

SB 1699

PA 849

1971

General Law 685-689, 695, 697, 700-702, 706-708, 711
(14)

House 6010-6017, 6032-6033 (10)

Senate 3008-3009 (2)

**JOINT
STANDING
COMMITTEE
HEARINGS**

**GENERAL
LAW**

**PART 3
630-932**

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REP. COSTELLO Cont'd: Commission law so therefore my bill would exclude from the purview of section 7-148b seasonal cottage rentals and therefore, I think if that were passed, this could be tacked on as an amendment to the pending senate bill and perhaps we could solve this problem and more towns would be willing to adopt Fair Rent Commissions which I think are a good thing.

I have a statement I would like to submit.

REP. WEBBER: If there are no other legislators to be heard, we will hear from the public now.

MERVIN STRAUSS: I am president of the Conn. Association of Land Surveyors. I am here today to speak and explain SB 1699 which is an act concerning the registration of land surveyors. This bill is a vital concern to the Connecticut Association of Land Surveyors who are state-wide professional organization representing about 60 to 70 percent of the practicing land surveyors in the state of Conn. today.

The purpose of SB 1699 is to separate the licensing and regulation of land surveyors from those of professional engineers. This new law will afford the public the protection that it does not now have. It is a well-known fact of law that a profession must govern, regulate and be guided by those registered within the profession. This is not now true. The present licensing board consists of, by law, five registered professional engineers. Land surveyors, without a professional engineer's license, are not mentioned, therefore, are in effect prohibited. Only through happenstance and by the grace of the governor does one of the present board members have a land surveyor's registration.

The distinction between the professional engineer and the land surveyor is very definite and important. The engineer, no matter whether he be a mechanical engineer, electrical, chemical, civil or structural, has the same basic education for the first two years of his college education. Today the engineering schools have eliminated or all but eliminated surveying from the curriculum. If he is lucky, the civil engineer takes one surveying course. The surveyor's courses, when available, are mathematical but certainly not connected and over-lapping like engineering. The results of the present licensing law- in a portion of the present practitioner's work which results in a higher cost to the property owner, developer, con-

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MR. STRAUSS Cont'd: tractor and the state of Connecticut for corrections and in some places, litigation. We would like to point out that due to the rush in the Legislature, we did not have a chance to review the bill and it requires some modification. I have marked copies for your committee showing the necessary revisions. These revisions are briefly: Section I. Clarification of the definition of land-surveying to clearly separate it from the engineer's work.

REP. WEBBER: Excuse me, is all that in the statement you are going to leave with the committee?

MR. STRAUSS: Yes sir.

REP. WEBBER: You have made your point, sir and if you will leave the statement with our clerk, we will go over it thoroughly in executive session.

MR. STRAUSS: I would like to summarize. The committee should know that the land-surveyor is usually the first professional person on the scene of any new works. Second, land-surveying is a very ancient profession being perhaps 4000 years old. It is frequently mentioned in the bible. Except for the separation of the board where ~~application~~ requirements for registration of applicants remain the same, it is also our intent that the same staffing facilities will be used by the new board. A new bill creates a separate board of registration, a new trend in the United States particularly in New England, there are presently 11 boards of registration of this type, New methods have come to the scene so rapidly that only a qualified professional can judge and keep up with the increasingly complex techniques and equipment. And last, the rapidly developing urban life is increasing the cost of land and man-made work at a sky-rocketing pace, the public cannot trust real estate which is the foundation of our society to anyone but the best professional available. This bill, as revised, will protect the public and the professional's interest. Thank you.

TOM WILSON, DEPUTY COMMISSIONER OF CONSUMER PROTECTION: We are here to speak against bill 8538, an act concerning consumer protection regulations for the sale of cold cuts. Very briefly, gentlemen, I would like to say that this bill appears very ambiguous and it is very difficult for us to comment intelligently on the bill. For instance, section 1 reads: "for purposes of this act "cold cuts" means any sliced assorted cold meats

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MR. WILSON, Cont'd: and cheeses". Our question is obviously what about those meats which aren't assorted. They wouldn't be covered with anything like this. We feel that presently there is no serious problem in the area of assorted cold cuts and cheeses and basically, we feel that most of what is needed in the way of regulation, is covered under Chapter 342 of the Uniform Law governing foods, drugs and cosmetics and we also feel that an adequate safeguard is met under the state wholesome meat act which is Public Act 626 concerning continuous inspection of meat during the process of meat from the wholesale label and so we feel this bill is completely ambiguous and actually just another bill which has no teeth or guts in it until it is defined exactly what the problem is.

CHARLES KOGAN: I'm secretary of the State Board of Registration for Professional Engineers and Land Surveyors and have been since 1957. I oppose SB 1699 for the following reasons. 1. The way it is written, it would change the title of the Board and make two boards. If this is to be accomplished, it should not change the title in my opinion because it will cause us, I suspect, to issue 6000 new certificates, one for each land-surveyor and one for each P.E. with a new title, individual land-surveyor or P.E. at the top with the new name of the Board.

