

**Legislation Affecting  
Department of Administrative Services (DAS)**

**2014 Regular Legislative Session  
July 2014**

This report summarizes the Public Acts passed during the 2014 Legislative Session that affect DAS business units. Public Acts with agency-wide implications or that affect multiple business units – such as the Budget Bill – are described first. DAS business units are then listed alphabetically, with Acts affecting the unit described underneath each business unit heading. Clicking on the Public Act number will link to the language of the Act itself.

For units that support other business centers, we encourage you to not only review the Acts listed under your own business unit, but also those listed under the units that you support.

Directors of DAS business units should review all new legislation impacting their unit and make whatever plans necessary to implement and ensure compliance with new statutory mandates.

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## BILLS WITH AGENCY-WIDE IMPLICATIONS

- **The Budget Adjustment Bill.** [Public Act 14-47](#) made a number of changes to the FY 2015 appropriations originally provided to DAS and other agencies in the biennial budget that was passed in 2013. This Act also addressed DAS's FY 14 deficiencies.

Modifications to DAS FY 2015 budget. Specifically, the following modifications were made to DAS's FY 2015 line items:

- **Personal Services** increased by \$42,627;
- **Other Expenses** were reduced by \$2,728,919;
- **Rents & Moving** increased by \$5,121,246; and
- **IT Services** were reduced by \$182,712.

These appropriations do not include OPM holdbacks. Also, other sections of the Budget Adjustment Bill require OPM to find additional savings. Specifically,

- Section 30 requires OPM to recommend \$9.7 million in FY 15 cuts to "Executive branch expenditures."
- Section 31 requires OPM to recommended reductions in executive branch PS totaling an estimated \$8 million.

FY 14 Deficiencies. The Budget Adjustment Bill also provided funding for DAS's FY 14 Deficiencies as follows:

- **SIRMB.** Section 41 of the bill included \$6.5 million to cover DAS's FY 14 Personal Services deficiency, and \$1.5 for the deficiency in the State Insurance and Risk Management Operations line item.
  - **Workers' Compensation.** Section 43 provided a deficiency appropriation of \$800,000 for Workers' Compensation claim costs paid by the Special Transportation Fund.
  - **CRDA.** Also of note is that this bill provided DECD with a deficiency appropriation of \$3 million to pay CRDA.
- **Eliminating Unnecessary Regulations.** [Public Act 14-187](#) modifies certain steps in the regulation adoption process for agencies, primarily to recognize that the final eRegulation System will not be completed by October 1, 2014. The eRegulations System is the new electronic system maintained by the Secretary of State that will eventually house the official version of all state agency regulations and the regulation making process. P.A. 14-187 makes several changes impacting all state agencies regarding the form and substance of providing notice of proposed regulations, the

maintenance of the agencies' regulation-making record, and the form and substance for submitting proposed and final agency regulations. A more detailed summary of the regulation process changes can be found [here](#).

In addition to the regulation process changes, P.A. 14-187 also eliminated over 1000 pages of agency regulations. DAS undertook a thorough review of all our units' regulations, and recommended that 165 separate regulations, covering numerous subject areas, be eliminated because they were obsolete or unnecessary. P.A. 14-187 eliminated all of the regulations that DAS requested, and also made the conforming statutory changes that we sought. A full list of all the regulations that were eliminated, and the related statutes that were changed, can be found [here](#).

*These regulation repeals and the conforming statutory changes were effective from passage.*

- **Public Private Partnerships.** Section 160 of the Budget Implementer Bill, [Public Act 14-217](#), extends the deadline for the Governor to approve up to 5 public-private partnership projects – from January 1, 2015 to January 1, 2016. Under existing law, the Governor may approve such a project if he finds that the project will result in job creation and economic growth. Any agency seeking to establish a public-private partnership must first consult with the Commissioners of Economic and Community Development, Administrative Services and Transportation, the State Treasurer and the Secretary of the Office of Policy and Management before submitting the project to the Governor for approval. *Effective July 1, 2014.*

## **BUREAU OF ENTERPRISE SYSTEMS & TECHNOLOGY (BEST)**

- **Bond Money.** Section 66 of this year's bond authorization act, [Public Act 14-98](#), provided funding for the following items, of interest to BEST:
  - **CEN.** Development and implementation of the Connecticut Education Network, not exceeding \$4,100,000;
  - **Data Center.** Planning for development of an alternate data center, not exceeding \$2,165,000; and
  - **HIPAA compliance.** Development and implementation of information technology systems for compliance with the Health Insurance Portability and Accountability Act, not exceeding \$4,180,847.
- **BEST Reports.** [Public Act 14-202](#) updates and streamlines existing information technology reports. Specifically, it merges the IT Strategic Plan report currently required under C.G.S. § 4d-7 with the § 4-14 report on expenditures, technology

projects, and e-government initiatives. It also clarifies that the IT Strategic Plan report is due annually on or before September 15<sup>th</sup>. *Effective from passage.*

