



**Substitute Senate Bill No. 238**

**Public Act No. 22-143**

***AN ACT CONCERNING REVISIONS TO CERTAIN ENVIRONMENT RELATED STATUTES.***

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

Section 1. Subsection (d) of section 22a-416 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) As used in this section the terms "class I", "class II", "class III" and "class IV" mean the classifications of wastewater treatment plants provided for in regulations adopted by the Department of Energy and Environmental Protection. The Commissioner of Energy and Environmental Protection may establish requirements for the presence of approved operators at pollution abatement facilities. Applicants for class I, [and] class II, class III and class IV certificates shall [only] be required to pass the relevant standardized national examination prepared by the Association of Boards of Certification for Wastewater Treatment Facility Operators. [Applicants for class III and class IV certificates shall only be required to pass the relevant standardized national examination prepared by the Association of Boards of Certification for Wastewater Treatment Facility Operators supplemented with additional questions submitted by the commissioner to such board. Operators with certificates issued by the

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commissioner prior to May 16, 1995, shall not be required to be reexamined.] The commissioner, or the commissioner's designated agent, shall administer and proctor the examination of all applicants. The qualifications of the operators at such facilities shall be subject to the approval of the commissioner. The commissioner may adopt regulations, in accordance with the provisions of chapter 54, [requiring all operators at pollution abatement facilities to satisfactorily complete, on a regular basis, a state-certified training course, which may include training on the type of municipal pollution abatement facility at which the operator is employed and training concerning regulations promulgated during the preceding year. Any applicant for certification who passed either the examination prepared and administered on December 8, 1994, by the commissioner or the examination prepared by the Association of Boards of Certification for Wastewater Treatment Facility Operators and administered on December 8, 1994, by the commissioner shall be issued the appropriate certificate in accordance with the regulations adopted under this section] concerning application, certification, renewal and continuing education requirements for operators. On and after October 1, 2018, each certified operator shall obtain not less than six hours of continuing education each year. Continuing education units and associated courses shall be approved by the commissioner or the commissioner's designated agent in consultation with the operator certification advisory board. A record of such continuing education shall be maintained by the certified operator and by the facility employing the operator and shall be made available for inspection upon request by the commissioner.

Sec. 2. Subsection (c) of section 22-11h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) Individual structures used for aquaculture as defined in section 22-11c, including, but not limited to, racks, cages or bags, as well as

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buoys marking such structures, which [do not otherwise require] received a permit under federal Army Corps of Engineers regulations and do not interfere with navigation in designated or customary boating or shipping lanes and channels, shall be placed in leased or designated shellfish areas and shall be exempt from the requirements of sections 22a-359 to 22a-363f, inclusive.

Sec. 3. Subsection (c) of section 22a-73 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) [No ordinance shall be effective until such ordinance has been approved by the commissioner. No ordinance shall be approved unless it is in conformity with] Any such municipal noise control ordinance shall be at least as stringent as any state noise control plan, including ambient noise standards, adopted pursuant to section 22a-69 or any standards or regulations adopted by the administrator of the United States Environmental Protection Agency pursuant to the Noise Control Act of 1972 (P.L. 92-574) or any amendment thereto. Notwithstanding the provisions of this subsection, any municipality may adopt more stringent noise standards than those adopted by the commissioner. [ provided such standards are approved by the commissioner.]

Sec. 4. Subsection (c) of section 22a-174 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) The commissioner shall have the power, in accordance with regulations adopted by him, (1) to require that a person, before undertaking the construction, installation, enlargement or establishment of a new air contaminant source specified in the regulations adopted under subsection (a) of this section, submit to him plans, specifications and such information as he deems reasonably necessary relating to the construction, installation, enlargement, or

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establishment of such new air contaminant source; (2) to issue a permit approving such plans and specifications and permitting the construction, installation, enlargement or establishment of the new air contaminant source in accordance with such plans, or to issue an order requiring that such plans and specifications be modified as a condition to his approving them and issuing a permit allowing such construction, installation, enlargement or establishment in accordance therewith, or to issue an order rejecting such plans and specifications and prohibiting construction, installation, enlargement or establishment of a new air contaminant source in accordance with the plans and specifications submitted; (3) to require periodic inspection and maintenance of combustion equipment and other sources of air pollution; (4) to require any person to maintain such records relating to air pollution or to the operation of facilities designed to abate air pollution as he deems necessary to carry out the provisions of this chapter and section 14-164c; (5) to require that a person in control of an air contaminant source specified in the regulations adopted under subsection (a), obtain a permit to operate such source if the source (A) is subject to any regulations adopted by the commissioner concerning high risk hazardous air pollutants, (B) burns waste oil, (C) is allowed by the commissioner, pursuant to regulations adopted under subsection (a), to exceed emission limits for sulfur compounds, (D) is issued an order pursuant to section 22a-178, or (E) violates any provision of this chapter, or any regulation, order or permit adopted or issued thereunder; (6) to require that a person in control of an air contaminant source who is not required to obtain a permit pursuant to this subsection register with him and provide such information as he deems necessary to maintain his inventory of air pollution sources and the commissioner may require renewal of such registration at intervals he deems necessary to maintain such inventory; (7) to require a permit for any source regulated under the federal Clean Air Act Amendments of 1990, P.L. 101-549; (8) to refuse to issue a permit if the Environmental Protection Agency objects to its issuance in a timely manner under Title V of the federal Clean Air

