. But they're totally unchecked.

None of us in this room know exactly what those salaries are, how much they go up, when they go up, what is the -- no, I bet you half of us in this room don't even know that part of the Green Bank people get a commission if they get the money that comes in off the Green Bank locked in. So, like, a banker, if you close a number of loans, you get a kicker. I don't think any of us really know about how much those kickers are. I looked into it and I still don't know how much those kickers are. So, where are we going with something this big, this fast, this huge, this quick? Well intentioned, but I think we have to walk first. Let's do it for something. Find that something and let's do it. You want to try two things, I'm with you. But when you want to do A-Z, which would include highways, bridges, freight, rail, transit, intermodal systems, airports, harbors, ports, navigable waters, there's
nothing left in our state that they don't want to get their hands in, right or wrong, good or bad, but without any legislative authority. Sure, they have to consult with DOT, but the language there says, "consult, collaborate," but ultimately they decide.

Could we do better on infrastructure? Absolutely. Toll argument aside, could we do better? But let's look how we got here. It wasn't for a lack of this state doing the right thing. We got a decent gas tax. We got an excise tax that most people don't even know, the public. We raised a decent amount of money. But budgets in the past, that money was diverted from getting into the Transportation Fund. And in one year, five or seven years ago, it was swept out of the Transportation Fund. That's why our infrastructure is failing. We haven't made a commitment.

Tonight or tomorrow, whatever, we're gonna get a budget and that budget is going to say that for transportation infrastructure, we are going to put less money of new cars sales tax into the Transportation Fund, not as much as we did in the past, and we're gonna not do the $250 million dollars that came out of the prioritized progress that this group bipartisanly accepted two years ago and that DOT said I need a billion dollars. I need $750 million dollars of X and I need $250 million dollars of Y. I need a billion dollars, and if you give me less, LOSEF is gonna get hurt. Repairs are not gonna get done. In the budget that's gonna come before us, we put less money in to the Transportation Fund because the new car sales tax doesn't always -- doesn't all go to the Transportation Fund.
We take out more money to the tune of $850 million dollars for transportation and then we're gonna wonder why our infrastructure is failing. DOT told you. If I don't get a billion dollars, we're done, we can't keep up. And this budget is not gonna have that money.

Madam President, as I said, I think this is very well intended, and I think that public-private partnerships are a thing for the future, and I think we have to look at them. We need the help of the private sector. And GAE rejected the notion the Governor was right, and we need to do more. So, Madam President, as well intentioned as this bill is, it's too much, too quick and too broad.

Therefore, Madam President, with all due respect, I'm gonna vote no. Not because the notion is not worth pursuing, but in the form currently before us, it's too much for this state to swallow, to control, and to comprehend. I think Senator Berthel and Senator Sampson hit a lot of the issues with respect to the oversight, so I'm not necessarily gonna run through those. But I will say that we should look into this more deeply. I think it's a good idea, but we need to narrow the scope.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Fasano. Will you remark further on the bill as amended? Good evening, Senator Duff.

SENATOR DUFF (25TH):
Good evening, Madam President. Madam President, I rise to support the legislation before us. I want to take a moment to thank Senator Bergstein and all the members of the Banking Committee who have worked so hard on this bill, but particular Senator Bergstein, who really has taken this from a concept to a bill and worked extremely hard, especially as a first-year legislator, on what is a very, very complex and difficult subject. But knowing her, this has been something that she can work through very, very well and easily.

Madam President, I rise as a former Chair of that same committee, when many years ago, I had thought of starting something like this as well and I did not nearly get as far as we are here tonight on a concept that would have looked, maybe, similar to something like this. I -- you know, for us, here in the State of Connecticut, having an infrastructure bank, almost like we have a Green Bank, that leverages private money with public funds is something that is extremely important to us. We know that we have a number of areas where we need to address in our infrastructure, not only here in the State of Connecticut, but also, really, nationally. Nationally, we should be looking at an infrastructure bank as well.

And for us here, in the State of Connecticut, to look at an infrastructure bank that, especially as it relates to transportation or other types of infrastructure here in the state that is, really, some of the oldest in the country, we should figure out ways in which we can improve things that will help grow our economy, that will help move our commerce, that will help get people in a reliable and consistent way places. So, I think that this is
all extremely important for us, that we have this debate; that we look at this in the most broad sense that we possibly can, so that we are prepared for the future.