I also object to the date that this was written to go into effect which is July 1 for this reason. Our annual examination is given on June 9th. The Board normally would meet in July and pass on the people who have taken the examination and if this is to go into effect July 1, the people would be under the hazard of having one Board prepare an exam and another Board decide what they did on it.

In addition, the proposed change would be costly and the recommended budget has been cut substantially below the 1.1 times the cost of operation this year. This year, we estimate the cost to be \$58,562 for the joint Board. The recommended budget is \$51,000. which is a cut of about \$7000. With no funds recommended to be included in this bill for any change in our operation. All of our records are kept alphabetically and to separate them would require considerable cost and also time. The numbering system which is in existence at the present time, started originally in 1935 with one and carried on and people with joint licenses professional engineering and land=surveying, have a single number and have had from the very beginning.

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MR. KOGAN Cont'd: Now there are also substantial technical defects in the bill and I have here a suggested substitute which would essentially leave the name of the Board alone as it is now but in part 2, sub groups of examiners, five engineering examiners special engineering examiners and five land surveyor examiners, would put the law into effect on July 1 after our annual renewals. Our annual renewals occur in December and they have to be complete by December 31st. It would also continue the terms of the present 5 members of the Board to their expiration date whatever it is, they are spaced one year apart, for the P.E. people, there's one man who is a P.E. and L.S. on the Board, it would also provide that on future July 1st, except for the first five that were appointed, would have to be staggered on the land surveyors group, that two people would be appointed instead of one, one P.E. and one L.S. and these people would take charge of the two parts of the professions.

I would point out that in my opinion, no matter what you do, this still would not resolve one of the problems that exist and that is the definition and the actual separation of the dividing line between a professional engineer and land surveyor. Appointing two Boards is not going to solve this problem. I don't know that this has been mentioned. I think it has been a problem in the past so that I would ask you further more, since the Board of Registration chairman is here, has not had an opportunity to either see or review this bill as and our next meeting I believe is April 27th, that you will at least give us until that date so that the Board of Registration can review the bill and tell you in writing exactly what our opinion is and what effect this is likely to have on the actual registration of both professional engineers and land surveyors because we would like to have, at least as far as I'm concerned, a smoother carry-over from one set-up which we have now to two boards or whatever it is and I feel that the wisest thing is to preserve the name that has been in existence since 1935.

REP. HOLDSWORTH: of the 125th. At the present time, can you give me a round figure as to the number of professional engineers that you have registered?

MR. KOGAN: I have it in here. 471 surveyors registered now who are registered just as surveyors. There are 489 people who are registered both as professional

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MR. KOGAN Cont'd: engineers and land surveyors making a total of about 9500 I guess. There are 4700 people registered as just professional engineers.

REP. HOLDSWORTH: Professional engineers and land surveyors total about 950?

MR. KOGAN: NO, there are 471 individuals registered as land-surveyors. There are another 489 who are registered as both professional engineers and land surveyors, they have a joint license. That's right, I meant to say 950 total.

REP. HOLDSWORTH: My question is, how much of an impact does this requirement - do you anticipate an increase of people coming in?

MR. KOGAN: No I would assume that it wouldn't be materially different than it is at the present time because actually, the way this is written it, as I recall it, it doesn't change the standards although there are bills before you which would change the standards of the land surveyors and the P.E. too for that matter.

REP. HOLDSWORTH: In other words, then I can assume that both the professional engineer and the land surveyor, under the present regulation, is being licensed by the existing commission, so therefore I am confused as to why we need an additional Board.

MR. KOGAN: Well I think you heard Mr. Strauss. Apparently the land surveyors feel, although we do use registered landsurveyors to assist in preparing examinations, that they would like to have a completely independent Board which consists of all land surveyors. They cite the case in Michigan; I don't think that's a strong argument one way or another because we are in Connecticut and not in Michigan but there is. This bill does not follow the standard normal law for land surveying put out by the National Association of Land Surveyors either. It simply rewrites our Professional Engineering and Land Surveying combined Law. That's all it does. I do not object to a separate Board for the Land Surveyors if this would be a better operating system for the Land Surveyors but I don't think it is going to solve some of these problems that exist because instead of having one Board which will have to thrash it out and who will have authority, you will have two Boards which will be more or less independent in the matter.

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MR. TINTY Cont'd: Pinkertons.

REP. WEBBER: How long has this fee been in effect?

MR. TINTY: This present fee has been in effect, I would say for about ten years. Now I'm willing to concede rising expenses, but not 150%. I'm willing to go fifty percent, not that I'm willing to go but I have no choice in this matter.

