



Senate

General Assembly

File No. 52

January Session, 2015

Senate Bill No. 877

Senate, March 10, 2015

The Committee on Government Administration and Elections reported through SEN. CASSANO, S. of the 4th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

***AN ACT CONCERNING REVISIONS TO STATUTES CONCERNING
THE DEPARTMENT OF ADMINISTRATIVE SERVICES.***

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

1 Section 1. Subdivision (1) of subsection (k) of section 4a-60g of the
2 general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective July 1, 2015*):

4 (k) (1) On or before January 1, 2000, the Commissioner of
5 Administrative Services shall establish a process for certification of
6 small contractors and minority business enterprises as eligible for set-
7 aside contracts. Each certification shall be valid for a period not to
8 exceed two years, unless the Commissioner of Administrative Services
9 determines that an extension of such certification is warranted,
10 provided any such extension shall not exceed a period of six months
11 from such certification's original expiration date. Any paper
12 application for certification shall be no longer than six pages. The
13 Department of Administrative Services shall maintain on its web site

14 an updated directory of small contractors and minority business
15 enterprises certified under this section.

16 Sec. 2. Subsection (i) of section 4b-21 of the general statutes is
17 repealed and the following is substituted in lieu thereof (*Effective July*
18 *1, 2015*):

19 (i) Upon approval of the proposed action of the Commissioner of
20 Administrative Services by said secretary and board, said
21 commissioner shall request approval of such action by the joint
22 standing committees of the General Assembly having cognizance of
23 matters relating to state revenue and the purchase and sale of state
24 property and facilities. Each committee shall have not more than thirty
25 days from the date such request is received to convene a meeting to
26 vote to approve or disapprove such action or to notify the
27 Commissioner of Administrative Services, in writing, that it is waiving
28 its right to convene a meeting. If such request is withdrawn, altered,
29 amended or otherwise changed, said commissioner shall resubmit
30 such request, and each committee shall have not more than thirty days
31 from the date of such resubmittal to convene a meeting to vote to
32 approve or disapprove such action or to notify the Commissioner of
33 Administrative Services, in writing, that it is waiving its right to
34 convene a meeting. If a committee does not act on a request or the
35 resubmittal of a request, as the case may be, within such thirty-day
36 period or notifies the commissioner that it is waiving its right to
37 convene a meeting prior to the expiration of such thirty-day period,
38 the request shall be deemed to be approved by the committee.

39 Sec. 3. Section 4d-9 of the general statutes is repealed and the
40 following is substituted in lieu thereof (*Effective July 1, 2015*):

41 There shall be a Technical Services Revolving Fund in the
42 Department of Administrative Services for the purchase, installation
43 and utilization of information and telecommunication systems, as such
44 terms are defined in section 4d-1, for budgeted agencies of the state.
45 The Commissioner of Administrative Services and the Secretary of the
46 Office of Policy and Management shall jointly be responsible for the

47 administration of said fund. [Said commissioner and secretary shall
48 develop appropriate review procedures and accountability standards
49 for said fund and measures for determining the performance of the
50 fund in carrying out the purposes of this part.] Said commissioner and
51 said secretary shall regularly review said fund using generally
52 accepted accounting principles and the auditors of public accounts
53 shall conduct an annual comprehensive financial review of said fund.

54 Sec. 4. Subsection (e) of section 1-205 of the general statutes is
55 repealed and the following is substituted in lieu thereof (*Effective July*
56 *1, 2015*):

57 (e) The Freedom of Information Commission [, and the Department
58 of Administrative Services with respect to access to and disclosure of
59 computer-stored public records,] shall conduct training sessions, at
60 least annually, for members of public agencies for the purpose of
61 educating such members as to the requirements of sections 1-7 to 1-14,
62 inclusive, 1-16 to 1-18, inclusive, 1-200 to 1-202, inclusive, 1-205, 1-206,
63 1-210 to 1-217, inclusive, 1-225 to 1-232, inclusive, 1-240, 1-241 and 19a-
64 342.

65 Sec. 5. Subsection (d) of section 10-500 of the general statutes is
66 repealed and the following is substituted in lieu thereof (*Effective July*
67 *1, 2015*):

68 (d) The Office of Early Childhood shall constitute a successor
69 department, in accordance with the provisions of sections 4-38d, 4-38e
70 and 4-39, to (1) the Department of Education with respect to sections 8-
71 210, 10-16n, 10-16p to 10-16r, inclusive, 10-16u, 10-16w, 10-16aa, 17b-
72 749a, 17b-749c and 17b-749g to 17b-749i, inclusive; (2) the Department
73 of Social Services (A) with respect to sections 17b-12, 17b-705a, 17b-730,
74 17b-733 to 17b-736, inclusive, 17b-738, [17b-739,] 17b-749, 17b-749d to
75 17b-749f, inclusive, 17b-749j, 17b-749k, 17b-750 to 17b-751a, inclusive,
76 17b-751d and 17b-751e, and (B) for the purpose of administering the
77 child care development block grant pursuant to the Child Care and
78 Development Block Grant Act of 1990; and (3) the Department of
79 Public Health (A) with respect to sections 10a-194c, 12-634, 17a-28, 17a-

80 101 and 19a-80f, (B) for the purpose of regulating child day care
 81 services pursuant to sections 19a-77, 19a-79, 19a-80, 19a-82 and 19a-84
 82 to 19a-87e, inclusive, (C) for the purpose of the conduct of regulation of
 83 youth camps, pursuant to sections 19a-420 to 19a-434, inclusive, and
 84 (D) for the purpose of administering the Maternal, Infant, and Early
 85 Childhood Home Visiting Program authorized under the Patient
 86 Protection and Affordable Care Act of 2010, P.L. 111-148.

