



General Assembly

February Session, 2022

Raised Bill No. 5495

LCO No. 3430



Referred to Committee on GOVERNMENT ADMINISTRATION
AND ELECTIONS

Introduced by:
(GAE)

AN ACT CONCERNING GOVERNMENT ADMINISTRATION.

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

1 Section 1. (NEW) (*Effective July 1, 2022*) (a) As used in this section and
2 sections 2 and 3 of this act:

3 (1) "Program review" means an examination of programs
4 administered by state departments and agencies to ascertain whether
5 such programs are effective, continue to serve their intended purposes,
6 are conducted in an efficient and effective manner or require
7 modification or elimination; and

8 (2) "Investigation" means the investigation of any matter which is
9 referred to the Legislative Program Review and Investigations
10 Committee as provided in section 2 of this act.

11 (b) There is hereby reestablished a Legislative Program Review and
12 Investigations Committee, which shall be a permanent standing
13 committee of the General Assembly, consisting of (1) six members of the
14 Senate, three appointed by the president pro tempore and three

15 appointed by the minority leader, and (2) six members of the House of
16 Representatives, three appointed by the speaker of the House of
17 Representatives and three appointed by the minority leader. Members
18 shall serve for a term of two years from the date of appointment.

19 (c) The appointments of the members shall be made at the beginning
20 of each regular session of the General Assembly in the odd-numbered
21 year. The terms of all members appointed to the committee shall end
22 with the termination of each member's term or holding of office,
23 whichever occurs first. Vacancies shall be filled in the same manner as
24 the original appointments. The committee shall select cochairpersons
25 and such other officers as it may deem necessary from among its
26 membership.

27 (d) A majority of the membership shall constitute a quorum and all
28 actions of the committee shall require the affirmative vote of a majority
29 of the full committee membership. The cochairpersons and ranking
30 minority members of the joint standing committee requesting an
31 investigation shall serve as nonvoting, ex-officio members of the
32 Legislative Program Review and Investigations Committee during the
33 course of such investigation.

34 Sec. 2. (NEW) (*Effective July 1, 2022*) (a) The Legislative Program
35 Review and Investigations Committee shall: (1) Direct its staff and other
36 legislative staff available to the committee to conduct program reviews
37 and investigations to assist the General Assembly in the proper
38 discharge of its duties; (2) establish policies and procedures regarding
39 the printing, reproduction and distribution of its reports; (3) review staff
40 reports submitted to the committee and, when necessary, confer with
41 representatives of the state departments and agencies reviewed in order
42 to obtain full and complete information in regard to programs, other
43 activities and operations of the state, and may request and shall be given
44 access to and copies of, by all public officers, departments, agencies and
45 authorities of the state and its political subdivisions, such public
46 records, data and other information and given such assistance as the
47 committee determines it needs to fulfill its duties. Any statutory

48 requirements of confidentiality regarding such records, data and other
49 information, including penalties for violating such requirements, shall
50 apply to the committee, its staff and its other authorized representatives
51 in the same manner and to the same extent as such requirements and
52 penalties apply to any public officer, department, agency or authority of
53 the state or its political subdivisions. The committee shall act on staff
54 reports and recommend in its report, or propose, in the form of a raised
55 committee bill, such legislation as may be necessary to modify current
56 operations and agency practices; (4) consider and act on requests by
57 members of the General Assembly, legislative committees, elected
58 officials of state government and state department and agency heads for
59 program reviews. The request shall be submitted in writing to the
60 Program Review and Investigations Committee and shall state reasons
61 to support the request. The decision of the committee to grant or deny
62 such a request shall be final; (5) conduct investigations requested by
63 joint resolution of the General Assembly, or, when the General
64 Assembly is not in session, (A) requested by a joint standing committee
65 of the General Assembly or initiated by a majority vote of the Program
66 Review and Investigations Committee and approved by the Joint
67 Committee on Legislative Management, or (B) requested by the Joint
68 Committee on Legislative Management. In the event two or more
69 investigations are requested, the order of priority shall be determined
70 by the Legislative Program Review and Investigations Committee; (6)
71 retain, within available appropriations, the services of consultants,
72 technical assistants, research and other personnel necessary to assist in
73 the conduct of program reviews and investigations; (7) originate, and
74 report to the General Assembly, any bill it deems necessary concerning
75 a program, department or other matter under review or investigation
76 by the committee, in the same manner as is prescribed by rule for joint
77 standing committees of the General Assembly; (8) review audit reports
78 after issuance by the Auditors of Public Accounts, evaluate and sponsor
79 new or revised legislation based on audit findings, provide means to
80 determine compliance with audit recommendations and receive facts
81 concerning any unauthorized, illegal, irregular or unsafe handling or
82 expenditures of state funds under the provisions of section 2-90 of the

83 general statutes, as amended by this act; (9) meet as often as may be
84 necessary, during legislative sessions and during the periods between
85 sessions, to perform its duties and functions; and (10) shall report
86 annually to the General Assembly on or before February fifteenth.

