



General Assembly

Amendment

February Session, 2022

LCO No. 5888



Offered by:
REP. MCCARTHY VAHEY, 133rd
Dist.

To: Subst. House Bill No. 5172

File No. 288

Cal. No. 218

**"AN ACT CONCERNING REEMPLOYMENT AND THE MUNICIPAL
EMPLOYEES' RETIREMENT SYSTEM."**

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Subsection (h) of section 8-214d of the general statutes is
4 repealed and the following is substituted in lieu thereof (*Effective October*
5 *1, 2022*):

6 (h) (1) On and after June 2, 2016, until January 1, [2017] 2023, the
7 Commissioner of Housing may make a determination, based upon a full
8 examination of the circumstances, that a nonprofit corporation is unable
9 to develop or manage the land or interests in land acquired with state
10 financial assistance under this section. Upon such a determination, the
11 commissioner may (A) cause title to the land or interests in land
12 acquired with state financial assistance under this section to vest in the
13 state by foreclosure, voluntary transfer or other similar voluntary or
14 compulsory action, [and the commissioner may take any action that is

15 in the best interests of the state to convey, upon] or (B) approve the
16 conveyance of such land or such interests in land by such nonprofit
17 corporation, with concurring approval of the Secretary of the Office of
18 Policy and Management. [, such land or interests in land, including, but
19 not limited to, (A) transferring, or authorizing] An approval of the

20 conveyance of land or interests in land pursuant to subparagraph (B) of
21 this subdivision may (i) authorize the transfer of [,] the land or interests
22 in land to the low and moderate income families that reside on such
23 land, [(B) determining whether any restrictions in the deed or deeds for
24 the land or interests in land shall be modified or removed prior to
25 conveying such land or interests in land and authorizing such
26 modifications or removals, or (C) establishing] and (ii) establish such
27 terms and conditions for such conveyance as the commissioner deems
28 appropriate under each particular transaction, including, but not
29 limited to, determining whether any restrictions in the deed or deeds for
30 the land or interests in land shall be modified, removed or released upon
31 such conveyance.

32 (2) The commissioner shall authorize the conveyance of land or
33 interests in land under subdivision (1) of this subsection in no more than
34 [one location] two locations within the City of Middletown.

35 Sec. 502. Subsection (c) of section 4a-100 of the 2022 supplement to
36 the general statutes is repealed and the following is substituted in lieu
37 thereof (*Effective October 1, 2022*):

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

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

41 (2) The applicant's principals and key personnel and any names
42 under which the applicant, principals or key personnel conducted
43 business during the past five years;

44 (3) Any legal or administrative proceedings settled or concluded
45 adversely against the applicant or any of the applicant's principals or

46 key personnel within the past five years which relate to the procurement
47 or performance of any public or private construction contract;

48 (4) Any legal or administrative proceedings concluded adversely
49 against the applicant or any of the applicant's principals or key
50 personnel within the past five years which relate to the nonpayment or
51 underpayment of wages or benefits to the applicant's, principal's or key
52 personnel's employees during the performance of any public or private
53 construction contract;

54 (5) Any administrative proceedings that concluded adversely against
55 the applicant during the past five years with the imposition of any civil
56 penalties pursuant to section 31-69a or the issuance of any stop work
57 orders pursuant to section 31-288;

58 [(5)] (6) The nature of any financial, personal or familial relationship
59 between the applicant and any public or private construction project
60 owner listed on the application as constituting construction experience;

61 [(6)] (7) A statement of whether (A) the applicant has been
62 disqualified pursuant to section 4b-95, this section or section 31-57c or
63 31-57d, (B) the applicant is disqualified or prohibited from being
64 awarded a contract pursuant to section 31-57b, (C) the applicant has
65 been disqualified by another state, (D) the applicant has been
66 disqualified by a federal agency or pursuant to federal law, (E) the
67 applicant's registration has been suspended or revoked by the
68 Department of Consumer Protection pursuant to section 20-341gg, (F)
69 the applicant has been disqualified by a municipality, and (G) the
70 matters that gave rise to any such disqualification, suspension or
71 revocation have been eliminated or remedied; and

72 [(7)] (8) Other information as the commissioner deems relevant to the
73 determination of the applicant's qualifications and responsibilities.

74 Sec. 503. Subdivision (2) of subsection (k) of section 4a-100 of the 2022
75 supplement to the general statutes is repealed and the following is
76 substituted in lieu thereof (*Effective October 1, 2022*):

77 (2) The commissioner shall deny or revoke the prequalification of any
78 contractor or substantial subcontractor if the commissioner finds that
79 the contractor or substantial subcontractor, or a principal or key
80 personnel of such contractor or substantial subcontractor, within the
81 past five years (A) has included any materially false statement in a
82 prequalification application or update statement, (B) has withheld any
83 information or documentation required in a prequalification
84 application, (C) has been convicted of, entered a plea of guilty or nolo
85 contendere for, or admitted to, a crime related to the procurement or
86 performance of any public or private construction contract, or [(C)] (D)
87 has otherwise engaged in fraud in obtaining or maintaining
88 prequalification. Any revocation made pursuant to this subsection shall
89 be made only after an opportunity for a hearing. Any contractor or
90 substantial subcontractor whose prequalification has been revoked
91 pursuant to this subsection shall be disqualified for a period of two years
92 after which the contractor or substantial subcontractor may reapply for
93 prequalification, except that a contractor or substantial subcontractor
94 whose prequalification has been revoked on the basis of conviction of a
95 crime or engaging in fraud shall be disqualified for a period of five years
96 after which the contractor or substantial subcontractor may reapply for
97 prequalification. The commissioner shall not prequalify a contractor or
98 substantial subcontractor whose prequalification has been revoked
99 pursuant to this subdivision until the expiration of said two-year, five-
100 year, or other applicable disqualification period and the commissioner
101 is satisfied that the matters that gave rise to the revocation have been
102 eliminated or remedied.