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Act Amendments of 1990; and (9) notwithstanding any regulation adopted under this chapter, to require that any source permitted under Title V of the federal Clean Air Act Amendments of 1990 shall comply with all applicable standards set forth in the Code of Federal Regulations, Title 40, Parts 51, 52, 59, 60, 61, 62, 63, 68, 70, 72 to 78, inclusive, and 82, as amended from time to time.

Sec. 5. Subsection (d) of section 23-37 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) If the state forest fire warden determines that additional state forest fire control personnel are required to assist in extinguishing a forest fire in this state or in another state that is a member of a compact authorized to provide reciprocal aid, the state forest fire warden may temporarily supplement state forest fire control personnel with temporary emergency workers who meet the training and qualification requirements of the National Incident Management System: Wildland Fire Qualification System Guide published by the National Wildfire Coordinating Group, as amended from time to time. The Department of Administrative Services shall assist the state fire warden in developing appropriate classifications for such temporary emergency workers.

Sec. 6. Section 23-53 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The Governor on behalf of this state is authorized to enter into a compact, substantially in the following form, with any one or more of the states of Maine, Massachusetts, New Hampshire, New York, Rhode Island and Vermont and with such other states of the United States or provinces of the Dominion of Canada as may legally join therein:

NORTHEASTERN INTERSTATE FOREST FIRE

PROTECTION COMPACT

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ARTICLE I

The purpose of this compact is to promote effective prevention and control of forest fires in the northeastern region of the United States and adjacent areas in Canada by the development of integrated forest fire plans, by the maintenance of adequate forest fire fighting services by the member states, by providing for mutual aid in fighting forest fires among the states of the region and for procedures that will facilitate such aid, and by the establishment of a central agency to coordinate the services of member states and perform such common services as member states may deem desirable.

ARTICLE II

This agreement shall become operative immediately as to those states ratifying it whenever any two or more of the states of Maine, New Hampshire, Vermont, Rhode Island, Connecticut, New York and the Commonwealth of Massachusetts have ratified it and the Congress has given its consent. Any state not mentioned in this article which is contiguous with any member state may become a party to this compact. Subject to the consent of the Congress of the United States, any province of the Dominion of Canada which is contiguous with any member state may become a party to this compact by taking such action as its laws and the laws of the Dominion of Canada may prescribe for ratification. In this event, the term "state" in this compact shall include within its meaning the term "province" and the procedures prescribed shall be applied in the instance of such provinces, in accordance with the forms and practices of the Canadian government.

ARTICLE III

Each state joining herein shall appoint three representatives to a commission hereby designated as the Northeastern Forest Fire Protection Commission. One shall be the state forester or officer holding

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an equivalent position in such state who is responsible for forest fire control. The second shall be a member of the legislature of such state designated by the commission or committee on interstate cooperation of such state, or if there be none, or if said commission on interstate cooperation cannot constitutionally designate the said member, such legislator shall be designated by the governor thereof; provided that if it is constitutionally impossible to appoint a legislator as a commissioner from such state, the second member shall be appointed by the governor of said state in his discretion. The third member shall be a person designated by the governor as the responsible representative of the governor. In the event that any province of the Dominion of Canada shall become a member of this commission, it shall designate three members who will approximate this pattern of representation to the extent possible under the law and practices of such province. This commission shall be a body corporate with the powers and duties set forth herein.

ARTICLE IV

It shall be the duty of the commission to make inquiry and ascertain from time to time such methods, practices, circumstances and conditions as may be disclosed for bringing about the prevention and control of forest fires in the area comprising the member states, to coordinate the forest fire plans and the work of the appropriate agencies of the member states and to facilitate the rendering of aid by the member states to each other in fighting forest fires.

The commission shall formulate and, in accordance with need, from time to time, revise a regional forest fire plan for the entire region covered by the compact which shall serve as a common forest fire plan for that area.

The commission shall, more than one month prior to any regular meeting of the legislature in any signatory state, present to the governor

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and to the legislature of the state its recommendations relating to enactments to be made by the legislature of that state in furthering the interests and purposes of this compact.

The commission shall consult with and advise the appropriate administrative agencies of the states party hereto with regard to problems connected with the prevention and control of forest fires and recommend the adoption of such regulations as it deems advisable.

