



General Assembly

February Session, 2014

Governor's Bill No. 30

LCO No. 504



* 0 0 5 0 4 *

Referred to Committee on HIGHER EDUCATION AND
EMPLOYMENT ADVANCEMENT

Introduced by:

SEN. WILLIAMS, 29th Dist.

SEN. LOONEY, 11th Dist.

REP. SHARKEY, 88th Dist.

REP. ARESIMOWICZ, 30th Dist.

***AN ACT CONCERNING THE BOARD OF REGENTS FOR HIGHER
EDUCATION INFRASTRUCTURE ACT.***

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

1 Section 1. Section 10a-91a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2014*):

3 Sections 10a-91a to 10a-91h, inclusive, as amended by this act, are
4 known and may be cited as ["The Connecticut State University System
5 Infrastructure Act"] "The Board of Regents for Higher Education
6 Infrastructure Act".

7 Sec. 2. Section 10a-91b of the general statutes is repealed and the
8 following is substituted in lieu thereof (*Effective July 1, 2014*):

9 The purpose of [The Connecticut State University System

10 Infrastructure Act] The Board of Regents for Higher Education
11 Infrastructure Act is to enhance the intellectual capacity of the state by
12 providing the infrastructure needed to prepare this state's present and
13 future workforce, to contribute to the increased competitiveness of this
14 state's businesses and to have a positive impact on economic
15 development within this state, through a special capital improvement
16 program established for the regional community-technical colleges, the
17 Connecticut State University System and Charter Oak State College
18 that assures a state commitment to support the financing of the
19 acquisition, construction, reconstruction, improvement and equipping
20 of facilities, structures and related systems for the benefit of this state
21 and the regional community-technical colleges, the Connecticut State
22 University System and Charter Oak State College, all to the public
23 benefit and good, and the exercise of the powers, to the extent and
24 manner provided in [The Connecticut State University System
25 Infrastructure Act] The Board of Regents for Higher Education
26 Infrastructure Act, is declared to be for a public purpose and to be the
27 exercise of an essential government function. Sections 10a-91c to 10a-
28 91h, inclusive, as amended by this act, being necessary for the welfare
29 of this state and its inhabitants, shall be liberally construed to effect the
30 purposes thereof.

31 Sec. 3. Section 10a-91c of the general statutes is repealed and the
32 following is substituted in lieu thereof (*Effective July 1, 2014*):

33 As used in this section and sections 10a-91d to 10a-91h, inclusive, as
34 amended by this act, unless the context otherwise indicates, the
35 following terms have the following meanings:

36 [(1) "Act" means The Connecticut State University System
37 Infrastructure Act.

38 (2) "Board of trustees" means the Board of Trustees of the
39 Connecticut State University System.]

40 (1) "Board of regents" means the Board of Regents for Higher

41 Education.

42 [(3)] (2) "Cost", as applied to a project or any portion of a project,
43 includes, but is not limited to: The purchase price or acquisition cost of
44 any such project; the cost of planning, designing, constructing,
45 building, altering, enlarging, reconstructing, renovating, improving,
46 equipping and remodeling; the cost of all labor, materials, building
47 systems, machinery and equipment; the cost of all lands, structures,
48 real or personal property, rights, easements and franchises acquired;
49 the cost of all utility extensions, access roads, site developments,
50 financing charges, premiums for insurance; the cost of working capital
51 related to a project, including the cost of Department of Administrative
52 Services administrative functions provided for in subsection (d) of
53 section 10a-91d, as amended by this act; the cost of plans and
54 specifications, surveys and estimates of cost and of revenues; the cost
55 of accountants, audits, engineering, feasibility studies, legal and other
56 professional consulting or technical services; the cost of all other
57 expenses necessary or incident to determining the feasibility or
58 practicability of such construction; and administrative and operating
59 expenses and such other expenses as may be necessary or incidental to
60 the financing authorized by sections 10a-91c to 10a-91h, inclusive, as
61 amended by this act. "Cost" does not include the cost of administrative
62 functions provided by the system pursuant to sections 10a-91a to 10a-
63 91h, inclusive, as amended by this act.