103 Sec. 504. Subsection (d) of section 4b-91 of the 2022 supplement to the
104 general statutes is repealed and the following is substituted in lieu
105 thereof (*Effective October 1, 2022*):

106 (d) Each bid submitted for a contract described in subsection (c) of
107 this section shall include an update statement in such form as the
108 Commissioner of Administrative Services prescribes and, if required by
109 the public agency soliciting such bid, a copy of the prequalification
110 certificate issued by the Commissioner of Administrative Services. The

111 form for such update statement shall provide space for information
112 regarding all projects completed by the bidder since the date the
113 bidder's prequalification certificate was issued or renewed, all projects
114 the bidder currently has under contract, including the percentage of
115 work on such projects not completed, the names and qualifications of
116 the personnel who will have supervisory responsibility for the
117 performance of the contract, any significant changes in the bidder's
118 financial position or corporate structure since the date the certificate was
119 issued or renewed, any change in the contractor's qualification status as
120 determined by the provisions of subdivision [(6)] (7) of subsection (c) of
121 section 4a-100, as amended by this act, and such other relevant
122 information as the Commissioner of Administrative Services prescribes.
123 Any public agency that accepts a bid submitted without a copy of such
124 prequalification certificate, if required by such public agency soliciting
125 such bid, and an update statement, may become ineligible for the receipt
126 of funds related to such bid, except the public agency soliciting such bids
127 may allow bidders no more than two business days after the opening of
128 bids to submit a copy of the prequalification certificate, if required by
129 such public agency, and an update statement.

130 Sec. 505. Subsections (a) to (c), inclusive, of section 54-124a of the 2022
131 supplement to the general statutes are repealed and the following is
132 substituted in lieu thereof (*Effective July 1, 2022*):

133 (a) (1) There shall be a Board of Pardons and Paroles within the
134 Department of Correction, for administrative purposes only. On and
135 after July 1, 2015, the board shall consist of ten full-time and up to five
136 part-time members appointed by the Governor with the advice and
137 consent of both houses of the General Assembly. The term of any part-
138 time member serving on the board on June 30, 2015, shall expire on said
139 date. On or after July 1, 2015, the Governor may appoint up to five
140 persons to serve as part-time members. In the appointment of the
141 members, the Governor shall specify if the member is being appointed
142 as full-time or part-time. In the appointment of the members, the
143 Governor shall comply with the provisions of section 4-9b. The
144 Governor shall appoint a chairperson from among the membership. The

145 members of the board shall be qualified by education, experience or
 146 training in the administration of community corrections, parole or
 147 pardons, criminal justice, criminology, the evaluation or supervision of
 148 offenders or the provision of mental health services to offenders. Each
 149 appointment of a member of the board submitted by the Governor to
 150 the General Assembly, except as provided in subdivision (2) of this
 151 subsection, shall be referred, without debate, to the joint standing
 152 committee of the General Assembly having cognizance of matters
 153 relating to the judiciary which shall report on each appointment not
 154 later than thirty legislative days after the date of reference.

155 (2) If, not later than September 1, 2015, the Governor appoints a part-
 156 time member and such member was previously a member whose term
 157 expired June 30, 2015, such appointment shall take effect immediately
 158 without confirmation by the General Assembly.

159 (b) The term of each member of the board shall be coterminous with
 160 the term of the Governor or until a successor is chosen, whichever is
 161 later. Any vacancy in the membership of the board shall be filled for the
 162 unexpired portion of the term by the Governor.

163 (c) Ten of the members of the board shall devote full time to the
 164 performance of their duties under this section and shall be compensated
 165 therefor in such amount as the Commissioner of Administrative
 166 Services determines, subject to the provisions of section 4-40. The other
 167 members of the board shall receive [~~one hundred ten~~] two hundred
 168 dollars for each day spent in the performance of their duties and shall
 169 be reimbursed for necessary expenses incurred in the performance of
 170 such duties. The chairperson or, in the chairperson's absence or inability
 171 to act, a member designated by the chairperson to serve temporarily as
 172 chairperson, shall be present at all meetings of the board and participate
 173 in all decisions."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	October 1, 2022	8-214d(h)

Sec. 502	<i>October 1, 2022</i>	4a-100(c)
Sec. 503	<i>October 1, 2022</i>	4a-100(k)(2)
Sec. 504	<i>October 1, 2022</i>	4b-91(d)
Sec. 505	<i>July 1, 2022</i>	54-124a(a) to (c)