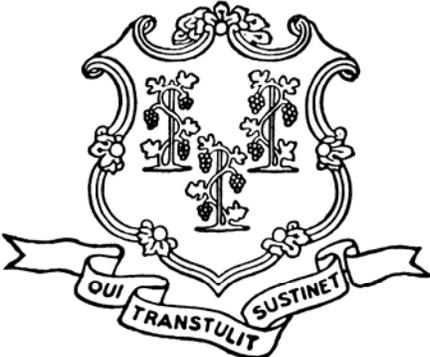


DEPARTMENT OF PUBLIC WORKS

PUBLIC ACT REPORT

2004



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DPW Legislative Program Manager

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Public Act No. 04-3 AN ACT CONCERNING AN AUTHORIZATION OF BONDS OF THE STATE FOR HIGHER EDUCATION CAPITAL IMPROVEMENTS AND OTHER PURPOSES.

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

Section 1. (*Effective from passage*) The State Bond Commission shall have power, in accordance with the provisions of sections 1 to 7, inclusive, of this act, from time to time to authorize the issuance of bonds of the state in one or more series and in principal amounts in the aggregate, not exceeding \$ 138,962,390.

Sec. 2. (*Effective from passage*) The proceeds of the sale of said bonds, to the extent hereinafter stated, shall be used for the purpose of acquiring, by purchase or condemnation, undertaking, constructing, reconstructing, improving or equipping, or purchasing land or buildings or improving sites for the projects hereinafter described, including payment of architectural, engineering, demolition or related costs in connection therewith, or of payment of the cost of long-range capital programming and space utilization studies as hereinafter stated:

(a) For the Department of Public Works: Removal or encapsulation of asbestos in state-owned buildings, not exceeding \$ 2,500,000.

(b) For the Community-Technical College System:

(1) All Community-Technical Colleges:

(A) New and replacement instruction, research and/or laboratory equipment, not exceeding \$ 9,000,000;

(B) Alterations, renovations and improvements to facilities including fire, safety, energy conservation and code compliance, not exceeding \$ 7,050,000;

(C) System Technology Initiative, not exceeding \$ 5,000,000;

(2) At Asnuntuck Community-Technical College: Acquisition of and improvements to existing buildings, not exceeding \$ 2,400,000;

(3) At Housatonic Community-Technical College: Campus expansion, not exceeding \$ 5,665,740;

(4) At Manchester Community-Technical College: Campus improvements, not exceeding \$ 3,170,000;

(5) At Naugatuck Valley Community-Technical College: Additional parking, not exceeding \$ 2,000,000;

(6) At Norwalk Community-Technical College: Master plan development, not exceeding \$ 6,573,792;

(7) At Quinebaug Valley Community-Technical College: Facility development, including parking, not exceeding \$ 8,873,858.

(c) For the Connecticut State University System:

(1) At All Universities:

(A) New and replacement instruction, research, laboratory, and physical plant and administrative equipment, not exceeding \$ 10,000,000;

(B) Alterations, repairs and improvements-Auxiliary Services buildings, not exceeding \$ 5,000,000;

(C) System telecom infrastructure upgrades, improvements, and expansions, not exceeding \$ 2,410,000;

(D) Land and property acquisitions, not exceeding \$ 2,000,000;

(2) At Central Connecticut State University:

(A) New maintenance facility/salt storage shed, not exceeding \$ 1,297,000;

(B) Alterations, renovations and improvements to facilities, including fire, safety, energy conservation and code compliance improvements, not exceeding \$ 3,277,000;

(C) New swing space classroom/ office facility, not exceeding \$ 20,203,000;

(D) Various ventilation and air conditioning system improvements, not exceeding \$ 743,000;

(3) At Western Connecticut State University:

(A) Purchase of equipment for the new science facility, not exceeding \$ 3,500,000;

(B) Alterations, renovations and improvements to facilities, including fire, safety, energy conservation and code compliance improvements, not exceeding \$ 1,595,000;

(C) New Fine and Performing Arts Building, not exceeding \$ 5,792,000;

(4) At Southern Connecticut State University:

(A) Addition and renovations to Buley Library, not exceeding \$ 23,350,000;

(B) Alterations, renovations and improvements to facilities, including fire, safety, energy conservation and code compliance improvements, not exceeding \$ 1,584,000;

(C) Earl Hall various upgrades, including mechanical and electrical improvements, not exceeding \$ 4,273,000;

(D) Jennings Hall various mechanical and electrical improvements, not exceeding \$ 798,000;

(5) At Eastern Connecticut State University:

(A) Alterations, renovations and improvements to facilities, including fire, safety, energy conservation and code compliance improvements, not exceeding \$ 650,000;

(B) Planning for a parking garage and roadway improvements, not exceeding \$ 257,000.

Sec. 3. (NEW) (*Effective from passage*) 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 act are hereby adopted and shall apply to all bonds authorized by the State Bond Commission pursuant to sections 1 to 7, inclusive, of this act, and temporary notes issued 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.

Sec. 4. (*Effective from passage*) 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 the Secretary of the Office of Policy and Management or by or on behalf of such state officer, department or agency and stating such terms and conditions as said commission, in its discretion, may require.

Sec. 5. (*Effective from passage*) For the purposes of sections 1 to 7, inclusive, of this act, "state moneys" means the proceeds of the sale of bonds authorized pursuant to said sections 1 to 7, inclusive, or of temporary notes issued in anticipation of the moneys to be derived from the sale of such bonds. Each request filed as provided in section 4 of this act for an authorization of bonds shall identify the project for which the proceeds of the sale of such bonds are to be used and expended and, in addition to any terms and conditions required pursuant to said section 4, shall include the recommendation of the person signing such request as to the extent to which federal, private or other moneys then available or thereafter to be made available for costs in connection with any such project should be added to the state moneys available or becoming available hereunder for such project. If the request includes a recommendation that some amount of such federal, private or other moneys should be added to such state moneys, then, if and to the extent directed by the State Bond Commission at the time of authorization of such bonds, said amount of such federal, private or other moneys then available, or thereafter to be made available for costs in connection with such project, may be added to any state moneys available or becoming available hereunder for such project and shall be used for such project. Any other federal, private or other moneys then available or thereafter to be made available for costs in connection with such project shall, upon receipt, be used by the State Treasurer, in conformity with applicable federal and state law, to meet the principal of outstanding bonds issued pursuant to sections 1 to 7, inclusive, of this act, or to meet the principal of temporary notes issued in anticipation of the money to be derived from the sale of bonds theretofore authorized pursuant to said sections 1 to 7, inclusive, for the purpose of financing such costs, either by purchase or redemption and cancellation of such bonds or notes or by payment thereof at maturity. Whenever any of the

federal, private or other moneys so received with respect to such project are used to meet the principal of such temporary notes or whenever principal of any such temporary notes is retired by application of revenue receipts of the state, the amount of bonds theretofore authorized in anticipation of which such temporary notes were issued, and the aggregate amount of bonds which may be authorized pursuant to section 1 of this act, shall each be reduced by the amount of the principal so met or retired. Pending use of the federal, private or other moneys so received to meet principal as hereinabove directed, the amount thereof may be invested by the State Treasurer in bonds or obligations of, or guaranteed by, the state or the United States or agencies or instrumentalities of the United States, shall be deemed to be part of the debt retirement funds of the state, and net earnings on such investments shall be used in the same manner as the moneys so invested.

Sec. 6. (*Effective from passage*) Any balance of proceeds of the sale of said bonds authorized for any project described in section 2 of this act in excess of the cost of such project may be used to complete any other project described in said section 2 if the State Bond Commission shall so determine and direct. Any balance of proceeds of the sale of said bonds in excess of the costs of all the projects described in said section 2 shall be deposited to the credit of the General Fund.

Sec. 7. (*Effective from passage*) Said bonds issued pursuant to sections 1 to 7, inclusive, of this act, shall be general obligation bonds 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. 8. Subsection (a) of section 3-21 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) No bonds, notes or other evidences of indebtedness for borrowed money payable from General Fund tax receipts of the state shall be authorized by the General Assembly or issued except such as shall not cause the aggregate amount of the total amount of bonds, notes or other evidences of indebtedness payable from General Fund tax receipts authorized by the General Assembly but which have not been issued and the total amount of such indebtedness which has been issued and remains outstanding to exceed one and six-tenths times the total General Fund tax receipts of the state for the fiscal year in which any such authorization will become effective or in which such indebtedness is issued, as estimated for such fiscal year by the joint standing committee of the General Assembly having cognizance of finance, revenue and bonding in accordance with section 2-35. In computing such aggregate amount of indebtedness at any time, there shall be excluded or deducted, as the case may be, (1) the principal amount of all such obligations as may be certified by the Treasurer (A) as issued in anticipation of revenues to be received by the state during the period of twelve calendar months next following their issuance and to be paid by application of such revenue, or (B) as having been refunded or replaced by other indebtedness the proceeds and projected earnings on which or other funds are held in escrow to pay and are sufficient to pay the principal, interest and any redemption premium until maturity or earlier planned redemption of such indebtedness, or (C) as issued and outstanding in anticipation of particular bonds then unissued but fully authorized to be issued in the manner provided by law for such authorization, provided, so long as any of said obligations are outstanding, the entire principal amount of such particular bonds thus authorized shall be deemed to be outstanding and be included in such aggregate amount of indebtedness, or (D) as payable solely from revenues of particular public improvements, (2) the amount which may be certified by the Treasurer as the aggregate value of cash and securities in debt retirement funds of the state to be used to meet principal of outstanding obligations included in such aggregate amount of indebtedness, (3) every such amount as may be certified by the Secretary of the Office of Policy and Management as the estimated payments on account of the costs of any public work or improvement thereafter to be received by the state from the United States or agencies thereof

and to be used, in conformity with applicable federal law, to meet principal of obligations included in such aggregate amount of indebtedness, (4) all authorized and issued indebtedness to fund any budget deficits of the state for any fiscal year ending on or before June 30, 1991, (5) all authorized indebtedness to fund the program created pursuant to section 32-285, (6) all authorized and issued indebtedness to fund any budget deficits of the state for any fiscal year ending on or before June 30, 2002, [and] (7) all indebtedness authorized and issued pursuant to section 1 of public act 03-1 of the September 8 special session, and (8) any indebtedness represented by any agreement entered into pursuant to subsection (b) or (c) of section 3-20a as certified by the Treasurer, provided the indebtedness in connection with which such agreements were entered into shall be included in such aggregate amount of indebtedness. In computing the amount of outstanding indebtedness, only the accreted value of any capital appreciation obligation or any zero coupon obligation which has accreted and been added to the stated initial value of such obligation as of the date of any computation shall be included.

Sec. 9. (*Effective July 1, 2004*) The State Bond Commission shall have power, in accordance with the provisions of sections 9 to 15, inclusive, of this act, from time to time to authorize the issuance of bonds of the state in one or more series and in principal amounts in the aggregate, not exceeding \$ 56,789,000.

Sec. 10. (*Effective July 1, 2004*) The proceeds of the sale of said bonds, to the extent hereinafter stated, shall be used for the purpose of acquiring, by purchase or condemnation, undertaking, constructing, reconstructing, improving or equipping, or purchasing land or buildings or improving sites for the projects hereinafter described, including payment of architectural, engineering, demolition or related costs in connection therewith, or of payment of the cost of long-range capital programming and space utilization studies as hereinafter stated:

(a) For the Connecticut State University System:

(1) At Eastern Connecticut State University:

(A) New science building, including a greenhouse, not exceeding \$ 55,874,000;

(B) Alterations, renovations and improvements to facilities, including fire, safety, energy conservation and code compliance improvements, including improvements to the south electrical loop, not exceeding \$ 915,000.

Sec. 11. (NEW) (*Effective July 1, 2004*) 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 act are hereby adopted and shall apply to all bonds authorized by the State Bond Commission pursuant to sections 9 to 15, inclusive, of this act, and temporary notes issued 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.

Sec. 12. (*Effective July 1, 2004*) 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 the Secretary of the Office of Policy and Management or by or on behalf of such state officer, department or agency and stating such terms and conditions as said commission, in its discretion, may require.

Sec. 13. (*Effective July 1, 2004*) For the purposes of sections 9 to 15, inclusive, of this act, "state moneys" means the proceeds of the sale of bonds authorized pursuant to said sections 9 to 15, inclusive, or of temporary notes issued in anticipation of the moneys to be derived from the sale of such bonds. Each request filed as provided in section 12 of this act for an authorization of bonds shall identify the project for which the proceeds of the sale of such bonds are to be used and expended and, in addition to any terms and conditions required pursuant to said section 12, shall include the recommendation of the person signing such request as to the extent to which federal, private or other moneys then available or thereafter to be made available for costs in connection with any such project should be added to the state moneys available or becoming

available hereunder for such project. If the request includes a recommendation that some amount of such federal, private or other moneys should be added to such state moneys, then, if and to the extent directed by the State Bond Commission at the time of authorization of such bonds, said amount of such federal, private or other moneys then available, or thereafter to be made available for costs in connection with such project, may be added to any state moneys available or becoming available hereunder for such project and shall be used for such project. Any other federal, private or other moneys then available or thereafter to be made available for costs in connection with such project shall, upon receipt, be used by the State Treasurer, in conformity with applicable federal and state law, to meet the principal of outstanding bonds issued pursuant to sections 9 to 15, inclusive, of this act, or to meet the principal of temporary notes issued in anticipation of the money to be derived from the sale of bonds theretofore authorized pursuant to said sections 9 to 15, inclusive, for the purpose of financing such costs, either by purchase or redemption and cancellation of such bonds or notes or by payment thereof at maturity. Whenever any of the federal, private or other moneys so received with respect to such project are used to meet the principal of such temporary notes or whenever principal of any such temporary notes is retired by application of revenue receipts of the state, the amount of bonds theretofore authorized in anticipation of which such temporary notes were issued, and the aggregate amount of bonds which may be authorized pursuant to section 9 of this act, shall each be reduced by the amount of the principal so met or retired. Pending use of the federal, private or other moneys so received to meet principal as hereinabove directed, the amount thereof may be invested by the State Treasurer in bonds or obligations of, or guaranteed by, the state or the United States or agencies or instrumentalities of the United States, shall be deemed to be part of the debt retirement funds of the state, and net earnings on such investments shall be used in the same manner as the moneys so invested.

Sec. 14. (*Effective July 1, 2004*) Any balance of proceeds of the sale of said bonds authorized for any project described in section 10 of this act in excess of the cost of such project may be used to complete any other project described in said section 10 if the State Bond Commission shall so determine and direct. Any balance of proceeds of the sale of said bonds in excess of the costs of all the projects described in said section 10 shall be deposited to the credit of the General Fund.

Sec. 15. (*Effective July 1, 2004*) Said bonds issued pursuant to sections 9 to 15, inclusive, of this act, shall be general obligation bonds 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. 16. Subdivision (5) of subsection (n) of section 2 of special act 95-20 is amended to read as follows (*Effective from passage*):

(5) Gateway Community-Technical College, New Haven: [Planning for the development of additional parking] Implementation of the master plan consolidating both campuses into a single location, including legal and administrative fees associated with site acquisition, demolition, design and site improvements, not exceeding \$ 350,000.

Sec. 17. Subdivision (5) of subsection (j) of section 21 of public act 99-242 is amended to read as follows (*Effective from passage*):

(5) At Gateway Community-Technical College: [Alterations and improvements to buildings and grounds in accordance with the campus master plan] Implementation of the master plan consolidating both campuses into a single location, including legal and administrative fees associated with site acquisition, demolition, design and site improvements, not exceeding \$ 2,880,000.

Sec. 18. Subdivision (5) of subsection (i) of section 2 of special act 01-2 of the June special session is amended to read as follows (*Effective from passage*):

(5) At Gateway Community-Technical College: [Development of facilities, including parking for the consolidation of college programs in one location] Implementation of the master plan consolidating both campuses into a single location, including legal and administrative fees associated with site acquisition, demolition, design and site improvements, not exceeding \$ 3,885,000.

Approved March 11, 2004

Unless otherwise noted the provisions of the public act are effective upon passage.

Special Act No. 04-2 (May, 2004 Special Session)
AN ACT AUTHORIZING BONDS OF THE STATE FOR CAPITAL IMPROVEMENTS AND OTHER PURPOSES.

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

Section 1. (*Effective July 1, 2004*) The State Bond Commission shall have power, in accordance with the provisions of sections 1 to 7, inclusive, of this act, from time to time to authorize the issuance of bonds of the state in one or more series and in principal amounts in the aggregate, not exceeding \$ 260,527,339.

Sec. 2. (*Effective July 1, 2004*) The proceeds of the sale of said bonds, to the extent hereinafter stated, shall be used for the purpose of acquiring, by purchase or condemnation, undertaking, constructing, reconstructing, improving or equipping, or purchasing land or buildings or improving sites for the projects hereinafter described, including payment of architectural, engineering, demolition or related costs in connection therewith, or of payment of the cost of long-range capital programming and space utilization studies as hereinafter stated:

(a) For the Office of Policy and Management: Development of a criminal justice information system, including an offender-based tracking system, an automated fingerprint identification system and the COLLECT system, not exceeding \$ 11,300,000.

(b) For the Department of Veterans' Affairs:

(1) Renovations and improvements to existing facilities, not exceeding \$ 4,200,000;

(2) Construction of a new veterans' health care facility, not exceeding \$ 10,830,000;

(3) Alterations and improvements to buildings and grounds in accordance with current codes, not exceeding \$ 201,500.

(c) For the Department of Information Technology: Development and implementation of the Connecticut Education Network, not exceeding \$ 10,000,000.

