



## Governor Rell, DOIT Issue Security Policy *Inside this Issue*

By Donna Micklus

Governor M. Jodi Rell launched a state-wide mobilization of state agency heads, financial officers, and bank executives in response to the theft of a backup computer tape containing virtually all state agency bank account numbers, bank names and types of accounts as well as the names and social security numbers of dozens of Connecticut taxpayers.

She also asked DOIT Chief Information Officer Diane Wallace to develop a comprehensive security policy for mobile computing and storage devices.

"While mobile devices may have improved work environments, we cannot forget that we are stewards of the public trust," the Governor wrote.

Governor Rell directed DAS to contact the chief fiscal officers at each affected agency to determine which accounts on the stolen tape remain active and to ascertain whether any accounts had been improperly accessed. Agencies were also advised of the Governor's order to heighten their monitoring activities and were asked to confirm

compliance with Governor Rell's order that all agency purchasing cards listed on the stolen data be cancelled and replaced.

All agency heads were asked to "inventory, assess and purge restricted or confidential data currently on laptop computers and other portable storage devices if there is no compelling business needs for data to be stored on those devices."

"DAS is currently working with DOIT on finalizing both agency-specific requirements and agency-wide implementation of the policy. Additional details will be forthcoming, and DAS will then conduct mandatory informational sessions for all DAS employees once those procedures are finalized. Employees will have every opportunity to ask questions at that time," said Commissioner Anne Gnazzo.

In the interim, the Commissioner has issued the DOIT policy to all DAS employees.

"Security is a very serious issue, and we have an obligation to take every possible precaution to protect sensitive data," Gnazzo said.

## A welcomed supporter at DAS Blood Drive



By Donna Micklus

For the second time in a month Governor M. Jodi Rell paid a visit to the State Office Building.

The auspicious occasion? A joint effort by DAS and the Red Cross to launch a self-sufficiency program to benefit patients in need of blood.

Commissioner Anne Gnazzo greeted the Governor and escorted her to the 5<sup>th</sup>



Commissioner Gnazzo and Governor Rell at the DAS Blood Drive

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Floor North Mechanical Room where staff, donors, and media were gathered.

“Governor Rell’s presence here this afternoon demonstrates her strong commitment to forging community/volunteer partnerships, such as this, that are vital to helping those in need,” Gnazzo said.

Following an introduction by Danbury Hospital President and CEO, the Governor spoke of the importance of the program, “The goal of the program is to increase the donor pool in Connecticut so that we do not have to import blood from out of state.

“Right now, Connecticut is a net *importer* of blood – that means we do not have enough donors within the state to serve the needs of our citizens.” Governor Rell added that the Red Cross actually expects to import over 15,000 units of blood into the state this year to meet hospitals’ needs.

“Today’s blood drive also represents a very special partnership between DAS and the American Red Cross, and we are so pleased that so many state employees in the State Office Building have signed up to donate blood, both first-time and repeat donors,” Gnazzo said.

In Connecticut, less than 5 percent of the population that is eligible to donate blood actually does donate. According to Red Cross figures, if just one more percent would donate, Connecticut would become self-sufficient. An estimated 650 units of blood are needed each day in the state.

“Many people say they have never given blood because they have never been asked. We are asking all eligible individuals to please consider yourselves asked, and please donate blood,” Governor Rell implored.

The Commissioner praised the efforts of the DAS employees who organized the drive: Cheryl Drolet, Michelle Burns, Carlos Kebe, William Hauschulz, Shirley Drueschler and Marisol Rivera.

Gnazzo said that 53 donors participated, resulting in 45 productive units of blood.



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Anne D. Gnazzo  
Commissioner

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Meg Yetishefsky thanked **Joe Giliberto, Melissa Christensen, Kerry DiMatteo, Joann Bellamo, Stan Kenton, JoAnne Rella** and **Joanne Cusano** for the DAS/Supplier Diversity Annual Compliance Training Sessions in August that were a huge success. "I want to thank each of you for taking time out of your busy schedules to participate in the event. You provided valuable information to the participating agencies. These types of training sessions really provide the agencies with tools to get their jobs done. I am so proud to work with such a great group of individuals. Your professionalism and dedication to your respective positions is clearly evident in your presentations. **Joanne Cusano**, the registration for the two-day event was great, thanks to your efforts!!! Thanks again and see ya next year!"

## hats off

By Cindy Rusczyk

Meg Yetishefsky sent the following message to Dan Sears: "Dan, I just wanted to recognize the work that **Dana Soderland** has done for my unit over the past few weeks. She has worked diligently in providing us the technical support needed to put into production an online registration system for training we are conducting in August. This was not an easy task as our needs were changing on a daily basis. She is great!"

Commissioner Gnazzo and Deputy Commissioner Sisco "would like to thank **Matt Shea** for all of his hard work developing the new Division Director monthly reporting system, which allows us to be kept up to date on all DAS activities. This has been an invaluable resource for us. Matt put a great deal of time and effort into developing this system and was, and still is, readily available to respond to

any questions or suggestions for change. Thank you, Matt!!!"

Joann Bellamo commended **Kathleen Anderson** for her presentation on the State Procurement Community Conference Call Oracle/PeopleSoft. "I just wanted to comment on how well your presentation was prepared and delivered today. I was quite pleased with the amount of information that was offered in a professional and concise manner. The questions that were posed by the attendees demonstrate how other states rely on Connecticut's expertise in Catalog Management and e-Procurement. Thank you again for all the hard work you did to make this conference call a success."

Nancy Brayman from the Psychiatric Security Review Board had high praise for **J. Carlos Velez**. "I had a problem with the American Academy of Psychiatry and the Law (AAPL) trying to charge registration fees to our travel card. Come to find out, they were entering the wrong expiration date. Carlos not only called the bank, he called AAPL to be sure they had the correct information and called me back to update me at each step. He was absolutely wonderful, and I really appreciate all of his help."

Joe Giliberto applauded **Peter Hunter** for all of his assistance with the look of the new Procurement web pages. "Peter, thanks for all of your help on this project. I think I can speak for Melissa too, we both really appreciate your help and expertise."

Chris Yancik from All Mail Direct thanked **Charlene Lindee** for her assistance with their Supplier Diversity certification. "Thank you so much for your help with our certification process. We appreciate it and everyone at DAS!"

Laurie DiBlasi of Hartford Public Schools sent thanks to **Coleen Laire** of Collection Services' School-Based Child Services Unit for her "hard work and follow through" to clean up claims from the last school year and prepare for the new school year. Mark Martinez, Team Leader of the unit, also extended his thanks to **William Hauschulz, Mary Scotti, David McCue** and **Coleen** "for their efforts to review client accounts to bring in tens of thousands of dollars in new revenue during their summer special project..."

