



General Assembly

January Session, 2001

Raised Bill No. 1074

LCO No. 3501

Referred to Committee on General Law

Introduced by:

(GL)

**AN ACT CONCERNING BEDDING, THE LIQUOR CONTROL ACT,
LICENSING OF PROFESSIONAL ENGINEERS, LAND SURVEYORS,
PHARMACISTS AND FIRE SPRINKLER LAYOUT TECHNICIAN WORK,
ELECTRONIC SHELF LABELING AND WELL DRILLERS.**

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

1 Section 1. Section 21a-231 of the general statutes is repealed and the
2 following is substituted in lieu thereof:

3 When used in sections 21a-231 to 21a-236, inclusive:

4 (1) "Bedding" means any mattress, pillow, cushion, quilt, bed pad,
5 comforter, sleeping bag, upholstered spring bed, box spring,
6 davenport, bedspring metal couch, metal bed, metal cradle, hammock
7 pillow, upholstered furniture or other substantially similar article or
8 part thereof used or intended to be used for sleeping, resting or
9 reclining.

10 (2) "Commissioner" means the Commissioner of Consumer
11 Protection or [his] the commissioner's designee.

12 (3) "Department" means the Department of Consumer Protection.

13 (4) "Fee", "permit fee" and "license fee" mean the respective fees paid
14 at the time of application for the issuance or renewal of any permit or
15 license.

16 (5) "Filling material" means any natural or synthetic fibers or
17 filaments, down, feathers or other soft material [which] that may be
18 used in the manufacture of bedding.

19 (6) "Manufacture", "make", or "made" refer to the assembly,
20 construction or the importation of new bedding or new filling material
21 for sale.

22 (7) "Manufacturer" means any person who makes or prepares for
23 sale or imports new bedding, in whole or in part, that contains new
24 filling material.

25 (8) "New" means the condition of any filling material or bedding
26 [which] that has not been previously used for any purpose. [; except
27 that bedding or filling material returned by the consumer for
28 exchange, alteration or correction within thirty days from the date it is
29 delivered to the consumer shall be deemed to be new.]

30 (9) "Person" means an individual, partnership, corporation, limited
31 liability company, association, receiver or agent.

32 (10) "Renovate" means addition of new filling material to bedding.

33 (11) "Renovator" means any person who adds new filling material to
34 bedding for a fee.

35 (12) "Sale", "sell", or "sold" refers to offering or exposing for sale, [or]
36 exchange, rent or lease or holding in possession with like intent.

37 [(13) "Sterilized" or "method of sterilization" refers to the mitigation
38 of any infective and deleterious substances including germs, fungi and
39 insects from bedding or filling material by a process approved by the
40 commissioner.]

41 (13) "Sanitization" means the process for the reduction of the level of
42 microbiological agents to a level not injurious to health and the
43 removal of filth and dirt.

44 (14) "Secondhand" means any filling material or bedding subject to
45 prior use except as provided in subdivision (8) of this section, or
46 [which] that is returned by a consumer for exchange, alteration or
47 correction more than thirty days after the date of delivery to the
48 consumer.

49 (15) "Secondhand dealer" means any person who [sells] rents or
50 leases any secondhand bedding.

51 (16) "Supply dealer" means any person who manufactures,
52 processes, packages, repackages or otherwise prepares for sale, any
53 filling or material.

54 (17) "Upholstered furniture" means any furniture that contains
55 filling material and is used or intended to be used for sitting, resting or
56 reclining.

57 Sec. 2. Section 21a-232 of the general statutes is repealed and the
58 following is substituted in lieu thereof:

59 (a) No person shall sell as new any bedding or filling material
60 unless it is made from all new material and is tagged as provided in
61 this chapter.

62 (b) No person shall sell, representing it to be new, any secondhand
63 bedding or filling material.

64 (c) No person shall sell any secondhand bedding or filling material
65 or use any secondhand filling material in the manufacture of bedding
66 unless it is tagged as provided in this chapter.

67 (d) No person shall sell any bedding or filling material [which] that
68 has been used by or about someone having an infectious or contagious

69 disease unless such bedding or filling material has been [sterilized]
70 sanitized and is tagged as provided [herein] in this section.

71 (e) No person shall use any filling material to make an article of
72 bedding that comes from animal or fowl; contains any bugs, vermin,
73 insects or filth; contains burlap or other material that has been used for
74 baling; or is secondhand, unless such filling material has been
75 [sterilized] sanitized.

76 (f) No person shall sell any bedding or filling material unless there
77 appears on its tag the license number and, if [sterilized] sanitized, the
78 permit number assigned by the commissioner.

79 (g) No person shall [sell] rent any secondhand bedding or filling
80 material unless [(1)] it has been [sterilized] sanitized and has a tag
81 bearing the secondhand dealer's license number and the permit
82 number of the person performing the [sterilization, or (2) in the case of
83 secondhand bedding or filling material manufactured at least twenty-
84 five but no more than fifty years prior to the date on which such
85 secondhand bedding or filling material is offered for sale, the
86 secondhand dealer notifies the consumer, in writing, that such
87 secondhand bedding or filling material has not been sterilized]
88 sanitization.

89 (h) No person shall renovate any bedding unless [it] all ticking
90 material has been removed and the bedding has been [sterilized]
91 sanitized and bears a tag showing the license number of the renovator
92 and the permit number of the person [sterilizing] sanitizing such
93 bedding.

94 (i) No person shall place or cause to be placed upon any tag the
95 license number or permit number of a person whose license or permit
96 has expired, been suspended or been revoked by the commissioner.

97 (j) No person shall affix or cause to be affixed to bedding or filling
98 material any tag bearing the license number or permit number of a

99 person whose license or permit has expired, been suspended or been
100 revoked by the commissioner.

101 (k) No person shall sell any bedding or filling material [which] that
102 bears a tag showing the license number or permit number of a person
103 whose license or permit has expired, been suspended or been revoked
104 by the commissioner.

105 (l) No person other than a consumer shall remove, deface or alter
106 any tag attached to bedding or filling material.