The commission shall have power to recommend to the signatory states any and all measures that will effectuate the prevention and control of forest fires.

ARTICLE V

Any two or more member states may designate the Northeastern Forest Fire Protection Commission as a joint agency to maintain such common services as those states deem desirable for the prevention and control of forest fires. Except in those cases where all member states join in such designation for common services, the representatives of any group of such designating states in the Northeastern Forest Fire Protection Commission shall constitute a separate section of such commission for the performance of the common service or services so designated provided that, if any additional expense is involved, the state so acting shall appropriate the necessary funds for this purpose. The creation of such a section as a joint agency shall not affect the privileges, powers, responsibilities or duties of the states participating therein as embodied in the other articles of this compact.

ARTICLE VI

The commission may request the United States Forest Service to act as the primary research and coordinating agency of the Northeastern Forest Fire Protection Commission, in cooperation with the appropriate agencies in each state and the United States Forest Service may accept



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the initial responsibility in preparing and presenting to the commission its recommendations with respect to the regional fire plan. Representatives of the United States Forest Service may attend meetings of the commission and of groups of member states.

ARTICLE VII

The commission shall annually elect from its members a chairman and a vice-chairman. The commission shall appoint such officers or employees as may be required to carry the provisions of this compact into effect, shall fix and determine their duties, qualifications and compensation, and may at its pleasure, remove or discharge any such officer or employee. The commission shall adopt rules and regulations for the conduct of its business. It may establish and maintain one or more offices for the transaction of its business and may meet at any time or place but must meet at least once a year.

A majority of the members of the commission representing a majority of the signatory states shall constitute a quorum for the transaction of its general business, but no action of the commission imposing any obligation on any signatory state shall be binding unless a majority of the members from such signatory state shall have voted in favor thereof. For the purpose of conducting its general business, voting shall be by state units.

The representatives of any two or more member states, upon notice to the chairman as to the time and purpose of the meeting, may meet as a section for the discussion of problems common to those states.

Sections established by groups of member states shall have the same powers with respect to officers, employees and the maintenance of offices as are granted by this article to the commission. Sections may adopt such rules, regulations and procedures as may be necessary for the conduct of their business.

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ARTICLE VIII

It shall be the duty of each member state to formulate and put in effect a forest fire plan for that state and to take such measures as may be recommended by the commission to integrate such forest fire plan with regional forest fire plan.

Whenever the state forest fire control agency of a member state requests aid from the state forest fire control agency of any other member state in combatting, controlling or preventing forest fires, it shall be the duty of the state forest fire control agency of that state to render all possible aid to the requesting agency which is consonant with the maintenance of protection at home.

Each signatory state agrees to render aid to the Forest Service or other agencies of the government of the United States in combatting, controlling or preventing forest fires in areas under their jurisdiction located within the member state or a contiguous member state.

ARTICLE IX

Whenever the forces of any member state are rendering outside aid pursuant to the request of another member state under this compact, the employees of such state shall, under the direction of the officers of the state to which they are rendering aid, have the same powers (except the power of arrest), duties, rights, privileges and immunities as comparable employees of the state to which they are rendering aid.

No member state or its officers or employees rendering outside aid pursuant to this compact shall be liable on account of any act or omission on the part of such forces while so engaged, or on account of the maintenance or use of any equipment or supplies in connection therewith.

All liability that may arise either under the laws of the requesting

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state or under the laws of the aiding state or under the laws of a third state on account of or in connection with a request for aid, shall be assumed and borne by the requesting state.

Any member state rendering outside aid pursuant to this compact shall be reimbursed by the member state receiving such aid for any loss or damage to, or expense incurred in the operation of any equipment answering a request for aid, and for the cost of all materials, transportation, wages, salaries, and maintenance of employees and equipment incurred in connection with such request. Provided, that nothing herein contained shall prevent any assisting member state from assuming such loss, damage, expense or other cost or from loaning such equipment or from donating such services to the receiving member state without charge or cost.

Each member state shall provide for the payment of compensation and death benefits to injured employees and the representatives of deceased employees in case employees sustain injuries or are killed while rendering outside aid pursuant to this compact, in the same manner and on the same terms as if the injury or death were sustained within such state.

For the purposes of this compact the term employee shall include any volunteer or auxiliary legally included within the forest fire fighting forces of the aiding state under the laws thereof.

The commission shall formulate procedures for claims and reimbursement under the provisions of this article.

Aid by a member state to an area subject to federal jurisdiction beyond the borders of such state shall not be required under this compact unless substantially the same provisions of this article relative to powers, liabilities, losses and expenses in connection with such aid are embodied in federal laws.

