

**Legislation Affecting
the Department of Administrative Services and
the Department of Construction Services**

2013 Regular Legislative Session

July 2013

This report summarizes the Public Acts passed during the 2013 Regular Legislative Session that affect DAS and DCS business units. Public Acts with agency-wide implications or that affect multiple business units, such as the Budget Bill and the Bond Act, are described first. DAS and DCS 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.

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

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BILLS WITH AGENCY-WIDE IMPLICATIONS

- [The Budget Bill \(P.A. 13-184\)](#) and the [Budget Implementer Bill \(P.A. 13-247\)](#)

The legislature passed the Budget (P.A. 13-184) first, and then later passed the Budget Implementer Bill (P.A. 13-247). As a result, to the extent that there are any inconsistencies in budget line items of numbers between these two bills, the Budget Implementer Bill controls. For DAS, funds for the Employees' Review Board (ERB) were not included in the Budget Bill (P.A. 13-184), since the ERB was originally slated to move to the Department of Labor. As the ERB was ultimately left under DAS for administrative purposes, the ERB's funding was added to DAS's budget in the Budget Implementer Bill (P.A. 13-247).

Additional detail pertaining to the budget numbers may be found in the (searchable) Office of Fiscal Analysis [Budget Book](#).

Merger of DCS into DAS. The most significant change to our organization occurring in the Budget and the Budget Implementer is the merger of DCS and DAS. In Sections 195-230 of the Budget Implementer, the legislature eliminated DCS as a stand-alone agency, and transferred DCS programs, authority, and employees to DAS. The budget reduced 13 positions vacancies from DCS and reduced funding for salaries by \$1,062,394 (FY 14) and \$1,113,326 (FY 15) before the transfer.

The legislature did not transfer any construction authority or personnel from DCS to the Board of Regents or to the State Department of Education, as had been proposed in the Governor's original budget proposal. *Effective July 1, 2013.*

Statewide Human Resources. Organizationally, the Statewide Human Resources Unit will remain at DAS and will not be transferred to OPM, as was proposed in the Governor's original budget. However, Sections 331-375 of the Budget Implementer Bill made numerous changes to the State Personnel Act. These changes are described more fully below under Human Resources. *Effective July 1, 2013.*

General Fund Appropriations. Section 1 of the [Budget Implementer Bill](#) outlines the General Fund monies appropriated to each state agency for each year of the biennium. DAS was appropriated a total of \$138,621,319 for FY14 and \$144,670,962 for FY15 for personal services, operational expenses and all other line items. These appropriations reflect the merged DAS, and therefore include funds previously allocated to DCS. Section 1 of the [Budget Bill](#) also appropriates \$27,187,707 in both in FY14 and FY15 to the DAS Workers' Compensation (General Government) Claims account.

Special Transportation Fund Accounts. In addition to the General Fund monies, Section 2 of the [Budget Bill](#) also provides \$6,544,481 in both FY14 and FY16 to the Workers' Compensation (Special Transportation Fund) Claims account; and \$7,364,543 and \$7,916,074, for FY14 and FY 15 respectively, for State Insurance & Risk Management claims and operations related to STF agencies.

Additional Items of Note in the Budget and Budget Implementer include:

- The legislature unilaterally reduced DAS's Rent & Moving account by \$2 million in both FY 14 and FY 15 to achieve savings;
- The Employees' Review Board will remain under DAS for administrative purposes only. It will not be transferred to the Department of Labor;
- Information Technology functions for the Department of Veterans' Affairs have been transferred to DAS;
- DAS Mail/Courier will still be centralized at DAS and will be a General Fund, not a Revolving Fund, operation, with money taken from other agencies' OE line items;
- The funding to support judgments and claims ordered by the Office of the Claims Commissioner has been moved to the Adjudicated Claims Fund, maintained by the State Comptroller.
- Funding associated with the Connecticut Education Network has been retained as a separate line item; these funds were not merged with DAS's OE funds, as was originally proposed.
- Funding for rent and utilities for the Capitol Community Daycare Center has been retained at DAS.
- DAS has been provided with an additional \$250,000 in FY 15 to maintain a Diversity Program Data Management System. Funds have not yet been appropriated, or authorized for bonding, to purchase any such system.

Please note that funds appropriated to agencies in the budget bills may still be subject to holdbacks.

- **Online Regulations.** [P.A. 13-274](#) made various revisions to P.A. 12-92 mandating the creation of an electronic regulations compilation, the "eRegulations System." Among other things, this Act requires agencies to post a conspicuous web site link to

the eRegulations System on its own web site, and requires agencies to post notices of proposed regulations on the eRegulations System. Additionally, this act repeals C.G.S. § 4-60t, a statute that would have taken effect on July 1, 2013 requiring agencies to post all manuals and other guidance documents on their websites. *Various effective dates.*

- **Changes to the Code of Ethics.** [P.A. 13-244](#). This bill makes several changes to the State Codes of Ethics for Public Officials and Lobbyists. Among other things, it expands the Code’s exemption for “gifts to the state” to include goods or services that support participation by a public official or a state employee at an event that furthers a state function. This change may enable state employees to attend conferences and trainings provided by vendors or other regulated donors that were previously impermissible under the Code; however, the decision of whether such offers may be accepted will still be made on a case-by-case basis and must be cleared by the Commissioner’s Office.

