



STATE OF CONNECTICUT

DEPARTMENT OF CONSUMER PROTECTION

TO: Legislative Regulation Review Committee
Capitol Building, Hartford, Connecticut

DATE: September 18, 2014

SUBJECT: Proposed Regulations Concerning Electronic Seals in
the Practice of Architecture

SUMMARY OF TESTIMONY

The Department held a properly noticed public hearing on Friday, August 29, 2014. The administrative record was held open for one week, through Friday, September 5, 2014 to allow additional written testimony to be submitted for consideration.

IN SUPPORT OF ADOPTION:

1. Richard Hurlburt, the Director of the Department of Consumer Protection's Division of Occupational and Professional Licensing, provided oral and written comments (entered into the record as Exhibit "E");
2. S. Edward Jeter, the Chairman of the Architecture Licensing Board;
3. David Barkin, a member of the Architecture Licensing Board;
4. Pauline Salmon Morales, a member of the Architecture Licensing Board; and
5. Bruce Spiewak, representing the Connecticut Chapter of the American Institute of Architects ("AIA").

OPPOSED TO ADOPTION:

No verbal or written comments opposed the adoption of the proposed regulations.

SUGGESTING MODIFICATIONS TO THE TEXT:

No changes were suggested as a result of the public hearing and comment period.

A copy of the official transcript of the public hearing is also being provided with this summary, together with copies of any written testimony. If the members of the Committee should have any questions, they may contact Attorney Jerry P. Padula at 860-713-6087 or via e-mail at Jerry.Padula@CT.gov.

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**CONNECTICUT DEPARTMENT OF CONSUMER PROTECTION
REGULATIONS CONCERNING ELECTRONIC SEALS IN ARCHITECTURE
AUGUST 29, 2014**

Jerry Padula: Good morning everyone. I'm attorney Jerry Padula. I'm an attorney with the Department of Consumer Protection and I've been designated as the presiding officer for today's public hearing. This is proposed regulations concerning Electronic Seals in the Practice of Architecture. Today is Friday, August 29, 2014. The time is now 10:16 in the morning. We're here in Room 119 of the State Office Building, which is located at 165 Capitol Avenue here in the Capitol City of Hartford, Connecticut. On July 30, 2014, the Department of Consumer Protection published a Notice of Intent to amend regulations with the Secretary of State. These regulations today are being proposed in accordance with the authority granted the Connecticut General Statutes, Sections 4-168, 20-289, and 20-293. Now the full text of the Regulation, which has been made available to the public is going to be entered into the record as Exhibit A and, for the record, a copy of the Hearing Notice will be entered as Exhibit B. The Fiscal Note that was prepared by the agency, which reflects whether the proposed regulation would cause any fiscal impact on the agency will be made part of the record as Exhibit C and the Department also performed the Small Business Impact Statement analysis and notified the Department of Small Business Affairs and the Department of Economic and Community Development of our intent to amend these regulations and then pursuant to Connecticut General Statute Section 4-168a, when drafting these proposed regulations, the Department considered methods that would accomplish the objectives of the applicable statutes while minimizing the adverse impact on small businesses and the agency specifically considered the five methods listed in subsection (b) of Connecticut General Statutes 4-168a. Now, the Small Business Impact Statement referred to is in the introduction of the Notice that was published and will be marked as Exhibit D for the record. And then, finally, we did receive one submission in writing and that was a letter dated today from Richard Hurlburt, the Director of the Division of Occupational and Professional Licensing and that's going to be marked as Exhibit E. I'll be taking additional written statements if you wish to prepare any and I could also leave the record open probably for one week in case anyone that you know wishes to submit any written comments to the Commissioner. Now, at this point, I'll begin with the speakers that are listed on the speaker sign-up sheet. I believe the first speaker is Richard Hurlburt, who is the Director of the Division of Occupational and Professional Licensing at the Department of Consumer Protection.

Richard Hurlburt: Hello. My name is Richard M. Hurlburt. I'm the Director of Occupational and Professional Licensing Division for the Department of

Consumer Protection. Within my division is the Architectural Licensing Board, which is the professional body responsible for setting the standards within the architectural trade and profession, including the establishment of licensing qualifications and approval of licensure examination. The Department supports the enactment of the proposed regulations concerning electronic seals in the practice of architecture. The impetus for these regulations was a recommendation of the Architectural Licensing Board, who desired to update the existing regulations to comply with the modern practice of using and sharing electronic documents. Most physical drawings begin with and exist within electronic format. Therefore, a secure method to stamp and seal these electronic documents has become a necessity. Other occupations within the jurisdiction of my division have already moved forward with regulations to allow electronic signatures, including professional engineers and land surveyors. Again, the Department supports the enactment of these proposed regulations. Thank you.

