



Senate

General Assembly

File No. 276

February Session, 2012

Substitute Senate Bill No. 339

Senate, April 5, 2012

The Committee on Government Administration and Elections reported through SEN. SLOSSBERG of the 14th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT REVISING STATUTES CONCERNING THE DEPARTMENT OF ADMINISTRATIVE SERVICES.

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

1 Section 1. Subsection (b) of section 1-212 of the 2012 supplement to
2 the general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective July 1, 2012*):

4 (b) The fee for any copy provided in accordance with subsection (a)
5 of section 1-211 shall not exceed the cost thereof to the public agency.
6 In determining such costs for a copy, other than for a printout which
7 exists at the time that the agency responds to the request for such copy,
8 an agency may include only:

9 (1) An amount equal to the hourly salary attributed to all agency
10 employees engaged in providing the requested computer-stored public
11 record, including their time performing the formatting or
12 programming functions necessary to provide the copy as requested,

13 but not including search or retrieval costs except as provided in
14 subdivision (4) of this subsection;

15 (2) An amount equal to the cost to the agency of engaging an
16 outside professional electronic copying service to provide such
17 copying services, if such service is necessary to provide the copying as
18 requested;

19 (3) The actual cost of the storage devices or media provided to the
20 person making the request in complying with such request; and

21 (4) The computer time charges incurred by the agency in providing
22 the requested computer-stored public record where another agency or
23 contractor provides the agency with computer storage and retrieval
24 services. Notwithstanding any other provision of this section, the fee
25 for any copy of the names of registered voters shall not exceed three
26 cents per name delivered or the cost thereof to the public agency, as
27 determined pursuant to this subsection, whichever is less. The
28 Department of Administrative Services shall [monitor] provide
29 guidelines to agencies regarding the calculation of the fees charged for
30 copies of computer-stored public records to ensure that such fees are
31 reasonable and consistent among agencies.

32 Sec. 2. Section 4-67g of the 2012 supplement to the general statutes is
33 repealed and the following is substituted in lieu thereof (*Effective July*
34 *1, 2012*):

35 (a) The Office of Policy and Management shall be responsible for: (1)
36 Long-range planning with regard to the use of all state real property;
37 (2) determining the level of efficiency of each and every state agency's
38 use of any and all real property under its control; [and] (3) maintaining
39 an inventory of state real property; [to determine the appropriate use
40 of such property] (4) maintaining an inventory of real property leased
41 by state agencies; and (5) determining the appropriate use of state real
42 property.

43 (b) In creating and maintaining such [inventory] inventories, the

44 secretary shall make recommendations concerning the reuse or
45 disposition of state real property and identify in such [inventory]
46 inventories existing buildings that (1) are of historic, architectural or
47 cultural significance, including buildings listed or eligible to be listed
48 in the national register established under the National Historic
49 Preservation Act of 1966, 80 Stat. 915 (1966), 16 USC 470a, and (2)
50 would be suitable, whether or not in need of repair, alteration or
51 addition, to meet the public building needs of the state or to meet the
52 needs of the public in accordance with the provisions of subsection (m)
53 of section 4b-23. At the request of the secretary, the Commissioner of
54 Economic and Community Development shall advise the secretary as
55 to whether such buildings are of historic, architectural or cultural
56 significance.

57 (c) All state agencies shall provide the secretary, in the manner and
58 form prescribed by the secretary, with any information requested by
59 said secretary for purposes of maintaining the [inventory] inventories
60 required by this section. [, and shall notify the secretary of any change
61 in ownership regarding state property. The secretary shall update such
62 inventory not less than annually, and shall provide the Commissioner
63 of Administrative Services with a copy of the inventory whenever such
64 inventory is updated. Not later than June 30, 2012, and annually
65 thereafter, the Secretary of the Office of Policy and Management shall
66 submit a copy of such inventory, in accordance with the provisions of
67 section 11-4a, to the joint standing committees of the General
68 Assembly having cognizance of matters relating to government
69 administration and appropriations and the budgets of state agencies.]

70 (d) The secretary shall update such inventories not less than
71 annually and shall provide the Commissioner of Administrative
72 Services with a copy of such inventories whenever the inventories are
73 updated.

74 (e) Not later than March 15, 2013, and annually thereafter, the
75 Secretary of the Office of Policy and Management shall submit a copy
76 of such inventories, in accordance with the provisions of section 11-4a,

77 to the joint standing committees of the General Assembly having
78 cognizance of matters relating to government administration and
79 appropriations and the budgets of state agencies.

80 (f) Each state agency shall request and obtain the written approval
81 of the secretary or his or her designee prior to any (1) change in
82 ownership of state real property, (2) change in use of state real
83 property, (3) use of state real property by an entity other than a state
84 agency, or (4) use of state real property by a state agency other than the
85 state agency with custody and control over such state real property.
86 For purposes of this subsection, "state agency" does not include a
87 constituent unit of the state system of higher education, a vocational-
88 technical school or an agency in the legislative or judicial branch of
89 state government.

90 [(d) For] (g) Except as otherwise provided, for the purposes of this
91 section, "state real property" means any improved or unimproved real
92 property owned by a state agency, and "state agency" means any
93 office, department, board, council, commission, institution, constituent
94 unit of the state system of higher education, vocational-technical
95 school or other agency in the executive, legislative or judicial branch of
96 state government.

97 Sec. 3. Section 4a-2 of the 2012 supplement to the general statutes is
98 repealed and the following is substituted in lieu thereof (*Effective July*
99 *1, 2012*):

100 (a) The Commissioner of Administrative Services shall have the
101 following general duties and responsibilities:

102 (1) The establishment of personnel policy and responsibility for the
103 personnel administration of state employees;

104 (2) The purchase and provision of supplies, materials, equipment
105 and contractual services, as defined in section 4a-50;

106 (3) The publishing, printing or purchasing of laws, stationery, forms
107 and reports;

- 108 (4) The collection of sums due the state for public assistance;
- 109 (5) The purchase and contracting for information systems and
110 telecommunication system facilities, equipment and services for state
111 agencies, in accordance with chapter 61;
- 112 (6) The purchase, sale, lease, sublease and acquisition of property
113 and space to house state agencies;
- 114 (7) Subject to the provisions of section 4b-21, the sale or exchange of
115 any land or interest in land belonging to the state;
- 116 [(8) The maintenance of a complete and current inventory of leased
117 property and premises, including space-utilization data;]
- 118 [(9)] (8) The supervision of the care and control of building and
119 grounds owned or leased by the state in Hartford, except (A) the
120 buildings and grounds of the State Capitol and the Legislative Office
121 Building and parking garage and related structures and facilities and
122 grounds, as provided in section 2-71h, (B) any property of the
123 Connecticut Marketing Authority, and (C) property under the
124 supervision of the Office of the Chief Court Administrator as provided
125 in section 4b-11; and
- 126 [(10)] (9) The establishing and maintaining of security standards for
127 all facilities housing the offices and equipment of the state except (A)
128 Department of Transportation mass transit, marine and aviation
129 facilities, (B) the State Capitol and Legislative Office Building and
130 related facilities, (C) facilities under the care and control of The
131 University of Connecticut or other constituent units of the state system
132 of higher education, (D) Judicial Department facilities, (E) Department
133 of Emergency Services and Public Protection facilities, (F) Military
134 Department facilities, (G) Department of Correction facilities, (H)
135 Department of Children and Families client-occupied facilities, (I)
136 facilities occupied by the Governor, Lieutenant Governor, Attorney
137 General, Comptroller, Secretary of the State and Treasurer, and (J)
138 facilities occupied by the Board of Pardons and Paroles. As used in this

139 subdivision, "security" has the same meaning as provided in section
140 4b-30.