Robert F. Dixon from Advantech Group commended **Gregg Nome** for his assistance with their Supplier Diversity certification. "Thanks very much for your help. There's a lot of detail to getting this right, but you make the process easy."

Kudos to **Celeste Cashman** from Tina Costanzo and Elsie Stempinski for providing excellent customer service and a prompt resolution to a problem with Crystal Rock deliveries. "This is awesome, nice job Celeste!"

Shari Grzyb sent the following message to Linda Hubeny regarding **Peter Varhol**: "I just wanted to let you know that Peter stopped by and put a new door on the broken cubby in Pauline's cubicle. We both appreciate how quickly this was handled – it's nice to know everyone is looking out for Pauline's safety!"

Laurie DiBlasi from Hartford Public Schools sent her thanks to **David McCue** "for all your hard work on my 'No Med' list over the summer. I just finished going through each student you found to now be eligible and as a result of your efforts we were able to bill an additional six direct services and one evaluation potentially bringing in approximately \$4,000 in billings and \$1,000 actual money coming to Hart-

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## More Kudos

ford. Not to mention the ongoing billings, now that these students have a green light! I truly appreciate your dedication and hard work. Thanks again!"

Nancy Jones sends "special thanks to **Fred Ondevilla** for assisting me in the planning of the golf tournament for the CT State Employees Campaign for Charitable Giving. I did not have the expertise that Fred had when it came to handling the contests and dealings with the golf course. He's quite a 'pro'. Also, thanks to all those who participated in the tournament, and to **Chris Roberts, Steve Dygus, Quincy Cole, Peter Varhol** and **Brenda Sisco** for their generous donations for the many door prizes that we had. I hope to be able to plan this event again next year with the anticipation of many more participants."

The Commissioner and Deputy Commissioner extend a HUGE thanks to a number of staff for their assistance in working with both CORE-CT and DRS following the two recent data security breaches. This list includes:

Procurement - **Carol Wilson, Pam Anderson** and **Devin Marquez** who worked diligently with DRS on their DEBIX contract to provide emergency protections to Connecticut citizens. Carol and Devin also spent quite a bit of time reviewing the state's current contract provisions with Accenture and suggestions for changes.

CORE-CT - **Cathy Daly** and **Sue Cavanaugh**, not only for their ongoing assistance but also for their willingness to come in on a beautiful fall Saturday to work with DOIT and review the recently stolen tape from Ohio. We liked having

# Supplier Diversity Training

By John McKay

If you're not goal oriented, DAS' Supplier Diversity Team can help.

In August, they hosted two, half-day training sessions for state agencies on how to correctly establish their Small/Minority Business (S/MBE) set aside goals for this fiscal year.

DAS Commissioner Anne Gnazzo was there to welcome the attendees.

"We hope that this training will provide you with a comprehensive overview of the annual goal setting process, quarterly report submission and, most importantly, give you the tools you need for successful completion.

"And keep in mind that we're not here to just train you and then send you on your way. Use DAS as a resource. Our new and improved Electronic Goal Calculation Package has been designed with you in mind to support statutory requirements and assist your agency in developing its annual S/MBE set-aside goals," Gnazzo emphasized.

New this year, one-on-one training sessions were offered with Supplier

Diversity's JoAnne Rella and Stan Kenton. Both commented on the positive feedback these sessions produced.

"People had good questions that were specific to their agency and couldn't be answered in general terms," said Kenton.

"Some just required extra explanations on how our calculations worked and why," added Rella.

Part of calculating these goals involve other aspects of DAS Procurement.

Joe Giliberto gave an overview of the State Contracting Portal, Kerry DiMatteo reviewed the P-Card and how it helps in calculating set aside dollars, and Joann Bellamo gave an overview on S/MBE reporting in the Core-CT system.

"You know how we know it's working?" asked Program Manager Meg Yetishefsky. "Approximately 80 percent of state agencies met their S/MBE set aside goals last fiscal year. That's a big improvement, and with each training session, we see more success."

Cathy hang out in the Commissioner's Office area!!!!

Business Office - **Tracie Knapsack** and **Jerry Lynn** for also coming in to the office to review active account numbers on that same beautiful day. To **Jean Michael** and her staff for reviewing all of the agency accounts and retrieving laptops over the course of several days.

P-Card Staff - **Kerry DiMatteo, Carlos Velez, Peter Hunter** and **Mark Carozza**, who took on the enormous task of reviewing hundreds and hundreds of P-Card numbers to make sure they were secure and reissuing and hand delivering new cards.

MIS - **Rick Miarecki** and his staff for all of his extra time and effort, still ongoing, to make sure all of DAS' laptops are secure and accounted for.

Commissioners Office - **Sandra Guerra** for organizing all of the other state agency information on bank accounts.

"All of your assistance was and is invaluable. We can't thank you enough. The work you've all done over the last couple of weeks truly benefits not only state government but all of the citizens of the state. It's a pleasure to work with all of you!!!"

# Where Are They Now? Here They Are Now!

By Nina Ritson



“What have I been doing since my retirement? Well, I have to answer, what haven’t I been doing?”

**Carolyn St. Paul**, formerly of Property Distribution has been so busy she often wonders how she ever had time to work.

“Since my retirement, my husband and I have sold our house in Cromwell, and in 2004 we renovated a house in Portland; and I mean we gutted the whole house.”

After 36 years in the same home, the St. Pauls downsized from seven rooms to a five room ranch. They intended to do one of the following: fix it up and sell, or to renovate and stay. The latter appeared easier.

The plan was to just knock a wall out between the kitchen and the living room. St. Paul said the wiring and plumbing was in such bad shape it was a miracle that the house didn’t burn down. “So, when all was said and done, we put a new roof on, all new windows and doors, put a deck on the backside of the house and resided the house and garage. We basically have a brand new home built in 1952.”

But all work and no play is no way to spend retirement, so the St. Pauls flew out to San Francisco, Sonoma Valley Wine country and Lake Tahoe in Reno. They also traveled to Alaska, on a land and cruise trip. “We landed in Fairbanks and panned for gold, went on a river cruise, stopped at the Transatlantic Pipe Line, and went to the Denali National Park - breathtaking. In Anchorage, we sighted caribou, moose, brown bear and many bald eagles. Then we took a helicopter ride and landed on a glacier.”

At home once again, the St. Paul’s attended their oldest granddaughter’s wedding in January. “I just cannot believe she is old enough to get married! I remember bringing her to Take Your Kids to Work Day when she was 11. The highlight of her day was when she met then Lt. Governor Jodi Rell!”

Since their trip out west they have been to Florida, the Hampton Beach Master Sand Sculpting Competition in NH, and the Smokey Mountains. St. Paul also said she has recently taken up kayaking (as seen in the photo). “But,” she says, “my absolute favorite time is early in the morning, when I can go out on my deck with a cup of coffee, and listen to the birds - and the peace and quiet.”