(d) For the Department of Public Works:

(1) Removal or encapsulation of asbestos in state-owned buildings, not exceeding \$ 5,000,000;

(2) Infrastructure repairs and improvements, including fire, safety and compliance with the Americans with Disabilities Act, improvements to state-owned buildings and grounds, including energy conservation and off-site improvements, and preservation of unoccupied buildings and grounds, including office development, acquisition and renovations for additional parking, not exceeding \$ 4,000,000;

(3) Notwithstanding the provisions of section 4b-1 of the general statutes, capital construction, improvements, repairs and renovations at Fire Training Schools, not exceeding \$ 10,000,000.

(e) For the Department of Public Safety:

(1) Alterations, renovations and improvements including equipment for urban search and rescue, not exceeding \$ 2,400,000;

(2) Addition to the forensic laboratory in Meriden, not exceeding \$ 7,850,000.

(f) For the Department of Environmental Protection: Dam repairs, including state-owned dams, not exceeding \$ 1,000,000.

(g) For the Department of Public Health: Development of a new Public Health Laboratory including acquisition and related costs, not exceeding \$ 45,000,000.

(h) For the Department of Education: For the American School for the Deaf:

(1) Alterations, renovations and improvements to buildings and grounds, including new construction and fire alarms, not exceeding \$ 1,000,000;

(2) Purchase of amplification systems, not exceeding \$ 896,607.

(i) For The University of Connecticut: Alterations, renovations and improvements to The University of Connecticut Law Library Building in Hartford, not exceeding \$ 8,000,000.

(j) For the Community-Technical College System:

(1) All Community-Technical Colleges:

- (A) New and replacement instruction, research and/or laboratory equipment, not exceeding \$ 9,000,000;
- (B) Alterations, renovations and improvements to facilities, including fire, safety, energy conservation and code compliance, not exceeding \$ 6,500,000;
- (C) System Technology Initiative, not exceeding \$ 5,000,000;
- (2) At Norwalk Community-Technical College: Master plan development, not exceeding \$ 15,032,314;
- (3) At Tunxis Community-Technical College: Master plan facilities development, not exceeding \$ 34,821,240;
- (4) At Three Rivers Community Technical College: Acquisition of land, renovations to existing buildings and additional facilities for a consolidated campus in accordance with the campus master plan, not exceeding \$ 14,076,678;
- (5) At Capital Community Technical College: Campus expansion, not exceeding \$ 6,000,000.
- (k) For the Connecticut State University System:
 - (1) At All Universities:
 - (A) New and replacement instruction, research, laboratory and physical plant and administrative equipment, not exceeding \$ 10,000,000;
 - (B) Alterations, repairs and improvements-Auxiliary Services buildings, not exceeding \$ 5,000,000;
 - (C) System telecom infrastructure upgrades, improvements and expansions, not exceeding \$ 1,921,000;
 - (D) Land and property acquisitions, not exceeding \$ 500,000;
 - (2) At Central Connecticut State University:
 - (A) Alterations, renovations and improvements to facilities, including fire, safety, energy conservation and code compliance improvements, not exceeding \$ 743,000;
 - (B) Davidson/Marcus White fire code improvements, not exceeding \$ 417,000;
 - (C) Renovations at the Institute of Technology and Business Development, not exceeding \$ 200,000;
 - (D) Athletic/conference center feasibility study, not exceeding \$ 250,000;
 - (3) At Western Connecticut State University: Alterations, renovations and improvements to facilities, including fire, safety, energy conservation and code compliance improvements, not exceeding \$ 980,000;
 - (4) At Southern Connecticut State University:
 - (A) Alterations, renovations and improvements to facilities, including fire, safety, energy conservation and code compliance improvements, not exceeding \$ 2,415,000;
 - (B) Planning for a new Academic Building and parking garage, not exceeding \$ 150,000;
 - (5) At Eastern Connecticut State University: Alterations, renovations and improvements to facilities, including fire, safety, energy conservation and code compliance improvements, not exceeding \$ 1,343,000.
- (l) For the Department of Children and Families: Alterations, renovations and improvements to buildings and grounds, not exceeding \$ 2,000,000.
- (m) For the Judicial Department: Alterations, renovations and improvements to buildings and grounds at state-owned and maintained facilities, including Americans with Disabilities Act code compliance and other code improvements and energy conservation measures, not exceeding \$ 17,200,000.
- (n) For the Comptroller: Development and implementation of a core financial systems project, not exceeding \$ 1,800,000.
- (o) For the Connecticut Commission on Arts, Tourism, Culture, History and Film: Renovations and restoration at state-owned historic museums, not exceeding \$ 3,000,000.
- (p) For the Military Department: For a town's portion of a project in conjunction with the department, not exceeding \$ 500,000.

Sec. 3. (*Effective July 1, 2004*) All provisions of section 3-20 of the general statutes, as amended, or the exercise of any right or power granted thereby which are not inconsistent with the provisions of this act are hereby adopted and shall apply to all bonds authorized by the State Bond Commission pursuant to sections 1 to 7, inclusive, of this act, and temporary notes issued in anticipation of the moneys 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.

Sec. 4. (*Effective July 1, 2004*) 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 the Secretary of the Office of Policy and Management or by or on behalf of such state officer, department or agency and stating such terms and conditions as said commission, in its discretion, may require.

Sec. 5. (*Effective July 1, 2004*) For the purposes of sections 1 to 7, inclusive, of this act, "state moneys" means the proceeds of the sale of bonds authorized pursuant to said sections 1 to 7, inclusive, or of temporary notes issued in anticipation of the moneys to be derived from the sale of such bonds. Each request filed as provided in section 4 of this act for an authorization of bonds shall identify the project for which the proceeds of the sale of such bonds are to be used and expended and, in addition to any terms and conditions required pursuant to said section 4, shall include the recommendation of the person signing such request as to the extent to which federal, private or other moneys then available or thereafter to be made available for costs in connection with any such project should be added to the state moneys available or becoming available hereunder for such project. If the request includes a recommendation that some amount of such federal, private or other moneys should be added to such state moneys, then, if and to the extent directed by the State Bond Commission at the time of authorization of such bonds, said amount of such federal, private or other moneys then available, or thereafter to be made available for costs in connection with such project, may be added to any state moneys available or becoming available hereunder for such project and shall be used for such project. Any other federal, private or other moneys then available or thereafter to be made available for costs in connection with such project shall, upon receipt, be used by the State Treasurer, in conformity with applicable federal and state law, to meet the principal of outstanding bonds issued pursuant to sections 1 to 7, inclusive, of this act, or to meet the principal of temporary notes issued in anticipation of the money to be derived from the sale of bonds theretofore authorized pursuant to said sections 1 to 7, inclusive, for the purpose of financing such costs, either by purchase or redemption and cancellation of such bonds or notes or by payment thereof at maturity. Whenever any of the federal, private or other moneys so received with respect to such project are used to meet the principal of such temporary notes or whenever principal of any such temporary notes is retired by application of revenue receipts of the state, the amount of bonds theretofore authorized in anticipation of which such temporary notes were issued, and the aggregate amount of bonds which may be authorized pursuant to section 1 of this act, shall each be reduced by the amount of the principal so met or retired. Pending use of the federal, private or other moneys so received to meet principal as hereinabove directed, the amount thereof may be invested by the State Treasurer in bonds or obligations of, or guaranteed by, the state or the United States or agencies or instrumentalities of the United States, shall be deemed to be part of the debt retirement funds of the state, and net earnings on such investments shall be used in the same manner as the moneys so invested.

Sec. 6. (*Effective July 1, 2004*) Any balance of proceeds of the sale of said bonds authorized for any project described in section 2 of this act in excess of the cost of such project may be used to complete any other project described in said section 2 if the State Bond Commission shall so determine and direct. Any balance of proceeds of the sale of said bonds in excess of the costs of all the projects described in said section 2 shall be deposited to the credit of the General Fund.

Sec. 7. (*Effective July 1, 2004*) Said bonds issued pursuant to sections 1 to 7, inclusive, of this act, 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 the 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. 8. (*Effective July 1, 2004*) The State Bond Commission shall have power, in accordance with the provisions of sections 8 to 11, inclusive, of this act, from time to time to authorize the issuance of bonds of the state in one or more series and in principal amounts in the aggregate, not exceeding \$ 20,500,000.

Sec. 9. (*Effective July 1, 2004*) The proceeds of the sale of said bonds shall be used by the Department of Economic and Community Development for the purposes hereinafter stated:

(a) Housing development and rehabilitation, including moderate cost housing, moderate rental, congregate and elderly housing, urban homesteading, community housing development corporations, housing purchase and rehabilitation, housing for the homeless, housing for low income persons, limited equity cooperatives and mutual housing projects, abatement of hazardous material, including asbestos and lead-based paint in residential structures and the Lead Action for Medicaid Primary Prevention Project, emergency repair assistance for senior citizens, housing land bank and land trust, housing and community development, predevelopment grants and loans, reimbursement for state and federal surplus property, private rental investment mortgage and equity program, housing infrastructure, demolition, renovation or redevelopment of vacant buildings or related infrastructure, septic system repair loan program, acquisition and related rehabilitation, including loan guarantees for private developers of rental housing for the elderly, projects under the program established in section 21 of public act 01-7 of the June special session, and participation in federal programs, including administrative expenses associated with those programs eligible under the general statutes, not exceeding \$ 15,000,000.

(b) Development of a congregate housing facility in Waterbury, not exceeding \$ 2,500,000.

(c) Development of supportive housing for families with medically complex children, not exceeding \$ 3,000,000.

Sec. 10. (*Effective July 1, 2004*) 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 the Secretary of the Office of Policy and Management or by or on behalf of such state officer, department or agency and stating such terms and conditions as said commission, in its discretion may require.

Sec. 11. (*Effective July 1, 2004*) All provisions of section 3-20 of the general statutes, as amended, or the exercise of any right or power granted thereby which are not inconsistent with the provisions of sections 8 to 11, inclusive, of this act, are hereby adopted and shall apply to all bonds authorized by the State Bond Commission pursuant to sections 8 to 11, inclusive, of this act, and temporary notes issued in anticipation of the moneys 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. Such bonds issued pursuant to section 8 of this act 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 such bonds as the same become due, and accordingly and as part of the contract of the state with the holders of such bonds, appropriation of all amounts necessary for the 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. 12. (*Effective July 1, 2004*) The State Bond Commission shall have power, in accordance with the provisions of sections 12 to 19, inclusive, of this act, from time to time to authorize the issuance of bonds of the state in one or more series and in principal amounts in the aggregate, not exceeding \$ 41,600,000.

Sec. 13. (*Effective July 1, 2004*) The proceeds of the sale of said bonds shall be used for the purpose of providing grants-in-aid and other financing for the projects, programs and purposes hereinafter stated:

(a) For the Commission on Arts, Tourism, Culture, History and Film:

(1) Grants-in-aid for the Connecticut Arts Endowment Fund for Section 501(c)(3) tax-exempt nonprofit organizations to be matched with private contributions, not exceeding \$ 1,000,000;

(2) Grants-in-aid for restoration and preservation of historic structures and landmarks, not exceeding \$ 600,000, provided not more than \$ 50,000 shall be made available to the Hebron Historical Society for restoration of Old Hebron Town Hall.

(b) For the Department of Public Health: Purchase and installation of a modular-based portable hospital, or for a grant-in-aid to a hospital in this state, for isolation and treatment of patients in the event of a smallpox event and for grants-in-aid to hospitals state-wide to finance physical plant modifications and renovations to isolate patients in the case of a smallpox event, not to exceed fifty per cent of total costs, not exceeding \$ 10,000,000.

(c) For the Department of Agriculture: Farm Reinvestment Program, not exceeding \$ 500,000.

(d) For the Department of Social Services:

(1) Grants-in-aid for neighborhood facilities, child day care projects, elderly centers, shelter facilities for victims of domestic violence, emergency shelters and related facilities for the homeless, multi-purpose human resource centers and food distribution centers, not exceeding \$ 5,500,000, provided (A) not more than \$ 1,000,000 shall be used for renovations and improvements to the B. P. Learned Early Childhood Center in New London, (B) not more than \$ 2,500,000 shall be made available to Area Congregations Together, Inc. , to acquire land, construct buildings and acquire equipment for the Spooner House homeless shelter in Shelton, and (C) not more than \$ 1,000,000 shall be made available to the town of Woodbury for a senior center;

(2) Financial assistance to nonprofit corporations to provide housing and related facilities for persons with AIDS, not exceeding \$ 500,000.

(e) For the Department of Children and Families:

(1) Grants-in-aid for construction, alterations, repairs and improvements to residential facilities, group homes, shelters and permanent family residences, not exceeding \$ 1,500,000, provided not more than \$ 400,000 shall be made available to the Children's Home in Cromwell;

(2) Grants-in-aid to private nonprofit mental health clinics for children for fire, safety and environmental improvements, including expansion, not exceeding \$ 500,000.

(f) For Connecticut Public Broadcasting, Incorporated: Expansion and improvement of all production facilities and transmission systems, including all equipment and related technical upgrades necessary to convert to digital television broadcasting, not exceeding \$ 2,000,000.

(g) For the Department of Environmental Protection: Grants-in-aid to municipalities for open space land acquisition and development for conservation or recreation purposes, not exceeding \$ 1,500,000.

(h) For the Department of Economic and Community Development:

(1) Grants-in-aid to municipalities and nonprofit organizations that are exempt under Section 501(c)(3) of the Internal Revenue Code for cultural and entertainment-related economic development projects, including museums, not exceeding \$ 8,500,000, provided not more than \$ 3,000,000 shall be made available for a parking facility for the Goodspeed Opera House in East Haddam, not more than \$ 2,000,000 shall be made available for renovation of the Palace Theater in Stamford and not more than \$ 1,000,000 shall be made available for renovation of the Lyman Allen Museum in New London;

(2) Grant-in-aid to Southside Institutions Neighborhood Alliance for a community sports complex in Hartford, not exceeding \$ 1,000,000.

(i) For the Department of Mental Health and Addiction Services: Grants-in-aid to private, nonprofit organizations that are exempt under Section 501(c)(3) of the Internal Revenue Code for community-based residential and outpatient facilities for purchases, repairs, alterations and improvements, not exceeding \$ 5,000,000, provided not more than \$ 1,300,000 shall be made available for the renovations to the Alliance Treatment Center in New Britain.

(j) For the State Library: Grants-in-aid to public libraries for construction, renovations, expansions, energy conservation and handicapped accessibility, not exceeding \$ 3,500,000.

Sec. 14. (*Effective July 1, 2004*) All provisions of section 3-20 of the general statutes, as amended, or the exercise of any right or power granted thereby which are not inconsistent with the provisions of this act are hereby adopted and shall apply to all bonds authorized by the State Bond Commission pursuant to sections 12 to 19, inclusive, of this act, and temporary notes issued in anticipation of the moneys to be derived from the sale of any such bonds so authorized may be issued in accordance with said sections 12 to 19, inclusive, of this act, 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.

Sec. 15. (*Effective July 1, 2004*) 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 the Secretary of the Office of Policy and Management or by or on behalf of such state officer, department or agency and stating such terms and conditions as said commission, in its discretion, may require.

Sec. 16. (*Effective July 1, 2004*) For the purposes of sections 12 to 19, inclusive, of this act, "state moneys" means the proceeds of the sale of bonds authorized pursuant to said sections 12 to 19, inclusive, or of temporary notes issued in anticipation of the moneys to be derived from the sale of such bonds. Each request filed as provided in section 15 of this act for an authorization of bonds shall identify the project for which the proceeds of the sale of such bonds are to be used and expended and, in addition to any terms and conditions required pursuant to said section 15, include the recommendation of the person signing such request as to the extent to which federal, private or other moneys then available or thereafter to be made available for costs in connection with any such project should be added to the state moneys available or becoming available under said sections 12 to 19, inclusive, for such project. If the request includes a recommendation that some amount of such federal, private or other moneys should be added to such state moneys, then, if and to the extent directed by the State Bond Commission at the time of authorization of such bonds, said amount of such federal, private or other moneys then available or thereafter to be made available for costs in connection with such project may be added to any state moneys available or becoming available hereunder for such project and be used for such project, any other federal, private or other moneys then available or thereafter to be made available for costs in connection with such project upon receipt shall, in conformity with applicable federal and state law, be used by the State Treasurer to meet the principal of outstanding bonds issued pursuant to said sections 12 to 19, inclusive, or to meet the principal of temporary notes issued in anticipation of the moneys to be derived from the sale of such bonds theretofore authorized pursuant to said sections 12 to 19, inclusive, for the purpose of financing such costs, either by purchase or redemption and cancellation of such bonds or notes or by payment thereof at maturity. Whenever any of the federal, private or other moneys so received with respect to such project are used to meet the principal of such temporary notes or whenever the principal of any such temporary notes is retired by application of revenue receipts of the state, the amount of bonds theretofore authorized in anticipation of which such temporary notes were issued, and the aggregate amount of bonds which may be authorized pursuant to section 12 of this act shall each be reduced by the amount of the principal so met or retired. Pending use of the federal, private or other moneys so received to meet the principal as directed in this section, the amount thereof may be invested by the State Treasurer in bonds or obligations of, or guaranteed by, the state or the United States or agencies or instrumentalities of the United States, shall be deemed to be part

of the debt retirement funds of the state, and net earnings on such investments shall be used in the same manner as the moneys so invested.

Sec. 17. (*Effective July 1, 2004*) Said bonds issued pursuant to sections 12 to 19, inclusive, of this act, 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. 18. (*Effective July 1, 2004*) In accordance with section 13 of this act, the state, through the Commission on Arts, Tourism, Culture, History and Film, the Department of Public Health, the Department of Mental Retardation, the Department of Social Services, the Department of Economic and Community Development, the Department of Mental Health and Addiction Services, the Department of Environmental Protection, the Department of Agriculture and the Department of Children and Families may provide grants-in-aid and other financings to or for the agencies for the purposes and projects as described in said section 13. All financing shall be made in accordance with the terms of a contract at such time or times as shall be determined within authorization of funds by the State Bond Commission.

