



General Assembly

January Session, 2015

Governor's Bill No. 6842

LCO No. 3996



Referred to Committee on GOVERNMENT ADMINISTRATION
AND ELECTIONS

Introduced by:

REP. SHARKEY, 88th Dist.
REP. ARESIMOWICZ, 30th Dist.
SEN. LOONEY, 11th Dist.
SEN. DUFF, 25th Dist.

**AN ACT IMPLEMENTING THE BUDGET RECOMMENDATIONS OF
THE GOVERNOR CONCERNING GENERAL GOVERNMENT.**

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

1 Section 1. Section 22a-11 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2015*):

3 There shall be a Council on Environmental Quality which shall be
4 within the [Department of Energy and Environmental Protection for
5 administrative purposes only] Joint Committee on Legislative
6 Management within the Legislative Department. Said council shall
7 consist of nine members, five to be appointed by the Governor, two to
8 be appointed by the speaker of the House of Representatives and two
9 to be appointed by the president pro tempore of the Senate. No
10 member shall be allowed to serve more than eight years of any twelve-
11 year period. The Governor shall fill any vacancy by appointment for

12 the unexpired portion of the term vacated. The [chairman] chairperson
13 of said council shall be selected by the Governor. Members of said
14 council shall receive no compensation for their services thereon, but
15 shall be reimbursed for necessary expenses in the performance of their
16 duties. Said council shall hold one meeting each month and such
17 additional meetings as may be prescribed by council rules. In addition,
18 special meetings may be called by the [chairman] chairperson or by
19 any three members upon delivery of forty-eight hours' written notice
20 to each member. Five members shall constitute a quorum and not
21 fewer than three votes shall be required for any final determination of
22 said council. [The council may employ an executive director, exclusive
23 of the provisions of chapter 67 and such additional staff and
24 consultants as may be necessary to carry out its duties, within
25 available appropriations.] Any necessary staff shall be employed by
26 the Joint Committee on Legislative Management. The council shall
27 have no authority over staffing or personnel matters.

28 Sec. 2. Section 22a-12 of the general statutes is repealed and the
29 following is substituted in lieu thereof (*Effective July 1, 2015*):

30 [(a)] The council shall submit annually to the Governor an
31 environmental quality report, which shall set forth: (1) The status of
32 the major environmental categories including, but not limited to, the
33 air, the water and the land environment; (2) current and foreseeable
34 trends in the quality, management and utilization of the environment
35 and the effects of such trends on the social, economic and health
36 requirements of the state; (3) the adequacy of available natural
37 resources for fulfilling human and economic requirements of the state
38 in the light of projected population pressures; (4) a review of the
39 programs and activities of the state and local governments and private
40 organizations, with particular reference to their effect on the
41 environment and on the conservation, development and utilization of
42 natural resources; (5) a program for remedying the deficiencies of
43 existing programs and activities, together with recommendations for
44 legislation; and (6) the progress towards achievement of the goals and

45 objectives established in the state-wide environmental plan.

46 [(b) The council shall have the authority to require submission by all
47 state agencies, at all stages of development, of construction plans for
48 review and comment by the council which shall include, but not be
49 limited to, all plans of the Department of Transportation which
50 anticipate the paving or building upon land not previously paved or
51 built upon, and location or expansion of noise-producing facilities such
52 as airports; and all plans of the Department of Administrative Services
53 which anticipate the paving or building upon land not previously
54 paved or built upon, the construction of structures occupying a
55 substantially greater air space than predecessor structures in the same
56 location, and the location or expansion of noise or pollution-producing
57 facilities such as heating plants, but which shall not include the
58 conversion by The University of Connecticut of a commercial or office
59 structure to an educational structure; provided the function of the
60 council with respect to such plans shall be advisory and consultative
61 only.]

