



General Assembly

**Substitute Bill No. 106**

February Session, 2022



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

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

1 Section 1. (NEW) (*Effective from passage*) (a) There is established the  
2 Connecticut Infrastructure Strategy Board, the members of which shall  
3 be as follows:

4 (1) Five members from the private sector, shall be appointed as  
5 follows: (A) The Governor shall appoint one member, who shall be the  
6 chairperson, shall have expertise in transportation infrastructure, and  
7 whose first term shall expire on June 30, 2027, (B) the president pro  
8 tempore of the Senate shall appoint one member, who shall have  
9 expertise in water and wastewater infrastructure systems, and whose  
10 first term shall expire on June 30, 2026, (C) the speaker of the House of  
11 Representatives shall appoint one member, who shall have expertise in  
12 business, and whose first term shall expire on June 30, 2025, (D) the  
13 minority leader of the Senate shall appoint one member, who shall have  
14 expertise in finance, and whose first term shall expire on June 30, 2025,  
15 and (E) the minority leader of the House of Representatives shall  
16 appoint one member, who shall have expertise in law, and whose first  
17 term shall expire on June 30, 2024;

18 (2) One member from each TIA, as defined in section 13b-57d of the  
19 general statutes, for which position the chairpersons of the board of the  
20 local planning agencies in such TIA, after consulting with the  
21 participants in such TIA, shall nominate, for consideration by the  
22 appointing authority, three individuals who live in such TIA and who  
23 have significant experience in and knowledge of local, regional and state  
24 governmental processes, including at least one chief elected official in a  
25 municipality in such TIA, and who shall be appointed as follows: (A)  
26 The chairpersons of the joint standing committee of the General  
27 Assembly having cognizance of matters relating to transportation shall  
28 appoint one member from the southeast corridor TIA, whose first term  
29 shall expire on June 30, 2024, (B) the president pro tempore of the Senate  
30 shall appoint one member from the I-91 corridor TIA, whose first term  
31 shall expire on June 30, 2025, (C) the speaker of the House of  
32 Representatives shall appoint one member from the coastal corridor  
33 TIA, whose first term shall expire on June 30, 2026, (D) the majority  
34 leader of the Senate shall appoint one member from the I-395 corridor  
35 TIA, whose first term shall expire on June 30, 2027, and (E) the majority  
36 leader of the House of Representatives shall appoint one member from  
37 the I-84 corridor TIA, whose first term shall expire on June 30, 2027; and

38 (3) (A) The Commissioners of (i) Administrative Services, (ii)  
39 Transportation, (iii) Energy and Environmental Protection, (iv)  
40 Economic and Community Development, (v) Revenue Services, (vi)  
41 Public Health, and (vii) Emergency Services and Public Protection, (B)  
42 the Secretary of the Office of Policy and Management, and (C) the  
43 Consumer Counsel.

44 (b) Upon the expiration of the term of a member of the board who is  
45 appointed as provided in subdivision (1) or (2) of subsection (a) of this  
46 section, each subsequent appointee to the board shall serve for a term of  
47 four years. No person shall serve as a member of the board for more  
48 than two consecutive terms. A vacancy in the position of an appointed  
49 board member shall be filled by the appointing authority.

50 (c) The board may establish such subcommittees as it deems

51 appropriate and appoint the members of such subcommittees from  
52 among its members. Ten members of the board shall be present to  
53 constitute a quorum.

54 (d) The members of the board shall not be compensated for their  
55 service as members of the board.

56 (e) The board may issue guidelines for coordination and  
57 organization. These guidelines shall not constitute regulations, as  
58 defined in section 4-166 of the general statutes.

59 (f) The Departments of Administrative Services, Transportation,  
60 Energy and Environmental Protection, Economic and Community  
61 Development, Revenue Services, Public Health, Emergency Services  
62 and Public Protection and the Office of Policy and Management shall  
63 provide staff assistance to the board. The board may hire consultants  
64 with approval by the Secretary of the Office of Policy and Management  
65 and such consultants shall be procured through the Department of  
66 Administrative Services. All contracts for the procurement of consultant  
67 services shall be posted on an Internet web site maintained by the board.

68 (g) The Infrastructure Strategy Board is a public agency, as defined in  
69 section 1-200 of the general statutes, for purposes of the Freedom of  
70 Information Act, and shall be deemed a quasi-public agency, as defined  
71 in section 1-79 of the general statutes, for purposes of chapter 10 of the  
72 general statutes.