Sec. 19. (*Effective July 1, 2004*) In the case of any grant-in-aid made pursuant to subsection (a) of section 13 of this act which is made to any entity which is not a political subdivision of the state, the contract entered into pursuant to section 18 of this act shall provide that if the premises for which such grant-in-aid was made ceases, within ten years of the date of such grant, to be used as a facility for which such grant was made, an amount equal to the amount of such grant, minus ten per cent per year for each full year which has elapsed since the date of such grant, shall be repaid to the state and that a lien shall be placed on such land in favor of the state to ensure that such amount will be repaid in the event of such change in use provided if the premises for which such grant-in-aid was made are owned by the state, a municipality or a housing authority no lien need be placed.

Sec. 20. Section 1 of special act 86-54, as amended by section 5 of special act 87-13, section 246 of special act 87-77, section 113 of special act 89-52, section 146 of special act 90-34, section 86 of special act 91-7 of the June special session, section 70 of special act 92-3 of the May special session, section 69 of special act 93-2 of the June special session, section 44 of public act 94-2 of the May special session and section 39 of public act 99-242, is amended to read as follows (*Effective July 1, 2004*):

The State Bond Commission shall have power, in accordance with the provisions of sections 1 to 7, inclusive, of special act 86-54, from time to time to authorize the issuance of bonds of the state in one or more series and in principal amounts in the aggregate, not exceeding one hundred nineteen million [eight hundred fifty-nine] nine hundred sixty-three thousand [nine] four hundred twenty-six dollars.

Sec. 21. Subdivision (6) of subsection (b) of section 2 of special act 86-54, as amended by section 71 of special act 92-3 of the May special session, is amended to read as follows (*Effective July 1, 2004*): Planning for electric cost containment projects, not exceeding [forty-six] one hundred fifty thousand [five hundred] dollars.

Sec. 22. Section 1 of special act 90-34 of the June special session, as amended by section 182 of special act 91-7 of the June special session, section 138 of special act 92-3 of the May special session, section 123 of special act 93-2 of the June special session, section 82 of public act 94-2 of the May special session, section 49 of special act 95-20, section 99 of special act 97-1 of the June 5 special session, section 10 of public act 00-167 and section 35 of special act 01-2 of the June special session, is amended to read as follows (*Effective July 1, 2004*):

The State Bond Commission shall have power, in accordance with the provisions of sections 1 to 7, inclusive, of special act 90-34, of the June special session, from time to time to authorize the

issuance of bonds of the state in one or more series and in principal amounts in the aggregate, not exceeding [\$ 534,336,591] \$534,094,091.

Sec. 23. Subdivision (3) of subsection (e) of section 2 of special act 90-34, as amended by section 11 of public act 00-167, is amended to read as follows (*Effective July 1, 2004*):

Improvements and renovations to the New Haven Armory, including renovations in accordance with current codes, not exceeding [\$ 650,000] \$407,500.

Sec. 24. Section 12 of special act 91-7 of the June special session, as amended by section 184 of special act 92-3 of the May special session, section 113 of public act 94-2 of the May special session, section 62 of special act 95-20, section 124 of special act 97-1 of the June 5 special session and section 33 of special act 02-1 of the May 9 special session, is amended to read as follows (*Effective July 1, 2004*):

The State Bond Commission shall have power, in accordance with the provisions of sections 12 to 21, inclusive, of special act 91-7 of the June special session, from time to time to authorize the issuance of bonds of the state in one or more series and in principal amounts in the aggregate not exceeding [\$ 25,828,000] \$2,417,000.

Sec. 25. Section 21 of special act 93-2 of the June special session, as amended by section 145 of public act 94-2 of the May special session, section 48 of public act 96-181, section 147 of special act 97-1 of the June 5 special session and section 54 of special act 01-2 of the June special session, is amended to read as follows (*Effective July 1, 2004*):

The State Bond Commission shall have power, in accordance with the provisions of sections 21 to 26, inclusive, of special act 93-2 of the June special session, from time to time to authorize the issuance of bonds of the state in one or more series and in principal amounts in the aggregate, not exceeding [\$ 64,608,299] \$64,456,675.

Sec. 26. Subdivision (6) of subsection (a) of section 22 of special act 93-2 of the June special session, as amended by section 49 of public act 96-181, is amended to read as follows (*Effective July 1, 2004*):

Grants-in-aid to municipalities for acquisition of land for public parks, recreational and water quality improvements, water mains and water pollution control facilities, including sewer projects, not exceeding [\$ 12,400,000] \$12,298,925.

Sec. 27. Subsection (e) of section 22 of special act 93-2 of the June special session, as amended by section 147 of public act 94-2 of the May special session, is amended to read as follows (*Effective July 1, 2004*):

Grants-in-aid to Community Health Centers and Primary Care Organizations for renovations, improvements and expansion of facilities, including acquisition of land and/or buildings and equipment, not exceeding [\$ 1,500,000] \$1,449,451.

Sec. 28. Section 29 of special act 93-2 of the June special session, as amended by section 151 of public act 94-2 of the May special session, section 78 of special act 95-20, section 53 of public act 96-181, section 152 of special act 97-1 of the June 5 special session, section 53 of public act 99-242, section 58 of special act 01-2 of the June special session and section 37 of special act 02-1 of the May 9 special session, is amended to read as follows (*Effective July 1, 2004*):

The State Bond Commission shall have power, in accordance with the provisions of sections 29 to 35, inclusive, of special act 93-2 of the June special session, from time to time, to authorize the issuance of bonds of the state in one or more series and in principal amounts in the aggregate, not exceeding [\$ 266,489,701] \$266,115,365.

Sec. 29. Subdivision (1) of subsection (e) of section 30 of special act 93-2 of the June special session, as amended by section [157] 156 of special act 97-1 of the June 5 special session, and section 38 of special act 02-1 of the May 9 special session, is amended to read as follows (*Effective July 1, 2004*):

Fire, safety and environmental improvements, including improvements in compliance with current codes, including intermediate care facility standards, site improvements, handicapped access improvements, utilities, repair or replacement of roofs, air conditioning, and other interior

and exterior building renovations and additions at all state-owned facilities, not exceeding [~~\$ 601,173~~] \$1,184,057.

Sec. 30. Subdivision (2) of subsection (f) of section 30 of special act 93-2 of the June special session, as amended by section 158 of special act 97-1 of the June 5 special session, is amended to read as follows (*Effective July 1, 2004*):

Air conditioning of various patient-occupied and patient-related areas at various facilities, not exceeding [~~\$ 4,425,000~~] \$3,467,780.

Sec. 31. Section 49 of special act 93-2 of the June special session, as amended by section 165 of public act 94-2 of the May special session, section 83 of special act 95-20, section 62 of public act 96-181, section 173 of special act 97-1 of the June 5 special session, section 38 of special act 98-9, section 19 of public act 00-167 and section 60 of special act 01-2 of the June special session, is amended to read as follows (*Effective July 1, 2004*):

The State Bond Commission shall have power, in accordance with the provisions of sections 49 to 54, inclusive, of special act 93-2 of the June special session, from time to time to authorize the issuance of bonds of the state in one or more series and in principal amounts in the aggregate, not exceeding [~~\$ 53,670,064~~] \$53,112,793.

Sec. 32. (*Effective July 1, 2004*) Subdivision (4) of subsection (a) of section 50 of special act 93-2 of the June special session is repealed.

Sec. 33. Subsection (d) of section 50 of special act 93-2 of the June special session, as amended by section 166 of public act 94-2 of the May special session, is amended to read as follows (*Effective July 1, 2004*):

Grants-in-aid to Community Health Centers and Primary Care Organizations for the purchase of equipment, renovations, improvements, and expansion of facilities, including acquisition of land and/or buildings, not exceeding [~~\$ 7,000,000~~] \$6,942,729.

Sec. 34. Section 1 of special act 95-20, as amended by section 70 of public act 96-181, section 182 of special act 97-1 of the June 5 special session, section 43 of special act 98-9, section 59 of public act 99-242, section 23 of public act 00-167, section 64 of special act 01-2 of the June special session and section 39 of special act 02-1 of the May 9 special session, is amended to read as follows (*Effective July 1, 2004*):

The State Bond Commission shall have power, in accordance with the provisions of sections 1 to 7, inclusive, of special act 95-20, from time to time to authorize the issuance of bonds of the state in one or more series and in principal amounts in the aggregate, not exceeding [~~\$ 191,833,281~~] \$190,251,527.

Sec. 35. (*Effective July 1, 2004*) Subdivision (3) of subsection (d) of section 2 of special act 95-20, as amended by section 184 of special act 97-1 of the June 5 special session, is repealed.

Sec. 36. (*Effective July 1, 2004*) Subdivision (6) of subsection (d) of section 2 of special act 95-20 is repealed.

Sec. 37. Subdivision (9) of subsection (d) of section 2 of special act 95-20 is amended to read as follows (*Effective July 1, 2004*):

Development of a firearms training complex, not exceeding [~~\$ 950,000~~] \$175,000.

Sec. 38. Subdivision (3) of subsection (i) of section 2 of special act 95-20, as amended by section 24 of public act 00-167, is amended to read as follows (*Effective July 1, 2004*):

Renovations and improvements for compliance with the Americans with Disabilities Act at all regional facilities and at Southbury Training School, not exceeding [~~\$ 100,000~~] \$90,246.

Sec. 39. Subdivision (3) of subsection (j) of section 2 of special act 95-20 is amended to read as follows (*Effective July 1, 2004*):

Improvements to various mental health facilities in compliance with the Americans with Disabilities Act, not exceeding [~~\$ 1,187,000~~] \$870,000.

Sec. 40. Section 12 of special act 95-20, as amended by section 78 of public act 96-181, section 195 of special act 97-1 of the June 5 special session, section 66 of special act 01-2 of the June special session and section 41 of special act 02-1 of the May 9 special session, is amended to read as follows (*Effective July 1, 2004*):

The State Bond Commission shall have power, in accordance with the provisions of sections 12 to 17, inclusive, of special act 95-20, from time to time to authorize the issuance of bonds of the state in one or more series and in principal amounts in the aggregate, not exceeding [~~\$ 44,788,720~~] \$44,669,110.

Sec. 41. Subdivision (4) of subsection (a) of section 13 of special act 95-20 is amended to read as follows (*Effective July 1, 2004*):

Urban site remediation program, not exceeding [~~\$ 5,000,000~~] \$4,880,390.

Sec. 42. Section 21 of special act 95-20, as amended by section 86 of public act 96-181, section 198 of special act 97-1 of the June 5 special session, section 46 of special act 98-9, section 63 of public act 99-242, section 25 of public act 00-167, section 68 of special act 01-2 of the June special session and section 43 of special act 02-1 of the May 9 special session, is amended to read as follows (*Effective July 1, 2004*):

The State Bond Commission shall have power, in accordance with the provisions of sections 21 to 27, inclusive, of special act 95-20, from time to time to authorize the issuance of bonds of the state in one or more series and in principal amounts in the aggregate, not exceeding [~~\$ 200,693,799~~] \$197,576,300.

Sec. 43. Subdivision (1) of subsection (c) of section 22 of special act 95-20 is amended to read as follows (*Effective July 1, 2004*):

Renovations and improvements to buildings and grounds in accordance with current codes, not exceeding [~~\$ 500,000~~] \$478,500.

Sec. 44. (*Effective July 1, 2004*) Subdivision (3) of subsection (c) of section 22 of special act 95-20 is repealed.

Sec. 45. (*Effective July 1, 2004*) Subdivision (4) of subsection (c) of section 22 of special act 95-20 is repealed.

Sec. 46. (*Effective July 1, 2004*) Subdivision (3) of subsection (d) of section 22 of special act 95-20, as amended by section 201 of special act 97-1 of the June 5 special session, is repealed.

Sec. 47. Subdivision (7) of subsection (d) of section 22 of special act 95-20 is amended to read as follows (*Effective July 1, 2004*):

Alterations and improvements to facilities in accordance with [American's] Americans with Disabilities Act requirements, not exceeding [~~\$ 525,000~~] \$225,000.

Sec. 48. Subdivision (3) of subsection (f) of section 22 of special act 95-20 is amended to read as follows (*Effective July 1, 2004*):

Code compliance improvements at various locations in accordance with the Americans with Disabilities Act, not exceeding [~~\$ 1,000,000~~] \$347,000.

Sec. 49. Subdivision (2) of subsection (j) of section 22 of special act 95-20, as amended by section 205 of special act 97-1 of the June 5 special session, is amended to read as follows (*Effective July 1, 2004*):

Alterations, renovations, additions and improvements, including new construction in accordance with the departmental master campus plan, not exceeding [~~\$ 9,206,000~~] \$9,023,001.

Sec. 50. (*Effective July 1, 2004*) Subdivision (1) of subsection (l) of section 22 of special act 95-20 is repealed.

Sec. 51. Subdivision (2) of subsection (r) of section 22 of special act 95-20 is amended to read as follows (*Effective July 1, 2004*):

[Planning for the development of Litchfield JD/GA court complex, including acquisition of land] Development in Torrington and renovation in Litchfield of courthouse facility, including land acquisition and parking, not exceeding \$ 4,000,000 which shall be allocated as follows:

(A) For the planning and design renovation and improvements to the Litchfield courthouse, not exceeding \$1,500,000; and

(B) For site selection, planning and acquisition for the new Torrington courthouse, not exceeding \$2,500,000.

Sec. 52. Section 1 of public act 96-181, as amended by section 212 of special act 97-1 of the June 5 special session and section 69 of public act 99-242, is amended to read as follows (*Effective July 1, 2004*):

The State Bond Commission shall have power, in accordance with the provisions of sections 1 to 7, inclusive, of public act 96-181, from time to time to authorize the issuance of bonds of the state in one or more series and in principal amounts in the aggregate, not exceeding [~~\$ 28,750,048~~] \$28,650,048.

Sec. 53. (*Effective July 1, 2004*) Subsection (a) of section 2 of public act 96-181, as amended by section 213 of special act 97-1 of the June 5 special session and section 70 of public act 99-242 is repealed.

Sec. 54. Section 1 of special act 97-1 of the June 5 special session, as amended by section 55 of special act 98-9, section 72 of public act 99-242, section 32 of public act 00-167, section 74 of special act 01-2 of the June special session and section 45 of special act 02-1 of the May 9 special session, is amended to read as follows (*Effective July 1, 2004*):

The State Bond Commission shall have power, in accordance with the provisions of sections 1 to 7, inclusive, of special act 97-1 of the June 5 special session, from time to time to authorize the issuance of bonds of the state in one or more series and in principal amounts in the aggregate, not exceeding [~~\$ 189,372,694~~] \$185,885,581.

Sec. 55. Subdivision (5) of subsection (g) of section 2 of special act 97-1 of the June 5 special session is amended to read as follows (*Effective July 1, 2004*):

Americans with Disabilities Act improvements at state recreation areas, not exceeding [~~\$ 500,000~~] \$58,000.

Sec. 56. Subdivision (1) of subsection (h) of section 2 of special act 97-1 of the June 5 special session is amended to read as follows (*Effective July 1, 2004*):

Additions, alterations, renovations and improvements to buildings and grounds, including utilities and mechanical systems, code compliance and energy conservation projects, not exceeding [~~\$ 4,000,000~~] \$3,455,337.

Sec. 57. Subdivision (2) of subsection (i) of section 2 of special act 97-1 of the June 5 special session is amended to read as follows (*Effective July 1, 2004*):

Alterations, renovations, additions and improvements, including new construction in accordance with the Department of Mental Health and Addiction Services master campus plan, not exceeding [~~\$ 11,100,000~~] \$9,343,322.

Sec. 58. Subdivision (2) of subsection (k) of section 2 of special act 97-1 of the June 5 special session is amended to read as follows (*Effective July 1, 2004*):

New and replacement instruction, research and/or laboratory equipment, not exceeding [~~\$ 1,100,000~~] \$955,240.

Sec. 59. Subdivision (4) of subsection (p) of section 2 of special act 97-1 of the June 5 special session is amended to read as follows (*Effective July 1, 2004*):

Purchase and installation of capital equipment, not exceeding [~~\$ 5,000,000~~] \$4,400,988.

Sec. 60. Section 12 of special act 97-1 of the June 5 special session, as amended by section 63 of special act 98-9, section 79 of special act 01-2 of the June special session and section 48 of special act 02-1 of the May 9 special session, is amended to read as follows (*Effective July 1, 2004*):

The State Bond Commission shall have power, in accordance with the provisions of sections 12 to 19, inclusive, of special act 97-1 of the June 5 special session, from time to time to authorize the issuance of bonds of the state in one or more series and in principal amounts in the aggregate, not exceeding [~~\$ 44,027,497~~] \$43,927,497.

Sec. 61. Subdivision (5) of subsection (c) of section 13 of special act 97-1 of the June 5 special session is amended to read as follows (*Effective July 1, 2004*):

Identification, investigation, containment, removal or mitigation of contaminated industrial sites in urban areas, not exceeding [~~\$ 500,000~~] \$400,000.

Sec. 62. Section 20 of special act 97-1 of the June 5 special session, as amended by section 66 of special act 98-9, section 79 of public act 99-242, section 34 of public act 00-167, section 81 of special

act 01-2 of the June special session and section 52 of special act 02-1 of the May 9 special session, is amended to read as follows (*Effective July 1, 2004*):

The State Bond Commission shall have power, in accordance with the provisions of sections 20 to 26, inclusive, of special act 97-1 of the June 5 special session, from time to time to authorize the issuance of bonds of the state in one or more series and in principal amounts in the aggregate, not exceeding [\$ 136,565,883] \$130,684,643.

Sec. 63. Subdivision (2) of subsection (f) of section 21 of special act 97-1 of the June 5 special session is amended to read as follows (*Effective July 1, 2004*):

Improvements, alterations and renovations to buildings, including site improvements and exterior building repairs, not exceeding [\$ 500,000] \$438,000.