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The provisions of this article that relate to mutual aid in combating, controlling or preventing forest fires shall be applicable to the provision of such aid by any state that is party to this compact and any other state that is party to a regional forest fire protection compact in another region, provided the legislature of such other state assents to the mutual aid provisions of this compact.

ARTICLE X

When appropriations for the support of this commission or for the support of common services maintained by the commission or a section thereof under the provisions of article V are necessary, the commission or a section thereof shall allocate the costs among the states affected with consideration of the amounts of forested land in those states that will receive protection from the service to be rendered and the extent of the forest fire problem involved in each state, and shall submit its recommendations accordingly to the legislatures of the affected states.

The commission shall submit to the governor of each state, at such time as he may request, a budget of its estimated expenditures for such period as may be required by the laws of such state for presentation to the legislature thereof.

The commission shall keep accurate books of account, showing in full its receipts and disbursements, and said books of account shall be open at any reasonable time to the inspection of such representatives of the respective signatory states as may be duly constituted for that purpose.

On or before the first day of December of each year, the commission shall submit to the respective governors of the signatory states a full and complete report of its activities for the preceding year.

ARTICLE XI

The representatives from any member state may appoint and consult

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with an advisory committee composed of persons interested in forest fire protection.

The commission may appoint and consult with an advisory committee of representatives of all affected groups, private and governmental.

ARTICLE XII

The commission may accept any and all donations, gifts and grants of money, equipment, supplies, materials and services from the federal or any local government, or any agency thereof and from any person, firm or corporation, for any of its purposes and functions under this compact, and may receive and utilize the same subject to the terms, conditions and regulations governing such donations, gifts and grants.

ARTICLE XIII

Nothing in this compact shall be construed to authorize or permit any member state to curtail or diminish its forest fire fighting forces, equipment, services or facilities, and it shall be the duty and responsibility of each member state to maintain adequate forest fire fighting forces and equipment to meet normal demands for forest fire protection within its borders.

Nothing in this compact shall be construed to limit or restrict the powers of any state ratifying the same to provide for the prevention, control and extinguishment of forest fires, or to prohibit the enactment or enforcement of state laws, rules or regulations intended to aid in such prevention, control and extinguishment in such state.

Nothing in this compact shall be construed to affect any existing or future cooperative relationship or arrangement between the United States Forest Service and a member state or states.

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ARTICLE XIV

This compact shall continue in force and remain binding on each state ratifying it until the legislature or the governor of such state takes action to withdraw therefrom. Such action shall not be effective until six months after notice thereof has been sent by the chief executive of the state desiring to withdraw to the chief executives of all states then parties to the compact.

Sec. 7. Section 23-65g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(a) There is established a Forest Practices Advisory Board consisting of the State Forester or [his] the State Forester's designee, and nine public members [, six of whom shall be appointed one each by the president pro tempore of the Senate, the majority leader of the Senate, the minority leader of the Senate, the speaker of the House of Representatives, the majority leader of the House of Representatives, the minority leader of the House of Representatives and three of whom shall be appointed by the Governor. The members appointed shall include a professional forester in private practice, a representative of the forest products industry, an officer of an environmental organization headquartered within the state which is concerned primarily with forests, a professor of forestry or natural resources from a college or university within the state, an owner of not less than ten nor more than two hundred fifty acres of forest land, a representative of an environmental organization not primarily concerned with forests and a member of an inland wetlands agency] appointed as follows: (1) Three by the Governor, one of whom shall be an officer of an environmental organization headquartered in the state that is concerned primarily with forests, one of whom shall be a representative of an environmental organization not primarily concerned with forests, and one of whom shall be a member of an inland wetlands agency; (2) one appointed by the speaker of the House of Representatives, who shall be an owner of

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not less than ten but not more than two hundred fifty acres of forest land; (3) one appointed by president pro tempore of the Senate, who shall be a professional forester in private practice; (4) one appointed by the majority leader of the House of Representatives, who shall be a representative of the forest products industry; (5) one appointed by the majority leader of the Senate, who shall be a professor of forestry or natural resources from a college or university in the state; (6) one appointed by the minority leader of the House of Representatives, who shall be a member of the public; and (7) one appointed by the minority leader of the Senate, who shall be a member of the public.

(b) [The appointed members of the initial board shall be appointed so that the terms of two members shall expire on December 31, 1993, the terms of two members shall expire on December 31, 1994, the terms of two members shall expire on December 31, 1995, and the term of one member shall expire on December 31, 1996. Thereafter, each] Each member shall be appointed for a term of four years. Vacancies on the board shall be filled [in the same manner as the original appointments] by the appointing authority, as provided in subsection (a) of this section. Each member of the board shall serve until [his] such member's successor is appointed, provided the term of any member serving as of October 1, 2022, shall expire on October 1, 2022.