64 [(4) "CSUS 2020"] (3) "CSCU 2020" means the projects at the [system]
65 Connecticut state colleges and universities system and system-wide
66 identified in the facilities [plan] and academic plans necessary to
67 modernize, rehabilitate, renew, expand and otherwise stabilize the
68 physical plant and technology infrastructure of the system so as to
69 provide a concentrated, accelerated and cooperative effort for the
70 benefit of the educational and economic development needs of this
71 state and the system in an efficient, cost effective and timely manner
72 and to assure that the system continues to compete successfully for
73 students, faculty and staff.

74 [(5) "CSUS 2020 Fund"] (4) "CSCU 2020 Fund" means the fund
75 created under section 10a-91d, as amended by this act, which shall be a
76 general obligation bond fund held and administered by the Treasurer
77 separate and apart from all other general obligation bond funds and
78 accounts of this state and into which the proceeds of the bonds
79 authorized by section 10a-91e, as amended by this act, shall be
80 deposited.

81 [(6) "Facilities plan" means] (5) "Facilities and academic plans"
82 means the long-term capital improvement [plan] plans approved by
83 the board of [trustees] regents biennially and updated from time to
84 time.

85 [(7)] (6) "Project" means (A) any structure designed for use as an
86 academic building, administrative facility, library, classroom building,
87 faculty facility, office facility, athletic or recreation facility, health care
88 or wellness facility, laboratory facility, auditorium, public safety
89 facility, parking facility, residence hall or other housing facility, dining
90 facility, student center, maintenance, storage or utility facility or other
91 building or structure essential, necessary or useful for the operation of
92 a university and the system; (B) any multipurpose structure designed
93 to combine two or more of the functions performed by the types of
94 structures enumerated in this definition, including, without limitation,
95 improvements, reconstruction, replacements, additions and equipment
96 acquired in connection with a project or in connection with the
97 operation of any facilities of the system; [existing on July 1, 2008;] (C)
98 all real and personal property, lands, improvements, driveways, roads,
99 approaches, pedestrian access roads, parking lots, parking facilities,
100 rights-of-way, utilities, easements and other interests in land,
101 machinery and equipment, and all appurtenances and facilities either
102 on, above or under the ground that are used or usable in connection
103 with any of the structures included in this definition; and (D)
104 landscaping, site preparation, furniture, machinery, equipment and
105 other similar items essential, necessary or useful for the operation of a
106 particular facility or structure in the manner for which its use is

107 intended, but does not include items that are customarily under
108 applicable accounting principles considered as a current operating
109 charge, unless the category and maximum amount thereof is
110 specifically included by a determination of the board of [trustees]
111 regents in order to preserve the excludability of the interest on the
112 bonds issued therefor from federal taxation under the applicable
113 provisions of the Internal Revenue Code of 1986, or any subsequent
114 corresponding internal revenue code of the United States as from time
115 to time amended. [Notwithstanding the preceding sentence, "project"
116 may include] "Project" includes any residential [or] and other auxiliary
117 [service] facility, as defined in subsection (a) of section 10a-89c, and
118 any state facility used for the programs of the system.

119 [(8)] (7) "System" means the regional community-technical colleges,
120 the Connecticut State University System [, a constituent unit of the
121 state system of higher education comprised of Western Connecticut
122 State University, Southern Connecticut State University, Eastern
123 Connecticut State University and Central Connecticut State University]
124 and Charter Oak State College, constituent units of the state system of
125 higher education, established pursuant to sections [10a-87] 10a-71 to
126 10a-101, inclusive, as amended by this act, and sections 10a-143 to 10a-
127 143b, inclusive.

128 [(9)] (8) "Treasurer" means the State Treasurer or the Deputy State
129 Treasurer appointed pursuant to section 3-12.

130 [(10)] "University" means any one of Western Connecticut State
131 University, Southern Connecticut State University, Eastern
132 Connecticut State University or Central Connecticut State University.]

