

PUBLIC HEARING TESTIMONY

GENERAL LAW COMMITTEE – LOB ROOM 1B

THURSDAY, FEBRUARY 24, 2011 – 10:30 a.m.

**RE: S.B. 867 AN ACT CONCERNING PENALTIES FOR THE VIOLATION OF MECHANICAL CONTRACTOR REGISTRATION REQUIREMENTS.**

Presented by: **Joyce A. Wojtas, Lobbyist**  
**Mechanical Contractors Association of CT**

---

**The Mechanical Contractors Association of Connecticut (MCAC) strongly supports Senate Bill 867** that clarifies, under the definition of “Mechanical Contractor”, that the services they are offering to the public must be performed by employees who are licensed in accordance with C.G.S. Chapter 393 known as the “Occupational Licensing Laws”.

MCAC believes that this clarification will help to clear up any misunderstandings there are about the companies that **should or should not be registered** under these provisions and ensure that out of state contractors register with the Department of Consumer Protection.

In addition, this bill establishes penalties for any mechanical contractor, defined in Sec. 1, subsection (2), **who does not register with the Department of Consumer Protection or who willfully engages unlicensed employees in work that should only be performed by licensed persons.**

The penalties provided in subsection Sec. 2, subsection (e) of **\$1,000 for the first offense and \$2,500 for any subsequent offense** may seem high for the violations, however, high penalties are the only way to stop a non-compliant contractor from violation of this law.

Although there are provisions in the mechanical contractor’s registration law for violations of the Unfair Trade Practices Act under C.G.S. Chapter 42-110b, MCAC strongly urges passage of this bill with penalties that are less complex do not require the involvement of the Superior Court.<sup>1</sup>

Thank you for your consideration of S.B. 867.

---

**Sec. 42-110o. Civil penalties.** (a) Any person who violates the terms of a temporary restraining order or an injunction issued under subsection (d) of section 42-110d or subsection (a) of section 42-110m shall forfeit and pay to the state a civil penalty of not more than twenty-five thousand dollars per violation. For purposes of this section the court issuing the injunction shall retain jurisdiction, and the cause shall be continued, and in such cases the Attorney General acting in the name of the state may petition for recovery of civil penalties.

(b) In any action brought under section 42-110m, if the court finds that a person is wilfully using or has wilfully used a method, act or practice prohibited by section 42-110b, the Attorney General, upon petition to the court, may recover, on behalf of the state, a civil penalty of not more than five thousand dollars for each violation. For purposes of this subsection, a wilful violation occurs when the party committing the violation knew or should have known that his conduct was a violation of section 42-110b.

**For additional information contact:**

**Joyce A. Wojtas** [jawojtas@myway.com](mailto:jawojtas@myway.com) cell 860-280-4623