Impacting Procurement, Construction Services, BEST, the Business Office, and other contracting staff, the bill also specifically provides that the Citizen's Ethics Advisory Board has authority to interpret Part IV of the Code of Ethics – the sections of the Code relating to “Ethical Considerations Concerning Bidding and State Contracts,” and makes contractors, consultants, and certain other people liable for damages if they violate the law on unethical bidding or contracting practices to advance their own financial interests. *Effective October 1, 2013.*

- **Campaign Finance Laws.** Several state laws regarding elections and campaign finance were modified in [P.A. 13-180](#), including laws regarding reporting and disclaimer requirements, independent expenditures, contribution limits, etc. Of note, the law clarifies that mere attendance at a fundraiser does not constitute “soliciting” contributions but specifies that serving on the committee that is hosting a fundraising event, introducing the candidate or making other public remarks at a fundraising event, being honored or otherwise recognized at a fundraising event, do count as soliciting. It also creates a new a gift exception under the Code of Ethics for expenses incurred by a public official that are paid by the official's party committee. *Effective upon passage.*
- **Geospatial Information Systems Council** was eliminated in Section 6 of [P.A. 13-299](#). The Council’s responsibilities were transferred to OPM. *Effective July 1, 2013.*
- **Energy Bill.** [P.A. 13-298](#) implements Connecticut’s comprehensive energy strategy. Among its many provisions, the following may be of particular interest to DAS:
 - The Act expands the authority of PURA (and changes the names of the directors to “utility commissioners”);

- Section 41 allows (but does not require) DEEP to benchmark the energy use of all buildings owned or operated by the state or any state agency, using the U. S. Environmental Protection Agency's Energy Star Portfolio Manager;
- Section 45 defines the word “geotechnical” and requires that any state building code adopted after the bill's passage include provisions for electric circuits that can support electric vehicle charging in a new residential garage.
- Section 46 reduces the maximum sulfur content of heating oil to 500 ppm until June 30, 2018 and 15 ppm thereafter, regardless of whether New York, Massachusetts or Rhode Island adopt these standards.

Effective dates vary.

- **New Agencies - Department of Aging.** [P.A. 13-125](#) completes the creation of a separate Department on Aging, transferring all functions, powers, duties, and personnel of the Department of Social Services' (DSS) Aging Services Division to the Department of Aging, and establishing the Commissioner of Aging as a department head under C.G.S. §4-5. It also provides that the Department of Housing, not the Department of Economic and Community Development, is responsible for issues relating to congregate housing. *Most provisions are effective July 1, 2013.*
- **Housing, Human Services& Public Health Implementer Bill.** [P.A. 13-234](#) makes changes to various laws governing state housing, human services, and public health programs, including statutory changes required to effectuate the creation of the Department of Housing as a stand-alone agency. In addition, this Act expands the state’s False Claims Act, which prohibits anyone from knowingly filing false or fraudulent claims, to apply to all state programs, not just the DSS medical assistance program. *Effective dates vary.*
- **Agency Regulatory Actions.** [P.A. 13-279](#). This bill requires all state agencies taking regulatory actions under the Uniform Administrative Procedure Act to provide the specific legal citation authorizing the action as part of its final decision. Agencies must do this when rendering final decisions or taking actions against a license under that Act. Under the bill, agencies must also provide the legal authority supporting their action(s), if requested, when an agency takes action involving applications, permits, requests for permits, licenses, approvals or other permissions to conduct business or use private property. *Effective October 1, 2013.*
- **Fiscal Note Look-Backs.** Section 53 of the Budget Implementer Bill, [P.A. 13-247](#), eliminated the requirement that, every second and fourth year after a bill is enacted, the legislative Office of Fiscal Analysis (OFA) must review the actual fiscal impact of each Act passed and compare the impact to the fiscal notes prepared at the time the

Act was enacted. Eliminating this requirement will reduce the workload of DAS's legislative staff, Business Office, and Division Directors, since OFA passed this 2-year and 4-year review onto Executive Branch agency staff each year. *Effective July 1, 2013.*

BEST

- **E-Government Governance.** [P.A. 13-91](#) updates the membership of IT Executive Steering Committee. This Committee currently consists of the DAS Commissioner, the Secretary of the State, the OPM Secretary, the Comptroller, the Treasurer, and the Chair of the Board of Trustees of each constituent unit of the state higher education system, or their designees. Going forward, the Committee will consist of the DAS Commissioner, the OPM Secretary, the Secretary of State (or their designees), and not more than four other executive branch commissioners, appointed jointly by DAS and OPM.

The bill also adds a requirement that DAS must include certain information in its (October 1) annual IT report to OPM and the legislature. Specifically, the report must include a description of the efforts that BEST and executive branch state agencies have undertaken to use e-government solutions to deliver state services and conduct state programs, "including the feedback and demands of clients of such agencies received by such agencies, and such agencies' plans to address client concerns by using online solutions, when determined feasible by such agencies." *Effective October 1, 2013.*

- **Self-Funded E-Government.** Section 1 of [P.A. 13-225](#) provided a language fix that DAS sought to enable the agency to use a "self-funded" contract model when contracting with vendors to provide certain IT services to the State. One or more IT vendors may be used to assist with efforts throughout all of state government to move state government transactions and information online for the public. In a "self-funded" model, the vendor provides IT services to the state, and is paid in whole or part through administrative fees assessed on some of the online transactions/services. This model gives the state the ability to move forward rapidly with developing more online services, and to sustain the growth and development of the system over time without the need for bond funds or general fund appropriations. *Effective upon passage.*