- **Nutmeg Network**. Section 229 of [Public Act 14-217](#) authorizes the OPM secretary to use \$1,311,198 in FY 15 from the regional planning incentive (RPIP) account for a grant to the Capitol Region Council of Governments (CRCOG) and the Connecticut Center for Advanced Technology (CCAT) to create Nutmeg Network-related demonstration projects. Of this grant, CRCOG and CCAT must use:
  - \$405,750 for developing an online portal for municipal human resources services, including wage and classification information and templates;
  - \$101,000 for (a) developing a pilot program allowing up to six municipalities to facilitate live Internet streaming of municipal meetings and (b) CCAT to research less expensive and more mobile equipment alternatives for broadcasting municipal meetings over the Internet;
  - \$603,500 for developing an electronic document management system pilot program for up to six municipalities to (a) facilitate conversion to electronic document storage, (b) streamline file searches and storage, and (c) facilitate long-term systems and software services sharing between municipalities;
  - \$95,200 for developing a voice-over Internet protocol pilot program to provide advanced communications services, including website and video conferencing, to up to six municipalities; and
  - \$105,748 for developing a hosting services pilot program for up to seven municipalities providing customized, host software solutions and a virtual data storage environment.

Under the Act, municipalities are eligible to participate in the pilot programs if they are (1) members of any COG, (2) connected to the Nutmeg Network, (3) willing to participate, and (4) capable of participating successfully. Participating municipalities must be selected in consultation with the Connecticut Conference of Municipalities. *Effective July 1, 2014.*

- **HITE-CT**. Sections 169-175 and 259 of [Public Act 14-217](#) repeal the statutes establishing the Health Information Technology Exchange of Connecticut (HITE-CT) and make conforming changes. The Act transfers from HITE-CT to the DSS commissioner the responsibility to (1) implement and periodically revise the statewide health information technology plan and (2) establish electronic data standards to facilitate the development of integrated electronic health information systems for use by health care providers and institutions that receive state funding. The DSS commissioner must do this in consultation with DPH and DMHAS. The Act also requires the DSS commissioner to develop uniform electronic health information technology standards for use throughout DDS, DPH, DOC, DCF, and DMHAS. Under the Act, if one of these agencies plans to revise the health information technology plan, it must submit the revision plan to the DSS commissioner for his

approval before implementation. If the commissioner grants an approval that requires additional funding, he must submit the revisions to the OPM secretary. *Effective July 1, 2014.*

## CLAIMS COMMISSIONER

- **Charla Nash Claim.** [House Joint Resolution 42](#) confirmed the Claims Commissioner's decision to deny Steven Nash, successor conservator of Charla Nash, permission to sue the State, and dismissing her claim against the State.
- **Town of Cheshire Claim.** [Special Act 14-9](#) permits the Town of Cheshire to present its claim against the State to the Claims Commissioner, notwithstanding the town's failure to file a proper notice of claim with the Office of the Claims Commissioner within the statutory time limitations.

## COLLECTIONS

- **Limit on Recoveries from Certain Estates.** Section 76 of [Public Act 14-217](#) states that no claim may be made against the estate of a recipient of medical assistance under the Medicaid Coverage for the Lowest Income Populations program for services provided on or after January 1, 2014, except to the extent required by federal law. *Effective from passage.*
- **Legal Service to Individuals Confined in State Psychiatric Facilities.** Section 4 of [Public Act 14-103](#) makes changes to the rules regarding service of court documents relating to individuals confined to state psychiatric facilities, including eliminating the requirement that copies of all court processes, notices, and other documents served on such individuals also be served on the DAS commissioner. *Effective October 1, 2014.*
- **SAGA Eligibility Changes.** [Public Act 14-161](#) gives DSS more discretion to set certain SAGA assistance rates by eliminating certain statutory requirements regarding the calculations. It also changes eligibility rules and benefits caps for individuals under age 18 and individuals between 18 and 21 who live with their families. Additionally, it establishes a \$500 asset cap for married couples receiving SAGA. *Effective July 1, 2014.*

## COMMUNICATIONS

- **FOIA Exemption re: Probation Officers.** [Public Act 14-34](#) exempts from disclosure under the Freedom of Information Act personal information about current and former probation officers employed by the Judicial Branch to people under (1) Department of

Correction custody or supervision for violating probation, or (2) the supervision of the Court Support Services Division. The Act applies to personal information not related to the officer's duties or employment, including his or her (1) date of birth; (2) Social Security number; (3) current and former e-mail addresses, telephone numbers, and home addresses; (4) photographs; and (5) driver's license information. *Effective July 1, 2014.*

