



Senate

General Assembly

File No. 620

January Session, 2017

Substitute Senate Bill No. 991

Senate, April 13, 2017

The Committee on Government Administration and Elections reported through SEN. FLEXER of the 29th Dist. and SEN. MCLACHLAN, M., of the 24th Dist., Chairpersons of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT MAKING 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. Subsection (j) of section 6-38b of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2017*):

4 (j) The commission, in consultation with the Judicial Department,
5 shall adopt rules as it deems necessary for conduct of its internal
6 affairs, including, but not limited to, rules that provide for: (1) The
7 provision of timely, consistent and reliable access to a state marshal for
8 persons applying for a restraining order under section 46b-15; (2) the
9 provision of services to persons with limited English proficiency; (3)
10 the provision of services to persons who are deaf or hearing impaired;
11 and (4) service of process that is a photographic copy, micrographic
12 copy or other electronic image of an original document that clearly and

13 accurately copies such original document. The commission shall adopt
14 regulations, in accordance with the provisions of chapter 54, for the
15 application and investigation requirements for filling vacancies in the
16 position of state marshal.

17 Sec. 2. Subsections (f) to (h), inclusive, of section 4b-21 of the general
18 statutes are repealed and the following is substituted in lieu thereof
19 (*Effective from passage*):

20 (f) If the municipality declines or is deemed to have declined the
21 conveyance of the property, the Commissioner of Administrative
22 Services may sell, exchange or lease, or enter into agreements
23 concerning, such land, improvement, interest or part thereof, after [(1)
24 notifying (A) the municipality or municipalities in which such land,
25 improvement or interest is located, (B) the members of the General
26 Assembly representing such municipality or municipalities, (C) the
27 regional planning organization, as defined in section 4-124i, of the
28 region where the land, improvement or interest is located, (D) the
29 Connecticut Economic Resource Center, and (E) any potential
30 developer of an incentive housing development, as defined in section
31 8-13m, who has registered with the Commissioner of Housing to be
32 notified of any such state surplus land, and (2) obtaining the approval
33 of (A) the Secretary of the Office of Policy and Management, (B) the
34 State Properties Review Board, and (C) the joint standing committees
35 of the General Assembly having cognizance of matters relating to (i)
36 state revenue, and (ii) the purchase and sale of state property and
37 facilities, and (3) if such land, improvement, interest or part thereof
38 was purchased or improved with proceeds of tax-exempt obligations
39 issued or to be issued by the state, obtaining the approval of the
40 Treasurer. The Treasurer may disapprove such a transaction only if the
41 transaction would affect the tax-exempt status of such obligations and
42 could not be modified to maintain such tax-exempt status. If a
43 proposed agreement for such a conveyance has not been submitted to
44 the State Properties Review Board within one year after the
45 Commissioner of Administrative Services provides such notice to such
46 municipality and such members of the General Assembly, or if the

47 board does not approve the proposed agreement within two years
48 after such notice, the Commissioner of Administrative Services may
49 not convey such land, improvement or interest without again so
50 notifying such municipality and such members of the General
51 Assembly.] complying with the requirements set forth in subsections
52 (g) to (i), inclusive, of this section and using the method of conveyance
53 determined by the Commissioner of Administrative Services to serve
54 the best interests of the state. In making such determination, the
55 commissioner shall consider offering the property to abutting
56 landowners before offering the property for general sale.

57 (g) Prior to selling, exchanging or leasing, or otherwise entering into
58 agreements concerning such property, the commissioner shall notify
59 (1) the municipality or municipalities in which such land,
60 improvement or interest is located, (2) the members of the General
61 Assembly representing such municipality or municipalities, (3) the
62 regional planning organization of the region where the land,
63 improvement or interest is located, (4) the Connecticut Economic
64 Resource Center, and (5) any potential developer of an incentive
65 housing development, as defined in section 8-13m, who has registered
66 with the Commissioner of Housing to be notified of any such state
67 surplus land. In the case of a proposed lease of land, an improvement
68 to land or an interest in land, or any part thereof, with a person, firm or
69 corporation in the private sector, for a term of six months or more, the
70 Commissioner of Administrative Services shall comply with such
71 notice requirement by notifying in writing the chief executive officer of
72 the municipality or municipalities in which the land, improvement or
73 interest is located and the members of the General Assembly
74 representing any such municipality, not less than two weeks before
75 seeking the [approval of said secretary, board and committees,]
76 approvals required under subsection (h) of this section concerning the
77 proposed lease and the manner in which the lessee proposes to use the
78 land, improvement or interest. If a proposed agreement for such a
79 conveyance has not been submitted to the State Properties Review
80 Board pursuant to subsection (h) of this section within one year after
81 the Commissioner of Administrative Services provides the notice to

82 any such municipality and such members of the General Assembly, or
83 if the board does not approve the proposed agreement within two
84 years after such notice, the Commissioner of Administrative Services
85 may not convey such land, improvement or interest without again so
86 notifying any such municipality and such members of the General
87 Assembly.