REP. WEBBER: Let me ask you a question. You've been paying \$20.00 for a long time and you're willing to make a concession and you realize that costs are going up. You're perfectly willing to say now that you'll pay \$35.00?

MR. TINTY: Yes, I'll go \$35.00.

REP. WEBBER: Thank you. You have made your point and I think the committee understands your position.

JOSEPH CERMOLA: I'm a first vice-president of Cal's. I would like to speak in favor of SB 1699, an act concerning the registration of land surveyors.

I'm in favor of this bill primarily because I feel that a board consisting of land surveyors would be better equipped to regulate and govern the profession itself. I find Mr. Coogan's substitution of a sub-group to be acceptable consisting of these five land surveyors and I think the public would be better served through a Board consisting of land surveyors. Thank you very much.

HOWARD HOLMES: Secretary of the Conn. Funeral Directors Assoc. and I appear in opposition to H.B. 7130 of which Mr. Birto spoke a few moments ago. The reason our Association is in opposition to this, which we represent 80% of the firms in the state of Conn., is that the increase in section 1 for the remittal permit to increase from 50 cents to \$2.00. This removal and transfer burial permit is a permit that is necessary and required by the state of Conn. for further removal and transit and burial of a deceased person. Now the other certificates that are mentioned in there ask for an increase require zerox equipment, and we have no particular opposition to that increase but the burial permit is one which is required, the person needing it has no say as to whether he needs it or not, whereas the other certificates that are asking for an increase, they have the prerogative of ordering them and paying for them or not. This is

MR. HOLMES: Well I don't think they have no say. They can submit a list of names any time they want to. The other commissions that are licensing now, 90% of them are appointed in this manner. It just never worked this way for the Embalming Board and the Embalming Board is for this and realizes the value of this.

PAUL KAYE: I am the executive director of the Conn. Association of Land Surveyors and I am here to comment upon the 1699 bill. Briefly, Mr. Chairman and members of the committee, I should like to request that you take notice of a case that took place in Michigan, I understand, about a year ago, in which an existing examining board, registration board, was declared to be unconstitutional because it did not contain a majority of members of the profession that was being licensed.

I did make an effort to secure an abstract of this case in time for this hearing but I guess Michigan has the same trouble that Connecticut has in this respect and if the committee would like to see this, I would be very happy to forward sufficient copies for you.

With regard to the general comments that have been made thus far, may I say, members of the committee, that the uppermost consideration in the minds of the land surveyors today is that they would like to have what we consider to be the exercise of the old democratic principle of being ruled and judged and examined by our peers and I think if this remains in our minds as the basic consideration and the motive behind the submission of this law, I think all other considerations would fall naturally into place. This is something that we have had not since the beginning of registration of professional engineers and surveyors in the state of Connecticut and it is our considered judgement that the time is over-ripe for this modification to take place. I thank you.

COMMITTEE: I have a question, Mr. Kaye. Is there any problem now with the land surveyors and professional engineers that has brought this to a head now?

MR. KAYE: I would say that there are professional problems but then there are problems with every other profession, with doctors, lawyers, architects, engineers, surveyors, etc. etc. The motive behind this, the stimulus behind this was not, an inter-professional question. That's a rather long elaborate examination which I believe you will agree with me, is not pertinent to discuss at this particular time and it is kind of

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MORTON FINE: Chairman Strada, Chairman Webber, members of the General Law Committee. I'm the present chairman of the Engineers and Land Surveyors Board of Registration and have been a member of the Board since 1962.

I'm here to speak on SB 1699 which has been discussed here this morning. I am in favor of a change in the Registration Act but not in favor of this particular bill. This bill has certain technical problems in that it would not effect an orderly transition from one Board to another with regard to the land surveyor registrants.

The fault I find with the present statute which I think should be changed and, as a matter of fact when I came on the Board in 1962, I have been the only land surveyor member of the Board and I was there only by happenstance and not by statute and it is my opinion that it should be by statute at least one member on the Board, a licensed land surveyor.

I speak in favor of a change in the statute but not this one and I think the change can be effected in such a way that I think may answer many of the questions that have been raised here and really solve the problems.

Land surveying is defined in the statute as a branch of engineering. My own personal practice is that of professional engineering and land surveying and frankly, I don't think that the two should be separated on the Board. There are many problems that overlap and they should be solved within a joint Board or else they would have to be solved by the courts by people who know much less about the problems than the Boards themselves. I think if we took the present board which is constituted of five members and we added four land surveyors to the Board and took one of the members of the Board, namely myself, who happens to be in the position who is registered jointly, we would then have a nine member Board, consisting of five engineers and five land surveyors so that in any action that that Board took with respect to the registrants, that Board would have a majority of peers of the persons being considered. I would like to repeat that; 9 members of the Board, four registered land surveyors, four registered professional engineers and one registered in both.

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REP. WEBBER: Can you answer Representative Ervin's question that was raised previously? What are the problems now?