87 Sec. 6. Sections 4a-1a, 4d-10 and 17b-739 of the general statutes are
 88 repealed. (*Effective July 1, 2015*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2015</i>	4a-60g(k)(1)
Sec. 2	<i>July 1, 2015</i>	4b-21(i)
Sec. 3	<i>July 1, 2015</i>	4d-9
Sec. 4	<i>July 1, 2015</i>	1-205(e)
Sec. 5	<i>July 1, 2015</i>	10-500(d)
Sec. 6	<i>July 1, 2015</i>	Repealer section

GAE *Joint Favorable*

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 eliminates the requirement that the Department of Administrative Services (DAS) notify the Office of Early Childhood to assess child care service needs of DAS constructed, acquired or gifted space that accommodates 300 or more state employees. There is no fiscal impact associated with the elimination of the statute, as the state is not currently performing this function.

The bill also: 1) makes revisions to statutes concerning certification of minority business enterprises; 2) legislative approval of conveyances of state property and review of the Technical Services Revolving Fund; 3) eliminates a training requirement for computer-stored public records; and 4) eliminates the Capital Equipment Data Processing Revolving Fund. These provisions have no fiscal impact.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**SB 877*****AN ACT CONCERNING REVISIONS TO STATUTES CONCERNING THE DEPARTMENT OF ADMINISTRATIVE SERVICES.*****SUMMARY:**

This bill makes several unrelated changes affecting the Department of Administrative Services (DAS). Among other things, it:

1. allows the DAS commissioner to extend, for up to six months, the expiration date of a small or minority-owned business's set-aside program certification if she determines that such an extension is warranted; under current law, the certification is valid for up to two years (§ 1) (see BACKGROUND);
2. specifies that a sale of surplus state property is deemed approved by the legislature's Finance and Government Administration and Elections committees if they both waive their right to hold a meeting concerning the sale;
3. (a) expands the department's Technical Services Revolving Fund's permitted uses and (b) modifies the fund's review requirements; and
4. eliminates an obsolete requirement that DAS set aside space for child care facilities in certain state buildings.

The bill also eliminates a requirement that DAS conduct annual training sessions for members of public agencies on access to and disclosure of computer-stored public records under the Freedom of Information Act (FOIA). By law, the Freedom of Information Commission must conduct annual training sessions for members of public agencies on access to and disclosure of public records under FOIA generally (§4).

Lastly, the bill eliminates the currently defunct Capital Equipment Data Processing Revolving Fund. Current law requires using the fund for purchasing data processing equipment and related items necessary to maintain or improve the state's data processing functions (§6).

EFFECTIVE DATE: July 1, 2015

§ 2 — SALE OF SURPLUS STATE PROPERTY

By law, the DAS commissioner must submit sales of surplus state property to the legislature's Finance and Government Administration and Elections committees. The committees have 30 days from receipt of an agreement to approve or disapprove it or notify the commissioner that they waive their right to hold a meeting. The agreement is deemed approved if the committees do not act within this time period. The bill specifies that the agreement is also deemed approved if the committees notify the commissioner that they waive their right to hold a meeting within that time period.

§ 3 — TECHNICAL SERVICES REVOLVING FUND

The bill allows DAS's Technical Services Revolving Fund to also be used for purchasing, installing, and using telecommunication systems. Under current law, the fund's use is limited to purchasing, installing, and using information systems. By law, telecommunication systems are telephone equipment and transmission facilities, either alone or in combination with information systems, for electronically distributing all forms of information, including voice, data, and images.

Under current law, the DAS commissioner and Office of Policy and Management (OPM) secretary must develop appropriate review procedures and accountability standards for the fund and measures for determining its performance. The bill instead requires the (1) commissioner and secretary to regularly review the fund using generally accepted accounting principles and (2) Auditors of Public Accounts to conduct an annual comprehensive financial review of the fund.

§§ 5 & 6 — CHILD CARE FACILITIES IN STATE BUILDINGS

The bill eliminates an obsolete requirement that DAS set aside space for child care facilities in certain state buildings. Under current law, DAS must set aside the space if there is an unmet need for child care for at least 30 children of a building's employees and other potential participants, as determined by the Office of Early Childhood with DAS's assistance. The requirement applies to state buildings that accommodate 300 or more state employees that the state (1) constructs, acquires, or receives as a gift or (2) alters, repairs, or makes additions to if the alterations, repairs, or additions affect 25% or more of the building's square footage.

BACKGROUND

Set-Aside Program

By law, state agencies and political subdivisions, other than municipalities, must set aside 25% of the total value of all contracts they let for construction, goods, and services each year for exclusive bidding by certified small contractors (SBE). The agencies must further reserve 25% of the set-aside value (6.25% of the total) for exclusive bidding by certified minority business enterprises (MBE).

An SBE is a business that (1) maintains its principal place of business in Connecticut, (2) had gross revenues of \$15 million or less during its most recent fiscal year, and (3) is independent. MBEs are small businesses owned by women, minorities, or people with disabilities who have managerial and technical competence and experience directly related to their principal business activities.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable

Yea 15 Nay 0 (02/25/2015)