

Act Number	Session	Bill Number	Total Number of Committee Pages	Total Number of House Pages	Total Number of Senate Pages
PA 09-184		5821	10	13	4
<u>Committee Pages:</u> <ul style="list-style-type: none"> • <i>Commerce</i> 708-712 • <i>Commerce</i> 751-753 • <i>Commerce</i> 755-756 				<u>House Pages:</u> <ul style="list-style-type: none"> • 4951- 4963 	<u>Senate Pages:</u> <ul style="list-style-type: none"> • 5672 • 5701- 5703

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2009**

**VOL.52
PART 16
4894 – 5246**

The bill, as amended, passes.

Will the Clerk please call Calendar Number 234.

THE CLERK:

On page number 7, Calendar 234, Substitute for House Bill Number 5821, AN ACT CONCERNING ECONOMIC DEVELOPMENT PROJECTS, favorable report of the Committee on Commerce.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Berger, you have the floor, sir.

REP. BERGER (73rd):

Good evening, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Good evening, my dear.

REP. BERGER (73rd):

I move for acceptance of the Joint Committee's favorable report and passage of the bill.

DEPUTY SPEAKER KIRKLEY-BEY:

The motion before us is on acceptance of the Joint Committee's favorable report and passage of the bill.

Will you remark further?

REP. BERGER (73rd):

Yes, Madam Speaker.

The bill before us allows state engineers to certify that economic development projects comply with

all state permitting requirements.

Madam Speaker, there are four types of -- of projects that fall under this economic development umbrella. The bill certifies -- the bill makes certification available for these four types of economic development projects. The first type includes many traditional economic development uses including manufacturing, industrial research office, product warehousing, distribution and food production facilities. It also includes environmental quality projects. The third will include alternative energy and energy conservation projects. The fourth -- the fourth will include any types of projects that improves the capacity of the state's economy to generate new wealth in jobs. I move for passage.

DEPUTY SPEAKER KIRKLEY-BEY:

The question is on passage.

Will you remark? Will you remark further on the bill that is before us?

Representative O'Connor, you have the floor, sir.

REP. O'CONNOR (35th):

Thank you, Madam Speaker.

I rise in support of the bill. I think the reason why we're trying to do this is actually to expedite some economic development within the State of

Connecticut, and it's patterned after the license environmental professional sign off that is currently in place. And what it allows is for agencies to -- or the state rather, to do a -- so they don't have to do a technical review. And that they have discretion to okay the project. And if they want to, they can still do a full review.

But, in order to tighten it up a little bit, I do have an amendment. The Clerk is in possession of LCO Number 6360. I ask that he call it, and ask leave of the Chamber to summarize.

DEPUTY SPEAKER KIRKLEY-BEY:

Will the Clerk please call LCO 6360? The presenter has asked leave to summarize.

THE CLERK:

LCO Number 6360, House A, offered by
Representatives O'Connor and Berger.

DEPUTY SPEAKER KIRKLEY-BEY:

The Representative has asked leave to summarization. Is there an objection? Is there any objection? Hearing none, please proceed, sir.

REP. O'CONNOR (35th):

Thank you, Madam Speaker.

In developing the bill, the engine -- engineering committee, the professionally licensed engineers in

Connecticut, wanted to tighten it up to make sure that the individuals were licensed here in Connecticut. So what we have is that, basically, under Chapter 391 of the General Statutes that the individual certifying projects shall be a licensed professional engineer in the State of Connecticut.

I move adoption.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative O'Connor --

Will you remark? Will you remark further on the amendment that is before us?

Representative Mazurek, you have the floor.

Representative Berger, you have the floor.

REP. BERGER (73rd):

Thank you, Madam Speaker. I consider this to be a friendly amendment and I -- I accept it the due diligence of my -- my fellow representative that he's made this bill better by adding this amendment to the current draft. Thank you.

DEPUTY SPEAKER KIRKLEY-BEY:

Thank you.

Will you remark further on the amendment that is before us?

Representative Mazurek, you have the floor.

