



**Substitute Senate Bill No. 15**

**Public Act No. 16-185**

**AN ACT ADOPTING THE REQUIREMENTS OF NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS V. FEDERAL TRADE COMMISSION AND REVISING CERTAIN BOARDS AND COMMISSIONS STATUTES.**

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

Section 1. Section 21a-6 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

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

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

(2) Repealed by P.A. 93-151, S. 3, 4;

(3) The examining boards for electrical work; plumbing and piping work; heating, piping, cooling and sheet metal work; elevator installation, repair and maintenance work; fire protection sprinkler systems work and automotive glasswork and flat glass work, established under chapter 393;

(4) [The State Board of Television and Radio Service Examiners established under chapter 394] Repealed by P.A. 99-73, S. 10;

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- (5) The Commission of Pharmacy established under chapter 400j;
- (6) The State Board of Landscape Architects established under chapter 396;
- (7) Deleted by P.A. 98-229;
- (8) The State Board of Examiners for Professional Engineers and Land Surveyors established under chapter 391;
- (9) Repealed by P.A. 80-484, S. 175, 176;
- (10) The Connecticut Real Estate Commission established under chapter 392;
- (11) The Connecticut Real Estate Appraisal Commission established under chapter 400g;
- (12) The State Board of Examiners of Shorthand Reporters established under chapter 400l;
- (13) The Liquor Control Commission established under chapter 545;
- (14) Repealed by P.A. 06-187, S. 99, effective October 1, 2006;
- (15) The Home Inspection Licensing Board established under section 20-490a.

Sec. 2. Section 21a-7 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(a) Each board or commission [transferred to] within the Department of Consumer Protection under section 21a-6, as amended by this act, shall have the following powers and duties:

- (1) Each board or commission shall exercise its statutory functions, including licensing, certification, registration, accreditation of schools

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and the rendering of findings, orders and adjudications. [ independently of the Commissioner of Consumer Protection. The final decision of a board or commission shall be subject to judicial review as provided in section 4-183.] Any exercise of such functions by such a board or commission that is adverse to a party shall be a proposed decision and subject to approval, modification or rejection by the commissioner.

(2) Each board or commission may, in its discretion, issue (A) an appropriate order to any person found to be violating an applicable statute or regulation providing for the immediate discontinuance of the violation, (B) an order requiring the violator to make restitution for any damage caused by the violation, or (C) both. Each board or commission may, through the Attorney General, petition the superior court for the judicial district wherein the violation occurred, or wherein the person committing the violation resides or transacts business, for the enforcement of any order issued by it and for appropriate temporary relief or a restraining order and shall certify and file in the court a transcript of the entire record of the hearing or hearings, including all testimony upon which such order was made and the findings and orders made by the board or commission. The court may grant such relief by injunction or otherwise, including temporary relief, as it deems equitable and may make and enter a decree enforcing, modifying and enforcing as so modified, or setting aside, in whole or in part, any order of a board or commission.

(3) Each board or commission may conduct hearings on any matter within its statutory jurisdiction. Such hearings shall be conducted in accordance with chapter 54 and the regulations established pursuant to subsection (a) of section 21a-9, as amended by this act. In connection with any such hearing, the board or commission may administer oaths, issue subpoenas, compel testimony and order the production of books, records and documents. If any person refuses to appear, testify or

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produce any book, record or document when so ordered, a judge of the Superior Court may make such order as may be appropriate to aid in the enforcement of this section.

(4) Each board or commission may request the Commissioner of Consumer Protection to conduct an investigation and to make findings and recommendations regarding any matter within the statutory jurisdiction of the board or commission.

(5) Each board or commission may recommend rules and regulations for adoption by the Commissioner of Consumer Protection and may review and comment upon proposed rules and regulations prior to their adoption by said commissioner.

(6) Each board or commission shall meet at least once in each quarter of a calendar year and at such other times as the chairperson or the Commissioner of Consumer Protection deems necessary. [or at the request of a majority of the board or commission members.] A majority of the members shall constitute a quorum, except that for any examining board, forty per cent of the members shall constitute a quorum. Any member who fails to attend three consecutive meetings or who fails to attend fifty per cent of all meetings during any calendar year shall be deemed to have resigned from office. Members of boards or commissions shall not serve for more than two consecutive full terms which commence on or after July 1, 1982, except that if no successor has been appointed or approved, such member shall continue to serve until a successor is appointed or approved. Members shall not be compensated for their services but shall be reimbursed for necessary expenses incurred in the performance of their duties.

(7) In addition to any other action permitted under the general statutes, each board or commission may, upon a finding of any cause specified in subsection (c) of section 21a-9, as amended by this act: (A) Revoke or suspend a license, registration or certificate; (B) issue a letter

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of reprimand to a practitioner and send a copy of such letter to a complainant or to a state or local official; (C) place a practitioner on probationary status and require the practitioner to (i) report regularly to the board or commission on the matter which is the basis for probation, (ii) limit the practitioner's practice to areas prescribed by the board or commission, or (iii) continue or renew the practitioner's education until the practitioner has attained a satisfactory level of competence in any area which is the basis for probation. Each board or commission may discontinue, suspend or rescind any action taken under this subsection.

(8) Each examining board within the Department of Consumer Protection or the Commissioner of Consumer Protection shall conduct any hearing or other action required for an application submitted pursuant to section 20-333, as amended by this act, and any completed renewal application submitted pursuant to section 20-335 not later than (A) thirty days after the date of submission for such application or completed renewal application, as applicable, or (B) a period of time deemed appropriate by the Commissioner of Consumer Protection, but not to exceed sixty days after such date of submission.

(b) Each board or commission within the Department of Consumer Protection under section 21a-6, as amended by this act, that makes a proposed final decision that is adverse to a party as described in subdivision (1) of subsection (a) of this section, shall submit such proposed decision to the Commissioner of Consumer Protection. Not later than thirty calendar days after receipt of any such proposed decision, the Commissioner of Consumer Protection shall notify such board or commission that the commissioner shall render the final decision concerning such matter. Not later than thirty days after receipt of any such proposed decision, the commissioner shall approve, modify or reject the proposed decision or remand the proposed decision for further review or for the taking of additional

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evidence. The commissioner shall notify the board or commission in writing of the commissioner's decision and include in such notification the rationale for such decision. The decision of the commissioner shall be the final decision in accordance with section 4-180 for purposes of reconsideration in accordance with section 4-181a or appeal to the Superior Court in accordance with section 4-183.

Sec. 3. Subdivisions (7) to (9), inclusive, of subsection (a) of section 21a-8 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(7) The department shall perform any other function necessary to the effective operation of the board or commission. [and not specifically vested by statute in the board or commission.]

(8) The department shall receive complaints concerning the work and practices of persons licensed, registered or certified by such boards or commissions and shall receive complaints concerning unauthorized work and practice by persons not licensed, registered or certified by such boards or commissions. The department shall distribute [monthly] quarterly a list of all complaints received within the previous [month] quarter to the chairperson of the appropriate board or commission. The department shall screen all complaints and dismiss any in which the allegation, if substantiated, would not constitute a violation of any statute or regulation. The department shall distribute notice of all such dismissals monthly to the chairperson of the appropriate board or commission. The department shall investigate any complaint in which the allegation, if substantiated, would constitute a violation of a statute or regulation under its jurisdiction. In conducting the investigation, the commissioner may seek the assistance of a member of the appropriate board, an employee of any state agency with expertise in the area, or if no such member or employee is available, a person from outside state service licensed to perform the work involved in the complaint. Board or commission

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members involved in an investigation shall not participate in disciplinary proceedings resulting from such investigation. The Commissioner of Consumer Protection may dismiss a complaint following an investigation if the commissioner determines that such complaint lacks probable cause. [Notice of such dismissal shall be given only after approval by the appropriate board or commission. The commissioner may authorize a settlement if the settlement is approved by the complainant, the practitioner, and the board or commission.] The commissioner may bring a complaint before the appropriate board or commission for a formal hearing if the commissioner determines that there is probable cause to believe that the offense alleged in the complaint has been committed and that the practitioner named in the complaint was responsible. The commissioner, or the commissioner's authorized agent, shall have the power to issue subpoenas to require the attendance of witnesses or the production of records, correspondence, documents or other evidence in connection with any hearing of a board or commission. [All dispositions and final decisions by the Department of Consumer Protection after an investigation into a complaint has begun shall be forwarded to the chairperson of the appropriate board or commission on a monthly basis.]

(9) The department may contract with a third party, if the commissioner deems it necessary, [and if the appropriate board or commission consents,] to administer licensing examinations and perform all attendant administrative functions in connection with such examination and to monitor continuing professional education requirements, and may require the payment of a fee to such third party.

Sec. 4. Subsection (c) of section 21a-8 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(c) The Commissioner of Consumer Protection shall have the

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following powers and duties with regard to each board or commission [transferred to] within the Department of Consumer Protection under section 21a-6, as amended by this act:

(1) The commissioner shall, in consultation with each board or commission, exercise the functions of licensing, certification, registration, accreditation of schools and the rendering of findings, orders and adjudications.