MR. FINE: The problems that exist between the engineers and land surveyors specifically, I think, relate to the design practices in sub-divisions. The design of roads, storm sewers, drainage systems, etc., in housing sub-divisions. This is an area of overlap.

REP. ERVIN: Let's clarify that a little. Are you saying that you don't want the land surveyor to do this design work, you want the professional engineers to do it?

MR. FINE: This is what the regulations call for today, yes. In the opinion of the professional engineers on the board, this work is engineering and it's in the rules and regulations today which are in existence.

REP. ERVIN: But it is now being done by land surveyors?

MR. FINE: No I won't say that it is being done; I think that it is a bone of contention.

REP. WEBBER: Isn't it a question of personality?

MR. FINE: No I don't believe so. I believe that the motivation behind this bill is that we have in existence a land surveyors society which has been in existence for some two or three years. There was none prior to this and I think that as an emerging organization representing a group of constituents, they feel they should have a group of their peers administering their statutes and on this I agree with them, one hundred percent, but I don't think that the purpose would be best served by separating the Boards. We'd have another problem, frankly, and that would be one of finances which is a very great problem at this time. I think if you added a few members to the Board you would not substantially increase or increase at all the cost of operating the Board. The number of registrants that the land surveyors would serve are too small to justify financially at any rate, the operation of a separate board. There is precedent for this as was mentioned in the Michigan statute and I have been aware of this for several years now and I have brought this to the attention of the members of my Board itself and also to members of the profession and we would be sitting ducks if we ever took a license away from a land surveyor and he took us to court. I think it could easily be shown that we were not a board of his peers and that very

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MR. FINE Cont'd: ACT is not constitutional. Michigan has taken a step further which I think is the ultimate step and the best. They have a board combined of architects, engineers and land surveyors with 3 members of each profession on the Board but when the 3 members sit as a board with respect to each one of their profession, one member from the other two sits with them so they have a five member board for example, in an engineering matter, you would have 3 engineers, 1 land surveyor and 1 architect sitting in across the board. This apparently is proving satisfactory. I think this concludes my remarks and I will be glad to answer any questions.

REP. WEBBER: Any questions? Thank you sir.

PETER PEROKAS: Mr. Webber and members of the General Law Committee. I represent Perokas Theatres who own and operate two drive-in theatres and I am speaking in opposition to HB 6733. I was here last week and many reasons were given why we oppose this bill but I wanted to say that it so happens that we own the drive-in theatre that Representative Delle Vecchia spoke of and I wanted to bring some points out that Mr. Delle Vecchia didn't mention.

First of all, the playground is behind our theatre and in November they installed lights for night entertainment for the activities of the park. Right away we were contacted by Representative Clines and we said we will not show any X rated movies while the playground is in operation and I think we've only shown one or two in the whole year so we have worked out the situation and I think it's been amicable; I've had letters from Representative Clines and I was not aware that this bill was being submitted but we have cooperated. The drive-in is 300 feet off the highway; it can't be seen from the highway and the only problem is of this playground and we have taken care of that. I feel that I am definitely opposed to this. We've cooperated; we've done everything we could do for the town and - the town of Southington and I think Mr. Clines and Mr. Delle Vecchia know that we have done this and we don't intend to show X rated movies and we've told them that specifically. I feel that this bill is hitting an individual because of its manner. I would be happy to answer any questions. Thank you.

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MR. LENZI: In the state of Connecticut, yes.

REP. WEBBER: It would appear to me that perhaps your theatre owners in those communities where this problem is very obvious, work out something with the local communities instead of impelling every theatre in the state to build a fence. Maybe you can do it on a local level.

MR. LENZI: I'm sure they'd be very happy to comply but I am sure you noticed that out of all the theatres there are only two that have been sounded out, the Southington Theatre and they have cooperated in the type of films that they show. I don't think you can ask anything more. We don't say that the indoor theatres should stop showing X rated movies because these pictures are rated but in the Southington case, this gentleman has cooperated to the utmost and the other case with the traffic, as you said, these are cases that should be taken up with the traffic commissioner, the state police and the town in which the theatre is located. It doesn't belong on a state level, that's what I'm telling you. I don't think it is fair to penalize all these theatres; you look at some of them and the perimeter of some of them is very vast and to put up a fence; as you say, what kind of a fence, how high should it be etc. the cost would be prohibitive. And then again, why penalize the theatre owners when the roads were put in after, as a rule, the theatre was established.

REP. WEBBER: I would still like to think that your own individual operators would try to solve the problem if there is one on a local level.

MR. LENZI: I'm sure that my people would be very happy to try and work it out. Thank you gentlemen.