REP. MAZUREK (80th):

Thank you, Madam Speaker.

I'll wait just a minute. I wanted to bring out another amendment on this bill but I stand in support the amendment as brought forth by -- by my colleague, Representative O'Connor. Thank you.

DEPUTY SPEAKER KIRKLEY-BEY:

Thank you.

Representative Alberts, you have the floor, sir.

REP. ALBERTS (50th):

Thank you, Madam Speaker. I agree with the previous comment that this amendment makes the bill better. We heard testimony, and I support this amendment as well. Thank you.

DEPUTY SPEAKER KIRKLEY-BEY:

Thank you.

Will you remark? Will you remark further on the amendment that is before us? If not, let me try your minds.

All those in favor please indicate by saying aye.

Those oppose nay.

The ayes have it. House Amendment A has been adopted.

Will you remark further on the bill as amended?

Representative Mazurek, you have the floor, sir.

REP. MAZUREK (80th):

Thank you, Madam Speaker, and good evening to you.

DEPUTY SPEAKER KIRKLEY-BEY:

Good evening to you, too, sir.

REP. MAZUREK (80th):

You look wonderful up there, Madam.

Ladies and gentlemen, I -- I stand in strong support of this bill brought forward by Representative Berger. He's shown true leadership in the Commerce Committee, and what he's tried to do in moving business forward in the State of Connecticut.

And, with that, Madam Speaker, the Clerk had in his possession an amendment, LCO 6835. I ask that he call the amendment, and I be allowed to summarize.

DEPUTY SPEAKER KIRKLEY-BEY:

Will the Clerk please call LCO 6835, and the Representative's asked leave to summarize.

THE CLERK:

LCO Number 6835, House B, offered by
Representatives Berger and Musurek.

DEPUTY SPEAKER KIRKLEY-BEY:

Is there any objection to summarization? Is there any objection? Hearing none, please proceed on House Amendment B, Representative Mazurek.

REP. MAZUREK (80th):

Thank you, Madam Speaker.

Madam Speaker, this amendment is intended to create jobs, grow small businesses in the State of Connecticut and create competition. The amendment will define a micro business in the State of Connecticut as having the gross revenue not exceeding \$3 million a year. And the amendment was worked out with DAS and, in their words, will allow them to manage this program and promote competition and -- and grow small businesses in the State of Connecticut.

Madam Speaker, I move adoption of the amendment.

DEPUTY SPEAKER KIRKLEY-BEY:

The question before us is on adoption of House Amendment B.

Will you remark? Will you remark further?

Representative Berger, you have the floor, sir.

REP. BERGER (73rd):

Thank you, Madam Speaker.

Again, I support this as a friendly amendment, and, again, I congratulate Representative Mazurek. This -- this topic actually grew out of -- out of meetings that were held over the last several months that this actual amendment had a public hearing in the Commerce Committee which was well received, and it makes -- makes for a good public policy and adds to

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the sustenance and importance of the bill before us so
thank you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Thank you.

Will you remark? Will you remark further on
House Amendment B?

Representative Cafero, you have the floor, sir.

REP. CAFERO (142nd):

Thank you, Madam Speaker.

Madam Speaker, question, through you, to the
proponent of the amendment.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Mazurek, prepare yourself.

Representative Cafero please proceed.

REP. CAFERO (142nd):

Thank you.

Through you, Madam Speaker, Representative
Mazurek, I -- I'm delighted to hear and even the tone
in which you brought this out that it looks like
everybody worked on this, and it's a friendly
amendment according to Chairman Berger.

I'm wondering were anybody on this side of the
aisle involved in the crafting of this bill?

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Mazurek.

REP. CAFERO (142nd):

The bill amendment -- excuse me.

REP. MAZUREK (80th):

In -- in -- Madam Speaker, through you, in a small way, Representative Cafero, we did consult at length with Representative Hetherington. And he did indicate that we initially had in the amendment that we would restrict this to businesses located within the State of Connecticut. And Representative Hetherington was kind enough to -- to counsel us that if we were to remove that phrasing within the State of Connecticut that it would cut down on the -- he thought it would cut down on the amount of debate on this amendment, through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Madam Speaker.