Sec. 64. (*Effective July 1, 2004*) Subdivision (5) of subsection (g) of section 21 of special act 97-1 of the June 5 special session is repealed.

Sec. 65. (*Effective July 1, 2004*) Subdivision (2) of subsection (h) of section 21 of special act 97-1 of the June 5 special session is repealed.

Sec. 66. Subdivision (1) of subsection (j) of section 21 of special act 97-1 of the June 5 special session is amended to read as follows (*Effective July 1, 2004*):

New and replacement instruction, research and/or laboratory equipment, not exceeding [\$ 1,100,000] \$1,080,760.

Sec. 67. Subdivision (3) of subsection (j) of section 21 of special act 97-1 of the June 5 special session is amended to read as follows (*Effective July 1, 2004*):

Code improvements, including fire, safety and handicapped code improvements, not exceeding [\$ 4,000,000] \$2,700,000.

Sec. 68. Section 31 of special act 97-1 of the June 5 special session is amended to read as follows (*Effective July 1, 2004*):

The State Bond Commission shall have power, in accordance with the provisions of sections 30 to 36, inclusive, of [this act] special act 97-1 of the June 5 special session, from time to time to authorize the issuance of bonds of the state in one or more series and in principal amounts in the aggregate, not exceeding [\$ 40,200,000] \$39,436,000.

Sec. 69. Subdivision (5) of subsection (b) of section 32 of special act 97-1 of the June 5 special session is amended to read as follows (*Effective July 1, 2004*):

Grants-in-aid to municipalities for acquisition of land, for public parks, recreational and water quality improvements, water mains and water pollution control facilities, including sewer projects, not exceeding [\$ 8,000,000] \$7,786,000.

Sec. 70. (*Effective July 1, 2004*) Subdivision (1) of subsection (h) of section 32 of special act 97-1 of the June 5 special session is repealed.

Sec. 71. Section 1 of special act 98-9, as amended by section 38 of public act 00-167, is amended to read as follows (*Effective July 1, 2004*):

The State Bond Commission shall have power, in accordance with the provisions of sections 1 to 7, inclusive, of special act 98-9, from time to time to authorize the issuance of bonds of the state in one or more series and in principal amounts in the aggregate, not exceeding [\$ 81,051,500] \$80,051,500.

Sec. 72. (*Effective July 1, 2004*) Subsection (b) of section 2 of special act 98-9 is repealed.

Sec. 73. Section 8 of special act 98-9 is amended to read as follows (*Effective July 1, 2004*):

The State Bond Commission shall have power, in accordance with the provisions of sections 8 to 15, inclusive, of [this act] special act 98-9, from time to time to authorize the issuance of bonds of the state in one or more series and in principal amounts in the aggregate, not exceeding [\$ 30,620,000] \$29,070,000.

Sec. 74. (*Effective July 1, 2004*) Subdivision (1) of subsection (e) of section 9 of special act 98-9 is repealed.

Sec. 75. Section 1 of public act 99-242, as amended by section 42 of public act 00-167 and section 54 of special act 02-1 of the May 9 special session, is amended to read as follows (*Effective July 1, 2004*):

The State Bond Commission shall have power, in accordance with the provisions of sections 1 to 7, inclusive, of public act 99-242, from time to time to authorize the issuance of bonds of the state in one or more series and in principal amounts in the aggregate, not exceeding [~~\$ 307,720,348~~] \$295,471,379.

Sec. 76. (Effective July 1, 2004) Subdivision (2) of subsection (c) of section 2 of public act 99-242 is repealed.

Sec. 77. Subdivision (2) of subsection (f) of section 2 of public act 99-242 is amended to read as follows (Effective July 1, 2004):

Alterations, renovations and new construction at state parks and other recreation facilities, including Americans with Disabilities Act improvements, not exceeding [~~\$ 10,000,000~~] \$9,687,924.

Sec. 78. Subdivision (5) of subsection (f) of section 2 of public act 99-242 is amended to read as follows (Effective July 1, 2004):

Various flood control improvements, flood repair, erosion damage repairs and municipal dam repairs, not exceeding [~~\$ 2,500,000~~] \$2,446,920.

Sec. 79. (Effective July 1, 2004) Subsection (g) of section 2 of public act 99-242 is repealed.

Sec. 80. Subdivision (1) of subsection (h) of section 2 of public act 99-242 is amended to read as follows (Effective July 1, 2004):

Fire, safety and environmental improvements, including improvements in compliance with current codes, site improvements, repair and replacement of roofs and other exterior and interior building renovations, not exceeding [~~\$ 7,000,000~~] \$2,809,277.

Sec. 81. Subdivision (2) of subsection (o) of section 2 of public act 99-242 is amended to read as follows (Effective July 1, 2004):

Purchase and installation of capital equipment, not exceeding [~~\$ 5,000,000~~] \$2,250,000.

Sec. 82. Subdivision (4) of subsection (o) of section 2 of public act 99-242 is amended to read as follows (Effective July 1, 2004):

[Development of courthouse facility, including land acquisition and parking, in Litchfield] Development in Torrington and renovation in Litchfield of courthouse facility, including land acquisition and parking, not exceeding \$ 39,500,000, provided not more than \$5,000,000 shall be allocated to renovations and improvements to the Litchfield courthouse.

Sec. 83. Section 20 of public act 99-242, as amended by section 47 of public act 00-167 and section 61 of special act 02-1 of the May 9 special session, is amended to read as follows (Effective July 1, 2004):

The State Bond Commission shall have power, in accordance with the provisions of sections 20 to 26, inclusive, of public act 99-242, from time to time, to authorize the issuance of bonds of the state in one or more series and in principal amounts in the aggregate, not exceeding [~~\$ 225,727,700~~] \$218,727,700.

Sec. 84. Subdivision (1) of subsection (g) of section 21 of public act 99-242 is amended to read as follows (Effective July 1, 2004):

Fire, safety and environmental improvements, including improvements in compliance with current codes, site improvements, repair and replacement of roofs and other exterior and interior building renovations, not exceeding [~~\$ 6,000,000~~] \$3,000,000.

Sec. 85. (Effective July 1, 2004) Subdivision (1) of subsection (i) of section 21 of public act 99-242, as amended by section 64 of special act 02-1 of the May 9 special session, is repealed.

Sec. 86. (Effective July 1, 2004) Subdivision (2) of subsection (n) of section 21 of public act 99-242, as amended by section 67 of special act 02-1 of the May 9 special session, is repealed.

Sec. 87. Section 31 of public act 99-242, as amended by section 50 of public act 00-167, is amended to read as follows (Effective July 1, 2004):

The State Bond Commission shall have power, in accordance with the provisions of sections 31 to 38, inclusive, of public act 99-242, from time to time to authorize the issuance of bonds of the state in one or more series and in principal amounts in the aggregate, not exceeding [~~\$ 152,071,000~~] \$156,071,000 provided \$ 132,071,000 of said authorization shall be effective July 1, 2004, and \$

20,000,000 of said authorization shall be effective July 1, 2001 and \$4,000,000 of said authorization shall be effective July 1, 2004.

Sec. 88. Subdivision (2) of subsection (d) of section 32 of public act 99-242, as amended by section 92 of special act 01-2 of the June special session, is amended to read as follows (*Effective July 1, 2004*):

Grant-in-aid to the city of East Hartford for road and infrastructure and improvements associated with the Rentschler Field project in East Hartford, not exceeding [\$ 2,500,000] \$6,500,000.

Sec. 89. Section 1 of public act 00-167, as amended by section 68 of special act 02-1 of the May 9 special session, is amended to read as follows (*Effective July 1, 2004*):

The State Bond Commission shall have power, in accordance with the provisions of sections 1 to 7, inclusive, of public act 00-167, from time to time to authorize the issuance of bonds of the state in one or more series and in principal amounts in the aggregate, not exceeding [\$ 75,038,360] \$73,938,360.

Sec. 90. (*Effective July 1, 2004*) Subsection (a) of section 2 of public act 00-167 is repealed.

Sec. 91. Subparagraph (B) of subdivision (1) of subsection (c) of section 2 of public act 00-167, as amended by section 69 of special act 02-1 of the May 9 special session, is amended to read as follows (*Effective July 1, 2004*):

Alterations, renovations and improvements to Copernicus Hall and development of an energy center, including heating, ventilating and air conditioning system and code improvements, not exceeding \$ 12,672,360.

Sec. 92. (*Effective July 1, 2004*) Subparagraph (F) of subdivision (1) of subsection (c) of section 2 of public act 00-167, as amended by section 70 of special act 02-1 of the May 9 special session, is repealed.

Sec. 93. Subsection (a) of section 3 of special act 01-1 of the November 15 special session is amended to read as follows (*Effective July 1, 2004*):

(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 two million [five hundred thousand] dollars.

Sec. 94. Section 1 of special act 01-2 of the June special session, as amended by section 5 of special act 01-1 of the November 15 special session and section 74 of special act 02-1 of the May 9 special session, is amended to read as follows (*Effective July 1, 2004*):

The State Bond Commission shall have power, in accordance with the provisions of sections 1 to 7, inclusive, of special act 01-2 of the June special session, from time to time to authorize the issuance of bonds of the state in one or more series and in principal amounts in the aggregate, not exceeding [\$ 486,168,191] \$484,883,595.

Sec. 95. Subsection (c) of section 2 of special act 01-2 of the June special session is amended to read as follows (*Effective July 1, 2004*):

Alterations, renovations and improvements to buildings and grounds, including code compliance, not exceeding [\$ 10,000,000] \$9,215,404.

Sec. 96. Subsection (e) of section 2 of special act 01-2 of the June special session, as amended by section 78 of special act 02-1 of the May 9 special session, is amended to read as follows (*Effective July 1, 2004*):

[Relocation of the State Health Laboratory, including the purchase and installation of equipment] Development of a new Public Health Laboratory, including acquisition, not exceeding \$ 5,000,000.

Sec. 97. Subparagraph (1) of subsection (h) of section 2 of special act 01-2 of the June special session is amended to read as follows (*Effective July 1, 2004*):

Alterations and improvements to buildings and grounds, including new and replacement equipment, tools and supplies necessary to implement updated curricula, vehicles and technology upgrades at all Regional Vocational-Technical Schools, not exceeding \$ 18,200,000. [,

provided not more than \$ 3,200,000 of said amount shall be used for the renovations and improvements to the A. I Prince/CTC building.]

Sec. 98. (*Effective July 1, 2004*) Subdivision (2) of subsection (f) of section 2 of special act 01-2 of the June special session is repealed.

Sec. 99. Subsection (k) of section 2 of special act 01-2 of the June special session is amended to read as follows (*Effective July 1, 2004*):

For the Department of Correction: Renovations and Improvements to existing state-owned buildings for inmate housing, programming and staff training space and additional inmate capacity, including support facilities, off-site improvements, technology improvements, and/or for the acquisition of land and other costs associated with the development of a community justice center, not exceeding \$ 50,000,000.

Sec. 100. Section 8 of special act 01-2 of the June special session, as amended by section 87 of special act 02-1 of the May 9 special session, is amended to read as follows (*Effective July 1, 2004*):

The State Bond Commission shall have power, in accordance with the provisions of sections 8 to 15, inclusive, of special act 01-2 of the June special session, from time to time to authorize the issuance of bonds of the state in one or more series and in principal amounts in the aggregate, not exceeding [~~\$ 132,150,000~~] \$134,650,000.

Sec. 101. Subdivision (1) of subsection (b) of section 9 of special act 01-2 of the June special session is amended to read as follows (*Effective July 1, 2004*):

(1) Grants-in-aid or loans to municipalities for acquisition of land, for public parks, recreational and water quality improvements, water mains, and water pollution control facilities, including sewer projects, not exceeding [~~\$ 19,000,000~~] \$22,000,000, provided (A) not more than \$ 5,000,000 of said amount shall be used to abate pollution from combined sewer and stormwater runoff overflows to the Connecticut River, (B) not more than \$ 2,000,000 of said amount shall be used for environmental remediation at a school in Southington, including any expenses incurred after July 1, 2000, (C) not more than \$ 1,500,000 of said amount shall be used for environmental remediation at a school in Hamden, including any expenses incurred after July 1, 2000, [and] (D) not more than \$ 500,000 of said amount shall be used to provide potable water for a school in Vernon, (E) not more than \$1,700,000 of said amount shall be used for pollution remediation for the location of temporary classrooms at Veteran's Field in New London, (F) not more than \$500,000 of said amount shall be used for cleanup and preservation of an estuary located in Cove Island, (G) not more than \$137,000 of said amount shall be made available to the town of Montville for the connection of a water line to Mohegan Elementary School, and (H) not more than \$750,000 of said amount shall be made available to the town of Plainville for asbestos removal in a school auditorium.

Sec. 102. (*Effective July 1, 2004*) Subdivision (1) of subsection (l) of section 9 of special act 01-2 of the June special session is repealed.

Sec. 103. Section 16 of special act 01-2 of the June special session, as amended by section 91 of special act 02-1 of the May 9 special session, is amended to read as follows (*Effective July 1, 2004*):

The State Bond Commission shall have power, in accordance with the provisions of sections 16 to 22, inclusive, of special act 01-2 of the June special session, from time to time to authorize the issuance of bonds of the state in one or more series and in principal amounts in the aggregate, not exceeding [~~\$ 160,145,100~~] \$159,545,100.

Sec. 104. Subdivision (1) of subsection (b) of section 17 of special act 01-2 of the June special session, as amended by section 93 of special act 02-1 of the May 9 special session, is amended to read as follows (*Effective July 1, 2004*):

Recreation and natural heritage trust program for recreation, open space, resource protection and resource management, not exceeding [~~\$ 23,000,000~~] \$22,500,000, provided up to \$ 4,000,000 may be used for aerial photography/pictometry for land use and strategic asset planning.

Sec. 105. Subdivision (2) of subsection (c) of section 17 of special act 01-2 of the June special session is amended to read as follows (*Effective July 1, 2004*):

Renovations and improvements for compliance with the Americans with Disabilities Act at all regional facilities and at Southbury Training School, not exceeding [\$ 500,000] ~~\$400,000~~.

Sec. 106. Section 24 of special act 01-2 of the June special session is amended to read as follows (*Effective July 1, 2004*):

The proceeds of the sale of said bonds shall be used by the Department of Economic and Community Development for the purposes hereinafter stated: Housing development and rehabilitation, including moderate cost housing, moderate rental, congregate and elderly housing, urban homesteading, community housing development corporations, housing purchase and rehabilitation, housing for the homeless, housing for low income persons, limited equity cooperatives and mutual housing projects, abatement of hazardous material including asbestos and lead-based paint in residential structures, emergency repair assistance for senior citizens, housing land bank and land trust, housing and community development, predevelopment grants and loans, reimbursement for state and federal surplus property, private rental investment mortgage and equity program, housing infrastructure, demolition, renovation or redevelopment of vacant buildings or related infrastructure, septic system repair loan program, acquisition and related rehabilitation including loan guarantees for private developers of rental housing for the elderly, projects under the program established in section 8-37pp of the general statutes, and participation in federal programs, and for up to \$ 5,000,000 for grants-in-aid to the Connecticut Housing Finance Authority for an urban home ownership program, including administrative expenses associated with those programs eligible under the general statutes, not exceeding \$ 10,000,000.

Sec. 107. Subsection (b) of section 10 of special act 01-1 of the November 15 special session is amended to read as follows (*Effective July 1, 2004*):

(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 Transportation for the purposes enumerated in section 16 of public act 01-5 of the June special session, provided \$1,320,000 shall be used for the purchase of capital equipment for expansion of the CHAMP program and \$1,250,000 shall be used for development and planning of facility improvements on the New Haven Line branches to New Canaan, Danbury and Waterbury.

Sec. 108. Section 16 of special act 02-1 of the May 9 special session is amended to read as follows (*Effective July 1, 2004*):

The State Bond Commission shall have power, in accordance with the provisions of sections 16 to 22, inclusive, of [this act] special act 02-1 of the May 9 special session, from time to time to authorize the issuance of bonds of the state in one or more series and in principal amounts in the aggregate, not exceeding [\$ 215,991,138] ~~\$156,563,138~~.

Sec. 109. (*Effective July 1, 2004*) Subsection (a) of section 17 of special act 02-1 of the May 9 special session is repealed.

Sec. 110. (*Effective July 1, 2004*) Subdivision (2) of subsection (c) of section 17 of special act 02-1 of the May 9 special session is repealed.

Sec. 111. (*Effective July 1, 2004*) Subdivision (3) of subsection (c) of section 17 of special act 02-1 of the May 9 special session is repealed.

Sec. 112. (*Effective July 1, 2004*) Subparagraph (A) of subdivision (1) of subsection (f) of section 17 of special act 02-1 of the May 9 special session is repealed.

Sec. 113. (*Effective July 1, 2004*) Subparagraph (B) of subdivision (1) of subsection (f) of section 17 of special act 02-1 of the May 9 special session is repealed.

Sec. 114. Subdivision (1) of subsection (h) of section 17 of special act 02-1 of the May 9 special session is amended to read as follows (*Effective July 1, 2004*):

Development of Criminal/Juvenile courthouse in New Haven, not exceeding [\$ 19,500,000] \$15,000,000 and necessary repairs to existing Judicial Branch facilities in New Haven, not exceeding \$4,500,000.

Sec. 115. (*Effective July 1, 2004*) Subdivision (3) of subsection (h) of section 17 of special act 02-1 of the May 9 special session is repealed.

Sec. 116. (Effective July 1, 2004) Subsection (i) of section 17 of special act 02-1 of the May 9 special session is repealed.

Sec. 117. (Effective July 1, 2004) Subdivision (1) of subsection (j) of section 17 of special act 02-1 of the May 9 special session is repealed.

Sec. 118. (Effective July 1, 2004) Subdivision (2) of subsection (j) of section 17 of special act 02-1 of the May 9 special session is repealed.