- **Commission for Education Technology / Nutmeg Network**

- Money For Municipalities to Connect to and Use the Nutmeg Network. Section 253 of the Budget Implementer Bill ([P.A. 13-247](#)) enables regional planning agencies (RPAs), regional councils of elected officials (RCEOs), regional councils of governments (RCOGs), two or more municipalities acting through an RPA, RCEO or RCOG, economic development districts or any combination thereof, to submit a proposal to the OPM Secretary, to fund shared information technology services under the existing Regional Performance Incentive Program (PIP) administered by OPM. In addition to these proposals (submitted annually, prior to December 31), any municipality or RCOG may apply annually (again, prior to December 31) to the Secretary for a grant to fund (1) operating costs associated with connecting to the Nutmeg Network; and (2) capital costs associated with connecting to such network. The Secretary will make any such grant available in accordance with the two-year schedule that BEST must establish providing recommendations for connecting each municipality and RCOG to the network. *These provisions are effective upon passage.*

Language was also (erroneously) inserted into Section 254 that requires, *effective January 1, 2015*, that OPM provide grants to municipalities and RCOGs to fund operating costs associated with connecting to the Nutmeg Network so that they may connect “at the same rate as other government entities served by such network.”

- Commission for Education Technology. Section 255 changes the composition of the Commission for Educational Technology. The bill adds to the Commission the following individuals or their designees: the OPM Secretary; the DECD Commissioner; the President of UCONN; the Consumer Counsel; the Connecticut Conference of Municipalities; the Connecticut Council of Small Towns; a municipal chief elected official; and a representative of small business. A number of members were eliminated from the Committee, including: the Chair of the Public Utilities Regulatory Commission; CEOs for the constituent units of the state system of higher education; the Connecticut Association of Public School Superintendents; the Connecticut Educators Computer Association; and union-appointed secondary school and elementary school teachers. The new Act provides that the Governor – not the Commission members – appoint a chair, and requires that the Commission meet at least quarterly. *Effective July 1, 2013.*

- 2-Year Schedule to Connect Municipalities. Section 256 requires BEST, in consultation with RCOGs, to recommend a two-year schedule by which to connect each municipality and RCOG to the Nutmeg Network. This recommended schedule must be submitted to the legislature on or before October 1, 2013.
- Repealers. Section 389 of the Budget Implementer repealed C.G.S. §§ 4d-84 and 4d-85. Thus, BEST is no longer required to develop minimum and model technology standards, including wiring, wireless and connectivity standards, for local school construction projects; and the State Department of Education (together with CET) is no longer required to develop (and update every 2 years) a statewide standard for teacher and administrator competency in the use of technology for instructional purposes, and a statewide plan to assist teachers and administrators to achieve the standard. *Effective July 1, 2013.*
- Separate Line Item for CEN. Funding associated with the Connecticut Education Network has been retained as a separate line item; these funds were not merged with DAS's OE funds, as was originally proposed. (Section 1 of [P.A. 13-184](#)).
- **IT Functions for DVA**. Information Technology functions for the Department of Veterans' Affairs, including 5 positions and funding, have been transferred to DAS. ([P.A. 13-184](#); and see Page 72 of Office of Fiscal Analysis [Budget Book](#)).
- **DECD's Electronic Business Portal**. [P.A. 13-46](#) specifies the features the Department of Economic and Community Development must include in any electronic business portal it establishes. At a minimum, the portal must (1) include specific branding that mirrors a statewide branding program directed by the Governor's office; (2) be aligned with the nonprofit Connecticut Economic Resource Center's online business assistance information programs; and (3) have functionality that allows municipalities to promote local resources, provided each municipality shall be responsible for providing and maintaining its own content on the portal. *Effective October 1, 2013.*

CLAIMS COMMISSIONER

- **Jurisdictional Limits**. The jurisdictional limits for the Office of the Claims Commissioner were raised from \$7,500 to \$20,000 in Sections 6-8 of [P.A. 13-225](#). *Effective July 1, 2013.*

- **Claims Commissioner Funding.** The funding to support judgments and claims ordered by the Office of the Claims Commissioner has been moved to the Adjudicated Claims Fund, maintained by the State Comptroller. As a result, Claims Commissioner orders to pay should be directed to the State Comptroller, beginning on July 1, 2013. Money for salaries supporting the Office of the Claims Commissioner was transferred to DAS's Personal Services account. ([P.A. 13-184](#); and see Page 73 of Office of Fiscal Analysis [Budget Book](#)).

COLLECTIONS

- **Unemployment Compensation Overpayments.** In addition to giving the Labor Commissioner greater ability to penalize unemployment compensation fraud, [P.A. 13-66](#) also authorizes the Labor Commissioner to recover unemployment benefit overpayments by asking DAS to collect the money through the tax intercept program pursuant to C.G.S. §12-742. *Effective October 1, 2013.*

COMMISSIONER'S OFFICE

- **ADA Report.** [Special Act 13-6](#) requires DAS to provide the results of the ADA state building accessibility survey to the Legislature's Aging Committee by January 1, 2014. *Effective upon passage.*
- **Resource Recovery Task Force (Re: Energy Procurement).** Section 8 of [P.A. 13-285](#) requires DAS to participate on the new Resources Recovery Task Force, a group of agencies and other appointees charged with studying the operations, financial stability and business models for resource recovery facilities operating in the state, and submitting a one-time report, due December 15, 2013. *Effective upon passage.*
- **Carbon Footprint Study.** Section 73 of the Budget Implementer Bill ([P.A. 13-247](#)) requires DAS, in consultation with UCONN and other agencies selected by DAS, to study the feasibility of including carbon footprint data as factors in the award of contracts and submit a one-time report to the legislature by February 1, 2014.

