

Legislative History for Connecticut Act

SB 718	PA 335	1991
House	10081-10093	(13)
Senate	572, 3157-3160	(5)
Environment	1010-1011, 1029-1030, 1034-1035, 1041-1042	(8)
Planning and Development	- 347	(1)
		Total- 27 p.

Transcripts from the Joint Standing Committee Public Hearing(s) and/or Senate
and House of Representatives Proceedings

H-609

CONNECTICUT
GEN. ASSEMBLY
HOUSE

PROCEEDINGS
1991

VOL. 34
PART 26
9700-10093

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300

House of Representatives

Tuesday, June 4, 1991

DEPUTY SPEAKER MARKHAM:

Representative Frankel.

REP. FRANKEL: (121st)

Mr. Speaker, apparently copies aren't available to anybody, so I would ask this item be passed temporarily.

DEPUTY SPEAKER MARKHAM:

The motion is to refer the bill temporarily. Is there objection? Is there objection? Hearing none, so ordered.

REP. FRANKEL: (121st)

Madam Speaker -- Mr. Speaker.

DEPUTY SPEAKER MARKHAM:

Representative Frankel.

REP. FRANKEL: (121st)

Pardon me, sir. At this time I'd like to move for the suspension of our rules to consider an item that it no-starred. It appears on Page 9 of today's Calendar. It bears Calendar No. 731, Substitute for Senate Bill No. 718, AN ACT CONCERNING THE REGULATION OF FOREST PRACTICES AND CERTIFICATION OF FOREST PRACTITIONERS. (As amended by Senate Amendment Schedule "A").

Bearing File No. 683. The motion, sir, is to suspend our rules for the immediate consideration of this item.

pat

House of Representatives

Tuesday, June 4, 1991

DEPUTY SPEAKER MARKHAM:

Is there objection to the suspension of the rules for the consideration of Calendar 731? Hearing none

--.

REP. FRANKEL: (121st)

Mr. Speaker.

DEPUTY SPEAKER MARKHAM:

Representative Frankel.

REP. FRANKEL: (121st)

Mr. Speaker, it's my understanding that these bills have to be brought upstairs from the Clerk's Office, so in order to avoid a loss of time --.

DEPUTY SPEAKER MARKHAM:

Representative Frankel, it is on the way up, if you want to wait just a moment, it should be in front of us.

REP. FRANKEL: (121st)

Very well, sir.

CLERK:

Page 9, Calendar 731, Substitute for Senate Bill 718, AN ACT CONCERNING THE REGULATION OF FOREST PRACTICES AND THE CERTIFICATION OF FOREST PRACTITIONERS. (As amended by Senate Amendment Schedule "A").

Favorable Report of the Committee on

pat

House of Representatives

Tuesday, June 4, 1991

Appropriations.

DEPUTY SPEAKER MARKHAM:

Representative Brown of the 74th.

REP. BROWN: (74th)

Thank you, Mr. Speaker. I move acceptance of the Joint Committee's Favorable Report in concurrence with the Senate.

DEPUTY SPEAKER MARKHAM:

The question is on acceptance of the Joint Committee's Favorable Report and passage of the bill in concurrence with the Senate. Will you remark, madam?

REP. BROWN: (74th)

Yes, will the Clerk please call and I be allowed to summarize LCO No. 5078.

DEPUTY SPEAKER MARKHAM:

The Clerk has in his possession LCO No. 5078, previously designated Senate Amendment Schedule "A". Will the Clerk please call the amendment.

CLERK:

LCO5078, Senate "A", offered by Senator O'Leary, et al.

DEPUTY SPEAKER MARKHAM:

The lady has sought leave of the Chamber to summarize. Is there objection? Is there objection? Hearing none, please proceed, madam.

pat

House of Representatives

Tuesday, June 4, 1991

REP. BROWN: (74th)

Thank you. This amendment provides technical clarifications to provide an effective date for the certification components of the bill and to eliminate the need for multiple certification of individuals working in various capacities in the forestry profession and the forest products industry.

I move adoption.

