



General Assembly

**Amendment**

February Session, 2022

LCO No. 6428



Offered by:

SEN. COHEN, 12<sup>th</sup> Dist.  
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To: Subst. Senate Bill No. 238

File No. 350

Cal. No. 248

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

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

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4 repealed and the following is substituted in lieu thereof (*Effective from*  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

6 (d) As used in this section the terms "class I", "class II", "class III" and  
7 "class IV" mean the classifications of wastewater treatment plants  
8 provided for in regulations adopted by the Department of Energy and  
9 Environmental Protection. The Commissioner of Energy and  
10 Environmental Protection may establish requirements for the presence  
11 of approved operators at pollution abatement facilities. Applicants for  
12 class I, [and] class II, class III and class IV certificates shall [only] be

13 required to pass the relevant standardized national examination  
14 prepared by the Association of Boards of Certification for Wastewater  
15 Treatment Facility Operators. [Applicants for class III and class IV  
16 certificates shall only be required to pass the relevant standardized  
17 national examination prepared by the Association of Boards of  
18 Certification for Wastewater Treatment Facility Operators  
19 supplemented with additional questions submitted by the  
20 commissioner to such board. Operators with certificates issued by the  
21 commissioner prior to May 16, 1995, shall not be required to be  
22 reexamined.] The commissioner, or the commissioner's designated  
23 agent, shall administer and proctor the examination of all applicants.  
24 The qualifications of the operators at such facilities shall be subject to  
25 the approval of the commissioner. The commissioner may adopt  
26 regulations, in accordance with the provisions of chapter 54, [requiring  
27 all operators at pollution abatement facilities to satisfactorily complete,  
28 on a regular basis, a state-certified training course, which may include  
29 training on the type of municipal pollution abatement facility at which  
30 the operator is employed and training concerning regulations  
31 promulgated during the preceding year. Any applicant for certification  
32 who passed either the examination prepared and administered on  
33 December 8, 1994, by the commissioner or the examination prepared by  
34 the Association of Boards of Certification for Wastewater Treatment  
35 Facility Operators and administered on December 8, 1994, by the  
36 commissioner shall be issued the appropriate certificate in accordance  
37 with the regulations adopted under this section] concerning application,  
38 certification, renewal and continuing education requirements for  
39 operators. On and after October 1, 2018, each certified operator shall  
40 obtain not less than six hours of continuing education each year.  
41 Continuing education units and associated courses shall be approved  
42 by the commissioner or the commissioner's designated agent in  
43 consultation with the operator certification advisory board. A record of  
44 such continuing education shall be maintained by the certified operator  
45 and by the facility employing the operator and shall be made available  
46 for inspection upon request by the commissioner.

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

50 (c) Individual structures used for aquaculture as defined in section  
51 22-11c, including, but not limited to, racks, cages or bags, as well as  
52 buoys marking such structures, which [do not otherwise require]  
53 received a permit under federal Army Corps of Engineers regulations  
54 and do not interfere with navigation in designated or customary boating  
55 or shipping lanes and channels, shall be placed in leased or designated  
56 shellfish areas and shall be exempt from the requirements of sections  
57 22a-359 to 22a-363f, inclusive.

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

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

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

75 (c) The commissioner shall have the power, in accordance with  
76 regulations adopted by him, (1) to require that a person, before  
77 undertaking the construction, installation, enlargement or  
78 establishment of a new air contaminant source specified in the

79 regulations adopted under subsection (a) of this section, submit to him  
80 plans, specifications and such information as he deems reasonably  
81 necessary relating to the construction, installation, enlargement, or  
82 establishment of such new air contaminant source; (2) to issue a permit  
83 approving such plans and specifications and permitting the  
84 construction, installation, enlargement or establishment of the new air  
85 contaminant source in accordance with such plans, or to issue an order  
86 requiring that such plans and specifications be modified as a condition  
87 to his approving them and issuing a permit allowing such construction,  
88 installation, enlargement or establishment in accordance therewith, or  
89 to issue an order rejecting such plans and specifications and prohibiting  
90 construction, installation, enlargement or establishment of a new air  
91 contaminant source in accordance with the plans and specifications  
92 submitted; (3) to require periodic inspection and maintenance of  
93 combustion equipment and other sources of air pollution; (4) to require  
94 any person to maintain such records relating to air pollution or to the  
95 operation of facilities designed to abate air pollution as he deems  
96 necessary to carry out the provisions of this chapter and section 14-164c;  
97 (5) to require that a person in control of an air contaminant source  
98 specified in the regulations adopted under subsection (a), obtain a  
99 permit to operate such source if the source (A) is subject to any  
100 regulations adopted by the commissioner concerning high risk  
101 hazardous air pollutants, (B) burns waste oil, (C) is allowed by the  
102 commissioner, pursuant to regulations adopted under subsection (a), to  
103 exceed emission limits for sulfur compounds, (D) is issued an order  
104 pursuant to section 22a-178, or (E) violates any provision of this chapter,  
105 or any regulation, order or permit adopted or issued thereunder; (6) to  
106 require that a person in control of an air contaminant source who is not  
107 required to obtain a permit pursuant to this subsection register with him  
108 and provide such information as he deems necessary to maintain his  
109 inventory of air pollution sources and the commissioner may require  
110 renewal of such registration at intervals he deems necessary to maintain  
111 such inventory; (7) to require a permit for any source regulated under  
112 the federal Clean Air Act Amendments of 1990, P.L. 101-549; (8) to  
113 refuse to issue a permit if the Environmental Protection Agency objects