87 (b) The committee may, at any time, study any matter within the
88 scope of a completed or partially completed staff report then being
89 conducted or may at its discretion study and consider any matter
90 relative to program activities of state departments and agencies.

91 (c) The identity of a public employee providing information to the
92 committee shall not be disclosed. In the course of an investigation, all
93 information, records of interviews, reports, statements, notes,
94 memoranda or other data in the custody of the or obtained or prepared
95 by the Legislative Program Review and Investigations Committee or its
96 staff shall not be subject to the provisions of section 1-210 of the general
97 statutes until the investigation is completed.

98 Sec. 3. (NEW) (*Effective July 1, 2022*) (a) In any instance in which a
99 program review cites inadequate operating or administrative system
100 controls or procedures, inaccuracies, waste, extravagance, unauthorized
101 or unintended activities or programs, or other deficiencies, the
102 department head of or agency head of or the appropriate program
103 officer or official to which the report pertained shall take the necessary
104 corrective actions and when the committee deems the action taken to be
105 not suitable, the committee shall report the matter to the General
106 Assembly together with its recommendations.

107 (b) The committee shall report electronically the results of each
108 investigation together with its recommendations for any further action
109 to the General Assembly.

110 Sec. 4. Section 1-122 of the 2022 supplement to the general statutes is
111 repealed and the following is substituted in lieu thereof (*Effective July 1,*
112 *2022*):

113 In accordance with the provisions of section 2-90, as amended by this

114 act, the Auditors of Public Accounts shall biennially conduct a
115 compliance audit of each quasi-public agency's activities during the
116 agency's two fiscal years preceding each such audit or contract with a
117 person, firm or corporation for any such audit or audits. Each such audit
118 shall determine whether the quasi-public agency has complied with its
119 regulations concerning affirmative action, personnel practices, the
120 purchase of goods and services, the use of surplus funds and the
121 distribution of loans, grants and other financial assistance. Each audit
122 shall include a review of all or a representative sample of the agency's
123 activities in such areas during the relevant fiscal years. The Auditors of
124 Public Accounts shall submit each audit report to the Governor and the
125 Legislative Program Review and Investigations Committee. Not later
126 than thirty days after receiving copies of an audit report from the
127 Auditors of Public Accounts, the Legislative Program Review and
128 Investigations Committee shall prepare an assessment of whether the
129 audit report complies with the requirements of this section and shall
130 submit the assessment and a copy of the audit report to the joint
131 standing committee of the General Assembly having cognizance of
132 matters relating to the quasi-public agency. Each quasi-public agency
133 shall pay the cost of conducting such biennial compliance audit of the
134 agency.

135 Sec. 5. Subsection (a) of section 1-123 of the general statutes is
136 repealed and the following is substituted in lieu thereof (*Effective July 1,*
137 *2022*):

138 (a) The board of directors of each quasi-public agency shall annually
139 submit a report to the Governor, [and] the Auditors of Public Accounts
140 and the Legislative Program Review and Investigations Committee.
141 Such report shall include, but need not be limited to, the following: (1)
142 A list of all bond issues for the preceding fiscal year, including, for each
143 such issue, the financial advisor and underwriters, whether the issue
144 was competitive, negotiated or privately placed, and the issue's face
145 value and net proceeds; (2) a list of all projects other than those
146 pertaining to owner-occupied housing or student loans receiving
147 financial assistance during the preceding fiscal year, including each

148 project's purpose, location, and the amount of funds provided by the
149 agency; (3) a list of all outside individuals and firms receiving in excess
150 of five thousand dollars in the form of loans, grants or payments for
151 services, except for individuals receiving loans for owner-occupied
152 housing and education; (4) a complete set of financial statements; (5) the
153 cumulative value of all bonds issued, the value of outstanding bonds,
154 and the amount of the state's contingent liability; (6) the affirmative
155 action policy statement, a description of the composition of the agency's
156 work force by race, sex, and occupation and a description of the agency's
157 affirmative action efforts; and (7) a description of planned activities for
158 the current fiscal year. Not later than thirty days after receiving such
159 report from the board of a quasi-public agency, the Legislative Program
160 Review and Investigations Committee shall prepare an assessment of
161 whether the report complies with the requirements of this section and
162 shall submit the assessment and a copy of the report to the joint standing
163 committee of the General Assembly having cognizance of matters
164 relating to the quasi-public agency.

