



General Assembly

January Session, 2017

***Raised Bill No. 991***

LCO No. 4350



Referred to Committee on GOVERNMENT ADMINISTRATION  
AND ELECTIONS

Introduced by:  
(GAE)

***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. Section 6-38b of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2017*):

3 (a) There is established a State Marshal Commission which shall  
4 consist of eight members appointed as follows: (1) The Chief Justice  
5 shall appoint one member who shall be a judge of the Superior Court;  
6 (2) the speaker of the House of Representatives, the president pro  
7 tempore of the Senate, the majority and minority leaders of the House  
8 of Representatives and the majority and minority leaders of the Senate  
9 shall each appoint one member; and (3) the Governor shall appoint one  
10 member who shall serve as chairperson. Of the seven members  
11 appointed pursuant to subdivisions (2) and (3) of this subsection, no  
12 more than four of such members may be members of any state bar. No  
13 member of the commission shall be a state marshal, except that two  
14 state marshals appointed by the State Marshals Advisory Board in

15 accordance with section 6-38c shall serve as ex-officio, nonvoting  
16 members of the commission.

17 (b) The chairperson shall serve for a three-year term and all  
18 appointments of members to replace those whose terms expire shall be  
19 for terms of three years.

20 (c) If any vacancy occurs on the commission, the appointing  
21 authority having the power to make the initial appointment under the  
22 provisions of this section shall appoint a person for the unexpired term  
23 in accordance with the provisions of this section.

24 (d) Members shall serve without compensation but shall be  
25 reimbursed for actual expenses incurred while engaged in the duties of  
26 the commission.

27 (e) The commission, in consultation with the State Marshals  
28 Advisory Board, shall adopt regulations in accordance with the  
29 provisions of chapter 54 to establish professional standards, including  
30 training requirements and minimum fees for execution and service of  
31 process.

32 (f) The commission shall be responsible for the equitable assignment  
33 of service of restraining orders to the state marshals in each county and  
34 shall adopt policies to ensure that such restraining orders are served  
35 expeditiously. Failure of any state marshal to accept for service any  
36 restraining order assigned by the commission or to serve such  
37 restraining order expeditiously without good cause shall be sufficient  
38 for the convening of a hearing for removal under subsection (i) of this  
39 section.

40 (g) Any vacancy in the position of state marshal in any county as  
41 provided in section 6-38 shall be filled by the commission with an  
42 applicant who shall be an elector in the county where such vacancy  
43 occurs. Any applicant for such vacancy shall be subject to the  
44 application and investigation requirements of the commission.

45 (h) Except as provided in section 6-38f, no person may be a state  
46 marshal and a state employee at the same time. This subsection does  
47 not apply to any person who was both a state employee and a deputy  
48 sheriff or special deputy sheriff on April 27, 2000.

49 (i) No state marshal may be removed except by order of the  
50 commission for cause after due notice and hearing.

51 (j) The commission, in consultation with the Judicial Department,  
52 shall adopt rules as it deems necessary for conduct of its internal  
53 affairs, including, but not limited to, rules that provide for: (1) [The  
54 provision of timely] Timely, consistent and reliable access to a state  
55 marshal for persons applying for a restraining order under section 46b-  
56 15; (2) the [provision of] distribution of information to state marshals  
57 concerning services to (A) persons with limited English proficiency;  
58 [(3) the provision of services to] and (B) persons who are deaf or  
59 hearing impaired; and [(4)] (3) service of process that is a photographic  
60 copy, micrographic copy or other electronic image of an original  
61 document that clearly and accurately copies such original document.  
62 The commission shall adopt regulations, in accordance with the  
63 provisions of chapter 54, for the application and investigation  
64 requirements for filling vacancies in the position of state marshal.

65 (k) The commission shall be within the Department of  
66 Administrative Services, provided the commission shall have  
67 independent decision-making authority.