## CONSTRUCTION SERVICES

### DCS - BUREAU OF DESIGN AND CONSTRUCTION

- **Streamlining and Improving DCS Construction Processes.** [Public Act 14-188](#) includes various changes to the DCS construction statutes that were developed and sought by the agency in order to streamline processes while maintaining integrity:
  - Allows the Division of Construction Services to use an on-call type process for construction projects under \$1.5 million;
  - Clarifies that contractors on state-funded construction projects must be prequalified at the time of their bid submittal;
  - Increases the threshold in the emergency construction statute to \$1.5 million;
  - For Construction Manager at Risk (CMR) projects, allows additional project elements to move forward prior to the establishment of the Guaranteed Maximum Price. Also requires CMRs to post project element opportunities on the State Contracting Portal rather than via advertisement in newspapers;
  - Clarifies that on-call consultants may be used where multiple projects are being constructed or renovated under the operation and control of the Military Department or DEEP;
  - Clarifies that DCS may purchase property and services from a vendor under contract with the federal government, other state governments, or Connecticut municipalities.

*These changes are effective July 1, 2014.*

- **Construction-Related Bond Authorizations.** The Bond Act, [Public Act 14-98](#), includes the following authorizations:
  - **Torrington Court House.** Section 26 of the Act provides an \$8,817,000 re-authorization for development of a new Torrington Courthouse. *Effective from passage.* Section 2 of the Act provides up to \$800,000 for infrastructure improvements, including engineering and construction of an offsite storm water improvement for the new Torrington courthouse. *Effective July 1, 2014.*

- **Fire Training Schools.** Section 2 provides \$15,777,672 for land acquisition, construction, improvements, repairs and renovations for fire training schools. *Effective July 1, 2014.*
- **Probate Court Facilities.** Section 2 of the Act also provides \$3,000,000 for acquisition and renovation of a building for the offices of the Probate Court. *Effective July 1, 2014.*
- **Construction Contracting and Bidding Transparency Working Group.** [Special Act 14-18](#) establishes the Construction Contracting and Bidding Transparency Working Group to study state construction contracting and subcontracting processes. The 17-member working group is chaired by the Commissioner of Administrative Services, or his designee, and is charged with reporting on its findings and recommendations to the Governor and legislature by January 1, 2015. *Effective July 1, 2014.*
- **Windham Technical School Easement.** Section 7 of the Conveyance Act, [Special Act 14-23](#), requires DAS, on behalf of SDE, to grant the Town of Windham an easement over land at 210 Birch Street, Windham Technical High School. The dimensions of the easement shall be determined by a survey acceptable to DAS and SDE, and the easement shall be subject to SPRB approval. *Effective from passage.*
- **Report on Completed Construction Projects.** Section 1 of [Public Act 14-202](#) modifies the reporting requirements in C.G.S. § 3-21d. Under this statute, DAS is required to report – by January 1 of each year – on all bond-funded construction projects administered by the Division of Construction Services with an estimated cost of more than \$10,000 that have been completed or accepted. The report must go to the Secretary of the State Bond Commission (the OPM Secretary) and the legislative Finance Committee. The report must include, for each completed or accepted project: (1) The estimated total cost of the construction project, or the actual amount of the project, if ascertainable; (2) the amount, if any, required to be held in retainage and the reason for such retainage; and (3) the amount of any bonds authorized by the State Bond Commission and allotted by the Governor to such project which remains unexpended. The report may also contain a recommendation to the Secretary as to the further use of any portion of such unexpended bond proceeds. Previously, DAS was required to report this information upon the completion of each project, as well as annually. Now, the agency will only have to issue a report annually. *Effective upon passage.*
- **Electronic Prevailing Wage Notices, Information & Records.** [Public Act 14-44](#) Allows employers to electronically submit their monthly certified payroll records to the state or local contracting agency and keep, maintain, and preserve these payroll records in an electronic format. A state or local contracting agency may also electronically notify a contractor that it is terminating the contractor's right to work on the job because of the contractor's, or a subcontractor's, failure to pay the required

prevailing wages; notify the Labor Commissioner that it has terminated such a contractor's right to work on a job; and certify a prevailing wage job's total cost to the Labor Commissioner.

The Act also broadens the circumstances requiring a state or local contracting agency to certify a prevailing wage job's total cost. By law, the agency must do so before awarding a contract subject to prevailing wage requirements. The Act additionally requires it to do so before awarding any purchase orders, bid packages, or other designations subject to prevailing wage requirements. *Effective July 1, 2014.*

