



General Assembly

January Session, 2009

Raised Bill No. 6423

LCO No. 3422

03422_____CE_

Referred to Committee on Commerce

Introduced by:

(CE)

AN ACT CONCERNING INFRASTRUCTURE ENHANCEMENT AT THE UNITED STATES NAVAL SUBMARINE BASE-NEW LONDON.

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

1 Section 1. Section 32-235 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) For the purposes described in subsection (b) of this section, the
4 State Bond Commission shall have the power, from time to time to
5 authorize the issuance of bonds of the state in one or more series and
6 in principal amounts not exceeding in the aggregate five hundred
7 ninety-five million three hundred thousand dollars, provided forty-
8 five million dollars of said authorization shall be effective July 1, 2008.

9 (b) The proceeds of the sale of said bonds, to the extent of the
10 amount stated in subsection (a) of this section, shall be used by the
11 Department of Economic and Community Development for the
12 purposes of sections 32-220 to 32-234, inclusive, as amended by this
13 act, including economic cluster-related programs and activities, and
14 for the Connecticut job training finance demonstration program
15 pursuant to sections 32-23uu and 32-23vv provided, (1) three million

16 dollars shall be used by said department solely for the purposes of
17 section 32-23uu and not more than five million two hundred fifty
18 thousand dollars of the amount stated in said subsection (a) may be
19 used by said department for the purposes of section 31-3u, (2) not less
20 than one million dollars shall be used for an educational technology
21 grant to the deployment center program and the nonprofit business
22 consortium deployment center approved pursuant to section 32-41l, (3)
23 not less than two million dollars shall be used by said department for
24 the establishment of a pilot program to make grants to businesses in
25 designated areas of the state for construction, renovation or
26 improvement of small manufacturing facilities provided such grants
27 are matched by the business, a municipality or another financing
28 entity. The Commissioner of Economic and Community Development
29 shall designate areas of the state where manufacturing is a substantial
30 part of the local economy and shall make grants under such pilot
31 program which are likely to produce a significant economic
32 development benefit for the designated area, (4) five million dollars
33 may be used by said department for the manufacturing
34 competitiveness grants program, (5) one million dollars shall be used
35 by said department for the purpose of a grant to the Connecticut
36 Center for Advanced Technology, for the purposes of section 32-237,
37 (6) fifty million dollars shall be used by said department for the
38 purpose of grants to the United States Department of the Navy, the
39 United States Department of Defense or eligible applicants for projects
40 related to the enhancement of infrastructure for long-term, on-going
41 naval operations at the United States Naval Submarine Base-New
42 London, located in Groton, which will increase the military value of
43 said base, and (7) two million dollars shall be used by said department
44 for the purpose of a grant to the Connecticut Center for Advanced
45 Technology, Inc., for manufacturing initiatives, including aerospace
46 and defense.

47 (c) All provisions of section 3-20, or the exercise of any right or
48 power granted thereby which are not inconsistent with the provisions
49 of this section are hereby adopted and shall apply to all bonds

50 authorized by the State Bond Commission pursuant to this section, and
51 temporary notes in anticipation of the money to be derived from the
52 sale of any such bonds so authorized may be issued in accordance with
53 said section 3-20 and from time to time renewed. Such bonds shall
54 mature at such time or times not exceeding twenty years from their
55 respective dates as may be provided in or pursuant to the resolution or
56 resolutions of the State Bond Commission authorizing such bonds.
57 None of said bonds shall be authorized except upon a finding by the
58 State Bond Commission that there has been filed with it a request for
59 such authorization, which is signed by or on behalf of the Secretary of
60 the Office of Policy and Management and states such terms and
61 conditions as said commission, in its discretion, may require. Said
62 bonds issued pursuant to this section shall be general obligations of the
63 state and the full faith and credit of the state of Connecticut are
64 pledged for the payment of the principal of and interest on said bonds
65 as the same become due, and accordingly and as part of the contract of
66 the state with the holders of said bonds, appropriation of all amounts
67 necessary for punctual payment of such principal and interest is
68 hereby made, and the Treasurer shall pay such principal and interest
69 as the same become due.

70 (d) For the purposes of subdivision (6) of subsection (b) of this
71 section, grants to the United States Department of the Navy or the
72 United States Department of Defense shall not be subject to compliance
73 with any executive order of the Governor.