“I love walking and hiking with my husband...and puppies!!” **Mary Aubin**, of DAS Collections, is a seasoned traveler who also enjoys swimming and camping. Her passion for travel has brought her parasailing and snorkeling off the shores of Punta Cana in the Dominican Republic to the snows of Canada.



“We went to the Winter Carnival in Quebec where we went tobogganing down an ice hill and sliding on large tubes – it was a blast! For my birthday my husband surprised me with a trip to Aruba!”

She went on to say, “One of my all time favorite places though, is the Outer Banks of North Carolina. We will be going for our fourth time next year...with our two Welsh Terriers, of course, Katie and Buddy.”

A 23-year state employee, Mary joined DAS from the Department of Social Services. Aubin has served the state in many capacities – in the Public Defender’s Office, as a legal secretary at the State’s Attorney’s Office, in DSS Child Support and Disability Determinations. Although she was recently promoted to a position at the Department of Transportation, she returned to DAS because “I liked it here – I really do – this is the best place I have ever worked.” Because of this Aubin brings to DAS a knowledge rich with information that extends well beyond agency boundaries.

The Aubins, who recently celebrated their 27<sup>th</sup> wedding anniversary, also just bought a new home in Ellington after a lifetime in the Granby area. Both Mary and her husband, Dave, have many years in public service, “Dave is a security liaison for Department of Information Technology as an employee of the Comptroller – so we are both long time state employees.” When not traveling they love going to concerts. “Dave and I saw Bruce Springsteen three times, Eric Clapton and the Stones!”

These days, Aubin is very busy decorating her new home, which she is happy to say is right up the street from her sister, Joann, a state employee also, who works for DSS. For Aubin, having her sister right down the road is a real plus! “We just installed a new fence around the back of our property for the dogs and we have three pear trees and four apple trees on the property that bear wonderful fruit.

“But,” Aubin says, “my sister has the swimming pool!”

# DAS Steps Up to Stand Down

By Susan D. Pawloski-Burke

As I approached the grassy quad, I could hear the amps blasting “Wild Thing” by the Troggs. The place was filled with guys in jeans with long hair. Was this a 60’s outdoor rock concert? No, this was the main campus of the Connecticut Department of Veterans’ Affairs in Rocky Hill and the event was *Stand Down—2007*.

What is Stand Down? “Stand Down” is a term that was used in the military during the Viet Nam war to indicate a safe zone behind the front lines where soldiers could relax, attend to personal hygiene needs, take care of minor medical and eat a hot meal.

Today, Stand Down is an event that is held annually nationwide to reach out to veterans who are in need of services, particularly those veterans who are jobless and/or homeless.

Governor Rell and Veterans’ Affairs Commissioner Dr. Linda Schwartz put the call out to veterans’ advocacy groups across the state, asking them to redouble their efforts to reach out to these individuals and offer them free transportation to allow them to access the services available that day.

As Commissioner Schwartz indicated in a recent press release, “No where else can a needy veteran get more assistance in a single day than at Stand Down. Stand Down is the most dynamic program for needy veterans offered anywhere in Connecticut – but we need local community involvement to reach those in need and help direct them to Rocky Hill. This program is a ‘hand-up – not a hand-out’ – and those veterans

who attend and take advantage of all the services can truly better themselves.”

A wide range of products and services were available for the veterans in attendance including free food, free haircuts, new and gently used clothing, health screenings, and information about financial assistance.

Court officials were also on site to discuss child support issues and to clear up minor infractions.

Andrea

Yurcak and Dale Greenwood of Statewide Human Resources Management represented DAS at the event. They spent the day speaking with a steady stream of veterans who were interested in state employment. The veterans who visited the DAS table were very receptive and grateful for the information. As Dale Greenwood said, “This is one of the most worthwhile and necessary events I have ever attended. These guys just want to work.”

Other state agencies in attendance were Public Health, Banking, Higher Education, Labor, Motor Vehicles, Revenue Services, and Social Services; the Connecticut Judicial Branch, Office of the Chief Public Defender, and the Board of Pardons and Parole.

Federal agencies included the U.S. Department of Veterans’ Affairs, the Vet Centers, and the U.S. Department of Labor; as well as many private and non-profit organizations.

Dale and Andrea were honored to be a part of the days events, be-

**Kudos from Commissioner Gnazzo to Susan Pawloski-Burke, Rick Miarecki, Jose Baez, Anna Tara, Andrea Yurcak, and Dale Greenwood for their contributions to the success of “Stand Down - 2007.”**



cause it gave them the opportunity to give back to those who have given us so much. And truly, how often do any of us have an opportunity to actually do something to show our appreciation to our veterans by participating in an event like this, whose sole purpose is to provide services to the men and women who have served our country in the armed forces? As Andrea Yurcak put it, “It’s the right thing to do.”

AN ENEWSLETTER SUPPORTING CONTINUITY OF OPERATIONS PLANNING BY CONNECTICUT AGENCIES



*By Martin Anderson*

There has been little change in the world situation regarding the threat posed by the high pathogenic H5N1 Avian Influenza virus. We remain at threat level “3” of “6” according to the World Health Organization rating system meaning that there is “No or very limited human-to-human transmission” of this Avian Influenza. The main concern that world health officials have is that this so-called Bird Flu could mutate into a form of the flu that is easily passed from person to person. This, in turn, could lead to a pandemic similar to what happened all over the world in 1918. That flu was so severe and sickened or killed so many people that a number of historians believe it was a key reason that World War I ended.

The number of persons that have died from this high pathogenic H5N1 Avian Influenza is 199 as of September 7, 2007. Most of these persons caught this influenza by direct contact with infected domestic fowl (chickens, turkeys, etc.). A few of these persons caught it by direct contact with a family member who was already sickened from an infected bird. ALL of the human infections and deaths from this particular influenza occurred in and around Southeast Asia—mostly Indonesia and Viet Nam. There have been NO

reports of this kind of bird flu in our part of the world, but every country is on watch to detect if it comes in.

In 2006, Governor M. Jodi Rell required all state agencies to engage in Continuity of Operations or COOP planning. The gist of the planning was for agencies to identify the most critical functions they could not stop doing during an influenza pandemic when a large percentage of their employees might be ill and determine how they would keep the functions going under those circumstances. We followed that planning with a functional pandemic influenza exercise in February 2007. Agencies formed Incident Management Teams for the response to a pandemic situation and also formed emergency command centers in their agencies from which they would manage what was happening during the event.

Most recently, the Governor’s office wanted to make certain that if agencies needed to have key personnel able to perform critical functions from home or any other locale during a pandemic that could be supported technologically, that agencies plan for the technology that might be required to do this. Therefore, agencies are being scheduled by invitation to attend one of six workshop sessions with key DOIT

personnel to understand the technology options that are available to carry out alternate work approaches to get essential functions performed. The first of these sessions has already happened and the next is scheduled October 2.