This is -- the infrastructure bank is not about today. It's really about tomorrow, next month, next year, and, really, planning out ten, twenty, fifty years ahead of us. Something that, you know, when many of us -- people outside this building think that because we have two-year terms we don't always plan as well as we could. We don't look into the future. We don't look long-term. And having an infrastructure bank, almost like our Green Bank does, looks long-term for us, that helps to create those jobs, private-sector job, helps to leverage private capital with some public money and invest in areas that need investing in.

So, Madam President, again, I want to thank Senator Bergstein for her work on this, for tackling a very complex and tough issue, for bringing this to the Circle, for all of her hard work from day one, and I urge my colleagues to support the legislation.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Duff. Will you remark further on the legislation that is before the Chamber? Good evening, Senator Looney.

SENATOR LOONEY (11TH):

Good evening, Madam President. Speaking in support of the legislation before us. I wanted to commend
Senator Bergstein for all of her creative work in this and all of her experience from the private sector that has been brought to bear on this legislation. Because I think this kind of creative concept really is the wave of the future, trying to find ways to enhance government and private partnerships, to look for new paths of fund raising for public projects of great expense and great burden to government were they to be undertaken exclusively with government funds.

I really think that many other states have found a way to do this creatively and have been able to find a way to fund a number of very ambitious development projects through their infrastructure banks. And I think his bill is so important in helping us to catch up with the policies that have already been adopted in other states, and would urge the Chamber to adopt this bill this evening.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Looney. Will you remark further on the legislation that is before the Chamber? Will you remark further? If not, Mr. Clerk, please call the vote. The machine will be opened.

CLERK:

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate on Senate Bill 70 as amended by Senate "A", "B" and "D". An immediate roll call vote has been ordered in the Senate on Senate Bill 70 as amended by Senate "A", "B" and "D". Immediate roll
call vote in the Senate. Senate Bill 70 as amended by Senate "A", "B" and "D". Immediate roll call vote in the Senate.

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote in the Senate on Senate Bill, 70, as amended by Senate "A", "B" and "D". Immediate roll call vote in the Senate.

THE CHAIR:

Have all the Senators voted? Have all the Senators voted? The machine will be locked. Mr. Clerk, please call the tally.

CLERK:

Senate Bill, 70, as amended by "A", "B" and "D",

| Total number voting | 36 |
| Those voting Yea    | 22 |
| Those voting Nay    | 14 |
| Those absent and not voting | 0 |

THE CHAIR:

(Gavel) The measure is adopted. Mr. -- Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, can we stand at ease, please?

THE CHAIR:

The Senate will stand at ease.
The Senate will please come to order. The Senate will please come to order. And everyone please give your attention to our Majority Leader, Senator Duff. Thank you, Mr. President. Mr. President, for -- a few items for our Go List, please?

THE CHAIR:

Please proceed.

SENATOR DUFF (25TH):

On Calendar page 63, Calendar 179, Senate Bill 570, go. On Calendar page 29, Calendar 436, Senate Bill 833, go. On Calendar page 17, Calendar 312, Senate Bill 1009, go. On Calendar page 20, Calendar 361, Senate Bill 1101, go. On Calendar page 65 -- oh, I'm sorry. Yeah. On Calendar page 65, Calendar 226, Senate Bill 424, go.

THE CHAIR:

Thank you, Mr. Majority Leader.

SENATOR DUFF (25TH):

Hold on. Mr. President?

THE CHAIR:

Yes, sir.

SENATOR DUFF (25TH):

On Calendar page 5, Calendar 137, Senate Bill 968, go. And if we can start with that last item first?
She'll give the -- we'll give the Clerk the order to go in. Thank you, Mr. President.

THE CHAIR:

Mr. Clerk.

CLERK:

Page 5, Calendar 137, substitute for Senate Bill, No. 968 - AN ACT ESTABLISHING A MILITARY TO MACHINISTS PROGRAM FOR VETERANS.

THE CHAIR:

Good evening, Senator Maroney.

SENATOR MARONEY (14TH):

Good evening, Madam President. I move acceptance of the Joint Committee's favorable report and passage of the bill.

THE CHAIR:

And the question is on passage. Will you remark, sir?

SENATOR MARONEY (14TH):

Madam President, the Clerk is in possession of LCO Amendment 7246. I move the amendment and seek leave to summarize.

THE CHAIR:

Mr. Clerk.
CLERK:

LCO, No. 7246, Senate Schedule "A".

THE CHAIR:

Senator Maroney, please proceed to summarize, sir.