Sec. 119. (Effective July 1, 2004) Subdivision (1) of subsection (k) of section 17 of special act 02-1 of the May 9 special session is repealed.

Sec. 120. (Effective July 1, 2004) Subdivision (2) of subsection (k) of section 17 of special act 02-1 of the May 9 special session is repealed.

Sec. 121. Section 23 of special act 02-1 of the May 9 special session is amended to read as follows (Effective July 1, 2004):

The State Bond Commission shall have power, in accordance with the provisions of sections 23 to 30, inclusive, of [this act] special act 02-1 of the May 9 special session, from time to time to authorize the issuance of bonds of the state in one or more series and in principal amounts in the aggregate, not exceeding [\$ 13,000,000] \$8,000,000.

Sec. 122. Section 24 of special act 02-1 of the May 9 special session is amended to read as follows (Effective July 1, 2004):

The proceeds of the sale of said bonds shall be used for the purpose of providing grants-in-aid for the projects, programs and purposes hereinafter stated:

(a) For Connecticut Innovations, Incorporated: Financial aid for biotechnology and other high technology laboratories, facilities and equipment, not exceeding [\$ 5,000,000] \$1,000,000.

(b) For the Department of Education: Grants-in-aid to municipalities, regional school districts, and regional education service centers for the costs of wiring school buildings, not exceeding \$ 5,000,000 provided not less than \$800,000 shall be made available for a library technology upgrade at Rogers Elementary School as an urban demonstration project.

[(c) For Connecticut Public Broadcasting, Incorporated: Construction and equipment for instructional television fixed service system, including interconnection with state agencies, not exceeding \$ 1,000,000.]

[(d)] (c) For the Department of Environmental Protection: Grants-in-aid for acquisition of open space for conservation and recreation purposes, not exceeding \$ 2,000,000.

Sec. 123. Subdivision (2) of subsection (b) of section 2 of public at 04-3 is amended to read as follows (Effective July 1, 2004):

At Asnuntuck Community-Technical College: Acquisition of property and improvements to existing buildings, not exceeding \$ 2,400,000.

Sec. 124. (Effective from passage) The Secretary of the Office of Policy and Management shall review the bid process for the contract for any construction or renovation project related to the expansion of Capital Community Technical College which project is funded by bond proceeds authorized under subdivision (5) of subsection (j) of section 2 of this act. Upon the awarding of such contract, the secretary shall give notice of such contract to the joint standing committee of the General Assembly having cognizance of matters relating to finance, revenue and bonding. Said committee shall have a hearing to review the bid process for such contract to assure its integrity and consistency with law. The secretary shall provide any information requested by said committee regarding such contract and such process.

This Special Act is effective July 1, 2004.

Public Act No. 04-102 AN ACT CONCERNING DEBARMENT REFORM.

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

Section 1. Section 31-53a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2004*):

(a) The State Comptroller or the contracting authority acting pursuant to section 31-53, as amended, is hereby authorized and directed to pay to mechanics, laborers and [workmen] workers from any accrued payments withheld under the terms of a contract terminated pursuant to subsection (b) of said section 31-53 any wages found to be due such mechanics, laborers and [workmen] workers pursuant to said section 31-53. The Labor Commissioner is further authorized and directed to distribute a list to all departments of the state and political subdivisions [thereof] of the state giving the names of persons or firms whom [he] the Labor Commissioner has found to have disregarded their obligations under said section 31-53 and section 31-76c to employees and subcontractors on public works projects or to have been barred from federal government contracts in accordance with the provisions of the Davis-Bacon Act, 49 Stat. 1011 (1931), 40 USC 276a-2.

(b) (1) No contract shall be awarded by the state or any of its political subdivisions to the persons or firms appearing on [this] the list distributed by the Labor Commissioner pursuant to subsection (a) of this section or to any firm, corporation, partnership, or association in which such persons or firms have an interest until a period of up to three years, as determined by the Labor Commissioner, has elapsed from the date of publication of the list containing the names of such persons or firms.

(2) No general contractor that enters into a contract with the state or any of its agents, or with any political subdivision of the state or any of its agents, for the construction, remodeling, refinishing, refurbishing, rehabilitation, alteration or repair of any public works project subject to the provisions of section 31-53, as amended, or for any state highway project that falls under the provisions of section 31-54, shall award any work under such contract to the persons or firms appearing on the list distributed by the Labor Commissioner pursuant to subsection (a) of this section or to any firm, corporation, partnership or association in which such persons or firms have an interest until a period of up to three years, as determined by the Labor Commissioner, has elapsed from the date of publication of the list containing the names of such persons or firms.

(3) Prior to performing any work under a contract for the construction, remodeling, refinishing, refurbishing, rehabilitation, alteration or repair of any public works project subject to the provisions of section 31-53, as amended, or for any state highway project that falls under the provisions of section 31-54, each person, firm, corporation, partnership or association engaged by a general contractor to perform such work shall submit a sworn affidavit to the general contractor attesting that such person, firm, corporation, partnership or association does not hold an interest of ten per cent or greater in a firm appearing on the list distributed by the Labor Commissioner pursuant to subsection (a) of this section. The receipt and retention by a general contractor of such sworn affidavit shall fulfill the general contractor's obligation under subdivision (2) of this subsection.

(4) Any person or firm that appears on the list distributed by the Labor Commissioner pursuant to subsection (a) of this section, for a period of up to three years from the date of publication of such list, shall be liable to the Labor Department for a civil penalty of one thousand dollars for each day or part of a day in which such person or firm performs any work under any contract with the state or any of its agents, or with any political subdivision of the state or any of its agents, for the construction, remodeling, refinishing, refurbishing, rehabilitation, alteration or repair of any public works project subject to the provisions of section 31-53, as amended, or any state highway project that falls under the provisions of section 31-54. The Attorney General, upon complaint of the Labor Commissioner, shall institute a civil action to recover such civil penalty.

Any amount recovered shall be deposited in the General Fund and credited to a separate nonlapsing appropriation to the Labor Department, for other current expenses, and may be used by the Labor Department to enforce the provisions of part III of chapter 557. As used in this subdivision, "person or firm" includes any firm, corporation, partnership or association in which a person or firm appearing on the list distributed by the Labor Commissioner pursuant to subsection (a) of this section holds an interest of ten per cent or greater.

[(b)] (c) If the accrued payments withheld under the terms of a contract terminated pursuant to subsection (b) of section 31-53 are insufficient to reimburse all the mechanics, laborers and [workmen] workers with respect to whom there has been a failure to pay the wages required pursuant to said section 31-53, such mechanics, laborers and [workmen] workers shall have the right of action and of intervention against the contractor and [his] the contractor's sureties conferred by law upon persons furnishing labor or materials, and in such proceedings it shall be no defense that such mechanics, laborers and [workmen] workers accepted or agreed to accept less than the required wages or that such persons voluntarily made refunds.

This public act is effective October 1, 2004.

Public Act No. 04-141

AN ACT REVISING PREQUALIFICATION REQUIREMENTS FOR STATE CONSTRUCTION CONTRACTS.

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

Section 1. Section 4b-91 of the general statutes, as amended by section 1 of public act 03-215, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2004*):

(a) Every contract for the construction, reconstruction, alteration, remodeling, repair or demolition of any public building for work by the state, which is estimated to cost more than five hundred thousand dollars, except (1) a contract awarded by the Commissioner of Public Works for (A) a community court project, as defined in subsection (j) of section 4b-55, (B) the Connecticut Juvenile Training School project, as defined in subsection (k) of section 4b-55, (C) the downtown Hartford higher education center project, as defined in subsection (l) of section 4b-55, (D) The University of Connecticut library project, as defined in subsection (d) of section 4b-55, (E) a correctional facility project, as defined in subsection (m) of section 4b-55, (F) a juvenile detention center project, as defined in subsection (n) of section 4b-55, or (G) a student residential facility for the Connecticut State University system that is a priority higher education facility project, as defined in subsection (f) of section 4b-55, or (2) a project, as defined in subdivision (16) of section 10a-109c, undertaken and controlled by The University of Connecticut in accordance with section 10a-109n, shall be awarded to the lowest responsible and qualified general bidder who is prequalified pursuant to section 3 of [this act] public act 03-215, as amended by this act, on the basis of competitive bids in accordance with the procedures set forth in this chapter, [and section 8 of this act,] after the Commissioner of Public Works or, in the case of a contract for the construction of or work on a building under the supervision and control of the Joint Committee on Legislative Management of the General Assembly, the joint committee or, in the case of a contract for the construction of or work on a building under the supervision and control of one of the constituent units of the state system of higher education, the constituent unit, has invited such bids by advertisements inserted at least once in one or more newspapers having a circulation in each county in the state. The Commissioner of Public Works, the joint committee or the constituent unit, as the case may be, shall indicate the prequalification classification [and aggregate work capacity rating] required for the contract in such advertisement. As used in this section, "prequalification classification" means the prequalification classifications established by the Commissioner of Administrative Services pursuant to section 3 of [this act] public act 03-215, as amended by this act. [and "aggregate work capacity rating" means the aggregate work capacity ratings established by the Commissioner of Administrative Services pursuant to section 3 of this act.]

(b) The Commissioner of Public Works, the joint committee or the constituent unit, as the case may be, shall determine the manner of submission and the conditions and requirements of such bids, and the time within which the bids shall be submitted, consistent with the provisions of sections 4b-91 to 4b-96, inclusive, as amended. Such award shall be made within sixty days after the opening of such bids. If the general bidder selected as the general contractor fails to perform the general contractor's agreement to execute a contract in accordance with the terms of the general contractor's general bid and furnish a performance bond and also a labor and materials or payment bond to the amount specified in the general bid form, an award shall be made to the next lowest responsible and qualified general bidder. No employee of the Department of Public Works, the joint committee or a constituent unit with decision-making authority concerning the award of a contract and no public official, as defined in section 1-79, may communicate with any bidder prior to the award of the contract if the communication results in the bidder receiving information about the contract that is not available to other bidders, except that if the lowest responsible and qualified bidder's price submitted is in excess of funds available to make an

award, the Commissioner of Public Works, the Joint Committee on Legislative Management or the constituent unit, as the case may be, may negotiate with such bidder and award the contract on the basis of the funds available, without change in the contract specifications, plans and other requirements. If the award of a contract on said basis is refused by such bidder, the Commissioner of Public Works, the Joint Committee on Legislative Management or the constituent unit, as the case may be, may negotiate with other contractors who submitted bids in ascending order of bid prices without change in the contract, specifications, plans and other requirements. In the event of negotiation with general bidders as provided in this section, the general bidder involved may negotiate with subcontractors on the same basis, provided such general bidder shall negotiate only with subcontractors named on such general bidder's general bid form.

(c) On and after October 1, 2004, no person may bid on a contract, except for a project described in subdivision (2) of subsection (a) of this section, for the construction, reconstruction, alteration, remodeling, repair or demolition of any public building for work by the state or a municipality, which is estimated to cost more than five hundred thousand dollars and is paid for, in whole or in part, with state funds, unless the person is prequalified in accordance with section 3 of [this act] public act 03-215, as amended by this act.

(d) On and after October 1, 2004, each bid submitted for a contract described in subsection (c) of this section shall include a copy of a prequalification [statement] certificate issued by the Commissioner of Administrative Services. [showing that the bidder has the prequalification classification and aggregate work capacity ratings required under such contract.] The bid shall also be accompanied by an update statement in such form as the Commissioner of Administrative Services prescribes. The form for such update statement shall provide space for information regarding all projects completed by the bidder since the date the bidder's prequalification certificate was issued or renewed, all projects the bidder currently has under contract, including the percentage of work on such projects not completed, the names and qualifications of the personnel who will have supervisory responsibility for the performance of the contract, any significant changes in the bidder's financial position or [business organization] corporate structure since the date the certificate was issued or renewed, any change in the contractor's qualification status as determined by the provisions of subdivision (6) of subsection (c) of section 3 of public act 03-215, as amended by this act, and such other relevant information as the Commissioner of Administrative Services prescribes. Any bid submitted without a copy of the prequalification certificate and an update statement shall be invalid.

(e) Any person who bids on a contract described in subsection (c) of this section shall certify under penalty of false statement at the conclusion of the bidding process that the information in the bid is true, that there has been no substantial change in the bidder's financial position or corporate structure since the bidder's most recent prequalification certificate was issued or renewed, other than those changes noted in the update statement, and that the bid was made without fraud or collusion with any person.

(f) Any person who receives information from a state employee or public official that is not available to the general public concerning any construction, reconstruction, alteration, remodeling, repair or demolition project on a public building prior to the date that an advertisement for bids on the project is published shall be disqualified from bidding on the project.

(g) Notwithstanding the provisions of this chapter regarding competitive bidding procedures, the commissioner may select and interview at least three responsible and qualified general contractors who are prequalified pursuant to section 3 of [this act] public act 03-215, as amended by this act, and [selected by the award panel established in subdivision (4) of section 4b-24] submit the three selected contractors to the construction services award panels process described in section 8 of public act 03-215, as amended by this act and any regulation adopted by the commissioner. The commissioner may negotiate with [any one of such contractors] the successful bidder a contract which is both fair and reasonable to the state for a community court project, as

defined in subsection (j) of section 4b-55, the downtown Hartford higher education center project, as defined in subsection (l) of section 4b-55, The University of Connecticut library project, as defined in subsection (d) of section 4b-55, the Connecticut Juvenile Training School project, as defined in subsection (k) of section 4b-55, a correctional facility project, as defined in subsection (m) of section 4b-55, a juvenile detention center project, as defined in subsection (n) of section 4b-55, or a student residential facility for the Connecticut State University system that is a priority higher education facility project, as defined in subsection (f) of section 4b-55. The Commissioner of Public Works, prior to entering any such contract or performing any work on such project, shall submit such contract to the State Properties Review Board for review and approval or disapproval by the board, pursuant to subsection (i) of this section. Any general contractor awarded a contract pursuant to this subsection shall be subject to the same requirements concerning the furnishing of bonds as a contractor awarded a contract pursuant to subsection (b) of this section.

(h) On and after October 1, 2004, any agency that seeks to have a project awarded without being subject to competitive bidding procedures shall certify to the joint committee of the General Assembly having cognizance of matters relating to [legislative management] government administration and elections that the project is of such an emergency nature that an exception to the competitive bidding procedures of this section is required. Such certification shall include input from all affected agencies, detail the need for the exception and include any relevant documentation.

(i) In the event that the General Assembly approves legislation authorizing an exception to the competitive bidding process for a project, the State Properties Review Board shall complete a review of the contract for such project and approve or disapprove such contract no later than thirty days after the Commissioner of Public Works submits such contract to the board. Such review shall be conducted in accordance with the provisions of section 4b-3, as amended by this act. In the event that such review does not occur within the thirty-day period prescribed by this subsection, such contract shall be deemed to be approved.

Sec. 2. Section 3 of public act 03-215 is repealed and the following is substituted in lieu thereof (*Effective October 1, 2004*):

(a) As used in this section: (1) "Prequalification" means prequalification issued by the Commissioner of Administrative Services to bid on a contract for the construction, reconstruction, alteration, remodeling, repair or demolition of any public building for work by the state or a municipality; (2) "subcontractor" means a person who performs work with a value in excess of twenty-five thousand dollars for a contractor pursuant to a contract for work for the state or a municipality which is estimated to cost more than five hundred thousand dollars; [and] (3) "principals and key personnel" includes officers, directors, shareholders, members, partners and managerial employees; (4) "aggregate work capacity rating" means the maximum amount of work an applicant is capable of undertaking for any and all projects; and (5) "single project limit" means the highest estimated cost of a single project that an applicant is capable of undertaking.

(b) (1) Any person may apply for prequalification to the Department of Administrative Services. Such application shall be made on such form as the Commissioner of Administrative Services prescribes and shall be accompanied by a nonrefundable application fee as set forth in subdivision (2) of this subsection. The application shall be signed under penalty of false statement.

(2) The application fee shall be as follows:

Aggregate Work Capacity Rating	Fee
\$ 5,000,000. 00 or less	\$ 600. 00
\$ 5,000,000. 01 - \$ 8,000,000. 00	\$ 750. 00
\$ 8,000,000. 01 - \$ 10,000,000. 00	\$ 850. 00
\$ 10,000,000. 01 - \$ 15,000,000. 00	\$ 1,000. 00
\$ 15,000,000. 01 - \$ 20,000,000. 00	\$ 1,500. 00
\$ 20,000,000. 01 - \$ 40,000,000. 00	\$ 2,000. 00

\$ 40,000,000. 01 or more

\$ 2,500. 00

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

- (1) The applicant's form of organization;
- (2) The applicant's principals and key personnel and any names under which the applicant, principals or key personnel conducted business during the past five years;
- (3) The applicant's experience on public and private construction projects over the past five years, or on the applicant's ten most recently-completed projects and the names of any subcontractors used on the projects;
- (4) Any legal or administrative proceedings pending or concluded adversely against the applicant or any of the applicant's principals or key personnel within the past five years which relate to the procurement or performance of any public or private construction contract and whether the applicant is aware of any investigation pending against the applicant or any principal or key personnel;
- (5) The nature of any financial, personal or familial relationship between the applicant and any public or private construction project owner listed on the application as constituting construction experience;
- (6) A statement of whether (A) the applicant has been disqualified pursuant to section 4b-95, this section or section 31-57c or 31-57d, (B) the applicant is on the list distributed by the Labor Commissioner pursuant to section 31-57a, (C) the applicant is disqualified or prohibited from being awarded a contract pursuant to section 31-57b, (D) the applicant has been disqualified by another state, (E) the applicant has been disqualified by a federal agency or pursuant to federal law, (F) the applicant's registration has been suspended or revoked by the Department of Agriculture and Consumer Protection pursuant to section 20-341gg, as amended, (G) the applicant has been disqualified by a municipality, and (H) the matters that gave rise to any such disqualification, suspension or revocation have been eliminated or remedied; and
- (7) Other information as the commissioner deems relevant to the determination of the applicant's qualifications and responsibilities.

