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House Bill 6273, An Act Concerning the Office of State Ethics Government Administration and Elections Committee February 7, 2011

CCIA Position: Support (section 3)

Connecticut Construction Industries Association, Inc. (CCIA) represents the commercial construction industry in the state and seeks to advance and promote a better quality of life for all citizens in the state. Formed over 40 years ago, CCIA is an organization of associations, where all sectors of the commercial construction industry work together to advance and promote their shared interests. CCIA is comprised of about 350 members, including contractors, subcontractors, suppliers and affiliated organizations representing many sectors of the construction industry. CCIA members have a long history of providing quality work for the public benefit.

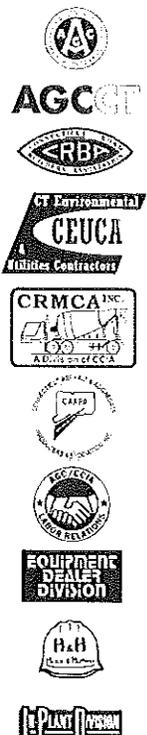
CCIA supports section 3 of House Bill 6273, An Act Concerning the Office of State Ethics, and respectfully requests that the committee approve the provision. CCIA would like to thank the Committee for raising the bill and the Citizen's Ethics Advisory Board of the Office of State Ethics for its support. Also, we would like to commend the Office of State Ethics and its staff for the opportunity to work with them on this important issue and for all their efforts in working to improve the law.

Under section 3 of the bill, state contractors would be afforded a hearing before the Office of State Ethics prior to being deemed a non-responsible bidder by a state agency for violating certain state ethics laws.

CCIA is a proponent of the bill because, in its current form, the law can be easily misinterpreted to allow a state agency to find a contractor non-responsible for violating the four specified provisions of state ethics law without a hearing.

Section 3 of HB 6273 should be approved because there is substantial support to amend the law, it would provide fairness and due process for state contractors, and the current law may inadvertently lead to substantial collateral consequences for lawful state contractors without due process.

It would be unfair for an agency to deem a contractor non-responsible for a violation of the law without the opportunity for a hearing before the Office of State Ethics and the right to appeal. A contractor deemed non-responsible by a state agency would be subject to severe consequences, including being ineligible to bid on state contracts and being eliminated from state contracting altogether.



A similar amendment to Conn. Gen. Stat. §1-101nn was approved overwhelmingly by the legislature as part of contract reform legislation on two prior occasions, but the bills were vetoed by then-Governor Rell for other reasons. During the 2010 legislative session, a similar provision was approved by the Government Administration and Elections Committee; it was not acted on by the legislature, presumably for reasons unrelated to the provision. The change is not controversial and enjoys widespread support in the legislature.

For additional information, please contact Matthew Hallisey at CCIA at (860) 529-6855.