62 Sec. 3. Subsection (a) of section 32-665 of the general statutes is
63 repealed and the following is substituted in lieu thereof (*Effective July*
64 *1, 2015*):

65 (a) Except as otherwise provided in sections 32-650 to 32-668,
66 inclusive, the following provisions of the general statutes, including
67 regulations adopted thereunder, shall not apply to the overall project:
68 Section 3-14b, subdivisions (12), (13) and (14) of section 4-166, sections
69 4-167 to 4-174, inclusive, 4-181a, 4a-1 to 4a-59a, inclusive, 4a-63 to 4a-
70 76, inclusive, title 4b, section 16a-31, chapters 97a, 124 and 126, sections
71 14-311 to 14-314c, inclusive, 19a-37, 22a-16 and subsection (a) of section
72 22a-19. [For the purposes of section 22a-12, construction plans relating
73 to the overall project shall not be considered construction plans
74 required to be submitted by state agencies to the Council on
75 Environmental Quality.] Notwithstanding any provision of any special
76 act, charter, ordinance, home rule ordinance or chapter 98, no

77 provision of any such act, charter or ordinance or said chapter 98,
78 concerning licenses, permits or approvals by a political subdivision of
79 the state pertaining to building demolition or construction shall apply
80 to the overall project and, notwithstanding any provision of the
81 general statutes, the State Building Inspector and the State Fire
82 Marshal shall have original jurisdiction with respect to the
83 administration and enforcement of the State Building Code and the
84 Fire Safety Code, respectively, with respect to all aspects of the overall
85 project, including, without limitation, the conduct of necessary reviews
86 and inspections and the issuance of any building permit, certificate of
87 occupancy or other necessary permits or certificates related to building
88 construction, occupancy or fire safety. For the purposes of part III of
89 chapter 557, the stadium facility project, the convention center project
90 and the parking project shall be deemed to be a public works project
91 and consist of public buildings except that the provisions relating to
92 payment of prevailing wages to workers in connection with a public
93 works project including, but not limited to, section 31-53 shall not
94 apply to the stadium facility project, the convention center project and
95 the parking project if the project manager or the prime construction
96 contractor has negotiated other wage terms pursuant to a project labor
97 agreement. The provisions of section 2-32c and subsection (c) of section
98 2-79a shall not apply to any provisions of public act 99-241, as
99 amended by public act 00-140, or chapter 588x concerning the overall
100 project. Any building permit application with respect to the overall
101 project shall be exempt from the assessment of an education fee under
102 subsection (b) of section 29-252a.

103 Sec. 4. Subsection (a) of section 23-102 of the general statutes is
104 repealed and the following is substituted in lieu thereof (*Effective July*
105 *1, 2015*):

106 (a) There shall be a Connecticut Greenways Council which shall be
107 within the Department of Energy and Environmental Protection for
108 administrative purposes only. The council shall consist of eleven
109 members, five to be appointed by the Governor, one to be appointed

110 by the speaker of the House of Representatives, one to be appointed by
111 the majority leader of the House of Representatives, one to be
112 appointed by the president pro tempore of the Senate, one to be
113 appointed by the majority leader of the Senate, one to be appointed by
114 the minority leader of the House of Representatives and one to be
115 appointed by the minority leader of the Senate. All appointments to
116 the council shall be made on or before October 1, 1995. Three of the
117 members initially appointed by the Governor shall serve a term of two
118 years and two of the members appointed by the Governor shall serve a
119 term of four years. All members appointed by the Governor thereafter
120 shall serve a term of four years. The terms of all members appointed
121 by members of the General Assembly shall be coterminous with the
122 terms of members of the General Assembly. The appointing authority
123 shall fill any vacancy by appointment for the unexpired portion of the
124 term vacated. The [chairman] chairperson of said council shall be
125 selected by the Governor. Members of said council shall receive no
126 compensation for their services on the council. The council shall hold
127 one meeting each quarter and such additional meetings as may be
128 prescribed by council rules. Special meetings may be called by the
129 [chairman] chairperson or by any three members upon delivery of
130 forty-eight hours' written notice to each member. The council may
131 employ an executive director, exclusive of the provisions of chapter 67,
132 and such additional staff and contractors and consultants as may be
133 necessary to carry out its duties, [and may share the personnel and
134 resources of the council on environmental quality,] within available
135 appropriations. The council may receive aid or contributions from any
136 source, including grants-in-aid from any state agency.