And I have the utmost respect for Representative Hetherington. This is generated out of the Commerce Committee I presume?

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Mazurek.

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REP. MAZUREK (80th):

Yes, through you, Madam Speaker. Yes, Representative Cafero it was out the Commerce Committee.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Cafero.

REP. CAFERO (142nd):

Thank you.

Through you, Madam Speaker. Did the ranking member, Representative Alberts, did he also have any comments or suggestions with regard to the drafting of this amendment?

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Mazurek.

REP. MAZUREK (80th):

Thank you, Madam Speaker.

I don't know the answer to that. I -- I think it would probably -- the question would be better placed with Representative Berger, the chairman of the committee.

DEPUTY SPEAKER KIRKLEY-BEY:

Would you redirect your question to Representative

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REP. CAFERO (142nd):

No, that's okay, Madam Speaker. I think I actually just got my answer. Thank you very much.

DEPUTY SPEAKER KIRKLEY-BEY:

.You're welcome, sir.

Will you remark? Will you remark further on this amendment that is before us?

All those in favor please indicate by saying aye.
Opposed nay.

The ayes have it. The amendment is adopted.

You're getting better, though.

Will you remark further on the bill as amended?

Representative Berger, you have the floor, sir.

REP. BERGER (73rd):

Yes, thank you, Madam Speaker.

The Clerk is in possession of LCO Number 7393. I ask that he call, and I be allowed to summarize.

DEPUTY SPEAKER KIRKLEY-BEY:

Will the Clerk please call Calendar Number 7393, designated House C.

THE CLERK:

LCO Number 739 C, House C, offered by
Representatives Ryan and Berger.

DEPUTY SPEAKER KIRKLEY-BEY:

The Representative has asked leave to summarize.

Is there any objection? Hearing none, so ordered.

Please proceed, sir.

REP. BERGER (73rd):

Yes. Thank you -- thank you, Madam Speaker.

The present amendment that before us is -- is an amendment that will exempt food and beverage contractors, Madam Speaker, at Bradley Airport from the requirements to comply of Sections 31-57 (g) of the General Statutes which related to the standard wage bill, Madam Speaker, that was previously passed in the House and went to the Senate.

So this is a fix that was inadvertently left out of that bill that protects -- certain food and beverage workers located at Bradley International Airport, and I move its passage, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

The question before us is on adoption of House Amendment C.

Will you remark? Will you remark further on House Amendment C. If not, let me try your minds.

All those in favor please indicate by saying aye.

Those opposed nay.

The ayes have it. The amendment is adopted.

Will you remark further on the bill as amended?

Will you remark further on the bill as amended? If

not, staff and guests please come to the well.

Members take your seats. The machine will be opened.

THE CLERK:

The House of Representatives is voting by roll call, members to the chamber. The House is voting by roll call, members to the chamber, please.

SPEAKER DONOVAN:

Have all the members voted? Have all the members voted? Please check the roll call machine to make sure your votes were properly cast. If all members have voted, the machine will be locked and the Clerk -- Clerk will please announce the tally -- take the tally.

Will the Clerk please announce the tally?

THE CLERK:

House Bill 5821 as amended by House A, B and C

Total Number Voting 143

Necessary for Passage 72

Those voting Yea 143

Those voting Nay 0

Those absent and not voting 8

SPEAKER DONOVAN:

The bill, as amended, is passed.

(Pause.)

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**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2009**

**VOL. 52
PART 17
5352 – 5682**

mhr
SENATE

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June 2, 2009

Yes. Thank you, Mr. President. Moving to Calendar Page 13, Calendar 659, House Bill 6459 is marked go.

Mr. President, and moving to Calendar Page 15, Calendar 680, House Bill 5821; Mr. President, move to place that item on the Consent Calendar.

THE CHAIR:

There's a motion on the floor to place Calendar Number 680 on the Consent Calendar. Without objection, so ordered, sir.