133 Sec. 4. Section 10a-91d of the general statutes is repealed and the
134 following is substituted in lieu thereof (*Effective July 1, 2014*):

135 (a) It is hereby determined and found to be in the best interest of
136 this state and the system to establish [CSUS] CSCU 2020 as the efficient
137 and cost-effective course to achieve the objective of renewing,

138 modernizing, enhancing, expanding, acquiring and maintaining the
 139 infrastructure of the system, the particular project or projects, each
 140 being hereby approved as a project of [CSUS] CSCU 2020, and the
 141 presently estimated cost thereof being as follows:

T1	Phase I	Phase II	Phase III
T2	Fiscal Years	Fiscal Years	Fiscal Years
T3	Ending	Ending	Ending
T4	June 30,	June 30,	June 30,
T5	2009-2011	2012-2014	[2015-2018]
T6			<u>2015-2019</u>
T7	Central Connecticut State		
T8	University		
T9	Code Compliance/ Infrastructure Improvements		
T10	18,146,445	6,704,000	[5,000,000]
T11	Renovate/Expand Willard and DiLoreto Halls (design/construction)		
T12		57,737,000	
T13	Renovate/Expand Willard and DiLoreto Halls (equipment)		
T14			3,348,000
T15	New Classroom Office Building		
T16	[33,978,000]		
T17		<u>29,821,000</u>	
T18	[East Campus Infrastructure Development] <u>Renovate</u>		
T19	<u>Barnard Hall</u>		
T20	[13,244,000]		<u>22,000,000</u>
T21	[Burritt Library Expansion (design/construction)] <u>New</u>		
T22	<u>Engineering Building</u>		
T23			[96,262,000]
T24			<u>62,700,000</u>
T25			

T26	Burritt Library Renovation			
T27	[(design)] <u>and Addition</u>			[11,387,000]
T28				<u>16,500,000</u>
T29	New Maintenance/Salt Shed			
T30	Facility	2,503,000		
T31	<u>Renovate Kaiser Hall and</u>			
T32	<u>Annex</u>			<u>24,850,000</u>
T33	Eastern Connecticut State			
T34	University			
T35	Code Compliance/			
T36	Infrastructure Improvements	[8,255,113]	5,825,000	[5,000,000]
T37		<u>8,938,849</u>		
T38	Fine Arts Instructional Center			
T39	(design)	12,000,000		
T40	Fine Arts Instructional Center			
T41	(construction)		71,556,000	
T42	Fine Arts Instructional Center			
T43	(equipment)			4,115,000
T44	Goddard Hall Renovation			
T45	(design/construction)		19,239,000	
T46	Goddard Hall Renovation			
T47	(equipment)			1,095,000
T48	Sports Center Addition and			
T49	Renovation (design)			11,048,000
T50	Outdoor Track-Phase II	[1,816,000]		
T51		<u>1,506,396</u>		
T52	Athletic Support Building	1,921,000		
T53	New Warehouse	[2,269,000]		

T54		<u>1,894,868</u>		
T55	Southern Connecticut State			
T56	University			
T57	Code Compliance/			
T58	Infrastructure Improvements	16,955,915	8,637,000	[5,000,000]
T59	New Academic Laboratory			
T60	Building/Parking Garage			
T61	(construct garage,			
T62	design academic laboratory			
T63	building, demolish Seabury			
T64	Hall)	8,944,000		
T65	New Academic Laboratory			
T66	Building/Parking Garage			
T67	(construct academic laboratory			
T68	building)		63,171,000	
T69	Health and Human Services			
T70	Building			60,412,000
T71	Additions and Renovations to			
T72	Buley Library	16,386,585		
T73	Fine Arts Instructional Center			70,929,000
T74				
T75	Western Connecticut State			
T76	University Code			
T77	Compliance/ Infrastructure			
T78	Improvements	7,658,330	4,323,000	[7,212,000]
T79	Fine Arts Instructional Center			
T80	(construction)	80,605,000		
T81	Fine Arts Instructional Center			
T82	(equipment)		4,666,000	
T83	Higgins Hall Renovations			