## **DCS - BUREAU OF SCHOOL FACILITIES (BSF)**

- **School Construction Grant Bill.** The annual school construction bill [Public Act 14-90](#):
  - **Grant Commitments.** Authorizes DAS to enter into grant commitments on behalf of the state for 21 new school construction projects. It authorizes state grants totaling \$180.7 million related to total project costs of \$309.3 million. It also reauthorizes and changes grant commitments, due to cost and scope changes, for 6 previously authorized local projects and 3 previously authorized technical high school projects (resulting in a \$196.6 million increase in the state grant commitments). Also, the Act approves various exemptions and waivers from school construction laws, and changes for either new authorizations or changes to existing authorizations. See [here](#) for details. *Effective from passage.*
  - **SSIC.** P.A. 14-90 (Sections 2-4) also includes changes that DAS had requested relating to the School Safety Infrastructure Council (SSIC). Specifically, the Act adds another person to the Council, and gives the Commissioner the authority to grant a waiver to a district that cannot meet one of the SSIC-developed standards. The Act also gives the Commissioner the authority to require that districts conduct a safety assessment of their projects, using an assessment tool named by the Commissioner, to show compliance with the standards. *Effective from passage for additional SSIC member; otherwise July 1, 2014.*
  - **SBPAC.** Section 13 of P.A. 14-90 adds a member – specifically, the Commissioner of Education or his designee – to the School Building Projects Advisory Council (SBPAC). Changes to the membership of this Council were also made in Section 56 of [Public Act 14-217](#) (the Implementer Bill). P.A. 14-217 added two new members to this Council, appointed by the Governor (one of whom shall be a person with experience in school safety and one of whom shall be a person with experience with the administration of the State Building Code. As a result of these legislative changes, the SBPAC will now have 8 members. *Effective from passage.*

- **Conforming SDE and DAS Statutes.** Finally, Sections 5-12 of P.A. 14-90 include provisions that DAS and SDE sought since the Bureau of School Facilities was transferred to DAS, to properly align the statutes relating to the local school construction grant process to current practice/authority.
- **BSF Changes in the Budget Implementer Bill.** [Public Act 14-217](#) made the following changes of interest to BSF:
  - **Sheff Reimbursement Rates.** Sections 89 to 119 of P.A. 14-217, designed to carry out the newest phase of *Sheff v. O'Neill*, include provisions affecting the school construction reimbursement rates for specified schools. *Effective July 1, 2014.*
  - **Torrington Waiver.** Section 255 of P.A. 14-217 waives certain school construction requirements for a school renovation and alteration project in Torrington. Specifically, it waives the requirement that the local funding commitment be in place before a school construction grant application is considered and requires the Commissioners of Education and Administrative Services to give review and approval priority to the project, provided the town submits a completed grant application with funding authorization for the local share of the project by November 30, 2014. *Effective from passage.*
- **School Security Infrastructure Grant Program.** Sections 73 and 74 of the Bond Act, [Public Act 14-98](#), expand and increase the state's competitive school security grant program administered jointly by the Department of Emergency Services and Public Protection (DESPP), DAS, and SDE by \$22 million – from \$15 million to \$37 million. This Act also expands the scope of this grant program beyond public schools, and establishes eligibility rules and procedures for non-public schools to apply for these grants. *Effective from passage.*

## **DCS - BUREAU OF TECHNICAL AND REGULATORY COMPLIANCE**

- **Crane Operations.** [Public Act 14-29](#) postpones by three years, to October 1, 2017, implementation of the provisions of P.A. 12-99, scheduled to take effect on October 1, 2014. These provisions broaden the definition of cranes, expand examination requirements for crane operators, require periodic reexaminations, and exempt certain people from licensing requirements. *Effective from passage.*
- **Fire Safety Official Certification.** [Public Act 14-137](#) includes a streamlining initiative sought by the agency to eliminate a step in the 2-step certification process for fire officials. Now, such officials will be certified to perform their duties upon successful completion of certification requirements (instead of being “eligible to be certified”). This Act also codifies the current practice of the State Fire Marshal (SFM) and Codes

and Standards Committee (CSC) for jointly certifying fire officials. Further, it adds new qualification standards to the fire official certification statutes, but provides that the SFM and CSC may establish equivalent standards in lieu of those listed. *Effective October 1, 2014.*

- **New Energy Performance Regulations for State-Funded Construction.** Section 19 of [Public Act 14-94](#) requires the DEEP, in consultation with DAS, to adopt new regulations by January 1, 2015 for state-funded building construction standards, including a standard for including electric vehicle charging stations. The law is applicable to new construction of state facilities over \$5 million, renovations over \$2 million, and school construction projects that include more than \$2 million of state funding. The standards under the new regulations must achieve at least 75 points on the U.S. Environmental Protection Agency's (EPA) national energy performance rating system, as determined by EPA's Energy Star Target Finder tool.

The Act also modifies the exemptions to the regulations for state building construction standards. Exemptions will now be limited to instances where the measures needed to comply are not “cost effective;” i.e., savings from the measures over a 10-year period do not exceed the costs (previously, exemptions were allowed if the cost of compliance significantly outweighed the benefits). Further, the Act adds the OPM Secretary as one of the entities that DEEP must consult before granting this exemption. Under the Act, DEEP, in consultation with DAS and the Institute for Sustainable Energy, must also exempt any facility if, under the new regulations, it cannot be defined as an eligible building type by EPA's Energy Star Target Finder tool. Under these circumstances, the Act requires the exempt facility to meet the more stringent requirement of (1) exceeding, by at least 20%, the energy building construction standards of the 2007 American Society of Heating, Ventilating, and Air Conditioning Engineers Standard 90. 1 or (2) adhering to the current State Building Code. *Effective October 1, 2014.*