88 (h) The Commissioner of Administrative Services shall obtain the
89 approval of the proposed agreement for a conveyance of land,
90 improvement, interest or part thereof under this section from (1) the
91 Secretary of the Office of Policy and Management, (2) the State
92 Properties Review Board, (3) the joint standing committees of the
93 General Assembly having cognizance of matters relating to (A) state
94 revenue, and (B) the purchase and sale of state property and facilities,
95 and (4) if such land, improvement, interest or part thereof was
96 purchased or improved with proceeds of tax-exempt obligations
97 issued or to be issued by the state, the Treasurer. The Treasurer may
98 disapprove such a conveyance only if the conveyance would affect the
99 tax-exempt status of such obligations and could not be modified to
100 maintain such tax-exempt status. The Treasurer shall execute and
101 deliver any deed or instrument necessary to convey the title to any
102 property the sale or exchange of which or a contract for the sale or
103 exchange of which is authorized by this section.

104 Sec. 3. Section 4a-67d of the general statutes is repealed and the
105 following is substituted in lieu thereof (*Effective from passage*):

106 (a) The fleet average for cars or light duty trucks purchased by the
107 state shall: (1) On and after October 1, 2001, have a United States
108 Environmental Protection Agency estimated highway gasoline mileage
109 rating of at least thirty-five miles per gallon and on and after January 1,
110 2003, have a United States Environmental Protection Agency estimated
111 highway gasoline mileage rating of at least forty miles per gallon, (2)
112 comply with the requirements set forth in 10 CFR 490 concerning the
113 percentage of alternative-fueled vehicles required in the state motor
114 vehicle fleet, and (3) obtain the best achievable mileage per pound of

115 carbon dioxide emitted in its class. The alternative-fueled vehicles
116 purchased by the state to comply with said requirements shall be
117 capable of operating on natural gas or electricity or any other system
118 acceptable to the United States Department of Energy that operates on
119 fuel that is available in the state.

120 (b) Notwithstanding any other provisions of this section, (1) on and
121 after January 1, 2008: (A) At least fifty per cent of all cars and light
122 duty trucks purchased or leased by the state shall be alternative-fueled,
123 hybrid electric or plug-in electric vehicles, (B) all alternative-fueled
124 vehicles purchased or leased by the state shall be certified to the
125 California Air Resources Board's Low Emission Vehicle II Ultra Low
126 Emission Vehicle Standard, and (C) all gasoline-powered light duty
127 and hybrid vehicles purchased or leased by the state shall, at a
128 minimum, be certified to the California Air Resource Board's Low
129 Emission Vehicle II Ultra Low Emission Vehicle Standard, and (2) on
130 and after January 1, 2012, one hundred per cent of such cars and light
131 duty trucks shall be alternative-fueled, hybrid electric or plug-in
132 electric vehicles. If the Commissioner of Administrative Services
133 determines that the vehicles required by the provisions of this
134 subsection are not available for purchase or lease, the Commissioner of
135 Administrative Services shall include an explanation of such
136 determination in the annual report described in subsection [(f)] (e) of
137 this section.

138 (c) The provisions of subsections (a) and (b) of this section shall not
139 apply to any [vehicle of the Department of Emergency Services and
140 Public Protection that the Commissioner of Emergency Services and
141 Public Protection designates as necessary for the Department of
142 Emergency Services and Public Protection to carry out its mission,
143 provided the Commissioner of Administrative Services approves of
144 such designation and, in consultation with the Commissioner of
145 Emergency Services and Public Protection, provides an explanation of
146 why the provisions of subsections (a) and (b) of this section should not
147 apply to such vehicles] emergency vehicle.

148 (d) As used in this section, (1) the terms "car" and "light duty truck"
149 [shall be as defined] have the same meaning as provided in the United
150 States Department of Energy Publication DOE/CE-0019/8, or any
151 successor publication, (2) "emergency vehicle" means a vehicle used by
152 the Department of Motor Vehicles, Department of Emergency Services
153 and Public Protection, Department of Energy and Environmental
154 Protection, Department of Correction, State Capitol Police, Department
155 of Mental Health and Addiction Services, Department of
156 Developmental Services, Department of Social Services, Department of
157 Children and Families, Department of Transportation, Judicial
158 Department, Board of Pardons and Paroles, Board of Regents for
159 Higher Education, The University of Connecticut or The University of
160 Connecticut Health Center for law enforcement or emergency response
161 purposes, and (3) "hybrid" means a passenger car that draws
162 acceleration energy from two on-board sources of stored energy that
163 consists of either an internal combustion or heat engine which uses
164 combustible fuel and a rechargeable energy storage system, and, for
165 any passenger car or light duty truck with a model year of 2004 or
166 newer, that is certified to meet or exceed the California LEV (Low
167 Emission Vehicle) II LEV Standard.