73 Sec. 2. (NEW) (*Effective from passage*) (a) Not later than January 1, 2023,  
74 the Infrastructure Strategy Board, established pursuant to section 1 of  
75 this act, shall report, in accordance with the provisions of section 11-4a  
76 of the general statutes, to the joint standing committees of the General  
77 Assembly having cognizance of matters relating to transportation and  
78 appropriations and the budgets of state agencies on an initial strategy  
79 and recommended allocations for the use of funding received by the  
80 state pursuant to the Infrastructure Investment and Jobs Act, P.L. 117-  
81 58, as amended from time to time, for public infrastructure projects.

82 (b) In developing the strategy and any revisions, the board shall take  
83 into account the Department of Transportation's comprehensive long-  
84 range plans, as described in section 13b-14 of the general statutes.

85 (c) The board shall include in the strategy the criteria by which the  
86 board, said commissioners, the Secretary of the Office of Policy and  
87 Management and the Consumer Counsel will evaluate and prioritize  
88 existing and proposed infrastructure projects based on the needs of the  
89 state.

90 (d) In developing and revising the strategy, the board may: (1)  
91 Conduct public hearings; (2) consult and cooperate with officials and  
92 representatives of the federal government, neighboring states, interstate  
93 commissions and authorities, local agencies and authorities, interested  
94 corporations and other organizations concerning problems affecting the  
95 state's infrastructure; (3) request and receive from any agency or other  
96 unit of the government, of the state or of any political subdivision of the  
97 state, or from any public authority, such assistance and data as may be  
98 necessary to enable the board to carry out the board's responsibilities  
99 under this section; and (4) to the extent the board may deem  
100 appropriate, make use of, and incorporate in the strategy, any existing  
101 long-range infrastructure plan, survey or report developed by any  
102 public or private agency or person.

103 (e) (1) Copies of the strategy and revisions to the strategy shall be kept  
104 on file by the board as a public record and posted on the Internet web  
105 sites of the board, the Department of Transportation and the Office of  
106 Policy and Management.

107 (2) Not later than December 15, 2024, and every two years thereafter,  
108 the board shall update or revise the strategy, if necessary, and shall  
109 submit a report concerning the strategy, in accordance with section 11-  
110 4a of the general statutes, to the joint standing committees of the General  
111 Assembly having cognizance of matters relating to transportation and  
112 appropriations and the budgets of state agencies concerning the  
113 strategy.

114 (3) The initial strategy, including the recommended funding  
115 allocations, and all such updates and revisions shall be subject to  
116 approval by the joint standing committees of the General Assembly  
117 having cognizance of matters relating to transportation and  
118 appropriations and the budgets of state agencies in accordance with  
119 section 3 of this act.

120 Sec. 3. (NEW) (*Effective from passage*) (a) (1) Not later than fifteen days  
121 after receipt of the report from the Connecticut Infrastructure Strategy  
122 Board, established pursuant to section 1 of this act, concerning an initial  
123 strategy and recommended allocations for the use of funding received  
124 by the state pursuant to the Infrastructure Investment and Jobs Act, P.L.  
125 117-58, as amended from time to time, for public infrastructure projects,  
126 the joint standing committees of the General Assembly having  
127 cognizance of matters relating to transportation and appropriations and  
128 the budgets of state agencies shall hold a meeting to report their  
129 approval or modifications, if any, of such recommended allocations to  
130 the board. If said joint standing committees do not act within fifteen  
131 days after receipt of the board's recommended allocations for the use of  
132 such funding, such recommendations shall be deemed approved.

133 (2) Disbursement of such funds by the Secretary of the Office of Policy  
134 and Management shall be in accordance with such partial or final  
135 allocations, as approved or modified by said committees, and no  
136 disbursement of such funds shall occur prior to said committees  
137 reporting their approval or modifications to the board.

138 (b) (1) On and after July 1, 2024, not later than fifteen days after receipt  
139 of any funds by the state pursuant to the Infrastructure Investment and  
140 Jobs Act, P.L. 117-58, as amended from time to time, the board shall  
141 submit recommended allocations of such funds to the joint standing  
142 committees of the General Assembly having cognizance of matters  
143 relating to transportation and appropriations and the budgets of state  
144 agencies. Not later than fifteen days after receipt of such report, said  
145 joint standing committees shall hold a meeting to report their approval  
146 or modifications, if any, of such recommended allocations to the board.

