General Assembly

Substitute Bill No. 5498

February Session, 2010

*___HB05498APP_042010___*

AN ACT CONCERNING STATE CONTRACTS FOR MICRO BUSINESSES, UTILITY DEPOSITS FOR CONNECTICUT BUSINESSES AND THE CREATION OF A SMALL BUSINESS RECOVERY PROGRAM.

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

Section 1. Section 4b-57 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2010):

(a) Whenever consultant services are required by the commissioner in fulfilling the responsibilities under section 4b-1, and in the case of each project, the commissioner shall invite responses from such firms by advertisements inserted at least once in one or more newspapers having a circulation in each county in the state except that the commissioner may receive consultant services under a contract entered into pursuant to subsection (d) of section 4b-51. The commissioner shall prescribe, by regulations adopted in accordance with chapter 54, the advance notice required for, the manner of submission, and conditions and requirements of, such responses.

(b) In the case of a project, the responses received shall be considered by the selection panel. The panel shall select from among those responding no fewer than three firms, which such panel determines in accordance with criteria established by the commissioner are most qualified to perform the required consultant
services. In the case of any project that requires consultant services by
an architect or professional engineer, additional criteria to be
considered by such panel in selecting a list of the most qualified firms
shall include: (1) Such firm's knowledge of this state's building and fire
codes, and (2) the geographic location of such firm in relation to the
geographic location of the proposed project. The selection panel shall
submit a list of the most qualified firms to the commissioner for the
commissioner's consideration unless fewer than three responses for a
particular project have been received, in which case the panel shall
submit the names of all firms who have submitted responses.

(c) In the case of consultants selected under subsection (d) of section
4b-51, the responses received shall be considered by the selection
panel. The panel shall select, from among those persons responding, a
list of those persons most qualified to perform the consultant services.
Knowledge of the state building and fire code and whether the
consultant is a micro business, as defined in subsection (c) of section
4a-59, shall be considered in determining a consultant's qualifications.

Sec. 2. (NEW) (Effective from passage) (a) No public service company
shall require a deposit from any customer or prospective customer,
other than a residential customer or prospective residential customer,
in excess of an amount equal to such company's charges for one and
one-half months.

(b) The Department of Public Utility Control shall initiate a
proceeding to examine the collection of deposits by public service
companies from any customer or prospective customer, other than a
residential customer or prospective residential customer. Such
examination shall include, but not be limited to, consideration of (1)
criteria used to determine creditworthiness of such customers, (2)
criteria for when the public service company shall return the deposit
plus interest, and (3) provisions for collecting deposits from such
customers moving from one location to another within the same
service area of the same company. On or before January 1, 2011, the
department shall report, in accordance with section 11-4a of the
general statutes, the results of such proceeding to the joint standing committee of the General Assembly having cognizance of matters relating to energy.

Sec. 3. (NEW) (Effective July 1, 2010) (a) Within existing budgetary resources, the Commissioner of Economic and Community Development shall establish and administer a small business recovery program to provide loans through economic development entities and nonprofit organizations to businesses that have been denied by traditional lenders. Loans provided as part of this program shall be for amounts not less than fifteen thousand dollars and not more than fifty thousand dollars.

(b) The commissioner shall adopt regulations, in accordance with the provisions of chapter 54 of the general statutes, to establish small business eligibility criteria and guidelines for the loan program established pursuant to subsection (a) of this section. Such eligibility criteria shall include, but not be limited to, small businesses having (1) not fewer than five employees and not more than twenty employees, (2) not more than three million dollars in annual gross receipts, and (3) not less than seventy per cent collateral to secure the loan.

Sec. 4. (Effective July 1, 2010) (a) For the purposes described in subsection (b) of this section, the State Bond Commission shall have the power, from time to time, to authorize the issuance of bonds of the state in one or more series and in principal amounts not exceeding in the aggregate twenty-five million dollars.

(b) The proceeds of the sale of said bonds, to the extent of the amount stated in subsection (a) of this section, shall be used by the Department of Economic and Community Development for the small business recovery program established pursuant to section 3 of this act.

(c) All provisions of section 3-20 of the general statutes, or the exercise of any right or power granted thereby, which are not inconsistent with the provisions of this section are hereby adopted and shall apply to all bonds authorized by the State Bond Commission.
pursuant to this section, and temporary notes in anticipation of the money to be derived from the sale of any such bonds so authorized may be issued in accordance with said section 3-20 and from time to time renewed. Such bonds shall mature at such time or times not exceeding twenty years from their respective dates as may be provided in or pursuant to the resolution or resolutions of the State Bond Commission authorizing such bonds. None of said bonds shall be authorized except upon a finding by the State Bond Commission that there has been filed with it a request for such authorization which is signed by or on behalf of the Secretary of the Office of Policy and Management and states such terms and conditions as said commission, in its discretion, may require. Said bonds issued pursuant to this section shall be general obligations of the state and the full faith and credit of the state of Connecticut are pledged for the payment of the principal of and interest on said bonds as the same become due, and accordingly and as part of the contract of the state with the holders of said bonds, appropriation of all amounts necessary for punctual payment of such principal and interest is hereby made, and the State Treasurer shall pay such principal and interest as the same become due.

Sec. 5. (NEW) (Effective July 1, 2010) Notwithstanding any provision of the general statutes, the Department of Transportation may set aside any contract or portions thereof, or require any general or trade contractor or any other entity authorized by the department to award contracts to set aside a portion of any contract for contractors or subcontractors that had gross revenues not exceeding three million dollars in the most recently completed fiscal year prior to the contract award. Nothing in this subsection shall be construed to diminish the total value of contracts that are required to be set aside by the department pursuant to section 4a-60g of the general statutes.

This act shall take effect as follows and shall amend the following sections:

<p>| Section 1 | July 1, 2010 | 4b-57 |</p>
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<thead>
<tr>
<th>Sec. 2</th>
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<tr>
<td>Sec. 3</td>
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**APP**  Joint Favorable Subst.