165 Sec. 6. Section 2-46 of the general statutes is repealed and the
166 following is substituted in lieu thereof (*Effective July 1, 2022*):

167 (a) The president of the Senate, the speaker of the House of
168 Representatives, or a [chairman] chairperson of the whole, or of any
169 committee of either house, of the General Assembly, or either of the
170 chairpersons of the Legislative Program Review and Investigations
171 Committee, shall have the power to compel the attendance and
172 testimony of witnesses by subpoena and *capias* issued by any of them,
173 require the production of any necessary books, papers or other
174 documents and administer oaths to witnesses in any case under their
175 examination, including any program review or investigation, as defined
176 in section 1 of this act. Any person, summoned as a witness by the
177 authority of either house of the General Assembly or the Legislative
178 Program Review and Investigations Committee to give testimony or to
179 produce books, papers or other documents upon any matter under
180 inquiry before either house, or any committee of either house, of the
181 General Assembly, or a joint committee of both houses, who wilfully

182 makes default or, having appeared, refuses to be sworn or to answer any
183 question pertinent to the question under inquiry, shall be guilty of a
184 class A misdemeanor.

185 (b) Any individual who is subpoenaed to appear and testify before a
186 committee of the General Assembly or the Legislative Program Review
187 and Investigations Committee shall have the right to review a copy of
188 the transcript of his or her testimony and a reasonable amount of time
189 to question its accuracy prior to the public release of such transcript or
190 its permanent filing.

191 Sec. 7. Section 2-47 of the general statutes is repealed and the
192 following is substituted in lieu thereof (*Effective July 1, 2022*):

193 No witness shall be privileged to refuse to testify to any fact, or to
194 produce any paper, respecting which he is examined by either house of
195 the General Assembly, or by any committee of either house or any joint
196 committee of both houses, or by the Legislative Program Review and
197 Investigations Committee in any program review or investigation, as
198 defined in section 1 of this act, upon the ground that [his] such witness'
199 testimony to such fact or [his] production of such paper may tend to
200 disgrace [him] such witness or otherwise render [him] such witness
201 infamous.

202 Sec. 8. Subsections (c) to (e), inclusive, of section 2-90 of the 2022
203 supplement to the general statutes are repealed and the following is
204 substituted in lieu thereof (*Effective July 1, 2022*):

205 (c) Said auditors shall audit, on a biennial basis if deemed most
206 economical and efficient, or as frequently as they deem necessary, the
207 books and accounts, records of operations and activities, systems and
208 data of each officer, department, commission, board and court of the
209 state government, all institutions supported by the state and all public
210 and quasi-public bodies, politic and corporate, created by public or
211 special act of the General Assembly and not required to be audited or
212 subject to reporting requirements, under the provisions of chapter 111.
213 Each such audit may include an examination of any relevant

214 information concerning the department, commission, board or court of
215 state government being audited that is in the possession or control of a
216 private entity that has a contract with such department, commission,
217 board or court, and such information shall be provided upon demand
218 in a format prescribed by the auditors at no cost to the auditors or the
219 department, commission, board or court. Each such audit may include
220 an examination of performance in order to determine effectiveness in
221 achieving expressed legislative purposes. The auditors shall report their
222 findings and recommendations to the Governor, the State Comptroller,
223 [and] the joint standing committee of the General Assembly having
224 cognizance of matters relating to appropriations and the budgets of state
225 agencies and the Legislative Program Review and Investigations
226 Committee.

227 (d) The Auditors of Public Accounts may enter into such contractual
228 agreements as may be necessary for the discharge of their duties. Any
229 audit or report which is prepared by a person, firm or corporation
230 pursuant to any contract with the Auditors of Public Accounts shall bear
231 the signature of the person primarily responsible for the preparation of
232 such audit or report. As used in this subsection, the term "person" means
233 a natural person.

234 (e) (1) If the Auditors of Public Accounts discover, or if it should come
235 to their knowledge, that any unauthorized, illegal, irregular or unsafe
236 handling or expenditure of state funds or quasi-public agency funds or
237 any breakdown in the safekeeping of any resources of the state or a
238 quasi-public agency has occurred or is contemplated, they shall
239 forthwith report the facts to the Governor, the State Comptroller, the
240 clerk of each house of the General Assembly, the Legislative Program
241 Review and Investigations Committee and the Attorney General, except
242 that if a matter reported to the Auditors of Public Accounts pursuant to
243 section 4-33a is still under investigation by a state or quasi-public
244 agency, the Auditors of Public Accounts may give the agency a
245 reasonable amount of time to conduct such investigation prior to the
246 auditors reporting the matter to said officials. (2) If the Auditors of
247 Public Accounts decide to delay reporting such matter in accordance

248 with subdivision (1) of this subsection, the auditors shall immediately
249 notify the Attorney General of such decision. (3) Any Auditor of Public
250 Accounts neglecting to make the report required under subdivision (1)
251 of this subsection, or any agent of the auditors neglecting to report to
252 the Auditors of Public Accounts any such matter discovered by such
253 agent or coming to such agent's knowledge, shall be fined not more than
254 one hundred dollars or imprisoned not more than six months, or both.