- **LEED Exemptions.** Section 5 of [Public Act 14-199](#) exempts salt sheds, parking garages, and other maintenance facilities from LEED requirements, provided they incorporate the best economically feasible energy standards. *Effective from passage.*
- **Ski Safety.** [P.A. 14-72](#) expands the safety checks and duties that operators of certain passenger tramways (aerial chair lifts) or ski areas must perform. It requires the operators to ensure that passenger tramways are equipped with restraint devices, defined in the Act, and to conspicuously post, at the tramway entrance, instructions on the proper use of the devices and notice that the law requires their use. It also requires tramway riders to keep the restraint device closed, except when embarking or disembarking. The Act further requires operators to ensure that any lift tower on a ski trail or slope is padded or otherwise protected, instead of conspicuously marking the ones not readily visible, and outlines other rules regarding padding and marking in ski areas. *Effective October 1, 2014.*

## CORE-CT

- **Bond Authorizations for Core-CT.** Section 2 of the Bond Act, [Public Act 14-98](#), provides money to the State Comptroller for Core-CT enhancements, as follows:
  - Enhancements and upgrades to the Core-CT financial system for the retirement module, not exceeding \$50,000,000; and
  - Enhancements and upgrades to the Core-CT human resources system at The University of Connecticut, not exceeding \$7,000,000.

*Effective July 1, 2014.*

- **New Agency - Office of Early Childhood.** [Public Act 14-39](#) establishes the Office of Early Childhood (OEC), led by a commissioner who serves at the pleasure of the Governor. *Effective from passage.*
- **Soldiers Sailors & Marines Transferring to the American Legion.** Sections 63-65 of the Budget Implementer, [Public Act 14-217](#), provide that all SSMF furniture, equipment, and supplies must be transferred to the American Legion on June 30, 2014, and documents must be retained by the State, in accordance with the State's record retention requirements, unless the State Librarian allows the fund administrator to retain temporary custody of the documents. American Legion personnel who have CORE-CT access as of June 30, 2014 may continue to have such access during FY 2015 with the approval of the Comptroller in order to orderly transition accounting, human resources, payroll and other functions. *Effective July 1, 2014.*

## FLEET

- **Fleet Purchases.** [Public Act 14-136](#) expands the items to which DAS can give up to a 10% price preference when awarding state contracts. The additional items are (1) vehicles fueled by hydrogen or propane, and (2) equipment to convert a conventionally powered vehicle to one powered by hydrogen, propane, or a combination of conventional fuel and hydrogen or propane. Existing law allows the commissioner to apply the price preference to electric- or natural-gas-powered vehicles and their related conversion equipment, among other things. *Effective October 1, 2014.*

## PROCUREMENT

### CONTRACTING

- **Fleet Purchases.** See the description of [Public Act 14-136](#), relating to an expansion of the 10% price preference for certain fleet purchases, under “Fleet” heading above.
- **Contract Extensions.** Section 1 of [Public Act 14-188](#) requires DAS to post on our web site an explanation of any contract extension entered into pursuant to C.G.S. § 4a-59a. *Effective October 1, 2014.*
- **Qualified Partnerships Program Expanded.** Sections 11 and 12 of [Public Act 14-188](#) provide that DAS may expand the existing qualified partnership preference program, a program established to create and expand job opportunities for individuals with disabilities and those with socio-economic disadvantages. Currently the program applies only to janitorial services, and the new Public Act provides that DAS may expand the program to include other “contractual services” that the commissioner deems appropriate. The Act provides that DAS shall post a list of services subject to the qualified partnership program on the DAS website. *Effective October 1, 2014.*
- **Cost-Benefit Evaluations for Certain Service Contracts.** Section 16 of [Public Act 14-188](#) requires state contracting agencies to evaluate certain service contracts, prior to entering into the contract, to determine if contracting out is the most cost-effective method of delivering the service. Agencies must perform these evaluations in accordance with a new template to be developed by OPM. The OPM secretary may waive the requirement for an evaluation if the secretary finds that there are exigent or emergent circumstances that require such a waiver. *Effective October 1, 2014.*
- **Obsolete Statutes.** [Public Act 14-202](#) eliminated a number of obsolete statutes relating to DAS procurement. Specifically, Section 6 eliminated the requirement – previously in C.G.S. § 10a-151(b) – that DAS issue a report relating to all purchasing requests received by DAS from the constituent units of higher education. Section 7 eliminated C.G.S. §§ 4d-45 and 4d-46, statutes that related to a request for proposals that the State issued in 1997 relating to contracted information technology services. *Effective from passage.*
- **CRRA and Electricity Purchasing.** Sections 1-17 of [Public Act 14-94](#) dissolve the Connecticut Resources Recovery Authority (CRRA) and establish the Materials Innovation and Recycling Authority (MIRA) as a successor authority. It transfers CRRA's functions, powers, and duties to MIRA.

