



General Assembly

February Session, 2002

**Raised Bill No. 5251**

LCO No. 1252

Referred to Committee on General Law

Introduced by:

(GL)

**AN ACT CONCERNING WELL DRILLERS, PHARMACISTS,  
ELECTRONIC SHELF-PRICE LABELING, HEALTH CLUBS, THE  
LIQUOR CONTROL ACT, BUILDING PERMITS FOR  
TRADESPERSONS, HOME IMPROVEMENT BONDS, LEMON LAW  
FUNDING AND SHORTHAND REPORTERS.**

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

1 Section 1. Section 20-428 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2002*):

3 This chapter shall not apply to any of the following persons or  
4 organizations: (1) The government of the state, municipalities of the  
5 state or any department or agency of the state or such municipalities;  
6 (2) the government of the United States or any of its departments or  
7 agencies; (3) any school, public or private, offering as part of a  
8 vocational education program courses and training in any aspect of  
9 home improvements; and (4) any person holding a current  
10 professional or occupational license issued pursuant to the general  
11 statutes, and any person registered pursuant to sections 25-126 to 25-  
12 137, inclusive, provided such person engages only in that work for  
13 which [he] such person is licensed or registered.

14 Sec. 2. Subsection (a) of section 20-590 of the general statutes is  
15 repealed and the following is substituted in lieu thereof (*Effective*  
16 *October 1, 2002*):

17 (a) The department shall, upon authorization of the commission,  
18 issue a license to practice pharmacy as a pharmacist to any individual  
19 provided the individual:

20 (1) Has submitted a written application on a form approved by the  
21 department;

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

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

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

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

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

34 Sec. 3. Subsection (a) of section 20-600 of the general statutes is  
35 repealed and the following is substituted in lieu thereof (*Effective*  
36 *October 1, 2002*):

37 (a) Except as provided in subsections (b), (c), (f) and (g) of this  
38 section, the commission shall not authorize the department to renew a  
39 license to practice pharmacy as a pharmacist unless the pharmacist  
40 applying for the renewal submits a statement signed under the penalty  
41 of false statement that the pharmacist has satisfactorily completed not

42 less than fifteen contact hours of accredited continuing professional  
43 education in the previous calendar year immediately preceding  
44 expiration of the license. Not less than five contact hours of the annual  
45 continuing education requirement shall be earned by attendance at a  
46 live presentation of an accredited continuing professional education  
47 program. At least one of the five contact hours earned by attendance at  
48 a live presentation shall be on the subject matters of pharmacy law or  
49 drug law.

50 Sec. 4. Subsection (b) of section 21a-79 of the general statutes, as  
51 amended by public act 01-43, section 1 of public act 01-73 and section  
52 172 of public act 01-195, is repealed and the following is substituted in  
53 lieu thereof (*Effective October 1, 2002*):

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

59 (2) The provisions of subdivision (1) of this subsection shall not  
60 apply if: (A) The Commissioner of Consumer Protection, by regulation,  
61 allows for the utilization of electronic shelf labeling systems; (B) a  
62 retailer is granted approval to utilize an electronic shelf labeling  
63 system by the commissioner; [and] (C) the retailer has demonstrated to  
64 the satisfaction of the commissioner that such electronic shelf labeling  
65 system is supported by an electronic pricing system [which] that  
66 utilizes universal product coding in totaling a retail customer's  
67 purchases; and (D) the retailer has received approval for such an  
68 electronic pricing system by the commissioner, and has received  
69 permission by the commissioner to delay implementation of the  
70 system for a period not to exceed thirty days in order to reset, remodel,  
71 repair or otherwise modify the electronic shelf labeling system at the  
72 retail establishment.

73 (3) Consumer commodities which are advertised in a publicly-

74 circulated printed form as being offered for sale at a reduced price for  
75 a minimum seven-day period need not be individually marked at such  
76 reduced retail price, provided such consumer commodities are  
77 individually marked with their regular retail price and a conspicuous  
78 sign is adjacent to such consumer commodities, which sign discloses:  
79 (A) The reduced retail price and its unit price; and (B) a statement that  
80 the item will be electronically priced at the reduced price by the  
81 cashier.

82 (4) If a consumer commodity is offered for sale at a reduced price, in  
83 accordance with subdivision (3) of this subsection and its electronic  
84 price is higher than the reduced price on the sign [which] that is  
85 adjacent to the consumer commodity, then one item of such consumer  
86 commodity shall be given to the consumer upon demand at no cost. A  
87 conspicuous sign shall adequately disclose to the consumer that in the  
88 event the electronic price is higher than the reduced retail price, one  
89 item of such consumer commodity shall be given to the customer upon  
90 demand at no cost.

91 Sec. 5. Subsection (a) of section 21a-218 of the general statutes is  
92 repealed and the following is substituted in lieu thereof (*Effective*  
93 *October 1, 2002*):

94 (a) A copy of the health club contract shall be delivered to the buyer  
95 at the time the contract is signed. All health club contracts shall be in  
96 writing signed by the buyer, shall designate the date on which the  
97 buyer actually signs the contract, shall state the street address of the  
98 health club and shall contain a statement of the buyer's rights [which]  
99 that complies with this section. The statement must: (1) Appear in the  
100 contract under the conspicuous caption: "BUYER'S RIGHT TO  
101 CANCEL", and (2) read as follows:

102 "If you wish to cancel this contract, you may cancel by mailing a  
103 written notice by certified or registered mail to the health club. The  
104 notice must say that you do not wish to be bound by this contract and  
105 must be delivered or mailed before midnight of the third business day

106 after you sign this contract. After you cancel, the health club may  
107 request the return of all contracts, membership cards and other  
108 documents of evidence of membership. The notice must be delivered  
109 or mailed to:

110 ....