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

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

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

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

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

142 NORTHEASTERN INTERSTATE FOREST FIRE

143 PROTECTION COMPACT

144

## ARTICLE I

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

154

## ARTICLE II

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

169

## ARTICLE III

170 Each state joining herein shall appoint three representatives to a  
171 commission hereby designated as the Northeastern Forest Fire  
172 Protection Commission. One shall be the state forester or officer holding  
173 an equivalent position in such state who is responsible for forest fire  
174 control. The second shall be a member of the legislature of such state  
175 designated by the commission or committee on interstate cooperation

176 of such state, or if there be none, or if said commission on interstate  
177 cooperation cannot constitutionally designate the said member, such  
178 legislator shall be designated by the governor thereof; provided that if  
179 it is constitutionally impossible to appoint a legislator as a commissioner  
180 from such state, the second member shall be appointed by the governor  
181 of said state in his discretion. The third member shall be a person  
182 designated by the governor as the responsible representative of the  
183 governor. In the event that any province of the Dominion of Canada  
184 shall become a member of this commission, it shall designate three  
185 members who will approximate this pattern of representation to the  
186 extent possible under the law and practices of such province. This  
187 commission shall be a body corporate with the powers and duties set  
188 forth herein.

189 ARTICLE IV

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

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

201 The commission shall, more than one month prior to any regular  
202 meeting of the legislature in any signatory state, present to the governor  
203 and to the legislature of the state its recommendations relating to  
204 enactments to be made by the legislature of that state in furthering the  
205 interests and purposes of this compact.

206 The commission shall consult with and advise the appropriate  
207 administrative agencies of the states party hereto with regard to

208 problems connected with the prevention and control of forest fires and  
209 recommend the adoption of such regulations as it deems advisable.

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

213 ARTICLE V

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

227 ARTICLE VI

228 The commission may request the United States Forest Service to act  
229 as the primary research and coordinating agency of the Northeastern  
230 Forest Fire Protection Commission, in cooperation with the appropriate  
231 agencies in each state and the United States Forest Service may accept  
232 the initial responsibility in preparing and presenting to the commission  
233 its recommendations with respect to the regional fire plan.  
234 Representatives of the United States Forest Service may attend meetings  
235 of the commission and of groups of member states.

236 ARTICLE VII

237 The commission shall annually elect from its members a chairman



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

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

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

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

## 261 ARTICLE VIII

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

266 Whenever the state forest fire control agency of a member state  
267 requests aid from the state forest fire control agency of any other  
268 member state in combatting, controlling or preventing forest fires, it

269 shall be the duty of the state forest fire control agency of that state to  
270 render all possible aid to the requesting agency which is consonant with  
271 the maintenance of protection at home.

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

276 ARTICLE IX

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

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

288 All liability that may arise either under the laws of the requesting  
289 state or under the laws of the aiding state or under the laws of a third  
290 state on account of or in connection with a request for aid, shall be  
291 assumed and borne by the requesting state.

292 Any member state rendering outside aid pursuant to this compact  
293 shall be reimbursed by the member state receiving such aid for any loss  
294 or damage to, or expense incurred in the operation of any equipment  
295 answering a request for aid, and for the cost of all materials,  
296 transportation, wages, salaries, and maintenance of employees and  
297 equipment incurred in connection with such request. Provided, that  
298 nothing herein contained shall prevent any assisting member state from  
299 assuming such loss, damage, expense or other cost or from loaning such

300 equipment or from donating such services to the receiving member state  
301 without charge or cost.