(c) The State Forester or [his] the State Forester's designee shall serve as chairman of the board. The board shall meet [at least] not less than three times, annually, at such time and place as shall be designated by the chairman, or upon the written request of a majority of the members of the board. A majority of the members shall constitute a quorum for the transaction of business. The principal office of the board shall be the State Forester's office.

(d) Members of the board shall be entitled to reimbursement for travel expenses incurred in the performance of their duties.

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(e) The Forest Practices Advisory Board shall have the following powers and duties:

(1) To periodically review applicable regulations concerning forest practices or the certification of forest practitioners and to issue recommendations to the Commissioner of Energy and Environmental Protection for changes to such regulations;

(2) To periodically review the programs and policies of the department regarding forests, forest health and forest practices and to issue recommendations to the commissioner for changes to such programs and policies; and

(3) To provide advice and guidance to the commissioner regarding the certification of technically proficient forest practitioners and the revocation or suspension of such certification.

Sec. 8. Subsection (c) of section 23-65h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(c) An application for the certification as a forest practitioner shall be made to the Commissioner of Energy and Environmental Protection and shall contain such information regarding the applicant's qualifications and proposed operations and other relevant matters as the commissioner deems necessary.

(1) The commissioner shall require the applicant for forester certification to demonstrate, upon examination, that [he] the applicant possesses adequate knowledge concerning the proper application of forest management techniques, the ecological and environmental consequences of harvesting activity and mitigating measures to be employed to minimize possible adverse impacts on environmental conditions within the harvest area.



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(2) The commissioner shall require the applicant for supervising forest products harvester certification to demonstrate, upon examination, that [he] the applicant possesses adequate knowledge concerning techniques and procedures normally employed in the conduct and supervision of a harvest operation, the safe and environmentally responsible operation of harvesting equipment, and mitigating measures to be employed to minimize possible adverse impacts of harvesting activity on environmental conditions within the harvest area.

(3) The commissioner shall require the applicant for forest products harvester certification to demonstrate, upon examination, that [he] the applicant possesses adequate knowledge concerning techniques and procedures normally employed in the conduct of a harvest operation and the safe and environmentally responsible operation of harvesting equipment, except that an applicant who demonstrates to the satisfaction of the commissioner that [he] the applicant has engaged in commercial forest practices at least once per year for the ten years immediately preceding October 1, 1991, shall be exempt from such examination requirement.

(4) If the commissioner finds that the applicant is competent with respect to the required qualifications, including those provided in section 23-65o, [he] the commissioner shall certify the applicant to perform such forest practices as appropriate to the requested certification. The certification shall be valid for a period not to exceed five years and may be renewed by the commissioner with or without further examination. The commissioner may establish regulations for forest practitioner certification so that one-fifth of the certificates expire each year. The commissioner may certify a forest practitioner for less than five years and prorate the registration fee accordingly to implement the regulations established pursuant to this subsection. The commissioner may grant a sixty-day extension for any forest

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practitioner who failed to submit a complete application for renewal prior to the expiration date of such forest practitioner's certification. Such forest practitioner shall submit a complete application for renewal not later than the end date of such sixty-day extension period. Any such renewed certification issued by the commissioner following such a sixty-day extension period shall not require reexamination by such forest practitioner prior to such issuance but shall require the submission of an additional fee, as determined by the commissioner.

(5) If the commissioner finds that the applicant is not competent with respect to the requirements for the requested certification, the commissioner shall refuse to issue the applicant a certificate. The commissioner shall inform the applicant of the refusal in writing, giving the reasons for such refusal. Any person aggrieved by such refusal may, within thirty days from date of issuance of such denial, request a hearing before the commissioner, which hearing shall be conducted in accordance with chapter 54.

(6) The commissioner may certify without examination any person who is certified in another state under a law which provides substantially similar qualifications for certification [and which grants similar privileges of certification without examination to residents of this state certified under the provisions of this section] or through examination by the Society of American Foresters, or a similar organization, that provides substantially similar qualifications for certification provided such person can demonstrate knowledge of the forestry laws of this state to the commissioner's satisfaction.

(7) The commissioner may, by regulation, adopted in accordance with the provisions of chapter 54, prescribe fees for applicants to defray the cost of administering examinations and carrying out the provisions of this chapter. A state or municipal employee who engages in activities for which certification is required by this section solely as part of his employment shall be exempt from payment of a fee. Any certificate

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issued to a state or municipal employee for which a fee has not been paid shall be void upon termination of such government employment.

(8) The commissioner may require the display of a decal or other evidence, indicating that a commercial forest practitioner has met the requirements of sections 23-65f to 23-65o, inclusive, in a prominent place on any licensed motor vehicle used in the practitioner's operations. A fee may be charged to the certified practitioner to cover the cost of the decal or other evidence.