168 [(e) Not later than October 1, 2007, the Commissioner of
169 Administrative Services shall file a report with the joint standing
170 committees of the General Assembly having cognizance of matters
171 relating to government administration, the environment and energy
172 that includes: (1) Details on the composition of the state fleet,
173 including, but not limited to, a listing of all vehicles owned, leased or
174 used by the Departments of Transportation and Emergency Services
175 and Public Protection, the make, model and fuel type of vehicles that
176 compose the state fleet and the amount of fuel, including alternative
177 fuels, that each vehicle uses, and (2) a copy of the determination made
178 by the Commissioner of Energy and Environmental Protection
179 pursuant to subsection (a) of section 2 of public act 07-4 of the June
180 special session. The Departments of Transportation and Emergency
181 Services and Public Protection shall submit all data requested of such
182 departments by the Department of Administrative Services in

183 connection with the preparation of such report.]

184 [(f)] (e) On or before January 1, 2008, and annually thereafter, the
185 Commissioner of Administrative Services shall file a report with the
186 joint standing committees of the General Assembly having cognizance
187 of matters relating to government administration, the environment and
188 energy that includes: (1) Details on the composition of the state fleet,
189 including, but not limited to, a listing of all vehicles owned, leased or
190 used by the Departments of Transportation and Emergency Services
191 and Public Protection, the make, model and fuel type of vehicles that
192 compose the state fleet and the amount of fuel, including alternative
193 fuels, that each vehicle uses, (2) any changes to the determination
194 made by the Commissioner of Energy and Environmental Protection
195 pursuant to subsection (a) of section 35 of public act 07-4 of the June
196 special session or any update concerning the waiver application
197 submitted pursuant to subsection (a) of section 35 of public act 07-4 of
198 the June special session, as applicable, (3) [a listing of any vehicle
199 exempted pursuant to subsection (c) of this section along with the
200 Commissioner of Administrative Services' explanation for such
201 exemption, (4)] any changes or amendments to the plan required by
202 subsection (b) of section 35 of public act 07-4 of the June special
203 session, and [(5)] (4) any changes or amendments to the plan required
204 by subsection (c) of section 35 of public act 07-4 of the June special
205 session. The Departments of Transportation and Emergency Services
206 and Public Protection shall submit all data requested of [such] said
207 departments by the Department of Administrative Services in
208 connection with the preparation of such report.

209 [(g)] (f) The Commissioner of Administrative Services may enter
210 into any agreement necessary to carry out the provisions of
211 [subsections] subsection (e) [and (f)] of this section.

212 [(h)] For purposes of this section, "hybrid" means a passenger car
213 that draws acceleration energy from two on board sources of stored
214 energy that consists of either an internal combustion or heat engine
215 which uses combustible fuel and a rechargeable energy storage system,

216 and, for any passenger car or light duty truck with a model year of
217 2004 or newer, that is certified to meet or exceed the California LEV
218 (Low Emission Vehicle) II LEV Standard.]

219 [(i)] (g) In performing the requirements of this section, the
220 Commissioners of Administrative Services and Energy and
221 Environmental Protection shall, whenever possible, consider the use of
222 and impact on Connecticut-based companies.

223 Sec. 4. Subsection (a) of section 4b-93 of the general statutes is
224 repealed and the following is substituted in lieu thereof (*Effective*
225 *October 1, 2017*):

226 (a) Every contract subject to this chapter shall include plans and
227 specifications detailing all labor and materials to be furnished
228 thereunder. Such specifications shall have a separate section for each of
229 the following classes of work if, in the estimate of the awarding
230 authority, the class of work will exceed [twenty-five] fifty thousand
231 dollars: (1) Masonry work; (2) electrical work; (3) [mechanical work
232 other than heating, ventilating and air conditioning work] plumbing;
233 and (4) heating, ventilating and air conditioning work. Such
234 specifications shall also have a separate section for each other class of
235 work for which the awarding authority deems it necessary or
236 convenient.

