

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 12-205—sSB 339

Government Administration and Elections Committee

**AN ACT REVISING STATUTES CONCERNING THE DEPARTMENT
OF ADMINISTRATIVE SERVICES**

SUMMARY: This act 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 act 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 act 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 act requires them to do so in the manner and form the secretary prescribes. The act also requires that all executive branch agencies (except for higher education institutions and vocational-technical schools) obtain OPM's written permission before any change in state property's ownership or use, or before its use by another state agency or a non-state entity.

The act 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.

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Requirements Eliminated

The act 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 act, 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 act eliminates requirements that DAS (1) prepare an annual inventory of state-owned improved and unimproved real estate that is unused or underutilized and (2) 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 act, 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 act requires DAS to establish guidelines for agencies on the calculation of fees charged for copies of computer-stored public records requested under FOIA. Under prior law, DAS had to monitor the fees to ensure that they were reasonable and consistent among agencies. Under FOIA, an agency that maintains computer records must provide copies of the 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 act 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	Modified	Information must be posted on DAS website

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Section	Requirement	Eliminated or Modified	New Requirement (if applicable)
	contract awards		
7	DAS to (1) develop a plan to increase procurement of goods that contain recycled materials and recyclable or remanufactured products and (2) report annually on the plan's implementation	Modified	DAS must (1) whenever practicable, try to increase state procurement of these 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 act 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	Merged into 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
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	Eliminated	N/A

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Section	Requirement	Eliminated or Modified	New Requirement (if applicable)
	projects costing more than \$500,000		

§§ 16, 17, 20, 24, & 25 — REPEALED ENTITIES

The act eliminates the (1) Senior Executive Service Board and the state's senior executive service, which allowed classified employees with five years' experience to serve in upper-level, unclassified state jobs without losing their classified status (§§ 16, 17, and 20); (2) technology advisory committee, which provided technical expertise and advice to the legislature (§§ 24 and 25); and (3) quality control committee, which oversaw and evaluated performance incentive programs established by the DAS commissioner for managerial and confidential employees in the executive branch (§ 25). Each of these entities is defunct.

OLR Tracking: TA:RP:PF:eh