DEPUTY SPEAKER MARKHAM:

The question is on adoption of Senate Amendment Schedule "A". Will you remark? Will you remark? If not, I shall try your minds. Those in favor of Senate Amendment Schedule "A", please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER MARKHAM:

Opposed nay.

REPRESENTATIVES:

No.

DEPUTY SPEAKER MARKHAM:

The ayes have it.

The amendment is adopted.

DEPUTY SPEAKER MARKHAM:

Will you remark further on the bill as amended?
Representative Brown.

pat

304

House of Representatives

Tuesday, June 4, 1991

REP. BROWN: (74th)

Thank you, Mr. Speaker. The bill before you, Senate Bill 718, incorporates three main recommendations of a report concerning the effective regulation of forest practices in the State of Connecticut, as submitted to the legislature in January of this year.

It requires mandatory certification of forest practitioners in order to ensure that those who manage the forest resource of the state are qualified to do so. It also empowers the direction of the Commissioner of the Department of Environmental Protection to regulate the conduct of forest practitioners in this state and it directs the DEP to establish a Forest Advisory Board to make sure that these programs are overseas.

I move passage.

DEPUTY SPEAKER MARKHAM:

The question is on adoption. Will you remark?
Representative Young of the 143rd.

REP. YOUNG: (143rd)

Mr. Speaker, through you, a question for Representative Brown.

DEPUTY SPEAKER MARKHAM:

Please frame your question, sir.

pat

House of Representatives

Tuesday, June 4, 1991

REP. YOUNG: (143rd)

Representative Brown, I'm looking at the fiscal impact which I see here which says three-quarters of a year cost for two part-time foresters -- two foresters and a clerk typist for \$97,000, fringe benefits and associated expenses expect at \$130,000. Is there any fees in this bill to pay for this cost?

DEPUTY SPEAKER MARKHAM:

Representative Brown.

REP. BROWN: (74th)

Through you, Mr. Speaker, yes, the timetable for the implementation of the certification is July of 1992 at which time the total revenues to the state will be \$53,500 for fees incurred as well as for the actual removal of the wood from the forest and there's also federal matching funds available that we will access. They think it's probably going to be \$77,000, so according to the fiscal note, it almost could be a potential revenue gain of \$10,950.

And because this does not go into effect until July of 1992, there is no impact on this fiscal year's budget.

REP. YOUNG: (143rd)

Thank you, Mr. Speaker.

DEPUTY SPEAKER MARKHAM:

pat

House of Representatives

Tuesday, June 4, 1991

Will you remark further on the bill as amended?
Will you remark further? If not, Representative Rogg
of the 67th.

REP. ROGG: (67th)

Mr. Speaker, through you, a question to the
proponent of the bill.

DEPUTY SPEAKER MARKHAM:

Please frame your question, sir.

REP. ROGG: (67th)

Representative Brown, you mentioned that this bill
is designated to regulate the management of forests in
the State of Connecticut. Are we talking about
managing state forests or private forests?

REP. BROWN: (74th)

Through you, Mr. Speaker, the private as well as
the state-owned.

REP. ROGG: (67th)

Thank you. A further question, to you, if I
understand -- a further question to you. If Joe "X"
who owns a 20-acre piece of forest land decides to cut
"x" number of board feet tomorrow, what is he required
to do?

DEPUTY SPEAKER MARKHAM:

Representative Brown.

REP. BROWN: (74th)

pat

House of Representatives

Tuesday, June 4, 1991

Through you, Mr. Speaker, the parameters of the certification will be for a certain cord. I believe it's in excess of that amount that you talked about, I believe it's 50 cords or 150 cords, so that wouldn't come under.

They would just get -- if they were on private property, the usual procedure right now is to get the landowner's permission and they would have to file with the state as it is.

As I said, the certification does not come in until July of 1992. For further clarification, I would ask the Speaker if I may yield to Representative Wasserman.

DEPUTY SPEAKER MARKHAM:

Representative Wasserman, do you accept the yield, madam?

REP. WASSERMAN: (106th)

I do, sir. Through you, Mr. Speaker, to Representative Rogg, it all depends on how many trees are going to be cut. As you may have noticed in the definition of commercial forest practices, it has to be in excess of 50 cords or 150 tons or 25,000 board feet, whichever is appropriate in any 12-month period, so it would entirely depend on how many trees you're planning to take off, through you, Mr. Speaker.

