



Independent Electrical Contractors of New England, Inc.



TO: The Honorable Eileen Daily and Rep. Pat Widlitz

From: Lisa Stevens, Executive Director

Date: March 28, 2011

Re: SB-1218, AN ACT CONCERNING VARIOUS CHANGES TO TITLE 12

The Independent Electrical Contractors of New England (IEC-NE) *opposes* the provisions in **SB-1218, AN ACT CONCERNING VARIOUS CHANGES TO TITLE 12, as currently drafted.**

SB-1218 includes provisions which require agencies issuing licenses to verify that an applicant does not owe taxes due to the state before issuing the license. Although we support efforts to ensure compliance with the state's tax laws, we are concerned that this provision may inadvertently create backlogs in issuing occupational licenses and undermine the due process rights of license holders.

As drafted, prior to issuing an occupational license, the state Department of Consumer Protection and other licensing agencies must obtain verification from the state Department of Revenue Services that an applicant owes back taxes and has exhausted his/her appeals. If the license holder is a company, then the agency will have to determine whether any of the principals owe outstanding taxes. Without a process in place for readily identifying delinquent taxpayers that have exhausted remedies and appeals, this provision could result in backlogs in issuing licenses, placing contractors in the position of inadvertently violating the state's licensing laws.

In addition, this provision appears to violate a license holder's due process rights, because the agency's determination not to issue or renew the license is made before the applicant has had an opportunity for a hearing. This may have repercussions for other license holders as well since journeypersons and apprentices are not authorized to perform work if the contractor is not duly licensed.

In addition, these provisions will make it much more difficult for a license holder to repay outstanding taxes since they will not be able to work without the requisite license.

Thank you for your consideration.

The Independent Electrical Contractors of New England is the premier trade association representing Connecticut, Massachusetts and Rhode Island independent electrical contractors aggressively working with the industry to establish a free environment for merit shop -- a philosophy that promotes the concept of free enterprise, open competition and economic opportunity for all.

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