

Legislative Regulation Review Committee

2010-044

Department of Public Safety

CODES & STANDARDS PROCEDURES

IMPORTANT: Read Instructions on bottom of Certification Page before completing this form. Failure to comply with instructions may cause disapproval of proposed Regulations.

STATE OF CONNECTICUT
REGULATION
of

NAME OF AGENCY

DEPARTMENT OF PUBLIC SAFETY

Concerning

CODES AND STANDARDS COMMITTEE PROCEDURE

DEPARTMENT OF PUBLIC SAFETY

CODES AND STANDARDS COMMITTEE PROCEDURE

Sections 29-251-6b, 29-251-7b and 29-251-11b of the Regulations of Connecticut State Agencies are amended to read as follows:

Sec. 29-251-6b. Election of officers

(a) An annual organization meeting shall be held [60 days after the date of the November] at the regularly scheduled December meeting, at which time officers shall be elected and rules and procedures reviewed. Officers shall be elected by a majority vote of the members present. A quorum for this meeting shall consist of two-thirds of the appointed membership.

(b) Nominations shall be made from the floor at the annual organization meeting and election of the officers specified in subsection (a) of Section 29-251-5b of the Regulations of Connecticut State Agencies shall follow immediately thereafter.

(c) A candidate receiving a majority vote as specified in subsection (a) of this section shall be declared elected. Each such officer shall serve for a term of one year, beginning on January 1 or until his or her successor takes office. No officer shall serve in the same position for more than three years consecutively.

(d) Vacancies in offices shall be filled by regular election procedures as specified in this section and the member so elected to office shall serve until the next annual organization meeting.

Sec. 29-251-7b. Meetings

(a) Meetings of the C&S committee shall be held once in each month, except [February and] in July, in accordance with a schedule adopted at the annual meeting of the committee and filed with the Secretary of the State, or with proper notice, upon the call of the chairman. Special meetings shall be held at the call of the chairman. Unless otherwise specified, meetings shall be held in the office of the committee.

(b) Meetings of subcommittees shall be scheduled at the call of the chairman of the subcommittee.

(c) A minimum of one-half of the members of the committee shall constitute a quorum, and the number of votes necessary to transact business shall be a majority of those members present and voting. The notice of any special meeting shall specify the purpose of such meeting and no other business may be considered except by affirmative vote of two-thirds of the members of the C&S committee present and voting.

(d) The chairman shall appoint, as a minimum, the following subcommittees to assist in the orderly process of the purposes of the committee as set forth in Section 29-251-2a of the Regulations of Connecticut State Agencies:

- (1) Codes Amendment Subcommittee; and
- (2) Ethics and Procedures Subcommittee.

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(e) The minimum membership of a subcommittee shall be three committee members. Three members of each subcommittee shall constitute a quorum, and the number of votes necessary to transact business shall be a majority of those members present and voting.

(f) The C&S committee chairman shall assign the duties of each subcommittee. Each such subcommittee shall report its recommendations to the committee. If so charged by the chairman, the report shall be in writing.

(g) The chairman may, with consent of the committee, appoint outside qualified individuals to assist the subcommittee in its work.

(h) Unless otherwise specified, "Robert's Rules of Order" shall govern the proceedings at all committee meetings.

Sec. 29-251-11b. Appeals, exemptions or variations

(a) Any appeal to the committee shall be assigned to a panel of not fewer than three committee members. The decision of the panel shall be the decision of the C&S committee.

(b) In appeals to the committee under the provisions of section 29-309 of the Connecticut General Statutes, the committee shall first refer the appeal to the State Fire Marshal for review. The State Fire Marshal shall be asked to review the appeal for [appropriateness of] resolution by modification under the provisions of section 29-296 of the Connecticut General Statutes or by any other administrative or technical means pursuant to regulations adopted under authority of 29-292 of the Connecticut General Statutes. The State Fire Marshal may gather such additional information and conduct such inspections as may be necessary before the appeal moves forward.

(c) For the purpose of determining the time limit for the committee to render a decision on an appeal, the hearing shall be deemed concluded upon receipt of the record required in Section 29-251-12b of the Regulations of Connecticut State Agencies.

(d) Regulations of the Department of Public Safety concerning Procedures for Hearings, sections 29-2-1 to 29-2-9, inclusive, of the Regulations of Connecticut State Agencies, shall apply to appeals before the C&S committee, as appropriate.

STATEMENT OF PURPOSE: To amend committee rules and procedures to conform the election of officers to current practice, to add a regularly scheduled meeting in February, to allow prior review by the Office of State Fire Marshal when a decision of a local fire marshal is appealed to the Codes and Standards Committee and to qualify the applicability of the Department of Public Safety's generic hearing regulations adopted under authority of section 29-2 of the Connecticut General Statutes. Such regulations have limited application to appeals hearings.

CERTIFICATION

R-39 REV. 1/77

Be it known that the foregoing:

Regulations Emergency Regulations

Are:

Adopted Amended as hereinabove stated Repealed

By the aforesaid agency pursuant to:

Section 29-251 of the General Statutes.

Section of the General Statutes, as amended by Public Act No. of the Public Acts.

Public Act No. of the Public Acts.

After publication in the Connecticut Law Journal on March 30, 2010, of the notice of the proposal to:

Adopt Amend Repeal such regulations

(If applicable): And the holding of an advertised public hearing on 10th day of May, 2010

WHEREFORE, the foregoing regulations are hereby:

Adopted Amended as hereinabove stated Repealed

Effective:

When filed with the Secretary of State.

(OR)

The day of

In Witness Whereof:	DATE	SIGNED (Head of Board, Agency or Commission)	OFFICIAL TITLE, DULY AUTHORIZED
	5/21/10	<i>Carl Thomas</i>	Acting Commissioner

Approved by the Attorney General as to legal sufficiency in accordance with Sec. 4-169, as amended, C.G.S.	SIGNED	DATE	OFFICIAL TITLE, DULY AUTHORIZED
	<i>Will B. Miller</i>	6/3/10	ASSOC. ATTY. GENERAL

- Approved
- Disapproved
- Disapproved in part, (Indicate Section Numbers disapproved only)
- Rejected without prejudice.

By the Legislative Regulation Review Committee in accordance with Sec. 4-170, as amended, of the General Statutes.	DATE	SIGNED (Clerk of the Legislative Regulation Review Committee)

Two certified copies received and filed, and one such copy forwarded to the Commission on Official Legal Publications in accordance with Section 4-172, as amended, of the General Statutes.

DATE	SIGNED (Secretary of the State)	BY

INSTRUCTIONS

One copy of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the Attorney General for his determination of legal sufficiency. Section 4-169 of the General Statutes.

Seventeen copies of all regulations for adoption, amendment or repeal, must be presented to the standing Legislative Regulation Review Committee for its approval. Section 4-170 of the General Statutes.

Each regulation must be in the form intended for publication and must include the appropriate regulation section number and section heading. Section 4-172 of the General Statutes.

Indicate by "(NEW)" in heading if new regulation. Amended regulations must contain new language in capital letters and deleted language in brackets. Section 4-170 of the General Statutes.