DEPUTY SPEAKER MARKHAM:

pat

House of Representatives

Tuesday, June 4, 1991

Thank you. Will you remark further on the Senate Bill as amended? Will you remark further? If not, staff and guests please come to the well of the House. Representative Prelli of the 63rd, excuse me.

REP. PRELLI: (63rd)

Thank you, Mr. Speaker. A question to the proponent of the bill.

DEPUTY SPEAKER MARKHAM:

Please frame your question, sir.

REP. PRELLI: (63rd)

Yes, Representative Brown, could you tell me what the penalties are if someone is caught foreseeing without the proper license?

REP. BROWN: (74th)

Yes, I believe, through you, Mr. Speaker, I believe the penalties included civil penalties up to \$5,000 in Section 9 of the bill.

REP. PRELLI: (63rd)

Thank you, Mr. Speaker, and just one other question.

DEPUTY SPEAKER MARKHAM:

Proceed, sir.

REP. PRELLI: (63rd)

Supposing that the logger or the person cutting the wood is an out-of-state firm, would they also be

pat

House of Representatives

Tuesday, June 4, 1991

included in these penalties, through you, Mr. Speaker?

REP. BROWN: (74th)

If they had gone through the requirements and had the permission to cut the wood and so forth, I would imagine they would be subject to the penalties if they were not operating within the proper specifications of the regulations.

REP. PRELLI: (63rd)

Through you, Mr. Speaker, one more question.

DEPUTY SPEAKER MARKHAM:

Please frame your question.

REP. PRELLI: (63rd)

If the logger comes in and takes out pure logs, but does cut up the board feet and does not do any of the saw milling in the State of Connecticut, but would just haul the trees out and it could go to different states for manufacture there, would they be included in this law?

REP. BROWN: (74th)

Through you, Mr. Speaker.

DEPUTY SPEAKER MARKHAM:

Madam.

REP. BROWN: (74th)

My educated guess would be that if it was not allowed under the State of Connecticut, then it would

pat

House of Representatives

Tuesday, June 4, 1991

be subject to penalties whether they were bringing the wood to an in-state facility or an out-of-state facility.

REP. PRELLI: (63rd)

Excuse me, Mr. Speaker, I'm being told that Representative Wasserman has another answer me. Through you, could I ask the same question to Representative Wasserman.

DEPUTY SPEAKER MARKHAM:

Representative Wasserman.

REP. PRELLI: (63rd)

Mr. Speaker, they've asked me to ask --.

REP. WASSERMAN: (106th)

Through you, Mr. Speaker, I'm sorry, I did not fully understand the question. Is the Representative asking if it were an out-of-state operator? Is that the question? I'm sorry, I did not hear the question.

DEPUTY SPEAKER MARKHAM:

Just a moment please, madam. (Gavel)

Representative Prelli, would you reframe your question for the Representative?

REP. PRELLI: (63rd)AM:

Yes, thank you, Mr. Speaker. Through you, Mr. Speaker, to Representative Wasserman, Representative Wasserman, if an out-of-state logger

pat

House of Representatives

Tuesday, June 4, 1991

just cuts trees and removes them from the state and they are milled or used out-of-state, would they also be covered under this bill, through you, Mr. Speaker?

REP. WASSERMAN: (106th)

Through you, Mr. Speaker, if the operator has a legitimate commercial forest practices operation going in this state, he falls under our regulations as DEP will promulgate them. So the answer to your question, I believe, would be yes.

REP. PRELLI: (63rd)

Thank you, Representative Wasserman. Mr. Speaker, my concern with this is that I'm from the northwest corner of the state and we have a lot of loggers who come from Vermont and come from Massachusetts for small jobs. I'm not sure that any one of their jobs are going to fit under the guidelines here, but because they do many jobs and many small jobs, they might be in event circumventing this law and I'm just not sure that we've protected the small operations in the State of Connecticut which might be having to get their license where out-of-state operations might not and we might be hurting the operations in the state and that's my big concern with this bill. Thank you, Mr. Speaker.