GEORGE DAVIS: I'm a member of the Conn. Association of Land Surveyors and registered land surveyor and want to speak in favor of SB 1699 and hopefully clarify a few of the questions brought up today. We really in essence, are not looking for a separate board. We are now controlled by a board who mentions are name but prohibits us by law from serving on that Board. If there are any problems that exist between civil engineers and land surveyors, they cannot be solved where no land surveyors serve on the board. It is a one-man rule. We feel that we are more qualified to administer exams and pass judgement on people asking to be registered than civil engineers or chemical engineers or electrical

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MR. DAVIS Cont'd: engineers. We agree our bill is quite lengthy and we see that the secretary of the State Board of Registration has submitted a substitute bill of only a couple of paragraphs and I'm sure the Conn. Association of Land Surveyors would completely back this bill because it serves our purpose in a very simple way.

Chairman Webber, about costs involved with a separate board, if we do it in the manner that this substitute bill presents it, there would be no cost. There would merely be adding five land surveyors to the State Board of Registration at no pay. I think the general trend is in that direction. I think there are 9 states now that have recently gone into this separate board of registration, I think realizing that here is a profession that really has no control over itself; it's controlled by an entirely separate profession and some of those states are in New England, Vermont, New Hampshire, Maine, Michigan by court decree, Illinois, Tennessee, Nebraska, Texas and Virginia.

VINCENT SHUGEEN: Speaking for the Conn. Automobile Racing Society on HB 6866. Actually, thanks to Mr. Tinty we came up here to discuss 150% rate increase and he has us down to 75 so we are a little better off.

The CAR, Conn. Auto Racing Society is composed of the six major race tracks in the state of Connecticut and they are all here today represented by their owners. We have from Stafford Springs, Mr. Jack Arue, from New London-Waterford, Mr. Whitehouse, Mr. Stuber from Thompson Speedway, Mr. Whitehouse from Conn. Dragway, Mr. Frank Moratta from Limerock, Mr. James Haines and from the Plainville Track, Mr. Tinty.

Very basically, we have no objection to a fair and equitable increase in the permit but we feel going going up 150% is a little too much. It's not what we would call fair and equitable. The tracks pay between \$150 and \$180 thousand dollars per year to the state in the 10% amusement tax. They have the property tax plus the town tax plus the town permits. We would recommend to the committee that we want to pay our fair share and will be glad to if they will consider an increase more so in line with current increases of 25 to 30 percent and bring the fee up accordingly. We have everybody here, if there is any particular question you are concerned with, we will be glad to answer it. Thank you very much.

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WILLIAM R. BOYANCE: Chairman Strada, members of the General Law Committee, I am a registered professional engineer speaking for myself in opposition of SB 1699. This was a very rapidly written bill and it contains many technical flaws. Some of these have already been mentioned by Mr. Coogan of the Board of Registration of the Board of Professional Engineers. The mechanics of implementation, the effective date, the budget effects and the effect it would have on the Registered Engineers Board. I concur with the arguments that Mr. Coogan and Mr. Fine made. I personally would like to see a re-structuring of the Board, the professional engineers and land surveyors board. I believe the mechanics of working this out - I agree with Mr. Fine in principle, the actual allocation of members is something that could be determined by the board itself.

I would also like to note that this bill SB 1699 is also scheduled for hearing again tomorrow and this is according to the latest bulletin. Thank you very much.

WILLIAM COHEN: Mr. Chairman and members of the committee. I would like to speak in favor of this bill 6568 which is a somewhat departure in the responsibilities of the engineering profession in the very important field of the environment. This is a new area, environmental problems are being discovered now, many new types of application are being proposed such things as air pollution, solid waste, some of the more newer and important areas are coming out and we in the engineering field, I speak for the Society of Professional Engineers who put this bill in, feel that the engineer could play a very important role here in protecting the public welfare and the client.

Essentially, this bill would require the professional engineer to stamp the plans and the devices that are used in the various areas of environmental protection.

COMMITTEE: Who has to do this now?

MR. COHEN: The state of Connecticut does not stamp the plans. The state will generally approve the plans, they have set up standards and regulations and where the engineer comes in is in representing two respects there. First of all the state is not infallible and it acts as a second guard. Secondly, representing the client, the client is of course the one who is paying the bills and getting the brunt of the situation, the engineer is representing the client as well. The

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SENATOR STRADA: May I suggest that you write to the judge and request return of this gun. This really should not have to come before the Legislature.

REP. WEBBER: He has the authority to do this.

MR. PROVERA: I asked the Legislative Commissioner on that and he said there was nothing he could do after the case was over and all I could do was put a bill in --

SENATOR STRADA: You should have an attorney put in an application to the court.

MR. PROVERA: I had an attorney on the case and he said there was nothing that could be done about it.

SENATOR STRADA: Did he make an application?

MR. PROVERA: I don't know if he has or not. He has conferred with the courts. I had an attorney and I have been pursuing this gun now for the past two years, trying to get it back and --

SENATOR STRADA: Why don't you let us check it out for you, and we'll get in touch with you.

