

TESTIMONY OF GLENN MARSHALL, BUSINESS MANAGER OF CARPENTERS LOCAL 210, RAISED BILL 6808, AN ACT CONCERNING THE ENFORCEMENT OF CERTAIN OCCUPATIONAL LICENSING STATUTES

Good Afternoon Senator Leone, Representative Baram and members of the General Law Committee. My name is Glenn Marshall and I am Business Manager for Carpenter's Local 210 which is part of the New England Regional Council of Carpenters, which represents thousands of carpenters in Connecticut. I am here today to testify in opposition to Raised Bill 6808, An Act Concerning the Enforcement of Certain Occupational Licensing Statutes.

Connecticut first enacted licensing laws starting in 1967 to protect the general public's safety; first plumbers and electricians and over the following decades for other crafts, such as sheetmetal workers and glaziers. In fact, we are one of the only states that licenses glaziers. As more and more trades have attained licenses we have seen a rise in jurisdictional problems on jobsites. Some trades are using their licensed status as a means to grab work and claim jurisdiction from non-licensed crafts such as the carpenters. There are many examples on record and a few years ago one of our contractors spent in excess of one-hundred thousand dollars defending themselves.

Let me quote to you from a recent New York Times article regarding the proliferation of licensing at the state level:

"In a study commissioned by the Brookings Institution's Hamilton Project, Morris Kleiner of the University of Minnesota found that almost 3 out of 10 workers in the United States needs a license from state governments to do their jobs, up from 1 in 20 in the 1950's. By the cordoning off so many occupations, he estimates, professional licensing by state governments ultimately reduces employment by up to 2.8 million jobs. Also, Princeton economist Alan B. Krueger, who served as President Obama's chief economic advisor during his first term, stated that "lower income people suffer from licensing. It raises the cost of many services and prevents low income people from getting in to some professions." The trend worries the Obama administration. The President's budget includes 15 million dollars for states to analyze the costs and benefits of their licensing rules. (The New York Times, January 28, 2015, p. B5)

There are many conflicts and issues with the way this Bill is written and I will give a few examples.

- Cease work orders for individuals who perform work without a license is a problem because there are many “grey areas” or “overlap” of work between licensed and non-licensed crafts.
 - The proposed language states that either the commissioner or the Board can either jointly or separately issue a cease work order. There is a potential conflict if the commissioner and the board are in disagreement as to whether a violation has occurred or not. Who makes the final determination? I believe the commissioner should make the final decision, with the advice of the Board for the sake of consistency. The Board members terms, by statute, expire every four years which can lead to turnover and inconsistent decisions being rendered and although the commissioner’s term may be short as well, they rely on the recommendations of their managers, who have an historical, institutional knowledge of the industry. As a former commissioner I can attest to this myself.
 - The term “negligently” is being added to “willfully” to determine someone’s culpability of working without a license. Willful is a much higher standard than negligent so it can’t be both. We prefer to see it left as just willful as someone can make an honest mistake.
- Last year, a similar Bill had a fiscal note that conservatively estimated a cost to the state of Connecticut of more than, \$400,000 a year. This proposal is bad for Connecticut businesses, bad for the state budget and bad for workers trying to earn a living. This Bill is a jobs killer.

Thank you for your time and consideration. I would be happy to answer any questions.