DEPUTY SPEAKER MARKHAM:

Will you remark further on the bill as amended?

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House of Representatives

Tuesday, June 4, 1991

Will you remark further on the bill as amended? If not, staff and guests please come to the well of the House. Members take their seats. The machine will be opened.

CLERK:

The House of Representatives is voting by roll.
Members to the Chamber. Members kindly report to the Chamber as the House is taking a roll call vote.

DEPUTY SPEAKER MARKHAM:

Have all members voted? Have all members voted?
Please check the roll call machine to see that your vote is properly cast. The machine will be locked. The Clerk please take a tally.

The Clerk please announce the tally.

CLERK:

Senate Bill 718, as amended by Senate
Amendment Schedule "A".

Total Number Voting	146
Necessary for Passage	74
Those voting Yea	143
Those voting Nay	3
Those absent and not Voting	5

DEPUTY SPEAKER MARKHAM:

The bill as amended is passed.

Are there any announcements or Points of Personal

S-315

CONNECTICUT
GEN. ASSEMBLY
SENATE

PROCEEDINGS
1991

VOL. 34
PART 2
322-706

TUESDAY
March 26, 1991

3
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Substitute SB672 AN ACT CONCERNING VOLUNTARY
CONSERVATORSHIP

Public Health

Substitute SB744 AN ACT CONCERNING CERTIFICATE OF
NEED REQUIREMENTS REGARDING ANNUAL FILINGS BY NURSING
HOMES AND MAKING TECHNICAL CHANGES

Public Health

Substitute SB665 AN ACT CONCERNING REGULATION OF
SUPPORTIVE PERSONNEL IN LICENSED PHARMACIES

5. SENATE BILLS FAVORABLY REPORTED WITH A CHANGE OF
REFERENCE - to be referred to committees indicated

Environment

Substitute SB718 AN ACT CONCERNING THE REGULATION
OF FOREST PRACTICES AND THE CERTIFICATION OF FOREST
PRACTITIONERS.

Referred to: PLANNING & DEVELOPMENT

Environment

Substitute SB181 AN ACT CONCERNING WELL
CONTAMINATION

Referred to: PUBLIC HEALTH

Environment

Substitute SB715 AN ACT CONCERNING AGRICULTURAL
SOCIETIES

Referred to: FINANCE, REVENUE & BONDING

6. BUSINESS FROM THE HOUSE

S-322

CONNECTICUT
GEN. ASSEMBLY
SENATE

PROCEEDINGS
1991

VOL. 34
PART 9
2952-3280

MONDAY
June 3, 1991

003157
124
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Could we PT that item and move on to the next item on the Calendar.

THE CHAIR:

Senate Calendar 435?

SENATOR SPELLMAN:

Right.

THE CLERK:

Senate Calendar 435, File 683, Substitute SB718, AN ACT CONCERNING THE REGULATION OF FOREST PRACTICES AND THE CERTIFICATION OF FOREST PRACTITIONERS. Favorable Report of the Committee on APPROPRIATIONS. Clerk is in possession of one amendment.

THE CHAIR:

Thank you very much, Mr. Clerk. The Chair recognizes Senator Spellman.

SENATOR SPELLMAN:

Thank you, Madam President. I move acceptance of the Joint Committee's Favorable Report and passage of the bill.

THE CHAIR:

Thank you very much, Senator. Mr. Clerk.

THE CLERK:

LC05078 designated Senate Amendment Schedule "A" offered by Senator Spellman of the 18th District.

THE CHAIR:

MONDAY
June 3, 1991

003158

125
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Thank you. Senator Spellman.

SENATOR SPELLMAN:

I would move adoption of the amendment, ask waiver of the reading and leave to summarize.

THE CHAIR:

Thank you. Please proceed.

SENATOR SPELLMAN:

This amendment would provide technical clarification providing an effective date for the certification component of the bill and to eliminate the need for multiple certification of individuals working in various capacities in forestry profession and forestry products industry.

THE CHAIR:

Thank you. Are you finished Senator Spellman, I'm sorry.

SENATOR SPELLMAN:

Yes.