74 Sec. 2. Subsection (a) of section 32-223 of the general statutes is
75 repealed and the following is substituted in lieu thereof (*Effective from*
76 *passage*):

77 (a) (1) An eligible applicant shall submit an application for financial
78 assistance to the commissioner on forms provided by the
79 commissioner and with such information the commissioner deems
80 necessary, including, but not limited to: [(1)] (A) A description of the
81 proposed project; [(2)] (B) an explanation of the expected benefits of

82 the project in relation to the purposes of sections 32-220 to 32-234,
83 inclusive, as amended by this act; [(3)] (C) information concerning the
84 financial and technical capacity of the eligible applicant to undertake
85 the proposed project; [(4)] (D) a project budget; and [(5)] (E)
86 identification, when appropriate, of business support services that may
87 be of benefit to the state and the manufacturing and economic base
88 businesses located or locating in the project area as part of the project.
89 In the case of a municipal development project the eligible applicant
90 shall, in addition to an application for financial assistance, submit a
91 development plan prepared pursuant to subsection (b) of section 32-
92 224 and approved by the commissioner, provided an eligible applicant
93 may, prior to the submission of a development plan, receive financial
94 assistance for activities related to the planning of a municipal
95 development project to the extent such assistance is provided for
96 under subsection (b) of this section.

97 (2) The United States Department of the Navy, the United States
98 Department of Defense or eligible applicants shall not be required to
99 submit an application for financial assistance to the commissioner, as
100 required by subsection (a) of this section, for projects related to the
101 enhancement of infrastructure for long-term, on-going naval
102 operations at the United States Naval Submarine Base-New London
103 that are funded by grants to said Department of the Navy, said
104 Department of Defense or said applicants as provided in subdivision
105 (6) of subsection (b) of this section.

106 Sec. 3. Subsection (c) of section 32-223 of the general statutes is
107 repealed and the following is substituted in lieu thereof (*Effective from*
108 *passage*):

109 (c) No financial assistance shall be given to an eligible applicant and
110 no participation interest in a loan made by the Connecticut
111 Development Authority for the benefit of an eligible applicant shall be
112 purchased by the department until the commissioner has approved the
113 application submitted in accordance with subsection (a) of this section.

114 Notwithstanding any other provision of this section, in the event that
115 the financial assistance requested is the purchase by the department of
116 a participation interest in a loan made by the Connecticut
117 Development Authority, such authority may submit such application
118 and other information as is required of eligible applicants under
119 subsection (a) of this section on behalf of such eligible applicant and no
120 further application shall be required of such eligible applicant. No
121 financial assistance shall exceed: (1) Except as otherwise provided in
122 subdivisions (2) to [(5)] (6), inclusive, of this subsection, fifty per cent
123 of the total project cost, (2) in the case of financial assistance to any
124 project in a targeted investment community, ninety per cent of the
125 project cost, (3) when two or more municipalities which are not
126 targeted investment communities jointly initiate a municipal
127 development project in accordance with the provisions of subsection
128 (e) of section 32-224, seventy-five per cent of the total project cost, (4) in
129 the case of a municipal development project jointly initiated by two or
130 more municipalities at least one of which is a targeted investment
131 community, the sum of: (A) Seventy-five per cent of the portion of the
132 total project cost allocable to the participation of the municipality or
133 municipalities which are not targeted investment communities, and (B)
134 ninety per cent of the portion of the total project cost allocable to the
135 participation of any targeted investment community or communities,
136 [and] (5) in the case of a defense diversification project, ninety per cent
137 of the total project cost if the project involves a municipal development
138 project or the acquisition or development, or both, of real property for
139 an unspecified occupant, and one hundred per cent in the case of any
140 other defense diversification project, and (6) in the case of moneys
141 used by the department for the purpose of grants to the United States
142 Department of the Navy, United States Department of Defense or
143 eligible applicants for projects related to the enhancement of
144 infrastructure for long-term, on-going naval operations at the United
145 States Naval Submarine Base-New London, as provided in subdivision
146 (6) of subsection (b) of section 32-235, as amended by this act, one
147 hundred per cent of the total project cost. A municipality's share of the

148 total project cost, if any, may, with the approval of the commissioner,
149 be satisfied entirely or partially from noncash contributions, including
150 contributions of real property, from private sources, or, to the extent
151 permitted by federal law, from moneys received by the municipality
152 under any federal grant program.

153 Sec. 4. Section 9-612 of the general statutes is repealed and the
154 following is substituted in lieu thereof (*Effective from passage*):

155 (a) No individual shall make a contribution or contributions in any
156 one calendar year in excess of five thousand dollars to the state central
157 committee of any party, or for the benefit of such committee pursuant
158 to its authorization or request; or one thousand dollars to a town
159 committee of any political party, or for the benefit of such committee
160 pursuant to its authorization or request; or one thousand dollars to a
161 legislative caucus committee or legislative leadership committee, or
162 seven hundred fifty dollars to any other political committee other than
163 (1) a political committee formed solely to aid or promote the success or
164 defeat of a referendum question, (2) an exploratory committee, (3) a
165 political committee established by an organization, or for the benefit of
166 such committee pursuant to its authorization or request, or (4) a
167 political committee formed by a slate of candidates in a primary for the
168 office of justice of the peace of the same town.