107 (m) No manufacturer, supply dealer, renovator, secondhand dealer
108 or vendor shall deliver any tag required by this chapter unless it is
109 affixed to an article of bedding or filling material provided that the
110 commissioner may permit the delivery of unattached tags.

111 (n) No person shall possess, make, use or sell any counterfeit license
112 or permit. Each counterfeit license or permit [which] that is made, used
113 or sold shall constitute a separate violation.

114 (o) Nothing in this chapter shall apply to automotive upholstery,
115 private sales from the home of the owner direct to a consumer,
116 bedding offered for sale at public auction in the home of the owner,
117 and bedding manufactured at least fifty years prior to the date on
118 which the bedding is offered for sale.

119 (p) No person shall sell any bedding or filling material that has been
120 used in a hospital.

121 Sec. 3. Section 21a-233 of the general statutes is repealed and the
122 following is substituted in lieu thereof:

123 (a) Every article of bedding or filling material offered for sale shall
124 have attached to it a tag [which] that states: The name, as approved by
125 the commissioner, of the filling material; whether the filling material is
126 new or secondhand; the license number of the manufacturer, supply
127 dealer, renovator or secondhand dealer; the name and address of the

128 manufacturer, supply dealer, secondhand dealer, renovator or vendor;
129 when applicable, the words "contents [sterilized] sanitized" and the
130 permit number of the [sterilizer] sanitizer; and the per cent by weight
131 of each filling material. Secondhand bedding [which] that has not been
132 renovated may also bear on the tag the statement "as is - contents
133 unknown". Nothing other than the disclosures and statements
134 required or permitted by this chapter shall appear on the tag.

135 (b) All tags attached to new bedding and filling material shall be
136 legibly marked with the date of delivery to the consumer.

137 (c) Renovated bedding shall bear a tag [which] that, in addition to
138 the other statements required by this chapter, states: "Renovated for"
139 followed by the name and address of the person for whom or retail
140 store that the bedding is renovated, the name and address of the
141 renovator, the date [sterilized] sanitized, that the bedding contains the
142 same filling material as when it was received, and the name and per
143 cent by weight of each filling material added during renovation.

144 (d) Each container of filling material shall bear a tag [which] that
145 states: The name, license number and address of the manufacturer,
146 supply dealer or vendor; the name of the filling material and whether
147 the filling material is new or secondhand; and, if [sterilized] sanitized,
148 the words "contents [sterilized] sanitized" and the permit number of
149 the [sterilizer] sanitizer. New bedding or new filling material shall not
150 be transported with secondhand bedding or secondhand filling
151 material that has not been sterilized.

152 (e) No misleading term or designation shall be used on any tag or
153 literature accompanying any bedding or filling material. A variance in
154 excess of ten per cent by weight of each filling material stated on the
155 tag shall be deemed misleading. No variance shall be allowed for
156 filling material [which] that is described as "all", "pure", "one hundred
157 per cent" or by terms of similar import.

158 (f) Tags required by this chapter shall be approved by the

159 department and shall be made of durable material at least six square
160 inches in area. Paper-faced tags shall not be used. Tags designating all
161 new filling material shall be white. Tags designating secondhand or
162 renovated bedding or filling material shall be yellow. Tags designating
163 bedding or filling material placed off sale by the commissioner shall be
164 red.

165 (g) Statements required on tags shall be legibly printed or stamped
166 on one side only, in capital letters at least ten points or one-eighth of an
167 inch in height, and in block lettering without serif. The tag may state
168 that the bedding or filling material complies with the law of other
169 states.

170 Sec. 4. Subsection (b) of section 21a-234 of the general statutes is
171 repealed and the following is substituted in lieu thereof:

172 (b) Any method of [~~sterilization~~] sanitization used in connection
173 with this chapter shall require the prior approval of the commissioner.
174 Each person who wishes to [~~sterilize~~] sanitize bedding or filling
175 material shall complete an application and obtain a numbered permit
176 from the commissioner. The permit must be conspicuously posted in
177 the establishment of the person to whom the permit is issued. Each
178 permit shall cost twenty-five dollars and shall be valid for one year.

179 Sec. 5. Subsection (a) of section 21a-236 of the general statutes is
180 repealed and the following is substituted in lieu thereof:

181 (a) Each place where bedding or filling material is made, renovated,
182 [~~sterilized~~] sanitized or sold shall be subject to inspection by the
183 commissioner who may examine the contents of bedding and filling
184 material and order off sale and hold for evidence any bedding or
185 filling material which the commissioner has reason to believe was
186 made or is being sold in violation of this chapter. No bedding or filling
187 material placed off sale by the commissioner shall be sold, altered,
188 interfered with or moved, in whole or in part, until the bedding or
189 filling material is released by the commissioner.

190 Sec. 6. Subsection (a) of section 30-37j of the general statutes is
191 repealed and the following is substituted in lieu thereof:

192 (a) A caterer liquor permit shall allow a person regularly engaged in
193 the business of providing food and beverages to others for service at
194 private gatherings or at special events to sell and serve alcoholic liquor
195 for on-premises consumption at any activity, event or function for
196 which such person has been hired. A caterer liquor permit does not
197 allow a person to sell and serve alcoholic liquor for on-premises
198 consumption at any location more than one time during any thirty-day
199 period and not more than twelve times during any twelve-month
200 period. The annual fee for a caterer liquor permit shall be three
201 hundred fifty dollars.

202 Sec. 7. Subsection (b) of section 30-14 of the general statutes is
203 repealed and the following is substituted in lieu thereof:

204 (b) Any permit in this part, except a permit issued under sections
205 30-25, 30-35, 30-37b, 30-37d, 30-37g and 30-37h, may be issued for a
206 continuous period of not more than six consecutive calendar months,
207 at [two-thirds] one-half of regular fees, but rebate of fees shall not be
208 permitted for any unexpired portion of the term of a permit revoked
209 by reason of a violation of any provision of this chapter.