T84	(design)		2,982,000	
T85	Higgins Hall Renovations			
T86	(construction/equipment)			31,594,000
T87	Berkshire Hall Renovations			
T88	(design)			4,797,000
T89	University Police Department			
T90	Building (design)	500,000		
T91	University Police Department			
T92	Building (construction)		4,245,000	
T93	Midtown Campus Mini-Chiller			
T94	Plant			1,957,000
T95	[State University System] <u>Board of Regents for Higher Education</u>			
T96	New and Replacement			
T97	Equipment, <u>Smart Classroom</u>			
T98	<u>Technology and Technology</u>			
T99	<u>Upgrades</u>	26,895,000	14,500,000	[31,844,000]
T100				<u>61,844,000</u>
T101	Alterations/Improvements:			
T102	Auxiliary Service Facilities	18,672,422	15,000,000	20,000,000
T103	Telecommunications			
T104	Infrastructure Upgrade	10,000,000	3,415,000	5,000,000
T105	Land and Property Acquisition	4,250,190	3,000,000	[4,000,000]
T106				<u>3,000,000</u>
T107	<u>Deferred Maintenance/Code</u>			
T108	<u>Compliance Infrastructure</u>			
T109	<u>Improvements</u>			<u>47, 212,000</u>
T110	<u>Strategic Master Plan of</u>			
T111	<u>Academic Programs</u>			<u>3,000,000</u>

T112	<u>Consolidation and Upgrade of</u>	
T113	<u>System Student and Financial</u>	
T114	<u>Information Technology</u>	
T115	<u>Systems</u>	<u>20,000,000</u>
T116	<u>Advanced Manufacturing</u>	
T117	<u>Center at Asnuntuck</u>	
T118	<u>Community College</u>	<u>25,500,000</u>
T119	Totals	[285,000,000] 285,000,000 [380,000,000]
T120		<u>267,599,000</u> <u>500,901,000</u>

142 (b) The plan of funding [CSUS] CSCU 2020 shall be from the
 143 proceeds of general obligation bonds of the state in an amount
 144 authorized pursuant to subsection (a) of section 10a-91e, as amended
 145 by this act. The proceeds of the general obligation bonds issued
 146 pursuant to section 10a-91e, as amended by this act, shall be deposited
 147 into the [CSUS] CSCU 2020 Fund.

148 (c) With respect to [CSUS] CSCU 2020 and within the authorized
 149 funding amount, the board of [trustees] regents may, from time to
 150 time, and shall, whenever appropriate or necessary, revise, delete or
 151 add a particular project or projects, provided (1) a formal approving
 152 vote of the board of [trustees] regents shall be needed for (A) a revision
 153 that deviates from the estimated costs of projects pursuant to
 154 subsection (a) of this section in an amount that is less than (i) ten per
 155 cent of such costs for a project with an estimated cost of one million
 156 dollars or lower, or (ii) five per cent of such costs for a project with an
 157 estimated cost of more than one million dollars, provided such change
 158 in the costs does not include changes in the costs of materials, (B) a
 159 deletion, or (C) an addition dictated by a change in system planning as
 160 determined by the board of [trustees] regents or otherwise necessary
 161 because of reasons beyond the control of the system, (2) any revision
 162 shall be subject only to such formal approval of the board of [trustees]
 163 regents as long as the board of [trustees] regents finds and determines

164 that such revision is consistent with the intent or purpose of the
165 original project, and (3) (A) a revision that deviates from the estimated
166 costs of projects pursuant to subsection (a) of this section in an amount
167 that is equal to or greater than (i) ten per cent of such costs for a project
168 with an estimated cost of one million dollars or lower, or (ii) five per
169 cent of such costs for a project with an estimated cost of more than one
170 million dollars, provided such change in the costs does not include
171 changes in the costs of materials, (B) an addition, or (C) a deletion shall
172 be conditioned not only upon such formal approval of the board of
173 [trustees] regents but also upon a request by the board of [trustees]
174 regents for, and enactment of, a subsequent public or special act
175 approving such addition or deletion, if such addition is to add a
176 project not outlined in subsection (a) of this section or the deletion is
177 the deletion of a project outlined in subsection (a) of this section.
178 Furthermore, with respect to [CSUS] CSCU 2020 and subject to the
179 limitations in the authorized funding amount, the board of [trustees]
180 regents may determine the sequencing and timing of such project or
181 projects, revise estimates of cost and reallocate from any amounts
182 estimated in subsection (a) of this section, for one or more projects to
183 one or more other projects then constituting a component of [CSUS]
184 CSCU 2020 as long as, at the time of such reallocation, it has found that
185 any such project to which a reallocation is made has been revised or
186 added in accordance with this section and such project from which a
187 reallocation is made either has been so revised or added and can be
188 completed within the amounts remaining allocated to it, or has been so
189 deleted. The board of [trustees'] regents' actions under this section
190 shall be included in reports to the Governor and the General Assembly
191 under section 10a-91f, as amended by this act. If the board of [trustees]
192 regents requests a revision, addition or deletion pursuant to
193 subdivision (3) of this subsection, the board of [trustees] regents shall
194 submit such request to the Governor at the same time that the request
195 is submitted to the General Assembly.