THE CHAIR:

Thank you very much. Would anyone else wish to remark on LC05078? Are there any further remarks? If not, then would you please let me know your mind. All those in favor of Senate Amendment Schedule "A", LC05078 please signify by saying aye.

SENATORS:

MONDAY
June 3, 1991

003159
126
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Aye.

THE CHAIR:

Opposed? The ayes have it. The amendment is adopted. Senator Spellman.

SENATOR SPELLMAN:

Thank you, Madam President. On the bill itself it eliminates voluntary registration of loggers and foresters and requires certification of individuals, businesses, municipalities and state agencies who are engaging in commercial forestry. It eliminates both the logger and forester registration boards and establishes a Forest Practices Advisory Board. It authorizes the Commissioner of DEP to adopt regulations regarding forestry practices, including commercial harvesting which would take into account the threatened and endangered species. It would encourage harvesting that maintains productivity and aesthetic values, assures same harvests and provide a continuous supply of forest products.

THE CHAIR:

Thank you very much, Senator. Would anyone else care to remark on Senate Calendar 435? Would anyone else wish to remark? If not, Mr. Clerk, would you please make the necessary announcement for a roll call vote.

MONDAY
June 3, 1991

003160
127
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THE CLERK:

Immediate roll call has been ordered in the Senate.
Will all Senators please return to the Chamber.
Immediate roll call has been ordered in the Senate.
Will all Senators please return to the Chamber.

THE CHAIR:

Thank you very much, Mr. Clerk. The issue before the Chamber is Calendar 435, Substitute SB718 as amended by LC05078. The machine is open. You may record your vote. Thank you. All Senators have voted. The machine is closed.

The result of the vote.

36 Yea
0 Nay
0 Absent

The bill is adopted.

Mr. Clerk.

THE CLERK:

Calendar Page 19, Calendar 503, Files 534 and 793, Substitute HB5296. AN ACT CONCERNING LOW LEVEL RADIOACTIVE WASTE BELOW REGULATORY CONCERN, AND ASSESSMENT OF NUCLEAR REGULATORY COMMISSION LICENSEES FOR EXPENSES OF STAFF FOR THE NUCLEAR SAFETY EMERGENCY PREPAREDNESS PROGRAM. As amended by House Amendment Schedules "A" and "B". Favorable Report of the

JOINT
STANDING
COMMITTEE
HEARINGS

ENVIRONMENT
PART 3
805-1219

1991

underground storage tank cleanup fund. I'd like to urge the committee to move as quickly as possible on HB7092 the under ground storage clean up fund.

If EPA does not approve this state fund all petroleum firms with more than 12 tanks will be required to provide their own insurance after April 26th and all other firms will need to make similar provisions by October 26th of this year. EPA already has indicated that it will approve the fund if the changes in the DEP bill are adopted. DEP staff will continue to work with EPA and industry representatives to finalize changes needed to gain approval.

Diesel vehicles, although reduction of air pollution from mobile sources remains critical to improve the state's air quality, diesel vehicles are currently exempt from the requirements of inspection and maintenance program. HB7093 would authorize DEP to develop a program to control diesel emissions by removing this exemption.

REP. MUSHINSKY: We've been waiting for this one for years.

COMM. TIM KEENEY: I'm glad I can present it to you. Liability of hazardous waste contractors. The department currently has contracts with several engineering firms to undertake investigations and feasibility studies of four super fund sites. However, due to the state's strict liability law these firms will only perform through the study phases of these projects. HB7096 will enable this clean up program to proceed by limiting the liability of contractors carrying out clean up of state sites.

Forest practices last year as part of our law governing woodburning facilities, the General Assembly required the department to submit a report on the regulation of forest practices in the state. Based on that report we have proposed SB718 which provides for mandatory certification of forest practitioners and authorizes DEP to regulate the conduct of forest practices. Composting facilities. As part of the overall solid waste

management strategy the state is required that a determination of need for resource recovery projects and land disposal.

Because of composting facilities represent an alternative technology to resource recovery. The Department has proposed HB7082 which would require a similar determination of need for these projects.

Rivers management - HB7080 would clarify the Department's role in river protection and establish an advisory committee to assist in developing a rivers program. The proposal will enable us to fulfill one of the priority issues identified in the State's Environment 2000 plan. Thank you for your time. I look forward to working with you over the next several years.