ERIC SANDAHL: Do you know who the judge was?

MR. PROVERA: Judge J. Dwyer.

REP. WEBBER: Thank you. We'll be in touch with you.

PETER KELLY: I appear before you this morning in connection with S.B. 1699 in behalf of the Conn. Society of Professional Engineers and Conn. engineers in private practice. The bill just became available for public view a few days ago, I believe last Thursday, and I just wish to suggest to the committee that since it does represent a drastic change in the law and perhaps a duplication of boards, that the professional societies be given an opportunity to try and work out what is an acceptable form and submit it to the committee.

REP. WEBBER: Does there have to be legislation? That is my point.

MR. KELLY: I think it may have to be legislation for the purpose of working out membership but maybe not. I think this is the kind of thing that must be explored, and no one's had an opportunity to do so yet.

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GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
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question's on acceptance of the Joint Committee's favorable report **EFH** and passage of the Bill in concurrence. All those in favor will indicate by saying "aye". Opposed. The Bill is passed.

THE CLERK:

Calendar No. 1643, Substitute for S.B. No. 1699, an Act concerning the Membership of the Board of Registration for Professional Engineers and Land Surveyors. As amended by Senate Amendment Schedule "A".

RICHARD J. YEDZINIAK:

Mr. Speaker, I move acceptance of the Joint Committee's favorable report and passage of the Bill in concurrence with the Senate.

MR. SPEAKER:

Question's on acceptance and passage in concurrence with the Senate. Will you remark.

RICHARD J. YEDZINIAK:

The Clerk has Senate Amendment Schedule "A".

MR. SPEAKER:

Will the Clerk please call Senate "A".

THE CLERK:

Senate Amendment Schedule "A" adopted by the Senate on June 5th, consisting of one full page.

RICHARD J. YEDZINIAK:

Mr. Speaker, I'll summarize the Amendment, if I may.

MR. SPEAKER:

Without objection, the gentleman from the 5th to summarize Senate "A".

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RICHARD J. YEDZINIAK:

EFH

The Amendment provides that the two additional Members to the Board of Registration for Professional Engineers and Land Surveyors, which is the subject of this Bill, would be only acting on those matters that affect land surveying, while the existing five Members of the Board of Registration would continue to act on the provisions as they apply to Registered Professional Engineers.

MR. SPEAKER:

Will you remark further on Senate "A".

RICHARD J. YEDZINIAK:

Mr. Speaker, the Amendment, I might point out, is, or has been developed, with the agreement of the various professional organizations that are under or who have membership registered through the Board of Registration for Professional Engineers and Land Surveyors. I urge the passage of the Amendment.

MR. SPEAKER:

Question's on adoption of Senate "A". Will you remark further.

EDWARD S. GUDELSKI:

Mr. Speaker, through you, may I ask a question of the proponent of the Amendment?

MR. SPEAKER:

Please frame your question.

EDWARD S. GUDELSKI:

If the Board meets at any particular meeting for any matter whatsoever, will the entire seven Members take part in that meeting?

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MR. SPEAKER:

Does the gentleman from the 5th care to respond?

RICHARD J. YEDZINIAK:

It would have to be, in terms of speculation, not, you know, being a Member of the Board, the...from what I understand... it is their intention that the Board would meet in two fashions. They would meet as seven people on the appropriate areas of which are administration of that Board, but they would also meet as two separate groups...one group administering the provisions as it applies to land surveyors, and the holders of P.E. certificates administering the provisions of the Chapter as it applies to professional engineers.

MR. SPEAKER:

Will you remark further on the Amendment.

EDWARD S. GUDELSKI:

Mr. Speaker, through you, again. I'm not too clear on the answer to my question, sir. If...

MR. SPEAKER:

The gentleman from the 110th for further questions.

EDWARD S. GUDELSKI:

If the entire Board meets on all matters and so far as decisions are to be made, the land surveyors will make them on land surveying subject, and, of course, the professional engineers will make it on the professional engineers. My only real question concern is will all seven Members meet on all matters when the Board is called together?

MR. SPEAKER:

Does the gentleman from the 5th care to respond?

EFH

RICHARD J. YEDZINIAK:

That would be up to the Members of the Board of Registration, the call of their Chairman and its Membership.

MR. SPEAKER:

Will you remark further on Senate "A". Representative Martin on Senate Amendment "A".

MARY A. MARTIN:

Mr. Speaker, I have a letter here from the Connecticut Society of Professional Engineers. Perhaps this will answer the Representative's question. "All of the matters pertaining to rules and regulations and operation of the Board will be voted on by the full seven members."

MR. SPEAKER:

Will you remark further on Senate "A". The question's on its adoption. All those in favor will indicate by saying "aye". Opposed. The Amendment is adopted. Will you remark further on the Bill as amended.