SENATOR LOONEY:

Yes. Thank you, Mr. President. Mr. President, moving back, I missed an item on Calendar Page 13, Mr. President -- excuse me -- Calendar Page 13, Calendar 663, House Bill 5254. Mr. President, I move to place that item on the Consent Calendar.

THE CHAIR:

There's a motion on the floor to place Calendar Number 663 on Consent Calendar. Without objection, so ordered, sir.

SENATOR LOONEY:

Yes. Thank you, Mr. President. Mr. President, Calendar -- moving to Calendar Page 16, Calendar 684, House Bill 6231; Mr. President, I move to place that item on the Consent Calendar.

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**CONNECTICUT
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SENATE**

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5683 – 5943**

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SENATE

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June 2, 2009

Mr. Clerk, please call Consent Calendar.

THE CLERK:

Immediate roll call has been ordered in the Senate on the Consent Calendar. Will all Senators please return to the chamber. Immediate roll call has been ordered in the Senate on the Consent Calendar. Will all Senators please return to the chamber.

Mr. President, those items placed on the Second Consent Calendar --

THE CHAIR:

Mr. Clerk, please hold for a second.

I'm trying to hear the Clerk call the Consent Calendar and I'm sure you don't want to miss that vote either, so if I could have your attention and quiet, please.

Mr. Clerk.

THE CLERK:

The items placed on the Second Consent Calendar begin on Senate Agenda 1, substitute for House Bill 6486, substitute for House Bill 6649. Senate Agenda Number 3, House Bill 6394. Today's Calendar, Calendar Page 3, Calendar 317, Senate Bill 586; Calendar Page 4, Calendar 455, House Bill 5018; Calendar Page 7, Calendar Number 593, Substitute House Bill 5286; Calendar Page 8, Calendar 606, substitute

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for House Bill 5883; Calendar Page 9, Calendar 619,
House Bill 6343; Calendar 626, House Bill 6476;
Calendar 629, substitute for House Bill 6232; Calendar
Page 10, Calendar 634, House Bill 6544; Calendar 636,
substitute for House Bill 6483; Calendar Page 11,
Calendar 649, substitute for House Bill 6466; Calendar
Page 13, Calendar 663, substitute for House Bill 5254;
Calendar Page 15, Calendar 680, substitute for House
Bill 5821; Calendar Page 16, Calendar 684, House
Bill 6231; Calendar Page 17, Calendar 689, substitute
for House Bill 5421; Calendar Page 18, Calendar 695,
substitute for House Bill 6419; Calendar Page 19,
Calendar 699, substitute for House Bill 6284; Calendar
Page 21, Calendar 711, House Bill 5099; Calendar 712,
substitute for House Bill 6025; Calendar Page 22,
Calendar 718, substitute for House Bill 5861; Calendar
Page 23, Calendar 720, substitute for House Bill 5108;
Calendar Page 32, Calendar 450, House Bill 6233;
Calendar 467, substitute for Senate Bill 1031; and,
Calendar Page 35, Calendar 205, substitute for Senate
Bill 948. Mr. President, that completes the items
placed on the Second Consent Calendar.

THE CHAIR:

Will you please call the Consent Calendar? The
machine will be open.

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THE CLERK:

The Senate is now voting by roll call on the Consent Calendar. Will all Senators please return to the chamber. The Senate is now voting by roll call on the Consent Calendar. Will all Senators please return to the chamber.

THE CHAIR:

Have all Senators voted? If all Senators have voted, please check your vote. The machine will be closed. The Clerk will call the tally.

THE CLERK:

Motion is on adoption of Consent Calendar
Number 2:

Total Number Voting	36
Those voting Yea	36
Those voting Nay	0
Those absent and not voting	0

THE CHAIR:

Consent Calendar Number 2 passes.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, would move for immediate transmittal to the House of Representatives of any items voted on, on Consent Calendar Number 2, requiring additional action by the

**JOINT
STANDING
COMMITTEE
HEARINGS**

**COMMERCE
PART 3
677 – 958**

2009

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mg COMMERCE COMMITTEE

February 26, 2009
10:00 A.M.

meeting. And we'll continue the dialogue going and we'll lock ourselves in my office and we'll come up with some ideas and plans eventually.