141 (b) Notwithstanding any other provision of the general statutes, the
142 commissioner may supervise the care and control of (1) any state-
143 owned or leased office building, and related buildings and grounds,
144 outside the city of Hartford, used as district offices, except any state-
145 owned or leased office building, and such buildings and grounds, used
146 by the Judicial Department or The University of Connecticut, and (2)
147 any other state-owned or leased property, other than property of The
148 University of Connecticut, on a temporary or permanent basis, if the
149 commissioner, the Secretary of the Office of Policy and Management
150 and the executive head of the department or agency supervising the
151 care and control of such property agree, in writing, to such
152 supervision.

153 [(c) All state agencies shall provide the commissioner with any
154 information requested by the commissioner for purposes of
155 maintaining the inventory required by this section, and shall notify the
156 commissioner of any new or terminated leases of state property. The
157 commissioner shall update such inventory not less than annually, and
158 shall provide the Secretary of the Office of Policy and Management
159 with a copy of the inventory whenever such inventory is updated. Not
160 later than June 30, 2012, and annually thereafter, the commissioner
161 shall submit a copy of such inventory, in accordance with the
162 provisions of section 11-4a, to the joint standing committees of the
163 General Assembly having cognizance of matters relating to
164 government administration and appropriations and the budgets of
165 state agencies. For the purposes of this subsection, "state property"
166 means any real property or building leased by a state agency, and
167 "state agency" means any office, department, board, council,
168 commission, institution, constituent unit of the state system of higher
169 education, vocational-technical school or other agency in the executive,
170 legislative or judicial branch of state government.]

171 [(d)] (c) Subject to the provisions of chapter 67, the Commissioner of

172 Administrative Services may appoint such employees as are necessary
173 for carrying out the duties prescribed to said commissioner by the
174 general statutes.

175 Sec. 4. Subsection (e) of section 4a-52a of the general statutes is
176 repealed and the following is substituted in lieu thereof (*Effective July*
177 *1, 2012*):

178 (e) Notwithstanding the provisions of sections 4a-51 and 4a-52, the
179 Commissioner of Administrative Services may delegate authority to
180 any state agency to purchase supplies, materials, equipment and
181 contractual services, consistent with section 4a-67c, if the commissioner
182 determines, in writing, that (1) such delegation would reduce state
183 purchasing costs or result in more efficient state purchasing, and (2)
184 the agency has employees with experience and expertise in state
185 purchasing statutes, regulations and procedures. In determining which
186 agencies to delegate such purchasing authority to, the commissioner
187 shall give preference to agencies which have exceeded the set-aside
188 requirements of section 4a-60g. An agency to whom such authority is
189 delegated shall comply with all such statutes, regulations and
190 procedures and shall submit annual reports to the Commissioner of
191 Administrative Services on its purchase orders, in a format prescribed
192 by the commissioner. The Commissioner of Administrative Services or
193 his or her designee shall periodically review each such delegation of
194 purchasing authority and may revoke or modify a delegation upon
195 determining that the agency has violated any provision of the
196 delegation or that there is evidence of insufficient competition in the
197 competitive bidding or competitive negotiation process. [Not later
198 than October 1, 1996, and annually thereafter, the commissioner shall
199 submit a report to the joint standing committee of the General
200 Assembly having cognizance of matters relating to government
201 administration, which shall, for the preceding fiscal year, (A) list the
202 agencies exercising delegated purchasing authority and (B) summarize
203 the types of contracts entered into by such agencies pursuant to such
204 delegated authority and the purchasing efficiencies realized from the
205 delegated authority.]

206 Sec. 5. Subsection (b) of section 4a-58 of the general statutes is
207 repealed and the following is substituted in lieu thereof (*Effective July*
208 *1, 2012*):

209 (b) Whenever an emergency exists by reason of extraordinary
210 conditions or contingencies that could not reasonably be foreseen and
211 guarded against, or because of unusual trade or market conditions, the
212 Commissioner of Administrative Services, or, in the case of purchases,
213 leases and contracts for information systems, information technology
214 personal property and telecommunication systems, the Chief
215 Information Officer, may, if it is in the best interests of the state, waive
216 the competitive bid or proposal requirements set forth in section 4a-57.
217 If any such procurement is estimated to cost fifty thousand dollars or
218 more, such waiver shall be subject to the approval of the
219 Standardization Committee. A statement of all purchases made under
220 the provisions of this section shall be [set forth in the annual report of
221 the Commissioner] posted on the Internet web site of the Department
222 of Administrative Services.

223 Sec. 6. Subsection (c) of section 4a-59 of the general statutes is
224 repealed and the following is substituted in lieu thereof (*Effective July*
225 *1, 2012*):

226 (c) All open market orders or contracts shall be awarded to (1) the
227 lowest responsible qualified bidder, the qualities of the articles to be
228 supplied, their conformity with the specifications, their suitability to
229 the requirements of the state government and the delivery terms being
230 taken into consideration and, at the discretion of the Commissioner of
231 Administrative Services, life-cycle costs and trade-in or resale value of
232 the articles may be considered where it appears to be in the best
233 interest of the state, (2) the highest scoring bidder in a multiple criteria
234 bid, in accordance with the criteria set forth in the bid solicitation for
235 the contract, or (3) the proposer whose proposal is deemed by the
236 awarding authority to be the most advantageous to the state, in
237 accordance with the criteria set forth in the request for proposals,
238 including price and evaluation factors. Notwithstanding any provision

239 of the general statutes to the contrary, each state agency awarding a
240 contract through competitive negotiation shall include price as an
241 explicit factor in the criteria in the request for proposals and for the
242 contract award. In considering past performance of a bidder for the
243 purpose of determining the "lowest responsible qualified bidder" or
244 the "highest scoring bidder in a multiple criteria bid", the
245 commissioner shall evaluate the skill, ability and integrity of the
246 bidder in terms of the bidder's fulfillment of past contract obligations
247 and the bidder's experience or lack of experience in delivering
248 supplies, materials, equipment or contractual services of the size or
249 amount for which bids have been solicited. In determining the lowest
250 responsible qualified bidder for the purposes of this section, the
251 commissioner may give a price preference of up to ten per cent for (A)
252 the purchase of goods made with recycled materials or the purchase of
253 recyclable or remanufactured products if the commissioner determines
254 that such preference would promote recycling or remanufacturing. As
255 used in this subsection, "recyclable" means able to be collected,
256 separated or otherwise recovered from the solid waste stream for
257 reuse, or for use in the manufacture or assembly of another package or
258 product, by means of a recycling program which is reasonably
259 available to at least seventy-five per cent of the state's population,
260 "remanufactured" means restored to its original function and thereby
261 diverted from the solid waste stream by retaining the bulk of
262 components that have been used at least once and by replacing
263 consumable components and "remanufacturing" means any process by
264 which a product is remanufactured; (B) the purchase of motor vehicles
265 powered by a clean alternative fuel; (C) the purchase of motor vehicles
266 powered by fuel other than a clean alternative fuel and conversion
267 equipment to convert such motor vehicles allowing the vehicles to be
268 powered by either the exclusive use of clean alternative fuel or dual
269 use of a clean alternative fuel and a fuel other than a clean alternative
270 fuel. As used in this subsection, "clean alternative fuel" [shall mean]
271 means natural gas or electricity when used as a motor vehicle fuel; or
272 (D) the purchase of goods or services from micro businesses. As used
273 in this subsection, "micro business" means a business with gross