210 Sec. 8. Section 30-59a of the general statutes is repealed and the
211 following is substituted in lieu thereof:

212 The Department of Consumer Protection [shall] may, upon notice
213 from the Division of Special Revenue of the name and address of any
214 person [who has had his] whose license is suspended or revoked by
215 the Gaming Policy Board or the executive director of the Division of
216 Special Revenue, suspend the permit of such person until such license
217 has been restored to such person. The Department of Consumer
218 Protection shall notify the Division of Special Revenue of the name and
219 address of any permittee or backer whose permit has been suspended
220 or revoked.

221 Sec. 9. Subsection (e) of section 21a-226 of the general statutes is
222 repealed and the following is substituted in lieu thereof:

223 (e) The commissioner shall provide forms for applications by buyers
224 for payment from the guaranty fund. The application shall include the
225 name and address of the health club, the beginning and ending date of
226 the contract, the price of the contract, the date of the closing of the
227 health club, the amount and the basis of the claim and a copy of the
228 contract, or other proof of membership deemed suitable by the
229 commissioner. No application for a payment from the guaranty fund
230 shall be accepted by the commissioner more than six months after the
231 date of the closing of the location of the health club where the buyer
232 entered into the contract.

233 Sec. 10. Subsection (a) of section 21a-218 of the general statutes is
234 repealed and the following is substituted in lieu thereof:

235 (a) A copy of the health club contract shall be delivered to the buyer
236 at the time the contract is signed. All health club contracts shall be in
237 writing signed by the buyer, shall designate the date on which the
238 buyer actually signs the contract, the street address of the health club
239 and shall contain a statement of the buyer's rights [which] that
240 complies with this section. The statement must: (1) Appear in the
241 contract under the conspicuous caption: "BUYER'S RIGHT TO
242 CANCEL", and (2) read as follows:

243 "If you wish to cancel this contract, you may cancel by mailing a
244 written notice by certified or registered mail to the health club. The
245 notice must say that you do not wish to be bound by this contract and
246 must be delivered or mailed before midnight of the third business day
247 after you sign this contract. After you cancel, the health club may
248 request the return of all contracts, membership cards and other
249 documents of evidence of membership. The notice must be delivered
250 or mailed to:

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257 (Insert name and mailing address of health club.)

258 You may also cancel this contract if you relocate your residence
259 further than twenty-five miles from any health club operated by the
260 seller or from any other substantially similar health club [which] that
261 would accept the obligation of the seller. This contract may also be
262 cancelled if you die, or if the health club ceases operation at the
263 location where you entered into this contract. If you become disabled,
264 you shall have the option of (1) being relieved of liability for payment
265 on that portion of the contract term for which you are disabled or (2)
266 extending the duration of the original contract at no cost to you for a
267 period equal to the duration of the disability. You must prove such
268 disability by a doctor's certificate, which certificate shall be enclosed
269 with the written notice of disability sent to the health club. The health
270 club may require that you be examined by another physician agreeable
271 to you and the health club at its expense. If you cancel, the health club
272 may keep or collect an amount equal to the fair market value of the
273 services or use of facilities you have already received."

274 The full text of this statement shall be in ten-point bold type.

275 Sec. 11. Section 20-292 of the general statutes is repealed and the
276 following is substituted in lieu thereof:

277 (a) Each licensed architect shall renew [his] such architect's license
278 each year and pay to the department the professional services fee for
279 class F, as defined in section 33-1821.

280 (b) Each corporation holding a certificate of authorization for the
281 practice of architecture shall renew its certificate of authorization for
282 the practice of architecture each year and pay to the department a
283 renewal fee of one hundred seventy-five dollars.

284 (c) An applicant for examination or reexamination under this
285 chapter shall pay a one-time nonrefundable fee of thirty-six dollars and
286 an amount sufficient to meet the cost of conducting each portion of the
287 examination taken by such applicant. The fee for an applicant who
288 qualifies for a license, other than by examination, in accordance with
289 the provisions of section 20-291, [~~shall be~~] is fifty dollars.

290 (d) Notwithstanding the provisions of this section, any person
291 licensed under the provisions of this chapter, who is sixty-five years of
292 age or older and no longer engaged in the active practice of
293 architecture, may renew such person's license upon payment of an
294 annual fee of the professional services fee for class A, as defined in
295 section 33-182l.

296 (e) Notwithstanding the provisions of this section, any person
297 whose license issued pursuant to subsection (a) of this section has
298 lapsed during a period when such person was licensed, registered or
299 permitted by another state to practice architecture and was engaged in
300 the active practice of architecture in such state, such license issued
301 pursuant to subsection (a) of this section that has lapsed may be
302 reinstated upon payment of a reinstatement fee and proof of the
303 architect's qualifications and experience as determined and evaluated
304 by the board. The reinstatement fee for a license issued pursuant to
305 subsection (a) of this section that has lapsed is ninety dollars.

306 Sec. 12. Section 20-299 of the general statutes is repealed and the
307 following is substituted in lieu thereof:

308 As used in this chapter, unless the context otherwise requires:

309 (1) "Professional engineer" means a person who is qualified to

310 practice engineering by reason of [his] special knowledge of
311 mathematics, the physical sciences and the principles of engineering,
312 and the principles of engineering analysis and design, acquired by
313 professional education and practical experience, [to engage in
314 engineering practice, including rendering or offering to render to
315 clients any professional service such as consultation, investigation,
316 evaluation, planning, design or responsible supervision of
317 construction, in connection with any public or privately-owned
318 structures, buildings, machines, equipment, processes, works or
319 projects in which the public welfare or the safeguarding of life, public
320 health or property is concerned or involved] and who has been
321 licensed as a professional engineer by the board;

322 (2) "Practice of engineering" or "engineering practice" means any
323 service or creative work, the adequate performance of which requires
324 engineering education, training and experience in the application of
325 special knowledge of the mathematical, physical and engineering
326 sciences to such services or creative work as consultation,
327 investigation, expert technical testimony, evaluation, planning, design
328 and design coordination of engineering works and systems, planning
329 the use of land and water, performing engineering studies and the
330 review of construction for the purpose of monitoring compliance with
331 drawings and specifications; any of which embraces such services or
332 work, either public or private, in connection with any utilities,
333 structures, buildings, machines, equipment, processes, work and
334 systems, insofar as they involve safeguarding life, health, or property,
335 and including such other professional services as may be necessary to
336 the planning, progress and completion of any engineering services;