[(1)] (2) The commissioner may, in the commissioner's discretion, issue an appropriate order to any person found to be violating any statute or regulation within the jurisdiction of such board or commission providing for the immediate discontinuance of the violation or requiring the violator to make restitution for any damage caused by the violation, or both. The commissioner may, through the Attorney General, petition the superior court for the judicial district in which the violation occurred, or in which the person committing the violation resides or transacts business, for the enforcement of any order issued by the commissioner under this subdivision and for appropriate temporary relief or a restraining order. The commissioner shall certify and file in the court a transcript of the entire record of the hearing or hearings, including all testimony upon which such order was made and the findings and orders made by the commissioner. The court may grant such relief by injunction or otherwise, including temporary relief, as the court deems equitable and may make and enter a decree enforcing, modifying and enforcing as so modified, or setting aside, in whole or in part, any order of the commissioner issued under this subdivision.

[(2)] (3) The commissioner may conduct hearings on any matter within the statutory jurisdiction of such board or commission. Such hearings shall be conducted in accordance with chapter 54 and the regulations [established] adopted pursuant to subsection (a) of section 21a-9, as amended by this act. In connection with any such hearing, the

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commissioner may administer oaths, issue subpoenas, compel testimony and order the production of books, records and documents. If any person refuses to appear, testify or produce any book, record or document when so ordered, a judge of the Superior Court may make such order as may be appropriate to aid in the enforcement of this subdivision.

[(3)] (4) In addition to any other action permitted under the general statutes, the commissioner may, upon a finding of any cause specified in subsection (c) of section 21a-9, as amended by this act: (A) Revoke or suspend a license, registration or certificate; (B) issue a letter of reprimand to a practitioner and send a copy of such letter to a complainant or to a state or local official; (C) place a practitioner on probationary status and require the practitioner to (i) report regularly to the commissioner on the matter which is the basis for probation, (ii) limit the practitioner's practice to areas prescribed by the commissioner, or (iii) continue or renew the practitioner's education until the practitioner has attained a satisfactory level of competence in any area which is the basis for probation. The commissioner may discontinue, suspend or rescind any action taken under this subdivision.

Sec. 5. Subsection (a) of section 10-153f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) There shall be in the Department of Education an arbitration panel of not less than twenty-four or more than twenty-nine persons to serve as provided in subsection (c) of this section. The Governor shall appoint the members of such panel, with the advice and consent of the General Assembly, as follows: (1) Seven members [shall be] who are representative of the interests of local and regional boards of education and [shall be] selected from lists of names submitted by such boards; (2) seven members [shall be] who are representative of the interests of

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exclusive bargaining representatives of certified employees and [shall be] selected from lists of names submitted by such bargaining representatives; and (3) not less than ten or more than fifteen members [shall be] who are impartial representatives of the interests of the public in general, [and shall be] residents of the state of Connecticut, experienced in public sector collective bargaining interest impasse resolution and selected from lists of names submitted by the State Board of Education. The lists of names submitted to the Governor pursuant to subdivisions (1) to (3), inclusive, of this subsection shall, in addition to complying with the provisions of section 4-9b, include a report from the State Board of Education certifying that the process conducted for soliciting applicants made adequate outreach to minority communities and documenting that the number and make-up of minority applicants considered reflect the state's racial and ethnic diversity. Each member of the panel serving on or appointed after January 1, 2016, shall serve a term of [two] four years, [provided] except that each arbitrator shall hold office until a successor is appointed and [, provided further,] any arbitrator not reappointed shall finish to conclusion any arbitration for which such arbitrator has been selected or appointed. Arbitrators may be removed for good cause. If any vacancy occurs in such panel, the Governor shall act within forty days to fill such vacancy in the manner provided in section 4-19. Persons appointed to the arbitration panel shall serve without compensation but each shall receive a per diem fee for any day during which such person is engaged in the arbitration of a dispute pursuant to this section. The parties to the dispute so arbitrated shall pay the fee in accordance with subsection (c) of this section.

Sec. 6. Subsection (a) of section 10a-179 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(a) There is created a body politic and corporate to be known as the "State of Connecticut Health and Educational Facilities Authority". Said authority is constituted a public instrumentality and political subdivision of the state and the exercise by the authority of the powers conferred by this chapter shall be deemed and held to be the performance of an essential public and governmental function. Notwithstanding the provisions of the general statutes or any public or special act, the board of directors of said authority shall consist of ten members, two of whom shall be the Secretary of the Office of Policy and Management and the State Treasurer, ex officio, and eight of whom shall be residents of the state appointed by the Governor, not more than four of such appointed members to be members of the same political party. Three of the appointed members shall be current or retired trustees, directors, officers or employees of institutions for higher education, two of the appointed members shall be current or retired trustees, directors, officers or employees of health care institutions and one of such appointed members shall be a person having a favorable reputation for skill, knowledge and experience in state and municipal finance, either as a [partner, officer or employee of an investment banking firm which originates and purchases state and municipal securities,] member of the financial business industry or as an officer or employee of an insurance company or bank whose duties relate to the purchase of state and municipal securities as an investment and to the management and control of a state and municipal securities portfolio. On or before the first day of July, annually, the Governor shall appoint a member or members to succeed those whose terms expire, each for a term of five years and until a successor is appointed and has qualified. The Governor shall fill any vacancy for the unexpired term. A member of the board shall be eligible for reappointment. Any member of the board may be removed by the Governor for misfeasance, malfeasance or wilful neglect of duty. Each member of the board shall take and subscribe the oath or affirmation required by article XI, section 1, of the State Constitution

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prior to assuming such office. A record of each such oath shall be filed in the office of the Secretary of the State. Each ex-officio member may designate [his] a deputy or any member of [his] such member's staff to represent him or her as a member at meetings of the board with full power to act and vote in his or her behalf.

Sec. 7. Subsection (b) of section 12-802 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) (1) The corporation shall be governed by a board of thirteen directors. The Governor, with the advice and consent of the General Assembly, shall appoint [four] five directors who [shall] have skill, knowledge and experience in the fields of management, finance or operations in the private sector. [Three] Two directors shall be the State Treasurer [,] and the Secretary of the Office of Policy and Management, [and the executive director of the Division of Special Revenue, all] both of whom shall serve ex officio and shall have all of the powers and privileges of a member of the board of directors. Each ex-officio director may designate his or her deputy or any member of his or her staff to represent him or her at meetings of the corporation with full power to act and vote on his or her behalf. [The executive director of the Division of Special Revenue shall cease to be a director one year from June 4, 1996, or earlier at the discretion of the Governor. The Governor, with the advice and consent of the General Assembly, shall fill the vacancy created by the removal or departure of the executive director of the Division of Special Revenue with a person who shall have skill, knowledge and experience in the fields of management, finance or operations in the private sector. The Governor shall thereafter have the power to appoint a total of five members to the board.] Each director appointed by the Governor shall serve at the pleasure of the Governor, but no longer than the term of office of the Governor or until the director's successor is appointed and qualified,

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whichever term is longer. The Governor shall fill any vacancy for the unexpired term of a director appointed by the Governor. The procedures of section 4-7 shall apply to the confirmation of the Governor's appointments by both houses of the General Assembly.

(2) Six directors shall be appointed as follows: One by the president pro tempore of the Senate, one by the majority leader of the Senate, one by the minority leader of the Senate, one by the speaker of the House of Representatives, one by the majority leader of the House of Representatives and one by the minority leader of the House of Representatives. [Each director appointed by the Governor shall serve at the pleasure of the Governor but no longer than the term of office of the Governor or until the director's successor is appointed and qualified, whichever term is longer.] Each director appointed by a member of the General Assembly shall serve in accordance with the provisions of section 4-1a. [The Governor shall fill any vacancy for the unexpired term of a member appointed by the Governor.] The appropriate legislative appointing authority shall fill any vacancy for the unexpired term of a [member] director appointed by such authority.

(3) Any appointed director [, other than the executive director of the Division of Special Revenue,] shall be eligible for reappointment. The Commissioner of Consumer Protection shall not serve as a director. Any director may be removed by order of the Superior Court upon application of the Attorney General for misfeasance, malfeasance or wilful neglect of duty. Such actions shall be tried to the court without a jury and shall be privileged in assignment for hearing. If the court, after hearing, finds there is clear and convincing evidence of such misfeasance, malfeasance or wilful neglect of duty it shall order the removal of such director. Any director so removed shall not be reappointed to the board. [Each appointing authority shall make his initial appointment to the board no later than six months following

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June 4, 1996.]

Sec. 8. Subsections (a) and (b) of section 20-8a of the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) There shall be within the Department of Public Health a Connecticut Medical Examining Board.

[(1) Said board shall consist of fifteen members appointed by the Governor, subject to the provisions of section 4-9a, in the manner prescribed for department heads in section 4-7, as follows: Five physicians practicing in the state; one physician who shall be a full-time member of the faculty of The University of Connecticut School of Medicine; one physician who shall be a full-time chief of staff in a general-care hospital in the state; one physician who shall be a supervising physician for one or more physician assistants; one physician who shall be a graduate of a medical education program accredited by the American Osteopathic Association; one physician assistant licensed pursuant to section 20-12b and practicing in this state; and five public members.]

[(2) On and after October 1, 2012, said] (1) Said board shall consist of twenty-one members, thirteen of whom are physicians, one of whom is a physician assistant and seven of whom are public members, all of whom are appointed by the Governor, subject to the provisions of section [4-9a, in the manner prescribed for department heads in section 4-7] 4-1a, as follows: Three physicians of any specialty; three physicians who [shall be] are specialists in internal medicine; one physician who [shall be] is a psychiatrist; one physician who [shall be] is a surgeon; one physician who [shall be] is an obstetrician-gynecologist; one physician who [shall be] is a pediatrician; one physician who [shall be] is an emergency medical physician; one physician who [shall be] is a supervising physician for one or more

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physician assistants; one physician who [shall be] is a graduate of a medical education program accredited by the American Osteopathic Association; one physician assistant licensed pursuant to section 20-12b; and seven public members.