CONSTRUCTION SERVICES

- **Bond Act** ([P.A. 13-239](#)) – All expected bond authorizations passed, with language modifications requested by DAS:

Department of Administrative Services				
Sec. 2(c)(1)	Sec. 21(c)(1)	Alterations and improvements in compliance with the Americans with Disabilities Act, or for improved accessibility to state facilities	2,000,000	2,000,000
Sec. 2(c)(2)	-	Development, including acquisition and equipment, of a new thermal facility, including extension of the distribution pipeline, for the capitol area district heating and cooling system in Hartford	29,000,000	-
Sec. 2(c)(3)	Sec. 21(c)(2)	Infrastructure repairs and improvements, including fire, safety and compliance with the Americans with Disabilities Act improvements, improvements to state-owned buildings and grounds, including energy conservation and off-site improvements, and preservation of unoccupied buildings and grounds, including office development, acquisition, renovations for additional parking and security improvements at state-occupied buildings	25,000,000	25,000,000
Sec. 2(c)(4)	Sec. 21(c)(3)	Removal or encapsulation of asbestos in state-owned buildings	10,000,000	10,000,000
Sec. 58		School construction grants-in-aid - progress payments. CGS Sec. 10-287d	510,300,000	469,900,000

Sec. 59		School construction grants-in-aid - interest payments. CGS Sec. 10-292k	1,000,000	4,300,000
Sec. 94	-	Alterations, renovations and improvements, including installation of air conditioning, to the State Office Building and associated parking facilities in Hartford - P. A. 11-57, Sec. 21(d)(1)	-	-
Sec. 94	-	Infrastructure repairs and improvements, including fire, safety and compliance with the Americans with Disabilities Act improvements, improvements to state-owned buildings and grounds, including energy conservation and off-site improvements, and preservation of unoccupied buildings and grounds, including office development, acquisition, renovations for additional parking and security improvements at state-occupied facilities. P. A. 11-57, Sec. 21(d)(2)	-	-
Secs. 83, 87, 88, 91 & 97		Change DCS to DAS for various existing bond authorizations	-	-
		subtotal	577,300,000	511,200,000

DCS -BUREAU OF SCHOOL FACILITIES

- **School Construction Grants.** [P.A. 13-243](#) is the annual school construction bill that authorizes DCS to enter into grant commitments on behalf of the state with respect to the priority listing of school construction projects established in December 2012. This year, the legislature authorized over \$510 million in general obligation bonds for grant commitments for 27 local school projects. The bill also reauthorizes and increases bond grant commitments for 6 other, previously-authorized local projects whose cost and scope have changed, and 1 previously

authorized state technical high school system project (Eli Whitney, Hamden). Additionally, the bill provides for a total of \$250.7 million in state grant commitments for local school construction projects through various “notwithstanding” provisions, deeming otherwise ineligible costs eligible under the school construction grant program. *Effective upon passage.*

- **School Safety Infrastructure.** Sections 80-83 of [P.A. 13-3](#) establish a School Safety Infrastructure Council, to be chaired by the DCS Commissioner or his designee and staffed by DCS. The Council is charged with developing school safety infrastructure standards for school construction grants program by January 1, 2014 that will be applied to school construction grant applications on or after July 1, 2014.

Sections 84 and 85 of this Act also create a competitive grant program to improve school security infrastructure and allocate \$15 million in bond funds to be jointly administered by DESPP, DCS, and SDE. *Effective upon passage.*

- Section 15 of [P.A. 13-122](#) allows schools to apply for a school security infrastructure competitive grant for expenses incurred on or after January 1, 2013, rather than April 3, 2013, as set forth in P.A. 13-3. *Effective upon passage.*
- **School Roof Pitch.** Section 18 of [P.A. 13-256](#) changes the minimum roof pitch required on school roofs for them to be eligible for state reimbursement, from ½ inch per foot to ¼ inch per foot, the standard used in the State Building Code. *Effective upon passage.*

DCS - BUREAU OF DESIGN AND CONSTRUCTION

- **Construction Service Panels.** [P.A. 13-51](#) revises the requirements relating to construction service panels, allowing for reduced panel membership for projects under \$5 million dollars and for on-call selections, thereby streamlining processes and better utilizing staff time. *Effective July 1, 2013.*

DCS - BUREAU OF TECHNICAL AND REGULATORY COMPLIANCE

- **Explosives, Fireworks, Model Rocketry, and Special Effects.** [P.A. 13-256](#) formally returns to DESPP the responsibility for regulating explosives, fireworks, model rocketry and special effects – functions that DESPP has been performing pursuant to an MOU since the creation of DCS in 2011. *Effective October 1, 2013.*