255 Sec. 9. Subdivision (11) of subsection (g) of section 17a-28 of the 2022
256 supplement to the general statutes is repealed and the following is
257 substituted in lieu thereof (*Effective July 1, 2022*):

258 (11) The Governor, when requested in writing in the course of the
259 Governor's official functions, the Legislative Program Review and
260 Investigations Committee, the joint standing committee of the General
261 Assembly having cognizance of matters relating to human services, the
262 joint standing committee of the General Assembly having cognizance of
263 matters relating to the judiciary or the joint standing committee of the
264 General Assembly having cognizance of matters relating to children,
265 when requested in writing by any of such committees in the course of
266 such committee's official functions, and upon a majority vote of such
267 committee, provided no name or other identifying information is
268 disclosed unless such information is essential to the gubernatorial or
269 legislative purpose;

270 Sec. 10. Section 51-51l of the 2022 supplement to the general statutes
271 is repealed and the following is substituted in lieu thereof (*Effective July*
272 *1, 2022*):

273 (a) Except as provided in subsection (d) of this section, the Judicial
274 Review Council shall investigate every written complaint brought
275 before it alleging conduct under section 51-51i, and may initiate an
276 investigation of any judge, administrative law judge or family support
277 magistrate if (1) the council has reason to believe conduct under section
278 51-51i has occurred or (2) previous complaints indicate a pattern of
279 behavior which would lead to a reasonable belief that conduct under

280 section 51-51i has occurred. The council shall, not later than five days
281 after such initiation of an investigation or receipt of such complaint,
282 notify by registered or certified mail any judge, administrative law
283 judge or family support magistrate under investigation or against
284 whom such complaint is filed. A copy of any such complaint shall
285 accompany such notice. The council shall also notify the complainant of
286 its receipt of such complaint not later than five days thereafter. Any
287 investigation to determine whether or not there is probable cause that
288 conduct under section 51-51i has occurred shall be confidential and any
289 individual called by the council for the purpose of providing
290 information shall not disclose his knowledge of such investigation to a
291 third party prior to the decision of the council on whether probable
292 cause exists, unless the respondent requests that such investigation and
293 disclosure be open, provided information known or obtained
294 independently of any such investigation shall not be confidential. The
295 judge, administrative law judge or family support magistrate shall have
296 the right to appear and be heard and to offer any information which may
297 tend to clear him of probable cause to believe he is guilty of conduct
298 under section 51-51i. The judge, administrative law judge or family
299 support magistrate shall also have the right to be represented by legal
300 counsel and examine and cross-examine witnesses. In conducting its
301 investigation under this subsection, the council may request that a court
302 furnish to the council a record or transcript of court proceedings,
303 including records and transcripts of juvenile matters pursuant to section
304 46b-124 and records and transcripts of cases involving youthful
305 offenders pursuant to section 54-76l, made or prepared by a court
306 reporter, assistant court reporter or monitor and the court shall, upon
307 such request, furnish such record or transcript.

308 (b) The Judicial Review Council shall, not later than three business
309 days after the termination of such investigation, notify the complainant,
310 if any, and the judge, administrative law judge or family support
311 magistrate that the investigation has been terminated and the results
312 thereof. If the council finds that conduct under section 51-51i has not
313 occurred, but the judge, administrative law judge or family support

314 magistrate has acted in a manner which gives the appearance of
315 impropriety or constitutes an unfavorable judicial or magisterial
316 practice, the council may issue an admonishment to the judge,
317 administrative law judge or family support magistrate recommending
318 a change in judicial or magisterial conduct or practice. If an
319 admonishment is issued, the council shall (1) notify the joint standing
320 committee of the General Assembly having cognizance of matters
321 relating to the judiciary that an admonishment was issued and provide
322 said committee with the substance of the admonishment, including
323 copies of the complaint file, and (2) inform the complainant, if any, that
324 an admonishment was issued if the admonishment is the result of
325 misconduct alleged in the complaint. Except as provided in subdivision
326 (1) of this subsection, the substance of the admonishment shall not be
327 disclosed to any person or organization.

328 (c) If a preliminary investigation indicates that probable cause exists
329 that the judge, administrative law judge or family support magistrate is
330 guilty of conduct under section 51-51i, the council shall hold a hearing
331 concerning the conduct or complaint. All hearings held pursuant to this
332 subsection shall be open. A judge, an administrative law judge or a
333 family support magistrate appearing before such a hearing shall be
334 entitled to counsel, to present evidence and to cross-examine witnesses.
335 The council shall make a record of all proceedings pursuant to this
336 subsection. The council shall not later than thirty days after the close of
337 such hearing publish its findings together with a memorandum of its
338 reasons therefor.