274 revenues not exceeding three million dollars in the most recently
275 completed fiscal year. All other factors being equal, preference shall be
276 given to supplies, materials and equipment produced, assembled or
277 manufactured in the state and services originating and provided in the
278 state. If any such bidder refuses to accept, within ten days, a contract
279 awarded to such bidder, such contract may be awarded to the next
280 lowest responsible qualified bidder or the next highest scoring bidder
281 in a multiple criteria bid, whichever is applicable, and so on until such
282 contract is awarded and accepted. If any such proposer refuses to
283 accept, within ten days, a contract awarded to such proposer, such
284 contract shall be awarded to the next most advantageous proposer,
285 and so on until the contract is awarded and accepted. There shall be a
286 written evaluation made of each bid. This evaluation shall identify the
287 vendors and their respective costs and prices, document the reason
288 why any vendor is deemed to be nonresponsive and recommend a
289 vendor for award. A contract valued at one million dollars or more
290 shall be awarded to a bidder other than the lowest responsible
291 qualified bidder or the highest scoring bidder in a multiple criteria bid,
292 whichever is applicable, only with written approval signed by the
293 Commissioner of Administrative Services and by the Comptroller. The
294 commissioner shall [submit to the joint standing committee of the
295 General Assembly having cognizance of matters relating to
296 government administration, the State Auditors and the Comptroller,
297 an annual report of] post on the department's Internet web site all
298 awards made pursuant to the provisions of this section.

299 Sec. 7. Section 4a-67a of the general statutes is repealed and the
300 following is substituted in lieu thereof (*Effective July 1, 2012*):

301 (a) The Commissioner of Administrative Services shall, [prepare on
302 or before October 1, 1989, and thereafter periodically update, a plan]
303 whenever practicable, make efforts to increase state procurement of
304 goods that contain recycled materials and products that are recyclable
305 or remanufactured, as defined in subsection (c) of section 4a-59, as
306 amended by this act. [In preparing such plan, the commissioner shall
307 assess the feasibility and efficacy of] Such efforts may include: (1)

308 Requiring replies to state agency bid specifications to include a
309 statement of postconsumer and secondary waste content; (2)
310 establishing minimum goals for state purchase of white bond and
311 other paper with specified postconsumer and secondary waste content
312 and a schedule for the accomplishment of such goals; (3) requiring bids
313 to be accompanied by statements assessing the ability of the materials
314 to be recycled or products to be recycled or remanufactured and
315 assessing the extent to which there are established recycling programs
316 which would facilitate recycling or remanufacturing; (4) authorizing
317 the Department of Administrative Services to substitute similar but
318 different paper products to meet agency orders if the substitute has a
319 higher postconsumer waste content; (5) requiring the Department of
320 Administrative Services to revise a specification to eliminate
321 requirements which favor virgin over recycled materials unless there is
322 a compelling reason for the specification; (6) requiring the
323 commissioner to investigate and report to the Municipal Solid Waste
324 Recycling Advisory Council opportunities for purchase of materials
325 containing postconsumer waste; and (7) requiring the state to utilize
326 two-sided copies, whenever possible, to reduce paper waste.

327 [(b) Within six months of adoption of the plan, and annually
328 thereafter, the commissioner shall submit a report on implementation
329 of the plan to the joint standing committee of the General Assembly
330 having cognizance of matters relating to the environment. The report
331 shall also include any price preferences allowed pursuant to section 4a-
332 59.]

333 (b) The Commissioner of Administrative Services shall post on the
334 department's Internet web site information regarding the department's
335 efforts to increase state procurement of goods that contain recycled
336 materials and products that are recyclable or remanufactured.

337 (c) The Commissioner of Administrative Services shall revise the
338 specifications for products and materials purchased by the state for
339 which the United States Environmental Protection Agency has
340 guidelines for minimum recycled content to incorporate such

341 minimum guidelines. Such specifications shall favor recycled,
342 recyclable or remanufactured products and materials where such
343 products or materials are available.

344 Sec. 8. Subsection (b) of section 4a-67b of the general statutes is
345 repealed and the following is substituted in lieu thereof (*Effective July*
346 *1, 2012*):

347 (b) The Commissioner of Administrative Services shall, [develop
348 and implement a plan to eliminate by stages,] whenever practicable,
349 eliminate the use of disposable and single-use products in state
350 government, [, which shall include an implementation schedule and a
351 list of products that may be affected. The plan shall be submitted to the
352 joint standing committee of the General Assembly having cognizance
353 of matters relating to the environment on or before February 1, 1990.]

354 Sec. 9. Section 4b-2 of the general statutes is repealed and the
355 following is substituted in lieu thereof (*Effective July 1, 2012*):

356 The Commissioner of Administrative Services shall:

357 [(a)] (1) Submit to the board on September first of each year a report
358 which shall include all pertinent data on his operations concerning
359 realty acquisitions [,] and the projected needs of the state, [and
360 recommendations for statutory changes which may be appropriate.]
361 On or before October first of each year, the board shall submit such
362 report with recommendations, comments, conclusions or other
363 pertinent information to the Governor and the members of the joint
364 standing committees of the General Assembly having cognizance of
365 matters relating to appropriations and the budgets of state agencies
366 and to state finance, revenue and bonding.

367 [(b)] (2) Consult and cooperate with professional bodies and groups
368 concerning the purposes of sections 2-90, 4b-2 to 4b-5, inclusive, 4b-23,
369 4b-24, 4b-26, 4b-27 and 4b-32.

370 [(c)] (3) Keep and maintain proper financial records with respect to
371 real estate acquisition activities for use in calculating the costs of his

372 operation.

373 Sec. 10. Section 4b-15 of the 2012 supplement to the general statutes
374 is repealed and the following is substituted in lieu thereof (*Effective July*
375 *1, 2012*):

376 [(a)] Each state agency having care, control and supervision of state
377 property, including the Judicial Department and the Joint Committee
378 on Legislative Management of the General Assembly, shall [prepare
379 and periodically update, in consultation with the Commissioners of
380 Energy and Environmental Protection and Administrative Services, a
381 plan] implement a policy for each facility under its care, control or
382 supervision to (1) reduce the use of disposable and single-use
383 products, in accordance with the plan adopted by the Commissioner of
384 Administrative Services pursuant to section 4a-67b, as amended by
385 this act, (2) separate and collect items designated as either suitable or
386 required for recycling pursuant to section 22a-241b. [Such plan shall
387 establish a schedule for implementation of the policies recommended
388 in the plan.] Each such state agency shall post such policy on its
389 Internet web site.

390 [(b)] Each such agency shall, on or before October 1, 1991, and
391 annually thereafter, submit to the Commissioner of Energy and
392 Environmental Protection and the joint standing committee of the
393 General Assembly having cognizance of matters relating to the
394 environment a report on implementation of the recycling plan. Such
395 report shall be on a form prescribed by the commissioner and shall
396 provide such information the commissioner deems necessary.

397 (c) The Governor, the Joint Committee on Legislative Management
398 and the Commissioners of Energy and Environmental Protection and
399 Administrative Services, for the central offices of the Departments of
400 Energy and Environmental Protection and Administrative Services,
401 shall implement a white paper recycling program to begin on or before
402 January 1, 1989. Each other state agency, department or institution
403 shall implement such program on or before January 1, 1991.]