SENATOR MARONEY (14TH):

I withdraw the amendment.

THE CHAIR:

The amendment is so withdrawn.

SENATOR MARONEY (14TH):

Could we -- can we stand at ease --

THE CHAIR:

And the Senate will stand at ease.

Senator Maroney.

SENATOR MARONEY (14TH):

Madam President, the Clerk is in possession of LCO Amendment, No. 8681. I move the amendment and seek leave to summarize.

THE CHAIR:

Mr. Clerk.
CLERK:

LCO, No. 8681, Senate Schedule "B".

THE CHAIR:

Please proceed to summarize, sir.

SENATOR MARONEY (14TH):

Thank you, Madam President. In this bill, we create a Military to Machinist program to help qualified veterans get into advanced manufacturing. As many may know, there is a shortage -- currently a shortage in the state of CNC machine operators. Some estimate there are over -- almost 13,000 open jobs. So, we will be working with qualified veterans to help them get the training necessary to fulfill those positions. We will be assigning a point person and will be running this as a pilot program with the workplace, and they will have one person who will assist the veterans in locating training programs and then also working with the companies to help the companies apply for any potential tax benefits or tax credits.

In section -- okay. Section 2 will create a Platform to Employment program. And then in section 3, will work with the Department of Labor, where if a -- if there is a workforce board with a veteran's unit that is closer, we will instruct them to call that to guide the veteran towards the closer veteran's unit, veteran's labor unit.

THE CHAIR:
Thank you, Senator Maroney. Will you remark further on the amendment that is before us? Good evening, Senator Logan.

SENATOR LOGAN (17TH):

Thank you, Madam President. I rise in support of the amendment. I think it's an excellent opportunity to use an existing workforce group that already exists to help our veterans, particularly those that show an interest in advanced manufacturing.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Logan. Will you remark further on the amendment that is before the Chamber? Will you remark further? If not, let me try your minds. All in favor of the amendment please signify by saying aye.

SENATORS:

Aye.

THE CHAIR:

Opposed? The amendment is adopted. Will you remark further on the legislation as amended?

SENATOR MARONEY (14TH):

Madam President, if there's no objection, I move to place this item on the Consent Calendar.
THE CHAIR:

Seeing no objection, so ordered. Mr. Clerk.

CLERK:

Page 63, Calendar 179, Senate Bill, No. 570 - AN ACT CONCERNING OPPORTUNITY ZONES. There is an amendment.

THE CHAIR:

Good evening, Senator Hartley.

SENATOR HARTLEY (15TH):

Good evening, Madam President. Madam President, I move acceptance of the Joint Committee's favorable report and passage of the bill, Madam.

THE CHAIR:

And the question is on passage. Will you remark?

SENATOR HARTLEY (15TH):

Yes. Thank you, Madam President. Madam President, there are amendments. The Clerk is in possession of LCO 9888. I ask that the Clerk please call and I be granted leave, Madam, to summarize.

THE CHAIR:

Mr. Clerk.

SENATOR HARTLEY (15TH):
Madam President, I have --

THE CHAIR:

Before -- oh, go ahead. Go ahead, Senator Hartley.

SENATOR HARTLEY (15TH):

My apologies. We have adopted LCO 9888 and -- so, there is a new LCO that I would like to call, please, Madam.

THE CHAIR:

Please -- please do. What number would that be?

SENATOR HARTLEY (15TH):

And that would be LCO 10444.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO, No. 10444, Senate Schedule "A".

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY (15TH):

Yes, thank you, Madam President. Madam President, essentially, this amendment strikes section 5 and section 9. After conversations with the Governor's
Office, in recognition of appropriations, we have come to terms that those two sections should be deleted. I move adoption, Madam.

THE CHAIR:

Thank you, Senator Hartley. Will you remark further on the amendment that is before the Chamber? Will you remark further on the amendment that is before the Chamber? If not, let me try your minds. All in favor of adopting the amendment please signify by saying aye.

SENATORS:

Aye.

THE CHAIR:

Opposed? The amendment is adopted. Will you remark further on the bill as amended? Senator Harley.

SENATOR HARTLEY (15TH):

Thank you, Madam President. Madam President, as we had spoken earlier, that this underlining amendment is to support the federal legislation known as the Tax Cut and Job Act, which has established opportunity zones through the State of Connecticut, of which we have 72 in 27 towns throughout the state and we are basically coupling our state incentive packages through the Department of Economic and Community Development with the federal enterprise zones to increase the opportunity for investors and enhance them to come in and make investments in our underserved communities.
And I would like to defer -- yield, please, to Senator Maroney.