337 (3) "Design coordination" means the review and coordination of
338 technical submissions prepared by others, including as appropriate
339 and without limitation, consulting engineers, architects, landscape
340 architects, land surveyors and other professionals working under the
341 direction of the engineer;

342 (4) "Engineering studies" means all activities required to support the
343 sound conception, planning, design, construction, maintenance and
344 operation of engineered projects other than land surveying;

345 [(2)] (5) "Land surveyor" means a person who is qualified by
346 knowledge of mathematics, physical and applied sciences and the
347 principles of land surveying, and who is licensed under this chapter to
348 practice or offer to practice the profession of land surveying, including,
349 but not limited to: (A) Measuring, evaluating or mapping elevations,
350 topography, planimetric features or land areas of any portion of the
351 earth's surface; (B) determining positions of points with respect to
352 appropriate horizontal or vertical datums in order to establish control
353 networks for topographic, planimetric or cadastral mapping; (C)
354 measuring, evaluating, mapping, monumenting or otherwise marking
355 on the ground, property boundary lines, interior lot lines of
356 subdivisions, easements, rights-of-way or street lines; (D) measuring,
357 evaluating, mapping or marking on the ground, the horizontal location
358 of existing or proposed buildings, structures or other improvements
359 with respect to property boundary lines, building, setback, zoning or
360 restriction lines, existing or proposed interior lot lines, easements,
361 rights-of-way or street lines; (E) measuring, evaluating, mapping or
362 reporting the vertical location of existing or proposed buildings,
363 structures or other improvements with respect to vertical reference
364 surfaces, including base flood elevations; (F) measuring, evaluating,
365 mapping or reporting the location of existing or proposed buildings,
366 structures or other improvements or their surrounding topography
367 with respect to flood insurance rate mapping or federal emergency
368 management agency mapping; (G) measuring or mapping inland
369 wetland boundaries delineated by a soil scientist; (H) creating or
370 mapping surveys required for condominiums or planned communities
371 meeting the requirements of section 47-228; (I) monumenting or
372 otherwise marking on the ground, property subject to development
373 rights, vertical unit boundaries, horizontal unit boundaries, leasehold
374 real property or limited common elements described in section 47-228;
375 (J) evaluating or designing the horizontal or vertical alignment of

376 roads in conjunction with the layout and mapping of a subdivision; (K)
377 measuring, evaluating or mapping areas under the earth's surface and
378 the beds of bodies of water;

379 [(3)] (6) "Automatic fire sprinkler system layout technician" means a
380 person, licensed by the Department of Consumer Protection pursuant
381 to this chapter, to [design] prepare automatic fire sprinkler system
382 layouts based on computations prepared by a professional engineer;

383 [(4)] (7) "Automatic fire sprinkler system layout" means preparing
384 and designing shop drawings to be used for the installation, alteration
385 or modification of an automatic fire sprinkler system;

386 [(5)] (8) "National Institute for Certification in Engineering
387 Technologies" means a nationally recognized organization [which] that
388 determines the qualifications of automatic fire sprinkler system layout
389 technicians through a series of standardized examinations; [and]

390 [(6)] (9) "Board" means the State Board of Examiners for Professional
391 Engineers and Land Surveyors appointed under the provisions of
392 section 20-300; and

393 (10) "Experience" or "practice" as applied to professional
394 engineering means experience in the practice of engineering gained
395 following the issuance of a degree as required by the specific class.

396 Sec. 13. Section 20-302 of the general statutes is repealed and the
397 following is substituted in lieu thereof:

398 (a) No person shall practice or offer to practice the [profession]
399 professions of engineering [in any of its branches, including] or land
400 surveying, or use any title or description tending to convey the
401 impression that such person is a professional engineer or a land
402 surveyor, unless such person has been licensed or is exempt under the
403 provisions of this chapter.

404 (b) The following shall be considered as minimum evidence

405 satisfactory to the board that the applicant is qualified for licensure as
406 a professional engineer, engineer-in-training, land surveyor or
407 surveyor-in-training, respectively:

408 (1) Professional engineer: Graduation from an approved [course]
409 curriculum of four years or more in engineering in a school or college
410 approved by the board as of satisfactory standing, a specific record of
411 an additional four years [of active practice] or more of progressive
412 experience in engineering work, [which] that shall be of a character
413 satisfactory to the board, and the successful passing of a written or
414 written and oral examination prescribed by the board, with the consent
415 of the commissioner, the first part of which shall test the applicant's
416 knowledge of fundamental engineering subjects, including
417 mathematics and the physical sciences, and the second part of which
418 shall test the applicant's ability to apply the principles of engineering
419 to the actual practice of engineering. [In] Prior to July 1, 2003, in lieu of
420 graduation [as specified in this subdivision] from an approved
421 curriculum of four years or more in engineering in a school or college
422 approved by the board as of satisfactory standing, the board may
423 accept, as an alternative, six years or more of experience in engineering
424 work [which] that shall be of a character satisfactory to the board and
425 [which] that shall indicate knowledge, skill and education
426 approximating that attained through graduation from an approved
427 [course] curriculum in engineering. [The board may waive the written
428 examination requirement in the case of an applicant who submits a
429 specific record of twenty years or more of lawful practice in
430 engineering work which shall be of a character satisfactory to the
431 board and which shall indicate that the applicant is competent to be in
432 responsible charge of such work, and may waive the first part of the
433 written examination for an applicant who has completed an approved
434 course in engineering and has at least eight years of engineering
435 experience.]

436 (2) Engineer-in-training: The board may license as an engineer-in-
437 training a person who is a graduate of an approved [course]

438 curriculum of four years or more in engineering [or who has had the
439 alternative experience prescribed in subdivision (1) of this section] and
440 who has successfully passed the first part of the examination specified
441 in said subdivision. Licensure as an engineer-in-training shall remain
442 valid [for a period of ten years from date of issuance of an applicant's
443 first license] indefinitely toward meeting in part the requirements of
444 subdivision (1) of this section. Prior to July 1, 2003, the board may
445 license as an engineer-in-training any person who has six years or
446 more of experience in engineering work that shall be of a character
447 satisfactory to the board and that shall indicate knowledge, skill and
448 education approximating that attained through graduation from an
449 approved curriculum in engineering and who has passed the first part
450 of the written examination as set forth in subdivision (1) of this
451 subsection.