339 (d) No complaint against a judge, an administrative law judge or a
340 family support magistrate alleging conduct under section 51-51i shall be
341 brought under this section but within one year from the date the alleged
342 conduct occurred or was discovered or in the exercise of reasonable care
343 should have been discovered, except that no such complaint may be
344 brought more than three years from the date the alleged conduct
345 occurred.

346 (e) Notwithstanding the provisions of subsections (a) and (b) of this

347 section, the council shall disclose any information concerning
348 complaints received by the council on and after January 1, 1978,
349 investigations and disposition of such complaints to the Legislative
350 Program Review and Investigations Committee when requested by the
351 committee in the course of its functions, in writing and upon a majority
352 vote of the committee, provided no names or other identifying
353 information shall be disclosed.

354 [(e)] (f) On and after December 19, 1991, any judge, administrative
355 law judge or family support magistrate who has been the subject of an
356 investigation by the Judicial Review Council as a result of a complaint
357 brought before such council may request that such complaint,
358 investigation and the disposition of such complaint be open to public
359 inspection.

360 [(f)] (g) Whenever a complaint against a judge, an administrative law
361 judge or a family support magistrate is pending before the Judicial
362 Review Council within the final year of the term of office of such judge,
363 administrative law judge or family support magistrate, the Judicial
364 Review Council shall designate such complaint as privileged and shall
365 conduct an expedited investigation and hearing so that its duties with
366 respect to such complaint are completed in sufficient time to enable the
367 Judicial Review Council to make its recommendation concerning any
368 such judge to the Judicial Selection Commission and the Governor
369 under section 51-51q in a timely manner.

370 Sec. 11. Subsection (c) of section 4a-100 of the 2022 supplement to the
371 general statutes is repealed and the following is substituted in lieu
372 thereof (*Effective October 1, 2022*):

373 (c) The application form shall, at a minimum, require the applicant to
374 supply information concerning:

375 (1) The applicant's form of organization;

376 (2) The applicant's principals and key personnel and any names
377 under which the applicant, principals or key personnel conducted

378 business during the past five years;

379 (3) Any legal or administrative proceedings pending, settled or
380 concluded adversely against the applicant or any of the applicant's
381 principals or key personnel within the past five years which relate to the
382 procurement or performance of any public or private construction
383 contract;

384 (4) Any legal or administrative proceedings concluded adversely
385 against the applicant or any of the applicant's principals or key
386 personnel within the past five years which relate to the nonpayment or
387 underpayment of wages or benefits to the applicant's, principal's or key
388 personnel's employees during the performance of any public or private
389 construction contract;

390 (5) Any administrative proceedings that concluded adversely against
391 the applicant with the imposition of any civil penalties pursuant to
392 section 31-69a or the issuance of any stop work orders pursuant to
393 section 31-288.

394 ~~[(5)]~~ (6) The nature of any financial, personal or familial relationship
395 between the applicant and any public or private construction project
396 owner listed on the application as constituting construction experience;

397 ~~[(6)]~~ (7) A statement of whether (A) the applicant has been
398 disqualified pursuant to section 4b-95, this section or section 31-57c or
399 31-57d, (B) the applicant is disqualified or prohibited from being
400 awarded a contract pursuant to section 31-57b, (C) the applicant has
401 been disqualified by another state, (D) the applicant has been
402 disqualified by a federal agency or pursuant to federal law, (E) the
403 applicant's registration has been suspended or revoked by the
404 Department of Consumer Protection pursuant to section 20-341gg, (F)
405 the applicant has been disqualified by a municipality, and (G) the
406 matters that gave rise to any such disqualification, suspension or
407 revocation have been eliminated or remedied; and

408 ~~[(7)]~~ (8) Other information as the commissioner deems relevant to the

409 determination of the applicant's qualifications and responsibilities.

410 Sec. 12. Subdivision (2) of subsection (k) of section 4a-100 of the 2022
411 supplement to the general statutes is repealed and the following is
412 substituted in lieu thereof (*Effective October 1, 2022*):