The Act requires the DEEP commissioner, by January 1, 2016, to request proposals from solid waste materials management services providers to redevelop the Connecticut Solid Waste System Project. He must do this in consultation with MIRA.

The types of services involved may include such things as recycling, reuse, and energy and fuel recovery, but not waste collection or transportation services. After a process outlined in the Act, the DEEP commissioner must choose one final proposal by December 31, 2017, and direct MIRA to enter into an agreement with the selected provider to redevelop the project.

P.A. 14-94 also makes changes to State electricity purchasing rules. Currently, by law, DEEP operates a purchasing pool to buy electricity for state operations and certain low-income households. The Act expands the pool's purpose to include buying electricity for municipal operations in municipalities that elect to participate. It also authorizes the DEEP commissioner to provide grants to municipalities that join the pool and commit to achieve the state's diversion, recycling, and reuse goals. When operating the purchasing pool, the act allows the DEEP commissioner, on behalf of any state agency, municipality, or institution of higher education, to solicit proposals from electric suppliers for electric generation services to (1) buy electricity for state and municipal operations and (2) meet the state's energy policy goals described in the commissioner's comprehensive energy strategy.

The Act also requires the commissioner, by January 1, 2020, to solicit proposals from retail electric suppliers for the state and any participating municipality or higher education institution. He must conduct at least one solicitation by January 1, 2015. Any proposal responding to a solicitation for 370,000 or fewer megawatt hours of electricity per year must include at least 60% of its power from Class II renewable energy sources generated at permitted trash-to-energy facilities built by January 1, 2013. The Act details the criteria that the DEEP commissioner must consider when choosing the successful supplier(s). *Effective from passage.*

- **Use of Certificates of Insurance.** [Public Act 14-74](#) prohibits people from using property and casualty insurance “certificates of insurance” for specified purposes outlined in the Act. It defines a “certificate of insurance” as a document or instrument an insurer or insurance producer prepares or issues as evidence that personal or commercial risk insurance has been issued on property, operations, or risks located in Connecticut. A certificate of insurance does not include insurance policies, binders, endorsements, or auto insurance identification cards. *Effective October 1, 2014.*

## **SUPPLIER DIVERSITY**

- **Written Basis for Certification Denials.** Section 5 of [Public Act 14-227](#) provides that, if DAS denies an initial or renewal application for certification to become a small business enterprise (SBE) or minority business enterprise (MBE), it may do so only after issuing a written decision to the applicant setting forth the basis for a denial. *Effective October 1, 2014.*

## PROPERTIES & FACILITIES MANAGEMENT

- **Authority to Accept Gifts of Land & Transact for Other Agencies.** [Public Act 14-112](#) clarifies that the state, through DAS, may accept gifts of real property and interests in real property. The Act also clarifies that DAS may act on behalf of other state agencies to acquire property or interests in property in situations where those agencies do not themselves have specific authority to do so. *Effective from passage.*
- **Bond Authorizations Relating to Facilities Management.** [Public Act 14-98](#) provided the following new authorizations:
  - **Probate Court.** Section 2 authorizes \$3,000,000 for acquisition and renovation of a building for the offices of the Probate Court. *Effective July 1, 2014.*
  - **Busway Project.** Section 31 includes language regarding the Busway project at Flower Street. Subject to the availability of federal funds, the Act authorizes funds to ensure that all streets in the city of Hartford intersecting with the busway are equipped with sufficient signage, gates, traffic lights and other equipment to provide (A) that all such streets remain open to vehicular and pedestrian traffic for not less than twenty hours per day, and (B) safe passage across any such street by trains at any time. *Effective July 1, 2014.*
- **Outside Employment Restrictions on Leasing Employees.** Section 15 of [Public Act 14-188](#) modifies C.G.S. 4b-4 to eliminate the additional prohibitions on outside employment that affected only employees in the DAS leasing unit. *Effective from passage.*
- **Clinton Street Conveyance to CRDA.** Section 10 of the Conveyance Act, [Special Act 14-23](#), permits DAS to transfer custody and control of 10 Clinton Street in Hartford to the Capital Region Development Authority for housing or economic development purposes, pursuant to terms and conditions recommended by the Commissioner of DAS and approved by the Secretary of OPM. *Effective from passage.*
- **Leasing Regulations.** Section 2 of [Public Act 14-202](#) eliminates the requirement in C.G.S. § 4b-23(o) that DAS draft leasing regulations. *Effective from passage.*
- **American Legion Office Space.** Sections 63-65 of [Public Act 14-217](#) provide that all Soldiers' Sailors' and Marines' Fund (SSMF) possessions, except for documents, must be transferred to the American Legion by June 30, 2014. With DAS's permission, the American Legion may utilize space in state-owned or state-leased buildings under the same terms as enjoyed by SSMF. *Effective July 1, 2014.*