237 Sec. 5. Subsection (l) of section 4a-60g of the general statutes is
238 repealed and the following is substituted in lieu thereof (*Effective from*
239 *passage*):

240 (l) On or before August [first] thirtieth of each year, each awarding
241 agency setting aside contracts or portions of contracts under
242 subdivision (2) of subsection (b) of this section shall prepare a report
243 establishing small and minority business state set-aside program goals
244 for the twelve-month period beginning July first in the same year. Each
245 such report shall be submitted to the Commissioner of Administrative
246 Services, the Commission on Human Rights and Opportunities and the
247 cochairpersons and ranking members of the joint standing committees

248 of the General Assembly having cognizance of matters relating to
 249 planning and development and government administration.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2017</i>	6-38b(j)
Sec. 2	<i>from passage</i>	4b-21(f) to (h)
Sec. 3	<i>from passage</i>	4a-67d
Sec. 4	<i>October 1, 2017</i>	4b-93(a)
Sec. 5	<i>from passage</i>	4a-60g(l)

Statement of Legislative Commissioners:

In Section 2(g), "as defined in section 4-124i" was deleted for accuracy.

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 makes a series of process changes to various programs within the Department of Administrative (DAS) with regards to state property disposition, expanding the exemptions from fuel-efficiency requirements to include all emergency vehicles, and increasing the threshold requirements with respect to design-bid-build contracts. These statute revisions concerning DAS will not result in a fiscal impact.

The Out Years**State Impact:** None**Municipal Impact:** None

OLR Bill Analysis**sSB-991*****AN ACT MAKING REVISIONS TO STATUTES CONCERNING THE DEPARTMENT OF ADMINISTRATIVE SERVICES.*****SUMMARY**

This bill makes several changes with respect to statutes affecting the Department of Administrative Services (DAS). Among other things, it (1) requires DAS to consider offering surplus state property to abutting landowners before offering it for general sale; (2) expands the types of state-owned vehicles exempt from fuel-efficiency requirements to include all emergency vehicles; and (3) for design-bid-build contracts, increases, from \$25,000 to \$50,000, the threshold at which the contractor must include a separate section for specific sub-classes at work.

The bill also requires the State Marshal Commission, which is within DAS, to consult with the Judicial Department when adopting rules for the conduct of the commission's internal affairs. These rules must provide for, among other things, the provision of timely, consistent, and reliable access to a state marshal for people applying for certain restraining orders (§ 1).

The bill additionally delays, from August 1 to August 30, the annual deadline by which state agencies and political subdivisions, other than municipalities, must notify DAS and other parties of their small contractor and minority business enterprise contracting set-aside goals for the current fiscal year (§ 5). (By law, municipalities are not subject to this reporting requirement.)

Lastly, the bill makes technical changes.

EFFECTIVE DATE: Upon passage, except that the (1) State Marshal

Commission provision is effective July 1, 2017, and (2) contracting provision is effective October 1, 2017.

§ 2 — SURPLUS STATE PROPERTY

Existing law establishes numerous requirements concerning the disposition of surplus state property. Among other things, it requires DAS to first offer a surplus property to the municipality in which it is located if no state agencies express interest in the property. If the municipality declines to acquire the property, DAS may offer the property to other parties through a sale, lease, exchange, or other agreement. The bill requires DAS to consider offering surplus property to abutting landowners before offering it for general sale.

§ 3 — FUEL EFFICIENCY REQUIREMENTS

The bill expands the types of state-owned vehicles exempt from state fuel-efficiency and emissions requirements to include all emergency vehicles. Current law exempts only those vehicles used by the Department of Emergency Services and Public Protection (DESPP) that the DESPP commissioner, subject to the DAS commissioner's approval, designates as necessary for the department's mission.

Specifically, the bill exempts vehicles from the following agencies if used for law enforcement or emergency purposes: DESPP, Motor Vehicles, Energy and Environmental Protection, Correction, State Capitol Police, Mental Health and Addiction Services, Developmental Services, Social Services, Children and Families, Transportation, Judicial Department, Board of Pardons and Paroles, Board of Regents for Higher Education, and UConn and the UConn Health Center. Unlike current law, the bill does not require the DAS commissioner to approve these designations or explain why the fuel-efficiency and emissions requirements should not apply.

Additionally, existing law requires the DAS commissioner to submit an annual report about the state vehicle fleet to the Energy and Technology, Environment, and Government Administration and Elections committees. The bill eliminates a requirement that the report

include a listing of vehicles exempt for law enforcement purposes and the commissioner's explanation for these exemptions.

§ 4 — DESIGN-BID-BUILD CONTRACTS

Existing law requires that state public works contracts using the design-bid-build delivery method include plans and specifications detailing all labor and materials to be furnished under the contract. Under current law, the specifications must separately list the following classes of work if the awarding authority estimates that they will exceed \$25,000: (1) masonry; (2) electrical; (3) mechanical, other than heating, ventilating, and air conditioning; and (4) heating, ventilating, and air conditioning. The bill increases this threshold to \$50,000 and renames the third class as "plumbing."

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 15 Nay 2 (03/24/2017)