(9) The commissioner shall require all forest practitioners certified under sections 23-65f to 23-65o, inclusive, to participate [biennially] in a relevant program of professional education to improve or maintain professional forestry skills that is sponsored by the Department of Energy and Environmental Protection, the New England Society of American Foresters, The University of Connecticut, Yale University or the Connecticut cooperative extension system, or participation in another program approved by the department. Participation in such professional education shall occur during the recertification cycle and be in accordance with the prescribed schedule set forth in regulations adopted pursuant to sections 23-65f to 23-65o, inclusive.

Sec. 9. Section 23-65i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(a) Each certified forester, except any state employee who engages in activities regulated by sections 23-65f to 23-65o, inclusive, solely as part of his employment, shall submit an annual report to the Commissioner of Energy and Environmental Protection on or before June first of each year in a form prescribed by the commissioner. Such report shall include, but not be limited to, the following information:

(1) The number of forest management plans completed and acres covered by said plans;

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(2) The number and type of timber stand improvements completed and acres so improved;

(3) The number of acres planted in reforestation, afforestation and in Christmas tree plantations;

(4) The number of commercial forest product sales, the total number of acres harvested in such sales, the type and total volumes of products generated by such sales and total annual expenditure for the purchase of such sales;

(5) [Evidence] Attestation of [biennial] participation in a relevant program of professional education to improve or maintain professional forestry skills that is sponsored by the Department of Energy and Environmental Protection, the New England Society of American Foresters, The University of Connecticut, Yale University or the Connecticut cooperative extension system, or participation in another program approved by the department, provided proof of such participation shall be furnished to the commissioner upon request and be in accordance with the prescribed schedule set forth in regulations adopted pursuant to sections 23-65f to 23-65o, inclusive; and

(6) Other information which the commissioner deems necessary.

(b) Each certified supervising forest products harvester shall be required to submit an annual report to the Commissioner of Energy and Environmental Protection on or before June first of each year in a form prescribed by the commissioner. Such report shall include, but not be limited to, the following information:

(1) The number of commercial forest product sales harvested, and the type and total volumes of products generated by such sales;

(2) [Evidence] Attestation of [biennial] participation in a relevant program of professional education to improve or maintain forest

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products harvesting skills that is sponsored by the Department of Energy and Environmental Protection, the New England Society of American Foresters, the University of Connecticut, Yale University, the Connecticut cooperative extension system or is otherwise approved by the department, provided proof of such participation shall be furnished to the commissioner upon request and be in accordance with the prescribed schedule set forth in regulations adopted pursuant to sections 23-65f to 23-65o, inclusive; and

(3) Other information which the commissioner deems necessary.

(c) All certified forest products harvesters shall be required to submit to the Commissioner of Energy and Environmental Protection, on or before June first of each year, annual reports in a form prescribed by the commissioner. Such reports shall include, but not be limited to, the following information:

(1) [Evidence] Attestation of [biennial] participation in a relevant program of professional education to improve or maintain forest products harvesting skills that is sponsored by the Department of Energy and Environmental Protection, the New England Society of American Foresters, The University of Connecticut, Yale University, the Connecticut cooperative extension system or is otherwise approved by the department, provided proof of such participation shall be furnished to the commissioner upon request and be in accordance with the prescribed schedule set forth in regulations adopted pursuant to sections 23-65f to 23-65o, inclusive; and

(2) Other information the commissioner deems necessary.

Sec. 10. Subsection (f) of section 22a-54 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(f) (1) The commissioner may by regulation adopted in accordance

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with the provisions of chapter 54 prescribe fees for applicants to defray the cost of administering examinations and assisting in carrying out the purposes of section 22a-451, except the fees for certification and renewal of a certification shall be as follows: [(1)] (A) For supervisory certification as a commercial applicator, two hundred eighty-five dollars; [(2)] (B) for operational certification as a commercial applicator, eighty dollars; [,] and [(3)] (C) for certification as a private applicator, one hundred dollars. A federal, state or municipal employee who applies pesticides solely as part of his employment shall be exempt from payment of a fee. Any certificate issued to a federal, state or municipal employee for which a fee has not been paid shall be void if the holder leaves government employment. The fees collected in accordance with this section shall be deposited in the General Fund.

(2) Not less than sixty days before the date of expiration of a certification, the commissioner shall provide notice of expiration and a renewal application to each holder of a certification. If a signed renewal application accompanied by the applicable renewal fee is not received by the commissioner on or before midnight of the expiration date, or if the expiration date is a Saturday, Sunday or a legal holiday, on or before midnight of the next business day, the certification shall automatically lapse. Failure of a holder of a certification to receive a notice of expiration and renewal application shall not prevent a lapse of a certification.