196 (d) (1) In accordance with the provisions of chapters 59 and 60, the

197 Commissioner of Administrative Services shall be responsible for the
198 duties [as] specified in said provisions, and, on a quarterly basis, the
199 commissioner shall provide the system with information needed for
200 compliance with sections 10a-91a to 10a-91h, inclusive, as amended by
201 this act, including, but not limited to, costs, timeliness of completion of
202 projects and any issues that have developed in implementation of any
203 project under the commissioner's jurisdiction.

204 (2) Not later than January 1, 2009, and annually thereafter, the
205 Commissioner of Administrative Services shall, in accordance with
206 section 11-4a, report to the Governor and the General Assembly on any
207 (A) construction management services costs, (B) administrative
208 services costs, and (C) costs of fees associated with [CSUS] CSCU 2020.

209 (e) The Commissioner of Administrative Services and the system
210 shall enter into and maintain a memorandum of understanding that
211 shall provide for the assignment of personnel from the Department of
212 Administrative Services to ensure that buildings or projects that are
213 part of the [CSUS] CSCU 2020 program are designed and constructed
214 in compliance with the Fire Safety Code and the State Building Code
215 with respect to buildings or building projects that (1) are part of
216 [CSUS] CSCU 2020, as authorized by sections 10a-91a to 10a-91h,
217 inclusive, as amended by this act, (2) do not meet the threshold limits,
218 as defined in section 29-276b, and (3) construction of which is initiated
219 during the period of time in which the memorandum is in effect.

220 [(f) The board of trustees shall request, in writing, approval from the
221 Department of Administrative Services for any acquisition or purchase
222 of equipment, furniture or personal property using funds provided
223 pursuant to sections 10a-91a to 10a-91h, inclusive. Such purchases or
224 acquisitions shall require specific approval by the Commissioner of
225 Administrative Services, or shall be deemed approved not later than
226 thirty days after such request for approval, if the commissioner has not
227 rejected the request.]

228 Sec. 5. Section 10a-91e of the general statutes is repealed and the
229 following is substituted in lieu thereof (*Effective July 1, 2014*):

230 (a) The State Bond Commission shall approve the [CSUS] CSCU
231 2020 program and authorize the issuance of bonds of the state in
232 principal amounts not exceeding in the aggregate [nine hundred fifty
233 million dollars] one billion fifty-three million five hundred thousand
234 dollars. The amount provided for the issuance and sale of bonds in
235 accordance with this section shall be capped in each fiscal year in the
236 following amounts, provided, to the extent the board of [trustees]
237 regents does not provide for the issuance of all or a portion of such
238 amount in a fiscal year, or the Governor disapproves the request for
239 issuance of all or a portion of the amount of the bonds as provided in
240 subsection (d) of this section, any amount not provided for or
241 disapproved, as the case may be, shall be carried forward and added to
242 the capped amount for [the next succeeding] a subsequent fiscal year,
243 but not later than the fiscal year ending June 30, 2019, and provided
244 further, the costs of issuance and capitalized interest, if any, may be
245 added to the capped amount in each fiscal year, and each of the
246 authorized amounts shall be effective on July first of the fiscal year
247 indicated as follows:

T121	Fiscal Year Ending June 30	Amount
T122		
T123	2009	95,000,000
T124	2010	95,000,000
T125	2011	95,000,000
T126	2012	95,000,000
T127	2013	95,000,000
T128	2014	95,000,000
T129	2015	[95,000,000] <u>175,000,000</u>
T130	2016	[95,000,000] <u>118,500,000</u>
T131	2017	95,000,000
T132	2018	95,000,000

278 portion of such amount of bonding submitted by the board of
279 [trustees] regents by notifying the board of [trustees] regents, in
280 writing, of such decision and the reasons for it. If the Governor does
281 not act within such thirty-day period, the issuance of bonds for the
282 [CSUS] CSCU 2020 program for the fiscal year beginning on July first
283 of that year is deemed approved.