452 (3) Land surveyor: Graduation from [a school or college approved
453 by the board as of satisfactory standing, including the completion of an
454 approved course in surveying] an approved curriculum of four years
455 or more in land surveying in a school or college approved by the board
456 as of satisfactory standing, a specific record of an additional three
457 years or more of [active practice] progressive experience in land
458 surveying [, which] work, that shall be of a character satisfactory to the
459 board, and the successful passing of a written [or written and oral]
460 examination, prescribed by the board with the consent of the
461 commissioner, [for the purpose of testing] the first part of which shall
462 test the applicant's knowledge of [the fundamentals of] fundamental
463 land surveying [and the procedures pertaining to land surveying. In]
464 subjects, known as "part I", the second part of which shall test the
465 applicant's knowledge of the principals and practices of land
466 surveying, known as "part II", and the third part of which shall test the
467 applicant's knowledge of land surveying principals and practices that
468 are specific to the state of Connecticut, known as "part III". Prior to July
469 1, 2006, in lieu of the requirements specified in this subdivision, the
470 board may accept, as an alternative, graduation from an approved
471 curriculum of two years or more in land surveying, combined with

472 four years or more of progressive experience in land surveying, that
473 shall be of a character satisfactory to the board, and the successful
474 passing of parts I, II and III of the written examination. Prior to July 1,
475 2006, in lieu of graduation from an approved curriculum of four years
476 or more in land surveying as specified in this subdivision, the board
477 may accept, as an alternative, six years or more of progressive
478 experience in surveying work, [which] that shall be of a character
479 satisfactory to the board, and [which] that shall indicate knowledge,
480 skill and education approximating that attained through completion of
481 an approved [course] curriculum in surveying. [The board may waive
482 the written examination requirement in the case of an applicant who
483 submits a specific record of sixteen years or more of lawful practice in
484 surveying work, at least ten of which shall have been in land
485 surveying, of a character satisfactory to the board and which shall
486 indicate that the applicant is competent to be in responsible charge of
487 such work.]

488 (4) Surveyor-in-training: The board may license as a surveyor-in-
489 training a person who is a graduate of [a school or college approved by
490 the board or who is scheduled to graduate from such an institution
491 within three months after applying for licensure, or who has had six
492 years or more of experience in surveying work of a character
493 satisfactory to the board and which indicates knowledge, skill and
494 education approximating that attained through completion of an
495 approved course in surveying] an approved curriculum of four years
496 or more in land surveying and who has successfully passed part I of
497 the examination specified in subdivision (3) of this subsection,
498 provided any such person has successfully passed part 1 of the
499 national examination relating to fundamentals of land surveying.
500 Licensure as a surveyor-in-training shall remain valid [for a period of
501 ten years from the date of issuance of an applicant's first license]
502 indefinitely toward meeting in part the requirements of subdivision (3)
503 of this [section.] subsection. Prior to July 1, 2006, the board may license
504 as a surveyor-in-training a person who has gained the alternative
505 education or experience prescribed in subdivision (3) of this subsection

506 and who has successfully passed part I of the written examination.

507 Sec. 14. Section 20-304 of the general statutes is repealed and the
508 following is substituted in lieu thereof:

509 The board shall authorize the Department of Consumer Protection
510 to issue a license, upon payment of a fee as provided in section 20-305,
511 to any applicant who, in the opinion of the board, has satisfactorily
512 met all the requirements of this chapter. The issuance of a license by
513 the department shall be evidence that the person named in such license
514 is entitled to all the rights and privileges of a licensed professional
515 engineer, or of a licensed land surveyor, while such license remains
516 valid. Nothing in this chapter shall be construed as permitting a
517 person licensed only as a land surveyor to practice any other branch of
518 the profession of engineering nor as permitting a licensed professional
519 engineer to practice the profession of land surveying unless such
520 person is a holder of a valid combined license as professional engineer
521 and land surveyor, provided a professional engineer or corporation
522 licensed to practice professional engineering may subcontract the
523 professional services of a licensed land surveyor in support of an
524 engineering project in which the engineer is engaged or proposes to be
525 engaged, and a land surveyor or corporation licensed to practice land
526 surveying may subcontract the professional services of a licensed
527 professional engineer in support of a land surveying project in which
528 the land surveyor is engaged or proposes to be engaged. The
529 Commissioner of Consumer Protection, with the advice and assistance
530 of the board, may adopt regulations, in accordance with chapter 54,
531 pertaining to the design and use of seals by licensees under this
532 chapter. The application of a seal indicates that the person applying
533 the seal is authorized to practice under this chapter and the work
534 sealed was performed under the direct supervision of the licensee.
535 Each agency, department, board or commission of the state or political
536 subdivision of the state shall accept, subject to review for conformance
537 with all approved policies and standards, any final drawings,
538 specifications, plots, reports, papers or documents relative to the

539 practice of a licensed professional engineer or land surveyor when
540 sealed and submitted on behalf of an employer by a licensed
541 professional engineer or licensed land surveyor.

542 Sec. 15. Section 20-306 of the general statutes is repealed and the
543 following is substituted in lieu thereof:

544 (a) (1) The Department of Consumer Protection shall notify by mail
545 each person licensed under this chapter of the date of the expiration of
546 such license and the amount of the fee required for its renewal for one
547 year. Such license renewals shall be accompanied by the payment of
548 the professional services fee for class G, as defined in section 33-182l, in
549 the case of a professional engineer license, a professional engineer and
550 land surveyor combined license, or a land surveyor license. The license
551 shall be considered lapsed if not renewed within thirty days following
552 the normal expiration date.

553 (2) Annual renewal of an engineer-in-training license or a surveyor-
554 in-training license shall not be required. Any such license shall remain
555 valid [for a period of ten years from the date of its original issuance
556 and, during this time, it shall meet in part the requirements for
557 licensure as a professional engineer or land surveyor. It shall not be the
558 duty of the department to notify the holder of an engineer-in-training
559 license or a surveyor-in-training license of the date of expiration of
560 such license other than to publish it annually in the roster] indefinitely.