DAS has reported to the Governor’s office on three key indicators for pandemic influenza preparedness. These are whether or not agencies 1) have a COOP plan; 2) have an emergency command center; and 3) participated in the functional exercise. We will be adding to this the COOP IT plans that agencies need to create following their workshop.

Other work has been taking place behind the scenes to address contingency plans for fiscal and personnel/ payroll issues that might arise during an influenza pandemic. These and other statewide developments are communicated to agency Planning Section Chiefs for COOP planning using a COOP CT Newsletter.

Websites that regularly update information about Avian Influenza and Pandemic Influenza include:

- [www.pandemicflu.gov](http://www.pandemicflu.gov)
- [www.ct.gov/ctfluwatch](http://www.ct.gov/ctfluwatch)
- [www.who.int](http://www.who.int)
- <http://www.epha.org>

# Raising Green "Fore" a Good Cause By John McKay

**W**hoever said that golf ruins a good walk never played in a DAS tournament! Quarry Ridge Golf Course in Portland was the site for this year's event on August 31 to benefit the State Employee Campaign for Charitable Giving.

To keep the competition friendly, there were several events in which participants could compete. Rob Zalucki (DAS Procurement) had the longest drive for the men, and Jackie Mandyck

(Deputy Commissioner of Consumer Protection), had the longest drive for the women. Don Crook ( a DAS alumnus) was the winner of the closest to the pin competition.

"Everyone had a good time," said Nancy Jones (Strategic Resources) who helped organize the event. The entry fee included 18 holes of golf, a box lunch and a golf cart. Door prizes included two 18-hole gift certificates to Quarry Ridge, gift certificates to Vito's restaurant, golf balls and more.

The team that got the lowest score, a 66 on a par 72 course, was Tom Yuhas (Fleet), Steve Dygus (Business Office), Dick Omohundro (MIS) and Mark Grzymajlo (DOIT).

"Of course we'd love to have more people next year," said Jones. "The more we have, the more we can donate to the campaign."

Jones reported that the tournament raised \$200 for the Campaign.



**Clockwise: Jackie Mandyck, Martin Anderson, Fred Ondevilla, Tom Yuhas, Steve Dygus, Anthony "Smitty" Smith, Dick Omohundro**



## Tomato or To-mah-to? By John McKay

**N**o matter how you slice it, Elsie Stempinski is a winner!

Stempinski, who works in the Business Office, won first place in the third annual Department of Agriculture Tomato Contest. All six entries received a "Connecticut Grown" mug, key chain, T-shirt and newly printed map of Connecticut farms and farm stands. Procurement Services' Susanne Hawkins was an honorable mention. For taking home the first place honors, Stempinski won a Connecticut Grown hat and embroidered sweatshirt. All unsampled tomatoes were donated to Food Share in Windsor.

"It's a quick and fun competition here at work," said Hawkins.



**Susanne Hawkins (left) and Elsie Stempinski (far right) pose with Commissioner Prelli and other contestants of this year's tomato contest.**

"My husband and I really enjoy gardening and growing our own vegetables. To me, nothing says summer more than fresh, home-grown tomatoes," she added. Congratulations to Elsie and Susanne!

# FAR EAST SECRET, OR SOMETHING ELSE?

With these summer-like days at the State Office Building, many employees enjoy a nice walk during their lunch break. Many walkers on Trinity Street have probably passed a statue of the Chinese philosopher Confucius by the Bushnell Theater and asked, "Why is this here?"

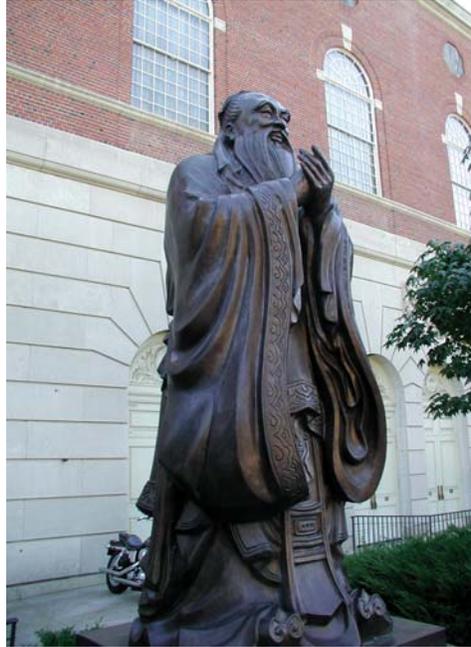
Last year Vice-Governor Sun Shoupu of Shandong Province, China, and 50 Chinese delegates visited Hartford to explore economic opportunities and present the state with a statue of Confucius, the renowned philosopher born in Shandong in 551 B.C. This event marked the 20th anniversary of Connecticut's sister-state relationship with the province.

In May 2006, a delegation from Hartford traveled to Jinan, Shandong's capital, to present a bust of Mark Twain by world famous sculptor Bruno Lucchesi.

"With this statue exchange, we hope to cultivate a broader understanding of Chinese culture among Connecticut citizens and increase the Chinese recognition of the excellence, diversity and vitality of the arts in the state," said Governor M. Jodi Rell.

The 20-year sister-state relationship between Connecticut and Shandong began in 1986, when Gov. William O'Neill and the governor of Shandong Province signed a pact fostering friendship, trade and other relationships between the two regions.

Since then, more than 500 Shandong government and business



...our strength is in our differences

leaders have visited and studied in Connecticut. In 2003, the State Department of Education launched the Connecticut-Shandong Sister School project; more than 50 Connecticut-Shandong school partnerships are anticipated.

The moral, social and political teachings of Confucius, also known as Master Kong Fuzi, have deeply influenced Chinese and East Asian life and thought for over 2,000 years. Confucius' philosophy emphasized humaneness, order and justice. He is best known for his ethical precepts on the proper management of government and society.

*(excerpts taken from Culture and Tourism news release)*

**How Sweet It Is!**

**Coming soon !**

**October 24**

**The Sweet Taste of DAS**

# Summary: the 2007 Legislative Session

By Andrea Keilty

Following is a summary of the bills passed during the 2007 legislative session that may be of interest to DAS business units. Each new law is organized under a topic heading that corresponds to the affected business unit. New laws that have agency-wide implications are at the end of the document. (An Act may appear more than once in this summary if it affects more than one business unit). The effective date of the new law, and a link to the Act itself can be found after each summary.