REP. MUSHINSKY: Thank you, Commissioner. I want to make some general comments aimed at everyone that testifies. It is helpful for the Committee since we do listen to what you are saying and we do write down little notes to ourselves it is helpful when people give testimony to give the bill number first and then your comments.

If you do that, that gives us a couple of seconds to flip to the right page and then we will make comments directly on the bills and your information will be more readily utilized by the Committee. So if you do it in that order, mention the bill number first and then give your text. That will help us take down your comments.

The second thing I wanted to announce is that Room 2D is open and the intercom is on in there. If people don't want to stand around waiting for a seat you could listen in room 2D and not miss anything.

REP. FARR: Commissioner, just one comment. You have the bill raising the \$750 exemption under the emission inspection. My understanding was that you also have to set up a system where we certify that the emission is done before automobiles will be registered again. I don't see that in that language. I think that ought to be something we ought to be discussing with the Motor Vehicle Department too. (HB7089)

That's you're going to be able to just lace some bait out there with rabies vaccine in it and get them vaccinated and be done with it and then you have another layer of protection between the wild animals and the domestic population.

REP. MUSHINSKY: We're going to move on.

SEN. SPELLMAN: Thank you very much. We're technically at a point where we should be moving on in the agenda. I'm going to give a choice, essentially, to legislators and agency people remaining. You can either have one minute right now or else you're going to come back later on in the agenda under the 3 minute requirements that the entire public will be under. You are next on the agenda?
Representative Wasserman.

REP. WASSERMAN: Yes.

SEN. SPELLMAN: So, you're electing your 1 minute?

REP. WASSERMAN: Well, I've got to say something and I've got to get out of here early because I have a goat that's due to deliver any moment. Senator Spellman, Representative Mushinsky, this testimony is in support of both HB6429, my own proposal and SB718, the DEP's bill. AN ACT CONCERNING THE REGULATION OF FOREST PRACTICES AND CERTIFICATION OF FOREST PRACTITIONERS.

These bills are identical except for the DEP version which contains revision made by the legal department. The bills are presented in compliance with the 9090 Act concerning wood-burning facilities which mandates that DEP present to the General Assembly a plan for the effective regulation of forestry practices in the state. Generally, this legislation empowers DEP to regulate forest practices and to coordinate municipal regulations of these practices. This legislation addresses the following concerns. I have 5.

It will achieve the highest possible standards of sylvan-cultural operations throughout the state because it will require foresters and forest

harvesters to be certified and it will put in place systematic programs and policies for utilizing the best available management practices.

SEN. SPELLMAN: Representative, I have to interrupt. Do you have written testimony?

REP. WASSERMAN: Yes I do. May I just say one thing fast? To enforce the cost of the program is mitigated through a system of users fees at the state and municipal levels. And I would like to add, Senator, if I may. I am sorry the DEP did not give it's whole testimony because you would have heard in more detail what this program is about.

SEN. SPELLMAN: We have it in writing. Okay, Representative Farr.

REP. FARR: As I understand it, the foresters themselves are in favor of this? There's nobody... Are they any foresters opposed to this bill?

REP. WASSERMAN: No, the foresters as far as I know are in favor of it and certainly DEP is. It's the DEP bill and mine as well. I think you'll have testimony here today.

SEN. SPELLMAN: Thank you. Representative Betkoski.

REP. BETKOSKI: Good afternoon. Thank you for allowing me to speak before the Environment Committee. Senator Spellman, Representative Mushinsky, I'm speaking today in support of HB6637, AN ACT CONCERNING THE HUMANE BREEDING OF DOGS. This bill comes as a result of health officials of the town of Seymour responding to a complaint that happened in the fall of last year when they discovered some 15 dogs and 2 cats who had apparently starved to death and some of them, the people that owned this place, were charged with 42 counts of animal cruelty.

