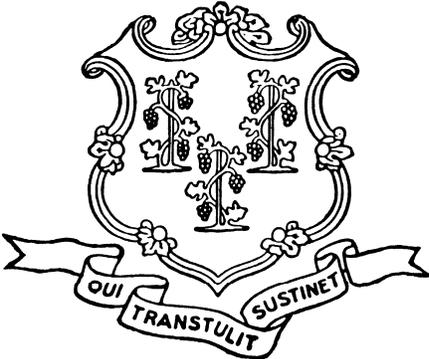


**DEPARTMENT OF PUBLIC WORKS**

**PUBLIC ACT REPORT**

**2010**



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DPW

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## **Public Act No. 10-190**

### **AN ACT CONCERNING STATE CONTRACTS FOR MICRO BUSINESSES, UTILITY DEPOSITS FROM CONNECTICUT BUSINESSES, THE SET ASIDE OF DEPARTMENT OF TRANSPORTATION CONTRACTS FOR SMALL BUSINESSES, GRANTS FOR REGIONAL REVOLVING LOAN PROGRAMS FOR MICROENTERPRISES, AND THE ISSUANCE OF ELIGIBILITY CERTIFICATES FOR CERTAIN ECONOMIC DEVELOPMENT PROGRAMS.**

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

Section 1. Section 4b-57 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2010*):

(a) Whenever consultant services are required by the commissioner in fulfilling the responsibilities under section 4b-1, and in the case of each project, the commissioner shall invite responses from such firms by advertisements inserted at least once in one or more newspapers having a circulation in each county in the state except that the commissioner may receive consultant services under a contract entered into pursuant to subsection (d) of section 4b-51. The commissioner shall prescribe, by regulations adopted in accordance with chapter 54, the advance notice required for, the manner of submission, and conditions and requirements of, such responses.

(b) In the case of a project, the responses received shall be considered by the selection panel. The panel shall select from among those responding no fewer than three firms, which such panel determines in accordance with criteria established by the commissioner are most qualified to perform the required consultant services. In the case of any project that requires consultant services by an architect or professional engineer, additional criteria to be considered by such panel in selecting a list of the most qualified firms shall include: (1) Such firm's knowledge of this state's building and fire codes, and (2) the geographic location of such firm in relation to the geographic location of the proposed project. The selection panel shall submit a list of the most qualified firms to the commissioner for the commissioner's consideration unless fewer than three responses for a particular project have been received, in which case the panel shall submit the names of all firms who have submitted responses.

(c) In the case of consultants selected under subsection (d) of section 4b-51, the responses received shall be considered by the selection panel. The panel shall select, from among those persons responding, a list of those persons most qualified to perform the consultant services. Knowledge of the state building and fire code and whether the consultant is a micro business, as defined in subsection (c) of section 4a-59, shall be considered in determining a consultant's qualifications.

**Public Act No. 10-179**

**AN ACT MAKING ADJUSTMENTS TO STATE EXPENDITURES FOR THE FISCAL YEAR ENDING JUNE 30, 2011.**

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

Section 1. Section 11 of public act 09-3 of the June special session, as amended by sections 3 and 20 of public act 09-7 of the September special session, section 58 of public act 09-6 of the September special session, section 9 of public act 09-1 of the December special session and sections 1 and 2 of public act 10-3, is amended to read as follows (*Effective July 1, 2010*):

The following sums are appropriated for the annual period as indicated for the purposes described.

General Fund            2010-2011

DEPARTMENT OF PUBLIC WORKS

Personal Services	[7,590,198]	<u>6,525,879</u>
Other Expenses	[26,911,416]	<u>26,881,370</u>
Equipment	1	
Management Services	[3,836,508]	<u>4,336,508</u>
Rents and Moving	[11,225,596]	<u>11,760,641</u>
Capitol Day Care Center	127,250	
Facilities Design Expenses	[4,744,945]	<u>5,094,945</u>
AGENCY TOTAL	[54,435,914]	<u>54,726,594</u>

**Public Act No. 10-189**

**AN ACT CONCERNING A PILOT PROGRAM OF THE DEPARTMENT OF ADMINISTRATIVE SERVICES.**

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

Section 1. Subsection (b) of section 4a-82 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) The Commissioner of Administrative Services shall establish a pilot program, for a term of [four] seven years, to create and expand janitorial work job opportunities for persons with a disability and persons with a disadvantage. Such pilot program shall consist of four identified projects for janitorial work. The program shall create a minimum of sixty full-time jobs or sixty full-time equivalents at standard wages for persons with disabilities and persons with disadvantages and have a total market value for all janitorial contracts awarded under the program of at least three million dollars. In establishing such pilot program, the Commissioner of Administrative Services may consult with the Commissioner of Social Services and the Labor Commissioner.