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

71 (e) After receiving notification from the secretary that such land,  
72 improvement or interest may be treated as surplus, the Commissioner  
73 of Administrative Services shall offer to convey such land,  
74 improvement or interest to the municipality in which the land,  
75 improvement or interest is located, including, but not limited to, by

76 selling, leasing, exchanging or entering into agreements concerning  
77 such land, improvement or interest, provided (1) prior to such  
78 conveyance, the municipality by vote of its legislative body accepts  
79 such conveyance, and (2) a resolution of such municipal action,  
80 verified by the clerk of the municipality, is delivered to the  
81 Commissioner of Administrative Services not more than [one hundred  
82 twenty] ninety days after receiving notice from the commissioner  
83 regarding the proposed conveyance. If the municipality fails to deliver  
84 such resolution to the commissioner within such [one-hundred-  
85 twenty-day] ninety-day period, the municipality shall be deemed to  
86 have declined the proposed conveyance, provided the commissioner  
87 may extend the [one-hundred-twenty-day] ninety-day period deadline  
88 by not more than an additional [sixty] thirty days. The municipality  
89 shall waive all rights to purchase the land, improvement, interest or  
90 part thereof if the municipality declines or is deemed to have declined  
91 the conveyance of such land, improvement, interest or part thereof.

92 (f) If the municipality declines or is deemed to have declined the  
93 conveyance of the property, the Commissioner of Administrative  
94 Services may sell, exchange or lease, or enter into agreements  
95 concerning, such land, improvement, interest or part thereof, after [(1)  
96 notifying (A) the municipality or municipalities in which such land,  
97 improvement or interest is located, (B) the members of the General  
98 Assembly representing such municipality or municipalities, (C) the  
99 regional planning organization, as defined in section 4-124i, of the  
100 region where the land, improvement or interest is located, (D) the  
101 Connecticut Economic Resource Center, and (E) any potential  
102 developer of an incentive housing development, as defined in section  
103 8-13m, who has registered with the Commissioner of Housing to be  
104 notified of any such state surplus land, and (2) obtaining the approval  
105 of (A) the Secretary of the Office of Policy and Management, (B) the  
106 State Properties Review Board, and (C) the joint standing committees  
107 of the General Assembly having cognizance of matters relating to (i)  
108 state revenue, and (ii) the purchase and sale of state property and

109 facilities, and (3) if such land, improvement, interest or part thereof  
110 was purchased or improved with proceeds of tax-exempt obligations  
111 issued or to be issued by the state, obtaining the approval of the  
112 Treasurer. The Treasurer may disapprove such a transaction only if the  
113 transaction would affect the tax-exempt status of such obligations and  
114 could not be modified to maintain such tax-exempt status. If a  
115 proposed agreement for such a conveyance has not been submitted to  
116 the State Properties Review Board within one year after the  
117 Commissioner of Administrative Services provides such notice to such  
118 municipality and such members of the General Assembly, or if the  
119 board does not approve the proposed agreement within two years  
120 after such notice, the Commissioner of Administrative Services may  
121 not convey such land, improvement or interest without again so  
122 notifying such municipality and such members of the General  
123 Assembly.] complying with the requirements set forth in subsections  
124 (g) to (i), inclusive, of this section and using the method of conveyance  
125 determined by the Commissioner of Administrative Services to serve  
126 the best interests of the state. In making such determination, the  
127 commissioner shall consider offering the property to abutting  
128 landowners before offering the property for general sale.

129 (g) Prior to selling, exchanging or leasing, or otherwise entering into  
130 agreements concerning such property, the commissioner shall notify  
131 (1) the municipality or municipalities in which such land,  
132 improvement or interest is located, (2) the members of the General  
133 Assembly representing such municipality or municipalities, (3) the  
134 regional planning organization, as defined in section 4-124i, of the  
135 region where the land, improvement or interest is located, (4) the  
136 Connecticut Economic Resource Center, and (5) any potential  
137 developer of an incentive housing development, as defined in section  
138 8-13m, who has registered with the Commissioner of Housing to be  
139 notified of any such state surplus land. In the case of a proposed lease  
140 of land, an improvement to land or an interest in land, or any part  
141 thereof, with a person, firm or corporation in the private sector, for a