## PROCUREMENT

### **Contractor Prequalification Changes**

#### **P.A. 07-202 (SB 707) – An Act Concerning the Pay Scale of the State Police, the Prequalification Program Administered by the Department of Administrative Services, and Certain Revisions to the Freedom of Information Act.**

This Act makes a number of changes to DAS's Contractor Prequalification program to ensure consistency in the prequalification statutes and to bolster the program so that only companies with experience, integrity and proven performance may bid

and work on large state construction projects. Specifically, the bill:

- o Requires that, when surety companies take over a large state construction project, they use contractors that are prequalified by DAS to complete the job;
- o Requires that companies performing large state construction projects not only be prequalified when they bid on state contracts, but that they maintain their prequalified status throughout the life of their contract;
- o Ensures that DAS may deny a renewal application for prequalification – not just an initial prequalification application – when a company is convicted of or pleads guilty or nolo to one of a number of crimes relating to business honesty or has a history of failing to perform satisfactorily on public contracts;
- o Gives DAS the ability to suspend a contractor's prequalification for up to 3 months before revoking or reducing a company's ability to bid on contracts;
- o Gives an awarding agency the ability to terminate a construction contract when the agency discovers substantial evidence of fraud in obtaining or maintaining prequalification;
- o Adds an enforcement mechanism into the prequalification statutes – if an awarding authority is required to use a prequalified contractor on a project and fails to do so, it may be ineligible for state funds for the project at issue;
- o Requires that DAS notify contractors, prospective contractors, and their principals, during the prequalification application process, about the campaign contribution bans in state statute;
- o Extends the period of potential disqualification for companies that have plead guilty to a number of

contracting related crimes from 2 years to 5 years;

- o Streamlines and clarifies the performance evaluation process; and
- o Adds language to the statutes to ensure that DAS and the DOT prequalification processes are not in conflict.

*Sections 2 through 10, effective upon passage (July 10, 2007). <http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00202-R00SB-00707-PA.pdf>*

### **Prequalification Certificates**

#### **P.A. 07-1 (SB 1112) – An Act Concerning the State Contractor Contribution Ban and Gifts to the State and Quasi-Public Agencies.**

A large bill that focused on changes to the rules regarding political contributions made by state contractors (discussed below) deleted some language that had previously complicated the certificates issued by the DAS Contractor Prequalification unit. Previously, the law required that DAS include the rules regarding contractor contribution bans on the Prequalification certificate itself. Since the Prequalification certificate is a one-page certificate providing only basic information about a company's prequalification status, the prospect of including the extensive laws regarding campaign contributions on the one-page certificate was impractical and burdensome. Among other things, this Act deleted the burdensome requirement, and now requires that the State Elections Enforcement Commission provide a written notice to agencies outlining these campaign contribution laws, which agencies must distribute to contractors and prospective contractors and obtain written acknowledgement that the companies received the notice. *Section 1,*

*continued on next page*

effective upon passage (February 8, 2007). <http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00001-R00SB-01112-PA.pdf>

## Procurement - Set Aside

### Set-Aside Program Changes

**P.A. 07-4 (June Sp. Sess.) (SB 1500) – An Act Implementing the Provisions of the Budget Concerning General Government.** A number of changes to the DAS statutes governing set-aside passed in the OPM budget implementer bill. The DAS set-aside statutes provide special state contracting opportunities to small and minority-owned businesses within Connecticut.

Effective July 1, 2007, the following administrative changes were made to the set-aside statutes:

- o Language that restricted small and minority-owned businesses from legitimately transferring ownership was removed from the statute;
- o The statutes were changed to codify the DAS practice of including small contractors who are individuals with mental impairments, not just physical impairments, as qualified minority businesses;
- o The DAS annual review of agency set-aside goals will begin a month earlier than previously, and other monitoring and enforcement provisions were added to the statutes to bolster the effectiveness and integrity of the set-aside program;
- o Language was removed that previously prohibited DAS from awarding a small contractor a contract or contracts totaling more than \$ 10 million in a fiscal year; and
- o Statutory language was changed to assist the program's use of online, paperless communications.

Effective January 1, 2008, the definition of what constitutes a "small contractor" eligible for benefits under the set-aside program will be updated to include businesses that had gross revenues not exceeding \$15 million dollars in the most recently completed fiscal year; the current standard is \$10 million.

Sections 65 & 66. All provisions effective July 1, 2007, except the \$10 to \$15 million change in the "small contractor" definition is effective January 1, 2008.

<http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00004-R00SB-01500SS1-PA.pdf>

## Procurement - Contracting

### New FOIA Exemption for Bids & Proposals

**P.A. 07-213 (SB 1182) – An Act Concerning Administrative Procedures of the Department of Public Works . . . and Certain Exemptions to the Freedom of Information Act.** This Act temporarily exempts vendor proposals and bids from disclosure under the Freedom of Information Act (FOIA). Specifically, the legislation exempts documents submitted to an agency in response to an RFP or bid solicitation, until the contract is executed or negotiations for the award of such contract have ended, whichever occurs earlier. To use the exemption, the legislation requires the head of the agency to certify that the public interest in disclosing the record is outweighed by the public interest in the confidentiality of the record. This legislation is important to DAS because without it, our ability to successfully negotiate a contract with a potential vendor may be seriously undermined if we are required to turn over competing

proposals to the vendor during contract negotiations. *Section 22, effective October 1, 2007.*

This Act also clarifies that the certification forms that contractors must submit during the contracting process – swearing that there was no improper gift giving, collusion, or other inappropriate influence in the award of the contract – applies to contracts that have a total value of more than \$500,000 in a calendar or fiscal year; the requirement previously applied to contracts with a total "cost to the state agency" over \$500,000. *Section 2, effective upon passage.* <http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00213-R00SB-01182-PA.pdf>

### New Contracting Form

**P.A. 07-142 (SB 1106) – An Act Concerning Procedures for the Hearing of Complaints Against State Contractors and Subcontractors . . . and the Documentation of Nondiscrimination Policies Adopted by State Contractors.**

This new law requires state contractors to sign an additional document before entering into a contract with the state. Specifically, before entering into a contract with the state or any political subdivision other than a municipality, the contractor must provide documentation demonstrating the company's commitment to nondiscrimination. The documentation must be a company or corporate policy adopted by resolution of the contractor's board of directors, shareholders, managers, members, or other governing body. The new law specifies that a "contract" includes any extension or modification of the contract, and "contractor" includes any successors or assigns of the contractor. *Sections 9 & 10, effective from passage (June 25,*

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2007). <http://www.cga.ct.gov/2007/ACT/PA/2007PA-00142-R00SB-01106-PA.htm>

## **Contractor Contribution Ban**

### **P.A. 07-1 (SB 1112) – An Act Concerning the State Contractor Contribution Ban and Gifts to the State and Quasi-Public Agencies.**

Among other things, this Act expanded and clarified the rules regarding political contributions made by state contractors and their “principals.” The law bans principals of state contractors, prospective state contractors, and DAS prequalified contractors from making or soliciting contributions to or on behalf of (1) exploratory or candidate committees for statewide or legislative office candidates, (2) PACs authorized to make contributions to or spend on behalf of candidates for statewide or legislative office, or (3) party committees. For contractors seeking to do business with DAS or other executive state or quasi-public agencies, the ban applies to statewide office candidates (i.e. Governor, Lieutenant Governor, Attorney General, Treasurer, Comptroller and Secretary of State). For those seeking to do business with the Legislative Branch, the ban applies to legislative candidates. The Act outlines consequences for making or soliciting prohibited contributions, including voiding existing contracts, and disqualifying the contractors from future contracts.