THE CHAIR:

Senator Maroney, do you accept the yield? Senator Maroney.

SENATOR MARONEY (14TH):

Thank you, Madam President. I would move if there is no objection that we place this item on the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered. Mr. Clerk.

CLERK:

Page 29, Calendar No. 436, substitute for Senate Bill, No. 833 - AN ACT CONCERNING VALIDATION OF CONVEYANCE DEFECTS ASSOCIATED WITH AN INSTRUMENT THAT WAS EXECUTED PURSUANT TO A POWER OF ATTORNEY.

THE CHAIR:

Good evening, Senator Winfield.

SENATOR WINFIELD (10TH):

Thank you, Madam President. I move acceptance of the Joint Committee's favorable report and passage of the bill.

THE CHAIR:
And the question is on passage. Will you remark, sir?

SENATOR WINFIELD (10TH):

Yes. Thank you, Madam President. This is a bill that comes to us unanimous through the Judiciary Committee. It's a bill that if the land record is - - does not show the attorney recorded, it allows for it unless there's an action commenced to suggest otherwise and notice of the pending action would have to be made as well. It's a good bill. It should pass.

THE CHAIR:

Thank you, Senator Winfield. Will you remark further? Good evening, Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. Good evening to you as well. I would like to associate myself with the remarks of Senator Winfield. This allows for the curing of a defect of a real estate form that was executed pursuant to a power of attorney that has met the test of time, in particular, ten years. That time has elapsed. The odds that there being untoward in the execution are probably de minimis, and therefore, one can rightfully rely on that title instrument even though there may have been some defect in the underlying power of attorney. And again, I would urge my colleagues to support the bill.

Thank you.
THE CHAIR:

Thank you, Senator Kissel. Will you remark further on the bill that is before the Chamber? Will you remark further? Senator Winfield.

SENATOR WINFIELD (10TH):

Yes. Thank you, Madam President. Just a quick clarification and then I'll make a request to put this on Consent. Just a clarification. I may have said ten years. It's fifteen years under the bill. If there's no further comment or question, I'd ask this be placed on Consent.

THE CHAIR:

Seeing no objection, so ordered. Mr. Clerk.

CLERK:

Page 17, Calendar No. 312, substitute for Senate Bill, No. 1009 - AN ACT CONCERNING MINOR AND TECHNICAL CHANGES TO THE OFFICE OF POLICY AND MANAGEMENT RELATED STATUTES.

THE CHAIR:

Good evening, Senator Cassano.

SENATOR CASSANO (4TH):

Good evening, Madam President. I rise to ask for passage of the bill and permission to summarize.
Please proceed, sir.

SENATOR CASSANO (4TH):

This is a very technical bill. It's from the Office of OPM annual reports. Most of these are reports that involve municipalities, districts as well. Many of these reports have been reduced or eliminated for efficiencies to take a burden off of the district. It includes reducing the financial burden of reporting processes for the municipalities. Reporting requirements will not affect the additional veterans' benefits program. There is altered requirements for the special services taxing districts. And that's pretty much a summary of the changes. These are routine changes that come to us in the main bill of the office. I move to adopt.

THE CHAIR:

Thank you, Senator Cassano. Will you remark further on the legislation that is before us? Will you remark further?

SENATOR CASSANO (4TH):

Seeing none, I would ask this item be placed on Consent. Thank you.

THE CHAIR:

Thank you, Senator Cassano. Seeing no objection, so ordered. Mr. Clerk.

CLERK:
Page 20, Calendar 361, Senate Bill, No. 1101 - AN ACT CONCERNING AN EVALUATION OF HOSPITALS OPERATED BY THE DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES. There is an amendment.

THE CHAIR:

Good evening, Senator Abrams.

SENATOR ABRAMS (13TH):

Good evening, Madam President. I move acceptance of the Joint Committee's favorable report and passage of the bill.

THE CHAIR:

And the question is on passage. Will you remark?

SENATOR DUFF (25TH):

Madam President?

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. I'd like to make this item PT, please?

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):
Thank you, Madam President. Madam President, stand at ease, please?

THE CHAIR:

We'll stand at ease.

SENATOR DUFF (25TH):

Madam President, I'd like to now call this bill back as a go.

(Laughter)

THE CHAIR:

Senator Abrams, that was a test.