147 If said joint standing committees do not act within fifteen days after  
148 receipt of the board's recommended allocations for the use of such  
149 funding, such recommendations shall be deemed approved.

150 (2) Disbursement of such funds by the Secretary of the Office of Policy  
151 and Management shall be in accordance with such partial or final  
152 allocations, as approved or modified by said committees, and no  
153 disbursement of such funds shall occur prior to said committees  
154 reporting their approval or modifications to the board.

155 (c) If it is determined that any amount allocated and approved or  
156 modified pursuant to subsection (a) or (b) of this section is not allowable  
157 under guidance provided by the federal government, including, but not  
158 limited to, the United States Treasury, the Secretary of the Office of  
159 Policy and Management shall immediately notify the joint standing  
160 committees of the General Assembly having cognizance of matters  
161 relating to transportation and appropriations and the budgets of state  
162 agencies of the specific amount and recipient of such allocation and the  
163 reason for such determination.

164 (d) (1) The secretary shall report any proposed change in the  
165 recommended allocations made pursuant to this section to the board  
166 and the joint standing committees of the General Assembly having  
167 cognizance of matters relating to transportation and appropriations and  
168 the budgets of state agencies. Not later than fifteen days after receipt of  
169 such report, said committees shall hold a meeting to report their  
170 approval or modifications, if any, of such recommended allocations to  
171 the secretary. If said joint standing committees do not act within fifteen  
172 days after receipt of the secretary's recommended allocations for the use  
173 of such funding, such recommendations shall be deemed approved.

174 (2) Disbursement of such funds shall be in accordance with such  
175 partial or final allocations, as approved or modified by said committees,  
176 and no disbursement of such funds shall occur prior to said committees  
177 reporting their approval or modifications to the secretary.

178 (e) Not later than January 1, 2024, and annually thereafter, the board

179 and the Secretary of the Office of Policy and Management, shall jointly  
180 submit a report, in accordance with the provisions of section 11-4a of the  
181 general statutes, to the joint standing committees of the General  
182 Assembly having cognizance of matters relating to transportation and  
183 appropriations and the budgets of state agencies concerning the receipt  
184 and expenditure of funds received by the state pursuant to the  
185 Infrastructure Investment and Jobs Act, P.L. 117-58, as amended from  
186 time to time. Such report shall include, but need not be limited to, (1) a  
187 full accounting of all funds that have been received and disbursed, (2) a  
188 plan for the disbursement of any remaining funds the secretary  
189 anticipates receiving pursuant to said act, (3) a description of any project  
190 funded in whole or in part by funds received pursuant to said act, and  
191 (4) the status of each such project, including the timeline for completion.

192       Sec. 4. (NEW) (*Effective from passage*) (a) On or before February 1, 2023,  
193 and annually thereafter, the Commissioner of Transportation shall  
194 submit a report, in accordance with the provisions of section 11-4a of the  
195 general statutes, to the joint standing committees of the General  
196 Assembly having cognizance of matters relating to transportation,  
197 appropriations and the budgets of state agencies and finance, revenue  
198 and bonding. Such report shall include, but need not be limited to: (1)  
199 The Department of Transportation's five-year transportation capital  
200 plan; (2) a description of the condition of the state's transportation  
201 infrastructure; and (3) the department's long-range plan, that is  
202 prepared every five years pursuant to 49 USC 5304 and 23 USC 135.

203       (b) Not later than thirty days after submission of the report, said  
204 committees shall hold a public hearing on the report. At the hearing, the  
205 commissioner shall present a detailed summary and fiscal analysis of  
206 the report.

207       (c) The commissioner shall establish a separate page on its Internet  
208 web site dedicated to the department's capital program projects. Such  
209 Internet web site page shall include, but need not be limited to: (1) A  
210 brief description of each project; (2) the current status of each project; (3)  
211 a map showing the municipality where each project is located; (4) the

212 anticipated cost of each project phase included in the capital program;  
213 and (5) the estimated start and completion dates for each construction  
214 project included in the capital program.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>from passage</i>	New section

**Statement of Legislative Commissioners:**

In Section 1(g), "is a quasi-public agency" was changed to "shall be deemed a quasi-public agency" for clarity.

**APP**      *Joint Favorable Subst.*