111 ....

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

113 You may also cancel this contract if you relocate your residence  
114 further than twenty-five miles from any health club operated by the  
115 seller or from any other substantially similar health club [which] that  
116 would accept the obligation of the seller. This contract may also be  
117 cancelled if you die, or if the health club ceases operation at the  
118 location where you entered into this contract. If you become disabled,  
119 you shall have the option of (1) being relieved of liability for payment  
120 on that portion of the contract term for which you are disabled or (2)  
121 extending the duration of the original contract at no cost to you for a  
122 period equal to the duration of the disability. You must prove such  
123 disability by a doctor's certificate, which certificate shall be enclosed  
124 with the written notice of disability sent to the health club. The health  
125 club may require that you be examined by another physician agreeable  
126 to you and the health club at its expense. If you cancel, the health club  
127 may keep or collect an amount equal to the fair market value of the  
128 services or use of facilities you have already received."

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

130 Sec. 6. Subsection (e) of section 21a-226 of the general statutes is  
131 repealed and the following is substituted in lieu thereof (*Effective*  
132 *October 1, 2002*):

133 (e) The commissioner shall provide forms for applications by buyers  
134 for payment from the guaranty fund. The application shall include the  
135 name and address of the health club, the beginning and ending date of

136 the contract, the price of the contract, the date of the closing of the  
137 health club, the amount and the basis of the claim and a copy of the  
138 contract or other proof of membership deemed suitable by the  
139 commissioner. No application for a payment from the guaranty fund  
140 shall be accepted by the commissioner more than six months after the  
141 date of the closing of the location of the health club where the buyer  
142 entered into the contract.

143 Sec. 7. Section 30-59a of the general statutes is repealed and the  
144 following is substituted in lieu thereof (*Effective October 1, 2002*):

145 The Department of Consumer Protection [shall] may, upon notice  
146 from the Division of Special Revenue of the name and address of any  
147 person who has had [his] a license suspended or revoked by the  
148 Gaming Policy Board or the executive director of the Division of  
149 Special Revenue, suspend the permit of such person until such license  
150 has been restored to such person. The Department of Consumer  
151 Protection shall notify the Division of Special Revenue of the name and  
152 address of any permittee or backer whose permit has been suspended  
153 or revoked.

154 Sec. 8. (NEW) (*Effective October 1, 2002*) No person licensed pursuant  
155 to sections 20-330 to 20-341, inclusive, of the general statutes, as  
156 amended, shall commence work within the scope of sections 20-330 to  
157 20-341, inclusive, of the general statutes, as amended, unless each  
158 applicable permit has been obtained as required pursuant to local  
159 ordinances and the general statutes.

160 Sec. 9. Subsection (c) of section 20-426a of the general statutes is  
161 repealed and the following is substituted in lieu thereof (*Effective*  
162 *October 1, 2002*):

163 (c) Such bond shall be in such form as the commissioner may  
164 require and shall be in the amount of [ten] fifteen thousand dollars.  
165 The commissioner may require the contractor to provide from time to  
166 time proof that the bond is in full force and effect.

167 Sec. 10. Subsection (a) of section 23 of public act 01-9 of the June  
168 special session is repealed and the following is substituted in lieu  
169 thereof (*Effective October 1, 2002*):

170 (a) A new automobile warranties account surcharge is hereby  
171 imposed on the sale of each new [passenger vehicle or motorcycle  
172 sold] motor vehicle, as defined in section 42-179, sold or leased in this  
173 state by any person licensed to offer such vehicles for sale under  
174 section 14-52. Such surcharge shall be in addition to any tax otherwise  
175 applicable to any such sales transaction.

176 Sec. 11. Subsection (a) of section 20-654 of the general statutes is  
177 repealed and the following is substituted in lieu thereof (*Effective*  
178 *October 1, 2002*):

179 (a) No person shall receive a license under the provisions of sections  
180 20-650 to 20-656, inclusive, until such person has passed an  
181 examination which shall be substantially similar to the examination of  
182 the National Court Reporters Association, [or demonstrates to the  
183 satisfaction of the board that such person has actively engaged in the  
184 practice of shorthand reporting in this state before October 1, 1997,] or  
185 has submitted evidence satisfactory to the board that such person is a  
186 Registered Professional Reporter of the National Court Reporters  
187 Association or its equivalent.

This act shall take effect as follows:	
Section 1	<i>October 1, 2002</i>
Sec. 2	<i>October 1, 2002</i>
Sec. 3	<i>October 1, 2002</i>
Sec. 4	<i>October 1, 2002</i>
Sec. 5	<i>October 1, 2002</i>
Sec. 6	<i>October 1, 2002</i>
Sec. 7	<i>October 1, 2002</i>
Sec. 8	<i>October 1, 2002</i>
Sec. 9	<i>October 1, 2002</i>
Sec. 10	<i>October 1, 2002</i>

Sec. 11	October 1, 2002
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**Statement of Purpose:**

To amend acts under the jurisdiction of the Department of Consumer Protection.

*[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.]*