404 Sec. 11. Section 4b-24 of the 2012 supplement to the general statutes
405 is repealed and the following is substituted in lieu thereof (*Effective July*
406 *1, 2012*):

407 In acting as the determining authority in fulfilling the needs of the
408 various departments and agencies of state government, except the
409 Legislative Department, and choosing the method of acquisition which
410 shall be pursued in the open competitive market, the Commissioner of
411 Administrative Services shall have the following duties:

412 [(1) The commissioner shall (A) compile and maintain a
413 comprehensive and complete inventory of all the improved and
414 unimproved real estate available to the state by virtue of lease. The
415 actual mechanical compilation of such inventory shall be handled by
416 the Secretary of the Office of Policy and Management; provided such
417 compilation shall be available to the Commissioner of Administrative
418 Services at all times. Such inventory shall be used by the commissioner
419 as the primary source for meeting state needs; (B) maintain an
420 inventory of improved and unimproved real estate which is owned by
421 the state and which is unused or underutilized and submit a status
422 report on such inventory, with recommendations concerning the reuse
423 or disposition of such real estate, to the joint standing committees of
424 the General Assembly having cognizance of matters relating to
425 appropriations and the budgets of state agencies and government
426 administration and elections, in accordance with the provisions of
427 section 11-4a, not later than January first, annually; and (C) identify in
428 the inventory required under this subdivision existing buildings that
429 (i) are of historic, architectural or cultural significance, including
430 buildings listed or eligible to be listed in the national register
431 established under the National Historic Preservation Act of 1966, 80
432 Stat. 915 (1966), 16 USC 470a and (ii) would be suitable, whether or not
433 in need of repair, alteration or addition, to meet the public building
434 needs of the state or to meet the needs of the public in accordance with
435 the provisions of subsection (m) of section 4b-23.]

436 [(2)] (1) Whenever realty uses designed uniquely for state use and

437 for periods over five years are concerned, the commissioner shall,
438 whenever practicable, attempt to purchase or lease-purchase on state-
439 owned land. In such cases leases shall be used only when other
440 possibilities have been eliminated as not feasible, in the opinion of the
441 commissioner.

442 [(3)] (2) Whenever a bid is made to the commissioner for any
443 purpose regarding the use of land or whenever any person proposes to
444 sell or lease land to the state, the bidder or such person shall be the
445 owner of the land, or the commissioner shall have the option to void
446 any contract subsequently made with said bidder or third person.

447 [(4)] (3) In all dealings with the commissioner the owner of record or
448 beneficial owner shall be disclosed to the commissioner and the bid
449 shall be revealed to the owner of record or beneficial owner or the
450 commissioner shall have the option to void any contract subsequently
451 made concerning any such dealing.

452 [(5)] (4) After the authorization of a project under the provisions of
453 section 4b-23, the [public auditors of the state] Auditors of Public
454 Accounts and the auditors or accountants of the Commissioner of
455 Administrative Services or the Commissioner of Construction Services,
456 as applicable, shall have the right to audit the books of any contractor
457 employed by either commissioner pursuant to such authorization, or
458 of any party negotiating with the Commissioner of Administrative
459 Services for the acquisition of land by lease or otherwise; provided [,
460 however, that] any such audit shall be limited to the project authorized
461 by the Commissioner of Administrative Services or the Commissioner
462 of Construction Services and the Properties Review Board, and
463 provided further that in the case of a party negotiating with the
464 Commissioner of Administrative Services, such audit may also be
465 conducted after the negotiations have ended, if a contract is
466 consummated with either commissioner.

467 Sec. 12. Subsection (c) of section 4b-136 of the 2012 supplement to
468 the general statutes is repealed and the following is substituted in lieu
469 thereof (*Effective July 1, 2012*):

470 (c) Each state agency and each department, board, commission,
471 institution or other agency of the state listed in the exceptions to the
472 term "state agency" in section 4b-130 shall report [~~quarterly~~] biannually
473 to the council on the frequency, character and resolution of workplace
474 violence incidents. [~~and all security-related expenditures.~~]

475 Sec. 13. Subsection (b) of section 4d-2 of the 2012 supplement to the
476 general statutes is repealed and the following is substituted in lieu
477 thereof (*Effective July 1, 2012*):

478 (b) The Commissioner of Administrative Services shall: (1) Identify
479 and implement (A) optimal information and telecommunication
480 systems to efficiently service the needs of state agencies, and (B)
481 opportunities for reducing costs for such systems; (2) approve or
482 disapprove, in accordance with guidelines established by the
483 commissioner, each proposed state agency acquisition of hardware or
484 software for an information or telecommunication system, except for
485 (A) hardware or software having a cost of less than twenty thousand
486 dollars, or (B) hardware or software having a cost of twenty thousand
487 dollars or more, but less than one hundred thousand dollars, which is
488 for a project that complies with the agency's business systems plan; (3)
489 approve or disapprove, in accordance with guidelines established by
490 the commissioner, all state agency requests or proposed contracts for
491 consultants for information and telecommunication systems; (4) be
492 responsible for purchasing, leasing and contracting for all information
493 system and telecommunication system facilities, equipment and
494 services for state agencies, in accordance with the provisions of
495 subsection (a) of section 4d-8, except for the offices of the Governor,
496 Lieutenant Governor, Treasurer, Attorney General, Secretary of the
497 State and Comptroller; (5) review existing and new information and
498 telecommunication system technologies to ensure consistency with the
499 strategic plan established under section 4d-7 and approved state
500 agency architecture and make recommendations to the
501 Standardization Committee established under section 4a-58, as
502 amended by this act, for review and appropriate action; (6) cooperate
503 with the General Assembly, the Judicial Department and the

504 constituent units of the state system of higher education in assessing
505 opportunities for cost savings and greater sharing of information
506 resources which could result if such entities acquire information and
507 telecommunication systems similar to those of state agencies; and (7)
508 ensure state-wide implementation of the 9-1-1 and E 9-1-1 systems.];
509 and (8) report annually, on or before February fifteenth, in accordance
510 with section 11-4a, to the joint standing committees of the General
511 Assembly having cognizance of matters relating to appropriations and
512 the budgets of state agencies and government administration and
513 elections on all technology projects on which the department is
514 working or that the department plans to undertake.]

515 Sec. 14. Section 4d-11 of the general statutes is repealed and the
516 following is substituted in lieu thereof (*Effective July 1, 2012*):

517 The commissioner shall establish a procedure for the preparation by
518 state agencies of plans and estimates of expenditure requirements for
519 information and telecommunication systems, for consideration for
520 inclusion in the Governor's budget document. [On August 1, 2009, and
521 annually thereafter, the commissioner shall submit to the Secretary of
522 the Office of Policy and Management a report which sets forth the
523 actual expenditures of each state agency for the last completed fiscal
524 year for information and telecommunication systems.]

525 Sec. 15. Subsection (b) of section 4d-14 of the general statutes is
526 repealed and the following is substituted in lieu thereof (*Effective July*
527 *1, 2012*):

528 (b) Not later than October first, annually, the commissioner shall
529 submit a report to the Secretary of the Office of Policy and
530 Management, the Governor and the General Assembly (1) specifying
531 the actual expenditures of each state agency for the last completed
532 fiscal year for information and telecommunication systems, (2)
533 identifying all technology projects on which the Division of
534 Information Technology is working or that the division plans to
535 undertake, (3) specifying potential opportunities for increasing the
536 efficiency or reducing the costs of the state's information and

537 telecommunication systems, and [(2)] (4) including a plan to realize
538 such opportunities.

539 Sec. 16. Section 5-196 of the general statutes is repealed and the
540 following is substituted in lieu thereof (*Effective July 1, 2012*):

541 As used in this chapter, unless the context otherwise requires:

542 (1) "Agency" means a department, board, institution or commission
543 established by statute, not a part of any other department, board,
544 institution or commission.

