



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

TESTIMONY PRESENTED BEFORE THE COMMERCE COMMITTEE March 7, 2013

Jewel Mullen, MD, MPH, MPA, Commissioner, 860-509-7101

Senate Bill 759 – AN ACT CONCERNING THE WAIVER OF FINES AND PENALTIES FOR CERTAIN BUSINESS REGULATION VIOLATIONS

The Connecticut Department of Public Health (DPH) opposes Senate Bill 759.

The DPH believes that the provisions of this bill would compromise the agency's ability to enforce regulatory requirements that protect human health and the environment. While the DPH is supportive of efforts to encourage business growth and profitability, the abatement of civil penalties and fines will serve as a disincentive for businesses to comply with regulatory and statutory requirements and weaken the enforcement options currently available to the agency.

The bill as proposed would require the DPH, and the Departments of Economic Development, and Energy and Environmental Protection to jointly establish procedures to abate any fine or penalty assessed against a business for a first time violation of a noncriminal regulation. The abatement of such fine or penalty would occur when the business takes full remedial measures not later than thirty days after such assessment.

Such a provision would encourage the business to continue to violate the regulation or statute given that the business does not need to remediate the violation until 30 days after the assessment of the penalty or fine. As the enforcement process may take weeks or even months before the civil penalty or fine is assessed, the violation(s) may go uncorrected and may continue to result in a negative impact on public health and the environment.

The DPH believes that this bill would result in the unintended consequences that are contrary to the public health mission of the agency.

Thank you for your consideration of this testimony.

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