



General Assembly

February Session, 2002

Amendment

LCO No. 3297

SB0050103297SD0

Offered by:

SEN. COLAPIETRO, 31st Dist.

To: Subst. Senate Bill No. 501

File No. 164

Cal. No. 131

**"AN ACT CONCERNING CONTINUING PROFESSIONAL
EDUCATION REQUIREMENTS FOR ELECTRICIANS AND
PLUMBERS."**

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- 1 Change the effective dates of sections 1 and 2 to from passage
 - 2 In line 56, after the period insert "A licensee applying for renewal
 - 3 shall, at such times as the commissioner shall by regulation prescribe,
 - 4 furnish evidence satisfactory to the board that the licensee has
 - 5 completed any continuing professional education required under
 - 6 sections 20-330 to 20-341, inclusive, and section 1 of this act, or any
 - 7 regulations adopted thereunder."
 - 8 In line 61, strike "As a condition of renewal, the licensee shall"
 - 9 Strike lines 62 to 64, inclusive, in their entirety
 - 10 In line 65, strike "regulations adopted thereunder."
 - 11 After line 72, add the following:

12 "Sec. 3. Section 21a-8 of the general statutes is repealed and the
13 following is substituted in lieu thereof (*Effective from passage*):

14 The Department of Consumer Protection shall have the following
15 powers and duties, with regard to each board or commission
16 transferred to the Department of Consumer Protection under section
17 21a-6:

18 (1) The department shall control the allocation, disbursement and
19 budgeting of funds appropriated to the department for the operation
20 of each board or commission transferred to said department.

21 (2) The department shall employ and assign such personnel as the
22 commissioner deems necessary for the performance of each board or
23 commission's functions.

24 (3) The department shall perform all management functions,
25 including purchasing, bookkeeping, accounting, payroll, secretarial,
26 clerical, record-keeping and routine housekeeping functions.

27 (4) The department shall conduct any necessary review, inspection
28 or investigation regarding qualifications of applicants for licenses or
29 certificates, possible violations of statutes or regulations, accreditation
30 of schools, disciplinary matters and the establishment of regulatory
31 policy, and make recommendations to the appropriate board or
32 commission. In connection with any investigation, the Commissioner
33 of Consumer Protection or the commissioner's authorized agent may
34 administer oaths, issue subpoenas, compel testimony and order the
35 production of books, records and documents. If any person refuses to
36 appear, to testify or to produce any book, record or document when so
37 ordered, a judge of the Superior Court may make such order as may be
38 appropriate to aid in the enforcement of this section.

39 (5) The department shall administer any examinations necessary to
40 ascertain the qualifications of applicants for licenses or certificates and
41 shall issue licenses or certificates to qualified applicants. The
42 department shall maintain rosters of licensees or registrants updated

43 annually and may provide copies of rosters to the public for an
44 appropriate fee.

45 (6) The department shall conduct any necessary investigation and
46 follow-up in connection with complaints regarding persons subject to
47 regulation or licensing by the board or commission.

48 (7) The department shall perform any other function necessary to
49 the effective operation of the board or commission and not specifically
50 vested by statute in the board or commission.

51 (8) The department shall receive complaints concerning the work
52 and practices of persons licensed, registered or certified by such boards
53 or commissions and shall receive complaints concerning unauthorized
54 work and practice by persons not licensed, registered or certified by
55 such boards or commissions. The department shall distribute monthly
56 a list of all complaints received within the previous month to the
57 chairperson of the appropriate board or commission. The department
58 shall screen all complaints and dismiss any in which the allegation, if
59 substantiated, would not constitute a violation of any statute or
60 regulation. The department shall distribute notice of all such
61 dismissals monthly to the chairperson of the appropriate board or
62 commission. The department shall investigate any complaint in which
63 the allegation, if substantiated, would constitute a violation of a statute
64 or regulation under its jurisdiction. In conducting the investigation, the
65 commissioner may seek the assistance of a member of the appropriate
66 board, an employee of any state agency with expertise in the area, or if
67 no such member or employee is available, a person from outside state
68 service licensed to perform the work involved in the complaint. Board
69 or commission members involved in an investigation shall not
70 participate in disciplinary proceedings resulting from such
71 investigation. The Commissioner of Consumer Protection may dismiss
72 a complaint following an investigation if [he] the commissioner
73 determines that such complaint lacks probable cause. Notice of such
74 dismissal shall be given only after approval by the chairperson of the
75 appropriate board or commission. The commissioner may authorize a

76 settlement if the settlement is approved by the complainant, the
77 practitioner, and the board or commission. The commissioner may
78 bring a complaint before the appropriate board or commission for a
79 formal hearing if he determines that there is probable cause to believe
80 that the offense alleged in the complaint has been committed and that
81 the practitioner named in the complaint was responsible. The
82 commissioner, or the commissioner's authorized agent, shall have the
83 power to issue subpoenas to require the attendance of witnesses or the
84 production of records, correspondence, documents or other evidence
85 in connection with any hearing of a board or commission. All
86 dispositions and final decisions by the Department of Consumer
87 Protection after an investigation into a complaint has begun shall be
88 forwarded to the chairperson of the appropriate board or commission
89 on a monthly basis.

90 (9) The department may contract with a third party, if the
91 commissioner deems it necessary and if the appropriate board or
92 commission consents, to administer licensing examinations and
93 perform all attendant administrative functions in connection with such
94 examination and to monitor continuing professional education
95 requirements, and may require the payment of [an examination] a fee
96 to such third party."