ANN CATINO: Excellent. Thank you.

REP. BERGER: And -- just one quick question too, on the Steering Committee. Have you been appointed yet, Ann, to that and have you received any kind of input or documentation as to the possibility of when, or when we would not meet, given -- given the Governor's proposal?

ANN CATINO: Yes, I have been appointed. Thank you. And I have not received any follow up, as far as any meetings or any documentation. No.

REP. BERGER: Well, on the legislative side, you know, we'll follow up, and, you know, make sure we're on that. Any other comments or questions from Committee members? I think your presentation was very comprehensive. So I think it gives a good base to start with. So, okay. Thank you.

ANN CATINO: Great. Thank you all very much.

REP. BERGER: Okay. Thank you.

Next in the public portion on this, Paul Brady. Just for the record, on the public side, we will be timing you for three minutes in your testimony to this Committee.

PAUL BRADY: Good morning. My name is Paul Brady. I am the Executive Director for the American Council of Engineering Companies of Connecticut and for the Connecticut Society of Professional Engineers. I'm here today

HB582L

testifying in opposition to 5821, An Act Concerning Economic Development Projects.

The bill establishes a new engineering professional license. However, the state already licenses professional engineers under the Department of Consumer Protection. Having almost two identically named licensing statutes would be duplicative in nature and disastrous in implementation.

The Department of Consumer Protection licenses PEs to protect the public safety, health and welfare. The bill's licensing qualifications are considerably less than the requirements for a professional engineer. Having unqualified people designing or approving projects could be disastrous.

Consumers and local public officials would be confused about the difference between the licensed professional engineer and a licensed engineering professional. The act of certifying a project for DECD without a PE license would be a violation of Chapter 391.

Currently, a Connecticut PE license is routinely accepted throughout the United States. If lesser qualified individuals are licensed by this bill, other states will make it more difficult for Connecticut licensed professional engineers to perform work in their states. This could result in delays or cancellation of contracts for well-paid engineering contracts -- projects. Also, if this bill were to become law, the state might well have significant liabilities should decisions of a licensed engineering professional be found not to meet the standard of care for professional engineers.

There is simply no need to duplicate licensing

boards, staff, examinations, and all the accompanying administrative overhead. The existing Board of Examiners for Professional Engineers and Land Surveyors is sufficient. Governor Rell has proposed reducing the number of boards and commissions, in response to the state's budget crisis. This new board will incur unneeded expenses for taxpayers, for example, developing a valid examination for engineers could cost over a million dollars and several years of work.

The currently licensed professional engineers are already qualified to provide services to the Department of Economic and Community Development. Why should we change this system if it is serving us well?

We fail to understand the need for this legislation and our members currently, are able and more than willing to support the needs of DECD. We would suggest that we work together to develop a manageable solution that fosters economic development, protects the health and safety of our citizens and recognizes the experience and integrity of our licensed professional engineers. Thank you. And I'd be glad to answer any questions.

REP. BERGER: As -- as an engineer, you're right on target.

PAUL BRADY: Actually, I am not an engineer.

REP. BERGER: That could be a plus.

PAUL BRADY: Could be.

REP. BERGER: And I think after the explanation here, you'll actually be in agreement with the bill as opposed to it. It really is the intent of this committee to use -- certainly

use and have available the licensed engineers to do this work up. I believe in the -- in the drafting of the bill, and certainly, you know, the staff is -- at this time of the year is very, very inundated with various language requests and bills.

The intent of the bill was -- was probably not brought forward the way the committee would like it to come. It's the intent, for the record, of the committee to use the licensed engineers and not create another layer within the DECD. So we will -- we're addressing that drafting error and we'll -- and we'll make the appropriate changes to reflect, not only your concerns, but, you know, other engineering entities that may have testimony today that are opposed to it. If you're coming to testify in -- in reference to that, we're aware of it. And, you know, if you want to say hi to us, that's okay. But -- but we're going to address it and take care of it. So, you know, hopefully, that answers some of your concerns.