545 (2) "Allocation" means the official assignment of a position in the
546 classified service to the appropriate standard class of the classification
547 plan.

548 (3) "Appointing authority" means a board, commission, officer,
549 commissioner, person or group of persons having the power to make
550 appointments by virtue of a statute or by lawfully delegated authority.

551 (4) "Candidate list" means a list of the names of persons based on
552 merit as determined under the provisions of this chapter, which
553 persons have been found qualified through suitable examinations for
554 employment in positions allocated to a specified class, occupational
555 group or career progression level.

556 (5) "Class", "class of positions" or "position classification" means a
557 position or group of positions in the state classified service established
558 under this chapter that share general characteristics and are
559 categorized under a single title for administrative purposes.

560 (6) "Classified service" means every office or position in the state
561 service, whether full-time or part-time, for which compensation is
562 paid, except those offices and positions specified in section 5-198, as
563 amended by this act, or otherwise expressly provided by statute.

564 (7) "Compensation" means the salary, wages, benefits and other
565 forms of valuable consideration earned by and provided to an

566 employee in remuneration for services rendered.

567 (8) "Compensation schedule" or "compensation plan" means a list or
568 lists specifying a series of compensation steps and ranges.

569 (9) "Eligible" or "eligible person" means a person whose name is on a
570 candidate list.

571 (10) "Employee" or "state employee" means any person holding a
572 position in state service subject to appointment by an appointing
573 authority.

574 (11) "Examination" means an assessment device or technique
575 yielding scores or ratings designed to determine the fitness of
576 candidates for positions allocated to a specified class, occupational
577 group or career progression level.

578 (12) "Full-time employee" means an employee holding a position
579 normally requiring thirty-five hours or more of service in each week.

580 (13) "Generic job class" means a job classification comprised of
581 positions covering a diversity of assignments which are either
582 occupationally or functionally related.

583 (14) "Good standing" means the status of an employee whose
584 employment in the state service has been terminated other than as a
585 result of disciplinary action or during a period when disciplinary
586 action was pending.

587 (15) "Grade" or "pay grade" means a relative level, numerically
588 expressed, to which one or more classes may be assigned according to
589 the degree of their complexity, importance and value, and which refers
590 to a single pay range in the compensation schedule.

591 (16) "Minimum earned rating" means the lowest score or rating that
592 entitles a candidate to pass the examination.

593 (17) "Officer" or "state officer" means any person appointed to a state
594 office established by statute, including appointing authorities.

595 (18) "Part-time employee" means an employee holding a position
596 normally requiring less than thirty-five hours of service in each week.

597 (19) "Permanent appointment" means appointment to a position in
598 the classified service following successful completion of the required
599 working test.

600 (20) "Permanent employee" means an employee holding a position
601 in the classified service under a permanent appointment or an
602 employee holding a position in unclassified service who has served in
603 such a position for a period of more than six months, except employees
604 in positions funded in whole or in part by the federal government as
605 part of any public service employment program, on-the-job training
606 program or work experience program.

607 (21) "Permanent position" means any position in the classified
608 service which requires or which is expected to require the services of
609 an incumbent without interruption for a period of more than six
610 months, except positions funded in whole or in part by the federal
611 government as part of any public service employment program, on-
612 the-job training program or work experience program.

613 (22) "Position" means a group of duties and responsibilities
614 currently assigned or designated by competent authority to require the
615 services of one employee.

616 (23) "Public member" means a member of a board or commission
617 who does not hold any office or position in the state service.

618 (24) "Reemployment list" means a list of names of persons arranged
619 in the order prescribed by the provisions of this chapter and by
620 regulations issued in accordance with this chapter, which persons have
621 occupied positions allocated to any class in the classified service, and
622 are no longer in such class and are entitled to have their names
623 certified to appointing authorities when vacancies in such class are to
624 be filled, in preference to those whose names are on the candidate list
625 for such class.

626 (25) "State service" means occupancy of any office or position or
627 employment in the service of the state, but not of local governmental
628 subdivisions thereof, for which compensation is paid.

629 (26) "Temporary position" means a position in the state service
630 which is expected to require the services of an incumbent for a period
631 not in excess of six months.

632 (27) "Unclassified service" means any office or position in the state
633 service which is not in the classified service.

634 (28) "Working test" means a trial working period made a part of the
635 selective process under the provisions of this chapter and by
636 regulations issued in accordance with this chapter, during which the
637 work and conduct of the employee shall be noted by the appointing
638 authority or his authorized agent and reported upon to determine
639 whether such employee merits permanent appointment.

640 (29) "Veteran", when used in this chapter and in section 5-180,
641 means any person who has been honorably discharged from or
642 released under honorable conditions from active service in the armed
643 forces of the United States and who has performed such service in time
644 of war, as such terms are defined in section 27-103, except that the final
645 date for service in time of war during World War II shall be December
646 31, 1947.

647 (30) "Managerial employee" means any person presently covered by
648 the existing managerial compensation plan pursuant to subsection (g)
649 of section 5-270.

650 [(31) "Senior executive service" means upper level career
651 professional management positions in the executive branch to which
652 state employees with at least five years of classified service may be
653 appointed through objective assessment procedures. The provisions of
654 subsections (a) and (b) of section 5-236 shall not apply to such
655 employees.]

656 [(32)] (31) "Career progression level" means the following career

657 levels in which each class of positions shall be categorized as
658 determined by the Commissioner of Administrative Services based on
659 general job characteristics and minimum requirements for knowledge,
660 skill and ability, including, but not limited to, education, employment
661 history and special skills: (A) Entry, (B) working, (C) lead, (D)
662 supervisor, and (E) manager.

663 [(33)] (32) "Occupational group" means broad occupational areas in
664 which each class of positions shall be categorized as determined by the
665 Commissioner of Administrative Services.

666 Sec. 17. Section 5-198 of the 2012 supplement to the general statutes
667 is repealed and the following is substituted in lieu thereof (*Effective July*
668 *1, 2012*):

669 The offices and positions filled by the following-described
670 incumbents shall be exempt from the classified service:

671 [(a)] (1) All officers and employees of the Judicial Department;

672 [(b)] (2) All officers and employees of the Legislative Department;

673 [(c)] (3) All officers elected by popular vote;

674 [(d)] (4) All agency heads, members of boards and commissions and
675 other officers appointed by the Governor;

676 [(e)] (5) All persons designated by name in any special act to hold
677 any state office;

678 [(f)] (6) All officers, noncommissioned officers and enlisted men in
679 the military or naval service of the state and under military or naval
680 discipline and control;

681 [(g) (1)] (7) (A) All correctional wardens, as provided in section 18-
682 82, and [(2)] (B) all superintendents of state institutions, the State
683 Librarian, the president of The University of Connecticut and any
684 other commissioner or administrative head of a state department or
685 institution who is appointed by a board or commission responsible by

686 statute for the administration of such department or institution;

687 [(h)] (8) The State Historian appointed by the State Library Board;

688 [(i)] (9) Deputies to the administrative head of each department or
689 institution designated by statute to act for and perform all of the duties
690 of such administrative head during such administrative head's absence
691 or incapacity;

692 [(j)] (10) Executive assistants to each state elective officer and each
693 department head, as defined in section 4-5, provided each position of
694 executive assistant shall have been created in accordance with section
695 5-214;

696 [(k)] (11) One personal secretary to the administrative head and to
697 each undersecretary or deputy to such head of each department or
698 institution provided any classified employee whose position is affected
699 by this subsection shall retain classified status in such position;