The Act clarifies that the contribution ban covers all contract solicitations, in whatever form issued, including invitations to bid, request for proposals, or requests for information or quotes, and also includes requests made within or outside the competitive procurement process as authorized by law. The Act further clarifies that children under 18 are excluded from the ban, and need not

be reported on the master list of “principals” of state and prospective state contractors.

Under the Act, DAS (and other contracting agencies) still must provide a report to the State Elections Enforcement Commission, including a list of names of DAS contractors and prospective contractors, a list of any state contract solicitations, and prequalification certificates issued by the agency. This report must be updated at least monthly, not later than the fifteenth day of the month.

Finally, if a contractor provides a “gift to the state” to a state agency – which is permissible if the gift meets certain tests – the Act prohibits certain people from providing or directing someone else to provide information on the gift to the agency, the agency’s procurement staff, or a member of a bid selection committee. This ban applies only if the person providing the information does so intentionally to unduly influence the award of a state contract.

*Effective upon passage (February 8, 2007).* <http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00001-R00SB-01112-PA.pdf>

## **Cleaning Products in State Buildings**

### **P.A. 07-100 (HB 6396) – An Act Concerning the Use of Cleaning Products in State Buildings.**

This Act bans the use in state-owned buildings of cleaning products that do not meet certain guidelines and environmental standards. No specific standards were outlined in the bill; rather, the standards must be set by a national or international environmental certification program, which DAS must approve in consultation with the Department of Environmen-

tal Protection Commissioner. To be eligible for use in state buildings, the cleaning products must minimize the potential harmful impact on human health and the environment to the maximum extent possible. Disinfectants, disinfecting cleaners, sanitizers, and other antimicrobial products regulated by federal law are exempt from this new law. *Effective October 1, 2007.* <http://www.cga.ct.gov/2007/ACT/PA/2007PA-00100-R00HB-06396-PA.htm>

## **Retrofitting Diesel School Buses**

### **P.A. 07-4 (June Sp. Sess.) (SB 1500) – An Act Implementing the Provisions of the Budget Concerning General Government.**

Sections 16 through 19 of the general government budget implementer bill requires towns and school boards to retrofit certain full-size school buses with emissions-reducing equipment by September 1, 2010, as long as the work can be done within the grant amounts the bill establishes. The bill makes the retrofitting and registration requirements contingent on whether DAS Procurement can develop contracts setting certain price levels for the purchase, installation and warranty of the retrofitting equipment. The DAS contract(s) will be made available to state agencies and political subdivisions of the state through the State Contracting Portal. The Act establishes a grant program administered by the Department of Environmental Protection (DEP), whereby DEP reimburses the towns and school boards for the money they spend to retrofit their buses. *Sections 16 through 19, effective July 1, 2007.* <http://www.cga.ct.gov/2007/ACT/PA/2007PA-00004-R00SB-01500SS1-PA.htm>

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## Procurement - Surplus Property

### Recycling Electronic Devices

**P.A. 07-189 (HB 7249) – An Act Concerning the Collection and Recycling of Covered Electronic Devices.** This Act creates a mandatory recycling program for discarded computers and televisions. Starting January 1, 2009, manufacturers must participate in a program to implement and finance the collection, transportation, and recycling of these covered electronic devices (CEDs). They may participate in the statewide program or a private program. Among other things, this Act prohibits, starting January 1, 2011, anyone (1) from knowingly discarding a CED at a solid waste disposal facility other than a transfer station, and (2) charging a fee to state residents bringing seven or fewer CEDs to a collector (apparently a transfer station or solid waste hauler) at any one time. *Effective October 1, 2007.* <http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00189-R00HB-07249-PA.pdf>

## **STATEWIDE HUMAN RESOURCES**

### DPS Pay Scale Study

**P.A. 07-202 (SB 707) – An Act Concerning the Pay Scale of the State Police, the Prequalification Program Administered by the Department of Administrative Services, and Certain Revisions to the Freedom of Information Act.** This extensive bill that included changes to the DAS Contractor Prequalification statutes discussed above also included a small section relating to our Statewide Human Resources unit. Specifically, the bill requires DAS to “study the pay scale for sworn personnel of the Division of

State Police to identify any inequities among the classes of such personnel.” The bill further requires that, not later than February 1, 2008, DAS report the study’s findings to the legislature’s Public Safety Committee. *Section 1, effective upon passage (July 10, 2007).* <http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00202-R00SB-00707-PA.pdf>

### Military Leave Benefits

**P.A. 07-112 (SB 1186) – An Act Concerning State Employees Serving in Operation Jump Start or Certain Other Operations.** This Act amended the rules regarding benefits provided to state employees who are called to active military duty. Under existing law, state employees called to active service for certain wars and conflicts continue to accrue vacation and sick time while on military leave. This Act extends those accrual rights to state employees who are called to active-duty service in “Operation Jump Start,” at the border of the United States and Mexico. The legislation also addresses accrual caps; currently, certain laws and collective bargaining agreements cap the amount of vacation time an employee can accrue. If an employee on active duty reaches his/her limit, the employee would lose any time accrued over the cap because s/he does not have the opportunity to use the excess time while on active duty. Therefore, this Act temporarily lifts the accrual cap for employees on active duty, and gives them more time to use their accruals. *Effective upon passage (June 11, 2007).* <http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00112-R00SB-01186-PA.pdf>

### Disaster Relief Leave

**P.A. 07-3 (HB 5706) – An Act Concerning Leave for State Employees Providing Disaster Relief Services.** This Act gives a state employee who is a certified American Red Cross disaster service volunteer up to 15 working days each year to participate in Red Cross specialized disaster relief services, without loss of pay, vacation time, sick leave, or earned overtime accumulation. Previously, the statute allowed a state employee 14 calendar days for this purpose. By law, the leave must be (1) approved by the employee’s supervisor and (2) requested by the Red Cross. *Effective October 1, 2007.* <http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00003-R00HB-05706-PA.pdf>

### Unclassified DOC Wardens

**P.A. 07-158 (HB 7217) – An Act Concerning Discharge Savings Accounts for Inmates, Responsibility for Obtaining Biological Samples from Certain Parolees and Discharge of Mentally Ill Prisoners.** In this extensive Act addressing several issues of concern to the Department of Correction, the DOC Commissioner was given authority to appoint and remove wardens to oversee not only correctional institutions, but also programs. Specifically, this Act allows the DOC Commissioner to appoint and remove wardens to oversee a district, parole and community services, population management, programs and treatment, security and academy training, and staff development. These wardens are all exempt from the classified service. Previously, only wardens of state institutions were exempt from classified service.