561 (3) Renewal of any license under this chapter or payment of renewal
562 fees shall not be required of any licensee serving in the armed forces of
563 the United States until the next renewal period immediately following
564 the termination of such service or the renewal period following the
565 fifth year after such licensee's entry into such service, whichever occurs
566 first. The status of such licensees shall be indicated in the annual roster
567 of professional engineers and land surveyors.

568 (b) Notwithstanding the provisions of subsection (a) of this section
569 concerning fees, any person who is licensed under the provisions of

570 this chapter, who is age sixty-five or over and who is no longer
571 actively engaged in the practice of engineering or any of its branches,
572 or land surveying, may renew such license annually upon payment of
573 the professional services fee for class A, as defined in section 33-182l.

574 (c) Notwithstanding the provisions of this section, any person
575 whose Connecticut license has lapsed, and who has been continuously
576 licensed to practice professional engineering or land surveying out-of-
577 state and who has been engaged in the active practice of either
578 profession out-of-state during that period of time, may reinstate such
579 license upon payment of a reinstatement fee and proof of the
580 engineer's or land surveyor's qualifications and experience as
581 determined by the board. The reinstatement fee for such lapsed license
582 is ninety dollars in addition to the renewal fee.

583 Sec. 16. Section 20-306a of the general statutes is repealed and the
584 following is substituted in lieu thereof:

585 (a) The practice of or the offer to practice professional engineering in
586 this state by individual licensed professional engineers or the practice
587 of or the offer to practice land surveying in this state by individual
588 licensed land surveyors under the corporate form or by a corporation
589 or limited liability company, a material part of the business of which
590 includes engineering or land surveying, is permitted, provided (1)
591 persons licensed as engineers of such corporation or limited liability
592 company engaged in the practice of engineering own not less than
593 two-thirds of the voting stock of the corporation or not less than two-
594 thirds of the voting interests of the limited liability company, or
595 persons licensed as land surveyors of such corporation or limited
596 liability company engaged in the practice of land surveying own not
597 less than two-thirds of the voting stock of the corporation or not less
598 than two-thirds of the voting interests of the limited liability company,
599 (2) such personnel of such corporation or limited liability company as
600 act in its behalf as engineers or land surveyors are licensed or exempt
601 from licensure under the provisions of this chapter, and [(2)] (3) such

602 corporation or limited liability company has been issued a certificate of
603 registration by the board as provided in this section. No such
604 corporation or limited liability company shall be relieved of
605 responsibility for the conduct or acts of its agents, employees or
606 officers by reason of its compliance with the provisions of this section,
607 nor shall any individual practicing engineering or land surveying be
608 relieved of responsibility for engineering or land surveying services
609 performed by reason of [his] such individual's employment or
610 relationship with such corporation or limited liability company. All
611 final drawings, specifications, plots, reports or other engineering or
612 land surveying papers or documents involving the practice of
613 engineering or land surveying [which] that are prepared or approved
614 by any such corporation or limited liability company or engineer or
615 land surveyor for use of or for delivery to any person or for public
616 record within this state shall be dated and bear the signature and seal
617 of the engineer or land surveyor who prepared them or under whose
618 supervision they were prepared.

619 (b) A qualifying corporation or limited liability company desiring a
620 certificate of registration shall file with the board an application upon a
621 form prescribed by the Department of Consumer Protection
622 accompanied by [an] a nonrefundable application fee of four hundred
623 fifty dollars. Each such certificate shall expire annually and shall be
624 renewable upon payment of a fee of three hundred dollars. If all
625 requirements of this chapter are met, the board shall authorize the
626 department to issue to such corporation or limited liability company a
627 certificate of registration within thirty days of such application,
628 provided the board may refuse to authorize the issuance of a certificate
629 if any facts exist [which] that would entitle the board to suspend or
630 revoke an existing certificate.

631 (c) Each such corporation or limited liability company shall file with
632 the board a designation of an individual or individuals licensed to
633 practice engineering or land surveying in this state who shall be in
634 charge of engineering or land surveying by such corporation or limited

635 liability company in this state. Such corporation or limited liability
636 company shall notify the board of any change in such designation
637 within thirty days after such change becomes effective.

638 Sec. 17. Section 20-307 of the general statutes is repealed and the
639 following is substituted in lieu thereof:

640 (a) The board may refuse to issue or renew, or may suspend or
641 revoke a license or certificate of registration, or may take any other
642 action permitted in subdivision (7) of section 21a-7, and may assess a
643 civil penalty of up to one thousand dollars per violation, if the holder of
644 the license or certificate of registration: (1) Has violated any statute or
645 regulation related to the practice of engineering or land surveying of this
646 state, any state of the United States, the United States, the District of
647 Columbia, the Commonwealth of Puerto Rico or any territory or insular
648 possession subject to the jurisdiction of the United States or a foreign
649 jurisdiction; (2) has been disciplined by, or is the subject of pending
650 disciplinary action or an unresolved complaint before, the authorized
651 disciplinary agency of any state of the United States, the United States,
652 the District of Columbia, the Commonwealth of Puerto Rico or any
653 territory or insular possession subject to the jurisdiction of the United
654 States or a foreign jurisdiction; (3) has been refused a license or
655 registration or renewal of a license or registration by any state of the
656 United States, the United States, the District of Columbia, the
657 Commonwealth of Puerto Rico or any territory or insular possession
658 subject to the jurisdiction of the United States or a foreign jurisdiction
659 based on grounds that are similar to grounds on which Connecticut
660 could refuse to issue or renew such a license or registration; (4) has made
661 false, misleading or deceptive representations to the public or board; (5)
662 has performed or been a party to a fraudulent or deceitful practice or
663 transaction; (6) has illegally or fraudulently obtained the license or
664 certificate of registration; or (7) has performed incompetent or negligent
665 work.