- **Foamed-In-Place Insulating Materials.** Current law bans the installation of urea-formaldehyde foamed-in-place insulation (UFFI), except for urethane foam insulation or styrene foam insulation, in any building or structure. [P.A. 13-43](#) narrows the definition of UFFI and extends the ban on UFFI installation to UFFI sales as well. It also bans the sale for other foamed-in-place insulating materials unless the manufacturer or supplier certifies to the state building inspector that the material complies with the bill's specifications. *Effective upon passage.*
- **Codes and Standards Committee.** [P.A. 13-146](#) adds 3 members to the Codes and Standards Committee, providing representation for electrical contractors, plumbing and piping contractors, and heating and cooling contractors. *Effective October 1, 2013.*
- **Civic Center and Coliseum Complex.** Section 233 of the Budget Implementer Bill ([P.A. 13-247](#)) provides that no municipal law or ordinance applies to the demolition, construction, repair, improvement, expansion or extension of the civic center and coliseum complex, if undertaken by the state or a public instrumentality of the State, including the Capitol Region Development Authority (CRDA). It also specifies that the State Building Inspector and the State Fire Marshal has original jurisdiction with respect to this complex (i.e. to conduct necessary reviews and inspections, to issue any building permit, certificate of occupancy or other necessary permits or certificates related to building construction, occupancy or fire safety). *Effective July 1, 2013.*
- **Wheelchair Ramps on Residential Homes.** Section 3 of [P.A. 13-250](#) clarifies that individuals are not required to seek a variation or exemption from the State Building Code to construct a wheelchair ramp on a residential home. *Effective July 1, 2013.*

FACILITIES MANAGEMENT

- **Bond Act.** [P.A. 13-239](#). Details are described above, under Construction Services.
- **Budget Accounts.** A number of changes were made to Facilities line items in the budget. In addition to rolling out the FY13 rescissions and the FY13 Deficit Mitigation Plan, the budget reflects the Governor's proposals to (1) reduce funding to the Management Services and Rents & Moving accounts to reflect anticipated reductions (reduce lease costs at 110 Sherman Street; reduced utility costs due to building closures, etc.), and (2) to increase funding for higher costs for security and higher rents. However, the legislature unilaterally reduced

DAS's Rent & Moving account by \$2 million in both FY 14 and FY 15 to achieve savings.

While providing the recommended amounts to DAS in FY14 for the acquisition of new buildings (\$2,456,770), the legislature shorted DAS \$5 million in FY15 for building acquisition - providing the agency with \$4,827,080 in FY15 (instead of \$9,827,080, as requested).

See Pages 67-74 of the Office of Fiscal Analysis [Budget Book](#) for more detail.

- **Conveyance Act.** Section 5 of [Special Act 13-23](#) requires DAS to convey to the town of Southbury approximately 45 acres, including Southbury Training School Personnel Village. The Department of Developmental Services shall identify the specific parcel after a survey commissioned and paid for by the town of Southbury. This conveyance may not occur before October 1, 2014.
- **State Surplus (Real) Property.** Sections 1 & 2 of [P.A. 13-263](#) streamline and improve the process by which the state sells surplus real property. It requires agencies to provide advance notice to OPM about property it may no longer need; notifies towns of potential surplus property in their locales earlier in the process; requires a handful of agencies to affirmatively analyze whether they have a re-use purpose for the property; requires OPM to hold a public meeting about the property if the town requests it; and shortens other time frames in the surplus property disposition process. *Effective July 1, 2013.*
- **Surplus Correctional Facilities** will no longer be required to go through a separate auction/sale process as a result of changes in Section 10 of [P.A. 13-263](#). The sale of these facilities will be governed by the same process as other surplus state properties. *Effective upon passage.*
- **Emergency Leasing Authority.** Section 6 of [P.A. 13-263](#) gives the DAS Commissioner the authority to streamline the property leasing process in limited situations where the Governor declares that (1) an emergency exists because a state facility has been damaged, destroyed, or otherwise rendered unusable; (2) the emergency would adversely affect public safety or the proper conduct of essential state government operations; and (3) the state has an immediate need to acquire alternative space. *Effective upon passage.*
- **Documentation Relating to Real Property Conveyances.** Under [P.A. 13-87](#), all documents conveying land must include the current mailing address of the grantee. *Effective October 1, 2013.*

Additionally, [P.A. 13-272](#) requires a seller, before transferring title to a one- or two-family dwelling for which a new occupancy building permit was issued before October 1, 2005, to give the buyer an affidavit certifying that the (1) permit was issued on or after October 1, 1985 or (2) dwelling is equipped with smoke detection and smoke detectors that meet the standards set forth in the statute. This act excludes several kinds of transactions from these requirements. *Effective January 1, 2014.*

- **SFI Filings for SPRB Members and DAS Leasing Employees.** Section 8 of [P.A. 13-263](#) eliminates the requirement that these members and employees have to dually file their Statements of Financial Interests (SFIs). They no longer need to provide their SFIs to DAS, but must file only with the Office of State Ethics, like other DAS employees. *Effective upon passage.*
- **Display of Flags at Half Mast.** [P.A. 13-44](#) authorizes the Governor to issue a proclamation ordering the national flag to be flown at half-staff following the death of a (1) present or former principal figure of state government or (2) member of the armed forces who is from Connecticut and dies in the line of duty. When the Governor issues such a proclamation, the state flag must also be flown at half-staff. The Act also authorizes the Governor to issue a proclamation ordering that the state flag alone be flown at half-staff following the death of a state official or prominent citizen. *Effective upon passage.*
- **Civic Center and Coliseum Complex.** In addition to the provisions discussed above in DCS – Bureau of Technical & Regulatory Compliance, Section 233 of the Budget Implementer Bill ([P.A. 13-247](#)) also grants the Capitol Region Development Authority (CRDA) with the authority to purchase utility services at and for the civic center and coliseum complex at rates otherwise available to the state with respect to state-owned facilities. *Effective July 1, 2013.*

