



General Assembly

January Session, 2013

Raised Bill No. 6493

LCO No. 3565



Referred to Committee on GOVERNMENT ADMINISTRATION
AND ELECTIONS

Introduced by:
(GAE)

***AN ACT CONCERNING REFERENCES TO REGISTERED INTERIOR
DESIGNERS IN THE GENERAL STATUTES.***

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Section 2-71q of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2013*):

3 Whenever a design professional or design professional services or a
4 construction manager are required by the Joint Committee on
5 Legislative Management for any purpose other than in fulfilling its
6 obligation under section 4b-60, the following procedures shall be
7 followed:

8 (1) The committee shall invite responses from design professionals
9 or construction managers by advertisements inserted at least once in
10 one or more newspapers having a general circulation in the state. The
11 responses received shall be considered by the committee which shall
12 select from among those responding the five professionals or managers
13 which in its opinion are most qualified to perform the required design

14 professional or management services.

15 (2) The committee may negotiate a contract with the most qualified
16 design professional or construction manager on the list, in its
17 judgment, at compensation which it determines is both fair and
18 reasonable. If the committee is unable to conclude a contract with any
19 of the design professionals or construction managers selected, it shall
20 issue a finding giving the reasons for such inability and may negotiate
21 with any design professional or construction manager which it
22 determines to be most qualified to perform the services at fair and
23 reasonable compensation. In determining fair and reasonable
24 compensation, the committee shall consider, in the following order of
25 importance, the professional competence of the design professional or
26 construction manager, the technical merits of the proposal, the ability
27 of the firm to perform the required services within the time and
28 budgetary limits of the contract and the price for which the services are
29 to be rendered.

30 (3) As used in this section, "design professional" means any
31 architect, professional engineer, landscape architect, land surveyor or
32 interior designer who is registered to practice his profession in
33 accordance with the applicable provisions of the general statutes; and
34 "design professional services" means those professional services
35 rendered by architects, professional engineers, landscape architects,
36 land surveyors or registered interior designers, as well as incidental
37 services that members of such professions and those in their employ
38 are authorized to perform.

39 Sec. 2. Section 4b-55 of the general statutes is repealed and the
40 following is substituted in lieu thereof (*Effective October 1, 2013*):

41 As used in this section, section 4b-1 and sections 4b-56 to 4b-59,
42 inclusive, unless the context clearly requires otherwise:

43 (a) "Commissioner" means the Commissioner of Construction
44 Services;

45 (b) "Consultant" means (1) any architect, professional engineer,
46 landscape architect, land surveyor, accountant, interior designer,
47 environmental professional or construction administrator, who is
48 registered or licensed to practice such person's profession in
49 accordance with the applicable provisions of the general statutes, or (2)
50 any planner or financial specialist;

51 (c) "Consultant services" shall include those professional services
52 rendered by architects, professional engineers, landscape architects,
53 land surveyors, accountants, registered interior designers,
54 environmental professionals, construction administrators, planners or
55 financial specialists, as well as incidental services that members of
56 these professions and those in their employ are authorized to perform;

57 (d) "University of Connecticut library project" means a project to
58 renovate and improve the Homer Babbidge Library at The University
59 of Connecticut;

60 (e) "Firm" means any individual, partnership, corporation, joint
61 venture, association or other legal entity (1) authorized by law to
62 practice the profession of architecture, landscape architecture,
63 engineering, land surveying, accounting, interior design,
64 environmental or construction administration, or (2) practicing the
65 profession of planning or financial specialization;

66 (f) "Priority higher education facility project" means any project
67 which is part of a state program to repair, renovate, enlarge, equip,
68 purchase or construct (1) instructional facilities, (2) academic core
69 facilities, including library, research and laboratory facilities, (3)
70 student residential or related student dining facilities, or (4) utility
71 systems related to such projects, which are or will be operated under
72 the jurisdiction of the board of trustees of any constituent unit of the
73 state system of higher education, except The University of Connecticut
74 provided the project is included in the comprehensive facilities master
75 plan of the constituent unit in the most recent state facility plan of the

76 Office of Policy and Management pursuant to section 4b-23;

77 (g) "Project" means any state program requiring consultant services
78 if the cost of such services is estimated to exceed three hundred
79 thousand dollars;

80 (h) "Selection panel" or "panel" means the State Construction
81 Services Selection Panel established pursuant to subsection (a) of
82 section 4b-56 or, in the case of a Connecticut Health and Education
83 Facilities Authority project pursuant to section 10a-186a, means the
84 Connecticut Health and Education Facilities Authority Construction
85 Services Panel established pursuant to subsection (c) of section 4b-56;

86 (i) "User agency" means the state department or agency requesting
87 the project or the agency for which such project is being undertaken
88 pursuant to law;