- **UCONN Leases.** [Public Act 14-5](#) eliminates a prohibition on UConn leasing, financing, or lease-financing, through another state or quasi-public agency, any land or building outside the Storrs campus that costs more than \$50,000 per year. *Effective from passage.*
- **DECD's Role Relating to Surplus Property.** [Public Act 14-129](#) fixes a drafting error that occurred when the Department of Housing was spun off of DECD. The Act restores the DECD Commissioner (instead of the Housing Commissioner) to notify the Office of Policy and Management secretary whether surplus state property can be (1) used or adapted for economic development or (2) exchanged for property that could be used for that purpose. *Effective from passage.*
- **Child Care Needs in State Buildings.** Section 31 of [Public Act 14-39](#) revises an existing requirement that whenever DAS constructs, acquires, or is gifted space that accommodates 300 or more state employees and affects at least 25% of the square footage, DAS must notify the new Office of Early Childhood (instead of DSS) to assess child care service needs. *Effective July 1, 2014.*
- **DEEP and DoAG Properties.** [Public Act 14-169](#) authorizes DEEP to designate department-owned lands as "lands of public use and benefit," which include land used for conservation, public enjoyment, or recreational purposes, or activities to improve or maintain these purposes. The Act also requires DEEP to establish, by January 1, 2015, a publicly accessible geographic information map system and database that has a public use and benefit land registry. The registry must be able to provide certain identifying information on land owned by DEEP, other state agencies, municipalities, and land conservation organizations; and state-owned water supply lands. The Act also specifically allows the DEEP and Department of Agriculture commissioners to place conservation or preservation restrictions on any lands their departments own. *Effective from passage.*

## **STATEWIDE HUMAN RESOURCES**

- **UCONN Police.** Section 221 of the Budget Implementer Bill, [Public Act 14-217](#), makes the members of the UConn and UConn Health Center Police Departments unclassified and provides that UConn, not DAS, shall be responsible for developing their job classifications, examinations and compensation schedules. This section states that these police officers shall remain in the protective services bargaining unit. *Effective from passage.*
- **Connecticut Port Authority.** [Public Act 14-222](#) creates, effective October 1, 2015, the Connecticut Port Authority as a quasi-public agency to coordinate development of and market state ports. The Act also creates a port authority working group to prepare and submit recommendations to the DECD commissioner on the authority's

powers and duties (including employment and personnel practices and policies). The Act requires the DECD commissioner to convene the first meeting of the working group by September 11, 2014, and it must meet at least once each month thereafter. The working group is to terminate on October 1, 2015.

- **New Agency - Office of Early Childhood.** [Public Act 14-39](#) creates the Office of Early Childhood (OEC), and states that its Commissioner is an agency head for purposes of C.G.S. §4-5, et seq. The office assumes the responsibility for administering early childhood programs and services currently run by the State Department of Education (SDE), the Department of Social Services (DSS), and the Department of Public Health (DPH). OEC is to be housed in SDE for administrative purposes only. *Effective from passage.*
- **APRN Scope of Practice.** [Public Act 14-12](#) allows advanced practice registered nurses (APRNs) who have been licensed and practicing in collaboration with a physician for at least three years to practice independently. Previously, APRNs were required to work in collaboration with a physician, and were subject to limitations and strict rules regarding their prescriptive authority. *Effective July 1, 2014.*
- **Board of Regents Leadership.** [Public Act 14-117](#) conforms law to current practice by requiring the Board of Regents for Higher Education (BOR) to appoint two vice presidents upon the BOR president's recommendation, one for the Connecticut State University System (CSUS) and one for the regional community-technical colleges (CTC). *Effective July 1, 2014.*
- **DECD and DOH Authority.** [Public Act 14-35](#) transfers various housing-related powers from the DECD commissioner to the Department of Housing commissioner. It also makes a technical change allowing the DECD commissioner to continue delegating her powers. *Effective October 1, 2014.*

## **STATE INSURANCE RISK MANAGEMENT BOARD**

- **Changes to Property & Casualty and Surplus Lines Insurance Statutes.** [Public Act 14-175](#) makes a number of unrelated changes to property and casualty insurance laws. Among other things, it:
  - Bars insurers from refusing to issue or renew a homeowners' policy solely because the insured failed to (a) install any type of storm shutters on a residential dwelling, rather than just permanent ones, or (b) have storm shutters on the premises of the dwelling;
  - Expands the scope of the law prohibiting insurers from taking certain steps solely because of losses an insured homeowner incurs due to catastrophic events;

- Extends the deadline for filing a suit or action to recover a claim under a standard fire insurance policy from 18 to 24 months after a loss;
- Allows certain insurers to provide flood insurance on a less-than-statewide basis, as selected by the insurer, and exempts flood insurance policies from requirements that insureds and surplus lines brokers state that they made diligent efforts to secure the insurance from a licensed insurer; and
- Expands the notice provided on surplus lines insurance policies.