FLEET

- **Duty to Remove Snow & Ice.** [P.A. 13-102](#) makes the failure to remove accumulated snow and ice from a vehicle a motor vehicle infraction. The fine for this infraction remains \$75. *Effective October 1, 2013.*
- **Distracted Driving.** Sections 37 and 60 of [P.A. 13-271](#) increase the fines associated with talking on a cell phone or texting while driving, and requires the DMV Commissioner to assess at list one point on the motor vehicle record of anyone who violates this law. *Effective October 1, 2013.*

HUMAN RESOURCES

- **State Personnel Act Changes.** Sections 331-375 of the Budget Implementer Bill ([P.A. 13-247](#)) make several changes to the State Personnel Act, including, but not limited to the following:
 - Executive Assistants. Agency heads may have up to 4 executive assistants, with DAS and OPM approval.
 - Waiver of Exams. DAS has expanded authority to waive exams for competitive classifications in two additional situations: (1) where the appointment or promotion is to an agency-specific managerial or professional classification that has a limited number of incumbents and few vacancies; and (2) where the appointment or promotion is to a specific managerial position for which the qualifications are so specialized or unique that a general exam would not be cost effective or likely to result in a list of candidates possessing those qualifications. DAS must develop a delegation process for all non-examined classifications that will allow agencies to demonstrate that vacancies in these classes are filled through a competitive process and that the candidates recommended for hire/promotion meet the minimum qualifications for the positions.
 - Duration of Exam Lists. Under the new law, an exam list can be valid for no less than 3 months and no more than 2 years; however, continuous recruitment exams are not subject to this limit.
 - Fees. DAS may charge fees for exams, provided that the fees shall not apply to current state employees or to individuals who apply for a waiver based on indigency. The fees shall not exceed the cost of developing and administering the exam.
 - Dual Employment. DAS must approve any dual employment arrangement that may result in the payment of overtime (i.e., any arrangement involving a non-exempt employee.
 - Provisional Appointments. An appointing authority can hire a provisional employee only if there is no one on the appropriate re-employment or candidate list and that the appointment may last only as long as necessary to conduct the appropriate recruitment.
 - Return from Unclassified Status. A classified employee with at least 5 years of state service appointed to an unclassified position may request a

leave of absence with position held from the Commissioner of Administrative Service. No such leave of absence shall exceed 2 years unless the employee requests and receives approval from DAS to renew the leave of absence.

All of the changes to the State Personnel Act are effective July 1, 2013.

- **USERRA-Type Benefits for State Armed Forces.** [P.A. 13-49](#) (1) extends employment protections currently afforded to employees who are U.S. armed forces reservists or National Guard members to all members of the state armed forces who take time from their employment to perform ordered military duty; and (2) expands the type of protected duty from meetings and drills to all ordered military duty. Workplace protections include (1) being permitted a leave of absence when the member is ordered to military duty, including meetings and drills, during regular working hours, and (2) protection from loss of vacation or holiday privileges, or prejudice in promotions, continuances, or reappointments of employment due to absences. In general, federal law similarly protects U.S. military members when performing federal duty.

The Act's protections cover employees serving in Connecticut's organized militia, National Guard, naval militia, or Marine Corps branch of the naval militia, or any reserve component of the U. S. Army, Navy, Marine Corps, Coast Guard, or Air Force, including the Connecticut National Guard performing duty under U. S. Code Title 32. Under prior law, these protections covered only U. S. armed forces reservists and National Guard members. *Effective October 1, 2013.*

- **Benefits for State Employees Called to Federal Active Duty.** Section 6 of [P.A. 13-25](#) extends certain benefits to state employees called to federal active duty as reservists or National Guard members for any military operation, war, or national emergency. Previously, these benefits were only available for service in support of certain enumerated operations and missions. These reservists and National Guard members receive up to 30 days' paid leave. After 30 days, they receive payment of the difference between the employee's state pay (including longevity) and his or her military pay. They are also entitled to other fringe benefits, including continued state health insurance coverage for the employee and any dependents for the duration of active-duty service, as long as the employee continues to make the same insurance payments required before activation. *Effective October 1, 2013.*
- **New ADA Advisory Committee.** The Committee to Encourage the Employment by the State of Persons with Disabilities has been eliminated, and replaced by a new Advisory Committee established in Section 5 of [P.A. 13-225](#). This new Committee has been established to advise the State ADA Coordinator, upon such

coordinator's request. The State ADA Coordinator appoints the members of the Committee (which now includes the CHRO). *Effective July 1, 2013.*

- **Committee on Career Entry and Mobility** was eliminated in Sections 3, 4 & 9 of [P.A. 13-225](#). *Effective July 1, 2013.*
- **Agency Internships - Foster Children.** [P.A. 13-124](#) establishes a preference for former foster children when hiring or placing for internships at state agencies; however, agencies are not required to ask internship applicants to disclose their status as a foster child, nor can applicants sue state agencies for violating this statute. *Effective July 1, 2013.*
- **Higher Education Police Force.** Language in [P.A. 13-3](#), giving UCONN and the Board of Regents the authority to establish separate qualifications and processes for hiring campus police was repealed in Section 63 of the Budget Implementer Bill ([P.A. 13-247](#)). As a result, the P.A. 13-3 language never went into effect.
- **Board of Regents President.** [P.A. 13-4](#) gives the Board of Regents for Higher Education ("BOR"), instead of the Governor, sole authority to appoint the President of the BOR and to establish the President's terms and conditions of employment, including compensation. *Effective April 22, 2013.*
- **Classification - DMV Inspectors.** Sections 1 and 42 of [P.A. 13-271](#) give sworn Motor Vehicle Inspectors the authority to administer oaths and serve search warrants. *Effective July 1, 2013.* Section 6 requires anyone who is to administer a DMV knowledge or skills test to CDL applicants to undergo a national criminal background check before DMV certifies them to give such tests. *Effective October 1, 2013.*
- **Classification - Alcohol and Drug Counselors.** [P.A. 13-283](#) reinstates a requirement that alcohol and drug counselor licensure applicants complete 360 hours of education approved by the Department of Public Health, including at least 240 hours relating to the knowledge and skill base associated with the practice of such counseling. P.A. 12-197 had eliminated the requirement.