413 (2) The commissioner shall deny or revoke the prequalification of any
414 contractor or substantial subcontractor if the commissioner finds that
415 the contractor or substantial subcontractor, or a principal or key
416 personnel of such contractor or substantial subcontractor, within the
417 past five years (A) has included any materially false statement in a
418 prequalification application or update statement, (B) has withheld any
419 information or documentation requested in a prequalification
420 application, (C) has been convicted of, entered a plea of guilty or nolo
421 contendere for, or admitted to, a crime related to the procurement or
422 performance of any public or private construction contract, or [(C)] (D)
423 has otherwise engaged in fraud in obtaining or maintaining
424 prequalification. Any revocation made pursuant to this subsection shall
425 be made only after an opportunity for a hearing. Any contractor or
426 substantial subcontractor whose prequalification has been revoked
427 pursuant to this subsection shall be disqualified for a period of two years
428 after which the contractor or substantial subcontractor may reapply for
429 prequalification, except that a contractor or substantial subcontractor
430 whose prequalification has been revoked on the basis of conviction of a
431 crime or engaging in fraud shall be disqualified for a period of five years
432 after which the contractor or substantial subcontractor may reapply for
433 prequalification. The commissioner shall not prequalify a contractor or
434 substantial subcontractor whose prequalification has been revoked
435 pursuant to this subdivision until the expiration of said two-year, five-
436 year, or other applicable disqualification period and the commissioner
437 is satisfied that the matters that gave rise to the revocation have been
438 eliminated or remedied.

439 Sec. 13. Subsection (f) of section 4b-3 of the 2022 supplement to the
440 general statutes is repealed and the following is substituted in lieu
441 thereof (*Effective October 1, 2022*):

442 (f) The State Properties Review Board shall review real estate
443 acquisitions, sales, leases and subleases proposed by the Commissioner
444 of Administrative Services or proposed by the Chief Court
445 Administrator pursuant to the authority delegated to the Chief Court
446 Administrator by the Commissioner of Administrative Services, real
447 estate acquisitions or sales proposed by The University of Connecticut,
448 the acquisition, other than by condemnation, or the sale or lease of any
449 property by the Commissioner of Transportation under subdivision (11)
450 of section 13b-4, subject to section 4b-23 and subsection (h) of section
451 13a-73 and review, for approval or disapproval, any contract for a
452 project described in subsection (h) of section 4b-91. Such review shall
453 consider all aspects of the proposed actions, including feasibility and
454 method of acquisition and the prudence of the business method
455 proposed. The board shall also cooperate with and advise and assist the
456 Commissioner of Administrative Services and the Commissioner of
457 Transportation in carrying out their duties. The board shall have access
458 to all information, files and records, including financial records, of the
459 Commissioner of Administrative Services and the Commissioner of
460 Transportation, and shall, when necessary, be entitled to the use of
461 personnel employed by said commissioners. The board shall approve or
462 disapprove any acquisition of development rights of agricultural land
463 by the Commissioner of Agriculture under section 22-26cc. The board
464 shall hear any appeal under section 8-273a and shall render a final
465 decision on the appeal within thirty days thereafter. The written
466 decision of the board shall be a final decision for the purposes of sections
467 4-180 and 4-183. The provisions of this section shall not apply to any
468 airport, airport site or any part thereof operated by the Connecticut
469 Airport Authority established pursuant to section 15-120bb.

470 Sec. 14. Subsection (a) of section 4b-21 of the 2022 supplement to the
471 general statutes is repealed and the following is substituted in lieu
472 thereof (*Effective October 1, 2022*):

473 (a) (1) Notwithstanding any provision of the general statutes, the
474 Commissioner of Administrative Services may purchase or acquire real
475 property, interests in real property, and other rights in land or water or

476 interest in any such right, on behalf of any state agency that does not
477 otherwise possess the statutory authority to make such purchase or
478 acquisition. Any such purchase or acquisition shall be subject to the
479 approval of the Secretary of the Office of Policy and Management, the
480 State Properties Review Board and the Attorney General.

481 (2) The Commissioner of Administrative Services, with the approval
482 of the State Properties Review Board, may give or obtain an option upon
483 any land or interest therein which is not under the control of the trustees
484 of any state institution, the State Board of Education or the
485 Commissioner of Correction when such action seems advisable.

486 (3) The University of Connecticut may purchase or acquire for the
487 state and may dispose of or exchange any land or interest therein
488 directly. Any such purchase or acquisition shall be subject to the
489 approval of the Secretary of the Office of Policy and Management, the
490 State Properties Review Board and the Attorney General.

491 Sec. 15. Subsection (a) of section 10a-109d of the 2022 supplement to
492 the general statutes is repealed and the following is substituted in lieu
493 thereof (*Effective October 1, 2022*):

494 (a) In order for the university to construct and issue securities for
495 UConn 2000 and to otherwise carry out its responsibilities and
496 requirements under sections 10a-109a to 10a-109y, inclusive, the
497 university shall have the following powers, which powers shall be
498 independent of and in addition to any other powers of the university
499 under state law:

500 (1) To have perpetual succession as a body politic and corporate and
501 an instrumentality and agency of the state pursuant to section 10a-109v;

502 (2) To adopt and have an official seal and alter it at pleasure;

503 (3) To contract and be contracted with, sue, be indemnified, insure its
504 assets, activities or actions or be a self-insurer and institute, prosecute,
505 maintain and defend any action or proceeding in any court or before

506 any agency or tribunal of competent jurisdiction;