[(3)] (2) No professional member of said board shall be an elected or appointed officer of a professional society or association relating to such member's profession at the time of appointment to the board or have been such an officer during the year immediately preceding appointment or serve for more than two consecutive terms. Professional members shall be practitioners in good professional standing and residents of this state.

(b) All vacancies shall be filled by the Governor in the same manner [prescribed for department heads in section 4-7] as the original appointment. On and after October 1, 2012, successors and appointments to fill a vacancy shall fulfill the same qualifications as the member succeeded or replaced. In addition to the requirements in [sections 4-9a and] section 19a-8, no person whose spouse, parent, brother, sister, child or spouse of a child is a physician, as defined in section 20-13a, or a physician assistant, as defined in section 20-12a, shall be appointed as a public member.

Sec. 9. Subsection (b) of section 31-102 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) Whenever conditions warrant, the Labor Commissioner or the chairman of the board shall request the Governor to appoint, and the Governor shall have authority to appoint, alternate members of said board in such numbers and for such periods of time as [he] the Governor may determine to be necessary, [but not longer than one year,] in order that said board may render efficient service in performing the duties committed to it by statute. Any such alternate

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member shall serve in accordance with the provisions of section 4-1a. Any such alternate member shall meet the same qualifications and receive the same compensation as regular members of the board. An alternate member shall serve in place of an absent member of the board at any time when so directed by the board and while so serving shall have all the powers of members of the board. Alternate members so appointed [shall have power to] may complete any matter pending at the expiration of the term for which they were appointed.

Sec. 10. Subsection (b) of section 19a-178a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) The advisory board shall consist of members appointed in accordance with the provisions of this subsection and shall include the Commissioner of Public Health, [and] the department's emergency medical services medical director and the president of each of the regional emergency medical services councils, or their designees. The Governor shall appoint the following members: (1) One person from [each of the regional emergency medical services councils; one person from] the Connecticut Association of Directors of Health; (2) three persons from the Connecticut College of Emergency Physicians; (3) one person from the Connecticut Committee on Trauma of the American College of Surgeons; (4) one person from the Connecticut Medical Advisory Committee; (5) one person from the Emergency [Department] Nurses Association; (6) one person from the Connecticut Association of Emergency Medical Services Instructors; (7) one person from the Connecticut Hospital Association; (8) two persons representing commercial ambulance providers; (9) one person from the Connecticut State Firefighters Association; (10) one person from the Connecticut Fire Chiefs Association; (11) one person from the Connecticut Police Chiefs [of Police] Association; (12) one person from the Connecticut State Police; and (13) one person from the Connecticut

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Commission on Fire Prevention and Control. An additional eighteen members shall be appointed as follows: (A) Three by the president pro tempore of the Senate; (B) three by the majority leader of the Senate; (C) four by the minority leader of the Senate; (D) three by the speaker of the House of Representatives; (E) two by the majority leader of the House of Representatives; and (F) three by the minority leader of the House of Representatives. The appointees shall include a person with experience in municipal ambulance services; a person with experience in for-profit ambulance services; three persons with experience in volunteer ambulance services; a paramedic; an emergency medical technician; an advanced emergency medical technician; three consumers and four persons from state-wide organizations with interests in emergency medical services as well as any other areas of expertise that may be deemed necessary for the proper functioning of the advisory board.

Sec. 11. Subsection (a) of section 19a-182 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The emergency medical services councils shall advise the commissioner on area-wide planning and coordination of agencies for emergency medical services for each region and shall provide continuous evaluation of emergency medical services for their respective geographic areas. A regional emergency medical services coordinator, in consultation with the commissioner, shall assist the emergency medical services council for the respective region in carrying out the duties prescribed in subsection (b) of this section. As directed by the commissioner, the regional emergency medical services coordinator for each region shall facilitate the work of each respective emergency medical services council including, but not limited to, representing the Department of Public Health at any Council of Regional [Chairpersons] Presidents meetings.

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Sec. 12. Section 19a-183 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

There shall be established an emergency medical services council in each region. A region shall be composed of the towns so designated by the commissioner. Opportunity for membership shall be available to all appropriate representatives of emergency medical services including, but not limited to, one representative from each of the following: (1) Local governments; (2) fire and law enforcement officials; (3) medical and nursing professions, including mental health, paraprofessional and other allied health professionals; (4) providers of ambulance services, at least one of which shall be a member of a volunteer ambulance association; (5) institutions of higher education; (6) federal agencies involved in the delivery of health care; and (7) consumers. All emergency medical services councils, including those in existence on July 1, 1974, shall submit to the commissioner information concerning the organizational structure and council bylaws for the commissioner's approval. Such bylaws shall include the process by which each council shall elect a president. The commissioner shall foster the development of emergency medical services councils in each region.

Sec. 13. Subsection (b) of section 19a-184 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) The [chairpersons] presidents, or their designees, of said councils shall meet as a group, at least bimonthly, with the Office of Emergency Medical Services to discuss the planning, coordination and implementation of the state-wide emergency medical care service system.

Sec. 14. Section 22a-261 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

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(a) There is hereby established and created a body politic and corporate, constituting a public instrumentality and political subdivision of the state of Connecticut established and created for the performance of an essential public and governmental function, to be known as the Materials Innovation and Recycling Authority. The authority shall not be construed to be a department, institution or agency of the state.

[(b) On and before May 31, 2002, the powers of the authority shall be vested in and exercised by a board of directors, which shall consist of twelve directors: Four appointed by the Governor and two ex-officio members, who shall have a vote including the Commissioner of Transportation and the Commissioner of Economic and Community Development; two appointed by the president pro tempore of the Senate, two by the speaker of the House, one by the minority leader of the Senate and one by the minority leader of the House of Representatives. Any such legislative appointee may be a member of the General Assembly. The directors appointed by the Governor under this subsection shall serve for terms of four years each, from January first next succeeding their appointment, provided, of the directors first appointed, two shall serve for terms of two years, and two for terms of four years, from January first next succeeding their appointment. Any vacancy occurring under this subsection other than by expiration of term shall be filled in the same manner as the original appointment for the balance of the unexpired term. Of the four members appointed by the Governor under this subsection, two shall be first selectmen, mayors or managers of Connecticut municipalities; one from a municipality with a population of less than fifty thousand, one from a municipality of over fifty thousand population; two shall be public members without official governmental office or status with extensive high-level experience in municipal or corporate finance or business or industry, provided not more than two of such appointees shall be members of the same political party. The chairman of the board under

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this subsection shall be appointed by the Governor, with the advice and consent of both houses of the General Assembly and shall serve at the pleasure of the Governor. Notwithstanding the provisions of this subsection, the terms of all members of the board of directors who are serving on May 31, 2002, shall expire on said date.]

[(c)] (b) On and after June 1, 2002, the powers of the authority shall be vested in and exercised by a board of directors, which shall consist of eleven directors as follows: Three appointed by the Governor, one of whom [shall be] is a municipal official of a municipality having a population of fifty thousand or less and one of whom [shall have] has extensive, high-level experience in the energy field; two appointed by the president pro tempore of the Senate, one of whom [shall be] is a municipal official of a municipality having a population of more than fifty thousand and one of whom [shall have] has extensive high-level experience in public or corporate finance or business or industry; two appointed by the speaker of the House of Representatives, one of whom [shall be] is a municipal official of a municipality having a population of more than fifty thousand and one of whom [shall have] has extensive high-level experience in public or corporate finance or business or industry; two appointed by the minority leader of the Senate, one of whom [shall be] is a municipal official of a municipality having a population of fifty thousand or less and one of whom [shall have] has extensive high-level experience in public or corporate finance or business or industry; two appointed by the minority leader of the House of Representatives, one of whom [shall be] is a municipal official of a municipality having a population of fifty thousand or less and one of whom [shall have] has extensive, high-level experience in the environmental field. No director may be a member of the General Assembly. [Not more than two of the directors appointed by the Governor shall be members of the same political party.] The appointed directors shall serve for terms of four years each, provided, of the directors first appointed for terms beginning on June 1, 2002, (1) two of

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the directors appointed by the Governor, one of the directors appointed by the president pro tempore of the Senate, one of the directors appointed by the speaker of the House of Representatives, one of the directors appointed by the minority leader of the Senate and one of the directors appointed by the minority leader of the House of Representatives shall serve an initial term of two years and one month, and (2) the other appointed directors shall serve an initial term of four years and one month. The appointment of each director for a term beginning on or after June 1, 2004, shall be made with the advice and consent of both houses of the General Assembly. The Governor shall designate one of the directors to serve as chairperson of the board, with the advice and consent of both houses of the General Assembly. The chairperson of the board shall serve at the pleasure of the Governor. Any appointed director who fails to attend three consecutive meetings of the board or who fails to attend fifty per cent of all meetings of the board held during any calendar year shall be deemed to have resigned from the board. Any vacancy occurring other than by expiration of term shall be filled in the same manner as the original appointment for the balance of the unexpired term. As used in this subsection, "municipal official" means the first selectman, mayor, city or town manager or chief financial officer of a municipality, or a municipal employee with extensive public works or waste management and recycling experience that has entered into a solid waste disposal services contract with the authority and pledged the municipality's full faith and credit for the payment of obligations under such contract.