(Laughter)

SENATOR ABRAMS (13TH):

I hope I passed it, Madam President.

THE CHAIR:

Thank you. The --

SENATOR ABRAMS (13TH):

It woke me up.

THE CHAIR:

The question is on passage. Will you remark?
SENATOR ABRAMS (13TH):

Thank you. This bill is very important. It brings several changes to a task force that's been established to evaluate the Connecticut Valley Hospital and Whiting Forensic Hospital. Currently, the task force is -- was created to review the hospital's operations, conditions, culture and finances. This bill would also require that it review whether these matters have improved since Whiting's separation from Connecticut Valley Hospital and its licensure and regulation by the Department of Public Health.

This bill also allows that while in working on the task force, if there are any Connecticut Valley Hospital or Whiting employees that would like to offer testimony before the task force, they can do so at their request without the presence of any task force member that works for either Connecticut Valley Hospital or Whiting. Lastly, the bill extends for one year the current deadline for the task force to submit its report and turns the deadline to January 1st, 2020, and January 1st, 2022, respectively.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Abrams. Will you remark further? Senator Somers, good evening.

SENATOR SOMERS (18TH):
Yes, thank you. I rise in support of the bill and I ask if there's no discussion, if we could put it on the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Would the Clerk please call the items on the Consent Calendar, followed by the Consent Calendar vote?

THE CHAIR:

Mr. Clerk. Mr. Clerk. The Chamber will please come to order and listen to.

The Chamber will stand at ease, and I would encourage the Senators to stay by their chairs, as we will shortly have a vote on the Consent Calendar.

Mr. Clerk.

CLERK:

Page 5, Calendar 137, Senate Bill 968; page 17, Calendar 312, Senate Bill 1009; page 20, Calendar 361, Senate Bill 1101; page 29, Calendar 436, Senate Bill 833; page 63, Calendar 179, Senate Bill 570; and page 66, Calendar 432, Senate Bill 653.

THE CHAIR:
Thank you. Mr. Clerk, if you would kindly call a vote. The machine will be opened.

CLERK:

An immediate roll call vote has been ordered in the Senate on Consent Calendar, No. 1. An immediate roll call vote has been ordered in the Senate on Consent Calendar, No. 1. Consent Calendar, No. 1. Immediate roll call vote has been ordered in the Senate on Consent Calendar, No. 1. Immediate roll call vote in the Senate.

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate. Immediate roll call vote in the Senate.

THE CHAIR:

Have all the Senators voted? Have all the Senators voted? If so, the machine will be locked. Mr. Clerk, please announce the tally.

CLERK:

Consent Calendar, No. 1,

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<tr>
<td>Those absent and not voting</td>
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THE CHAIR:

Thank you, sir. Senator Duff.
Thank you, Madam President. Madam President, pursuant to Joint Rule 17, I move to immediately transmit all items needing further action to the House of Representatives.

So ordered, sir.

Thank you, Madam President. And additionally, I'd like to all items on Senate Agenda, No. 1, on the Calendar immediately on the Calendar.

So ordered.

Thank you, Madam President. I'd like to yield to Senator Looney.

Good evening, Senator Looney. I understand we have a very distinguished guest in the Chamber that you would like to introduce, sir.

Yes, that's right, Madam President. For a point of personal privilege for purposes of an introduction?
THE CHAIR:

Please proceed, sir.

SENATOR LOONEY (11TH):

Thank you. Thank you, Madam President. Madam President, we are blessed this evening to have in the Chamber one of our most beloved former colleagues, a former senator, and now a superior court judge, Eric Coleman. Judge Coleman and I served in the General Assembly together for 34 years and he was, of course, for many years, the very distinguished and erudite chairman of the Judiciary Committee, and now serving with great distinction as a superior court judge. So, let's give our great traditional welcome to our colleague.

(Applause)

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Looney. Let me just say to Judge Coleman, it's so nice to see you and clearly you become more beloved when you leave this Chamber. So, thank you so much for your service, sir. So, with that, Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. I'd also like to welcome Judge Coleman to -- back to the Chamber and we do miss him terribly and well loved inside and outside the Chamber, for sure, is Eric Coleman.
Madam President, it is our intention to come in tomorrow at 10 o'clock for session. And with that, I move that we adjourn, subject to the Call of the Chair.

THE CHAIR:

Thank you. We are adjourned. Go forth.

(On motion of Senator Duff of the 25th, the Senate at 10:08 p.m. adjourned, subject to the Call of the Chair.)