Jerry Padula: Okay. I'll mark that down as Exhibit E for the record.

Richard Hurlburt: Thank you.

Jerry Padula: Any other written documents that anyone wants to submit? Okay. We do have a sign-in sheet. I'll just go down the list if anyone wants to make any, anybody wishes to make any comments. David Barkin is here.

David Barkin: Hi. I'm David Barkin. I reside in Woodbridge, Connecticut. I am an architect. I serve on the Architectural Licensing Board and I also served as Chief Architect for the State of Connecticut, Division of, Department of Administrative Services in the Construction Services, so speaking from that perspective, it's important for us to have our, to piggyback on prior comments to allow architects to do what engineers already are permitted to do in the State of Connecticut and to also align our practices with those that are already in place [inaudible 04:12-04:17] and we strongly support these. In addition to get, because at this point in time, the Office of, the Building Inspector also falls within the purview of the Division of Construction Services and the Department of Administrative Services, the, that is also important to have electronic documents so that [license and seal 04:35] by the architects so that that information has a consistency amongst all municipalities [inaudible 04:39] to fulfill [their commissions 04:42] [inaudible 04:43-04:47]. Thank you.

Jerry Padula: The next person on the list is Bruce Spiewak. Would you like to make any comments?

Bruce Spiewak: Yes. Again, my name is Bruce Spiewak. I'm a resident of Orange, Connecticut and I have a private practice in West Haven and I'm here

today representing the AIA CT, American Institute of Architects Chapter for Connecticut. The Board of Directors has reviewed this proposal and is totally in support of it. It brings up to date the regulations, which have been out of date in not allowing electronic seals and it makes the process of submitting formal documents for building permits and review reasonable and eliminates the need for a hand, wet stamp and signature, which is archaic. So it brings it up to date and it has proper safeguards based on the regulations for other professionals in the State and it just makes sense and there should be no opposition. Thank you.

Jerry Padula: Thank you. Okay, we also have S. Edward Jeter.

S. Edward Jeter: Yes.

Jerry Padula: Would you like to make any comments in favor or opposed?

S. Edward Jeter: Ed Jeter. I'm the Chair of the Licensure, Architecture Licensure Board and, again, we fully support this and I think that with the safeguards that have apparently now been created, I think it should work very well and, obviously, is in concert with the consultants that already use structures and mechanics, etc. and I think relative to the future, documents are gonna be stored in electronic format anyway and so it's a way that that stays with the document, [on 06:16] the document so that consistency is created so we're very much in support.

Jerry Padula: All right. Thank you.

Male: You jumped over Pauline.

Jerry Padula: No, I still have her on the list.

Male: Okay.

Jerry Padula: Yup. Pauline Salmon Morales. Would you like to make a comment?

Pauline S. Morales: Just a small one. [Inaudible 06:32] and I think it's a great move [for this region 06:34] and architects who are us-, who are trying [inaudible 06:41] other groups that maybe didn't [inaudible 06:42] instant [inaudible 06:47] progressing and it makes it possible for groups of consultants and the people and really helping them [inaudible 06:55], more collaboration, and seeing what can be done [through the 07:03] [inaudible 07:04-07:10].

Jerry Padula: Thank you. Any other comments? Okay. Okay, well, with that, I will leave the record open for a week in case anybody wants to submit any documentation or if you know anyone who wishes to comment on the regulations in support of them or modify them in any way. That would be

through Friday, September 5th until the close of business and those comments would be addressed to Commissioner Rubenstein here in the office. The agency will be reviewing all of the comments that were received and the oral comments that were provided today and we'll consider whether any revisions need to be made to the regulation as it was published through the [certified 07:56] Secretary of State and pursuant to the Uniform Administrative Procedures Act, we will then forward the proposed regulations to the Attorney General's office. The Attorney General does review for legal sufficiency. If they're approved by the Attorney General, they will then be forwarded to the Regulation Review Committee at the General Assembly for their consideration and approval. These regulations will be effective on their filing with the Secretary of State. Sometimes we have a date [certain 08:21] but in this case it'll be on file usually [inaudible 08:25]. Okay. So with that, I'll just thank everyone for attending and I note the time is now 10:26 and this hearing is now adjourned. Thank you all for coming.

/dd