[(d)] (c) The chairperson shall, with the approval of the directors, appoint a president of the authority who shall be an employee of the authority and paid a salary prescribed by the directors. The president shall supervise the administrative affairs and technical activities of the authority in accordance with the directives of the board.

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[(e)] (d) Each director shall be entitled to reimbursement for [said] such director's actual and necessary expenses incurred during the performance of [said] such director's official duties.

[(f)] (e) Directors may engage in private employment, or in a profession or business, subject to any applicable laws, rules and regulations of the state or federal government regarding official ethics or conflict of interest.

[(g)] (f) Six directors of the authority shall constitute a quorum for the transaction of any business or the exercise of any power of the authority, provided, two directors from municipal government shall be present in order for a quorum to be in attendance. For the transaction of any business or the exercise of any power of the authority, and except as otherwise provided in this chapter, the authority [shall have power to] may act by a majority of the directors present at any meeting at which a quorum is in attendance. If the legislative body of a municipality that is the site of a facility passes a resolution requesting the Governor to appoint a resident of such municipality to be an ad hoc member, the Governor shall make such appointment upon the next vacancy for the ad hoc members representing such facility. The Governor shall appoint<sub>z</sub> with the advice and consent of the General Assembly<sub>z</sub> ad hoc members to represent each facility operated by the authority provided at least one-half of such members shall be chief elected officials of municipalities, or their designees. Each such facility shall be represented by two such members. The ad hoc members shall be electors from a municipality or municipalities in the area to be served by the facility and shall vote only on matters concerning such facility. The terms of the ad hoc members shall be four years.

[(h)] (g) The board may delegate to three or more directors such board powers and duties as it may deem necessary and proper in conformity with the provisions of this chapter and its bylaws. At least one of such directors shall be a municipal official, as defined in

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subsection [(c)] (b) of this section, and at least one of such directors shall not be a state employee.

[(i)] (h) Appointed directors may not designate a representative to perform in their absence their respective duties under this chapter.

[(j) The term] (i) As used in this section, "director" [, as used in this section, shall include] includes such persons so designated, as provided in this section, and [this] such designation shall be deemed temporary only and shall not affect any applicable civil service or retirement rights of any person so designated.

[(k)] (j) The appointing authority for any director may remove such director for inefficiency, neglect of duty or misconduct in office after giving the director a copy of the charges against the director and an opportunity to be heard, in person or by counsel, in the director's defense, upon not less than ten days' notice. If any director shall be so removed, the appointing authority for such director shall file in the office of the Secretary of the State a complete statement of charges made against such director and the appointing authority's findings on such statement of charges, together with a complete record of the proceedings.

[(l)] (k) The authority shall continue as long as it has bonds or other obligations outstanding and until its existence is terminated by law. Upon the termination of the existence of the authority, all its rights and properties shall pass to and be vested in the state of Connecticut.

[(m)] (l) The directors, members and officers of the authority and any person executing the bonds or notes of the authority shall not be liable personally on such bonds or notes or be subject to any personal liability or accountability by reason of the issuance thereof, nor shall any director, member or officer of the authority be personally liable for damage or injury, not wanton or wilful, caused in the performance of

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such person's duties and within the scope of such person's employment or appointment as such director, member or officer.

[(n)] (m) Notwithstanding [the provisions of] any other [law to the contrary] provision of the general statutes, it shall not constitute a conflict of interest for a trustee, director, partner or officer of any person, firm or corporation, or any individual having a financial interest in a person, firm or corporation, to serve as a director of the authority, provided such trustee, director, partner, officer or individual shall abstain from deliberation, action or vote by the authority in specific respect to such person, firm or corporation.

Sec. 15. Section 9-167a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) (1) Except as provided in subdivision (2) of this subsection, the maximum number of members of any board, commission, legislative body, committee or similar body of the state or any political subdivision thereof, whether elective or appointive, who may be members of the same political party, shall be as specified in the following table:

COLUMN I	COLUMN II
Total Membership	Maximum from One Party
3 .....	2
4 .....	3
5 .....	4
6 .....	4
7 .....	5
8 .....	5
9 .....	6
More than 9 .....	Two-thirds of total membership

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(2) The provisions of this section shall not apply (A) to any such board, commission, committee or body whose members are elected wholly or partially on the basis of a geographical division of the state or political subdivision, (B) to a legislative body of a municipality (i) having a town meeting as its legislative body, or (ii) for which the charter or a special act, on January 1, 1987, provided otherwise, [or] (C) to the city council of an unconsolidated city within a town and the town council of such town if the town has a town council and a representative town meeting, the town charter provides for some form of minority representation in the election of members of the representative town meeting, and the city has a city council and a body having the attributes of a town meeting, or (D) to the board of directors and other officers of any district, as defined in section 7-324, having annual receipts from all sources not in excess of two hundred fifty thousand dollars.

(b) Prior to any election for or appointment to any [such body] board, commission, legislative body, committee or similar body of the state or any political subdivision thereof, the municipal clerk, in cases of elections, and the appointing authority, in cases of appointments, shall determine the maximum number of members of any political party who may be elected or appointed to such body at such election or appointment. Such maximum number shall be determined for each political party in the following manner: From the number of members of one political party who are members of such body at the time of the election or appointment, subtract the number of members of such political party whose terms expire prior to the commencement of the terms for which such election or appointment is being held or made and subtract the balance thus arrived at from the appropriate number specified in column II of subsection (a) of this section.

(c) In the case of any election to any such body, the winner or winners shall be determined as under existing law with the following

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exception: The municipal clerk shall prepare a list of the candidates ranked from top to bottom according to the number of votes each receives; when the number of members of any one political party who would be elected without regard to this section exceeds the maximum number as determined under subsection (b) of this section, only the candidates of such political party with the highest number of votes up to the limit of such maximum shall be elected, and the names of the remaining candidates of such political party shall be stricken from the list. The next highest ranking candidates shall be elected up to the number of places to be filled at such election.

(d) If an unexpired portion of a term is to be filled at the same time as a full term, the unexpired term shall be deemed to be filled before the full term for purposes of applying this section. At such time as the minority representation provisions of this section become applicable to any board, commission, committee or body, any vacancy thereafter occurring which is to be filled by appointment shall be filled by the appointment of a member of the same political party as that of the vacating member.

(e) Nothing in this section shall be construed to repeal, modify or prohibit enactment of any general or special act or charter which provides for a greater degree of minority representation than is provided by this section.

(f) Nothing in this section shall deprive any person who is a member of any such body on July 1, 1960, of the right to remain as a member until the expiration of his term.

(g) For the purposes of this section, a person shall be deemed to be a member of the political party on whose enrollment list his name appears on the date of his appointment to, or of his nomination as a candidate for election to, any office specified in subsection (a) of this section, provided any person who has applied for erasure or transfer of

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his name from an enrollment list shall be considered a member of the party from whose list he has so applied for erasure or transfer for a period of three months from the date of the filing of such application and provided further any person whose candidacy for election to an office is solely as the candidate of a party other than the party with which he is enrolled shall be deemed to be a member of the party of which he is such candidate.

(h) For the purposes of this section, the appointing authority for any member of any board or commission shall notify all other appointing authorities for members of such board or commission of each appointment made, including the name, town of residence and political affiliation of the person appointed, not later than five calendar days after such appointment. Such notification may be transmitted by electronic means.

Sec. 16. Section 21a-9 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(a) With regard to the boards and commissions within the Department of Consumer Protection, the Commissioner of Consumer Protection (1) shall adopt uniform rules of procedure, consistent with chapter 54, for hearings and other proceedings to be conducted by the boards or commissions or by the commissioner and for the giving of notice to persons affected by such proceedings, and (2) may, where authorized by statute, adopt regulations regarding any subject within the jurisdiction of a board or commission.

(b) Any rules of procedure and regulations adopted pursuant to this section shall be adopted in accordance with chapter 54. No regulation shall be adopted pursuant to this section until the appropriate board or commission has had reasonable opportunity to review the proposed regulation and to offer comments thereon.

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(c) Each such board or commission may act in accordance with the provisions of subdivision (7) of section 21a-7, as amended by this act, and the commissioner may act in accordance with the provisions of subdivision [(3)] (4) of subsection (b) of section 21a-8, in the case of a practitioner who: (1) Engages in fraud or material deception in order to obtain a license, registration or certificate issued by the board, [or] commission or commissioner or to aid another in obtaining a license, registration or certificate issued by the board, [or] commission or commissioner; (2) performs work beyond the scope of the license, registration or certificate issued by the board, [or] commission or commissioner; (3) illegally uses or transfers a license, registration or certificate issued by the board, [or] commission or commissioner; (4) performs incompetent or negligent work; (5) makes false, misleading or deceptive representations to the public; (6) has been subject to disciplinary action similar to that specified in subdivision (7) of section 21a-7, as amended by this act, or subdivision [(3)] (4) of subsection (b) of section 21a-8 by a duly authorized professional agency of the United States, any state within the United States, the District of Columbia, a United States possession or territory or a foreign jurisdiction; or (7) violates any provision of the general statutes or any regulation established thereunder, relating to the practitioner's profession or occupation.