169 (b) No individual shall make a contribution to a political committee
170 established by an organization which receives its funds from the
171 organization's treasury. With respect to a political committee
172 established by an organization which has complied with the provisions
173 of subsection (b) or (c) of section 9-614, and has elected to receive
174 contributions, no individual other than a member of the organization
175 may make contributions to the committee, in which case the individual
176 may contribute not more than seven hundred fifty dollars in any one
177 calendar year to such committee or for the benefit of such committee
178 pursuant to its authorization or request.

179 (c) In no event may any individual make contributions to a

180 candidate committee and a political committee formed solely to
181 support one candidate other than an exploratory committee or for the
182 benefit of a candidate committee and a political committee formed
183 solely to support one candidate pursuant to the authorization or
184 request of any such committee, in an amount which in the aggregate is
185 in excess of the maximum amount which may be contributed to the
186 candidate.

187 (d) Any individual may make unlimited contributions or
188 expenditures to aid or promote the success or defeat of any
189 referendum question, provided any individual who makes an
190 expenditure or expenditures in excess of one thousand dollars to
191 promote the success or defeat of any referendum question shall file
192 statements according to the same schedule and in the same manner as
193 is required of a campaign treasurer of a political committee under
194 section 9-608.

195 (e) (1) Any individual acting alone may, independent of any
196 candidate, agent of the candidate, or committee, make unlimited
197 expenditures to promote the success or defeat of any candidate's
198 campaign for election, or nomination at a primary, to any office or
199 position. Except as provided in subdivision (2) of this subsection, any
200 individual who makes an independent expenditure or expenditures in
201 excess of one thousand dollars to promote the success or defeat of any
202 candidate's campaign for election, or nomination at a primary, to any
203 such office or position shall file statements according to the same
204 schedule and in the same manner as is required of a campaign
205 treasurer of a candidate committee under section 9-608.

206 (2) Any person who makes or obligates to make an independent
207 expenditure or expenditures, as defined in section 9-601, intended to
208 promote the success or defeat of a candidate for the office of Governor,
209 Lieutenant Governor, Secretary of the State, State Treasurer, State
210 Comptroller, Attorney General, state senator or state representative,
211 which exceeds one thousand dollars, in the aggregate, during a

212 primary campaign or a general election campaign, as defined in
213 section 9-700, on or after January 1, 2008, shall file a report of such
214 independent expenditure to the State Elections Enforcement
215 Commission. The report shall be in the same form as statements filed
216 under section 9-608. If the person makes or obligates to make such
217 independent expenditure or expenditures more than twenty days
218 before the day of a primary or election, the person shall file such report
219 not later than forty-eight hours after such payment or obligation. If the
220 person makes or obligates to make such independent expenditure or
221 expenditures twenty days or less before the day of a primary or
222 election, the person shall file such report not later than twenty-four
223 hours after such payment or obligation. The report shall be filed under
224 penalty of false statement.

225 (3) The independent expenditure report in subdivision (2) of this
226 subsection shall include a statement (A) identifying the candidate for
227 whom the independent expenditure or expenditures is intended to
228 promote the success or defeat, and (B) affirming that the expenditure is
229 not a coordinated expenditure.

230 (4) Any person may file a complaint with the commission upon the
231 belief that (A) any such independent expenditure report or statement
232 is false, or (B) any person who is required to file an independent
233 expenditure report under subdivision (2) of this subsection has failed
234 to do so. The commission shall make a prompt determination on such
235 a complaint.

236 (5) (A) If a person fails to file a report required under subdivision (2)
237 of this subsection for an independent expenditure or expenditures
238 made or obligated to be made more than twenty days before the day of
239 a primary or election, the person shall be subject to a civil penalty,
240 imposed by the State Elections Enforcement Commission, of not more
241 than five thousand dollars. If a person fails to file a report required
242 under subdivision (2) of this subsection for an independent
243 expenditure or expenditures made or obligated to be made twenty

244 days or less before the day of a primary or election, the person shall be
245 subject to a civil penalty, imposed by the State Elections Enforcement
246 Commission, of not more than ten thousand dollars. (B) If any such
247 failure is knowing and wilful, the person responsible for the failure
248 shall also be fined not more than five thousand dollars or imprisoned
249 not more than five years, or both.

250 (f) (1) As used in this subsection and subsection (f) of section 9-608,
251 (A) "investment services" means investment legal services, investment
252 banking services, investment advisory services, underwriting services,
253 financial advisory services or brokerage firm services, and (B)
254 "principal of an investment services firm" means (i) an individual who
255 is a director of or has an ownership interest in an investment services
256 firm to which the State Treasurer pays compensation, expenses or fees
257 or issues a contract, except for an individual who owns less than five
258 per cent of the shares of an investment services firm, (ii) an individual
259 who is employed by such an investment services firm as president,
260 treasurer, or executive vice president, (iii) an employee of such an
261 investment services firm who has managerial or discretionary
262 responsibilities with respect to any investment services provided to the
263 State Treasurer, (iv) the spouse or a dependent child who is eighteen
264 years of age or older of an individual described in this subparagraph,
265 or (v) a political committee established or controlled by an individual
266 described in this subparagraph.