(d) The applicant shall include a statement of financial condition prepared by a certified public accountant which includes information concerning the applicant's assets and liabilities, plant and equipment, bank and credit references, bonding company and maximum bonding capacity, and other information as the commissioner deems relevant to an evaluation of the applicant's financial capacity and responsibility.

(e) Information contained in the application shall be current as of the time of filing except that the statement of financial condition shall pertain to the applicant's most recently-completed fiscal year.

(f) The commissioner shall determine whether to prequalify an applicant on the basis of the application and on relevant past performance according to procedures and criteria set forth in regulations which the commissioner shall adopt on or before October 1, 2005, in accordance with chapter 54. Such criteria shall include, at a minimum, the record of the applicant's performance, including, but not limited to, written evaluations of the applicant's performance on public or private projects within the past five years, the applicant's past experience on projects of various size and type, the skill, ability and integrity of the applicant and any subcontractors used by the applicant, the experience and qualifications of supervisory personnel employed by the applicant, the maximum amount of work the applicant is capable of undertaking as demonstrated by the applicant's financial condition, bonding capacity, size of past projects and present and anticipated work commitments, and any other relevant criteria that the commissioner prescribes. Such regulations shall also (1) provide that the criteria considered shall be assigned separate designated numerical values and weights and that the applicant shall be assigned an overall numerical rating on the basis of all criteria, and (2) establish prequalification classifications, [and] aggregate work capacity ratings and single project limits. Such prequalification classifications shall be used to establish the types of work a contractor is qualified to perform and the aggregate

work capacity ratings shall be used to establish the maximum amount of work a contractor is capable of undertaking.

(g) (1) The applicant shall indicate the prequalification classifications, [and] aggregate work capacity [rating] ratings and single project limits that are sought. The commissioner may issue a certificate of prequalification to any applicant who meets the requirements of this section. Such certificate shall be effective for one year from the date issued and shall indicate the contractor's prequalification classifications, [and] aggregate work capacity ratings and single project limits. The commissioner may cause the initial certificate of prequalification to be effective for a period not to exceed two years and may require the applicant to remit payment of the application fee, as set forth in subsection (b) of this section, for the first twelve months of certification as well as a prorated application fee, as described in subdivision (3) of this subsection, for any additional period of certification beyond the first twelve months.

(2) A prequalified contractor may apply at any time for additional prequalification classifications, [or] aggregate work capacity ratings or single project limits by submitting the applicable increase in fee, a completed update statement, and other information the commissioner requires.

(3) The commissioner may renew a prequalification certificate upon receipt of a completed update statement, any other material the commissioner requires and a nonrefundable fee in an amount equal to one-half of the application fee for the applicable aggregate work capacity rating as set forth in subsection (b) of this section, except that in no event shall such fee be less than six hundred dollars.

(h) Not later than sixty days after receiving a completed application, the commissioner shall mail or send by electronic mail a notice to the applicant concerning the commissioner's preliminary determination regarding the conditions of the prequalification certification, a denial of certification, a reduction in the level of certification sought or nonrenewal of certification. Any applicant aggrieved by the commissioner's preliminary determination may request copies of the information upon which the commissioner relied in making the preliminary determination, provided such request is made not later than ten days after the date the notice was mailed [as indicated by the postmark on the envelope] or sent by electronic mail to the applicant. Not later than twenty days after [said postmark date] the date the notice was mailed or sent by electronic mail, the applicant may submit additional information to the commissioner with a request for reconsideration. The commissioner shall issue a final determination regarding the application not later than ninety days after the date the commissioner mailed or sent by electronic mail the notice of the preliminary determination, which ninety-day period may be extended for an additional period not to exceed ninety days if (1) the commissioner gives written notice to the applicant that the commissioner requires additional time, and (2) such notice is mailed or sent by electronic mail during the initial ninety-day period.

(i) The commissioner may not issue a prequalification certificate to any contractor (1) who is disqualified pursuant to section 31-57c or 31-57d, [or] (2) who has a principal or key personnel who, within the past five years, has a conviction or has entered a plea of guilty or nolo contendere for or has admitted to commission of an act or omission that reasonably could have resulted in disqualification pursuant to any provision of subdivisions (1) to (3), inclusive, of subsection (d) of section 31-57c or subdivisions (1) to (3), inclusive, of subsection (d) of section 31-57d, as determined by the commissioner.

(j) The commissioner may revoke a contractor's prequalification or reduce the contractor's prequalification classification or aggregate work capacity ratings, after an opportunity for a hearing, if the commissioner receives additional information that supports such revocation or reduction.

(k) (1) Any materially false statement in the application or any update statement may, in the discretion of the awarding authority, result in termination of any contract awarded the applicant by the awarding authority. The awarding authority shall provide written notice to the commissioner of such false statement not later than thirty days after discovering such false statement. The commissioner shall provide written notice of such false statement to the

Commissioner of Public Works and the Commissioner of Agriculture and Consumer Protection not later than thirty days after discovering such false statement or receiving such notice.

(2) The commissioner shall revoke the prequalification of any person, after an opportunity for hearing, if the commissioner finds that the person has included any materially false statement in such application or update statement, has been convicted of a crime related to the procurement or performance of any public or private construction contract or, within the past five years or has otherwise engaged in fraud in obtaining or maintaining prequalification. Any person whose prequalification has been revoked pursuant to this subsection shall be disqualified for a period of two years after which the person may reapply for prequalification, except that a person whose prequalification has been revoked on the basis of conviction of a crime or engaging in fraud shall be disqualified for a period of five years after which the person may reapply for prequalification. The commissioner shall not prequalify a person whose prequalification has been revoked pursuant to this subdivision until the expiration of said two or five-year disqualification period and the commissioner is satisfied that the matters that gave rise to the revocation have been eliminated or remedied.

(l) The commissioner shall provide written notice of any revocation, disqualification, reduction in classification or capacity rating or reinstated prequalification to the Commissioner of Public Works and the Commissioner of Agriculture and Consumer Protection not later than thirty days after any final determination.

(m) The provisions of this section and section 4 of [this act] public act 03-215, as amended by this act, shall not apply to subcontractors.

(n) The commissioner shall establish an update statement for use by bidders for purposes of renewing or upgrading a prequalification certificate and for purposes of submitting a bid pursuant to section 4b-91, as amended by this act.

(o) Any applicant aggrieved by the commissioner's final determination concerning a preliminary determination, a denial of certification, a reduction in prequalification classification or aggregate work capacity rating or a revocation or nonrenewal of certification may appeal to the Superior Court in accordance with section 4-183.

Sec. 3. Section 4 of public act 03-215 is repealed and the following is substituted in lieu thereof (*Effective October 1, 2004*):

(a) [The] On or before October 1, 2005, the Commissioner of Administrative Services shall adopt regulations, in accordance with chapter 54, to establish a standard contractor evaluation form. Such form shall include, at a minimum, the following evaluation criteria: (1) Timeliness of performance; (2) quality of performance; (3) cost containment, including, but not limited to, the contractor's ability to work within the contract's allotted cost, the accuracy of the contractor's billing, and the number and cause of change orders and the manner in which the contractor determined the price on the change orders; (4) safety; (5) the quality of the contractor's working relationship with the agency and the quality of the contractor's supervision of the work area; (6) communication with the agency; (7) the quality of the contractor's required documentation; (8) the performance of the contractor's subcontractors, to the extent known by the official who completes the evaluation; and (9) the contractor's and any subcontractor's compliance with part III of chapter 557, or chapter 558, or the provisions of the federal Davis-Bacon Act, 40 USC, Sections 276a to 276a-5, inclusive, as from time to time amended, to the extent known by the official who completes the evaluation.

(b) Each public agency shall compile evaluation information during the performance of the contract and complete and submit the evaluation form to the commissioner after completion of a building project under the agency's control if the building project is funded, in whole or in part, by state funds. Such evaluation information shall be available to any public agency for purposes of assessing the responsibility of the contractor during a bid selection and evaluation process. The designated official from such agency shall certify that the information contained in the evaluation form represents, to the best of the certifying official's knowledge, a true and accurate analysis of the contractor's performance record on the contract. The commissioner shall include the

evaluation in the contractor's prequalification file. The official shall mail a copy of the completed evaluation form to the contractor. Any contractor who wishes to contest any information contained in the evaluation form may submit a written response to the commissioner not later than thirty days after the date the form was mailed as indicated by the postmark on the envelope. Such response shall set forth any additional information concerning the building project or the oversight of the contract by the public agency that may be relevant in the evaluation of the contractor's performance on the project. The commissioner shall include any such response in the contractor's prequalification file.

(c) As used in this section, "public agency" means a public agency, as defined in section 1-200, but does not include The University of Connecticut with respect to any project, as defined in subdivision (16) of section 10a-109c, that is undertaken and controlled by the university, and "subcontractor" means a person who performs work with a value in excess of twenty-five thousand dollars for a contractor pursuant to a contract for work for the state or a municipality which is estimated to cost more than five hundred thousand dollars.

(d) Upon fifty per cent completion of any building project under a public agency's control, the agency shall advise the contractor in writing of the agency's preliminary evaluation of the contractor's performance on the project.

(e) No public agency, employee of a public agency or certifying official of a public agency shall be held liable to any contractor for any loss or injury sustained by such contractor as the result of the completion of an evaluation form, as required by this section, unless such agency, employee or official is found by a court of competent jurisdiction to have acted in a wilful, wanton or reckless manner.

(f) Any public agency that fails to submit a completed evaluation form, as required by this section, not later than seventy days after the completion of a project, shall be ineligible for the receipt of any public funds disbursed by the state for the purposes of the construction, reconstruction, alteration, remodeling, repair or demolition of any public building or any public works project until such completed evaluation form is submitted.

Sec. 4. Section 6 of public act 03-215 is repealed and the following is substituted in lieu thereof (*Effective October 1, 2004*):

(a) Not later than January 1, [2004] 2006, and annually thereafter, each awarding authority, other than a municipality, shall prepare a report on the status of (1) any ongoing project for the construction, reconstruction, alteration, remodeling, repair or demolition of any public building which is estimated to cost more than five hundred thousand dollars and is paid for, in whole or in part, with state funds, or (2) any property management contract awarded by the Department of Public Works which has an annual value of one hundred thousand dollars or more. [The] Except for a school construction project, the awarding authority shall submit the report to the Governor and the joint standing committees of the General Assembly having cognizance of matters relating to government administration and finance, revenue and bonding. The report shall be submitted in accordance with section 11-4a. The first report submitted after a contract is awarded shall indicate: (A) When, where and how the request for bids was advertised; (B) who bid on the projects; (C) the provisions of law that governed the award of the contract and if there were any deviations from standard procedure in awarding the contract; (D) the names of the individuals who had decision-making authority in awarding the contract, including, but not limited to, the individuals who served on any award panel; (E) if an award panel was used, whether the recommendation of the panel was followed and, if applicable, the reason why such recommendation was not followed; (F) whether the awarding authority has any other contracts with the contractor who was awarded the contract, and if so, the nature and value of the contract; and (G) any provisions of law that authorized or funded the project.

(b) The University of Connecticut shall not be required to submit a report pursuant to this section for any project, as defined in subdivision (16) of section 10a-109c, that is undertaken and controlled by the university.

Sec. 5. Section 4b-100 of the general statutes, as amended by section 7 of public act 03-215, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2004*):

(a) The Commissioner of Public Works shall adopt regulations, in accordance with chapter 54, to implement the provisions of sections 4b-91 to 4b-100, inclusive, as amended. Such regulations shall include (1) objective criteria for evaluating the qualifications of bidders, [and] (2) objective criteria for evaluating proposals, and (3) the procedures for evaluating bids after the prequalification status of the bidder has been verified.

(b) The Commissioner of Public Works shall adopt regulations, in accordance with the provisions of chapter 54, establishing a procedure for promptly hearing and ruling on claims alleging a violation or violations of sections 4b-91 to 4b-100, inclusive, as amended. Such claims may be initiated by the Department of Public Works or any party whose financial interests may be affected by the decision on such a claim.

Sec. 6. Section 8 of public act 03-215 is repealed and the following is substituted in lieu thereof (*Effective October 1, 2004*):

(a) The Department of Public Works shall establish construction services award panels which shall each consist of six members: Three of whom shall be appointed by the Commissioner of Public Works and shall be current employees of the Department of Public Works; two of whom shall be appointed by the department head of the user agency; and one of whom who shall be a neutral party appointed by the commissioner. The members of each award panel appointed by the Commissioner of Public Works shall serve for terms of one year from July first. If any vacancy occurs on the panel, the Commissioner of Public Works or the head or acting head of the user agency, as appropriate, shall appoint a person for the unexpired term in accordance with the provisions of this subsection.

(b) A panel established pursuant to this section shall not be deemed to be a board or commission within the meaning of section 4-9a, as amended. Such panels shall be the award panels for any contract for the construction, reconstruction, alteration, remodeling, repair or demolition of any public building for the state pursuant to sections 4b-91 to 4b-100, inclusive, as amended, and section 4b-24, as amended.

(c) For each applicable contract, the commissioner shall designate one panel to screen all submitted proposals and establish a list of bidders to be interviewed and shall designate a separate panel consisting of different members to interview bidders on the list and submit a list of recommended contractors to the commissioner ranked in order of preference with the most qualified bidder listed first.

(d) The commissioner shall designate one voting member on each panel to serve as chairperson. The chairperson shall moderate the committee, collect votes and compile the results.

(e) Each award panel shall prepare a memorandum on the selection process indicating (1) how the evaluation criteria were applied by each panel member to determine the most qualified firms, (2) the ranking of each bidder by each panel member which shall be available to the public after execution of the contract with the selected contractor, and (3) a certification by each panel member that the selection of the most qualified firm was not the result of collusion, the giving of a gift or the promise of a gift, compensation, fraud or inappropriate influence from any person.

(f) The commissioner shall select a contractor from among the list of firms submitted by the award panel that interviewed the contractors. After the commissioner has made a selection, the names of the contractor firms submitted to the commissioner shall be available to the public upon request. In the event the commissioner does not select the most qualified bidder listed by the awards panel, the commissioner shall prepare a written explanation of the commissioner's decision. The commissioner shall also prepare a memorandum on the final phase of the selection process, indicating how the commissioner applied the evaluation criteria to determine the [most qualified firm] successful bidder. Such memorandum shall include a certification by the commissioner that the commissioner's selection of the successful bidder was not the result of collusion, the giving of a gift or the promise of a gift, compensation, fraud or undue pressure

from any person and shall be available to the public after execution of the contract with the selected contractor.

[(f)] (g) The commissioner shall adopt regulations, in accordance with chapter 54, to implement the provisions of this section.

Sec. 7. Section 4b-1 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2004*):

(a) The Commissioner of Public Works shall (1) be responsible for the administrative functions of construction and planning of all capital improvements undertaken by the state, except (A) highway and bridge construction, the construction and planning of capital improvements related to mass transit, marine and aviation transportation, (B) the Connecticut Marketing Authority, (C) planning and construction of capital improvements to the State Capitol building or the Legislative Office Building and related facilities by the Joint Committee on Legislative Management, (D) any project as defined in subdivision (16) of section 10a-109c, undertaken by The University of Connecticut, and (E) construction and planning of capital improvements related to the Judicial Department if such construction and planning do not constitute a project within the meaning of subsection (g) of section 4b-55, as amended, including the preparation of preliminary plans, estimates of cost, development of designs, working plans and specifications, award of contracts and supervision and inspection. For the purposes of this subparagraph (E), the term "Judicial Department" does not include the courts of probate, the Division of Criminal Justice and the Public Defender Services Commission, except where such agencies share facilities in state-maintained courts; (2) select consultant firms in accordance with the provisions of sections 4b-56 to 4b-59, inclusive, to assist in the development of plans and specifications when in the commissioner's judgment such assistance is desirable; (3) render technical advice and service to all state agencies in the preparation and correlation of plans for necessary improvement of their physical plants; (4) cooperate with those charged with fiscal programming and budget formulation in the development of a capital program and a capital budget for the state; (5) be responsible for the purchase, sale, lease, sublease and acquisition of property and space to house state agencies and, subject to the provisions of section 4b-21, the sale or exchange of any land or interest in land belonging to the state; (6) maintain a complete and current inventory of all state-owned or leased property and premises, including space-utilization data; (7) supervise the care and control of buildings and grounds owned or leased by the state in Hartford, except the building and grounds of the State Capitol and the Legislative Office Building and parking garage and related structures and facilities and grounds, as provided in section 2-71h, and the Connecticut Marketing Authority and property under the supervision of the Office of the Chief Court Administrator under the terms of section 4b-11; and (8) be responsible for the administrative functions of establishing and maintaining security standards for all facilities housing the offices and equipment of the state except (A) Department of Transportation mass transit, marine and aviation facilities, (B) the State Capitol and the Legislative Office Building and related facilities, (C) facilities under the care and control of The University of Connecticut or other constituent units of the state system of higher education, (D) Judicial Department facilities, (E) Department of Public Safety facilities, (F) Military Department facilities, (G) Department of Correction facilities, (H) Department of Children and Families client-occupied facilities, (I) facilities occupied by the Governor, Lieutenant Governor, Attorney General, Comptroller, Secretary of the State and Treasurer, and (J) facilities occupied by the Board of Parole. As used in this subdivision, "security" has the meaning assigned to it in section 4b-130. Subject to the provisions of chapter 67, said commissioner may appoint such employees as are necessary for carrying out the duties prescribed to said commissioner by the general statutes.