(d) In order to ensure compliance with the provisions of the Sherman Act, 15 USC 1 et seq., as amended from time to time, the Commissioner of Consumer Protection shall reject any proposed final decision of a board or commission submitted for the commissioner's approval pursuant to section 21a-7, as amended by this act, if the commissioner finds such decision will have an anticompetitive effect.

[(d)] (e) As used in chapters 390, 391, 392, 393, 394, 396, 400g, 400j, 482 and 400l:

(1) "Certificate" includes the whole or part of any Department of

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Consumer Protection permit which the department issues under authority of the general statutes and which (A) authorizes practice of the profession by certified persons but does not prohibit the practice of the profession by others, not certified, (B) prohibits a person from falsely representing that such person is certified to practice the profession unless the person holds a certificate issued by the department, and (C) requires as a condition of certification that a person submit specified credentials to the department which attest to qualifications to practice the profession.

(2) "License" includes the whole or part of any Department of Consumer Protection permit, approval, or similar form of permission which the department issues under authority of the general statutes and which requires (A) practice of the profession by licensed persons only, (B) demonstration of competence to practice by examination or other means and meeting of certain minimum standards, and (C) enforcement of standards by the department or regulatory board or commission.

(3) "Registration" includes the whole or part of any Department of Consumer Protection permit which the department issues under authority of the general statutes and which (A) requires persons to place their names on a list maintained by the department before they can engage in the practice of a specified profession or occupation, (B) does not require a person to demonstrate competence by examination or other means, and (C) may be revoked or suspended by the commissioner for cause.

Sec. 17. Section 20-294 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

The board may suspend for a definite period, not to exceed one year, or revoke any license or certificate of authority issued under this chapter, after notice and hearing in accordance with the regulations

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adopted by the Commissioner of Consumer Protection, or may officially censure any person holding any such license or certificate of authority and may assess a civil penalty of up to one thousand dollars, (1) if it is shown that the license or certificate was obtained through fraud or misrepresentation, (2) if the holder of the license or certificate has been found guilty by the board or by a court of competent jurisdiction of any fraud or deceit in such holder's professional practice or has been convicted of a felony, (3) if the holder of the license or certificate has been found guilty by the board of gross incompetency or of negligence in the planning or construction of buildings, or (4) if it is shown to the satisfaction of the board that the holder of the license or certificate has violated any provision of this chapter or any regulation adopted under this chapter. Any such suspension or revocation of a license or certificate by the board shall be a proposed final decision and submitted to the commissioner in accordance with the provisions of subsection (b) of section 21a-7, as amended by this act. The board may reissue any such license or certificate which has been revoked, and may modify the suspension of any such license or certificate which has been suspended.

Sec. 18. Section 20-296 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

The board may, upon the complaint of any one or more licensed architects or on its own motion, request the Department of Consumer Protection to inquire into the existence of any violations of the provisions of this chapter or the regulations adopted under this chapter. If the board determines that a violation of any such provision or regulation exists, the board may issue an appropriate order to the person or persons found to be so violating such provision or regulation, providing for the immediate discontinuance of such violation, or may assess a civil penalty of up to one thousand dollars, or both. Any such issuance of an order or assessment of a penalty by

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the board shall be a proposed final decision and submitted to the commissioner in accordance with the provisions of subsection (b) of section 21a-7, as amended by this act.

Sec. 19. Section 20-302 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

No person shall practice or offer to practice the profession of engineering in any of its branches, including land surveying, or use any title or description tending to convey the impression that such person is a professional engineer or a land surveyor, unless such person has been licensed or is exempt under the provisions of this chapter. The following shall be considered as minimum evidence satisfactory to the board or Commissioner of Consumer Protection that the applicant is qualified for licensure as a professional engineer, engineer-in-training, land surveyor or surveyor-in-training, respectively:

(1) Professional engineer: Graduation from an approved course in engineering in a school or college approved by the board or commissioner as of satisfactory standing, a specific record of an additional four years of active practice in engineering work, which shall be of a character satisfactory to the board or commissioner, and the successful passing of a written or written and oral examination prescribed by the board, with the consent of the commissioner, the first part of which shall test the applicant's knowledge of fundamental engineering subjects, including mathematics and the physical sciences, and the second part of which shall test the applicant's ability to apply the principles of engineering to the actual practice of engineering. In lieu of graduation as specified in this subdivision, the board or commissioner may accept, as an alternative, six years or more of experience in engineering work which shall be of a character satisfactory to the board and which shall indicate knowledge, skill and education approximating that attained through graduation from an

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approved course in engineering. The board or commissioner may waive the written examination requirement in the case of an applicant who submits a specific record of twenty years or more of lawful practice in engineering work which shall be of a character satisfactory to the board or commissioner and which shall indicate that the applicant is competent to be in responsible charge of such work, and may waive the first part of the written examination for an applicant who has completed an approved course in engineering and has at least eight years of engineering experience.

(2) Engineer-in-training: The board or commissioner may license as an engineer-in-training a person who is a graduate of an approved course in engineering or who has had the alternative experience prescribed in subdivision (1) of this section and who has successfully passed the first part of the examination specified in said subdivision. Licensure as an engineer-in-training shall remain valid for a period of ten years from date of issuance of an applicant's first license toward meeting in part the requirements of subdivision (1) of this section.

(3) Land surveyor: Graduation from a school or college approved by the board or commissioner as of satisfactory standing, including the completion of an approved course in surveying, a specific record of an additional three years of active practice in land surveying, which shall be of a character satisfactory to the board or commissioner, and the successful passing of a written or written and oral examination, prescribed by the board with the consent of the commissioner, for the purpose of testing the applicant's knowledge of the fundamentals of land surveying and the procedures pertaining to land surveying. In lieu of graduation as specified in this subdivision, the board or commissioner may accept, as an alternative, six years or more of experience in surveying work which shall be of a character satisfactory to the board or commissioner and which shall indicate knowledge, skill and education approximating that attained through completion of

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an approved course in surveying. The board or commissioner may waive the written examination requirement in the case of an applicant who submits a specific record of sixteen years or more of lawful practice in surveying work, at least ten of which shall have been in land surveying, of a character satisfactory to the board or commissioner and which shall indicate that the applicant is competent to be in responsible charge of such work.

(4) Surveyor-in-training: The board or commissioner may license as a surveyor-in-training a person who is a graduate of a school or college approved by the board or commissioner or who is scheduled to graduate from such an institution within three months after applying for licensure, or who has had six years or more of experience in surveying work of a character satisfactory to the board or commissioner and which indicates knowledge, skill and education approximating that attained through completion of an approved course in surveying, provided any such person has successfully passed part 1 of the national examination relating to fundamentals of land surveying. Licensure as a surveyor-in-training shall remain valid for a period of ten years from the date of issuance of an applicant's first license toward meeting in part the requirements of subdivision (3) of this section.

Sec. 20. Section 20-304 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

The [board shall authorize the] Department of Consumer Protection [to] shall issue a license, upon payment of a fee as provided in section 20-305, to any applicant who [, in the opinion of the board,] has satisfactorily met all the requirements of this chapter. The issuance of a license by the department shall be evidence that the person named in such license is entitled to all the rights and privileges of a licensed professional engineer, or of a licensed land surveyor, while such license remains valid. Nothing in this chapter shall be construed as

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permitting a person licensed only as a land surveyor to practice any other branch of the profession of engineering nor as permitting a licensed professional engineer to practice land surveying unless such person is a holder of a valid combined license as professional engineer and land surveyor. The Commissioner of Consumer Protection, with the advice and assistance of the board, may adopt regulations, in accordance with chapter 54, pertaining to the design and use of seals by licensees under this chapter. Each agency, department, board or commission of the state or political subdivision of the state shall accept, subject to review for conformance with all approved policies and standards, any final drawings, specifications, plots, reports, papers or documents relative to the practice of a licensed professional engineer or land surveyor when sealed and submitted on behalf of an employer by a licensed professional engineer or licensed land surveyor.

Sec. 21. Subsection (a) of section 20-304a of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(a) The board or Commissioner of Consumer Protection may issue an automatic fire sprinkler system layout technician's license to any person who has received level III certification from the National Institute for Certification in Engineering Technologies in the field of fire protection engineering technology or a subfield of automatic sprinkler system layout. Any person who is a professional engineer licensed in accordance with the provisions of this chapter shall be exempt from such licensing requirement.

Sec. 22. Section 20-307a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

The Department of Consumer Protection may, upon request of the board or on its own motion, inquire into the existence of violations of

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the provisions of this chapter. If, after notice and opportunity for hearing as provided in the regulations adopted by the Commissioner of Consumer Protection, the board determines that a violation of any provision of this chapter or any regulation adopted under this chapter exists, the board may issue an appropriate order to the person or persons found to be so violating such provision or regulation, providing for the immediate discontinuance of such violation. Any such issuance of an order by the board shall be a proposed final decision and submitted to the commissioner in accordance with the provisions of subsection (b) of section 21a-7, as amended by this act.

Sec. 23. Section 20-312 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(a) No person shall act as a real estate broker or real estate salesperson without a license issued by the commission or the Commissioner of Consumer Protection, unless exempt under this chapter. The Commissioner of Consumer Protection may enter into any contract for the purpose of administratively processing the renewal of licenses on behalf of the commission.