666 (b) Appeals from the decisions of the board concerning the issuance

667 or the suspension or revocation of any license or certificate of
668 registration under the provisions of this chapter may be taken as
669 provided in section 4-183, except such appeal shall be made returnable
670 to the judicial district of New Britain. The board, for reasons it deems
671 sufficient, may authorize the Department of Consumer Protection to
672 reissue a license or certificate of registration to any person whose
673 license or certificate has been revoked or suspended. A new license or
674 certificate of registration to replace any license or certificate revoked,
675 suspended, lost, destroyed or mutilated may be issued, subject to the
676 regulations adopted under this chapter, and a charge of twenty-five
677 dollars shall be made for such issuance.

678 Sec. 18. Section 20-307a of the general statutes is repealed and the
679 following is substituted in lieu thereof:

680 The Department of Consumer Protection may, upon request of the
681 board or on its own motion, inquire into the existence of violations of
682 the provisions of this chapter. If, after notice and opportunity for
683 hearing as provided in the regulations adopted by the Commissioner
684 of Consumer Protection, the board determines that a violation of any
685 provision of this chapter or any regulation adopted under this chapter
686 exists, the board may issue an appropriate order to the person or
687 persons found to be so violating such provision or regulation,
688 providing for the immediate discontinuance of such violation and may
689 levy a civil penalty of not more than one thousand dollars for each
690 such violation.

691 Sec. 19. Section 20-308 of the general statutes is repealed and the
692 following is substituted in lieu thereof:

693 (a) The board may, upon application and the payment of a fee of
694 one hundred fifty dollars to the Department of Consumer Protection,
695 authorize the department to issue a license as a professional engineer,
696 or a combined license as a professional engineer and land surveyor or,
697 upon application and the payment of a fee of one hundred fifty dollars,
698 to issue a license as a land surveyor to any person who holds a

699 [certificate of qualification, licensure] valid license or registration
700 issued to such person by the proper authority of any state, territory or
701 possession of the United States, or any country, or the National
702 [Bureau of Engineering Registration] Council of Examiners for
703 Engineers and Surveyors, provided the requirements for the licensure
704 or registration of professional engineers or land surveyors under
705 which such license, certificate of qualification or registration was
706 issued shall not conflict with the provisions of this chapter and shall be
707 of a standard not lower than that specified in section 20-302. Upon
708 request of any such applicant the board may, if it determines that the
709 application is in apparent good order, authorize the department to
710 grant to such applicant permission in writing to practice engineering
711 or land surveying or both for a specified period of time while such
712 application is pending. The board may waive the first part of the
713 examination specified in subdivision (1) of section 20-302 in the case of
714 an applicant for licensure as a professional engineer who holds a
715 certificate as an engineer-in-training issued to [him] such applicant by
716 the proper authority of any state, territory or possession of the United
717 States, or of any country, provided the requirements under which the
718 certificate was issued do not conflict with the provisions of this chapter
719 and are of a standard at least equal to that specified in said subdivision
720 (1). The board may waive that part of the examination specified in
721 subdivision (3) of section 20-302 relating to [the] part I, fundamentals
722 of land surveying, and part II, principles and practices of land
723 surveying, in the case of an applicant for licensure as a land surveyor
724 who holds a [certificate] license or registration as a [surveyor-in-
725 training] surveyor issued to [him] such applicant by the proper
726 authority of any state, territory or possession of the United States,
727 provided the requirements under which the certificate was issued do
728 not conflict with the provisions of this chapter and are of a standard at
729 least equal to that specified in [said] subdivision (3) [.] of said section
730 20-302. Applicants for reciprocity as a land surveyor shall be required
731 to pass part III of the examination, the Connecticut specific
732 examination.

733 (b) The board may, upon application and the payment of a fee to be
734 fixed by the board, authorize the Department of Consumer Protection
735 to issue a license as an engineer-in-training or as a surveyor-in-training
736 to any person who holds a certificate of qualification as an engineer-in-
737 training or as a surveyor-in-training issued to [him] such person by the
738 proper authority of any state or territory or possession of the United
739 States, or any country, provided the requirements for certification
740 under which such certificate of qualification was issued do not conflict
741 with the provisions of this chapter and are of a standard at least equal
742 to that specified in section 20-302.

743 Sec. 20. Section 20-309 of the general statutes is repealed and the
744 following is substituted in lieu thereof:

745 The following persons shall be exempt from the provisions of this
746 chapter: (1) An employee or a subordinate of a person holding a
747 license under this chapter, provided the work of such employee or
748 subordinate shall be under the responsible supervision of a person so
749 licensed; (2) any corporation whose operations are under the
750 jurisdiction of the Department of Public Utility Control and the officers
751 and employees of any such corporation or any contracting corporation
752 affiliated with any such corporation, except that any maps filed in the
753 public land records by such corporations, officers or employees shall
754 comply with the standards established by section 11-8-21 of the
755 Regulations of Connecticut state agencies; (3) any manufacturing or
756 scientific research and development corporation and the officers and
757 employees of any such corporation while engaged in the performance
758 of their employment by such corporation, provided the engineering
759 work performed by such corporation, officers and employees shall be
760 incidental to the research and development or manufacturing activities
761 of such corporation; (4) officers and employees of the government of
762 the United States while engaged within this state in the practice of the
763 profession of engineering or land surveying for said government; and
764 (5) architects licensed under chapter 390, in the performance of work
765 incidental to their profession for which they are qualified by education

766 and experience.

767 Sec. 21. Section 20-310 of the general statutes is repealed and the
768 following is substituted in lieu thereof:

769 Any person who knowingly or wilfully violates any provision of
770 this chapter shall be fined not more than five [hundred] thousand
771 dollars or be imprisoned not more than [three months] one year or
772 both.

773 Sec. 22. Subsection (a) of section 20-590 of the general statutes is
774 repealed and the following is substituted in lieu thereof:

775 (a) The department shall, upon authorization of the commission,
776 issue a license to practice pharmacy as a pharmacist to any individual
777 provided the individual:

778 (1) Has submitted a written application on a form approved by the
779 department;

780 (2) Has graduated from [and received the entry-level professional
781 pharmacy degree from] a college or school of pharmacy approved by
782 the commission with a degree that was, at the time of graduation, an
783 entry level professional pharmacy degree;

784 (3) Has the professional experience as a pharmacy intern required
785 by regulations adopted by the commissioner, with the advice and
786 assistance of the commission, in accordance with chapter 54;

787 (4) Has successfully passed the examination described under
788 subsection (b) of this section;

789 (5) Is eighteen years of age or older at the time of the examination;
790 and

791 (6) Has paid the examination fee specified in section 20-601.