*Effective October 1, 2014.*

- **Arbitration in Motor Vehicle Accident Cases.** [Public Act 14-156](#) provides that the court, at the request of all parties, may refer any civil injury cases involving a motor vehicle where injuries arise to an arbitrator. *Effective July 1, 2014.*
- **Uninsured and Underinsured Coverage Offsets.** [Public Act 14-20](#) prohibits insurers from reducing uninsured and underinsured motor vehicle insurance coverage payments by amounts paid by or on behalf of a tortfeasor for (1) bodily injury to anyone other than a person insured by the policy under which the claim is made or (2) property damage. The act applies to auto liability insurance policies issued or renewed *on or after October 1, 2015.*

## **STATE MARSHAL COMMISSION**

- **Restraining Order Task Force.** Section 121 of the Budget Implementer Bill, [Public Act 14-217](#), creates a task force to study service of restraining orders. The law specifies that the Task Force shall include a representative of the State Marshal Commission (to be appointed by the Senate Majority Leader), as well as two state marshals (to be appointed by the House Minority and Majority Leaders). The Task Force shall study: policies, procedures and regulations relating to the service of such restraining orders by state marshals; the length of time available to effectuate service of a restraining order; the permissible methods of service; the effectiveness of the respondent profile information sheet and marshal access to databases containing identifiable respondent information; reimbursement rates for service of restraining orders, including an assessment of reimbursement rates used in other states; best practices established by other states, if any, with respect to service of restraining orders; and the feasibility of expanding which persons shall be authorized to serve restraining orders. The Task Force must submit its report by December 15, 2014. *Effective from passage.*
- **State Marshal Fees.** [Public Act 14-87](#) increases the maximum hourly rate state marshals receive – from \$75 to \$100 per hour – for removing a tenant, an occupant, and his/her possessions in an eviction proceeding. The Act also increases by \$10 each of the service of process fees state marshals and others authorized to serve process receive when service is on behalf of someone who is not a state or municipal official

acting in his or her official capacity. Under prior law, such person received the following fees regardless of who requested the service:

- o a maximum of \$30 for each process served;
- o \$30 for each subsequent service of process, but \$10 if at the same address; and
- o \$10 for serving a notice to the attorney general in dissolution and postjudgment proceedings involving a party or child receiving public assistance.

The act retains these fees when service is on behalf of an official of (1) the state; (2) a state agency, board, or commission; or (3) a municipality, acting in his or her official capacity (different fees apply to service for the Judicial Branch or Division of Criminal Justice, see CGS § 52-261a). *Effective October 1, 2014.*

- **Service of Civil Protective Orders.** Section 190 of [Public Act 14-217](#) provides that a civil protective order constitutes civil process for purposes of the powers and duties of a state marshal and establishes the procedure for calculating the fees and expenses to be paid for such service. *Effective January 1, 2015.*
- **Duties / Impersonation of a State Marshal.** [Public Act 14-86](#) expands the crime of criminal impersonation to include pretending to be a state marshal to obtain a benefit, or to induce someone to submit to the pretended authority. The Act also makes it a class A misdemeanor for an “indifferent person” (someone other than a state marshal, constable, or other proper officer) to serve process knowing that he or she is not authorized to do so. *Effective October 1, 2014.*

## **WORKERS' COMPENSATION**

- **WC Rates for Services Provided by Hospital and Ambulatory Surgical Centers.** [Public Act 14-167](#) changes how prices for workers' compensation-covered services at hospitals and ambulatory surgical centers (ASC) are determined when a hospital or ASC has not otherwise negotiated prices with an injured employee's employer or workers' compensation insurance carrier (the “payor”). The Act requires the Workers' Compensation Commission chairman, by January 1, 2015, to establish and publish Medicare-based formulas, when available, for determining the prices of such services. In establishing the formulas, the chairman must consult with employers and their insurance carriers, self-insured employers, hospitals, ASCs, third-party reimbursement organizations, and any other entities the commission deems necessary. The chairman must publish the formulas annually on January 1.

Starting 90 days after the chairman publishes the formulas, the Act caps the payor's liability for such services at the reimbursement levels listed in the formulas, unless the parties have negotiated differently. If the services are not covered by Medicare (and thus do not have an applicable formula), the chairman must determine the payor's liability in consultation with the above consulting entities.

- **False Claims Act Applicable to Workers' Comp.** Sections 1-18 of the Budget Implementer Bill, [Public Act 14-217](#), expand the scope of the existing Connecticut False Claims Act to apply to all state-administered health or human services programs, including the Statewide Workers' Compensation program, instead of only DSS medical assistance programs. This law prohibits the making of false or fraudulent claims for state benefits or otherwise defrauding the state and creates a mechanism for the Office of the Attorney General or, in certain situations, individual citizens to file lawsuits against individuals who violate this law. Additionally, it prohibits employers from discharging, harassing or otherwise retaliating against individuals who file such lawsuits or take other lawful actions in an effort to stop violations of the law. *Effective from passage.*