137 Sec. 5. Section 20-280 of the general statutes is repealed and the
138 following is substituted in lieu thereof (*Effective July 1, 2015*):

139 (a) There shall be a State Board of Accountancy which shall consist
140 of nine members, to be appointed by the Governor, all of whom shall
141 be residents of this state, five of whom shall hold current, valid
142 licenses to practice public accountancy and four of whom shall be

143 public members. Any persons serving on the board prior to October 1,
144 1992, shall continue to serve until a successor is appointed. Whenever
145 an appointment of a licensee to the state board is to be made, the
146 Connecticut Society of Certified Public Accountants shall submit to the
147 Governor the names of five persons qualified for membership on the
148 board and the Governor shall appoint one of such persons to said
149 board, subject to the provisions of section 4-10. The Governor shall
150 select a chairperson pursuant to section 4-9a. The term of each member
151 of the board shall be coterminous with that of the Governor. Vacancies
152 occurring during a term shall be filled by appointment by the
153 Governor for the unexpired portion of the term. Upon the expiration of
154 a member's term of office, such member shall continue to serve until
155 his successor has been appointed. Any member of the board whose
156 license under section 20-281d is revoked or suspended shall
157 automatically cease to be a member of the board. No person who has
158 served two successive complete terms shall be eligible for
159 reappointment to the board. Appointment to fill an unexpired term
160 shall not be considered to be a complete term. Any member who,
161 without just cause, fails to attend fifty per cent of all meetings held
162 during any calendar year shall not be eligible for reappointment.

163 (b) The board shall meet at such times and places as may be fixed by
164 the board and shall meet at least once in every quarter of a calendar
165 year. A majority of the board members then serving shall constitute a
166 quorum at any meeting duly called. The board shall have a seal which
167 shall be judicially noticed. The board shall maintain a registry of the
168 names and addresses of all licensees and registrants under sections 20-
169 279b to 20-281m, inclusive, and shall have responsibility for the
170 administration and enforcement of said sections.

171 (c) [Each member of the board shall be reimbursed for his actual and
172 necessary expenses incurred in the discharge of his official duties.] The
173 Department of Consumer Protection shall provide office space for the
174 board. Members shall not be compensated for their services and
175 notwithstanding the provisions of section 21a-7, shall not be

176 reimbursed for necessary expenses.

177 (d) The board shall annually cause to be printed a directory which
178 shall contain the names, arranged alphabetically, of all licensees and
179 registrants under sections 20-279b to 20-281m, inclusive.

180 (e) [The board may recommend and the Secretary of the State may
181 employ, subject to the provisions of chapter 67, such personnel as may
182 be necessary to carry out the provisions of sections 20-279b to 20-281m,
183 inclusive. The board may enter into such contractual agreements as
184 may be necessary for the discharge of its duties, within the limit of its
185 appropriated funds and in accordance with established procedures, as
186 it deems necessary in its administration and enforcement of said
187 sections. It may appoint committees or persons to advise or assist the
188 board in such administration and enforcement as it may see fit. Said
189 board shall be within the office of the Secretary of the State] Said board
190 shall be within the Department of Consumer Protection.

191 (f) The board shall have the power to take all action that is necessary
192 and proper to effectuate the purposes of sections 20-279b to 20-281m,
193 inclusive, including the power to issue subpoenas to compel the
194 attendance of witnesses and the production of documents; to
195 administer oaths; to take testimony and to receive evidence concerning
196 all matters within its jurisdiction. In case of disobedience of a
197 subpoena, the board may invoke the aid of any court of this state in
198 requiring the attendance and testimony of witnesses and the
199 production of documentary evidence. The board, its members, and its
200 agents shall be immune from personal liability for actions taken in
201 good faith in the discharge of the board's responsibilities, and the state
202 shall indemnify and hold harmless the board, its members, and its
203 agents from all costs, damages, and attorneys' fees arising from claims
204 and suits against them with respect to matters to which such immunity
205 applies.