The bill also requires such licensure applicants to have a master's degree in social work, marriage and family therapy, counseling, psychology, or a related field that DPH approves that includes at least 18 graduate semester hours in counseling or counseling-related subjects. Under current law, applicants must have a master's degree in an unspecified field, and the 18 graduate hours in counseling or related subjects need not be part of the master's degree program.

P.A. 12-197 had removed the requirement that the 18 graduate hours be completed as part of the master's degree program.

The bill specifies that on and after passage, applicants for an initial license to engage in alcohol and drug counseling must meet the requirements under law and the bill. But this does not apply to people licensed on and after June 15, 2012 (the date the governor signed P.A. 12-197) and before the bill's passage. (In other words, someone licensed before the bill's passage under the requirements of P.A. 12-197 need not meet the bill's requirements). *Effective upon passage.*

- **Classification - Continuing Education Requirement.** [P.A. 13-76](#) requires licensed social workers, professional counselors, alcohol and drug counselors, and marriage and family therapists to complete one contact hour of continuing education coursework in cultural competency during each license registration period. *Effective October 1, 2013, and applicable to registration periods beginning on and after October 1, 2014.*

PROCUREMENT - CONTRACTING

- **Contract Extensions.** Section 2 of [P.A. 13-225](#) allows DAS to extend a contract for goods or services for up to one year if the Commissioner certifies that the failure to extend the contract would compromise the continuity of state agency systems or operations and clarifies an ambiguity regarding extensions relating to sole source procurements. *Effective July 1, 2013.*
- **Janitorial Pilot Program.** [P.A. 13-227](#) has been made permanent, and the program was slightly expanded/modified pursuant to the language mutually agreed to by DAS, CCPA and SEIU 32BJ. *Effective October 1, 2013.*
- **Connecticut Agricultural Products.** [P.A. 13-72](#) expands the C.G.S. § 4a-51 preference for Connecticut agricultural products to beef, pork, lamb, and farm-raised fish. *Effective upon passage.*
- **Contracting with Companies that Invest in Iran.** Pursuant to [P.A. 13-162](#), foreign companies with whom DAS contracts will be required to submit a certification swearing they have not made certain investments in Iran. *Effective October 1, 2013.*
- **Motor Carrier Eligibility Standards.** Section 59 of [P.A. 13-271](#) prohibits, regardless of any other law or regulation, any motor carrier (including student transportation vehicles) or person driving a commercial motor vehicle (e. g. , bus or large truck) from being ineligible to contract with the state or a municipality

because of the results of safety inspections, unless at least 10 such inspections of the vehicle or company have been conducted during the 24 months preceding the contract's starting date. It does not specify whether or how many such tests the vehicle or company must pass or fail to remain eligible. *Effective July 1, 2013.*

- **Energy Contracts.** [P.A. 13-303](#) modifies the state's renewable portfolio standard (RPS), which requires electric companies and competitive suppliers to get part of their power from renewable resources. Among other things, it: (1) expands the types of resources that count as Class I resources used to meet part of the RPS and; (2) requires that the value of renewable energy credits (RECs) associated with certain biomass facilities be reduced. The Act also allows the DEEP commissioner to (1) solicit proposals from class I and large-scale hydropower generators and (2) direct the electric companies to enter into agreements with them, subject to review and approval by the Public Utilities Regulatory Authority (PURA). It allows large scale hydropower to count towards the RPS under certain conditions. *Effective upon passage.*
- **Hospital Laundry Cooperatives.** This obsolete statute has been eliminated in Section 9 of [P.A. 13-225](#). *Effective July 1, 2013.*

PROCUREMENT - CONSTRUCTION CONTRACTOR PREQUALIFICATION

- **Contractor Prequalification Program.** In addition to the Set-Aside changes discussed below, [P.A. 13-304](#) also modifies the construction contractor prequalification statutes to require DAS to notify prequalified companies of the DECD bond guaranty program, and to require DECD to give priority to prequalified contractors. *Effective October 1, 2013.*
- **Change to Construction Contractor Prequalification Forms.** [P.A. 13-140](#) repeals C.G.S. §31-57a, a statute that required DOL to publish a list of National Labor Relations Act violators, as well as references to §31-57a in various statutes, including §4a-100. This will require DAS to review and update as needed its Construction Contractor Prequalification documents. *Effective upon passage.*

PROCUREMENT - SET ASIDE

- **Set-Aside Program Changes.** [P.A. 13-304](#) modifies the definition of “small contractor” (SBE) in DAS’s supplier diversity statutes by requiring that such business be “independent.” To be “independent,” the viability of the small business must not depend upon another person, as determined by an analysis of the small contractor's relationship with any other person in regards to the

provision of personnel, facilities, equipment, other resources and financial support, including bonding. The Act also modifies the definition of “Minority Business Enterprise” (MBE) by requiring that the minority owner(s) “possess managerial and technical competence and experience directly related to the principal business activities of the enterprise.”