142 term of six months or more, the Commissioner of Administrative  
143 Services shall comply with such notice requirement by notifying in  
144 writing the chief executive officer of the municipality in which the  
145 land, improvement or interest is located and the members of the  
146 General Assembly representing such municipality, not less than two  
147 weeks before seeking the [approval of said secretary, board and  
148 committees,] approvals required under subsection (h) of this section  
149 concerning the proposed lease and the manner in which the lessee  
150 proposes to use the land, improvement or interest. If a proposed  
151 agreement for such a conveyance has not been submitted to the State  
152 Properties Review Board pursuant to subsection (h) of this section  
153 within one year after the Commissioner of Administrative Services  
154 provides the notice to such municipality and such members of the  
155 General Assembly, or if the board does not approve the proposed  
156 agreement within two years after such notice, the Commissioner of  
157 Administrative Services may not convey such land, improvement or  
158 interest without again so notifying such municipality and such  
159 members of the General Assembly.

160 (h) The Commissioner of Administrative Services shall obtain the  
161 approval of the proposed agreement for a conveyance of land,  
162 improvement, interest or part thereof under this section from (1) the  
163 Secretary of the Office of Policy and Management, (2) the State  
164 Properties Review Board, (3) the joint standing committees of the  
165 General Assembly having cognizance of matters relating to (A) state  
166 revenue, and (B) the purchase and sale of state property and facilities,  
167 and (4) if such land, improvement, interest or part thereof was  
168 purchased or improved with proceeds of tax-exempt obligations  
169 issued or to be issued by the state, the Treasurer. The Treasurer may  
170 disapprove such a conveyance only if the conveyance would affect the  
171 tax-exempt status of such obligations and could not be modified to  
172 maintain such tax-exempt status. The Treasurer shall execute and  
173 deliver any deed or instrument necessary to convey the title to any  
174 property the sale or exchange of which or a contract for the sale or

175 exchange of which is authorized by this section.

176 Sec. 3. Section 4b-22a of the general statutes is repealed and the  
177 following is substituted in lieu thereof (*Effective from passage*):

178 Notwithstanding any provision of the general statutes, [to the  
179 contrary,] the Commissioner of Administrative Services may (1) grant  
180 easements with respect to land owned by the state to a public service  
181 company, as defined in section 16-1, the owner of a district heating and  
182 cooling system, or a municipal water or sewer authority, [in  
183 connection with a Department of Administrative Services project,]  
184 subject to the approval of the Secretary of the Office of Policy and  
185 Management, the agency having supervision of the care and control of  
186 such land and the State Properties Review Board, and (2) acquire  
187 easements with respect to land not owned by the state in connection  
188 with a Department of Administrative Services project, subject to the  
189 approval of the State Properties Review Board. No easement granted  
190 under subdivision (1) of this section shall be for the disposal or storage  
191 of radioactive or hazardous waste materials. The commissioner shall  
192 provide notice of any easement granted under said subdivision [(1)] to  
193 the chief executive official of the municipality, and the members of the  
194 General Assembly representing the municipality, in which the land is  
195 located.

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

198 (a) The fleet average for cars or light duty trucks purchased by the  
199 state shall: (1) On and after October 1, 2001, have a United States  
200 Environmental Protection Agency estimated highway gasoline mileage  
201 rating of at least thirty-five miles per gallon and on and after January 1,  
202 2003, have a United States Environmental Protection Agency estimated  
203 highway gasoline mileage rating of at least forty miles per gallon, (2)  
204 comply with the requirements set forth in 10 CFR 490 concerning the  
205 percentage of alternative-fueled vehicles required in the state motor

206 vehicle fleet, and (3) obtain the best achievable mileage per pound of  
207 carbon dioxide emitted in its class. The alternative-fueled vehicles  
208 purchased by the state to comply with said requirements shall be  
209 capable of operating on natural gas or electricity or any other system  
210 acceptable to the United States Department of Energy that operates on  
211 fuel that is available in the state.