284 (2) Subject to the amount of limitations of such capping provisions
285 in subsection (a) of this section and following the approval or deemed
286 approval of the request to issue bonds as provided in subdivision (1) of
287 this subsection, the principal amount of the bonds authorized under
288 this section shall be deemed to be an appropriation and allocation of
289 such amount, and such approval of such request shall be deemed the
290 allotment by the Governor of such capital outlays within the meaning
291 of section 4-85.

292 Sec. 6. Subsection (a) of section 10a-91f of the general statutes is
293 repealed and the following is substituted in lieu thereof (*Effective July*
294 *1, 2014*):

295 (a) Not later than January 1, [2010] 2015, and semiannually
296 thereafter, the system shall, in accordance with the provisions of
297 section 11-4a, report to the Governor and the General Assembly on the
298 status and progress of [CSUS] CSCU 2020. Each report shall include,
299 but not be limited to: (1) Information on the number of projects
300 authorized and approved hereunder including, relative to such
301 projects, project costs, timeliness of completion and any problems
302 which have developed in implementation, and a schedule of projects
303 remaining and their expected costs; and (2) the amount of money
304 raised from private sources for the capital and endowment programs.
305 For purposes of preparing each report, upon request of the board of
306 trustees, the Treasurer shall promptly provide information concerning
307 bonds authorized, approved and issued under sections 10a-91a to 10a-
308 91h, inclusive, as amended by this act.

309 Sec. 7. Section 10a-91g of the general statutes is repealed and the
310 following is substituted in lieu thereof (*Effective July 1, 2014*):

311 On January 1, 2014, and January 1, 2019, the system shall, in
312 accordance with the provisions of section 11-4a, submit to the
313 Governor and to the General Assembly, a five-year [CSUS] CSCU 2020
314 performance review report detailing for each project undertaken to
315 date under the program the progress made and the actual
316 expenditures compared to original estimated costs. Not later than sixty
317 calendar days after receipt of said report, the Governor and the
318 General Assembly shall consider the report and determine whether
319 there has been insufficient progress in implementation of [CSUS]
320 CSCU 2020 or whether there have been significant cost increases over
321 original estimates as a result of actions taken by the system. If so, the
322 Governor or the General Assembly may make recommendations for
323 appropriate action to the system and for action by the General
324 Assembly.

325 Sec. 8. Section 10a-91h of the general statutes is repealed and the
326 following is substituted in lieu thereof (*Effective July 1, 2014*):

327 The board of trustees shall select and appoint independent auditors,
328 as defined in subdivision (7) of section 4-230, to annually conduct an
329 audit of any project of [CSUS 2020, as defined in subdivision (4) of
330 section 10a-91c] CSCU 2020. Such audit shall review invoices,
331 expenditures, cost allocations and other appropriate documentation in
332 order to reconcile project costs and verify conformance with project
333 budgets, cost allocation agreements and applicable contracts, and shall
334 be submitted to the Governor and the General Assembly in accordance
335 with section 11-4a. The board of trustees shall ensure that the auditors
336 have unfettered access to any documentation the auditors need to
337 review any such project. The auditors appointed pursuant to this
338 section may serve in such capacity for five consecutive years and shall
339 not be reappointed at the expiration of such period. Any such auditor
340 appointed pursuant to this section shall not perform any nonaudit

341 services for the system during such period.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2014</i>	10a-91a
Sec. 2	<i>July 1, 2014</i>	10a-91b
Sec. 3	<i>July 1, 2014</i>	10a-91c
Sec. 4	<i>July 1, 2014</i>	10a-91d
Sec. 5	<i>July 1, 2014</i>	10a-91e
Sec. 6	<i>July 1, 2014</i>	10a-91f(a)
Sec. 7	<i>July 1, 2014</i>	10a-91g
Sec. 8	<i>July 1, 2014</i>	10a-9h

Statement of Purpose:

To implement the Governor's budget recommendations.

[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.]