89 (j) "Community court project" means (1) any project to renovate and
90 improve a facility designated for the community court established
91 pursuant to section 51-181c, and (2) the renovation and improvement
92 of other state facilities required for the relocation of any state agency
93 resulting from the placement of the community court;

94 (k) "Connecticut Juvenile Training School project" means a project
95 (1) to develop on a designated site new facilities for a Connecticut
96 Juvenile Training School in Middletown including, but not limited to,
97 preparing a feasibility study for, designing, constructing,
98 reconstructing, improving or equipping said facility for use by the
99 Department of Children and Families, which is an emergency project
100 because there is an immediate need for completion of said project to
101 remedy overcrowding at Long Lane School; said school shall have an
102 annual average daily population of not more than two hundred forty
103 residents; or (2) to develop a separate facility for girls including, but
104 not limited to, acquiring of land or buildings, designing, constructing,
105 reconstructing, improving or equipping said facility for use by the
106 Department of Children and Families;

107 (l) "Downtown Hartford higher education center project" means a
108 project to develop a higher education center, as defined in
109 subparagraph (B) of subdivision (2) of section 32-600, and as described
110 in subsection (a) of section 32-612, for the regional community-
111 technical college system;

112 (m) "Correctional facility project" means any project (1) which is
113 part of a state program to repair, renovate, enlarge or construct
114 facilities which are or will be operated by the Department of
115 Correction, and (2) for which there is an immediate need for
116 completion in order to remedy prison and jail overcrowding; and

117 (n) "Juvenile detention center project" means any project (1) which is
118 part of a state program to repair, renovate, enlarge or construct
119 juvenile detention centers which are or will be operated by the Judicial
120 Department, and (2) for which there is an immediate need for
121 completion in order to remedy overcrowding.

122 Sec. 3. Section 4b-61 of the general statutes is repealed and the
123 following is substituted in lieu thereof (*Effective October 1, 2013*):

124 Whenever a design professional or design professional services are
125 required by the Joint Committee on Legislative Management in
126 fulfilling its obligations under section 4b-60 in connection with the
127 preservation and restoration of the State Capitol, the following
128 procedures shall be followed:

129 (1) The committee shall direct the State Commission on Capitol
130 Preservation and Restoration to invite responses from design
131 professionals by advertisements inserted at least once in one or more
132 newspapers having a general circulation in the state. The responses
133 received shall be considered by the commission which shall select from
134 among those responding the three professionals, which in its opinion
135 are most qualified to perform the required design professional
136 services, and submit the names to the committee. If three or fewer
137 responses are received, the commission shall submit the names of all

138 those responding.

139 (2) The committee may negotiate a contract with the most qualified
140 design professional on the list, in its judgment, at compensation which
141 it determines is both fair and reasonable. If the committee is unable to
142 conclude a contract with any of the design professionals recommended
143 by the commission, it shall issue a finding giving the reasons for such
144 inability and may negotiate with any design professional which it
145 determines to be most qualified to perform the services at fair and
146 reasonable compensation. In determining fair and reasonable
147 compensation, the committee shall consider, in the following order of
148 importance, the professional competence of the design professional,
149 the technical merits of the proposal, the ability of the firm to perform
150 the required services within the time and budgetary limits of the
151 contract and the price for which the services are to be rendered.

152 (3) As used in this section, "design professional" means any
153 architect, professional engineer, landscape architect, land surveyor or
154 interior designer who is registered to practice his profession in
155 accordance with the applicable provisions of the general statutes; and
156 "design professional services" means those professional services
157 rendered by architects, professional engineers, landscape architects,
158 land surveyors or registered interior designers, as well as incidental
159 services that members of such professions and those in their employ
160 are authorized to perform.

161 Sec. 4. Section 29-251c of the general statutes is repealed and the
162 following is substituted in lieu thereof (*Effective October 1, 2013*):

163 (a) As used in subsections (a) to (c), inclusive, of this section "prior
164 approval of the Code Training and Education Board of Control" means
165 approval by the board of a fiscal year budget prepared by the
166 Commissioner of Construction Services. The commissioner shall
167 develop a program to sponsor (1) training and educational programs
168 in the mechanics and application of the State Building Code and the

169 Fire Safety Code conducted for any municipal or state code official, or
170 any candidate for such positions, and (2) continuing educational
171 programs in the mechanics and application of the State Building Code
172 and the Fire Safety Code for any architect, engineer, landscape
173 architect, registered interior designer, builder, contractor or
174 superintendent of construction doing business in this state, and shall
175 determine the equipment necessary to sponsor such training and
176 educational programs.