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

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

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

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

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

324 ARTICLE X

325 When appropriations for the support of this commission or for the  
326 support of common services maintained by the commission or a section  
327 thereof under the provisions of article V are necessary, the commission  
328 or a section thereof shall allocate the costs among the states affected with  
329 consideration of the amounts of forested land in those states that will

330 receive protection from the service to be rendered and the extent of the  
331 forest fire problem involved in each state, and shall submit its  
332 recommendations accordingly to the legislatures of the affected states.

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

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

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

344 ARTICLE XI

345 The representatives from any member state may appoint and consult  
346 with an advisory committee composed of persons interested in forest  
347 fire protection.

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

351 ARTICLE XII

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

358 ARTICLE XIII

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

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

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

373 ARTICLE XIV

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

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

382 (a) There is established a Forest Practices Advisory Board consisting  
383 of the State Forester or [his] the State Forester's designee, and nine  
384 public members [, six of whom shall be appointed one each by the  
385 president pro tempore of the Senate, the majority leader of the Senate,  
386 the minority leader of the Senate, the speaker of the House of  
387 Representatives, the majority leader of the House of Representatives,  
388 the minority leader of the House of Representatives and three of whom  
389 shall be appointed by the Governor. The members appointed shall

390 include a professional forester in private practice, a representative of the  
391 forest products industry, an officer of an environmental organization  
392 headquartered within the state which is concerned primarily with  
393 forests, a professor of forestry or natural resources from a college or  
394 university within the state, an owner of not less than ten nor more than  
395 two hundred fifty acres of forest land, a representative of an  
396 environmental organization not primarily concerned with forests and a  
397 member of an inland wetlands agency] appointed as follows: (1) Three  
398 by the Governor, one of whom shall be an officer of an environmental  
399 organization headquartered in the state that is concerned primarily with  
400 forests, one of whom shall be a representative of an environmental  
401 organization not primarily concerned with forests, and one of whom  
402 shall be a member of an inland wetlands agency; (2) one appointed by  
403 the speaker of the House of Representatives, who shall be an owner of  
404 not less than ten but not more than two hundred fifty acres of forest  
405 land; (3) one appointed by president pro tempore of the Senate, who  
406 shall be a professional forester in private practice; (4) one appointed by  
407 the majority leader of the House of Representatives, who shall be a  
408 representative of the forest products industry; (5) one appointed by the  
409 majority leader of the Senate, who shall be a professor of forestry or  
410 natural resources from a college or university in the state; (6) one  
411 appointed by the minority leader of the House of Representatives, who  
412 shall be a member of the public; and (7) one appointed by the minority  
413 leader of the Senate, who shall be a member of the public.

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

424 October 1, 2022, shall expire on October 1, 2022.

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

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

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

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

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

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

447 Sec. 8. Subsection (c) of section 23-65h of the general statutes is  
448 repealed and the following is substituted in lieu thereof (*Effective October*  
449 *1, 2022*):

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

454 commissioner deems necessary.

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

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

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

481 (4) If the commissioner finds that the applicant is competent with  
482 respect to the required qualifications, including those provided in  
483 section 23-65o, [he] the commissioner shall certify the applicant to  
484 perform such forest practices as appropriate to the requested  
485 certification. The certification shall be valid for a period not to exceed



486 five years and may be renewed by the commissioner with or without  
487 further examination. The commissioner may establish regulations for  
488 forest practitioner certification so that one-fifth of the certificates expire  
489 each year. The commissioner may certify a forest practitioner for less  
490 than five years and prorate the registration fee accordingly to  
491 implement the regulations established pursuant to this subsection. The  
492 commissioner may grant a sixty-day extension for any forest  
493 practitioner who failed to submit a complete application for renewal  
494 prior to the expiration date of such forest practitioner's certification.  
495 Such forest practitioner shall submit a complete application for renewal  
496 not later than the end date of such sixty-day extension period. Any such  
497 renewed certification issued by the commissioner following such a  
498 sixty-day extension period shall not require reexamination by such  
499 forest practitioner prior to such issuance but shall require the  
500 submission of an additional fee, as determined by the commissioner.

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

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

518 (7) The commissioner may, by regulation, adopted in accordance

519 with the provisions of chapter 54, prescribe fees for applicants to defray  
520 the cost of administering examinations and carrying out the provisions  
521 of this chapter. A state or municipal employee who engages in activities  
522 for which certification is required by this section solely as part of his  
523 employment shall be exempt from payment of a fee. Any certificate  
524 issued to a state or municipal employee for which a fee has not been  
525 paid shall be void upon termination of such government employment.

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

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

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

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

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

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

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

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

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

571 (6) Other information which the commissioner deems necessary.

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

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

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

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

589 (3) Other information which the commissioner deems necessary.

