

R-39 Rev. 03/2012
(Certification page—see Instructions on back)

CERTIFICATION

This certification statement must be completed in full, including items 3 and 4, if they are applicable.

- 1) I hereby certify that the above (check one) Regulations Emergency Regulations
- 2) are (check all that apply) adopted amended repealed by this agency pursuant to the following authority(ies): (complete all that apply)
- a. Connecticut General Statutes section(s) 23-65h-1(o);23-65-1(r);23-65h-1(s).
- b. Public Act Number(s) .
(Provide public act number(s) if the act has not yet been codified in the Connecticut General Statutes.)
- 3) And I further certify that notice of intent to adopt, amend or repeal said regulations was published in the **Connecticut Law Journal** on February 26, 2013;
(Insert date of notice publication if publication was required by CGS Section 4-168.)
- 4) And that a public hearing regarding the proposed regulations was held on March 27, 2013;
(Insert date(s) of public hearing(s) held pursuant to CGS Section 4-168(a)(7), if any, or pursuant to other applicable statute.)
- 5) And that said regulations are EFFECTIVE (check one, and complete as applicable)
- When filed with the Secretary of the State
- OR on (insert date)

DATE	SIGNED (Head of Board, Agency or Commission)	OFFICIAL TITLE, DULY AUTHORIZED
<u>Aug. 7, 2013</u>	<u>Susan Whalen</u>	<u>Deputy Commissioner</u>

APPROVED by the Attorney General as to legal sufficiency in accordance with CGS Section 4-169, as amended

DATE	SIGNED (Attorney General or AG's designated representative)	OFFICIAL TITLE, DULY AUTHORIZED
<u>8/14/13</u>	<u>Joseph Rubin</u>	ASSOC. ATTY. GENERAL

Proposed regulations are **DEEMED APPROVED** by the Attorney General in accordance with CGS Section 4-169, as amended, if the attorney General fails to give notice to the agency of any legal insufficiency within thirty (30) days of the receipt of the proposed regulation.

(For Regulation Review Committee Use ONLY)

- Approved Rejected without prejudice
- Approved with technical corrections Disapproved in part, (Indicate Section Numbers disapproved only)
- Deemed approved pursuant to CGS Section 4-170(c)

By the Legislative Regulation Review Committee in accordance with CGS Section 4-170, as amended	DATE	SIGNED (Administrator, Legislative Regulation Review Committee)

Two certified copies received and filed and one such copy forwarded to the Commission on Official Legal Publications in accordance with CGS Section 4-172, as amended.

DATE	SIGNED (Secretary of the State)	BY

(For Secretary of the State Use ONLY)

GENERAL INSTRUCTIONS

1. All regulations proposed for adoption, amendment or repeal, *except* emergency regulations, must be presented to the Attorney General for his/her determination of legal sufficiency. (See CGS Section 4-169.)
2. After approval by the Attorney General, the original and one electronic copy (in Word format) of all regulations proposed for adoption, amendment or repeal must be presented to the Legislative Regulation Review Committee for its action. (See CGS Sections 4-168 and 4-170 as amended by Public Act 11-150, Sections 18 and 19.)
3. Each proposed regulation section must include the appropriate regulation section number and a section heading. (See CGS Section 4-172.)
4. New language added to an existing regulation must be in underlining or CAPITAL LETTERS, as determined by the Regulation Review Committee. (See CGS 4-170(b).)
5. Existing language to be deleted must be enclosed in brackets []. (See CGS 4-170(b).)
6. A completely new regulation or a new section of an existing regulation must be preceded by the word "(NEW)" in capital letters. (See CGS Section 4-170(b).)
7. The proposed regulation must have a statement of its purpose following the final section of the regulation. (See CGS Section 4-170(b).)
8. The Certification Statement portion of the form must be completed, including all applicable information regarding *Connecticut Law Journal* notice publication date(s) and public hearing(s). (See more specific instructions below.)
9. Additional information regarding rules and procedures of the Legislative Regulation Review Committee can be found on the Committee's web site: <http://www.cga.ct.gov/rr/> .
10. A copy of the Legislative Commissioners' Regulations Drafting Manual is located on the LCO website at http://www.cga.ct.gov/lco/pdfs/Regulations_Drafting_Manual.pdf.

