



House of Representatives

General Assembly

File No. 3

February Session, 2024

Substitute House Bill No. 5170

House of Representatives, March 12, 2024

The Committee on Planning and Development reported through REP. KAVROS DEGRAW of the 17th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING TRAINING FOR MEMBERS AND EMPLOYEES OF INLAND WETLANDS AGENCIES.

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

1 Section 1. Subsection (d) of section 22a-42 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective October*
3 *1, 2024*):

4 (d) [At least one member of the inland wetlands agency or staff of the
5 agency shall be a person who has completed] (1) On and after January
6 1, 2025, each member of and staff person employed by an inland
7 wetlands agency shall complete the comprehensive training program
8 developed by the commissioner pursuant to section 22a-39. [Failure to
9 have a member of the agency or staff with training shall not affect the
10 validity of any action of the agency.]

11 (2) Any such member or staff person serving on or employed by any
12 such agency as of January 1, 2025, shall complete such training program

13 (A) by January 1, 2026, and (B) once every four years thereafter, except
14 that any such member may complete such subsequent training program
15 once every four years thereafter or once every term for which such
16 member is elected or appointed, if such term is longer than four years.

17 (3) Any such member or staff person not serving on or employed by
18 any such agency as of January 1, 2025, shall complete such training
19 program (A) not later than one year after such member's election or
20 appointment or such staff person's hiring, and (B) once every four years
21 thereafter, except that any such member may complete such subsequent
22 training program once every four years thereafter or once every term for
23 which such member is elected or appointed, if such term is longer than
24 four years.

25 (4) The commissioner shall [annually] make such training program
26 available [to one person from each town without cost to that person or
27 the town. Each inland wetlands agency shall hold a meeting at least once
28 annually at which information is presented to the members of the
29 agency which summarizes the provisions of the training program] on
30 the Internet web site of the Department of Energy and Environmental
31 Protection to members of and staff employed by inland wetlands
32 agencies. The commissioner shall develop such [information] training
33 program in consultation with interested persons affected by the
34 regulation of inland wetlands. [and shall provide for distribution of
35 video presentations and related written materials which convey such
36 information to inland wetlands agencies.] In addition to [such materials]
37 developing such training program, the commissioner, in consultation
38 with such interested persons, shall prepare materials [which] that
39 provide guidance to municipalities in carrying out the provisions of
40 subsection (f) of section 22a-42a.

41 (5) Not later than March 1, 2026, and annually thereafter, each inland
42 wetlands agency shall submit a statement to the legislative body or
43 board of selectmen of the municipality in which such agency sits,
44 affirming compliance with the training requirement established
45 pursuant to this section by each member of and staff person employed

46 by such agency who was required to complete such training in the
47 calendar year ending the preceding December thirty-first.

48 (6) The failure of any member or staff person to complete such
49 training shall not affect the validity of any action of an inland wetlands
50 agency.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2024	22a-42(d)

PD *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 25 \$	FY 26 \$
Department of Energy and Environmental Protection	GF - Cost	Up to 10,000	Up to 10,000
Uconn	GF - Revenue Gain	Up to 10,000	Up to 10,000

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill requires all members and employees of town inland wetlands agencies to complete online training and periodic retraining. This is anticipated to result in a cost to the Department of Energy and Environmental Protection (DEEP) and a commensurate revenue gain to the University of Connecticut (UConn, which hosts the training) of up to \$10,000 in both FY 25 and FY 26. Costs will continue into the out years.

The fiscal impacts in FY 25 and FY 26 are due to higher participation in the online training, in advance of the bill's January 1, 2026 training deadline. Under current law, only one person from each agency must complete the training, which is already provided by DEEP in the format required by the bill. It is estimated that approximately 1,350 inland wetlands agency members and staff will need to take the training between FY 25 and the first half of FY 26.¹ Assuming training participants are split equally between FY 25 and FY 26, and a projected

¹ Based on an OFA sample of online town inland wetland agency member listings. Among the 21 town listings viewed, the number of full and alternate members (excluding vacancies) ranged from six to ten, with a median and average of seven. As agency staff would also be subject to the requirement, with one staff person per town, on average eight people for each of 169 towns would engage in training.

per-registrant cost of \$7 per person, a cost of \$4,725 is expected in each fiscal year. This is an increase of approximately \$1,200 to \$3,000 beyond the annual per-registrant costs that would otherwise be expected based on participation in prior years (497 registrants in 2022 and 244 in 2023). Additionally, a higher customer service volume (with this task currently handled by UConn) is expected to result in a further cost increase of approximately \$7,000 to \$9,000.

This estimate assumes that DEEP and UConn will reach agreement for a new online training contract with similar terms and a \$7 per registrant cost. The current contract expires July 31, 2024. If a different option for offering training is selected by DEEP, the bill's costs may vary from the information above.

The Out Years

The bill results in out year costs due to the requirements that: (1) new members and staff complete training within one year of hire; and (2) all members and staff retrain every four years or (for members) once every term, whichever is longer. Out year costs may be less than \$10,000 per year due to the varied timing of these training requirements. Out year costs will vary depending on the number of training participants and the terms of a training contract.

OLR Bill Analysis

sHB 5170

AN ACT CONCERNING TRAINING FOR MEMBERS AND EMPLOYEES OF INLAND WETLANDS AGENCIES.

SUMMARY

This bill requires all inland wetlands agency members and employees to complete the Department of Energy and Environmental Protection’s (DEEP) inland wetlands agency comprehensive training program. Under current law, just one member or staff person from each agency must complete the training and each agency must annually hold a meeting at which the information is summarized for its members.

The bill requires members and employees serving an agency on January 1, 2025, to complete their initial training within one year from that date. Members and employees joining after that date must complete the training within one year after their appointment, election, or hire. All members and employees must retrain every four years or once per term (for elected or appointed members), whichever is less frequent.

Under the bill, DEEP must make the training program available on its website for agency members and employees. Current law requires it to distribute informational videos and written materials to the agencies.

The bill additionally creates an annual reporting requirement for the agencies, beginning by March 1, 2026, to submit a statement to the municipality’s legislative body or board of selectmen affirming that the individuals who had to complete the training during the prior year did so. It also makes technical and conforming changes.

EFFECTIVE DATE: October 1, 2024

BACKGROUND

Related Bill

sHB 5218, reported favorably by the Environment Committee, similarly requires all agency members and employees to take the training, but it applies a five-year renewal period and exempts attorneys with inland wetlands experience.

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable Substitute

Yea 20 Nay 0 (03/01/2024)