177 (b) There is established the Code Training and Education Board of
178 Control which shall promote code training and education. No funds
179 shall be expended for the purposes listed in subsection (a) of this
180 section without prior approval of the Code Training and Education
181 Board of Control. The board shall consist of seven members as follows:
182 (1) Three members of the Building Code Training Council, one each of
183 whom shall be appointed by the speaker, majority leader and minority
184 leader of the House of Representatives, (2) three members of the Fire
185 Marshal Training Council, one each of whom shall be appointed by the
186 president pro tempore, majority leader and minority leader of the
187 Senate, and (3) one architect, engineer, landscape architect, registered
188 interior designer, builder, contractor or superintendent of construction
189 doing business in this state, who shall be appointed by the
190 Commissioner of Construction Services. The members of the board
191 shall continue in office for the term of three years from the first day of
192 July next succeeding their appointment. Vacancies on the board shall
193 be filled by the original appointing authority for the balance of the
194 unexpired term.

195 (c) The commissioner shall establish a program of education and
196 training in the mechanics and application of the State Building Code
197 and the Fire Safety Code conducted for any municipal or state code
198 official, or any candidate for such positions, and a continuing
199 educational program in the mechanics and application of the State
200 Building Code and the Fire Safety Code for any architect, engineer,
201 landscape architect, registered interior designer, builder, contractor or

202 superintendent of construction doing business in this state.

203 (d) The Commissioner of Construction Services may apply for any
204 federal or private funds or contributions available for training and
205 education of code officials or other persons eligible to receive training
206 under subsections (a) to (c), inclusive, of this section. Not later than
207 July 1, 2000, the Commissioner of Construction Services, with the
208 approval of the Building Code Training Council and the Fire Marshal
209 Training Council, shall adopt regulations in accordance with chapter
210 54 to establish an administrative process to adjust as necessary (1) the
211 amount of the education fee to be assessed by the State Building
212 Inspector pursuant to section 29-252a and each municipal building
213 official pursuant to section 29-263, and (2) the portion of the fees
214 collected which may be retained by each municipal building
215 department for administrative costs. The education fee shall be
216 adjusted downward or upward, as the case may be, when necessary,
217 but not more than annually, to reflect the actual cost of the training
218 and educational programs and the continuing educational programs
219 established in subsections (a) to (c), inclusive, of this section and the
220 educational programs required in subsections (a) and (b) of section 29-
221 262, except that no such fee may be increased by more than four cents
222 in any one year. The portion of fees which may be retained for
223 administrative costs shall be adjusted downward or upward, as the
224 case may be, when necessary, but not more than annually, to reflect the
225 actual costs incurred in collecting such fees, except that the fees to be
226 retained for administrative costs may not be less than one cent or
227 greater than three cents per thousand dollars of the value of the
228 construction declared in the building permit application.

229 (e) The Commissioner of Construction Services shall annually
230 submit a report of the amount of funds received pursuant to
231 subsection (d) of this section, or of any other funds received by the
232 commissioner for the purposes of code training and education under
233 this section, to the cochairpersons and ranking members of the joint
234 standing committees of the General Assembly having cognizance of

235 matters relating to finance, revenue and bonding and appropriations.
236 All direct expenses incurred in the conduct of the code training and
237 educational programs, or of the operation, maintenance and repair of
238 facilities, food services and other auxiliary services incurred in the
239 conduct of the code training and educational programs, shall be
240 charged, and any cost of equipment for code training and educational
241 programs may be charged, against the funds appropriated for the code
242 training and educational programs on order of the Comptroller. Any
243 balance of receipts after expenditures shall be retained by the
244 commissioner and shall be used solely for the code training and
245 educational programs under this section and for the acquisition, as
246 provided in section 4b-21, alteration and repairs of real property for
247 educational facilities, provided repairs, alterations or additions to
248 educational facilities costing fifty thousand dollars or less shall require
249 the approval of the Commissioner of Construction Services and capital
250 projects costing over fifty thousand dollars shall require the approval
251 of the General Assembly, or when the General Assembly is not in
252 session, of the Finance Advisory Committee. Funds appropriated to or
253 received by the Commissioner of Construction Services for the code
254 training and educational programs shall also be used for (1) (A) the
255 operation, maintenance and repair of auxiliary services facilities, and
256 (B) any other activities related to training and educational programs in
257 the mechanics and application of the State Building Code and the Fire
258 Safety Code conducted for any municipal or state code official, or any
259 candidate for such positions, and (2) continuing educational programs
260 in the mechanics and application of the State Building Code and the
261 Fire Safety Code for any architect, engineer, landscape architect,
262 registered interior designer, builder, contractor or superintendent of
263 construction doing business in this state. No funds shall be used for
264 the purposes of this section without prior approval of the Code
265 Training and Education Board of Control, established pursuant to
266 subsection (b) of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2013</i>	2-71q
Sec. 2	<i>October 1, 2013</i>	4b-55
Sec. 3	<i>October 1, 2013</i>	4b-61
Sec. 4	<i>October 1, 2013</i>	29-251c

Statement of Purpose:

To clarify certain references to interior designers in the general statutes by adding the term "registered".

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]