Sec. 2. Subsection (o) of section 4a-82 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(o) During the term of the pilot program described in subsections (b) to (e), inclusive, of this section, any exclusive contract awarded pursuant to section 17b-656 shall remain in effect with no changes in the formula for fair market value. Additionally, any new janitorial contract

**Public Act No. 10-117, Section 74**

**AN ACT CONCERNING REVISIONS TO PUBLIC HEALTH RELATED STATUTES AND THE ESTABLISHMENT OF THE HEALTH INFORMATION TECHNOLOGY EXCHANGE OF CONNECTICUT.**

Sec. 74. Section 19a-26 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The Department of Public Health may establish, maintain and control state laboratories to perform examinations of supposed morbid tissues, other laboratory tests for the diagnosis and control of preventable diseases, and laboratory work in the field of sanitation, environmental and occupational testing and research studies for the protection and preservation of the public health. Such laboratory services shall be performed upon the application of licensed physicians, other laboratories, licensed dentists, licensed podiatrists, local directors of health, public utilities or state departments or institutions, subject to regulations prescribed by the Commissioner of Public Health, and upon payment of any applicable fee as provided in this [section] subsection. For such purposes the department may provide necessary buildings and apparatus, employ, subject to the provisions of chapter 67, administrative and scientific personnel and assistants and do all things necessary for the conduct of such laboratories. The Commissioner of Public Health may establish a schedule of fees, provided the commissioner waives the fees for local directors of health and local law enforcement agencies. If the commissioner establishes a schedule of fees, the commissioner may waive (1) the fees, in full or in part, for others if the commissioner determines that the public health requires a waiver, and (2) fees for chlamydia and gonorrhea testing for nonprofit organizations and institutions of higher education if the organization or institution provides combination chlamydia and gonorrhea test kits. The commissioner shall also establish a fair handling fee which a client of a state laboratory may charge a person or third party payer for arranging for the services of the laboratory. Such client shall not charge an amount in excess of such handling fee.

(b) The Department of Public Health shall ensure that the new state public health laboratory, to be constructed in the town of Rocky Hill, and authorized in accordance with the provisions of subsection (e) of section 2 of special act 01-2 of the June special session, subsection (g) of section 2 of special act 04-2 of the May special session and subsection (o) of section 2 of public act 07-7 of the June special session is constructed and thereafter operates in accordance with all applicable biosafety level criteria as prescribed by the National Centers for Disease Control and Prevention Office of Health and Safety. The construction of such laboratory shall facilitate the operation and administration of a laboratory

that conforms with biosafety level 3 criteria as prescribed by the National Centers for Disease Control and Prevention Office of Health and Safety. The design or construction of such laboratory shall not permit biosafety level 4 activities to be conducted at such laboratory. No activity shall be conducted at the new state public health laboratory that exceeds biosafety level 3, nor shall any person, entity or state agency make application or seek permission to convert the public health laboratory into a facility that engages in biosafety level 4 activities.

**Public Act No. 10-76, Section 4**

**AN ACT CONCERNING VOCATIONAL-TECHNICAL SCHOOLS.**

Sec. 4. Section 3-20f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2010*):

(a) Notwithstanding section 3-20, to the extent there is a sufficient balance of bonds approved by the General Assembly pursuant to any bond act for the purposes of agricultural land preservation programs established pursuant to section 22-26cc or 22-26jj, but not allocated by the State Bond Commission, said commission shall vote on whether to authorize the issuance of at least five million dollars of such bonds for the purposes described in said sections at each of said commission's regularly scheduled meetings occurring in August and February of each year. If no meeting is held in said months, said commission shall vote on whether to authorize the issuance of such bonds at its next regularly scheduled meeting. To the extent there is a sufficient balance of bonds so approved by the General Assembly and there are pending agricultural land preservation transactions in excess of five million dollars, the Commissioner of Agriculture may request, and the State Bond Commission shall vote on whether to authorize the issuance of, bonds in excess of five million dollars. To the extent the balance of bonds so approved by the [legislature] General Assembly is below five million dollars at the time of said commission's August or February meetings, said commission shall vote on whether to authorize the issuance of the remaining balance of such bonds.

(b) Notwithstanding section 3-20, to the extent there is a sufficient balance of bonds approved by the General Assembly pursuant to any bond act for the purposes of general maintenance and trade and capital equipment for any school in the regional vocational-technical school system, but not allocated by the State Bond Commission, said commission shall vote on whether to authorize the issuance of at least two million dollars of such bonds for such maintenance and equipment at each of said commission's regularly scheduled meetings occurring in August and February of each year. If no meeting is held in said months, said commission shall vote on whether to authorize the issuance of such bonds at its next regularly scheduled meeting. To the extent there is a sufficient balance of bonds so approved by the General Assembly and there are pending general maintenance and trade and capital equipment transactions in excess of two million dollars, the superintendent of the regional vocational-technical school system may request, and the State Bond Commission shall vote on whether to authorize the issuance of, bonds in excess of two million dollars. To the extent

the balance of bonds so approved by the General Assembly is below two million dollars at the time of said commission's August or February meetings, said commission shall vote on whether to authorize the issuance of the remaining balance of such bonds.