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

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

605 (2) Other information the commissioner deems necessary.

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

609 (f) (1) The commissioner may by regulation adopted in accordance  
610 with the provisions of chapter 54 prescribe fees for applicants to defray  
611 the cost of administering examinations and assisting in carrying out the

612 purposes of section 22a-451, except the fees for certification and renewal  
613 of a certification shall be as follows: [(1)] (A) For supervisory  
614 certification as a commercial applicator, two hundred eighty-five  
615 dollars; [(2)] (B) for operational certification as a commercial applicator,  
616 eighty dollars; [,] and [(3)] (C) for certification as a private applicator,  
617 one hundred dollars. A federal, state or municipal employee who  
618 applies pesticides solely as part of his employment shall be exempt from  
619 payment of a fee. Any certificate issued to a federal, state or municipal  
620 employee for which a fee has not been paid shall be void if the holder  
621 leaves government employment. The fees collected in accordance with  
622 this section shall be deposited in the General Fund.

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

633 (3) The commissioner may renew any certification issued pursuant to  
634 this section for the holder of a certification that has lapsed less than one  
635 year, provided the holder of such certification submits to the  
636 commissioner a signed renewal application, payment of the applicable  
637 renewal fee and any late fee. Such late fee shall be calculated as follows:  
638 Beginning on the first day that such certification lapses, ten per cent of  
639 the applicable renewal fee plus one and one-quarter per cent per month,  
640 or part thereof, for a period not to exceed one year. Any holder of a  
641 certification that has lapsed one year or more shall be examined in  
642 accordance with the requirements of this section and any regulation  
643 adopted pursuant to the provisions of this section.

644 Sec. 11. Subsection (g) of section 22a-50 of the general statutes is

645 repealed and the following is substituted in lieu thereof (*Effective January*  
646 *1, 2023*):

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

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

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

669 Sec. 13. Section 22a-153 of the general statutes is amended by adding  
670 subsection (g) as follows (*Effective from passage*):

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

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

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

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

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

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

698 (1) For failure to file any registration, other than a registration for a  
699 general permit, for failure to file any plan, report or record, or any  
700 application for a permit, for failure to obtain any certification, for failure  
701 to display any registration, permit or order, or file any other information  
702 required pursuant to any provision of section 14-100b or 14-164c,  
703 subdivision (3) of subsection (b) of section 15-121, section 15-171, 15-172,  
704 15-175, 22a-5, 22a-6, 22a-7, 22a-32, 22a-39 or 22a-42a, 22a-45a, chapter  
705 441, sections 22a-134 to 22a-134d, inclusive, subsection (b) of section 22a-  
706 134p, sections 22a-148 to 22a-162a, inclusive, section 22a-171, 22a-174, as  
707 amended by this act, 22a-175, 22a-177, 22a-178, 22a-181, 22a-183, 22a-

708 184, 22a-208, 22a-208a, 22a-209, 22a-213, 22a-220, 22a-231, 22a-245a, 22a-  
709 336, 22a-342, 22a-345, 22a-346, 22a-347, 22a-349a, 22a-354p, 22a-358, 22a-  
710 359, 22a-361, 22a-362, 22a-368, 22a-401 to 22a-405, inclusive, 22a-411,  
711 22a-411a, 22a-416, as amended by this act, 22a-417, 22a-424 to 22a-433,  
712 inclusive, 22a-447, 22a-449, 22a-450, 22a-451, 22a-454, 22a-458, 22a-461,  
713 22a-462 or 22a-471, or any regulation, order or permit adopted or issued  
714 thereunder by the commissioner, and for other violations of similar  
715 character as set forth in such schedule or schedules, no more than one  
716 thousand dollars for said violation and in addition no more than one  
717 hundred dollars for each day during which such violation continues;