507 (4) To indemnify and be sued, solely pursuant to subsection (a) of
508 section 10a-109o;

509 (5) To retain by contract or employ architects, accountants, engineers,
510 legal and securities counsel in accordance with the provisions of
511 subparagraph (F) of subdivision (4) of subsection (e) of section 10a-109n,
512 and other professional and technical consultants and advisers; provided
513 the university shall continue to be subject to audit, including its
514 operations under sections 10a-109a to 10a-109y, inclusive, pursuant to
515 section 2-90, as amended by this act, and provided further, financial
516 advisers, underwriters, counsel, trustee, if any, and other financial
517 consultants retained in connection with the offering and sale of
518 securities shall be selected in consultation with the university, in the
519 same manner as for state general obligation bonds;

520 (6) To plan, design, acquire, construct, build, enlarge, alter,
521 reconstruct, renovate, improve, equip, own, operate, maintain, dispose
522 of and demolish any project or projects, or any combination of projects,
523 including without limitation any contract in furtherance of UConn 2000,
524 notwithstanding the provisions of subsections (b) and (c) of section 10a-
525 105 or any other provisions of the general statutes regarding the powers
526 of the university to undertake capital projects and purchase personal
527 property;

528 (7) To acquire by purchase, contract, lease, long-term lease or gift, and
529 hold or dispose of, real or personal property or rights or interests in any
530 such property and to hold, sell, assign, lease, rent, encumber, other than
531 by mortgage, or otherwise dispose of any real or personal property, or
532 any interest therein, owned by the university or in its control, custody
533 or possession in accordance with [section] sections 4b-21, as amended
534 by this act, and 10a-109n;

535 (8) To receive and accept grants, subsidies or loans of money from the
536 federal government or a federal agency or instrumentality, the state or
537 others, upon such terms and conditions as may be imposed, and to

538 pledge the proceeds of grants, subsidies or loans of money received or
539 to be received from the federal government or any federal agency or
540 instrumentality, the state or others, pursuant to agreements entered into
541 between the university and the federal government or any federal
542 agency or instrumentality, the state or others, provided (A) such
543 property shall be deemed property of the state for purposes of sections
544 4a-19 and 4a-20 and (B) the university may insure its property
545 independent of the state;

546 (9) Notwithstanding the provisions of section 10a-150, to receive and
547 accept aid or contributions, from any source, of money, property, labor
548 or other things of value, to be held, used and applied to carry out the
549 purposes of sections 10a-109a to 10a-109y, inclusive, subject to the
550 conditions upon which such aid or contributions may be made,
551 including, but not limited to, gifts or grants from any department or
552 agency of the United States or the state for any purpose consistent with
553 said sections;

554 (10) To borrow money and issue securities to finance the acquisition,
555 construction, reconstruction, improvement or equipping of any one
556 project, or more than one, or any combination of projects, or to refund
557 securities issued after June 7, 1995, or to refund any such refunding
558 securities or for any one, or more than one, or all of those purposes, or
559 any combination of those purposes, and to provide for the security and
560 payment of those securities and for the rights of the holders of them,
561 except that the amount of any such borrowing, the special debt service
562 requirements for which are secured by the state debt service
563 commitment, exclusive of the amount of borrowing to refund securities,
564 or to fund issuance costs or necessary reserves, may not exceed the
565 aggregate principal amount of (A) for the fiscal years ending June 30,
566 1996, to June 30, 2005, inclusive, one billion thirty million dollars, (B) for
567 the fiscal years ending June 30, 2006, to June 30, 2027, inclusive, three
568 billion two hundred ninety-five million nine hundred thousand dollars,
569 and (C) such additional amount or amounts: (i) Required from time to
570 time to fund any special capital reserve fund or other debt service
571 reserve fund in accordance with the financing transaction proceedings,

572 and (ii) to pay or provide for the costs of issuance and capitalized
573 interest, if any; the aggregate amounts of subparagraphs (A), (B) and (C)
574 of this subdivision are established as the authorized funding amount,
575 and no borrowing within the authorized funding amount for a project
576 or projects may be effected unless the project or projects are included in
577 accordance with subsection (a) of section 10a-109e;

578 (11) To make, enter into, execute, deliver and amend any and all
579 contracts, including, but not limited to, total cost basis contracts,
580 agreements, leases, instruments and documents and perform all acts
581 and do all things necessary or convenient to plan, design, acquire,
582 construct, build, enlarge, alter, reconstruct, renovate, improve, equip,
583 finance, maintain and operate projects and to carry out the powers
584 granted by sections 10a-109a to 10a-109y, inclusive, or reasonably
585 implied from those powers;