267 (2) No principal of an investment services firm shall make a
268 contribution to, or solicit contributions on behalf of, an exploratory
269 committee or candidate committee established by a candidate for
270 nomination or election to the office of State Treasurer during the term
271 of office of the State Treasurer who pays compensation, expenses or
272 fees or issues a contract to such firm. The provisions of this subdivision
273 shall apply only to contributions and the solicitation of contributions
274 that are not prohibited under subdivision (2) of subsection (g) of this
275 section.

276 (3) Neither the State Treasurer, the Deputy State Treasurer, any
277 unclassified employee of the office of the State Treasurer acting on
278 behalf of the State Treasurer or Deputy State Treasurer, any candidate
279 for the office of State Treasurer, any member of the Investment
280 Advisory Council established under section 3-13b nor any agent of any
281 such candidate may knowingly, wilfully or intentionally solicit
282 contributions on behalf of an exploratory committee or candidate
283 committee established by a candidate for nomination or election to any
284 public office, a political committee or a party committee, from a
285 principal of an investment services firm. The provisions of this
286 subdivision shall apply only to contributions and the solicitation of
287 contributions that are not prohibited under subdivision (3) of
288 subsection (g) of this section.

289 (4) No member of the Investment Advisory Council appointed
290 under section 3-13b shall make a contribution to, or solicit
291 contributions on behalf of, an exploratory committee or candidate
292 committee established by a candidate for nomination or election to the
293 office of State Treasurer.

294 (5) The provisions of this subsection shall not restrict an individual
295 from establishing an exploratory or candidate committee or from
296 soliciting for and making contributions to a town committee or
297 political committee that the candidate has designated in accordance
298 with subsection (b) of section 9-604, for the financing of the
299 individual's own campaign or from soliciting contributions for such
300 committees from persons not prohibited from making contributions
301 under this subsection.

302 (g) (1) As used in this subsection and subsections (h) and (i) of this
303 section:

304 (A) "Quasi-public agency" has the same meaning as provided in
305 section 1-120.

306 (B) "State agency" means any office, department, board, council,

307 commission, institution or other agency in the executive or legislative
308 branch of state government.

309 (C) "State contract" means an agreement or contract with the state or
310 any state agency or any quasi-public agency, let through a
311 procurement process or otherwise, having a value of fifty thousand
312 dollars or more, or a combination or series of such agreements or
313 contracts having a value of one hundred thousand dollars or more in a
314 calendar year, for (i) the rendition of services, (ii) the furnishing of any
315 goods, material, supplies, equipment or any items of any kind, (iii) the
316 construction, alteration or repair of any public building or public work,
317 (iv) the acquisition, sale or lease of any land or building, (v) a licensing
318 arrangement, or (vi) a grant, loan or loan guarantee. "State contract"
319 does not include any agreement or contract with the state, any state
320 agency or any quasi-public agency that is exclusively federally funded,
321 an education loan or a loan to an individual for other than commercial
322 purposes.

323 (D) "State contractor" means a person, business entity or nonprofit
324 organization that enters into a state contract. Such person, business
325 entity or nonprofit organization shall be deemed to be a state
326 contractor until December thirty-first of the year in which such
327 contract terminates. "State contractor" does not include a municipality
328 or any other political subdivision of the state, including any entities or
329 associations duly created by the municipality or political subdivision
330 exclusively amongst themselves to further any purpose authorized by
331 statute or charter, or an employee in the executive or legislative branch
332 of state government or a quasi-public agency, whether in the classified
333 or unclassified service and full or part-time, and only in such person's
334 capacity as a state or quasi-public agency employee.

335 (E) "Prospective state contractor" means a person, business entity or
336 nonprofit organization that (i) submits a response to a state contract
337 solicitation by the state, a state agency or a quasi-public agency, or a
338 proposal in response to a request for proposals by the state, a state

339 agency or a quasi-public agency, until the contract has been entered
340 into, or (ii) holds a valid prequalification certificate issued by the
341 Commissioner of Administrative Services under section 4a-100.
342 "Prospective state contractor" does not include a municipality or any
343 other political subdivision of the state, including any entities or
344 associations duly created by the municipality or political subdivision
345 exclusively amongst themselves to further any purpose authorized by
346 statute or charter, or an employee in the executive or legislative branch
347 of state government or a quasi-public agency, whether in the classified
348 or unclassified service and full or part-time, and only in such person's
349 capacity as a state or quasi-public agency employee.