RICHARD J. YEDZINIAK:

Mr. Speaker, what this Bill provides for is the addition of two people to the Board of Registration for Professional Engineers and Land Surveyors. As the law is currently written, this Board registers land surveyors but does not have...there is no opportunity for a land surveyor to be a Member of that Board of Registration, since the law states that a person must be a professional engineer to be a Member. So this is to give an opportunity for land surveyors, who are under the jurisdiction of this

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Board, to be able to be members of the administrating Board.

EFH

MR. SPEAKER:

Will you remark further on the Bill as amended.

GERALD F. STEVENS:

Mr. Speaker, through you, sir, a question, if I might, to the gentleman who reported the Bill out.

MR. SPEAKER:

State your question.

GERALD F. STEVENS:

How old do you have to be to graduate from a college and become a land surveyor?

MR. SPEAKER:

Does the gentleman from the 5th care to respond?

RICHARD J. YEDZINIAK:

I'm not sure I follow the question.

MR. SPEAKER:

Does the gentleman care to have the question restated?

RICHARD J. YEDZINIAK:

Yes, please, Mr. Speaker.

MR. SPEAKER:

Would the gentleman mind restating the question?

GERALD F. STEVENS:

Do you know what the minimum age of a land surveyor could possibly be who has graduated from college?

MR. SPEAKER:

Does the gentleman from the 5th care to respond?

RICHARD J. YEDZINIAK:

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I'm sorry. I don't know the answer to that.

EFH

GERALD F. STEVENS:

Mr. Speaker, the reason for my question is a rather unusual provision in Section 2 of this Bill that provides that the Board can waive the written examination in the case of an applicant who is...and this is new language...50 or more years of age and who has a work record of 16 years. What I'm wondering is if you can graduate from college and be a land surveyor at say age 25, why couldn't a person with 16 years of service in this area and be 41 years of age have the exam waived? It looks to me like a special interest Bill. Why else would we have a special age put in the Bill? If the gentleman has the answer at this time, I'd like to hear it.

MR. SPEAKER:

Has the gentleman from the 122nd concluded his remarks?

GERALD F. STEVENS:

Yes, Mr. Speaker.

MR. SPEAKER:

Will you remark further on the Bill as amended.

RICHARD J. YEDZINIAK:

Well, Mr. Speaker, I was hoping that perhaps I could get a reference line with regard to the provisions. These are existing...the provisions that were just being referred to are existing, except that the number of years has been increased in some cases from amount of years of experience or else a minimum age which is to be consistent with the other Membership of this Board. With regard to professional engineer Members of the Board of Registra-

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tion, which for waiver of exam and some of the other characteristics that fall within this Bill, they were made to be standardized between both professional engineers and land surveyors. EFH

MR. SPEAKER:

Will you remark further on the Bill as amended.

RONALD A. SARASIN:

Mr. Speaker. Thank you, Mr. Speaker. I would refer the gentleman to Line 89, in Section 2, Page 3, of the Bill, and to answer Mr. Stevens' question, which I don't believe has been answered, why would the examination be waived only in case of an individual who is over 50 years of age and has 16 years or more of lawful practice in this specialty?

MR. SPEAKER:

Is the gentleman from the 95th posing a question?

RONALD A. SARASIN:

Yes, I am, sir, and that was my question.

MR. SPEAKER:

Does the gentleman from the 5th care to respond?

RICHARD J. YEDZINIAK:

Yes, sir. This current provision, or the provision you referred to the question as referred to...50 or more years of age...is an existing statute...is in existing statute with regard to professional engineers. It had not previously applied to land surveyors, because land surveyors were not eligible to be Members of the Board of Registration.

MR. SPEAKER:

Will you remark further on the Bill.

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RONALD A. SARASIN:

EFH

Mr. Speaker, through you, may...would the gentleman know the statutory citation regarding this 50-year requirement as it applies to professional engineers?

MR. SPEAKER:

Does the gentleman from the 5th care to respond?

RICHARD J. YEDZINIAK:

From the floor I couldn't answer that. If the questioner would like to have this matter passed retaining, and if the leadership on both sides of the aisle are agreeable to pass temporarily, I would be, you know, happy to pull out the statutes and go over with the gentleman.

RONALD A. SARASIN:

I would move, Mr. Speaker, that it be passed temporarily.

MR. SPEAKER:

The matter will be passed temporarily.

PETER W. GILLIES:

Mr. Speaker, may we now go to Page 12 of today's Calendar, Calendar No. 1614.

THE CLERK:

Before calling Calendar No. 1614, I have Favorable Reports to read in. From Finance, H.B. No. 6533, authorization of bonds for the State for a new central Diagnostic and Intensive Treatment Center for the Department of Children and Youth Services.

MR. SPEAKER:

Will the Clerk withdraw the item temporarily.