700 [(l)] (12) All members of the professional and technical staffs of the
701 constituent units of the state system of higher education, as defined in
702 section 10a-1, of all other state institutions of learning, of the Board of
703 Regents for Higher Education, and of the agricultural experiment
704 station at New Haven, professional and managerial employees of the
705 Department of Education and teachers certified by the State Board of
706 Education and employed in teaching positions at state institutions;

707 [(m)] (13) Physicians, dentists, student nurses in institutions and
708 other professional specialists who are employed on a part-time basis;

709 [(n)] (14) Persons employed to make or conduct a special inquiry,
710 investigation, examination or installation;

711 [(o)] (15) Students in educational institutions who are employed on
712 a part-time basis;

713 [(p)] (16) Forest fire wardens provided for by section 23-36;

714 [(q)] (17) Patients or inmates of state institutions who receive

715 compensation for services rendered therein;

716 [(r)] (18) Employees of the Governor including employees working
717 at the executive office, official executive residence at 990 Prospect
718 Avenue, Hartford and the Washington D.C. office;

719 [(s)] (19) Persons filling positions expressly exempted by statute
720 from the classified service;

721 [(t)] (20) Librarians employed by the State Board of Education or
722 any constituent unit of the state system of higher education;

723 [(u) Employees in the senior executive service;]

724 [(v)] (21) All officers and employees of the Division of Criminal
725 Justice;

726 [(w)] (22) Professional employees in the education professions
727 bargaining unit of the Bureau of Rehabilitative Services;

728 [(x)] (23) Lieutenant colonels in the Division of State Police within
729 the Department of Emergency Services and Public Protection
730 appointed on or after June 6, 1990;

731 [(y)] (24) The Deputy State Fire Marshal within the Department of
732 Construction Services;

733 [(z)] (25) The chief administrative officer of the Workers'
734 Compensation Commission;

735 [(aa)] (26) Employees in the education professions bargaining unit;

736 [(bb)] (27) Disability policy specialists employed by the Council on
737 Developmental Disabilities; and

738 [(cc)] (28) The director for digital media and motion picture
739 activities in the Department of Economic and Community
740 Development.

741 Sec. 18. Section 2-55 of the general statutes is repealed and the

742 following is substituted in lieu thereof (*Effective July 1, 2012*):

743 The legislative commissioners, with the approval of the Joint
744 Committee on Legislative Management, may employ and fix the
745 compensation of such assistants as are required to carry out the duties
746 of their office; and the Legislative Commissioners' Office shall be
747 considered a branch of the Legislative Department of the state
748 government within the meaning of [subsection (b)] subdivision (2) of
749 section 5-198, as amended by this act. No such employee shall be
750 demoted or dismissed by reason of economy, change in departmental
751 administration or organization or abolition of position if any other
752 employee with less service in the office is to be retained, or another
753 employee engaged, to perform comparable duties. When the General
754 Assembly is not in session, said committee may, with the approval of
755 the commissioners, designate one or more employees of the Legislative
756 Commissioners' Office to assist in the performance of the duties of said
757 committee, legislative commissions and legislative interim committees.
758 This section shall not apply to temporary employees engaged by the
759 General Assembly to assist the legislative commissioners in connection
760 with any session of the General Assembly.

761 Sec. 19. Subsection (a) of section 31-237c of the general statutes is
762 repealed and the following is substituted in lieu thereof (*Effective July*
763 *1, 2012*):

764 (a) The board shall consist of three members appointed by the
765 Governor, one of whom shall be designated by the Governor as
766 chairman of the board of review. Notwithstanding the provisions of
767 [subsection (d)] subdivision (4) of section 5-198, as amended by this
768 act, such chairman shall be in the classified service and shall devote
769 full time to the duties of his office. Such chairman shall be chosen by
770 the Governor from a list of names submitted to him by the
771 Commissioner of Administrative Services pursuant to the provisions
772 of subsection (d) of section 5-228. The other two members appointed to
773 serve during the appointing Governor's term of office shall be a
774 representative of employers and a representative of employees and

775 shall devote full time to the duties of their offices. The members of the
776 board representing employers and employees shall be selected as such
777 representatives based upon previous vocation, employment or
778 affiliation. A member of the board may be removed by the Governor
779 for cause.

780 Sec. 20. Section 5-236 of the general statutes is repealed and the
781 following is substituted in lieu thereof (*Effective July 1, 2012*):

782 (a) An appointing authority, in his discretion, may request from the
783 Commissioner of Administrative Services a list of eligible candidates
784 for a position exempt from the classified service and may appoint an
785 employee from such a list.

786 (b) Any employee in the classified service who has taken or takes a
787 position in the unclassified service and who thereafter is ready to
788 report for duty for a position in the classified service shall be placed on
789 a reemployment list for the appropriate class in which he has attained
790 permanent status for future reemployment when vacancies in the class
791 occur. The order in which names shall be placed on the reemployment
792 list for any class shall be by seniority in state service.

793 [(c) There shall be a senior executive service to provide an upper
794 level of career professional management. An appointing authority may
795 request from the Commissioner of Administrative Services names of
796 candidates eligible for a position within the senior executive service
797 and may appoint an employee from such a list. Such names shall be
798 furnished to said commissioner by the Senior Executive Service Board.
799 Any employee in the classified service who qualifies for and accepts a
800 position in the senior executive service shall not attain tenure in the
801 position, shall serve at the pleasure of the appointing authority with
802 the concurrence of the Senior Executive Service Board and shall have
803 the right to return to a classified position at his former level in any
804 state agency provided if no such position is available in another
805 agency, the employee shall have the right to return to such a position
806 in his former agency. No employee holding a position in the senior
807 executive service shall be removed except upon one hundred twenty

808 days' written notice to such employee and the Senior Executive Service
809 Board.

810 (d) There shall be a Senior Executive Service Board consisting of six
811 members appointed by the Governor. Such members shall serve
812 without compensation, but shall be reimbursed for their actual and
813 necessary expenses. The terms of appointment shall be four years.
814 Three members shall be employed by the state, one of whom may be
815 an employee in the senior executive service and one of whom shall be
816 a managerial employee; two of whom shall be from management
817 positions in private enterprise, and one of whom shall be from a major
818 independent Connecticut college or university. The Commissioner of
819 Administrative Services or his designee shall serve as a nonvoting
820 member and secretariat. The board shall: (1) Evaluate candidates'
821 managerial qualifications for appointment to senior executive service
822 positions on the basis of management experience, education and
823 professional training and performance capabilities using appropriate
824 assessment procedures; (2) identify positions at upper management
825 levels that may be filled with senior executive service candidates by
826 evaluating position requirements and the skills, abilities and
827 experience essential for satisfactory performance. Departments, as
828 defined in section 4-38c, and the offices of the Treasurer, Secretary of
829 the State, Comptroller and Attorney General shall be eligible to
830 establish no less than one senior executive service position. Except as
831 provided in subdivision (5) of this subsection, any additional positions
832 shall be established based upon the number of their established full-
833 time positions as follows: Five hundred or more positions but less than
834 one thousand five hundred, one senior executive service position; one
835 thousand five hundred or more positions but less than two thousand
836 five hundred, two senior executive service positions; two thousand
837 five hundred or more positions but less than three thousand five
838 hundred, three senior executive service positions; three thousand five
839 hundred or more positions but less than four thousand five hundred,
840 four senior executive service positions; four thousand five hundred or
841 more positions, five senior executive service positions; (3) approve
842 transfers, promotions and demotions within the service; (4) issue

843 guidelines for the nomination and selection of candidates,
844 identification and review of positions, and assignment to grade levels;
845 (5) approve reassignment of unfilled senior executive service positions
846 from departments, as defined in section 4-38c, which are entitled to
847 three or more senior executive service positions, to departments
848 demonstrating a need for more positions than authorized pursuant to
849 subdivision (2) of this subsection; and (6) report biennially in odd-
850 numbered years to the Governor and the legislature on the status,
851 effectiveness and composition of the senior executive service. The
852 appointment of an employee to the senior executive service shall not
853 increase the total number of General Fund positions in the appointing
854 agency.]