350 (F) "Principal of a state contractor or prospective state contractor"
351 means (i) any individual who is a member of the board of directors of,
352 or has an ownership interest of five per cent or more in, a state
353 contractor or prospective state contractor, which is a business entity,
354 except for an individual who is a member of the board of directors of a
355 nonprofit organization, (ii) an individual who is employed by a state
356 contractor or prospective state contractor, which is a business entity, as
357 president, treasurer or executive vice president, (iii) an individual who
358 is the chief executive officer of a state contractor or prospective state
359 contractor, which is not a business entity, or if a state contractor or
360 prospective state contractor has no such officer, then the officer who
361 duly possesses comparable powers and duties, (iv) an officer or an
362 employee of any state contractor or prospective state contractor who
363 has managerial or discretionary responsibilities with respect to a state
364 contract, (v) the spouse or a dependent child who is eighteen years of
365 age or older of an individual described in this subparagraph, or (vi) a
366 political committee established or controlled by an individual
367 described in this subparagraph or the business entity or nonprofit
368 organization that is the state contractor or prospective state contractor.

369 (G) "Dependent child" means a child residing in an individual's
370 household who may legally be claimed as a dependent on the federal
371 income tax return of such individual.

372 (H) "Managerial or discretionary responsibilities with respect to a
373 state contract" means having direct, extensive and substantive
374 responsibilities with respect to the negotiation of the state contract and
375 not peripheral, clerical or ministerial responsibilities.

376 (I) "Rendition of services" means the provision of any service to a
377 state agency or quasi-public agency in exchange for a fee,
378 remuneration or compensation of any kind from the state or through
379 an arrangement with the state.

380 (J) "State contract solicitation" means a request by a state agency or
381 quasi-public agency, in whatever form issued, including, but not
382 limited to, an invitation to bid, request for proposals, request for
383 information or request for quotes, inviting bids, quotes or other types
384 of submittals, through a competitive procurement process or another
385 process authorized by law waiving competitive procurement.

386 (2) On and after December 31, 2006:

387 (A) No state contractor, prospective state contractor, principal of a
388 state contractor or principal of a prospective state contractor, with
389 regard to a state contract or a state contract solicitation with or from a
390 state agency in the executive branch or a quasi-public agency or a
391 holder, or principal of a holder of a valid prequalification certificate,
392 shall make a contribution to, or solicit contributions on behalf of (i) an
393 exploratory committee or candidate committee established by a
394 candidate for nomination or election to the office of Governor,
395 Lieutenant Governor, Attorney General, State Comptroller, Secretary
396 of the State or State Treasurer, (ii) a political committee authorized to
397 make contributions or expenditures to or for the benefit of such
398 candidates, or (iii) a party committee;

399 (B) No state contractor, prospective state contractor, principal of a
400 state contractor or principal of a prospective state contractor, with
401 regard to a state contract or a state contract solicitation with or from
402 the General Assembly or a holder, or principal of a holder, of a valid

403 prequalification certificate, shall make a contribution to, or solicit
404 contributions on behalf of (i) an exploratory committee or candidate
405 committee established by a candidate for nomination or election to the
406 office of state senator or state representative, (ii) a political committee
407 authorized to make contributions or expenditures to or for the benefit
408 of such candidates, or (iii) a party committee;

409 (C) If a state contractor or principal of a state contractor makes or
410 solicits a contribution prohibited under subparagraph (A) or (B) of this
411 subdivision, as determined by the State Elections Enforcement
412 Commission, the contracting state agency or quasi-public agency may,
413 in the case of a state contract executed on or after February 8, 2007,
414 void the existing contract with said contractor, and no state agency or
415 quasi-public agency shall award the state contractor a state contract or
416 an extension or an amendment to a state contract for one year after the
417 election for which such contribution is made or solicited unless the
418 commission determines that mitigating circumstances exist concerning
419 such violation. No violation of the prohibitions contained in
420 subparagraph (A) or (B) of this subdivision shall be deemed to have
421 occurred if, and only if, the improper contribution is returned to the
422 principal by the later of thirty days after receipt of such contribution
423 by the recipient committee treasurer or the filing date that corresponds
424 with the reporting period in which such contribution was made; and

425 (D) If a prospective state contractor or principal of a prospective
426 state contractor makes or solicits a contribution prohibited under
427 subparagraph (A) or (B) of this subdivision, as determined by the State
428 Elections Enforcement Commission, no state agency or quasi-public
429 agency shall award the prospective state contractor the contract
430 described in the state contract solicitation or any other state contract
431 for one year after the election for which such contribution is made or
432 solicited unless the commission determines that mitigating
433 circumstances exist concerning such violation. The Commissioner of
434 Administrative Services shall notify applicants of the provisions of this
435 subparagraph and subparagraphs (A) and (B) of this subdivision

436 during the prequalification application process.