212 (b) Notwithstanding any other provisions of this section, (1) on and  
213 after January 1, 2008: (A) At least fifty per cent of all cars and light  
214 duty trucks purchased or leased by the state shall be alternative-fueled,  
215 hybrid electric or plug-in electric vehicles, (B) all alternative-fueled  
216 vehicles purchased or leased by the state shall be certified to the  
217 California Air Resources Board's Low Emission Vehicle II Ultra Low  
218 Emission Vehicle Standard, and (C) all gasoline-powered light duty  
219 and hybrid vehicles purchased or leased by the state shall, at a  
220 minimum, be certified to the California Air Resource Board's Low  
221 Emission Vehicle II Ultra Low Emission Vehicle Standard, and (2) on  
222 and after January 1, 2012, one hundred per cent of such cars and light  
223 duty trucks shall be alternative-fueled, hybrid electric or plug-in  
224 electric vehicles. If the Commissioner of Administrative Services  
225 determines that the vehicles required by the provisions of this  
226 subsection are not available for purchase or lease, the Commissioner of  
227 Administrative Services shall include an explanation of such  
228 determination in the annual report described in subsection (f) of this  
229 section.

230 (c) The provisions of subsections (a) and (b) of this section shall not  
231 apply to any [vehicle of the Department of Emergency Services and  
232 Public Protection that the Commissioner of Emergency Services and  
233 Public Protection designates as necessary for the Department of  
234 Emergency Services and Public Protection to carry out its mission,  
235 provided the Commissioner of Administrative Services approves of  
236 such designation and, in consultation with the Commissioner of  
237 Emergency Services and Public Protection, provides an explanation of  
238 why the provisions of subsections (a) and (b) of this section should not



239 apply to such vehicles] emergency vehicle.

240 (d) As used in this section, (1) the terms "car" and "light duty truck"  
241 [shall be as defined] have the same meaning as provided in the United  
242 States Department of Energy Publication DOE/CE-0019/8, or any  
243 successor publication, (2) "emergency vehicle" means a vehicle used by  
244 the Department of Motor Vehicles, Department of Emergency Services  
245 and Public Protection, Department of Energy and Environmental  
246 Protection, Department of Correction, State Capitol Police, Department  
247 of Mental Health and Addiction Services, Department of  
248 Developmental Services, Department of Social Services, Department of  
249 Children and Families, Department of Transportation, Judicial  
250 Department, Board of Pardons and Paroles, Board of Regents for  
251 Higher Education, The University of Connecticut or The University of  
252 Connecticut Health Center for law enforcement or emergency response  
253 purposes, and (3) "hybrid" means a passenger car that draws  
254 acceleration energy from two on-board sources of stored energy that  
255 consists of either an internal combustion or heat engine which uses  
256 combustible fuel and a rechargeable energy storage system, and, for  
257 any passenger car or light duty truck with a model year of 2004 or  
258 newer, that is certified to meet or exceed the California LEV (Low  
259 Emission Vehicle) II LEV Standard.

260 [(e) Not later than October 1, 2007, the Commissioner of  
261 Administrative Services shall file a report with the joint standing  
262 committees of the General Assembly having cognizance of matters  
263 relating to government administration, the environment and energy  
264 that includes: (1) Details on the composition of the state fleet,  
265 including, but not limited to, a listing of all vehicles owned, leased or  
266 used by the Departments of Transportation and Emergency Services  
267 and Public Protection, the make, model and fuel type of vehicles that  
268 compose the state fleet and the amount of fuel, including alternative  
269 fuels, that each vehicle uses, and (2) a copy of the determination made  
270 by the Commissioner of Energy and Environmental Protection  
271 pursuant to subsection (a) of section 2 of public act 07-4 of the June

272 special session. The Departments of Transportation and Emergency  
273 Services and Public Protection shall submit all data requested of such  
274 departments by the Department of Administrative Services in  
275 connection with the preparation of such report.]