PAUL BRADY: That would be great. Thank you very much.

REP. BERGER: Your welcome.

Any questions from the committee?

Thank you for your testimony.

CHRIS HOLDEN: Good morning. My name is Chris Holden. I'm the President of the Connecticut Society of Civil Engineers -- Section of the American Society of Civil Engineers representing over 1500 civil engineers in the state. I would say, based on the information that we just received, we no longer need to testify. We appreciate the Committee's

HB5821

efforts to redirect the bill in the direction that the initial intent was. Thank you.

REP. BERGER: I'm sorry. Thank you. I'm sorry you were here on the -- on the drafting error, right?

CHRIS HOLDEN: Yes, Committee Bill 5821.

REP. BERGER: Okay. Well, we're on that.

CHRIS HOLDEN: Thank you.

REP. BERGER: Thank you.

Next up is Kachina Walsh-Weaver.

KACHINA WALSH-WEAVER: Good morning, members of the Commerce Committee. For the record, my name is Kachina Walsh-Weaver. I'm Senior Legislative Associate for the Connecticut Conference of Municipalities. And I will very quickly go through a few bills that you have on your agenda. Actually, I think pretty much all of them.

CCM -- House Bill 6506 would mandate that all levels of government establish a process that permit applicants can avail themselves voluntarily for a pre-application review. CCM certainly supports pre-application review teams but believes that the state should establish the framework for such teams and that municipalities should be able to voluntarily participate.

HB6504

CCM opposes Raised Senate Bill 969, An Act Concerning Brownfield Funding, as we feel that this would dilute the funds that are currently supporting the Community Investment Act by adding another piece to that. The Community Investment Act has only been in effect for a



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TESTIMONY

of the

CONNECTICUT CONFERENCE OF MUNICIPALITIES

to the

COMMERCE COMMITTEE

February 26, 2009

CCM is Connecticut's statewide association of towns and cities and the voice of local governments - your partners in governing Connecticut. Our members represent over 93% of Connecticut's population. We appreciate this opportunity to provide testimony to you on issues of concern to towns and cities.

CCM supports Raised Senate Bill 970 "An Act Concerning Local Development Projects and Project Certification" and Committee Bill 5821 "An Act Concerning Economic Development Projects".

RB 970 would require a study to be done on -- and CB 5821 would allow -- licensed professional engineers to certify that work done on economic development projects is done in accordance with state requirements.

CCM's 2009 State Legislative Priorities includes a proposal to implement such a program.

All too often, economic development and other important projects slow down or stop due to long delays in state agencies. Some of this is unavoidable, as an inadequate number of agency staff must do extensive reviews of applications.

Modeled after the "licensed environmental professional" program established within the Department of Environmental Protection to speed brownfield remediation, this bill proposes to utilize licensed professional engineers to certify that permit requirements by state agencies have been met.

Rather than requiring that a new system of professional certification be established, we suggest that engineers already licensed by the State be allowed to do the certification. If their work is inadequate -- if they incorrectly certify compliance -- they would be in danger of losing their professional certification.

Allowing licensed professional engineers to certify projects could significantly expedite completion of local economic development projects and relieve the logjam within state agencies. It would not be a "privatization" of agency responsibility -- the agencies would still have to oversee the work of the professionals. In these tough economic times, implementing new public policy that can help these projects through the process more efficiently can reduce costs and help spur economic development.

CCM urges the committee *favorably report* these bills.

##

If you have any questions, please contact Kachina Walsh-Weaver, Senior Legislative Associate of CCM via email kweaver@ccm-ct.org or via phone (203) 498-3026.