437 (E) The State Elections Enforcement Commission shall make
438 available to each state agency and quasi-public agency a written notice
439 advising state contractors and prospective state contractors of the
440 contribution and solicitation prohibitions contained in subparagraphs
441 (A) and (B) of this subdivision. Such notice shall: (i) Direct each state
442 contractor and prospective state contractor to inform each individual
443 described in subparagraph (F) of subdivision (1) of this subsection,
444 with regard to said state contractor or prospective state contractor,
445 about the provisions of subparagraph (A) or (B) of this subdivision,
446 whichever is applicable, and this subparagraph; (ii) inform each state
447 contractor and prospective state contractor of the civil and criminal
448 penalties that could be imposed for violations of such prohibitions if
449 any such contribution is made or solicited; (iii) inform each state
450 contractor and prospective state contractor that, in the case of a state
451 contractor, if any such contribution is made or solicited, the contract
452 may be voided; (iv) inform each state contractor and prospective state
453 contractor that, in the case of a prospective state contractor, if any such
454 contribution is made or solicited, the contract described in the state
455 contract solicitation shall not be awarded, unless the commission
456 determines that mitigating circumstances exist concerning such
457 violation; and (v) inform each state contractor and prospective state
458 contractor that the state will not award any other state contract to
459 anyone found in violation of such prohibitions for a period of one year
460 after the election for which such contribution is made or solicited,
461 unless the commission determines that mitigating circumstances exist
462 concerning such violation. Each state agency and quasi-public agency
463 shall distribute such notice to the chief executive officer of its
464 contractors and prospective state contractors, or an authorized
465 signatory to a state contract, and shall obtain a written
466 acknowledgement of the receipt of such notice.

467 (3) (A) On and after December 31, 2006, neither the Governor,
468 Lieutenant Governor, Attorney General, State Comptroller, Secretary

469 of the State or State Treasurer, any candidate for any such office nor
470 any agent of any such official or candidate shall knowingly, wilfully or
471 intentionally solicit contributions on behalf of an exploratory
472 committee or candidate committee established by a candidate for
473 nomination or election to any public office, a political committee or a
474 party committee, from a person who he or she knows is prohibited
475 from making contributions, including a principal of a state contractor
476 or prospective state contractor with regard to a state contract
477 solicitation with or from a state agency in the executive branch or a
478 quasi-public agency or a holder of a valid prequalification certificate.

479 (B) On and after December 31, 2006, neither a member of the
480 General Assembly, any candidate for any such office nor any agent of
481 any such official or candidate shall knowingly, wilfully or intentionally
482 solicit contributions on behalf of an exploratory committee or
483 candidate committee established by a candidate for nomination or
484 election to any public office, a political committee or a party
485 committee, from a person who he or she knows is prohibited from
486 making contributions, including a principal of a state contractor or
487 prospective state contractor with regard to a state contract solicitation
488 with or from the General Assembly or a holder of a valid
489 prequalification certificate.

490 (4) The provisions of this subsection shall not apply to the campaign
491 of a principal of a state contractor or prospective state contractor or to
492 a principal of a state contractor or prospective state contractor who is
493 an elected public official.

494 (5) Each state contractor and prospective state contractor shall make
495 reasonable efforts to comply with the provisions of this subsection. If
496 the State Elections Enforcement Commission determines that a state
497 contractor or prospective state contractor has failed to make reasonable
498 efforts to comply with this subsection, the commission may impose
499 civil penalties against such state contractor or prospective state
500 contractor in accordance with subsection (a) of section 9-7b.

501 (6) The provisions of this subsection shall not apply to any state
502 contractor who is a party to a contract between any state agency and
503 the United States Department of the Navy or the United States
504 Department of Defense.

505 (h) (1) Not later than thirty days after February 8, 2007, each state
506 agency and quasi-public agency shall prepare and forward to the State
507 Elections Enforcement Commission, on a form prescribed by said
508 commission, a list of the names of the state contractors and prospective
509 state contractors with which such agency is a party to a contract, and
510 any state contract solicitations or prequalification certificates issued by
511 the agency. Not less than once per month, each state agency and quasi-
512 public agency shall forward to said commission, on a form prescribed
513 by the commission, any changes additions or deletions to said lists, not
514 later than the fifteenth day of the month.

515 (2) Not later than sixty days after February 8, 2007, the State
516 Elections Enforcement Commission shall (A) compile a master list of
517 state contractors and prospective state contractors for all state agencies
518 and quasi-public agencies, based on the information received under
519 subdivision (1) of this subsection, (B) publish the master list on the
520 commission's Internet web site, and (C) provide copies of the master
521 list to campaign treasurers upon request. The commission shall update
522 the master list every month.

523 (i) The State Contracting Standards Board shall study subcontracts
524 for state contracts and, not later than February 1, 2010, submit
525 proposed legislation for extending the provisions of this subsection to
526 such subcontracts to the joint standing committee of the General
527 Assembly having cognizance of matters relating to elections.

528 (j) (1) As used in this subsection:

529 (A) "Quasi-public agency" has the same meaning as provided in
530 section 1-120.

531 (B) "Unclassified service" has the same meaning as provided in
532 section 5-196.