855 Sec. 21. Section 5-248i of the general statutes is repealed and the
856 following is substituted in lieu thereof (*Effective July 1, 2012*):

857 (a) The Commissioner of Administrative Services shall, within
858 available appropriations, develop and implement guidelines, in
859 cooperation with interested employee organizations, as defined in
860 subsection (d) of section 5-270, authorizing telecommuting and work-
861 at-home programs for state employees. Such guidelines shall be
862 designed to achieve the following goals: (1) Increase worker efficiency
863 and productivity; (2) benefit the environment; and (3) reduce traffic
864 congestion. The guidelines of the telecommuting or work-at-home
865 program and determination of whether an employment position is
866 appropriate for such program shall not be subject to collective
867 bargaining under the provisions of chapter 68.

868 (b) Any employee of a state agency may be authorized either by the
869 head of such state agency or, for any employee of the legislative
870 branch, by the executive director of the Joint Committee on Legislative
871 Management, or his or her designated representative, to participate in
872 a telecommuting or work-at-home assignment. Approval of such
873 assignment may be granted only where it is determined to be in
874 compliance with the guidelines developed pursuant to subsection (a)
875 of this section. Any assignment shall be on a temporary basis only, and

876 may be terminated as required by agency operating needs. Each state
877 agency shall provide the Department of Administrative Services with a
878 copy of any telecommuting or work-at-home program arrangement
879 that it authorizes for any employee of such agency.

880 (c) The Commissioner of Administrative Services shall [report
881 annually to the joint standing committees of the General Assembly
882 having cognizance of matters relating to labor and public employees
883 and government administration as to] include in the annual report
884 required under section 5-204 the extent of use by employees [as] of the
885 programs provided pursuant to subsections (a) and (b) of this section.

886 Sec. 22. Section 5-263a of the general statutes is repealed and the
887 following is substituted in lieu thereof (*Effective July 1, 2012*):

888 (a) On or before September 1, 1993, the Secretary of the Office of
889 Policy and Management shall establish guidelines under which each
890 state agency shall administer a program for soliciting suggestions from
891 its employees and receiving suggestions from retired state employees.
892 Such guidelines shall specify permissible sources of funds for awards
893 to such employees and retired state employees and the method of
894 determining such awards.

895 (b) The executive head of each state agency may make awards to its
896 employees and retired state employees, pursuant to the guidelines
897 established in accordance with subsection (a) of this section, for
898 suggestions which the agency implements.

899 [(c) Each executive head shall file quarterly reports with the Office
900 of Policy and Management stating the number and types of
901 suggestions received and implemented and the amount awarded to
902 each employee or retired state employee.]

903 [(d)] (c) Any legislator may request and have access to all
904 suggestions made to state agencies [or reported to the secretary]
905 pursuant to this section.

906 Sec. 23. Section 31-284a of the general statutes is repealed and the

907 following is substituted in lieu thereof (*Effective July 1, 2012*):

908 (a) Notwithstanding the provisions of sections 4a-19 and 4a-20 to
909 the contrary, the Commissioner of Administrative Services shall solicit
910 proposals from any management firm engaged in the business of
911 administering workers' compensation claims, or from any authorized
912 mutual insurance company or stock company or subsidiary thereof
913 writing workers' compensation or employer's liability insurance in this
914 state, for the purposes of administering the workers' compensation
915 claims filed against the state, or of insuring the state's full liability
916 under workers' compensation and administering such claims. The
917 commissioner may, at said commissioner's discretion, reject any or all
918 of such proposals if they are deemed to be inadequate to effectively
919 serve the needs of the state concerning workers' compensation.

920 [(b) The Commissioner of Administrative Services shall adopt
921 regulations, in accordance with the provisions of chapter 54, which
922 establish the fees payable by this state for its employees under the
923 provisions of this chapter, based on the medical procedure,
924 combination of procedures or diagnosis of the patient, provided the fee
925 schedule shall not apply to services rendered to a claimant who is
926 participating in the state's managed care plan. The regulations shall
927 limit annual growth in total medical fees payable by the state to no
928 more than the annual percentage increase in the consumer price index
929 for all urban workers. Said commissioner]

930 (b) The Commissioner of Administrative Services may exclude from
931 participation in the state workers' compensation managed care
932 program any medical provider found, through a systematic program
933 of utilization review, to exceed generally accepted standards of the
934 scope, duration or intensity of services rendered to patients with
935 similar diagnostic characteristics. The state shall not make any
936 payment to a facility owned in whole or in part by the referring
937 practitioner.

938 (c) The Commissioner of Administrative Services shall have sole
939 responsibility for establishing procedures for all executive branch

940 agencies participating in the state of Connecticut workers'
 941 compensation program, except that all mandatory subjects of collective
 942 bargaining pertaining to modified or alternative duty shall continue to
 943 be governed by the provisions of chapter 68.

944 Sec. 24. Subsection (a) of section 4d-1a of the 2012 supplement to the
 945 general statutes is repealed and the following is substituted in lieu
 946 thereof (*Effective July 1, 2012*):

947 (a) (1) Wherever the term "Chief Information Officer of the
 948 Department of Information Technology" is used in the following
 949 general statutes, the term "Commissioner of Administrative Services"
 950 shall be substituted in lieu thereof; (2) wherever the term "Chief
 951 Information Officer" is used in the following general statutes, the term
 952 "commissioner" shall be substituted in lieu thereof; and (3) wherever
 953 the term "Department of Information Technology" is used in the
 954 following general statutes, the term "Department of Administrative
 955 Services" shall be substituted in lieu thereof: 1-205, 1-211, 1-212, as
 956 amended by this act, 1-283, 3-117, 4d-3, 4d-5, 4d-10, 4d-11, as amended
 957 by this act, [4d-13,] 4d-14, as amended by this act, 4d-38, 4d-41, 4d-42,
 958 4d-43, 4d-81a, 4d-82a, 4d-83, 4d-84, 10-5b, 10-10a, 18-81x, 19a-110, 19a-
 959 750, 32-6i, 54-105a, 54-142q, 54-142r and 54-142s.

960 Sec. 25. Sections 4b-101a, 4d-13 and 5-237b of the general statutes
 961 are repealed. (*Effective July 1, 2012*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2012</i>	1-212(b)
Sec. 2	<i>July 1, 2012</i>	4-67g
Sec. 3	<i>July 1, 2012</i>	4a-2
Sec. 4	<i>July 1, 2012</i>	4a-52a(e)
Sec. 5	<i>July 1, 2012</i>	4a-58(b)
Sec. 6	<i>July 1, 2012</i>	4a-59(c)
Sec. 7	<i>July 1, 2012</i>	4a-67a
Sec. 8	<i>July 1, 2012</i>	4a-67b(b)
Sec. 9	<i>July 1, 2012</i>	4b-2

Sec. 10	<i>July 1, 2012</i>	4b-15
Sec. 11	<i>July 1, 2012</i>	4b-24
Sec. 12	<i>July 1, 2012</i>	4b-136(c)
Sec. 13	<i>July 1, 2012</i>	4d-2(b)
Sec. 14	<i>July 1, 2012</i>	4d-11
Sec. 15	<i>July 1, 2012</i>	4d-14(b)
Sec. 16	<i>July 1, 2012</i>	5-196
Sec. 17	<i>July 1, 2012</i>	5-198
Sec. 18	<i>July 1, 2012</i>	2-55
Sec. 19	<i>July 1, 2012</i>	31-237c(a)
Sec. 20	<i>July 1, 2012</i>	5-236
Sec. 21	<i>July 1, 2012</i>	5-248i
Sec. 22	<i>July 1, 2012</i>	5-263a
Sec. 23	<i>July 1, 2012</i>	31-284a
Sec. 24	<i>July 1, 2012</i>	4d-1a(a)
Sec. 25	<i>July 1, 2012</i>	Repealer section

Statement of Legislative Commissioners:

In section 11(4), "public auditors of the state" was changed to "Auditors of Public Accounts" for statutory consistency.

