



**HOME BUILDERS & REMODELERS ASSOCIATION
OF CONNECTICUT, INC.**

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*Your Home
Is Our
Business*

February 22, 2013

To: Senator Anthony J. Musto, Co-Chairman
Representative Ed Jutila, Co-Chairman
Members of the Government Administration & Elections Committee

From: Bill Ethier, CAE, Chief Executive Officer

Re: **HB 5896, AAC State Agencies with Regulatory Authority Over
Businesses**

The HBRA of Connecticut is a professional trade association with about nine hundred (900) member firms statewide employing tens of thousands of CT's citizens. Our members, all small businesses, are residential and commercial builders, land developers, remodelers, general contractors, subcontractors, suppliers and those businesses and professionals that provide services to our diverse industry and to consumers. While our membership has declined over the course of our seven-year Great Recession from its high of 1,500 members, we build between 70% to 80% of all new homes and apartments in the state each year and engage in countless home remodeling projects.

We strongly support HB 5896 as a simple and common sense measure to help the regulated community when it questions the statutory or regulatory authority of requirements imposed upon them. We thank the sponsors of this bill and the leadership of this committee for reserving the proposal for this public hearing.

We offer the attached drafted legislation for your consideration. This proposal also enjoys the initial support of other leaders in the legislature. The concept has been raised in the Commerce Committee, although not yet heard. The Senate Co-Chair of the Planning & Development Committee, Sen. Steve Cassano, has suggested that this responsible government bill should apply also to municipal governments, although the attached proposal deals with only state agencies.

It is self-explanatory and is one of those "good government" requirements that should have been in place long ago. The bill merely requires state agencies to inform the regulated community, upon request by any business - or by a land owner who proposes to use their land - who is impacted by a regulatory requirement, of the specific statutory and regulatory authority by which the state agency acts. This will help reign in actions taken by regulators outside of the law, i.e., without statutory or regulatory authority. And, it's a simple non-burden on agency staff to do - all regulators should know the specific authority by which they act. Informing those they regulate of their authority is something that should be welcomed by all good regulators.

Please support HB 5896. We urge you to consider the attached draft and vote favorably on this legislation. Thank you for the opportunity to comment on this important issue.

Create Regulatory and Permitting Accountability by Requiring State Agencies to Divulge the Statutory and Regulatory Authority by Which a State Agency Acts

1 Section 1 (NEW) (*effective upon passage*). Notwithstanding any other provision of
2 the general statutes, whenever any employee or agent of any state agency acts on
3 any application, petition or request by an individual or business entity for a
4 permit, license, approval or other permission to conduct any business activity or
5 a use of private property, or any state employee or agent restricts or imposes a
6 condition on such business activity or use of private property, or any state
7 employee or agent brings an enforcement action, issues a cease and desist order,
8 or otherwise requests an individual or business entity to stop or change a
9 business activity or use of property, such state employee or agent shall provide
10 to any such affected individual or business entity, upon request, the specific
11 provision or provisions within the general statutes and within duly adopted
12 regulations or general permits for such state employee's or agent's actions,
13 impositions, orders or requests.