(3) The commissioner may renew any certification issued pursuant to this section for the holder of a certification that has lapsed less than one year, provided the holder of such certification submits to the commissioner a signed renewal application, payment of the applicable renewal fee and any late fee. Such late fee shall be calculated as follows: Beginning on the first day that such certification lapses, ten per cent of the applicable renewal fee plus one and one-quarter per cent per month, or part thereof, for a period not to exceed one year. Any holder of a

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certification that has lapsed one year or more shall be examined in accordance with the requirements of this section and any regulation adopted pursuant to the provisions of this section.

Sec. 11. Subsection (g) of section 22a-50 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2023*):

(g) The registrant shall pay a fee of [nine hundred forty dollars] one hundred eighty-eight dollars per calendar year, or any portion thereof, for each pesticide registered and for each renewal of a registration. [A registration shall expire after five years.] The commissioner may register a pesticide for a period of one year or a period of five years. For such five-year registrations, the commissioner shall establish regulations to phase in pesticide registration so that one fifth of the pesticides registered expire each year. The commissioner may register a pesticide for less than five years and prorate the registration fee accordingly to implement the regulations established pursuant to this subsection. The fees collected in accordance with this section shall be deposited in the General Fund.

Sec. 12. Section 22a-152 of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

The Governor, on behalf of this state, is authorized to enter into agreements with the [government of the United States] United States Nuclear Regulatory Commission providing for [relinquishment] discontinuance of certain of the programs of the government of the United States with respect to sources of ionizing radiation and the assumption thereof by this state, as provided for in the Atomic Energy Act of 1954, as amended.

Sec. 13. Section 22a-153 of the general statutes is amended by adding

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subsection (g) as follows (*Effective from passage*):

(NEW) (g) This section shall not be construed to confer authority to regulate materials or activities reserved to the United States Nuclear Regulatory Commission under 42 USC 2021(c) and 10 CFR Part 150.

Sec. 14. Section 22a-154 of the general statutes is amended by adding subsection (d) as follows (*Effective from passage*):

(NEW) (d) Any person that has a license prior to the effective date of an agreement pursuant to section 22a-152, as amended by this act, from the federal government or agreement state relating to by-product material, source material or special nuclear material and which license will be subject to the control of this state upon the effective date of such agreement, shall be considered to have a like license with this state until the expiration date specified in such license from the federal government or agreement state or until the end of the ninetieth day after such person receives notice from the Department of Energy and Environmental Protection that such license will be deemed expired.

Sec. 15. Section 16a-102 of the general statutes is amended by adding subsection (e) as follows (*Effective from passage*):

(NEW) (e) The commissioner may enter into any agreement with the United States Nuclear Regulatory Commission pursuant to Section 274i of the Atomic Energy Act of 1954, as amended, or any other federal government agency, state or interstate agency for the state to perform on a cooperative basis with such commission, other federal government agency, state or interstate agency, as applicable, inspections or other functions relating to the control of sources of radiation.

Sec. 16. Subdivisions (1) and (2) of subsection (a) of section 22a-6b of the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):



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(1) For failure to file any registration, other than a registration for a general permit, for failure to file any plan, report or record, or any application for a permit, for failure to obtain any certification, for failure to display any registration, permit or order, or file any other information required pursuant to any provision of section 14-100b or 14-164c, subdivision (3) of subsection (b) of section 15-121, section 15-171, 15-172, 15-175, 22a-5, 22a-6, 22a-7, 22a-32, 22a-39 or 22a-42a, 22a-45a, chapter 441, sections 22a-134 to 22a-134d, inclusive, subsection (b) of section 22a-134p, sections 22a-148 to 22a-162a, inclusive, section 22a-171, 22a-174, as amended by this act, 22a-175, 22a-177, 22a-178, 22a-181, 22a-183, 22a-184, 22a-208, 22a-208a, 22a-209, 22a-213, 22a-220, 22a-231, 22a-245a, 22a-336, 22a-342, 22a-345, 22a-346, 22a-347, 22a-349a, 22a-354p, 22a-358, 22a-359, 22a-361, 22a-362, 22a-368, 22a-401 to 22a-405, inclusive, 22a-411, 22a-411a, 22a-416, as amended by this act, 22a-417, 22a-424 to 22a-433, inclusive, 22a-447, 22a-449, 22a-450, 22a-451, 22a-454, 22a-458, 22a-461, 22a-462 or 22a-471, or any regulation, order or permit adopted or issued thereunder by the commissioner, and for other violations of similar character as set forth in such schedule or schedules, no more than one thousand dollars for said violation and in addition no more than one hundred dollars for each day during which such violation continues;