276       [[f)] (e) On or before January 1, 2008, and annually thereafter, the  
277 Commissioner of Administrative Services shall file a report with the  
278 joint standing committees of the General Assembly having cognizance  
279 of matters relating to government administration, the environment and  
280 energy that includes: (1) Details on the composition of the state fleet,  
281 including, but not limited to, a listing of all vehicles owned, leased or  
282 used by the Departments of Transportation and Emergency Services  
283 and Public Protection, the make, model and fuel type of vehicles that  
284 compose the state fleet and the amount of fuel, including alternative  
285 fuels, that each vehicle uses, (2) any changes to the determination  
286 made by the Commissioner of Energy and Environmental Protection  
287 pursuant to subsection (a) of section 35 of public act 07-4 of the June  
288 special session or any update concerning the waiver application  
289 submitted pursuant to subsection (a) of section 35 of public act 07-4 of  
290 the June special session, as applicable, (3) [a listing of any vehicle  
291 exempted pursuant to subsection (c) of this section along with the  
292 Commissioner of Administrative Services' explanation for such  
293 exemption, (4)] any changes or amendments to the plan required by  
294 subsection (b) of section 35 of public act 07-4 of the June special  
295 session, and [(5)] (4) any changes or amendments to the plan required  
296 by subsection (c) of section 35 of public act 07-4 of the June special  
297 session. The Departments of Transportation and Emergency Services  
298 and Public Protection shall submit all data requested of [such] said  
299 departments by the Department of Administrative Services in  
300 connection with the preparation of such report.

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

304 [(h) For purposes of this section, "hybrid" means a passenger car  
305 that draws acceleration energy from two on board sources of stored  
306 energy that consists of either an internal combustion or heat engine  
307 which uses combustible fuel and a rechargeable energy storage system,  
308 and, for any passenger car or light duty truck with a model year of  
309 2004 or newer, that is certified to meet or exceed the California LEV  
310 (Low Emission Vehicle) II LEV Standard.]

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

315 Sec. 5. Subsection (a) of section 4b-93 of the general statutes is  
316 repealed and the following is substituted in lieu thereof (*Effective*  
317 *October 1, 2017*):

318 (a) Every contract subject to this chapter shall include plans and  
319 specifications detailing all labor and materials to be furnished  
320 thereunder. Such specifications shall have a separate section for each of  
321 the following classes of work if, in the estimate of the awarding  
322 authority, the class of work will exceed [twenty-five] one hundred  
323 thousand dollars: (1) Masonry work; (2) electrical work; (3)  
324 [mechanical work other than heating, ventilating and air conditioning  
325 work] plumbing; and (4) heating, ventilating and air conditioning  
326 work. Such specifications shall also have a separate section for each  
327 other class of work for which the awarding authority deems it  
328 necessary or convenient.

329 Sec. 6. Subsection (l) of section 4a-60g of the general statutes is  
330 repealed and the following is substituted in lieu thereof (*Effective from*  
331 *passage*):

332 (l) On or before August [first] thirtieth of each year, each awarding  
333 agency setting aside contracts or portions of contracts under  
334 subdivision (2) of subsection (b) of this section shall prepare a report

335 establishing small and minority business state set-aside program goals  
336 for the twelve-month period beginning July first in the same year. Each  
337 such report shall be submitted to the Commissioner of Administrative  
338 Services, the Commission on Human Rights and Opportunities and the  
339 cochairpersons and ranking members of the joint standing committees  
340 of the General Assembly having cognizance of matters relating to  
341 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
Sec. 2	<i>from passage</i>	4b-21(e) to (h)
Sec. 3	<i>from passage</i>	4b-22a
Sec. 4	<i>from passage</i>	4a-67d
Sec. 5	<i>October 1, 2017</i>	4b-93(a)
Sec. 6	<i>from passage</i>	4a-60g(l)

**Statement of Purpose:**

To make revisions to a statute concerning the State Marshal Commission; change the deadline for municipalities to notify the Department of Administrative Services of their interest in purchasing surplus real property; permit the department to determine the best method of disposing of such property, including offering it to abutting landowners; expand the department's authority to grant easements; expand the existing exemption from certain emission, gas mileage and other standards for state fleet vehicles to include all emergency vehicles; modify the threshold for separate specifications for classes of work; and make other minor revisions.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*