And I do apologize because I am going quite fast, Senator Spellman and Representative Mushinsky, but you do have written testimony. This bill is a careful attempt to try to prevent any reoccurrence of these type horrors than have not only occurred in Seymour but in Groton, in Canaan. What we're trying to do is require owners of keepers of 6 or

mandatory vaccination of cats is the centerpiece of our strategy for dealing with this coming epidemic we did not mandate licensing of cats to go along with this to assist with enforcement of it mainly because of cost considerations of licensing.

Even though licensing might generate revenue it would require multiple additional personnel to deal with and that would be a real problem in our current fiscal climate. We did think, however, that it would be extremely useful to mandate vaccination. It will definitely increase vaccination levels, it will facilitate local health departments in towns where rabies is occurring to go out and attempt to round up cats and assure that all are vaccinated. Having most vaccinated will make that a much, much easier job. And other, and virtually every other state with this epidemic has had to mandate cat vaccination on an emergency basis. We think it's important to do it proactively.

SEN. SPELLMAN: Thank you very much. Senator Aniskovich. Is he here? George Stevens.

GEORGE STEVENS: Senator Spellman, Representative Mushinsky, members of the Committee, I'm George Stevens. I'm the Chief of Forestry and Horticulture at the Connecticut Agriculture Experiment Station at New Haven and as such station forester. I appear on behalf of the station this afternoon to testify in support of Raised SB718, AN ACT CONCERNING REGULATION OF FOREST PRACTICES AND THE CERTIFICATION OF FOREST PRACTITIONERS.

Specifically, the experiment station requests two things. First, that Section 2A6 of the bill be amended to specifically include representation of the station in the membership of the proposed forest practices advisory board. Secondly, I believe that in Section 4A, B, and C of the bill, reporting requirements for forest practitioners that the requirements for all three classes to present evidence of annual participation in a relevant program of professional education to improve or maintain professional forestry or forest products harvesting skills, are excessive.

Currently, the Department of Environmental Protection administers another certification program. The commercial application of pesticides in which they require only two participations in the 5 year term of certification for renewal without examination. Therefore, we would respectfully request that the Section be amended to require less than annual participation.

SEN. SPELLMAN: Thank you. Questions? Senator. Thank you very much. Senator Aniskovich. Senator, we're in an unfortunate situation. We're running out of time so we're asking you to limit your testimony to one minute.

SEN. ANISKOVICH: I'll do that. Thank you. Senator Spellman, Representative Mushinsky, members of the Committee, I'd like to thank you for the opportunity to testify this afternoon on HB6828, AN ACT CONCERNING ICE FISHING ON CRANBERRY POND, CREAM HILL LAKE AND LAKE QUONNIPAUG. My opposition to this bill relates specifically to ice fishing on Lake Quonnipaug. Which is situated in the town of Guilford which I represent. By 1989, efforts were begun by the members of the New Haven Sportsmen's Club to open Lake Quonnipaug to ice fishing.

At that time, property owners in the area began a good faith effort to compromise with the Sportmen's Club offering to open one third of the lake, from the north boundary of the beach due north to a boat launch area, to ice fishing. The Sportsmen's Club never responded to this offer. In 1990, you have heard testimony today from constituents of mine, that ice fishing began pursuant to an alleged DEP permit that would have been in direct contravention of Connecticut General Statute Section 26-122. Which now prohibits ice fishing on those 3 lakes that I mentioned before.

I am not certain whatever came of the alleged DEP hearing that was held pursuant to which that alleged permit was issued. But I do know that it would have been in direct contravention of that statute. In addition to the testimony that you will hear from my constituents, I would urge you to look at the legislative intent which speaks directly to the conservation and public safety

FRANK LARKINS: At this point I would just ask that you not allow the legislation. Because the liability is where I'm coming from.

REP. MUSHINSKY: I know what you're asking but I'm trying to be aware of the possible vote count and I'm trying to ask you if you have any such delineation if you would submit it.

FRANK LARKINS: I will if there is, there is actually none at this point. We had asked them to sit down with the property owners around the lake and the sportsman's club, who have the sportsman's club above the lake, to come back to the Selectman with some sort of an agreement and they never did. They just refused to meet with the people up there.