CERTIFICATION STATEMENT INSTRUCTIONS

(Numbers below correspond to the numbered sections of the statement)

1. Indicate whether the regulation is a regular or an emergency regulation adopted under the provisions of CGS Section 4-168(f).
2.
 - a) Indicate whether the regulations contains newly adopted sections, amendments to existing sections, and/or repeals existing sections. Check all cases that apply.
 - b) Indicate the specific legal authority that authorizes or requires adoption, amendment or repeal of the regulation. If the relevant public act has been codified in the most current biennial edition of the *Connecticut General Statutes*, indicate the relevant statute number(s) instead of the public act number. If the public act has not yet been codified, indicate the relevant public act number.
3. Except for emergency regulations adopted under CGS 4-168(f), and technical amendments to an existing regulation adopted under CGS 4-168(g), an agency must publish notice of its intent to adopt a regulation in the *Connecticut Law Journal*. Enter the date of notice publication.
4. CGS Section 4-168(a)(7) prescribes requirements for the holding of an agency public hearing regarding proposed regulations. Enter the date(s) of the hearing(s) held under that section, if any; also enter the date(s) of any hearing(s) the agency was required to hold under the provisions of any other law.
5. As applicable, enter the effective date of the regulation here, or indicate that it is effective upon filing with the Secretary of the State. Please note the information below.

Regulations are effective upon filing with the Secretary of the State or at a later specified date. See CGS Section 4-172(b) which provides that each regulation is effective upon filing, or, if a later date is required by statute or specified in the regulation, the later date is the effective date. An effective date may not precede the effective date of the public act requiring or permitting the regulation. Emergency regulations are effective immediately upon filing with the Secretary of the State, or at a stated date less than twenty days thereafter.

I, Daniel Esty, Commissioner of the Department of Energy and Environmental Protection, an Agency of the State of Connecticut, hereby certify that:

1. On February 5, 2013, the Department of Energy and Environmental Protection gave notice of its intent to amend regulations governing the continuing education standard and fees for certification of forest practitioners, certified pursuant to Connecticut General Statutes Section 23-65h. This notice was published on February 26, 2013 in the Connecticut Law Journal, a true copy of which is attached as Exhibit A.
2. The foregoing notice was posted to the Department of Energy and Environmental Protection website on February 27, 2013.
3. In addition, the notice was mailed on March 1, 2013 to each forest practitioner certified pursuant to Connecticut General Statutes Section 23-65h as of March 1, 2013.
4. A copy of the notice was also e-mailed on March 11, 2013 to the Legislative Regulation Review Committee.
5. On March 27, 2013, a hearing was held by the Department of Energy and Environmental Protection at which persons were allowed to present oral comments concerning said proposal.
6. All interested persons were given until April 5, 2013 to submit written comments concerning the proposed regulations and to inspect and copy the fiscal note referred to in the notice.
7. On April 16, 2012, an initial fiscal note on the proposed regulations was prepared, a true copy of which is attached hereto as Exhibit B.
8. On April 24, 2012, a Small Business Regulatory Impact notification form was prepared, a true copy of which is attached hereto as Exhibit C.
9. The notice of intent to amend regulations, fiscal note, small business impact statement and proposed regulations were e-mailed to the co-chairs of the Environment Committee of the General Assembly on June 3, 2013.
10. The Department of Energy and Environmental Protection has considered fully all written and oral submissions respecting the proposed regulations including the effect on small businesses as required by Connecticut General Statutes Section 4-168(a)(5)(B) and, where it deemed appropriate, has revised the proposal in response to said submissions.
11. On August 2, 2013, the Department of Energy and Environmental Protection mailed to all persons who submitted written comments and to all persons who made statements or oral arguments at the hearing held and who requested notification, notice that the Department has decided to take action on the proposed regulations, and that it has made available for copying and inspection:
 - a. the final wording of the proposed regulations;
 - b. a statement of the principal reasons in support of its intended action; and
 - c. a statement of principal considerations in opposition to its intended action as urged in written and oral comments on the proposed regulations and its reasons for rejecting such considerations.Such statements are attached hereto as Exhibit D.

AUG. 7, 2013
Date

Susan Whalen for
Daniel Esty, Commissioner