This Act also increases the percentages of work required to be performed by any prime SBE/MBE company that is awarded a contract under the set-aside statutes. Previously, a company awarded a set-aside contract was required to self-perform at least 15% of such contract; it will now be required to self-perform at least 30%. Further, SBEs and MBEs that subcontract some of the work under their set-aside contracts will be required to subcontract at least 50% of the remaining work (i.e. the work not self-performed by the prime) to SBEs and MBEs, respectively, instead of 25%, under current law.

This Act also establishes hearing and appeal procedures for companies whose SBE and MBE certifications are revoked by DAS, and provides DAS with the authority to fine companies that include material false statements in their SBE or MBE certification applications. *Effective October 1, 2013.*

- **SBE/MBE Data Management System.** DAS has been provided with an additional \$250,000 in FY 15 to maintain a Diversity Program Data Management System. DAS is currently reviewing its options to purchase such a system and implement it statewide.
- **MDC and Set-Aside.** Section 24 of the Budget Implementer Bill ([P.A. 13-247](#)) makes the Metropolitan District Commission subject to C.G.S. § 4a-60g, the state’s set-aside laws for contracting. As a result, DAS will have to work with MDC to establish that organization’s set-aside goals. *Effective July 1, 2013.*
- **DECD Registry of Veteran-Owned Companies.** Section 134 of the Budget Implementer Bill ([P.A. 13-247](#)) requires the Department of Economic & Community Development to establish and maintain a registry of data pertaining to small businesses owned and controlled by veterans and small businesses owned and controlled by service-disabled veterans that maintain their principal place of business in Connecticut. The registry must include, but is not limited to, the names of the veteran or veterans who own and control each such business, the location of such business and the type of business in which each such business engages. DECD is required to submit an annual report of the information on the registry. *Effective upon passage.*

PROCUREMENT - SURPLUS PROPERTY

- **Surplus Property Auctions.** Under [P.A. 13-166](#), property related to prostitution, 3rd degree promoting prostitution, and commercial sexual exploitation of a minor and other property sexual exploitation and human trafficking that are forfeited under C.G.S. 54-36p are to be sold at the DAS Surplus Auction and proceeds are to be deposited in the Criminal Injuries Compensation Fund, rather than the General Fund. *Effective October 1, 2013.*

STATE INSURANCE & RISK MANAGEMENT BOARD

- **Civic Center and Coliseum Complex.** Section 233 of the Budget Implementer Bill ([P.A. 13-247](#)) specifies that, while owned, leased or operated by the Capitol Region Development Authority (CRDA), the civic center and coliseum complex shall be deemed to be state-owned property and the State Insurance and Risk Management Board shall be authorized to determine, purchase or otherwise arrange for its insurance or self-insurance. *Effective July 1, 2013.*

STATE MARSHAL COMMISSION

- **Civil Immigration Detainers.** [P.A. 13-155](#) prohibits state law enforcement officers, including state marshals, from detaining individuals who are the subject of civil immigration detainers unless the officer determines that specified public safety risk factors exist. It also requires law enforcement officers to immediately notify U.S. Immigration and Customs Enforcement when they determine whether to detain or release the person. *Effective January 1, 2014.*
- **Child Support Collection Task Force.** [S.A. 13-14](#) establishes a task force consisting of the DSS Commissioner, the Chief Court Administrator and legislative appointees to study ways to increase the collection of past due child support, including modifications to the capias mittimus process. *Effective upon passage.*

STATE PROPERTIES REVIEW BOARD

- **FOIA Executive Sessions.** Section 7 of [P.A. 13-263](#) clarifies that the State, not just political subdivisions of the State, can meet in executive session to discuss real estate transactions when publicity regarding the site, lease, sale, purchase or construction would financially harm the state. *Effective upon passage.*
- **SFI Filings for SPRB Members and DAS Leasing Employees.** Section 8 of [P.A. 13-263](#) eliminates the requirement that SPRB members have to dually file their

Statements of Financial Interests (SFIs). Board members no longer need to provide their SFIs to DAS, but must file only with the Office of State Ethics. *Effective upon passage.*

- **Conveyance Act.** The annual Conveyance Act ([Special Act 13-23](#)) includes a number of transactions that must be approved by the SPRB.

WORKERS' COMPENSATION

- **Armed Forces.** [P.A. 13-25](#) makes members of the state's armed forces, and retirees detailed to duty, including unpaid members and retirees, state employees for purposes of the existing state workers' compensation process and compensation rates. This applies to members and detailed retirees performing under the governor's orders or called to assist in containing a riot or civil commotion, whether by the governor or by another civil authority when the governor cannot be reached; they do not cover paid federal duty. Under the Act, any of the state's armed forces members or detailed retirees performing state military duty may collect workers' compensation benefits based on his or her civilian salary or the average production wage in the state as determined by the labor commissioner, whichever is greater, if the member or retiree is injured while engaged in military duties and unable to perform his or her regular employment duties. The Act prohibits prorating any compensation to members of the state's armed forces injured, disabled, or killed while performing state military duties due to that member's other employment. *Effective October 1, 2013.*