206 (g) The board may adopt [rules] regulations, in accordance with

207 chapter 54, governing its administration and enforcement of sections
208 20-279b to 20-281m, inclusive, and the conduct of licensees and
209 registrants, including, but not limited to:

210 (1) Regulations governing the board's meetings and the conduct of
211 its business;

212 (2) Regulations concerning procedures governing the conduct of
213 investigations and hearings by the board;

214 (3) Regulations specifying the educational qualifications required
215 for the issuance of certificates under section 20-281c, the experience
216 required for initial issuance of certificates under section 20-281c and
217 the continuing professional education required for renewal of licenses
218 under subsection (e) of section 20-281d;

219 (4) Regulations concerning professional conduct directed to
220 controlling the quality and probity of the practice of public
221 accountancy by licensees, and dealing among other things with
222 independence, integrity, objectivity, competence, technical standards,
223 responsibilities to the public and responsibilities to clients;

224 (5) Regulations specifying actions and circumstances that shall be
225 deemed to constitute holding oneself out as a licensee in connection
226 with the practice of public accountancy;

227 (6) Regulations governing the manner and circumstances of use by
228 holders of certificates who do not also hold licenses under sections 20-
229 279b to 20-281m, inclusive, of the titles "certified public accountant"
230 and "CPA";

231 (7) Regulations regarding quality reviews that may be required to
232 be performed under the provisions of sections 20-279b to 20-281m,
233 inclusive;

234 (8) Regulations implementing the provisions of section 20-281l,
235 including, but not limited to, specifying the terms of any disclosure

236 required by subsection (d) of said section 20-281l, the manner in which
237 such disclosure is made and any other requirements the board imposes
238 with regard to such disclosure. Such regulations shall require that any
239 disclosure: (A) Be in writing and signed by the recipient of the product
240 or service; (B) be clear and conspicuous; (C) state the amount of the
241 commission or the basis on which the commission will be calculated;
242 (D) identify the source of the payment of the commission and the
243 relationship between such source and the person receiving payment;
244 and (E) be presented to the client at or prior to the time the
245 recommendation of the product or service is made;

246 (9) Regulations establishing the due date for any fee charged
247 pursuant to sections 20-281c, 20-281d and 20-281e. Such regulations
248 may establish the amount and due date of a late fee charged for the
249 failure to remit payment of any fee charged pursuant to sections 20-
250 281c, 20-281d and 20-281e; and

251 (10) Such other regulations as the board may deem necessary or
252 appropriate for implementing the provisions and the purposes of
253 sections 20-279b to 20-281m, inclusive.

254 Sec. 6. Section 21a-6 of the general statutes is repealed and the
255 following is substituted in lieu thereof (*Effective July 1, 2015*):

256 The following boards shall be within the Department of Consumer
257 Protection:

258 (1) The Architectural Licensing Board established under chapter
259 390;

260 (2) Repealed by P.A. 93-151, S. 3, 4;

261 (3) The examining boards for electrical work; plumbing and piping
262 work; heating, piping, cooling and sheet metal work; elevator
263 installation, repair and maintenance work; fire protection sprinkler
264 systems work and automotive [glasswork] glass work and flat glass

265 work established under chapter 393;

266 (4) The State Board of Television and Radio Service Examiners
267 established under chapter 394;

268 (5) The Commission of Pharmacy established under chapter 400j;

269 (6) The State Board of Landscape Architects established under
270 chapter 396;

271 (7) Deleted by P.A. 98-229;

272 (8) The State Board of Examiners for Professional Engineers and
273 Land Surveyors established under chapter 391;

274 (9) Repealed by P.A. 80-484, S. 175, 176;

275 (10) The Connecticut Real Estate Commission established under
276 chapter 392;

277 (11) The Connecticut Real Estate Appraisal Commission established
278 under chapter 400g;

279 (12) The State Board of Examiners of Shorthand Reporters
280 established under chapter 400l;

281 (13) The Liquor Control Commission established under chapter 545;

282 (14) Repealed by P.A. 06-187, S. 99, effective October 1, 2006;

283 (15) The Home Inspection Licensing Board established under
284 section 20-490a; and

285 (16) The State Board of Accountancy established under section 20-
286 280, as amended by this act.