(b) The practice of or the offer to practice real estate brokerage business in this state by individual licensed real estate brokers or real estate salespersons as a corporation, limited liability company or partnership, a material part of the business of which includes real estate brokerage, is permitted, provided (1) the personnel of such corporation, limited liability company or partnership who engage in the real estate brokerage business as real estate brokers or real estate salespersons, and the real estate brokers whose ownership, control, membership or partnership interest is credited toward the requirements of subdivision (3) of this subsection, are licensed or exempt from licensure under this chapter, (2) the corporation, limited liability company or partnership has been issued a real estate broker license by the commission or the commissioner as provided in this

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section and has paid the license or renewal fee required for a real estate broker's license as set forth in section 20-314, as amended by this act, and (3) except for a publicly traded corporation (A) with respect to a corporation other than a nonstock corporation, one or more real estate brokers own or control fifty-one per cent or more of the total issued shares of the corporation, (B) with respect to a nonstock corporation, one or more real estate brokers constitute at least fifty-one per cent of the members of the nonstock corporation, (C) with respect to a limited liability company, one or more real estate brokers own or control at least fifty-one per cent of the interest in the limited liability company, as defined in section 34-101, or (D) with respect to a partnership, one or more real estate brokers' partnership interest, as defined in section 34-301, constitutes at least fifty-one per cent of the total partnership interest. No such corporation, limited liability company or partnership shall be relieved of responsibility for the conduct or acts of its agents, employees or officers by reason of its compliance with this section, nor shall any individual practicing real estate brokerage be relieved of responsibility for real estate services performed by reason of the individual's employment or relationship with such corporation, limited liability company or partnership. The Real Estate Commission may refuse to authorize the issuance or renewal of a license if any facts exist that would entitle the commission to suspend or revoke an existing license.

(c) A corporation, limited liability company or partnership desiring a real estate broker license shall file with the commission or the commissioner an application on such forms and in such manner as prescribed by the Department of Consumer Protection. Each such corporation, limited liability company or partnership shall file with the commission a designation of at least one individual licensed as a real estate broker in this state who shall be in charge of the real estate brokerage business of such corporation, limited liability company or partnership in this state. Such corporation, limited liability company or

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partnership shall notify the commission of any change in such designation not later than thirty days after such change becomes effective.

(d) The Real Estate Commission may impose a fine of not more than one thousand dollars on any corporation, limited liability company or partnership that engages in real estate business without a license required by this section. Any such imposition of a fine by the commission shall be a proposed final decision and submitted to the commissioner in accordance with the provisions of subsection (b) of section 21a-7, as amended by this act.

Sec. 24. Section 20-313 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

Any person possessing the qualifications prescribed in this chapter, and in any regulations adopted under this chapter, who desires to engage in the real estate business shall [make application] apply, in writing, as provided in this chapter, to the commission or the Commissioner of Consumer Protection for the specific license desired.

Sec. 25. Subsection (c) of section 20-314 of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(c) In order to determine the competency of any applicant for a real estate broker's license or a real estate salesperson's license the commission or Commissioner of Consumer Protection shall, on payment [to the commission] of an application fee of one hundred twenty dollars by an applicant for a real estate broker's license or [on payment to the commission of] an application fee of eighty dollars by an applicant for a real estate salesperson's license, subject such applicant to personal written examination as to the applicant's competency to act as a real estate broker or real estate salesperson, as

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the case may be. Such examination shall be prepared by the Department of Consumer Protection or by a national testing service designated by the Commissioner of Consumer Protection and shall be administered to applicants by the Department of Consumer Protection or by such testing service at such times and places as the commissioner may deem necessary. The commission or Commissioner of Consumer Protection may waive the uniform portion of the written examination requirement in the case of an applicant who has taken the national testing service examination in another state within two years from the date of application and has received a score deemed satisfactory by the commission or Commissioner of Consumer Protection. The Commissioner of Consumer Protection shall adopt regulations, in accordance with chapter 54, establishing passing scores for examinations. In addition to such application fee, applicants taking the examination administered by a national testing service shall be required to pay directly to such testing service an examination fee covering the cost of such examination. Each payment of such application fee shall entitle the applicant to take such examination within the one-year period from the date of payment.

Sec. 26. Subsection (d) of section 20-314 of the 2016 supplement to the general statutes, as amended by section 1 of public act 15-98, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(d) (1) Each applicant applying for a real estate broker's license on or after July 1, 2016, shall, before being admitted to such examination, prove to the satisfaction of the commission or the Commissioner of Consumer Protection that the applicant (A) (i) has been actively engaged for at least two years as a licensed real estate salesperson under the supervision of a licensed real estate broker in this state, (ii) has successfully completed a course approved by the commission or commissioner in real estate principles and practices of at least sixty

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classroom hours of study, (iii) has successfully completed a course approved by the commission or commissioner in real estate legal compliance consisting of at least fifteen classroom hours of study, (iv) has successfully completed a course approved by the commission or commissioner in real estate brokerage principles and practices consisting of at least fifteen classroom hours, and (v) has successfully completed two elective courses, each consisting of fifteen classroom hours of study, as prescribed by the commission or commissioner, or (B) has equivalent experience or education as determined by the commission or commissioner.

(2) The commission or the Commissioner of Consumer Protection shall waive the elective courses under subparagraph (A)(v) of subdivision (1) of this subsection if the applicant has successfully completed at least twenty real estate transactions within five years immediately preceding the date of application. As used in this subdivision, "real estate transaction" means any transaction in which real property is legally transferred to another party or in which a lease agreement is executed between a landlord and a tenant.

(3) Each applicant for a real estate salesperson's license shall, before being admitted to such examination, prove to the satisfaction of the commission or the Commissioner of Consumer Protection that the applicant (A) has successfully completed a course approved by the commission or commissioner in real estate principles and practices consisting of at least sixty classroom hours of study, or (B) has equivalent experience or education as determined by the commission or commissioner.

Sec. 27. Subsection (a) of section 20-316 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(a) [No license under this chapter shall be denied by the] The

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commission [to] or Commissioner of Consumer Protection shall not deny a license under this chapter to any applicant who has been convicted of forgery, embezzlement, obtaining money under false pretenses, extortion, criminal conspiracy to defraud or other like offense or offenses, or to any association or partnership of which such person is a member, or to any corporation of which such person is an officer or in which as a stockholder such person has or exercises a controlling interest either directly or indirectly, except in accordance with the provisions of section 46a-80.

Sec. 28. Subsection (a) of section 20-317 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(a) A person licensed in another state as a real estate broker or salesperson may become a real estate broker or real estate salesperson in this state by conforming to all of the provisions of this chapter. The commission or Commissioner of Consumer Protection shall recognize a current, valid license issued to a currently practicing, competent real estate broker or real estate salesperson by another state as satisfactorily qualifying the broker or salesperson for a license as a real estate broker or real estate salesperson under this chapter, provided (1) the laws of the state in which the broker or salesperson is licensed require that applicants for licenses as real estate brokers and real estate salespersons establish their competency by written examinations and allow licenses to be issued to residents of the state of Connecticut, licensed under this chapter, without examination, (2) the licensure requirements of such state are substantially similar to or higher than those of this state, and (3) the broker or salesperson has no disciplinary proceeding or unresolved complaint pending against the broker or salesperson. If the applicant is licensed in a state that does not have such requirements, such applicant shall be required to pass the Connecticut portion of the real estate examination.

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Sec. 29. Section 20-320 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

The Department of Consumer Protection may, upon the request of the commission or upon the verified complaint in writing of any person, if such complaint, or such complaint together with evidence, documentary or otherwise, presented in connection with such complaint, shall make out a prima facie case, investigate the actions of any real estate broker or real estate salesperson or any person who assumes to act in any of such capacities within this state. The commission may temporarily suspend or permanently revoke any license issued under the provisions of this chapter and, in addition to or in lieu of such suspension or revocation, may, in its discretion, impose a fine of not more than two thousand dollars at any time when, after proceedings as provided in section 20-321, the commission finds that the licensee has by false or fraudulent misrepresentation obtained a license or that the licensee is guilty of any of the following: (1) Making any material misrepresentation; (2) making any false promise of a character likely to influence, persuade or induce; (3) acting as an agent for more than one party in a transaction without the knowledge of all parties for whom the licensee acts; (4) representing or attempting to represent a real estate broker other than the licensee's employer or the broker with whom the licensee is affiliated, without the express knowledge and consent of the licensee's employer or affiliated broker; (5) failing, within a reasonable time, to account for or remit any moneys coming into the licensee's possession which belong to others; (6) entering into an exclusive listing contract or buyer agency contract which contains a fixed termination date if such contract also provides for an automatic continuation of the period of such contract beyond such date; (7) failing to deliver immediately a copy of any instrument to any party or parties executing the instrument, where such instrument has been prepared by the licensee or under the licensee's supervision and where such instrument relates to the employment of

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the licensee or to any matters pertaining to the consummation of a lease, or the purchase, sale or exchange of real property or any other type of real estate transaction in which the licensee may participate as a broker or a salesperson; (8) conviction in a court of competent jurisdiction of forgery, embezzlement, obtaining money under false pretenses, larceny, extortion, conspiracy to defraud, or other like offense or offenses, provided suspension or revocation under this subdivision shall be subject to the provisions of section 46a-80; (9) collecting compensation in advance of services to be performed and failing, upon demand of the person paying the compensation or the commission, to render an accounting of the use of such money; (10) commingling funds of others with the licensee's own, or failing to keep funds of others in an escrow or trustee account; (11) any act or conduct which constitutes dishonest, fraudulent or improper dealings; (12) failing to provide the disclosures required by section 20-325c; (13) a violation of any provision of this chapter or any regulation adopted under this chapter. Any such suspension or revocation of a license or imposition of a fine by the commission shall be a proposed final decision and submitted to the commissioner in accordance with the provisions of subsection (b) of section 21a-7, as amended by this act. Any fine collected pursuant to this section shall be deposited in the Real Estate Guaranty Fund established pursuant to section 20-324a.