533 (2) On and after December 31, 2006:

534 (A) No executive head of a state agency in the executive branch,
535 executive head of a quasi-public agency, deputy of any such executive
536 head, other full-time official or employee of any such state agency or
537 quasi-public agency who is appointed by the Governor, other full-time
538 official or employee of any such state agency or quasi-public agency
539 who is in the unclassified service, or member of the immediate family
540 of any such person, shall make a contribution or contributions (i) to, or
541 for the benefit of, any candidate's campaign for nomination at a
542 primary or election to the office of Governor or Lieutenant Governor,
543 in excess of one hundred dollars for each such campaign, or (ii) to a
544 political committee established by any such candidate, in excess of one
545 hundred dollars in any calendar year;

546 (B) No official or employee of the office of the Attorney General,
547 State Comptroller, Secretary of the State or State Treasurer who is in
548 the unclassified service, or member of the immediate family of any
549 such person, shall make a contribution or contributions (i) to, or for the
550 benefit of, any candidate's campaign for nomination at a primary or
551 election to the office in which such official or employee serves, in
552 excess of one hundred dollars for each such campaign, or (ii) to a
553 political committee established by any such candidate, in excess of one
554 hundred dollars in any calendar year; and

555 (C) No member of a caucus staff for a major party in the Senate or
556 House of Representatives, or member of the immediate family of such
557 person, shall make a contribution or contributions (i) to, or for the
558 benefit of, any candidate's campaign for nomination at a primary or
559 election to the office of state senator or state representative, in excess of
560 one hundred dollars for each such campaign, (ii) to a political
561 committee established by any such candidate, in excess of one hundred
562 dollars in any calendar year, or (iii) to a legislative caucus committee

563 or a legislative leadership committee, in excess of one hundred dollars
564 in any calendar year.

565 Sec. 5. Section 4a-60 of the general statutes is repealed and the
566 following is substituted in lieu thereof (*Effective from passage*):

567 (a) Every contract to which the state or any political subdivision of
568 the state other than a municipality is a party shall contain the
569 following provisions: (1) The contractor agrees and warrants that in
570 the performance of the contract such contractor will not discriminate
571 or permit discrimination against any person or group of persons on the
572 grounds of race, color, religious creed, age, marital status, national
573 origin, ancestry, sex, mental retardation or physical disability,
574 including, but not limited to, blindness, unless it is shown by such
575 contractor that such disability prevents performance of the work
576 involved, in any manner prohibited by the laws of the United States or
577 of the state of Connecticut. The contractor further agrees to take
578 affirmative action to insure that applicants with job-related
579 qualifications are employed and that employees are treated when
580 employed without regard to their race, color, religious creed, age,
581 marital status, national origin, ancestry, sex, mental retardation, or
582 physical disability, including, but not limited to, blindness, unless it is
583 shown by such contractor that such disability prevents performance of
584 the work involved; (2) the contractor agrees, in all solicitations or
585 advertisements for employees placed by or on behalf of the contractor,
586 to state that it is an "affirmative action-equal opportunity employer" in
587 accordance with regulations adopted by the commission; (3) the
588 contractor agrees to provide each labor union or representative of
589 workers with which such contractor has a collective bargaining
590 agreement or other contract or understanding and each vendor with
591 which such contractor has a contract or understanding, a notice to be
592 provided by the commission advising the labor union or workers'
593 representative of the contractor's commitments under this section, and
594 to post copies of the notice in conspicuous places available to
595 employees and applicants for employment; (4) the contractor agrees to

596 comply with each provision of this section and sections 46a-68e and
597 46a-68f and with each regulation or relevant order issued by said
598 commission pursuant to sections 46a-56, 46a-68e and 46a-68f; (5) the
599 contractor agrees to provide the Commission on Human Rights and
600 Opportunities with such information requested by the commission,
601 and permit access to pertinent books, records and accounts, concerning
602 the employment practices and procedures of the contractor as relate to
603 the provisions of this section and section 46a-56. If the contract is a
604 public works contract, the contractor agrees and warrants that he will
605 make good faith efforts to employ minority business enterprises as
606 subcontractors and suppliers of materials on such public works
607 project. Prior to entering into the contract, the contractor shall provide
608 the state or such political subdivision of the state with documentation
609 in the form of a company or corporate policy adopted by resolution of
610 the board of directors, shareholders, managers, members or other
611 governing body of such contractor to support the nondiscrimination
612 agreement and warranty under subdivision (1) of this subsection. For
613 the purposes of this section, "contract" includes any extension or
614 modification of the contract, and "contractor" includes any successors
615 or assigns of the contractor.

616 (b) For the purposes of this section, "minority business enterprise"
617 means any small contractor or supplier of materials fifty-one per cent
618 or more of the capital stock, if any, or assets of which is owned by a
619 person or persons: (1) Who are active in the daily affairs of the
620 enterprise, (2) who have the power to direct the management and
621 policies of the enterprise and (3) who are members of a minority, as
622 such term is defined in subsection (a) of section 32-9n; and "good faith"
623 means that degree of diligence which a reasonable person would
624 exercise in the performance of legal duties and obligations. "Good faith
625 efforts" shall include, but not be limited to, those reasonable initial
626 efforts necessary to comply with statutory or regulatory requirements
627 and additional or substituted efforts when it is determined that such
628 initial efforts will not be sufficient to comply with such requirements.