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Sections 6 & 7, effective July 1, 2007. <http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00158-R00HB-07217-PA.pdf>

**Unclassified Assistant Comptrollers**

**P.A. 07-213 (SB 1182) – An Act Concerning Administrative Procedures of the Department of Public Works . . . and Certain Exemptions to the Freedom of Information Act.**

One section of this large bill authorizes the State Comptroller to appoint Assistant Comptrollers as necessary to conduct business. The Act specifies that any Assistant Comptroller that she hires will be in unclassified service and may be removed by the Comptroller. *Section 13, effective upon passage (July 10, 2007).* <http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00213-R00SB-01182-PA.pdf>

**Unclassified POST Executive Secretary**

**P.A. 07-151 (HB 5273) – An Act Concerning the Police Officer Standards and Training Council and Missing Persons.** Of interest to DAS Statewide Human Resources is a provision in this Act expressly allowing the Police Officer Standards and Training Council (POST) to employ an unclassified executive secretary. POST previously did not have the authority to hire in this job classification. *Section 2, effective upon passage (June 19, 2007).* <http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00151-R00HB-05273-PA.pdf>

**FLEET OPERATIONS**

Fleet Emission Plans & Standards **P.A. 07-4 (June Sp. Sess.) (SB 1500) – An Act Implementing the Provisions of the Budget Concerning General Government.** Provisions affecting the DAS fleet operations statutes passed this year in an attempt to reduce air pollution and increase energy efficiency. Specifically, sections 35 and 36 of the general government budget implementer bill modified fuel efficiency requirements for state fleet vehicles. It requires, starting January 1, 2008, that:

1. at least half the cars the state purchases or leases be alternative-fueled, hybrid electric or plug-in electric vehicles;
2. all alternative fueled vehicles purchased or leased be certified to the California Air Resources Board (CARB) Low Emission Vehicle (LEV) II Ultra Low Emission Vehicle standard; and
3. all gasoline-powered light duty and hybrid vehicles purchased or leased must be certified, at least to the CARB's LEV II Ultra Low Emission Vehicle standard.

By July 1, 2012, all state cars and light duty trucks must be alternative-fueled, hybrid electric or plug in electric vehicles. The Act does provide some flexibility to these requirements if the DAS Commissioner determines that such vehicles are not available for purchase or lease, and also exempts certain vehicles from these requirements. Additionally, the Act requires that DEP, in consultation with DAS, develop two plans by September 1, 2007: one, to increase the use of existing ethanol and natural gas fueling stations and any other existing alternative fueling stations the state; and another, to use credits the state has established under federal

law to increase the purchase of hybrid electric vehicles in the state fleet. DAS must also submit a report on a number of fleet-related issues to three legislative committees by October 1, 2007, and annually thereafter by January 1. Finally, the Act requires that the DAS and DEP Commissioners must, when possible, consider the use of and impact on state companies in carrying out the provisions of the bill. *Sections 34 & 35, effective upon passage (June 29, 2007).* <http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00004-R00SB-01500SS1-PA.pdf>

**Wheelchair Transfer Safety**

**P.A. 07-134 (HB 5537) – An Act Concerning Wheelchair Transfer Safety.**

This Act requires that new safety devices be installed and/or used in vehicles that transport individuals in wheelchairs. First, the Act requires that operators of such vehicles use a device designed to secure individuals inside their wheelchairs while transferring such individuals from the ground to the vehicle, and from the time the motor vehicle is brought to a stop until such individuals are transferred from the vehicle to the ground. The device must be in the vehicle at all times. Additionally, the new law requires that certain types of lift-equipped vehicles registered for the first time on or after October 1, 2007, provide and use an additional device that secures the wheelchair to the vehicle's mechanical lift or otherwise prevents or seeks to prevent the person in the wheelchair from falling from the vehicle. The vehicles affected include: livery vehicles; service buses; invalid coaches; vanpool vehicles; school buses; motor buses; student transportation vehicles; camp vehicles; and vehicles used by municipal, volunteer, and

commercial ambulances, rescue services, and management services. *Effective October 1, 2007.* <http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00134-R00HB-05537-PA.pdf>

### **SMART**

#### **Discrimination Investigations**

##### **P.A. 07-181 (SB 1048) – An Act Concerning the Investigation of a Discrimination Complaint Against or by an Agency Head of State Commission or Board Member.**

This bill – proposed by the Commission on Human Rights and Opportunities – aims to eliminate actual or potential conflicts of interest in discrimination investigations. Instead of having an agency’s internal Affirmative Action Officer (AAO) investigate discrimination complaints brought against the agency head, an agency’s AAO, or a board or commissioner member – as is the current practice – this bill requires DAS to conduct such investigations in certain circumstances. Specifically, if the discrimination complaint claims that an agency head, the AAO, or the board or commission member “directly or personally engaged in discriminatory conduct,” or if the complaint is brought *by* the agency head, AAO, board or commission member, DAS will be required to investigate it. If a discrimination complaint is brought against the executive head or AAO of DAS, the investigation will be handled by the Commission on Human Rights & Opportunities. Although this bill is effective upon passage, the language specifies that it applies to all relevant complaints pending on the effective date of the bill (July 5, 2007). <http://www.cga.ct.gov/2007/ACT/PA/2007PA-00181-R00SB-01048-PA.htm>

### **COLLECTIONS**

#### **Reimbursement for DCF Care**

##### **P.A. 07-203 (SB 761) – An Act Concerning Reimbursement for Payments Made by the Department of Children and Families for the Care of a Child.**

This bill limits the state’s ability to collect reimbursement for money the state paid on behalf of children who received care and assistance from the Department of Children and Families (DCF). Since its passage, DAS no longer is able to recover the costs of DCF care from individuals who received such care and later come into a “windfall,” such as money from a lawsuit, lottery proceeds, inheritances, trusts (except special needs trusts), or from decedent estates. *Effective upon passage (July 10, 2007).* <http://www.cga.ct.gov/2007/ACT/PA/2007PA-00203-R00SB-00761-PA.htm>

#### **Reimbursement from Housing or Employment Discrimination Cases**

##### **P.A. 07-44 (SB 1337) – An Act Concerning Discrimination Awards Received by Persons Who Have Been Supported by State Human Institutions.**