GAE *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill does not result in a fiscal impact to the Department of Administrative Services or to the Office of Policy and Management as it repeals certain obsolete boards and committees and eliminates or modifies various monitoring and reporting requirements.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sSB 339*****AN ACT REVISING STATUTES CONCERNING THE DEPARTMENT OF ADMINISTRATIVE SERVICES.*****SUMMARY:**

This bill makes several changes to state property inventory requirements, including requiring (1) the Office of Policy and Management (OPM), rather than the Department of Administrative Services (DAS), to maintain the inventory of leased property and (2) most executive branch agencies to obtain written permission from OPM before (a) any change in state property's ownership or use or (b) its use by another state agency or a non-state entity. It also requires DAS to establish guidelines for, rather than monitor, fees charged by agencies for computer-stored public records requested under the Freedom of Information Act (FOIA).

The bill eliminates or modifies numerous reporting requirements, and it eliminates two committees and one board. Lastly, it makes technical changes.

EFFECTIVE DATE: July 1, 2012

§§ 2, 3, 11 — STATE PROPERTY

The bill transfers, from DAS to OPM, responsibility for maintaining an inventory of real property leased by state agencies, including a requirement to annually submit this inventory to the legislature's Appropriations and Government Administration and Elections (GAE) committees. It delays, from June 30, 2012 to March 15, 2013, the date by which the OPM secretary must make the first annual submission to these committees of the state-owned and -leased inventories. It eliminates a requirement that the leased property inventory include space utilization data.

The law requires agencies to provide the OPM secretary with any information he requests for purposes of maintaining the inventories. The bill requires them to do so in the manner and form the secretary prescribes. The bill also requires that all executive branch agencies (except for higher education institutions and vocational-technical schools) obtain written permission from OPM before any change in state property's ownership or use, or before its use by another state agency or a non-state entity.

The bill requires the economic and community development commissioner, at the secretary's request, to advise him of the historical, architectural, or cultural significance of state-owned or -leased buildings. By law, the OPM secretary must make recommendations concerning the reuse or disposition of state property and identify existing buildings that (1) are of historic, architectural, or cultural significance; (2) meet the state's public building needs; or (3) meet the public's need to be served by renewable energy sources.

Requirements Eliminated

The bill eliminates a requirement that the legislative and judicial branches, higher education institutions, and vocational-technical schools notify the OPM secretary of any change in state property ownership. It also eliminates a requirement that agencies notify the DAS commissioner of any new or terminated leases of state property. However, the law, unchanged by the bill, requires (1) the OPM secretary's approval of most state property sales and (2) regulations that mandate that the DAS commissioner submit lease, lease renewal, and hold-over agreements to the OPM secretary for approval.

Additionally, the bill eliminates requirements that DAS (1) maintain a comprehensive and complete inventory of all improved and unimproved real estate available to the state by lease; (2) prepare an annual inventory of state-owned improved and unimproved real estate that is unused or underutilized; and (3) submit, annually by January 1, to the Appropriations and GAE committees, a status report on the inventory and recommend possible reuse or disposition of such

real estate. However, the law, unchanged by the bill, continues to require that the OPM secretary determine (1) the appropriate use of state real property and (2) the efficiency of each state agency's use of real property under its control.

§ 1 — FOIA FEES

The bill requires DAS to establish guidelines for agencies on the calculation of fees charged for copies of computer-stored public records that are requested under FOIA. Currently, DAS must monitor the fees to ensure that they are reasonable and consistent among agencies. Under FOIA, an agency that maintains computer records must provide copies of such records upon request, unless they contain information that is exempt from disclosure. Fees charged for providing copies may not exceed the agency's cost of making the copies.

§§ 4-10, 12-15, 21-23, & 25 — REPORTING REQUIREMENTS ELIMINATED OR MODIFIED

The bill eliminates or modifies numerous reporting requirements, as shown in Table 1.

Table 1: Reporting Requirements Eliminated Or Modified

Section	Requirement	Eliminated or Modified	New Requirement (if applicable)
4	DAS annual report to the legislature on (1) agencies with delegated purchasing authority, (2) purchases made under that authority, and (3) efficiencies realized from the delegated authority	Eliminated	N/A
5	DAS commissioner to include a list of emergency purchases in his annual report	Modified	Information must be posted on DAS website
6	DAS annual report to the legislature, auditors, and comptroller on all contract awards	Modified	Information must be posted on DAS website
7	DAS to (1) develop a plan to increase procurement of goods that contain recycled materials and recyclable or	Modified	DAS must (1) whenever practicable, try to increase state procurement of these

Section	Requirement	Eliminated or Modified	New Requirement (if applicable)
	remanufactured products and (2) report annually on the plan's implementation		goods and products and (2) post on its website information regarding such efforts
8	DAS must develop and implement a plan to eliminate the use of disposable and single-use products in state government, including an implementation schedule and list of products that may be affected	Modified	DAS must eliminate the use of these products whenever practicable
9	DAS annual report to the State Properties Review Board	Modified	Eliminates requirement that DAS include in the report recommendations for statutory changes
10	State agencies with care, control, and supervision of state property must (1) develop and update a plan to reduce the use of disposable and single-use products and increase recycling and (2) report annually on the implementation of a recycling program	Modified	Agencies must implement and post on their websites a policy that reduces the use of disposable and single-use products and increases recycling
10	State agencies implement a white paper recycling program	Eliminated	N/A
12	Reports by state agencies, boards, and commissions to the Statewide Security Council on workplace violence incidents	Modified	Reports must be biannual, rather than quarterly, and the bill eliminates the requirement that the reports include security-related expenditures
13-15	DAS annual reports on (1) technology projects planned or underway and (2) state agency expenditures for information and telecommunication systems	Modified	Information must be included in an existing DAS report
21	DAS annual report to the legislature on state employee telecommuting	Modified	Information must be included in DAS annual report to the governor on state employees

Section	Requirement	Eliminated or Modified	New Requirement (if applicable)
22	Quarterly reports by agency heads to OPM concerning suggestions from state employees and retirees	Eliminated	N/A
23	DAS adoption of regulations concerning fees for medical services provided to state workers' compensation claimants	Eliminated	N/A
25	Annual report by state contracting agencies to the governor and legislature on the status of capital projects costing more than \$500,000	Eliminated	N/A

REPEALED BOARD AND COMMITTEES

The bill eliminates (1) the Senior Executive Service Board and the state's senior executive service (§§ 16, 17, and 20), (2) the technology advisory committee (§§ 24 and 25), and (3) the quality control committee (§ 25). Each of these entities has been defunct for several years.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 15 Nay 0 (03/21/2012)