792 Sec. 23. Section 20-595 of the general statutes is repealed and the

793 following is substituted in lieu thereof:

794 Any corporation applying for a new or renewal pharmacy license
795 under the provisions of section 20-594 shall state in the application the
796 names of the officers and directors of the corporation. Notice of any
797 change in such officers or directors shall be given by the corporation to
798 the commission within ten days after the change. Such notice shall be
799 accompanied by the filing fee set forth in section 20-601. Any
800 corporation that holds multiple pharmacy licenses may file one such
801 notice for all of its licenses and pay one filing fee. Any such
802 corporation that fails to give notice of a change in the officers or
803 directors of the corporation within ten days of the change shall pay the
804 late fee required in section 20-601.

805 Sec. 24. Subsection (a) of section 20-600 of the general statutes is
806 repealed and the following is substituted in lieu thereof:

807 (a) Except as provided in subsections (b), (c), (f) and (g) of this
808 section, the commission shall not authorize the department to renew a
809 license to practice pharmacy as a pharmacist unless the pharmacist
810 applying for the renewal submits a statement signed under the penalty
811 of false statement that the pharmacist has satisfactorily completed not
812 less than fifteen contact hours of accredited continuing professional
813 education in the previous calendar year immediately preceding
814 expiration of the license. Not less than five contact hours of the annual
815 continuing education requirement shall be earned by attendance at a
816 live presentation of an accredited continuing professional education
817 program. At least one of the five contact hours earned by attendance at
818 a live presentation shall be on the subjects of pharmacy law or drug
819 law.

820 Sec. 25. Subsection (a) of section 20-304a of the general statutes is
821 repealed and the following is substituted in lieu thereof:

822 (a) The board may issue an automatic fire sprinkler system layout
823 technician's license to any person who has received level III

824 certification from the National Institute for Certification in Engineering
825 Technologies in the field of fire protection engineering technology or a
826 subfield of automatic sprinkler system layout. Any person who is a
827 professional engineer licensed in accordance with the provisions of
828 this chapter [, a plumbing and piping journeyman licensed pursuant to
829 chapter 393, a plumbing and piping contractor licensed pursuant to
830 chapter 393 or a journeyman sprinkler fitter licensed pursuant to
831 chapter 393] shall be exempt from such licensing requirement.

832 Sec. 26. Subsection (b) of section 21a-79 of the general statutes is
833 repealed and the following is substituted in lieu thereof:

834 (b) (1) Any person, firm, partnership, association or corporation
835 [which] that utilizes universal product coding in totaling a retail
836 customer's purchases shall mark or cause to be marked each consumer
837 commodity [which] that bears a Universal Product Code with its retail
838 price.

839 (2) The provisions of subdivision (1) of this subsection shall not
840 apply if: (A) The Commissioner of Consumer Protection, by regulation,
841 allows for the utilization of electronic shelf labeling systems; (B) a
842 retailer is granted approval to utilize an electronic shelf labeling
843 system by the commissioner; [and] (C) the retailer has demonstrated to
844 the satisfaction of the commissioner that such electronic shelf labeling
845 system is supported by an electronic pricing system [which] that
846 utilizes universal product coding in totaling a retail customer's
847 purchases; and (D) the retailer has received approval for such an
848 electronic system by the commissioner, and asked for and received
849 permission by the commissioner to delay implementation for a period
850 not to exceed thirty days in order to reset, remodel, repair or otherwise
851 modify the electronic shelf labeling system at the retail establishment.

852 (3) Consumer commodities [which] that are advertised in a publicly-
853 circulated printed form as being offered for sale at a reduced price for
854 a minimum seven-day period need not be individually marked at such
855 reduced retail price, provided such consumer commodities are

856 individually marked with their regular retail price and a conspicuous
857 sign is adjacent to such consumer commodities, which sign discloses:
858 (A) The reduced retail price and its unit price; and (B) a statement that
859 the item will be electronically priced at the reduced price by the
860 cashier.

861 (4) If a consumer commodity is offered for sale at a reduced price, in
862 accordance with subdivision (3) of this subsection and its electronic
863 price is higher than the reduced price on the sign [which] that is
864 adjacent to the consumer commodity, then one item of such consumer
865 commodity shall be given to the consumer upon demand at no cost. A
866 conspicuous sign shall adequately disclose to the consumer that in the
867 event the electronic price is higher than the reduced retail price, one
868 item of such consumer commodity shall be given to the customer upon
869 demand at no cost.

870 Sec. 27. Section 20-428 of the general statutes is repealed and the
871 following is substituted in lieu thereof:

872 This chapter shall not apply to any of the following persons or
873 organizations: (1) The government of the state, municipalities of the
874 state or any department or agency of the state or such municipalities;
875 (2) the government of the United States or any of its departments or
876 agencies; (3) any school, public or private, offering as part of a
877 vocational education program courses and training in any aspect of
878 home improvements; and (4) any person holding a current
879 professional or occupational license issued pursuant to the general
880 statutes, and persons registered pursuant to chapter 482, provided
881 such person engages only in that work for which [he] such person is
882 licensed.

Statement of Purpose:

To amend provisions concerning bedding and upholstery and to exempt antique stores from such provisions, to amend the Liquor Control Act to prevent abuse of the caterer permit by limiting the permit holder to one event per month at a fixed location, to change to a

one-half of a year fee scheme for a six-month permit and to remove the automatic suspension provision of liquor permits if the permit holder's state lottery license is suspended or revoked, to protect consumers involved in health club contracts, to amend licensing and certification provisions for architects, professional engineers, land surveyors, pharmacists, automatic fire sprinkler system layout technicians and well drillers, and to allow for a delay in the implementation of electronic shelf labeling by a retail store.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]