**Public Act No. 10-43, Sections 8 & 9**

**AN ACT CONCERNING JUDICIAL BRANCH POWERS AND PROCEDURES**

Sec. 8. Section 51-1b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2010*):

- (a) The Chief Justice of the Supreme Court shall be the head of the Judicial Department and shall be responsible for its administration.
- (b) The Chief Justice shall appoint a Chief Court Administrator who shall serve at the pleasure of the Chief Justice.
- (c) The Chief Justice may take any action necessary in the event of a major disaster, emergency, civil preparedness emergency or disaster emergency, as those terms are defined in section 28-1, or a public health emergency, as defined in section 19a-131, to ensure the continued efficient operation of the Supreme, Appellate and Superior Courts, the prompt disposition of cases and the proper administration of judicial business. Such necessary action may include: (1) Establishing alternative locations to conduct judicial business in the event that one or more court locations cannot be used, (2) suspending any judicial business that is deemed not essential by the Chief Justice, and (3) taking any other appropriate action necessary to ensure that essential judicial business is effectively handled by the courts.

Sec. 9. Section 51-5a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2010*):

- (a) The Chief Court Administrator: (1) Shall be the administrative director of the Judicial Department and shall be responsible for the efficient operation of the department, the prompt disposition of cases and the prompt and proper administration of judicial business; (2) shall meet periodically at such places and times as [he] the Chief Court Administrator may designate with any judge, judges [,] or committee of judges, and with the Probate Court Administrator to transact such business as is necessary to [insure] ensure the efficient administration of the Judicial Department; (3) may issue such orders, require such reports and appoint other judges to such positions to perform such duties, as [he] the Chief Court Administrator deems necessary to carry out his or her responsibilities; (4) may assign, reassign and modify assignments of the judges of the Superior Court to any division or part of the Superior Court and may order the transfer of actions under sections 51-347a and 51-347b; [and] (5) may provide for the convening of conferences of the judges of the several courts, or any of them, and of such members of the bar as [he] the Chief Court Administrator may determine, for the consideration of matters relating to judicial business, the

improvement of the judicial system and the effective administration of justice in this state; and (6) may take any action necessary in the event of a major disaster, emergency, civil preparedness emergency or disaster emergency, as those terms are defined in section 28-1, or a public health emergency, as defined in section 19a-131, to ensure the continued efficient operation of the Supreme, Appellate and Superior Courts, the prompt disposition of cases and the proper administration of judicial business, which necessary action may include: (A) Establishing alternative locations to conduct judicial business in the event that one or more court locations cannot be used, (B) suspending any judicial business that is deemed not essential by the Chief Court Administrator, and (C) taking any other appropriate action necessary to ensure that essential judicial business is effectively handled by the courts.

(b) The Chief Court Administrator may establish reasonable fees for conducting searches of court records. No federal, state or municipal agency shall be required to pay any such fee.

**Senate Bill 501, Section 15, June Special Session, AN ACT CONCERNING THE REAL ESTATE CONVEYANCE TAX, THE CONVEYANCE OF CERTAIN PARCELS OF STATE LAND, ADJUSTMENTS TO CERTAIN PROGRAMS IMPLEMENTED THROUGH THE DEPARTMENT OF SOCIAL SERVICES, A REPORT ON TAX CREDITS, JUVENILE JUSTICE, ABSENTEE VOTING BY MEMBERS OF THE MILITARY, REVISIONS TO VARIOUS TASK FORCES, COMMISSIONS AND COUNCILS, AND AMENDMENTS AND MINOR AND TECHNICAL CHANGES TO CERTAIN SPECIAL AND PUBLIC ACTS OF THE 2010 REGULAR SESSION.**

Sec. 15. (*Effective from passage*) Notwithstanding any provision of the general statutes, if the Commissioner of Mental Health and Addiction Services informs the Office of Policy and Management in writing that a parcel of land identified as Lot 12-010 bordering Russell Road on Newington Town Tax Assessor's Map NE 594 in Newington and containing the Cedar Ridge facility which is the psychiatric division of Cedarcrest Hospital, or any portion of said parcel, is surplus land and no longer needed by said department, the Secretary of the Office of Policy and Management and the Commissioners of Environmental Protection and Public Works shall develop a plan to preserve approximately ten acres of said parcel as open space. Such ten-acre parcel is identified as Cedar Crest Hospital Preserve on a map entitled "Newington Cedar Crest Preserve, Map printed May 2010 created by Town of Newington Dept. of IT GIS Services, 131 Cedar St. Newington, CT." Such plan shall include permitting the town of Newington to use such ten acres for passive recreation.