Sec. 30. Section 20-320a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(a) No real estate broker or real estate salesperson, no person affiliated with such broker or salesperson, and no person engaging in the real estate business may receive a fee, commission or other form of referral fee for the referral of any buyer of real property to (1) an attorney-at-law admitted to practice in this state or any person affiliated with such attorney or (2) any mortgage broker, any lender, as defined in subdivision (5) of section 49-31d, or any person affiliated

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with such mortgage broker or lender.

(b) The Department of Consumer Protection may, upon the request of the commission or upon the verified complaint in writing of any person, if such complaint, or such complaint together with evidence, documentary or otherwise, presented in connection with such complaint, shall make out a prima facie case, investigate the actions of any real estate broker or real estate salesperson or any person who assumes to act in any of such capacities within this state. The commission may temporarily suspend or permanently revoke any license issued under the provisions of this chapter, and, in addition to or in lieu of such suspension or revocation, may, in its discretion, impose a fine of not more than one thousand dollars for the first offense at any time when, after proceedings as provided in section 20-321, the commission finds that the licensee is guilty of violating any of the provisions of subsection (a) of this section. Any such suspension or revocation of a license or imposition of a fine by the commission shall be a proposed final decision and submitted to the commissioner in accordance with the provisions of subsection (b) of section 21a-7, as amended by this act.

Sec. 31. Section 20-325 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

Any person who engages in the business of a real estate broker or real estate salesperson without obtaining a license as provided in this chapter shall be fined not more than one thousand dollars or imprisoned not more than six months or both, and shall be ineligible to obtain a license for one year from the date of conviction of such offense, except that the commission [, in its discretion,] or Commissioner of Consumer Protection may grant a license to such person within such one-year period upon application and after a hearing on such application.

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Sec. 32. Section 20-333 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(a) To obtain a license under this chapter, an applicant shall have attained such applicant's eighteenth birthday and shall furnish such evidence of competency as the appropriate board [, with the consent of] or the Commissioner of Consumer Protection [,] shall require. A recommendation for review issued pursuant to section 31-22u shall be sufficient to demonstrate such competency. The applicant shall satisfy such board or the commissioner that such applicant is of good moral character, possesses a diploma or other evidence of graduation from the eighth grade of grammar school, or possesses an equivalent education to be determined on examination and has the requisite skill to perform the work in the trade for which such applicant is applying for a license and can comply with all other requirements of this chapter and the regulations adopted under this chapter. A recommendation for review issued pursuant to section 31-22u shall be sufficient to demonstrate that an applicant possesses such requisite skill and can comply with all other requirements of this chapter and the regulations adopted under this chapter. For any application submitted pursuant to this section that requires a hearing or other action by the applicable examining board or the commissioner, such hearing or other action by the applicable examining board or the commissioner shall occur not later than thirty days after the date of submission for such application. Upon application for any such license, the applicant shall pay to the department a nonrefundable application fee of ninety dollars for a license under subdivisions (2) and (3) of subsection (a) and subdivision (4) of subsection (e) of section 20-334a, or a nonrefundable application fee of one hundred fifty dollars for a license under subdivision (1) of subsection (a), subdivisions (1) and (2) of subsection (b), subdivision (1) of subsection (c) and subdivisions (1), (2) and (3) of subsection (e) of section 20-334a. Any such application fee shall be waived for persons who present a recommendation for review issued pursuant to section

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31-22u.

(b) The department shall conduct such written, oral and practical examinations as the appropriate board, with the consent of the commissioner, deems necessary to test the knowledge of the applicant in the work for which a license is being sought. The department shall allow any applicant, who has not participated in an apprenticeship program but presents a recommendation for review issued pursuant to section 31-22u, to sit for any such examination. Any person completing the required apprentice training program for a journeyman's license under section 20-334a, as amended by this act, shall, within thirty days following such completion, apply for a licensure examination given by the department. If an applicant does not pass such licensure examination, the commissioner shall provide each failed applicant with information on how to retake the examination and a report describing the applicant's strengths and weaknesses in such examination. Any apprentice permit issued under section 20-334a, as amended by this act, to an applicant who fails three licensure examinations in any one-year period shall remain in effect if such applicant applies for and takes the first licensure examination given by the department following the one-year period from the date of such applicant's third and last unsuccessful licensure examination. Otherwise, such permit shall be revoked as of the date of the first examination given by the department following expiration of such one-year period.

(c) When an applicant has qualified for a license, the department shall, upon receipt of the license fee or upon waiver of such fee pursuant to section 20-335, issue to such applicant a license entitling such applicant to engage in the work or occupation for which a license was sought and shall register each successful applicant's name and address in the roster of licensed persons authorized to engage in the work or occupation within the appropriate board's authority. All fees

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and other moneys collected by the department shall be promptly transmitted to the State Treasurer as provided in section 4-32.

Sec. 33. Section 20-333a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

The Commissioner of Consumer Protection may, upon the payment of the appropriate fee, as provided in section 20-335, grant a license or a card of registration provided for in this chapter, without an examination, to any currently practicing, competent person who holds a similar license or card of registration granted by any other state, licensure jurisdiction within another state, the District of Columbia or any territory or commonwealth of the United States having licensure or registration requirements substantially similar to, or higher than, those of this state, if the licensing authority in such other state, licensure jurisdiction within another state, the District of Columbia or any territory or commonwealth of the United States may grant such similar license or card of registration, without an examination, to any currently practicing, competent licensee or registrant from this state. The commissioner, [with the advice and consent of] in consultation with the appropriate examining board, may adopt regulations in accordance with the provisions of chapter 54 in order to carry out the provisions of this section.

Sec. 34. Subsection (c) of section 20-334 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(c) [Each] The Commissioner of Consumer Protection and each board established under section 20-331 may suspend or revoke any license or certificate granted or issued by it under this chapter if the holder of such license or certificate is convicted of a felony, is grossly incompetent, engages in malpractice or unethical conduct or knowingly makes false, misleading or deceptive representations

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regarding his work or violates the regulations adopted under this chapter. Before any such license is suspended or revoked, such holder shall be given notice and opportunity for hearing as provided in regulations adopted by the Commissioner of Consumer Protection. Any person whose license has been suspended or revoked may, after ninety days, apply to the board to have such license reinstated. Any such suspension or revocation of a license or certification by the board shall be a proposed final decision and submitted to the commissioner in accordance with the provisions of subsection (b) of section 21a-7, as amended by this act.

Sec. 35. Subsections (a) and (b) of section 20-334a of the general statutes are repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(a) Except as otherwise provided in this section, the following licenses may be issued by the Department of Consumer Protection, [upon authorization] with the advice and assistance of the boards, under the provisions of section 20-333, as amended by this act:

(1) (A) An unlimited contractor's license may be issued to a person who has served as a journeyman in the trade for which such person seeks a license for not less than two years and, if such service as a journeyman was outside this state, has furnished evidence satisfactory to the appropriate state board or the department that such service is comparable to similar service in this state, or has furnished satisfactory evidence of education and experience and has passed an examination which has demonstrated that such person is competent in all aspects of such trade to be an unlimited contractor. (B) A limited contractor's license may be issued to a person who fulfills the requirements of subparagraph (A) of this subdivision as to a specific area or areas within the trade for which such person seeks a license. (C) The holder of an unlimited or a limited contractor's license may, within the trade, or the area or areas of the trade, for which such holder has been

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licensed, furnish supplies and do layout, installation, repair and maintenance work and distribute and handle materials, provided nothing in this subdivision shall be construed to authorize the performance of any action for which licensure is required under the provisions of chapter 390 or 391. Such licensee shall furnish the board or the department with evidence that such licensee will comply with all state requirements pertaining to workers' compensation and unemployment insurance and that such evidence shall be available to any properly interested person prior to the issuance of a license under this subdivision.

(2) (A) An unlimited journeyman's license may be issued to any person who has completed a bona fide apprenticeship program, including not less than four years' experience in the trade for which such person seeks a license, and has demonstrated such person's competency to perform all services included in the trade for which a license is sought by successfully completing the applicable state licensure examination. (B) A limited journeyman's license may be issued to a person who fulfills the requirements of subparagraph (A) of this subdivision in a specific area or areas of the trade for which such person seeks a license, provided the length of experience required may be less than four years for such area or areas of the trade.

(3) An apprentice's permit may be issued for the performance of work in a trade licensed under the provisions of this chapter, for the purpose of training, which work may be performed only under the supervision of a licensed contractor or journeyman.

(4) An apprentice permit shall expire upon the failure of the apprentice holding such permit to apply for the first licensure examination given by the department following completion of an apprentice training program as provided in subdivision (2) of this subsection.