287 Sec. 7. Subsection (c) of section 4-86 of the general statutes is
288 repealed and the following is substituted in lieu thereof (*Effective July*
289 *1, 2015*):

290 (c) The Comptroller shall keep an account in connection with each
291 appropriation and shall not issue any warrant, draft or order on the
292 Treasurer in payment of any obligation in excess of the available
293 balance of the appropriation for the purpose or purposes for which
294 such obligation was incurred, until the General Assembly has passed a
295 deficiency bill for the purpose and allotments have been made by the
296 Governor, or such appropriation has been increased as provided in
297 [sections 4-84 and] section 4-87.

298 Sec. 8. Subsection (a) of section 28-9a of the general statutes is
299 repealed and the following is substituted in lieu thereof (*Effective July*
300 *1, 2015*):

301 (a) Whenever the Governor proclaims a disaster emergency under
302 the laws of this state, or the President declares an emergency or a
303 major disaster to exist in this state, the Governor is authorized: (1) To
304 enter into purchase, lease, or other arrangements with any agency of
305 the United States for temporary housing units to be occupied by
306 disaster victims and to make such units available to any political
307 subdivision of the state; (2) to assist any political subdivision of this
308 state which is the locus of such housing to acquire sites necessary for
309 such housing and to do all things required to prepare such sites to
310 receive and utilize such housing units by: (A) Advancing or lending
311 funds available to the Governor from any appropriation made by the
312 legislature, [the contingency fund established by section 4-84,] or from
313 any other source, (B) "passing through" funds made available by any
314 agency, public or private, or (C) becoming a copartner with the
315 political subdivision for the execution and performance of any
316 temporary housing for disaster victims' project and for such purposes
317 to pledge the credit of the state on such terms as he deems appropriate,
318 having due regard for current debt transactions of the state; (3) under
319 such regulations as he shall prescribe, to temporarily suspend or
320 modify for not to exceed sixty days any public health, safety, zoning,
321 transportation or other requirement of law or regulation within this
322 state when by proclamation he deems such suspension or modification

323 essential to provide temporary housing for disaster victims.

324 Sec. 9. Subsection (b) of section 13b-69 of the general statutes, as
325 amended by section 76 of public act 13-277, is repealed and the
326 following is substituted in lieu thereof (*Effective July 1, 2015*):

327 (b) The remaining resources of the Special Transportation Fund
328 shall, pursuant to appropriation thereof in accordance with chapter 50
329 and subject to approval by the Governor of allotment thereof, be
330 applied and expended for (1) payment of the principal of and interest
331 on "general obligation bonds of the state issued for transportation
332 purposes", as defined in subsection (c) of this section, or any
333 obligations refunding the same, (2) payment of state budget
334 appropriations made to or for the Department of Transportation and
335 the Department of Motor Vehicles, [and] (3) payment of state budget
336 appropriations made to or for the Department of Emergency Services
337 and Public Protection for members of the Division of State Police
338 designated by the Commissioner of Emergency Services and Public
339 Protection for motor patrol work pursuant to section 29-4, except that
340 (A) for the fiscal years commencing on or after July 1, 1998, excluding
341 the highway motor patrol budgeted expenses, and (B) for the fiscal
342 years commencing on or after July 1, 1999, excluding the highway
343 motor patrol fringe benefits, and (4) payment of state budget
344 appropriations made to or for the Department of Energy and
345 Environmental Protection for expenses associated with the
346 administration of boating and boating activities in accordance with
347 chapter 268.

348 Sec. 10. Sections 4-84 and 27-76 of the general statutes are repealed.
349 (*Effective July 1, 2015*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2015	22a-11
Sec. 2	July 1, 2015	22a-12

Sec. 3	<i>July 1, 2015</i>	32-665(a)
Sec. 4	<i>July 1, 2015</i>	23-102(a)
Sec. 5	<i>July 1, 2015</i>	20-280
Sec. 6	<i>July 1, 2015</i>	21a-6
Sec. 7	<i>July 1, 2015</i>	4-86(c)
Sec. 8	<i>July 1, 2015</i>	28-9a(a)
Sec. 9	<i>July 1, 2015</i>	13b-69(b)
Sec. 10	<i>July 1, 2015</i>	Repealer section

Statement of Purpose:

To implement the Governor's budget recommendations.

[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.]