



National Kitchen & Bath Association

February 17, 2010

The Honorable Thomas A. Colapietro  
Co-Chair, General Law Committee  
Legislative Office Building  
Room 3500  
Hartford, CT 06106-1591

The Honorable Jim Shapiro  
Co-Chair, General Law Committee  
Legislative Office Building  
Room 3504  
Hartford, CT 06106-1591

Re: Opposition to HB 5138, Amendment to Reestablish Interior Design  
Regulation

Dear Senator Colapietro and Representative Shapiro:

On behalf of the National Kitchen & Bath Association (NKBA), I would like to thank you and the members of the Committee for the courtesies extended to us at the hearing yesterday. I urge you not to make a bad law "less bad" but rather, to make a bad law go away.

Yesterday, you heard not one shred of evidence that the interior design registration law does anything to protect the public interest or offer anything of value to the citizens of the State. Commissioner Farrell testified in connection with the Raised Bill that during his tenure with the Department of Consumer Protection, there has been no enforcement of the title regulation. Laura Bordeaux, who testified towards the end of the public hearing, stated that although she was registered, she didn't even bother to put her registration on her website or advertising, and that in her practice, state recognition was never a consideration by her clients. Likewise, Glenn Saltzer, another state registered interior designer, testified that the law was unnecessary given all of the other ways in which the public is able to distinguish between the skills and expertise of various designers competing for work (private testing like that offered by the NKBA, National Association of the Remodeling Industry, the Interior Design Society and the National Council for Interior Design Qualification, portfolios of their designs, client references).

While changing the designation in the current title act to "registered interior designer" might help the law pass constitutional muster, it ignores the basic question of why? Why maintain a law that serves no public purpose? Why maintain a law that falsely represents to the public that "registered interior designers" have certain qualifications and have passed the NCIDQ exam – when in fact, approximately 75% have not demonstrated that they have done so? Why maintain a Board to regulate the title act with the necessary funding and utilization of government resources, given the 3.9

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billion dollar deficit Connecticut faces and the complete lack of benefit that the law offers (other than to the few interior designers who have registered).

George Will, in a syndicated editorial entitled *Wallpapering With Red Tape*, commented:

Commercial interests solicit regulations to obtain commercial advantage, as with titling laws. Such laws are instances of rent-seeking.

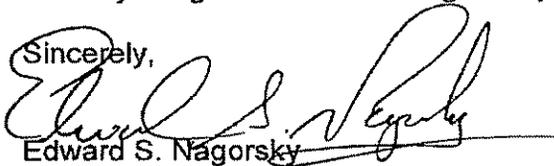
Beyond the banal economic motive for such laws, they also involve a more bizarre misuse of government. They assuage the status anxieties of particular groups by giving them the prestige, such as it is, that comes from government recognition as a certified profession.

But government licenses professions to protect the public and ensure quality. It licenses engineers and doctors because if their testable skills are deficient, bridges collapse and patients die. The skills of interior designers are neither similarly measurable nor comparably disastrous when deficient. Perhaps designers could show potential clients a portfolio of their work, and government could trust the potential clients to judge. Just a thought.

George F. Will, *Wallpapering With Red Tape*, Newsweek, March 22, 2007.

We agree with Mr. Will's sentiments and trust that you will agree that Connecticut does not need this law which is surely not designed to protect its citizens or advance any public interest. The prior unconstitutional law should be repealed.

Thank you again for considering our opposition to this legislation.

Sincerely,  
  
Edward S. Nagorsky  
General Counsel  
National Kitchen & Bath Association

Cc: Members of the General Law Committee  
ESN:mt

2/18/2010

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The Honorable Jim Shapiro  
Co-Chairs, General Law Committee  
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Room 3500  
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Re: Opposition to HB 5138, Amendment to Reestablish Interior Design Regulation

Dear Senator Colapietro, Representative Shapiro and Members of the General Law Committee:

Please accept this letter to express to you my strong opposition to the amendment to the existing interior design title act and to request that you instead vote to repeal this unwarranted and unnecessary law.

Given the testimony at the Hearing from the Commissioner of the Department of Consumer Protection that the law was not enforced, the testimony from the registered interior designers who indicated that the law served no useful public purpose, and the testimony from the National Kitchen & Bath Association about the small number of registered designers who actually possess the experience and testing qualifications that the law requires, I urge you to not merely make a bad law "less bad" by correcting the constitutional defect, but instead, do away with a law that has no public benefit and is not necessary to protect the health, safety or welfare of our citizens.

The public is certainly capable of distinguishing between the qualifications of the various design professionals. There are numerous websites and private organizations like the NKBA, the American Society of Interior Designers, the International Interior Design Association and Interior Design Society that market their members' services and educate the public as to the various qualifications of designers. Each of those sites has a "find a designer" section which enables the public to view the qualifications of designers - the same qualifications that this law would require. A state registration would only duplicate these lists for no reason other than to benefit a small faction of designers and grant them a competitive marketing edge over their competitors by virtue of their "state recognition".

Given the State's substantial budget deficit, it makes no sense to continue spending state resources on a regulatory Board with its attendant cost and expense for a law that does not achieve any valid public purpose and is unnecessary given the ability of the public to determine on its own the qualifications of the designers with whom they wish to contract.

Please vote against this needless and protectionist amendment and allow me to continue to work and compete fairly on the merits of my skill and expertise. Vote to repeal this unwarranted law.

Thank you for taking the time to read this letter and understand my concerns. I look forward to hearing your position on this bill.

Very truly yours,

Steve Hanford

President, Hanford Cabinet & Woodworking Co Inc

KITCHENS and LIVING SPACES by  
**LINDY WEAVER**  
DESIGN ASSOCIATES LLC

18 February 2010

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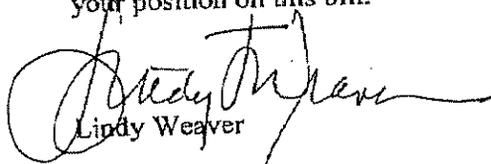
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Lindy Weaver