SEN. SPELLMAN: Thank you. We're going to move on to the public portion of the public hearing here. As I stated before we go on to four pages of people signed up, so we're going to set a 3 minute deadline. When you're 3 minutes is up, I'm going to interrupt. And the burden is going to be on you to fit your testimony within those 3 minutes. We're not going to allow summarization. We're going to be strict about that. If you have written testimony, I'd ask rather than read the testimony that you just submit it.

And want to summarize orally that's fine. If you're on a bill that there are a number of other people speaking and and you hear the same comments and made before you speak, I would ask that you would just associate yourself with those comments and help us move through this agenda because we're going to be here into the evening hours as it is. Okay, we'll begin with Bill Hull, to be followed by Rosette Howard.

BILL HULL: Good afternoon, Chairman Spellman, Mushinsky, and ladies and gentlemen of the Environment Committee. My name is William Hull. I'm a forester. The owner of Hull Forest Products in Pomerford, Connecticut. I'm also a partner in the KERP wood fire power plant to be built in Killingly, Connecticut. I have submitted written

SB 718
HP 6429

testimony. And will briefly speak to the issue and answer any questions you may have. I'm here to speak on Raised SB718.

Basically, I'm here to say that KERP supports Raised SN718, and proposed HB6429. We are aware of public concerns that the wood power project scheduled to be built in Connecticut might result in unsound harvesting practices. Consequently, we support SB718 and Proposed Hb6429 because they will contribute both to the satisfaction of the public's concerns and help to ensure proper forest management practices. As to the contents of SB718, I believe it's very important to have uniform state wide regulations. This is to ensure that practitioners are easily able to comply with the law.

We do not want to see 169 regulations that could be counter-productive, by raising the compliance costs to the point of making forestry uneconomic in Connecticut. I can envision a situation where landowners could decide not to hire a practitioner because of the high costs involved or the potential complications of time consuming requirements due to the local aspects of these regulations. This brings me to a larger issue. As much as KERP supports Raised SB718 we would like to see even further steps taken to ensure better management of Connecticut's forest resources.

The next step should involve the landowner. The landowner should, as a requirement for certification under PA490, that's the lower tax assessment, the landowner should be required to have a written management plan in place. This additional legislation could perhaps be modeled after our sister state to the north, Massachusetts. Again, KERP supports Raised SB718 and Proposed HB6429. Thank you for your consideration and I'd be glad to answer any questions you might have.

SEN. SPELLMAN: Thank you very much. Representative Mordasky.

REP. MORDASKY: What would be, what are we going to do? Are we going to have them pull the locks out with a pair of horses or are we going to let them go in with a skidder and he goes out with about 6 or 7

**JOINT
STANDING
COMMITTEE
HEARINGS**

**PLANNING AND
DEVELOPMENT**

PART 2

268-565

1991

They've stepped up to the plate to continue their investment in the area and we're beside them and we'd like you to continue that initiative.

REP. O'ROURKE: And you have some testimony that you'll hand in from those other employers?

MICHELLE STRONG: That's correct.

REP. O'ROURKE: Thank you.

REP. LOONEY: Thank you. John Filchak to be followed by David Galt.

JOHN FILCHAK: Senator Jepsen, Representative Looney and the other members of the Planning and Development Committee, my name is John Filchak. I represent the Connecticut Farm Bureau, the state's largest general farm organization, with more than 3,400 member families.

I am here today to register Farm Bureau's opposition to Proposed HB5806, AN ACT CONCERNING MUNICIPAL REGULATION OF CLEAR CUTTING and I'll submit written -- a written statement outlining in detail our opposition, but primarily we believe that this bill could result in an infringement on our farmers' ability to expand cropland in certain areas that they're now permitted under wetlands and stream channel and encroachment and we'd very much not like to see that happen. That's our primary reasoning. Like I say, I will submit details on it.

We also would like to point out that there is SB718 in the Environment Committee that we think would much more effectively address this issue, AN ACT CONCERNING REGULATION OF FOREST PRACTICES AND CERTIFICATION OF FOREST PRACTITIONERS. That's currently pending there that may get at this issue in a better way, more positive way. Thank you. If there's any questions, I'd be happy to try to answer them.

REP. LOONEY: Thank you. Questions from any members of the committee? Thanks very much, John. David Galt to be followed by Terry Backer.