This Act prohibits the state from claiming or applying a lien against certain lump-sum payments, including settlements or awards from housing or employment discrimination cases, received by people who have been supported wholly or in part by the state in a humane institution. The law defines a “humane institution” as a state mental hospital, community health center, treatment facility for children and adolescents, or any other facility or program administered by the departments of Mental Health and Addiction Ser-

vices, Mental Retardation, or Children and Families. DAS has not collected from these sources of income for several years, so there should be no impact on collections as a result of this new legislation. *Effective July 1, 2007.* <http://www.cga.ct.gov/2007/ACT/PA/2007PA-00044-R00SB-01337-PA.htm>

#### **Notice to DMHAS Clients**

##### **P.A. 07-148 (SB 1066) – An Act Concerning the Department of Mental Health & Addiction Services.**

While not directly impacting DAS, it may be of interest to the DAS Collections Unit that this new Act amends C.G.S. § 4a-17, by requiring that a copy of notices and other documents concerning any court action or proceeding that would otherwise be served personally on or mailed to the home of someone committed to a psychiatric facility be mailed directly to the person at the institution. It applies to anyone committed by court order, emergency certificate, or voluntarily. By law, the notice is also sent to (1) the institution’s superintendent or representative, who must deliver it to the individual, and (2) the DAS Commissioner. *Section 1, effective October 1, 2007.* <http://www.cga.ct.gov/2007/ACT/PA/2007PA-00148-R00SB-01066-PA.htm>

### **BUSINESS OFFICE**

#### **CHESLA Tax Intercepts**

**P.A. 07-108 (SB 1074) – An Act Concerning the Connecticut Higher Education Supplemental Loan Authority.** Presently, the DAS Business Office works with the Department of Revenue Services to

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intercept the state tax refunds of certain individuals who owe money to the state. By statute, DAS and Revenue Services provide this tax intercept service for the Connecticut Student Loan Foundation (CSLF) – to help CSLF recover the money owed to the Foundation from individuals who have defaulted on their CSLF loans. This new Act extends this intercept service to the Connecticut Higher Education Supplemental Loan Authority (CHESLA) – helping CHESLA recover money from individuals who have defaulted on CHESLA loans. *Section 4, effective July 1, 2007.* <http://www.cga.ct.gov/2007/ACT/PA/2007PA-00108-R00SB-01074-PA.htm>

### **WORKERS' COMPENSATION**

#### **Form 36 Changes**

**P.A. 07-80 (SB 1036) - An Act Concerning Notification to Injured Employees of the Discontinuation or Reduction of Workers' Compensation Benefits.** This Act extends, from 10 to 15 days, the period of time during which an employee can request a hearing after receiving a workers' compensation benefit reduction or discontinuation notice. By law, the employee has the right to request such a hearing. If there is no request, benefits are automatically reduced or discontinued.

The Act also requires that certain additional information be included in the form notifying an employee of the pending reduction or discontinuation. Specifically, in addition to the existing notification requirements (such as stating the employee's name and employer) the Act requires the notice to identify: the employee's attorney or other representative; the insurer; the injury, its nature, and the date it

occurred; and the city or town in which the injury occurred. In practice, the prior form used by the Workers' Compensation Commission required this information. Under the new law, the notice must also include medical documentation that establishes the basis for discontinuing or reducing benefits and identifies the employee's attending physician. Under prior law, the employer had to state the reason for the reduction or discontinuation of benefits, and the "attending surgeon" had to sign the form and indicate what kind of work the employee could perform.

**This Act also increases the maximum penalty, from \$500 to \$1,000, for an employer's or insurer's undue delay of a compensation payment due to such party's fault or neglect. The Act permits the Workers' Compensation Commissioner hearing the claim to assess the penalty for each delay. Effective October 1, 2007.**

<http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00080-R00SB-01036-PA.pdf>

#### **Indoor Air Quality and State Buildings**

**P.A. 07-124 (SB 1051) – An Act Concerning the Inspection and Evaluation of Air Quality in State Buildings.** The DAS statewide Workers' Compensation Unit may be interested to know that this new Act requires state agencies to follow certain guidelines for indoor air quality before they can accept all or part of a building to be occupied by state employees or others under a lease, lease renewal, or purchase. Each agency or department must (1) provide for an inspection of the premises and (2) develop a protocol for the periodic assessment and remediation of indoor air quality

issues. The protocol must include the best practices for commercial office space, and all applicable provisions of the Environmental Protection Agency's (EPA) Indoor Air Quality "Tools for Schools" Program.

The Act also requires that each lease agreement any state department signs on or after July 1, 2007 contain a provision requiring the lessor to make all necessary efforts to maintain the structure and its mechanical systems to keep the indoor air quality at the same level as when the premises were accepted. The lessor must also agree to carry out the air quality protocol the department is required to establish under the Act. *Effective July 1, 2007.* <http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00124-R00SB-01051-PA.pdf>

### **AGENCY-WIDE**

#### **New Code of Ethics "Gift" Exemptions**

#### **P.A. 07-1 (SB 1112) – An Act Concerning the State Contractor Contribution Ban and Gifts to the State and Quasi-Public Agencies.**

In addition to the contracting-related changes described above, this Act also made several changes to the State Code of Ethics that may be of interest to DAS employees. First, the Act clarified the "gift to the state" exception to the gift ban: Although lobbyists, state contractors, prospective state contractors, and companies on the DAS Contractor Prequalification list may generally not provide gifts to state officials or employees, the Act clarified that it is permissible for these individuals and entities to give goods or services to a state agency if the goods/services (1) are for use on state property or they support an event, and (2) the goods or services given facilitate state action or functions.

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This Act also created a new exemption to the gift ban in the Code of Ethics with regard to training. The law now expressly states that vendors may provide public officials and state employees with training for a product purchased by a state, provided such training is offered to all customers of that vendor. The gift laws were also clarified to ensure that foundations and alumni associations do not run afoul of the ethics laws when they give gifts to public higher education institutions or vocational-technical schools. *Sections 5 through 10, effective upon passage (February 8, 2007).* <http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00001-R00SB-01112-PA.pdf>

#### **Public Notice of Agency Meetings – FOIA**

#### **P.A. 07-213 (SB 1182) – An Act Concerning Administrative Procedures of the Department of Public Works . . . and Certain Exemptions to the Freedom of Information Act.**

Among other things, this Act requires state agencies to file their regular meeting agendas at the agency and with the Secretary of the State. By law, agencies must file notices at least 24 hours before the meetings. The Act further requires state agencies and the Secretary of the State to post the agendas on their websites. In general, “meetings” under the Freedom of Information Act means any hearing or other proceedings of the agency. Administrative and staff meetings of a single-member agency such as DAS is not considered a “meeting” for the purposes of the FOIA. *Section 23, effective October 1, 2007.* <http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00213-R00SB-01182-PA.pdf>