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(b) The following licenses for solar thermal work may be issued by the department, [upon authorization] with the advice and assistance of the examining board for heating, piping, cooling and sheet metal work, under the provisions of section 20-333, as amended by this act, including an examination on solar work:

(1) A solar thermal contractor's license may be issued to any person who (A) not later than July 1, 1984, (i) has been issued a P-1, P-3, S-1, S-3, S-5, S-7, D-1 or D-3 license under subdivision (1) of subsection (a) of this section or installs at least six fully operational solar hot water heating systems, and (ii) qualifies for a solar thermal contractor's license under section 20-333, as amended by this act, or (B) has served as a solar thermal journeyman for not less than two years.

(2) A solar thermal journeyman's license may be issued to any person who (A) not later than July 1, 1984, (i) is issued a P-2, P-4, S-2, S-4, S-6, S-8, D-2 or D-4 license under subdivision (2) of subsection (a) of this section, and (ii) qualifies for a solar thermal journeyman's license under section 20-333, as amended by this act, (B) after July 1, 1984, is issued a P-2, P-4, S-2, S-4, S-6, S-8, D-2 or D-4 license under subdivision (2) of subsection (a) of this section and whose bona fide apprenticeship program includes instruction in solar thermal work, or (C) after July 1, 1984, completes a bona fide solar thermal work apprenticeship program and has not less than two years' experience in solar thermal work. A solar thermal journeyman may work only under the supervision of a licensed solar thermal contractor.

(3) A solar thermal apprentice's permit may be issued for the performance of solar thermal work for the purpose of training. Such work may be performed only under the supervision of a licensed solar thermal contractor or journeyman.

Sec. 36. Subsection (b) of section 20-340b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July*

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1, 2016):

(b) Notwithstanding any provision of this chapter, [to the contrary,] a public service technician may be issued a certificate of registration by the Department of Consumer Protection, [upon authorization of] in consultation with the Electrical Work Board, in lieu of any license which otherwise might be required under this chapter, which shall entitle the holder of such certificate to perform telecommunications electrical work only as provided in this section, provided the public service company, certified telecommunications provider or affiliate which employs the public service technician certifies to the [Electrical Work Board] Department of Consumer Protection that the employee has obtained such training and experience deemed necessary by the public service company, certified telecommunications provider or affiliate to perform telecommunications electrical work included in such employee's job functions.

Sec. 37. Subsection (e) of section 20-340b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(e) A public service company or certified telecommunications provider employing a public service technician shall inform the [Electrical Work Board] Department of Consumer Protection upon the change in job description or termination of any registered public service technician previously certified to the [board] department pursuant to subsection (b) of this section and upon the issuance or termination of a trainee's certificate provided to an employee pursuant to subsection (d) of this section.

Sec. 38. Subsection (a) of section 20-372 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

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(a) The issuance of a license by the Department of Consumer Protection shall be evidence that the person named in such license is entitled to the rights and privileges of a licensed landscape architect while such license remains valid. The board may deny or refuse to authorize the issuance of a license by the department upon proof of the commission by an applicant of any act or omission which would constitute cause for disciplinary action under this chapter if committed by a licensee. Any such denial or refusal of the board to authorize the issuance of a license shall be a proposed final decision and submitted to the commissioner in accordance with the provisions of subsection (b) of section 21a-7, as amended by this act. The department shall keep a record of the names and addresses of all licensed landscape architects, which record shall be open to the public. The department shall keep an index and record of each license. The license shall contain the name of the person to whom issued and his address and principal place of business. Licenses to practice landscape architecture shall remain in full force until revoked or suspended for cause, as provided in section 20-373, as amended by this act.

Sec. 39. Section 20-373 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

After notice and opportunity for hearing as provided in the regulations adopted by the Commissioner of Consumer Protection, the board may: (1) Suspend or revoke any license or registration issued pursuant to this chapter, (2) issue a letter of reprimand to any such license or registration holder, (3) place any such license or registration holder on probationary status with certain conditions, (4) issue a civil penalty in an amount not greater than one thousand dollars to any such license or registration holder, or (5) impose any combination of subdivisions (1) to (4), inclusive, of this section if it is shown that the license or registration was obtained through fraud or misrepresentation; or if the holder of the license or registration has

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been found guilty by the board or by a court of competent jurisdiction of any fraud or deceit in such license or registration holder's professional practice; or if the holder of the license or registration has been found guilty by the board of negligence or incompetency; or if the board has found that the licensee or registrant has violated any provision of this chapter, or the regulations adopted pursuant to this chapter. Any action taken by the board pursuant to subdivisions (1) to (5), inclusive, of this section shall be a proposed final decision and submitted to the commissioner in accordance with the provisions of subsection (b) of section 21a-7, as amended by this act. Appeals from the decisions of the [board] Commissioner of Consumer Protection may be taken as provided in section 4-183. The board may authorize the Department of Consumer Protection to reissue any license or registration which has been revoked, and the board may modify or discontinue any action taken by it pursuant to this section.

Sec. 40. Subsection (c) of section 20-494 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(c) The board may discontinue, suspend or rescind any action taken under subsection (a) or (b) of this section. Any such action taken by the board under subsection (a) or (b) of this section that is adverse to a party shall be a proposed final decision and submitted to the commissioner in accordance with the provisions of subsection (b) of section 21a-7, as amended by this act.

Sec. 41. Subsection (b) of section 20-494a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(b) The board may, after notice and hearing and with the consent of the Commissioner of Consumer Protection, impose a civil penalty on any person who (1) engages in or practices the work for which a

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license or permit is required by sections 20-490 to 20-495a, inclusive, without having first obtained such a license or permit, (2) employs or supplies for employment a person who does not have such a license or permit, (3) falsely pretends to qualify to engage in or practice such work, (4) engages in or practices any of the work for which a license or permit is required by said sections after the expiration of such person's license or permit, or (5) violates any of the provisions of said sections or the regulations adopted pursuant to said sections. Such penalty shall not exceed five thousand dollars for each violation, except that any individual employed as a home inspector intern but improperly registered shall not be penalized for a first offense.

Sec. 42. Section 20-519 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

Before refusing, suspending or revoking any certification or provisional license, or imposing any fine, the commission shall give notice and afford an opportunity for hearing as provided in the regulations adopted by the Commissioner of Consumer Protection. Any such refusal, suspension or revocation of a certification or license by the commission shall be a proposed final decision and submitted to the commissioner in accordance with the provisions of subsection (b) of section 21a-7, as amended by this act.

Sec. 43. Section 20-574 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

The commissioner shall exercise [general] supervision over the operations of the commission pursuant to sections 20-570 to 20-630, inclusive.

Sec. 44. Subsection (a) of section 20-653 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

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(a) Any person seeking a license under the provisions of sections 20-650 to 20-656, inclusive, as amended by this act, shall apply to the board or the Department of Consumer Protection in writing on a form provided by the board. Such application shall include the applicant's name, residence address, business address and such other information as the Commissioner of Consumer Protection may require by regulation adopted in accordance with chapter 54 upon the recommendation of the board.

Sec. 45. Section 20-654 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(a) No person shall receive a license under the provisions of sections 20-650 to 20-656, inclusive, as amended by this act, until such person has passed an examination which shall be substantially similar to the examination of the National Court Reporters Association, or has submitted evidence satisfactory to the board or the Department of Consumer Protection that such person is a Registered Professional Reporter of the National Court Reporters Association or its equivalent.

(b) If the applicant satisfies the requirements of this section, upon payment of the fee required by section 20-653, as amended by this act, the board [shall authorize] or the Department of Consumer Protection [to] shall issue a license to the applicant, showing that the person named in such license is entitled to engage in the practice of shorthand reporting in this state in accordance with the provisions of sections 20-650 to 20-656, inclusive, as amended by this act. Notwithstanding the provisions of subsection (b) of section 21a-10, any such license shall be valid for a period of three years.

(c) Any license issued under the provisions of sections 20-650 to 20-656, inclusive, as amended by this act, upon payment of the fee required by section 20-653, as amended by this act, may be renewed for a period of three years. As a condition of any such renewal, the

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licensee shall furnish evidence satisfactory to the board or the department that the licensee has completed not less than thirty continuing education credits since receipt of the initial license or the previous license renewal. The Commissioner of Consumer Protection shall, by regulation adopted in accordance with chapter 54 and upon the recommendation of the board, establish requirements for (1) the continuing education of licensed shorthand reporters; (2) the form and content of the examination shorthand reporters are required to pass to satisfy the licensure requirements set forth in subsection (a) of this section; and (3) such other matters as the commissioner deems necessary to carry out the purposes of this chapter.

(d) A licensee who has failed to renew such license for a period of over two years from the date of expiration of such license shall have it reinstated only upon complying with the examination requirements of this section.

(e) Notwithstanding the provision of subsection (d) of this section, upon application and fee, the board or the department may [, at its discretion,] reinstate a lapsed license without examination, provided such application for reinstatement is accompanied by a notarized letter and supporting documentation attesting to the applicant's related experience in the field of shorthand reporting or similar work practice satisfactory to the board or the department from the time he or she had let such license lapse. Such applicant, upon approval by the board or the department, shall pay all back license and late fees.

Sec. 46. Section 20-656 of the general statutes is amended by adding subsection (f) as follows (*Effective July 1, 2016*):

(NEW) (f) Any such suspension or revocation of a license or imposition of a civil penalty by the board shall be a proposed final decision and submitted to the commissioner in accordance with the provisions of subsection (b) of section 21a-7, as amended by this act.

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Approved June 7, 2016