(b) Notwithstanding any other provision of the general statutes, [to the contrary,] except for the property of The University of Connecticut, the commissioner may supervise the care and control of (1) any state-owned or leased office building, and related buildings and grounds, outside the city of Hartford, used as district offices, except any state-owned or leased office building, and related buildings and grounds, used by the Judicial Department, and (2) any other state-owned

or leased property, on a temporary or permanent basis, if the commissioner, the Secretary of the Office of Policy and Management and the executive head of the department or agency supervising the care and control of such property agree, in writing, to such supervision.

Sec. 8. Section 4b-3 of the general statutes, as amended by section 146 of public act 03-6 of the June 30 special session, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2004*):

(a) There is established a State Properties Review Board which shall consist of six members appointed as follows: The speaker of the House and president pro tempore of the Senate shall jointly appoint three members, one of whom shall be experienced in matters relating to architecture, one experienced in building construction matters and one in matters relating to engineering; and the minority leader of the House and the minority leader of the Senate shall jointly appoint three members, one of whom shall be experienced in matters relating to the purchase, sale and lease of real estate and buildings, one experienced in business matters generally and one experienced in the management and operation of state institutions. No more than three of said six members shall be of the same political party. One of the members first appointed by the speaker and the president pro tempore shall serve a two-year term, one shall serve a three-year term and one shall serve a four-year term. One of the members first appointed by the minority leaders of the House and Senate shall serve a two-year term, one shall serve a three-year term and one shall serve a four-year term. All appointments of members to replace those whose terms expire shall be for a term of four years and until their successors have been appointed and qualified. If any vacancy occurs on the board, the appointing authorities having the power to make the initial appointment under the provisions of this section shall appoint a person for the unexpired term in accordance with the provisions hereof.

(b) The chairman of the board shall be compensated two hundred dollars per diem up to a maximum of thirty thousand dollars annually. Other members of the board shall be compensated two hundred dollars per diem up to a maximum of twenty-five thousand dollars annually. The members of the board shall choose their own chairman. No person shall serve on this board who holds another state or municipal governmental position and no person on the board shall be directly involved in any enterprise which does business with the state or directly or indirectly involved in any enterprise concerned with real estate acquisition or development.

(c) The board may adopt such rules as it deems necessary for the conduct of its internal affairs, in accordance with section 4-167, and may employ a secretary, a clerk, and within its budget, such employees as it shall deem necessary.

(d) Notwithstanding any other statute or special act to the contrary, the Commissioner of Public Works shall be the sole person authorized to represent the state in its dealings with third parties for the acquisition, construction, development or leasing of real estate for housing the offices or equipment of all agencies of the state or for the state-owned public buildings or realty hereinafter provided for in section 2-90, as amended, sections 4b-1 to 4b-5, inclusive, 4b-21, 4b-23, 4b-24, as amended, 4b-26, 4b-27, 4b-30 and 4b-32, subsection (c) of section 4b-66, sections 4b-67 to 4b-69, inclusive, 4b-71, 4b-72, 10-95, 10a-72, 10a-89, 10a-90, 10a-114, 10a-130, 10a-144, 17b-655, 22-64, 22a-324, 26-3, as amended, 27-45, 32-1c, 32-39, 48-9, 51-27d and 51-27f, except that the Joint Committee on Legislative Management may represent the state in the planning and construction of the Legislative Office Building and related facilities, in Hartford; the board of trustees of a constituent unit of the state system of higher education may represent the state in the leasing of real estate for housing the offices or equipment of such constituent unit provided no lease payments for such realty are made with funds generated from the general revenues of the state; the Labor Commissioner may represent the state in the leasing of premises required for employment security operations as provided in subsection (c) of section 31-250; the Commissioner of Mental Retardation may represent the state in the leasing of residential property as part of the program developed pursuant to subsection (b) of section 17a-218, provided such residential property does not exceed two thousand five hundred square feet, for the community placement of persons eligible to receive residential services from the department

and the Connecticut Marketing Authority may represent the state in the leasing of land or markets under the control of the authority, and, except for the housing of offices or equipment in connection with the initial acquisition of an existing state mass transit system or the leasing of land by said Marketing Authority for a term of one year or more in which cases the actions of the Department of Transportation and the Marketing Authority shall be subject to the review and approval of the State Properties Review Board. Said commissioner shall have the power to establish and implement any procedures necessary for him to assume his responsibilities as said sole bargaining agent for state realty acquisitions and shall perform the duties necessary to carry out such procedures. He may appoint, within his budget and subject to the provisions of chapter 67, such personnel deemed necessary by him to carry out the provisions hereof, including experts in real estate, construction operations, financing, banking, contracting, architecture and engineering. The Attorney General's office, at the request of the commissioner, shall assist the commissioner in contract negotiations regarding the purchase, lease or construction of real estate. (e) The State Properties Review Board shall be an independent body within the Executive Department.

(f) The State Properties Review Board shall review real estate acquisitions, sales, leases and subleases proposed by the Commissioner of Public Works, [and] the acquisition, other than by condemnation, or the sale or lease of any property by the Commissioner of Transportation under subdivision (12) of section 13b-4, as amended, subject to section 4b-23 and subsection (h) of section 13a-73 and review, for approval or disapproval, any contract for a project described in subsection (h) of section 4b-91, as amended by this act. Such review shall consider all aspects of the proposed actions, including feasibility and method of acquisition and the prudence of the business method proposed. The board shall also cooperate with and advise and assist the Commissioner of Public Works and the Commissioner of Transportation in carrying out their duties. The board shall have access to all information, files and records, including financial records, of the Commissioner of Public Works and the Commissioner of Transportation, and shall, when necessary, be entitled to the use of personnel employed by said commissioners. The board shall approve or disapprove any acquisition of development rights of agricultural land by the Commissioner of Agriculture and Consumer Protection under section 22-26cc, as amended.

This public act is effective on October 1, 2004.

Public Act No. 04-168

AN ACT CONCERNING REQUIREMENTS FOR SCHOOL ROOFING PROJECTS.

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

Section 1. Subsection (b) of section 10-291 of the general statutes, as amended by section 30 of public act 03-76 and section 6 of public act 03-220, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) The Department of Education shall not approve a school building project plan or site, as applicable, if:

(1) The site is in an area of moderate or high radon potential, as indicated in the Department of Environmental Protection's Radon Potential Map, or similar subsequent publications, except where the school building project plan incorporates construction techniques to mitigate radon levels in the air of the facility;

(2) The plans incorporate new roof construction or total replacement of an existing roof and do not provide for the following: (A) A minimum roof pitch of one-half inch per foot, except that for a total replacement of an existing roof, the Commissioner of Education may permit the minimum roof pitch to be reduced to one-quarter inch per foot if the commissioner finds, based upon written certification from a licensed architect or engineer provided by the town or regional board of education, that (i) such reduction of roof pitch will not impede drainage or cause pooling of water that may leak into the building to a greater degree than that of a roof of a minimum roof pitch of one-half inch per foot, (ii) the cost of replacing the roof with a minimum roof pitch of one-half inch per foot would substantially exceed the cost of replacing the roof with a minimum roof pitch of one-quarter inch per foot, (iii) the time needed to replace the roof with a minimum roof pitch of one-half inch per foot would be substantially longer than the time needed to replace the roof with a minimum roof pitch of one-quarter inch per foot, and (iv) the existing building would not support a roof with a roof pitch of one-half inch per foot without a substantial rebuilding of the existing building. (B) a minimum twenty-year unlimited manufacturer's guarantee for water tightness covering material and workmanship on the entire roofing system, (C) the inclusion of vapor retarders, insulation, bitumen, felts, membranes, flashings, metals, decks and any other feature required by the roof design, and (D) that all manufacturer's materials to be used in the roofing system are specified to meet the latest standards for individual components of the roofing systems of the American Society for Testing and Materials;

(3) In the case of a major alteration, renovation or extension of a building to be used for public school purposes, the plans do not incorporate the guidelines set forth in the Sheet Metal and Air Conditioning Contractors National Association's publication entitled "Indoor Air Quality Guidelines for Occupied Buildings Under Construction" or similar subsequent publications; or

(4) In the case of a new construction, extension, renovation or replacement, the plans do not include a plan that the building maintenance staff responsible for such facility are trained or are receiving training or that the applicant plans to provide training in the appropriate areas of plant operations including, but not limited to, heating, ventilation and air conditioning systems pursuant to section 10-231e, with specific training relative to indoor air quality.

Sec. 2. (*Effective from passage*) Not later than June 30, 2004, any town or regional board of education that on or after July 1, 2003, but before the effective date of this section, (1) had plans approved by the Department of Education for a total replacement of an existing roof, or (2) submitted such plans as part of the school building project plan approval process described in section 10-291 of the general statutes, as amended by this act, may request an amendment to such plans allowing for a reduction in roof pitch in accordance with the procedures set forth in subparagraph (A) of subdivision (2) of subsection (b) of said section 10-291.

Sec. 3. (*Effective from passage*) Not later than January 1, 2005, the Department of Education shall submit a report, in accordance with section 11-4a of the general statutes, to the joint standing committees of the General Assembly having cognizance of matters relating to education and the

environment, which report shall contain the number of town or regional boards of education that have requested an allowance for a reduction in roof pitch in accordance with the procedures set forth in subparagraph (A) of subdivision (2) of subsection (b) of section 10-291 of the general statutes, as amended by this act, and the number of such requests granted by the Department of Education.

This public act is effective upon passage.

Public Act No. 04-202
AN ACT CONCERNING CONSTRUCTION CONTRACTS.

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

Section 1. Section 42-158i of the general statutes, as amended by section 1 of public act 03-56, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2004*):

As used in sections 42-158i to 42-158n, inclusive, as amended, unless the context otherwise requires:

(1) "Owner" means any individual, corporation, nonprofit corporation, partnership, limited partnership, limited liability company or other business entity that is the owner of record or lessee of real property upon which [a commercial or industrial building] construction, renovation or rehabilitation is to be or is being [constructed, renovated or rehabilitated] performed pursuant to a construction contract regarding such real property.

(2) "Construction contract" or "contract" means any contract for the construction, renovation or rehabilitation in this state on or after October 1, 1999, [of a commercial or industrial building, or for the renovation or rehabilitation of a commercial or industrial building for which a certificate of occupancy is required,] including any improvements to real property that are associated with such construction, renovation or rehabilitation, or any subcontract for [a project associated with the] construction, renovation or rehabilitation [of a commercial or industrial building] between an owner and a contractor, or between a contractor and a subcontractor or subcontractors, or between a subcontractor and any other subcontractor. "Construction contract" or "contract" does not include (A) any public works or other building contract entered into with this state, the United States, any other state, and any municipality or other political subdivision of this state or any other state, (B) a contract or project funded or insured by the United States Department of Housing and Urban Development, (C) a contract between an owner and a contractor for an amount of twenty-five thousand dollars or less or a subcontract which results from such a contract, or (D) a contract for a building intended for residential occupancy containing four or less units.

(3) "Retainage" means a sum withheld from progress payments to the contractor or subcontractor, otherwise payable to a contractor or subcontractor by an owner conditioned on substantial or final completion of all work in accordance with the terms of a written or verbal construction contract, but does not include any sum withheld due to the contractor's or subcontractor's failure to comply with construction plans and specifications.

Sec. 2. Section 42-158j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2004*):

(a) [Unless otherwise agreed by the parties in the terms of a written construction contract, each] Each construction contract shall contain the following provisions: (1) A requirement that the owner pay any amounts due any contractor, subcontractor or supplier in a direct contractual relationship with the owner, whether for labor performed or materials furnished, not later than [fifteen] thirty days after the date any written request for payment has been made by such contractor, subcontractor or supplier; (2) a requirement that the contractor pay any amounts due any subcontractor or supplier, whether for labor performed or materials furnished, not later than [fifteen] thirty days after the date the contractor receives payment from the owner which encompasses labor performed or materials furnished by such subcontractor or supplier; and (3) a requirement that the contractor shall include in each of its subcontracts a provision requiring each subcontractor and supplier to pay any amounts due any of its subcontractors or suppliers, whether for labor performed or materials furnished, not later than [fifteen] thirty days after the date such subcontractor or supplier receives a payment from the contractor which encompasses labor performed or materials furnished by such subcontractor or supplier.

(b) (1) If payment is not made by an owner in accordance with the requirements of subdivision (1) of subsection (a) of this section or any applicable construction contract, such contractor, subcontractor or supplier shall set forth its claim against the owner through notice by registered or certified mail.

(2) If payment is not made by a contractor in accordance with the requirements of subdivision (2) of subsection (a) of this section or any applicable construction contract, the subcontractor or supplier shall set forth its claim against the contractor through notice by registered or certified mail.

(3) If payment is not made by a subcontractor or supplier in accordance with the provisions of subdivision (3) of subsection (a) of this section, the subcontractor or supplier to whom money is owed shall set forth its claim against the subcontractor or supplier who has failed to comply with the provisions of said subdivision (3) through notice by registered or certified mail.

(4) Ten days after the receipt of any notice specified in subdivisions (1), (2) and (3) of this subsection, the owner, contractor, subcontractor or supplier, as the case may be, shall be liable for interest on the amount due and owing at the rate of one per cent per month. Such interest shall accrue beginning on the date any such notice is received. In addition, such owner, contractor, subcontractor or supplier, upon written demand from the party providing such notice, shall be required to place funds in the amount of the claim, plus such interest of one per cent per month, in an interest-bearing escrow account in a bank in this state, provided such owner, contractor, subcontractor or supplier may refuse to place the funds in escrow on the grounds that the party making such demand has not substantially performed the work or supplied the materials according to the terms of the construction contract. In the event that such owner, contractor, subcontractor or supplier refuses to place such funds in escrow and such owner, contractor, subcontractor or supplier is found to have unreasonably withheld payment due a party providing such notice, such owner, contractor, subcontractor or supplier shall be liable to the party making demand for payment of such funds and for reasonable attorneys' fees plus interest on the amount due and owing at the rate of one per cent per month. In addition, any owner, contractor, subcontractor or supplier who is found to have withheld payments to a party providing such notice in bad faith shall be liable for ten per cent damages.

(c) No payment may be withheld from a subcontractor or supplier for work performed or materials furnished because of a dispute between a contractor and another contractor, subcontractor or supplier.

(d) This section shall not be construed to prohibit progress payments prior to final payment of the contract and is applicable to all subcontractors and suppliers for material or labor whether they have contracted directly with the contractor or with some other subcontractor on the work. Each owner that enters into a contract under this section and fails or neglects to make payment to a contractor for labor and materials supplied under a contract, as required pursuant to this section, shall, upon demand of any person who has not been paid by the contractor for such labor and materials supplied in the performance of the work under the contract, promptly pay the person for such labor or materials. Demand for payment shall be served on the owner and a copy of each demand shall be sent to the contractor by certified mail, return receipt requested to any address at which the owner and contractor conduct business. If the owner fails to make such payment, the person shall have a direct right of action against the owner in the superior court for the judicial district in which the project is located. The owner's obligations for direct payments to the contractor, subcontractors or suppliers giving notice pursuant to this section shall be limited to the amount owed to the contractor by the owner for work performed under the contract at the date such notice is provided.

This public act is effective October 1, 2004.

Public Act No. 04-245

AN ACT STRENGTHENING ETHICS LAWS CONCERNING FINANCIAL DISCLOSURE, GIFTS AND STATE CONTRACTORS.

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

Section 1. Section 1-83 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2004*):

(a) (1) All state-wide elected officers, members of the General Assembly, department heads and their deputies, members of the Gaming Policy Board, the executive director of the Division of Special Revenue within the Department of Revenue Services, members or directors of each quasi-public agency, members of the Investment Advisory Council, state marshals and such members of the Executive Department and such employees of quasi-public agencies as the Governor shall require, shall file, under penalty of false statement, a statement of financial interests for the preceding calendar year with the commission on or before the May first next in any year in which they hold such a position. Any such individual who leaves his or her office or position shall file a statement of financial interests covering that portion of the year during which such individual held his or her office or position. The commission shall notify such individuals of the requirements of this subsection within thirty days after their departure from such office or position. Such individuals shall file such statement within sixty days after receipt of the notification.

(2) Each state agency, department, board and commission shall develop and implement, in cooperation with the Ethics Commission, an ethics statement as it relates to the mission of the agency, department, board or commission. The executive head of each such agency, department, board or commission shall be directly responsible for the development and enforcement of such ethics statement and shall file a copy of such ethics statement with the Department of Administrative Services and the Ethics Commission.

(b) (1) The statement of financial interests, except as provided in subdivision (2) of this subsection, shall include the following information for the preceding calendar year in regard to the individual required to file the statement and the individual's spouse and dependent children residing in the individual's household: (A) The names of all businesses with which associated; (B) the category or type of all sources of income in excess of one thousand dollars, without specifying amounts of income; (C) the name of securities in excess of five thousand dollars at fair market value owned by such individual, spouse or dependent children or held in the name of a corporation, partnership or trust for the benefit of such individual, spouse or dependent children; (D) the existence of any known blind trust and the names of the trustees; (E) all real property and its location, whether owned by such individual, spouse or dependent children or held in the name of a corporation, partnership or trust for the benefit of such individual, spouse or dependent children; (F) the names and addresses of creditors to whom the individual, the individual's spouse or dependent children, individually, owed debts of more than ten thousand dollars; [and] (G) any leases or contracts with the state held or entered into by the individual or a business with which he or she was associated; and (H) a description of any partnership, joint ownership or similar business affiliation between (i) a business included under subparagraph (A) of this subdivision with which the individual filing the statement, the individual's spouse or a dependent child of the individual is associated, and (ii) a lobbyist, a person that the individual filing the statement knows or has reason to know is doing business with or seeking to do business with the state or is engaged in activities that are directly regulated by the department or agency in which the individual is employed, or a business with which such lobbyist or person is associated.

(2) The statement of financial interests filed by state marshals shall include only amounts and sources of income earned in their capacity as state marshals.