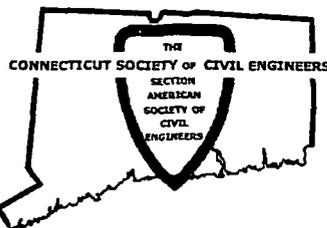
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Testimony Submitted to: Committee on Commerce

Public Hearing Date: Thursday, February 26, 2009

Subject: Committee Bill No. 5821
 An Act Concerning Economic Development Projects

CSCE Position: Opposes

H136375

The Connecticut Society of Civil Engineers (CSCE) Section of the American Society of Civil Engineers (ASCE) respectfully offers this testimony to the Committee on Commerce expressing our opposition to Committee Bill No. 5821 "An Act Concerning Economic Development Projects". **CSCE opposes Committee Bill No. 5821 due to our serious concerns that the requirements proposed in the Bill erode and diminish the standards and qualifications held by licensed Professional Engineers in the State of Connecticut. The standards for licensure as a Professional Engineer ensure the health, safety and interests of the public. Diminishing these standards will ultimately put the public at risk.**

CSCE's concerns that Bill No. 5821 would erode and diminish the standards and qualifications for licensed Professional Engineers in the State of Connecticut are based on the following specifics within the Bill:

- The proposed creation of a "licensed engineering professional" in association with economic development projects lowers the qualifications for licensure in comparison with existing regulations for licensure as a Professional Engineer in Connecticut as outlined in Statute Section 20-302. The Bill's "licensed engineering professional" would not be required to be a licensed Professional Engineer, nor would they be required to hold a bachelor's or advanced degree in engineering to qualify. In general, licensed Professional Engineers currently must be an engineering graduate from an accredited school, with an additional four years of active experience in engineering practice as approved by the State Licensing and Standards Board, plus the successful passing of a written examination in fundamental engineering principals.
- ASCE and CSCE have been actively promoting the elevation of standards and qualifications for licensure as a Professional Engineer. ASCE Policy Statement 465 calls for increasing the number of academic prerequisites for licensure to 30 semester credits beyond an accredited baccalaureate degree in civil engineering (i.e., a master's degree), with a 10 to 15 year implementation time frame. This policy is consistent the NCEES Model Law which states that as of January 1, 2015, admission to an 8-hour written examination in the principles/practice of engineering will effectively require a master's degree in engineering.

- The poorly-named “licensed engineering professional” would be easily confused with existing licensed Professional Engineers. This would undoubtedly create confusion within the engineering and construction industries, and the general public, about the proper roles for Professional Engineers and what services would require Professional Engineers vs. “licensed engineering professionals”.
- The creation of a “licensed engineering professional” attempts to water-down and commoditize the services of Professional Engineers. Professional Engineers are highly-educated, trained, and certified professionals whose expertise is required for the safe and effective design and construction of most development and infrastructure projects. It is imperative that Connecticut’s standards of licensing engineers remain at or above national standards to avoid compromising public safety and welfare. To analogize, when an individual goes to a doctor, they expect that the doctor has specific credentials (i.e., medical school degree, passed medical board examinations, state certifications, etc.) that qualify one to be a doctor. The same applies to professional engineers; when a person enters a public building or drives their vehicle across a bridge, they should expect that those facilities are structurally sound, safe for use, and were designed by someone with the appropriate credentials – a Professional Engineer.

CSCE is also strongly opposed to Bill No. 5821’s creation of a “State Board of Examiners for Engineering Professionals” within the Department of Economic and Community Development. This Board as proposed appears to be fully redundant with the existing State Board of Examiners for Professional Engineers and Land Surveyors” within the Department of Consumer Protection. It is CSCE’s position that licensing of professionals, particularly Professional Engineers, is best served within the Department of Consumer Protection where **the primary objective of licensure – public health, public safety, protection of the public’s interests**, can best be served. By licensing within the Department of Economic and Community Development, Connecticut risks placing outside influences such as the interests of developers or contractors on the licensing (and associated enforcement) of professionals – at the detriment to public health, public safety and the environment.