586 (12) Notwithstanding any provision of the general statutes to the
587 contrary, including without limitation subsection (a) of section 10a-105,
588 to fix and collect fees, tuition, charges, rentals and other charges for
589 enrollment and attendance at the university and for the use of projects
590 or any part thereof, provided that no tuition or student fee revenue shall
591 be used for repairs performed solely to correct code violations that were
592 applicable at the time of project completion and were for named projects
593 pursuant to section 10a-109e completed prior to January 1, 2007; to
594 provide for the promulgation of such reasonable and proper policies
595 and procedures as may be necessary to assure the maximum use of the
596 facilities of any projects at all times; and

597 (13) Notwithstanding the provisions of subsection (b) of section 10a-
598 105, to provide for or confirm the establishment of various funds and
599 accounts respecting university operations, bond proceeds and special
600 debt service requirements for securities issued, renewal and
601 replacement and insurance, special capital reserve and operating
602 reserve, special external gifts, pending receipts, assured revenues,
603 project revenues to the extent not otherwise pledged and securing
604 outstanding general obligation bonds of the state or other revenues and

605 other funds or accounts as may be more particularly required under this
606 subdivision and the indentures of trust or resolutions authorizing
607 securities and to provide, subject to section 10a-109q and the provisions
608 of such indentures or resolutions for the following to be deposited
609 therein, as follows:

610 (A) All proceeds received from the sale of all securities;

611 (B) All fees, tuition, rentals and other charges from students, faculty,
612 staff members and others using or being served by, or having the right
613 to use or the right to be served by the university or any project;

614 (C) All fees for student activities, student services and all other fees,
615 tuition and charges collected from students matriculated, registered or
616 otherwise enrolled at and attending the university, pledged under the
617 terms of financing transaction proceedings;

618 (D) All rentals from any facility or building leased to the federal
619 government or any other third party;

620 (E) Federal and state grants, gifts, state appropriations and special
621 external gift funds;

622 (F) All other assured revenues; and

623 (G) Project revenues.

624 Sec. 16. Subsection (d) of section 4b-91 of the 2022 supplement to the
625 general statutes is repealed and the following is substituted in lieu
626 thereof (*Effective July 1, 2022*):

627 (d) Each bid submitted for a contract described in subsection (c) of
628 this section shall include an update statement in such form as the
629 Commissioner of Administrative Services prescribes and, if required by
630 the public agency soliciting such bid, a copy of the prequalification
631 certificate issued by the Commissioner of Administrative Services. The
632 form for such update statement shall provide space for information
633 regarding all projects completed by the bidder since the date the

634 bidder's prequalification certificate was issued or renewed, all projects
 635 the bidder currently has under contract, including the percentage of
 636 work on such projects not completed, the names and qualifications of
 637 the personnel who will have supervisory responsibility for the
 638 performance of the contract, any significant changes in the bidder's
 639 financial position or corporate structure since the date the certificate was
 640 issued or renewed, any change in the contractor's qualification status as
 641 determined by the provisions of subdivision [(6)] (7) of subsection (c) of
 642 section 4a-100, as amended by this act, and such other relevant
 643 information as the Commissioner of Administrative Services prescribes.
 644 Any public agency that accepts a bid submitted without a copy of such
 645 prequalification certificate, if required by such public agency soliciting
 646 such bid, and an update statement, may become ineligible for the receipt
 647 of funds related to such bid, except the public agency soliciting such bids
 648 may allow bidders no more than two business days after the opening of
 649 bids to submit a copy of the prequalification certificate, if required by
 650 such public agency, and an update statement.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2022</i>	New section
Sec. 2	<i>July 1, 2022</i>	New section
Sec. 3	<i>July 1, 2022</i>	New section
Sec. 4	<i>July 1, 2022</i>	1-122
Sec. 5	<i>July 1, 2022</i>	1-123(a)
Sec. 6	<i>July 1, 2022</i>	2-46
Sec. 7	<i>July 1, 2022</i>	2-47
Sec. 8	<i>July 1, 2022</i>	2-90(c) to (e)
Sec. 9	<i>July 1, 2022</i>	17a-28(g)(11)
Sec. 10	<i>July 1, 2022</i>	51-51l
Sec. 11	<i>October 1, 2022</i>	4a-100(c)
Sec. 12	<i>October 1, 2022</i>	4a-100(k)(2)
Sec. 13	<i>October 1, 2022</i>	4b-3(f)
Sec. 14	<i>October 1, 2022</i>	4b-21(a)
Sec. 15	<i>October 1, 2022</i>	10a-109d(a)
Sec. 16	<i>July 1, 2022</i>	4b-91(d)

Statement of Purpose:

To reinstate the Legislative Program Review and Investigations Committee, require prequalification applicants to disclose certain adverse administrative proceedings and to require purchases of real property by The University of Connecticut to obtain the approval of the State Properties Review Board, Attorney General and Office of Policy and Management.

[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.]