(2) For deposit, placement, removal, disposal, discharge or emission of any material or substance or electromagnetic radiation or the causing of, engaging in or maintaining of any condition or activity in violation of any provision of section 14-100b or 14-164c, subdivision (3) of subsection (b) of section 15-121, section 15-171, 15-172, 15-175, 22a-5, 22a-6, 22a-7, 22a-32, 22a-39 or 22a-42a, 22a-45a, chapter 441, sections 22a-134 to 22a-134d, inclusive, section 22a-69 or 22a-74, subsection (b) of section 22a-134p, sections 22a-148 to 22a-162a, inclusive, section 22a-162, 22a-171, 22a-174, as amended by this act, 22a-175, 22a-177, 22a-178, 22a-181, 22a-183, 22a-184, 22a-190, 22a-208, 22a-208a, 22a-209, 22a-213, 22a-220, 22a-336, 22a-342, 22a-345, 22a-346, 22a-347, 22a-349a, 22a-354p, 22a-358, 22a-359, 22a-361, 22a-362, 22a-368, 22a-401 to 22a-405, inclusive,

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22a-411, 22a-411a, 22a-416, as amended by this act, 22a-417, 22a-424 to 22a-433, inclusive, 22a-447, 22a-449, 22a-450, 22a-451, 22a-454, 22a-458, 22a-461, 22a-462 or 22a-471, or any regulation, order or permit adopted thereunder by the commissioner, and for other violations of similar character as set forth in such schedule or schedules, no more than twenty-five thousand dollars for said violation for each day during which such violation continues;

Sec. 17. (NEW) (*Effective from passage*) (a) Not later than August 1, 2022, the Commissioner of Energy and Environmental Protection shall develop, finalize and publish on the Department of Energy and Environmental Protection's Internet web site a hazardous tree mitigation policy that shall apply to the designation, removal and mitigation of trees located in state parks and campgrounds that are determined to be hazardous by the Department of Energy and Environmental Protection. Such policy shall include criteria for the designation of a tree as hazardous by the department and the scope of applicability for procedures for such designation, removal and mitigation, including, but not limited to, (1) department consultation of a licensed arborist prior to the designation and removal or mitigation of any such hazardous tree; (2) advance notification to the public of the department's hazardous tree removal activities, including, but not limited to, signage and publication of information on the Department of Energy and Environmental Protection's Internet web site; and (3) consideration of replanting and other relevant improvements to offset the aesthetic or ecological value provided by any hazardous tree that is removed. Such policy shall also include provisions for: (A) The maintenance of public safety, (B) ecological and natural resource protection, (C) practices for transparency and public engagement in the process of such designation, removal and mitigation, (D) effective stewardship of department resources, (E) public access to outdoor recreation, (F) fire suppression or protection efforts, (G) state park maintenance and repairs, (H) decorative pruning, (I) trail maintenance,

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(J) post-storm impact mitigation or clean-up, and (K) removal of invasive species. For the purposes of this section, "arborist" has the same meaning as provided in section 23-61a of the general statutes.

(b) The Department of Energy and Environmental Protection shall implement a tree replanting demonstration project at Housatonic Meadows State Park, in consultation with state park or forest advocacy groups or organizations.

(c) Not later than December 1, 2022, the Commissioner of Energy and Environmental Protection shall submit a report, in accordance with section 11-4a of the general statutes, to the joint standing committee of the General Assembly having cognizance of matters relating to the environment on state park and campground tree replanting strategies for removed hazardous trees and any associated funding needs.

Sec. 18. Subdivision (8) of section 12-107b of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(8) The term "maritime heritage land" means that portion of waterfront real property owned by a licensed shellstock shipper who grows or harvests shellstock, aquaculture operator or commercial lobster fisherman licensed pursuant to title 26, when such portion of such property is used by such shellstock shipper, aquaculture operator or fisherman for shellfishing, aquaculture or commercial lobstering purposes, provided in the tax year of the owner ending immediately prior to any assessment date with respect to which application is submitted pursuant to section 12-107g, not less than fifty per cent of the adjusted gross income of such shellstock shipper, aquaculture operator or fisherman, as determined for purposes of the federal income tax, is derived from commercial shellfishing, aquaculture or lobster fishing, subject to proof satisfactory to the assessor in the town in which such application is submitted. "Maritime heritage land" does not include

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buildings not used exclusively by such shellstock shipper, aquaculture operator or fisherman for commercial shellfishing, aquaculture or lobstering purposes.

Sec. 19. Subsection (c) of section 22a-244b of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) On April 1, 2022, and every six months thereafter, payment shall be remitted by each wholesaler to every municipality where any such beverage container was sold during the preceding six-month period by such wholesaler, provided any such payment remitted to a municipality by the last day of April or October, as applicable, shall be deemed timely and in compliance with the provisions of this subsection. Such payment shall be at the rate of five cents for every such beverage container sold within such municipality by such wholesaler. Concomitant with any payment made by a wholesaler to a municipality pursuant to this subsection, such wholesaler shall file a report with the Department of Revenue Services and the Department of Consumer Protection's Liquor Control Division, detailing the number of such beverage containers sold in each municipality by such wholesaler in the preceding six-month period.

Approved May 31, 2022