629 (c) Determination of the contractor's good faith efforts shall include
630 but shall not be limited to the following factors: The contractor's
631 employment and subcontracting policies, patterns and practices;
632 affirmative advertising, recruitment and training; technical assistance
633 activities and such other reasonable activities or efforts as the
634 commission may prescribe that are designed to ensure the
635 participation of minority business enterprises in public works projects.

636 (d) The contractor shall develop and maintain adequate
637 documentation, in a manner prescribed by the commission, of its good
638 faith efforts.

639 (e) The contractor shall include the provisions of subsection (a) of
640 this section in every subcontract or purchase order entered into in
641 order to fulfill any obligation of a contract with the state and such
642 provisions shall be binding on a subcontractor, vendor or
643 manufacturer unless exempted by regulations or orders of the
644 commission. The contractor shall take such action with respect to any
645 such subcontract or purchase order as the commission may direct as a
646 means of enforcing such provisions including sanctions for
647 noncompliance in accordance with section 46a-56; provided, if such
648 contractor becomes involved in, or is threatened with, litigation with a
649 subcontractor or vendor as a result of such direction by the
650 commission, the contractor may request the state of Connecticut to
651 enter into any such litigation or negotiation prior thereto to protect the
652 interests of the state and the state may so enter.

653 (f) The provisions of subsections (a) to (e), inclusive, of this section
654 shall not apply to any contract between the state and the United States
655 Department of the Navy or the United States Department of Defense.

656 Sec. 6. Section 4a-60a of the general statutes is repealed and the
657 following is substituted in lieu thereof (*Effective from passage*):

658 (a) Every contract to which the state or any political subdivision of
659 the state other than a municipality is a party shall contain the

660 following provisions: (1) The contractor agrees and warrants that in
661 the performance of the contract such contractor will not discriminate
662 or permit discrimination against any person or group of persons on the
663 grounds of sexual orientation, in any manner prohibited by the laws of
664 the United States or of the state of Connecticut, and that employees are
665 treated when employed without regard to their sexual orientation; (2)
666 the contractor agrees to provide each labor union or representative of
667 workers with which such contractor has a collective bargaining
668 agreement or other contract or understanding and each vendor with
669 which such contractor has a contract or understanding, a notice to be
670 provided by the Commission on Human Rights and Opportunities
671 advising the labor union or workers' representative of the contractor's
672 commitments under this section, and to post copies of the notice in
673 conspicuous places available to employees and applicants for
674 employment; (3) the contractor agrees to comply with each provision
675 of this section and with each regulation or relevant order issued by
676 said commission pursuant to section 46a-56; (4) the contractor agrees to
677 provide the Commission on Human Rights and Opportunities with
678 such information requested by the commission, and permit access to
679 pertinent books, records and accounts, concerning the employment
680 practices and procedures of the contractor which relate to the
681 provisions of this section and section 46a-56. Prior to entering into the
682 contract, the contractor shall provide the state or such political
683 subdivision of the state with documentation in the form of a company
684 or corporate policy adopted by resolution of the board of directors,
685 shareholders, managers, members or other governing body of such
686 contractor to support the nondiscrimination agreement and warranty
687 under subdivision (1) of this subsection. For the purposes of this
688 section, "contract" includes any extension or modification of the
689 contract, and "contractor" includes any successors or assigns of the
690 contractor.

691 (b) The contractor shall include the provisions of subsection (a) of
692 this section in every subcontract or purchase order entered into in
693 order to fulfill any obligation of a contract with the state and such

694 provisions shall be binding on a subcontractor, vendor or
 695 manufacturer unless exempted by regulations or orders of the
 696 commission. The contractor shall take such action with respect to any
 697 such subcontract or purchase order as the commission may direct as a
 698 means of enforcing such provisions including sanctions for
 699 noncompliance in accordance with section 46a-56; provided, if such
 700 contractor becomes involved in, or is threatened with, litigation with a
 701 subcontractor or vendor as a result of such direction by the
 702 commission, the contractor may request the state of Connecticut to
 703 enter into any such litigation or negotiation prior thereto to protect the
 704 interests of the state and the state may so enter.

705 (c) The provisions of subsections (a) and (b) of this section shall not
 706 apply to any contract between the state and the United States
 707 Department of the Navy or the United States Department of Defense.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	32-235
Sec. 2	<i>from passage</i>	32-223(a)
Sec. 3	<i>from passage</i>	32-223(c)
Sec. 4	<i>from passage</i>	9-612
Sec. 5	<i>from passage</i>	4a-60
Sec. 6	<i>from passage</i>	4a-60a

Statement of Purpose:

To encourage the United States Department of the Navy or the United States Department of Defense to accept grants for infrastructure upgrades to the United States Naval Submarine Base-New London.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]