(c) The statement of financial interests filed pursuant to this section shall be a matter of public information, except the list of names, filed in accordance with subparagraph (F) of subdivision (1) of subsection (b) of this section shall be sealed and confidential and for the use of the commission only after a complaint has been filed under section 1-82 and such complaint has been determined by a vote of the commission to be of sufficient merit and gravity to justify the unsealing of such list or lists and not open to public inspection unless the respondent requests otherwise. If the commission reports its findings to the Chief State's Attorney in accordance with subsection (c) of section 1-88, the commission shall turn over to the Chief State's Attorney such relevant information contained in the statement as may be germane to the specific violation or violations or a prosecutorial official may subpoena such statement in a criminal action. Unless otherwise a matter of public record, the Ethics Commission shall not disclose to the public any such subpoena which would be exempt from disclosure by the issuing agency.

(d) Any individual who is unable to provide information required under the provisions of subdivision (1) of subsection (b) of this section by reason of impossibility may petition the commission for a waiver of the requirements.

Sec. 2. (NEW) (*Effective from passage*) As used in sections 2 to 4, inclusive, of this act:

(1) "Gift" has the same meaning as provided in section 1-79 of the general statutes, except that the exclusion in subdivision (12) of subsection (e) of said section 1-79 for a gift for the celebration of a major life event shall not apply;

(2) "Quasi-public agency", "public official" and "state employee" have the same meanings as provided in section 1-79 of the general statutes;

(3) "State agency" means any office, department, board, council, commission, institution or other agency in the executive, legislative or judicial branch of state government;

(4) "Large state contract" means an agreement or a combination or series of agreements between a state agency or a quasi-public agency and a person, firm or corporation, having a total cost to such state agency or quasi-public agency of more than five hundred thousand dollars in a calendar or fiscal year, for (A) a project for the construction, alteration or repair of any public building or public work, (B) services, including, but not limited to, consulting and professional services, (C) the procurement of supplies, materials or equipment, (D) a lease, or (E) a licensing arrangement. The term "large state contract" shall not include a contract between a state agency or a quasi-public agency and a political subdivision of the state;

(5) "Principals and key personnel" means officers, directors, shareholders, members, partners and managerial employees; and

(6) "Participated substantially" means participation that is direct, extensive and substantive, and not peripheral, clerical or ministerial.

Sec. 3. (NEW) (*Effective from passage*) (a) Between the effective date of this section and June 30, 2006, no state agency or quasi-public agency shall execute a large state contract unless the state agency or quasi-public agency obtains:

(1) An affidavit from each person, firm or corporation submitting a bid or proposal for such contract. Each such affidavit shall be submitted with the bid or proposal and shall be signed by the official of the person, firm or corporation that submits such bid or proposal. Such affidavit shall attest to whether or not (A) such person, firm, corporation, (B) any principals and key personnel of the person, firm or corporation, who participated substantially in preparing the bid or proposal, or (C) any agent of such person, firm, corporation or principals and key personnel, who participated substantially in preparing the bid or proposal, provided a gift during the two-year period preceding the submission of such bid or proposal, to (i) any public official or state employee of the state agency or quasi-public agency soliciting bids or proposals for the contract, who participated substantially in the preparation of the bid solicitation or request for proposals for the contract, or (ii) any public official or state employee of any other state agency, who has supervisory or appointing authority over such state agency or quasi-public agency. The affidavit shall also attest that no such principals and key personnel of the person, firm or corporation or agent of such person, firm, corporation or principals and key personnel knows of any action by

the person, firm or corporation to circumvent the requirements of this subdivision by providing for any other principals and key personnel, official, employee or agent of the person, firm or corporation to provide a gift to any such public official or state employee. If any gift described in this subdivision was provided, the affidavit shall include the name of the recipient, a description of the gift and the value and approximate date of the gift;

(2) An affidavit from the person, firm or corporation awarded the contract, at the time the contract is executed, and signed by the official of the person, firm or corporation executing the contract. The affidavit shall attest to whether or not gifts were provided by (A) such person, firm, corporation, (B) any principals and key personnel of the person, firm or corporation, who participated substantially in preparing the bid or proposal or the negotiation of the contract, or (C) any agent of such person, firm, corporation or principals and key personnel, who participated substantially in preparing the bid or proposal or the negotiation or award of the contract, between the date of the affidavit under subdivision (1) of this subsection and the date of execution of the contract, to (i) any public official or state employee of the state agency or quasi-public agency soliciting bids or proposals for the contract, who participated substantially in the preparation of the bid solicitation or request for proposals for the contract or the negotiation or award of the contract, or (ii) any public official or state employee of any other state agency, who has supervisory or appointing authority over such state agency or quasi-public agency. If any such gift was provided, the affidavit shall include the name of the recipient, a description of the gift and the value and approximate date of the gift; and

(3) A certification by the official or employee of such state agency or quasi-public agency who is authorized to execute said contract that the selection of the most qualified person, firm or corporation was not the result of collusion, the giving of a gift or the promise of a gift, compensation, fraud or inappropriate influence from any person.

(b) Each affidavit or certification required under subsection (a) of this section shall be sworn as true to the best knowledge and belief of the person signing the affidavit, subject to the penalties of false statement.

(c) No municipal official or employee shall be required to submit an affidavit under subdivision (1) or (2) of subsection (a) of this section.

(d) Any bidder or proposer that does not submit an affidavit required under subdivision (1) or (2) of subsection (a) of this section shall be disqualified and the state agency or quasi-public agency shall award the contract to the next highest ranked proposer or the next lowest responsible qualified bidder or seek new bids or proposals.

(e) Notwithstanding the provisions of subsection (a) of this section, a person, firm or corporation seeking a large state contract between July 1, 2004, and June 30, 2006, which submits a gift affidavit in accordance with the policy adopted by the Attorney General on January 8, 2004, shall be deemed to comply with the requirements of subdivisions (1) and (2) of subsection (a) of this section.

Sec. 4. (NEW) (*Effective from passage*) (a) On and after July 1, 2006, no state agency or quasi-public agency shall execute a large state contract unless the state agency or quasi-public agency obtains the written certifications described in this section. Each such certification shall be sworn as true to the best knowledge and belief of the person signing the certification, subject to the penalties of false statement.

(b) The official or employee of such state agency or quasi-public agency who is authorized to execute said contract shall certify that the selection of the most qualified or highest ranked person, firm or corporation was not the result of collusion, the giving of a gift or the promise of a gift, compensation, fraud or inappropriate influence from any person.

(c) The official of the person, firm or corporation awarded the contract, who is authorized to execute the contract, shall certify:

(1) That no gifts were made between the date that the state agency or quasi-public agency began planning the project, services, procurement, lease or licensing arrangement covered by the contract and the date of execution of the contract, by (A) such person, firm, corporation, (B) any

principals and key personnel of the person, firm or corporation, who participated substantially in preparing the bid or proposal or the negotiation of the contract, or (C) any agent of such person, firm, corporation or principals and key personnel, who participated substantially in preparing the bid or proposal or the negotiation of the contract, to (i) any public official or state employee of the state agency or quasi-public agency soliciting bids or proposals for the contract, who participated substantially in the preparation of the bid solicitation or request for proposals for the contract or the negotiation or award of the contract, or (ii) any public official or state employee of any other state agency, who has supervisory or appointing authority over such state agency or quasi-public agency;

(2) That no such principals and key personnel of the person, firm or corporation, or agent of such person, firm or corporation or principals and key personnel, knows of any action by the person, firm or corporation to circumvent such prohibition on gifts by providing for any other principals and key personnel, official, employee or agent of the person, firm or corporation to provide a gift to any such public official or state employee; and

(3) That the person, firm or corporation made the bid or proposal without fraud or collusion with any person.

(d) Any bidder or proposer that does not make the certifications required under subsection (c) of this section shall be disqualified and the state agency or quasi-public agency shall award the contract to the next highest ranked proposer or the next lowest responsible qualified bidder or seek new bids or proposals.

(e) Each state agency and quasi-public agency shall include in the bid specifications or request for proposals for a large state contract (1) the date that the state agency or quasi-public agency began planning the project, services, procurement, lease or licensing arrangement to be covered by the contract, and (2) a notice of the certification requirements of subsections (c) and (d) of this section.

Sec. 5. Subsection (m) of section 1-84 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(m) No public official or state employee shall knowingly accept, directly or indirectly, any gift, as defined in subsection (e) of section 1-79, from any person the official or employee knows or has reason to know: (1) Is doing business with or seeking to do business with the department or agency in which the official or employee is employed or (2) is engaged in activities which are directly regulated by such department or agency. No person shall knowingly give, directly or indirectly, any gift or gifts in violation of this provision. For the purposes of this subsection, the exclusion to the term "gift" in subdivision (12) of subsection (e) of section 1-79 for a gift for the celebration of a major life event shall not apply.

Sec. 6. Subsection (m) of section 1-84 of the general statutes, as amended by section 5 of public act 03-215, and section 146 of public act 03-6 of the June 30 special session, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2004*):

(m) No public official or state employee shall knowingly accept, directly or indirectly, any gift, as defined in subsection (e) of section 1-79, from any person the official or employee knows or has reason to know: (1) Is doing business with or seeking to do business with the department or agency in which the official or employee is employed; (2) is engaged in activities which are directly regulated by such department or agency; or (3) is prequalified under section 3 of [this act] public act 03-215. No person shall knowingly give, directly or indirectly, any gift or gifts in violation of this provision. For the purposes of this subsection, the exclusion to the term "gift" in subdivision (12) of subsection (e) of section 1-79 for a gift for the celebration of a major life event shall not apply.

Sec. 7. (NEW) (*Effective from passage*) The State Ethics Commission shall develop a plain language summary of state ethics laws concerning (1) persons, firms and corporations submitting bids or proposals for state contracts, and (2) state contractors. The commission shall publish said summary on the commission's web site.

This public act has various effective dates.

Public Act No. 04-37 AN ACT CONCERNING THE GOVERNOR'S MANSION CONSERVANCY AND OTHER FOUNDATIONS RELATED TO STATE GOVERNMENT.

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

Section 1. Section 3-10 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The land, buildings, furnishings and improvements of the Governor's official residence shall be maintained by the Commissioner of Public Works and food, supplies and staff for such residence shall be provided by the commissioner at the expense of the state.

(b) Notwithstanding any provision of the general statutes, for any foundation, as defined in section 4-37e, and established for the purpose of assisting the Commissioner of Public Works in performing the duties described in subsection (a) of this section, the following information shall be subject to disclosure in accordance with the provisions of chapter 14: (1) The annual income and individual expenditures and contributions in excess of two hundred dollars of such foundation, (2) the names of the officers of any such foundation, and (3) the names of any state employees acting on behalf of, or working for such foundation.

Sec. 2. (NEW) (*Effective from passage*) (a) Notwithstanding any provision of the general statutes, during any inquiry, investigation, impeachment or other proceeding conducted pursuant to Article Ninth of the Connecticut Constitution that is commenced on or after January 1, 2004, by the House of Representatives, all information, records of interviews, reports, statements, depositions, notes, memoranda or other data in the custody of or obtained or prepared by the House of Representatives, any committee established by the House of Representatives in furtherance of the purposes of said Article Ninth, the staff of the House of Representatives or the staff of any such committee shall not be subject to the provisions of section 1-210 of the general statutes, as amended, until such committee transmits its final report to the House of Representatives, provided the committee shall have discretion to disclose any such information prior to the transmittal of the final report. Information provided to the committee by a public agency that is otherwise disclosable by the public agency pursuant to the provisions of section 1-210 of the general statutes, as amended, shall at all times be disclosable by the originating public agency. Nothing in this section shall be construed to mean that any individual waives any privilege provided by law when providing a document or any other information to any such committee.

(b) Not later than ninety days after the conclusion of the last occurring inquiry, investigation, impeachment, trial or other proceeding conducted pursuant to Article Ninth of the Connecticut Constitution that is commenced on or after January 1, 2004, by the House of Representatives or the Senate, any document, recorded data, information or other tangible materials of any kind prepared, received, owned, used or retained in the course of said inquiry, investigation, impeachment, trial or other proceeding, except those items that have been exempted from disclosure pursuant to state or federal law, shall be delivered to the State Library for preservation and archiving, provided an electronic version of such materials shall be provided to the clerks of the House of Representatives and the Senate.

This public act is effective upon passage.

Public Act No. 04-62 AN ACT CONCERNING THE PENALTY FOR TRESPASS UPON CERTAIN STATE PROPERTY.

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

Section 1. Section 4b-11 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The board of trustees of each state institution shall have the supervision, care and control of all property used in connection with such institution; the Commissioner of Public Safety shall have the supervision, care and control of all property used in connection with the Division of State Police and the Division of Fire, Emergency and Building Services within the Department of Public Safety located outside the city of Hartford; the Joint Committee on Legislative Management of the General Assembly shall have the supervision, care and control of the State Capitol building and grounds, the Legislative Office Building and parking garage and grounds and related structures and facilities; the Office of the Chief Court Administrator shall have the supervision, care and control of all property where the Judicial Department is the primary occupant and of the building and grounds of the State Library and Supreme Court and shall establish policies and procedures governing such supervision, care and control. For the purposes of this section, the term "Judicial Department" does not include the courts of probate, the Division of Criminal Justice and the Public Defender Services Commission, except where they share facilities in state-maintained courts. Such board of trustees and said commissioner may make regulations for the maintenance of order on, and the safeguarding and use of, any such property, subject to the direction and supervision of the Commissioner of Public Works. Any person who trespasses upon such property [or who violates any of the regulations concerning the use of such property shall be fined not more than one hundred dollars or imprisoned not more than three months or both] shall be subject to the penalty for criminal trespass, as provided in sections 53a-107 to 53a-109, inclusive, or simple trespass, as provided in section 53a-110a. Any person who violates any regulation concerning the use of such property shall be fined not more than five hundred dollars or imprisoned not more than three months, or both.

This public act is effective upon passage.

Public Act No. 04-186 AN ACT CONCERNING THE CONVEYANCE OF CERTAIN PARCELS OF STATE LAND.

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

all or any portion of said parcels,

Sec. 8. (*Effective from passage*) (a) Notwithstanding any provision of the general statutes, the Commissioner of Public Works shall convey to the town of Newtown a parcel of land located in the town of Newtown, at a cost equal to the administrative costs of making such conveyance. Said parcel of land has an area of approximately 12 acres and is identified as Lot 1 in Block 3 on town of Newtown Tax Assessor's Map 37. The conveyance shall be subject to the approval of the State Properties Review Board.

(b) The town of Newtown shall use said parcel of land for municipal purposes. If the town of Newtown:

- (1) Does not use said parcel for said purposes;
 - (2) Does not retain ownership of all of said parcel; or
 - (3) Leases all or any portion of said parcel,
- the parcel shall revert to the state of Connecticut.

(c) The State Properties Review Board shall complete its review of the conveyance of said parcel of land not later than thirty days after it receives a proposed agreement from the Department of Public Works. The land shall remain under the care and control of said department until a conveyance is made in accordance with the provisions of this section. The State Treasurer shall execute and deliver any deed or instrument necessary for a conveyance under this section, which deed or instrument shall include provisions to carry out the purposes of subsection (b) of this section. The Commissioner of Public Works shall have the sole responsibility for all other incidents of such conveyance.

Public Act No. 04-216

AN ACT MAKING ADJUSTMENTS TO THE STATE BUDGET FOR THE BIENNIUM ENDING JUNE 30, 2005, AND MAKING APPROPRIATIONS THEREFOR, MAKING DEFICIENCY APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE 30, 2004, AND MAKING ADJUSTMENTS TO STATE AND MUNICIPAL REVENUES.

Sec. 36. (*Effective July 1, 2004*) Up to \$ 300,000 of funds appropriated to the Board of Education and Services for the Blind in section 1 of public act 03-1 of the June 30 special session, for Personal Services, shall not lapse on June 30, 2004, and such funds shall be transferred to the Department of Public Works, Rents and Moving Accounts, and shall be available for expenditure for the fiscal year ending June 30, 2005.

Sec. 42. (*Effective July 1, 2004*) The Department of Public Works shall study state-owned office space in the Hartford area. The department shall: (1) Evaluate current needs for agencies under the department's care and control, based on the department's standards for office space requirements; (2) identify office space that could be made available for new tenants through consolidation or relocation of current tenants to more suitable space; (3) determine which potential office space consolidations or relocations are most cost-effective based on the cost to make the space available for a new tenant compared with state savings over a five-year period; and (4) submit a report of its findings to the joint standing committee of the General Assembly having cognizance of matters relating to appropriations not later than January 5, 2005. The report shall contain a prioritized list of office space consolidations or relocations and shall indicate, for each item on the list: How the space created will be used; budgetary requirements to implement the change, including moving costs and renovation costs for new tenants; and the estimated General Fund savings over a five-year period if the change is implemented.

Public Act No. 04-2

AN ACT CONCERNING BUDGET IMPLEMENTATION. (May, 2004 Special Session)

Sec. 97. Section 196 of public act 03-6 of the June 30 special session is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Notwithstanding the provisions of the general statutes, at the request of the Secretary of the Office of Policy and Management, the Comptroller shall transfer up to \$3,600,000 from the resources of the Banking Fund, to Other Expenses, for relocation expenses and furniture costs for the Department of Banking during the fiscal years ending June 30, 2003, and June 30, 2004. The Banking Commissioner is authorized to reimburse the Department of Public Works from funds available in Other Expenses for amounts paid by the Department of Public Works on behalf of the Department of Banking for such relocation expenses, furniture costs and rent during the fiscal years ending June 30, 2003, [and] June 30, 2004, and June 30, 2005.

Sec. 99. (*Effective from passage*) For the fiscal year ending June 30, 2004, the Secretary of the Office of Policy and Management may authorize the carry-forward of funds in any appropriated account, if requested by an agency head and such funds are available due to delays in the payment of contractors resulting from the affidavit requirement imposed by the office of the Attorney General.