Lastly, CSCE has serious concerns that passage of Committee Bill No. 5821 “An Act Concerning Economic Development Projects” in combination with passage of House Bill No. 6375 “An Act Concerning Review and Termination of Certain Boards and Commissions” (which would eliminate the existing State Board of Examiners for Professional Engineers and Land Surveyors within the Department of Consumer Protection) will seriously undermine the role of Professional Engineers in this state, fundamentally weaken and lower engineering and building standards in the state, and neuter the State’s ability to enforce professional standards and qualifications on development and infrastructure projects in Connecticut. **CSCE urges all members of the Committee on Commerce, as well as the entire Legislature to OPPOSE Committee Bill No. 5821 “An Act Concerning Economic Development Projects”.**

ASCE, founded in 1852, is the country’s oldest national civil engineering organization representing more than 139,000 civil engineers worldwide and 1,560 in Connecticut. Our members are dedicated to the advancement of the science and profession of civil engineering and work in private practice, government, industry and academia. ASCE is a 501(c) (3) non-profit educational and professional society. CSCE is a 100% volunteer organization.



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TESTIMONY BEFORE THE COMMERCE COMMITTEE
REGARDING COMMITTEE BILL 5821
February 26, 2009

Good morning, my name is Paul Brady. I am the Executive Director of the American Council of Engineering Companies of Connecticut, representing some 100 consulting engineering firms in the state and the Connecticut Society of Professional Engineers with over 450 individual licensed Professional Engineer members. I would like to testify in opposition to Committee Bill 5821, *AN ACT CONCERNING ECONOMIC DEVELOPMENT PROJECTS*.

The bill establishes a new "engineering professional license" for engineers and others who would expedite the approval of economic development projects for the Department of Economic and Community Development. However, the state already licenses Professional Engineers under the Department of Consumer Protection (CGS Title 20, Chapter 391). Having two almost identically named licensing statutes would be duplicative in nature and disastrous in implementation.

The Department of Consumer Protection licenses Professional Engineers to protect the public safety, health and welfare. The bill's licensing qualifications are considerably less than the requirements for a Professional Engineer. Having unqualified people designing or approving projects could be dangerous: people could die or be injured in traffic accidents, building collapses, environmental accidents, etc.

Consumers and local public officials would be confused about the difference between a licensed professional engineer and a licensed engineering professional. The act of certifying a project for DECD without a PE license would be a violation of Chapter 391.

Currently, a Connecticut PE license is routinely accepted throughout the United States as evidence that the holder has demonstrated sufficient education, experience and examinations for licensure. If lesser qualified individuals are licensed by this bill, other states will make it more difficult for Connecticut licensed professional engineers to perform work in their states. This could result in delays or cancellation of contracts for well-paid engineering contracts. Also, if this bill were to become law, the state might well have significant liabilities should decisions of a licensed engineering professional be found not to meet the standard of care for professional engineers.

There is simply no need to duplicate licensing boards, staff, examinations, and all the accompanying administrative overhead. The existing Board of Examiners for Professional Engineers and Land Surveyors within the Department of Consumer Protection is sufficient. Governor Rell has proposed reducing the number of boards and commissions in response to the state's budget crisis. This new board would incur unneeded expenses for taxpayers. For example, developing a valid examination for engineers could cost over \$1 million and several years of work.

The currently licensed Professional Engineers are already qualified to provide services to the Department of Economic and Community Development. The national standards for licensing engineers are promulgated by the National Council of Examiners for Engineering and Surveying (NCEES) and are enacted by all states, including Connecticut, insure the public safety. Why would we wish to change this system which is serving us well?

TESTIMONY BEFORE THE COMMERCE COMMITTEE
REGARDING COMMITTEE BILL 5821

Presented by Paul W. Brady

February 26, 2009

We fail to understand the need for this legislation and our members currently are able and more than willing to support the needs of DECD. We would suggest that we work together to develop a manageable solution that fosters economic development, protects the health and safety of our citizens and recognizes the experience and integrity of our licensed Professional Engineers. Thank you for your time and consideration.

Paul W. Brady

Executive Director

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