718 (2) For deposit, placement, removal, disposal, discharge or emission  
719 of any material or substance or electromagnetic radiation or the causing  
720 of, engaging in or maintaining of any condition or activity in violation  
721 of any provision of section 14-100b or 14-164c, subdivision (3) of  
722 subsection (b) of section 15-121, section 15-171, 15-172, 15-175, 22a-5,  
723 22a-6, 22a-7, 22a-32, 22a-39 or 22a-42a, 22a-45a, chapter 441, sections 22a-  
724 134 to 22a-134d, inclusive, section 22a-69 or 22a-74, subsection (b) of  
725 section 22a-134p, sections 22a-148 to 22a-162a, inclusive, section 22a-162,  
726 22a-171, 22a-174, as amended by this act, 22a-175, 22a-177, 22a-178, 22a-  
727 181, 22a-183, 22a-184, 22a-190, 22a-208, 22a-208a, 22a-209, 22a-213, 22a-  
728 220, 22a-336, 22a-342, 22a-345, 22a-346, 22a-347, 22a-349a, 22a-354p, 22a-  
729 358, 22a-359, 22a-361, 22a-362, 22a-368, 22a-401 to 22a-405, inclusive,  
730 22a-411, 22a-411a, 22a-416, as amended by this act, 22a-417, 22a-424 to  
731 22a-433, inclusive, 22a-447, 22a-449, 22a-450, 22a-451, 22a-454, 22a-458,  
732 22a-461, 22a-462 or 22a-471, or any regulation, order or permit adopted  
733 thereunder by the commissioner, and for other violations of similar  
734 character as set forth in such schedule or schedules, no more than  
735 twenty-five thousand dollars for said violation for each day during  
736 which such violation continues;

737 Sec. 17. (NEW) (*Effective from passage*) (a) Not later than August 1,  
738 2022, the Commissioner of Energy and Environmental Protection shall  
739 develop, finalize and publish on the Department of Energy and  
740 Environmental Protection's Internet web site a hazardous tree  
741 mitigation policy that shall apply to the designation, removal and



742 mitigation of trees located in state parks and campgrounds that are  
743 determined to be hazardous by the Department of Energy and  
744 Environmental Protection. Such policy shall include criteria for the  
745 designation of a tree as hazardous by the department and the scope of  
746 applicability for procedures for such designation, removal and  
747 mitigation, including, but not limited to, (1) department consultation of  
748 a licensed arborist prior to the designation and removal or mitigation of  
749 any such hazardous tree; (2) advance notification to the public of the  
750 department's hazardous tree removal activities, including, but not  
751 limited to, signage and publication of information on the Department of  
752 Energy and Environmental Protection's Internet web site; and (3)  
753 consideration of replanting and other relevant improvements to offset  
754 the aesthetic or ecological value provided by any hazardous tree that is  
755 removed. Such policy shall also include provisions for: (A) The  
756 maintenance of public safety, (B) ecological and natural resource  
757 protection, (C) practices for transparency and public engagement in the  
758 process of such designation, removal and mitigation, (D) effective  
759 stewardship of department resources, (E) public access to outdoor  
760 recreation, (F) fire suppression or protection efforts, (G) state park  
761 maintenance and repairs, (H) decorative pruning, (I) trail maintenance,  
762 (J) post-storm impact mitigation or clean-up, and (K) removal of  
763 invasive species. For the purposes of this section, "arborist" has the same  
764 meaning as provided in section 23-61a of the general statutes.

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

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

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

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

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

798 (c) On April 1, 2022, and every six months thereafter, payment shall  
799 be remitted by each wholesaler to every municipality where any such  
800 beverage container was sold during the preceding six-month period by  
801 such wholesaler, provided any such payment remitted to a municipality  
802 by the last day of April or October, as applicable, shall be deemed timely  
803 and in compliance with the provisions of this subsection. Such payment  
804 shall be at the rate of five cents for every such beverage container sold  
805 within such municipality by such wholesaler. Concomitant with any  
806 payment made by a wholesaler to a municipality pursuant to this  
807 subsection, such wholesaler shall file a report with the Department of

808 Revenue Services and the Department of Consumer Protection's Liquor  
 809 Control Division, detailing the number of such beverage containers sold  
 810 in each municipality by such wholesaler in the preceding six-month  
 811 period."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	22a-416(d)
Sec. 2	<i>from passage</i>	22-11h(c)
Sec. 3	<i>from passage</i>	22a-73(c)
Sec. 4	<i>from passage</i>	22a-174(c)
Sec. 5	<i>from passage</i>	23-37(d)
Sec. 6	<i>from passage</i>	23-53
Sec. 7	<i>October 1, 2022</i>	23-65g
Sec. 8	<i>October 1, 2022</i>	23-65h(c)
Sec. 9	<i>October 1, 2022</i>	23-65i
Sec. 10	<i>from passage</i>	22a-54(f)
Sec. 11	<i>January 1, 2023</i>	22a-50(g)
Sec. 12	<i>October 1, 2022</i>	22a-152
Sec. 13	<i>from passage</i>	22a-153
Sec. 14	<i>from passage</i>	22a-154
Sec. 15	<i>from passage</i>	16a-102
Sec. 16	<i>from passage</i>	22a-6b(a)(1) and (2)
Sec. 17	<i>from passage</i>	New section
Sec. 18	<i>from passage</i>	12-107b(8)
Sec. 19	<i>from passage</i>	22a-244b(c)