THE CLERK:

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question's on acceptance of the Joint Committee's favorable report and passage of the Bill in concurrence. All those in favor will indicate by saying "aye". Opposed. The Bill is passed. EFH

PETER W. GILLIES:

On Page 14, Mr. Speaker,...yes, Mr. Speaker...on Page 14, Calendar No. 1643. That was passed temporarily. We passed an Amendment. We are now prepared to go forward with the Bill.

THE CLERK:

Calendar No. 1643, Substitute for S.B. No. 1699, an Act concerning the Membership of the Board of Registration for Professional Engineers and Land Surveyors. As amended by Senate Amendment Schedule "A". Earlier today, the House adopted Senate Amendment Schedule "A".

RICHARD J. YEDZINIAK:

Mr. Speaker, I move acceptance of the Committee's favorable report and passage of the Bill as amended by Senate Amendment Schedule "A".

MR. SPEAKER:

Question's on acceptance and passage. The Clerk please call Senate "A". The Chair stands corrected. Senate "A" has been adopted. The question now is on acceptance and passage as amended by Senate "A". Will you remark.

RICHARD J. YEDZINIAK:

Mr. Speaker, briefly, the Bill provides that two land surveyors would be added to the current Board of Registration for Professional Engineers and Land Surveyors. There is no provision for land surveyors to be on this Board of Registration. Other

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technical points increase some of the standards with regard to the issuance of registration. It is a good Bill, and it ought to pass. EFH

MR. SPEAKER:

Will you remark further on the Bill. If not, the question's on acceptance of the Joint Committee's favorable report and passage of the Bill as amended by Senate "A" in concurrence. All those in favor will indicate by saying "aye". Opposed. The Bill is passed.

BRUCE L. MORRIS:

Mr. Speaker, I draw the Clerk's attention to Page 11, Calendar No. 1599.

THE CLERK:

On Page 11, Calendar No. 1599, S.B. No. 1833, an Act amending the Charter of the Hidden Lake Association.

DAVID LAVINE:

Mr. Speaker, Hidden Lakes is a small lake in Higganum... oh, Mr. Speaker, I move the acceptance of the Joint Committee's report and passage of the Bill.

MR. SPEAKER:

Question's on acceptance and passage. Will you remark.

DAVID LAVINE:

Yes, Mr. Speaker. Hidden Lake is a small and quite lovely lake in Higganum, which is part of Haddam, and they have an Association and a Charter of that Association, and they should like to amend it in the following way. They would like to change their meeting date to the third Sunday in May. They would like to change the rate at which they assess the Members of that Association. To

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Opposed, "nay". The bill is passed.

THE CLERK:

CAL. NO. 1125. File No. 1600. Favorable report of the committee on General Law. Substitute Senate Bill 1699. An Act Concerning the Membership of the Board of Registration for Professional Engineers and Land Surveyors.

SENATOR STRADA:

Mr. President, I move acceptance of the joint committee's favorable report and passage of the bill. The Clerk has an amendment.

THE CLERK:

In line (interruption)

SENATOR STRADA:

Excuse me, Mr. President, I make a motion to waive the reading of the amendment.

THE CHAIR:

A motion has been made to waive the reading of the amendment. Any objection? No objection. You may proceed.

SENATOR STRADA:

Mr. President, the existing legislation concerns the membership of the Board of Registration for Professional Engineers and Land Surveyors and as it presently consists, there are five registered engineer. The amendment would increase that board from five to seven. Composition would be four engineers, two land surveyors and the seventh member would hold joint certificates. I would like to point out to the Chamber, that this bill arrives here, on our file, after probably two months of intensive negotiations, between the engineers and the land surveyors. They have both accepted this compromise. And I think the whole thrust of the bill really, there are

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approximately 1000 land surveyors in the State of Connecticut under the existing legislation, they have no representation on the Board. They have right of self determination.

Under the amendment and the bill, the engineers would make decisions with respect to engineering problems, the land surveyors would make decisions with respect to land surveyor problems. I think it's a good bill and I move the adoption of the amendment.

THE CHAIR:

Question is on the adoption of the amendment. Any further remarks? All those in favor indicate by saying, "aye". Opposed? The ayes have it. The amendment is adopted. You may proceed with the bill, as amended.

SENATOR STRADA:

Mr. President, I think my remarks on the amendment are also applicable to the bill. I move its passage.

THE CHAIR:

Question is on the acceptance of the committee's favorable report and adoption of the bill. All those in favor indicate by saying, "aye". Opposed? The ayes have it. The bill is passed.

THE CLERK:

CAL. NO. 1142. File No. 1319. A Favorable report of the joint committee on Transportation. Substitute House Bill 6530. An Act Prohibiting Further Acquisition of Land for Route 34 in the City of New Haven.

SENATOR CIARLONE:

Mr. President, I move acceptance of the joint committee's favorable report and passage of the bill. The Clerk has an amendment.

Passed temporarily.