

**42.425 Department for Facilities and Support Services -- Organization -- Duties.**

- (1) (a) The Department for Facilities and Support Services established in the Finance and Administration Cabinet by KRS 42.014 shall be generally responsible for performance of the cabinet's functions and duties as outlined in KRS Chapters 45, 45A, and 56 with relation to the management and administration of the State Capital Construction Program, including without limitation to the generality thereof the procurement of necessary consulting services related to capital construction and building renovation projects, construction services, and supervision of building construction projects, and for the maintenance and operation of the state government's real property management functions and physical plant management functions.
- (b) The department shall be headed by a commissioner appointed by the secretary of the Finance and Administration Cabinet.
- (c) The department shall have the primary responsibility for developing and implementing policies applicable to all state agencies to ensure effective planning for and efficient operation of state office buildings, and shall provide appropriate assistance regarding the planning and efficient operation of all state facilities.
- (d) The department shall be divided for administrative and operational purposes into:
  1. The Office of Facility Development and Efficiency, headed by an executive director appointed by the secretary in accordance with KRS 12.050. The office shall analyze and monitor guaranteed energy savings performance contracts for state agencies. The office shall include:
    - a. The Division of Engineering and Contract Administration; and
    - b. The Division of Facility Efficiency;
  2. The Office of Building and Mechanical Services, headed by an executive director appointed by the secretary in accordance with KRS 12.050. The office shall provide building and grounds maintenance, mechanical maintenance, and electronic security services to state-owned facilities across the Commonwealth and shall consist of the Division of Building Services and the Division of Mechanical Services;
  3. The Division of Real Properties;
  4. The Division of Historic Properties; and
  5. The Division of Surplus Properties.
- (e) Each division shall be headed by a division director appointed by the secretary, subject to the approval of the Governor, and responsible to the commissioner of the Department for Facilities and Support Services. The commissioner shall provide for the distribution of the department's work among the divisions within the department.
- (f) The Division of Surplus Properties shall be responsible for the disposition of all personal property of the state declared surplus. The division shall be the

single state agency of the Commonwealth of Kentucky that may receive, warehouse, and distribute surplus property under the Federal Property and Administrative Services Act of 1949, as amended, and any other federal law relating to the disposal of surplus federal property to the states and political subdivisions within the states. The division shall comply with federal laws and regulations in the administration of surplus property received through federal agencies. The division director may promulgate administrative regulations in accordance with KRS Chapter 13A as necessary to comply with minimum standards established by federal laws and regulations governing disposal of surplus federal property and to implement the fee or service charge provisions contained in this paragraph. The division director may establish, charge, and collect from donees of federal surplus property a fair and reasonable fee or service charge to defray the cost of operating the surplus property disposal program. The fees shall be deposited in a trust and agency account in the State Treasury to the credit of the Division of Surplus Properties.

- (2) In conjunction with the responsibilities listed in subsection (1) of this section, the Department for Facilities and Support Services shall have the following duties:
  - (a) Establish policies to ensure efficient utilization of state property by:
    1. Requiring the development of guidelines which set forth space standards and criteria for determining the space needs of state agencies, and maintaining an inventory which tracks the agencies' compliance with those standards and criteria; and
    2. Requiring certification of compliance, or justification for exceptions, as a criterion for approval of additional space;
  - (b) Establish policies to ensure effective planning for state facilities by:
    1. Developing a long-range plan for the Frankfort area, with priority on reducing dependency on leased space and encouraging the consolidation of agencies' central offices into single locations, and shared offices for agencies with similar functions; and
    2. Developing long-range plans for housing state agencies in metropolitan areas, with priority on centralization of services and coordination of service delivery systems; and
    3. Encouraging executive branch agencies to expand long-range planning efforts, consistent with the policies of the Capital Planning Advisory Board; and
    4. Supporting long-range planning for a statewide information technology infrastructure to more efficiently deliver state government services;
  - (c) Establish priorities to allow least-cost financing of state facilities by:
    1. Initiating policies which authorize the state to use innovative methods to lease, purchase, or construct necessary facilities; and
    2. Requiring cost analysis to determine the most effective method of meeting space needs, with consideration for ongoing operations and

initial acquisition; and

- (d) Implement and maintain a comprehensive real property and facilities management database to include all state facilities and land owned or leased by the executive branch agencies, including any postsecondary institution. All state agencies and postsecondary institutions shall work cooperatively with the Department for Facilities and Support Services to implement and maintain the database.
- (3) The Department for Facilities and Support Services shall develop plans for the placement of computing and communications equipment in all facilities owned or leased by state government. As part of this planning process, the department shall:
- (a) Provide adequate site preparation in all state-owned facilities and require the same of those from whom the state leases space as part of the lease agreement;
  - (b) Fund a minimum level of site preparation for computing and communications in each new state-owned facility; and
  - (c) As new office sites are developed, or existing ones undergo renovation, consider the placement of shareable high-cost, high-value facilities at strategic locations throughout the state. These facilities may include video teleconference centers, optical scanning and storage services, and gateways to high-speed communication networks.

**Effective:** June 25, 2009

**History:** Amended 2009 Ky. Acts ch. 12, sec. 26, effective June 25, 2009. -- Repealed, reenacted, and amended 2005 Ky. Acts ch. 85, sec. 17, effective June 20, 2005. -- Amended 2002 Ky. Acts ch. 19, sec. 1, effective July 15, 2002. -- Amended 1998 Ky. Acts ch. 68, sec. 3, effective July 15, 1998; and ch. 87, sec. 1, effective July 15, 1998. -- Amended 1994 Ky. Acts ch. 176, sec. 2, effective July 15, 1994. -- Amended 1992 Ky. Acts ch. 41, sec. 2, effective July 14, 1992. -- Amended 1982 Ky. Acts ch. 393, sec. 25, effective July 15, 1982. -- Created 1978 Ky. Acts ch. 155, sec. 53, effective June 17, 1978.

**Formerly codified as** KRS 42.027.