



**AN ACT CONCERNING MINOR REVISIONS TO ENVIRONMENT  
RELATED STATUTES.**

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

1 Section 1. Subsections (d) and (e) of section 15-154 of the general  
2 statutes are repealed and the following is substituted in lieu thereof  
3 (*Effective from passage*):

4 (d) Upon the immediate approach of a law enforcement vessel using  
5 an audible signal device [and] or flashing blue lights or a fire rescue  
6 vessel using an audible signal device [and] or flashing red or yellow  
7 lights, any person operating a vessel shall immediately slow to a speed  
8 sufficient to maintain steerage only, shall alter course, within its  
9 ability, so as not to inhibit or interfere with the operation of the law  
10 enforcement vessel or fire rescue vessel, and shall proceed, unless  
11 otherwise directed by an officer in the law enforcement vessel or fire  
12 rescue vessel, at a reduced speed until beyond the area of operation of  
13 the law enforcement vessel or fire rescue vessel. Any person operating  
14 a vessel who wilfully or negligently obstructs or retards any law  
15 enforcement or fire rescue vessel answering an emergency call or in  
16 pursuit of fleeing law violators shall be fined not more than two  
17 hundred fifty dollars.

18 (e) Any person operating a vessel passing within two hundred feet

19 of a stationary law enforcement vessel using an audible signal device  
20 [and] or flashing blue lights or a stationary fire rescue vessel using  
21 flashing red or yellow lights shall reduce speed to a speed of slow-no-  
22 wake until there is a distance of more than two hundred feet between  
23 such person's vessel and the law enforcement vessel or fire rescue  
24 vessel. For purposes of this subsection, "slow-no-wake" means  
25 operation of a vessel at a speed that does not produce more than a  
26 minimum wake and is not greater than six miles per hour over ground,  
27 unless a higher minimum speed is necessary to maintain steerage  
28 when traveling with a strong current.

29 Sec. 2. Subsection (b) of section 22a-60 of the general statutes is  
30 repealed and the following is substituted in lieu thereof (*Effective from*  
31 *passage*):

32 (b) The applicant or licensee and the proposed transferee shall  
33 register any such proposed transfer of an application for a license or a  
34 license, as applicable, with the commissioner within thirty days of the  
35 transfer of ownership of the facility for which the license is sought or  
36 has been issued. Such registration shall be on forms to be prescribed by  
37 the commissioner and accompanied by a fee established by the  
38 commissioner to cover costs of processing the transfer of the  
39 application for a license or the license, as applicable. Upon receipt of a  
40 registration of a proposed transfer of an application for a license or a  
41 license pursuant to this section, if the commissioner determines that  
42 the transferee is able to comply with the terms and conditions of the  
43 application for a license or license, as applicable, the commissioner  
44 shall send a notice to the applicant for a license or the licensee, as  
45 applicable, and the proposed transferee which confirms the  
46 registration and acknowledges the applicability of the application for a  
47 license or license to the transferee. The commissioner may include in  
48 such transferred license any new conditions as may be necessary to  
49 enable the transferee to comply with the original terms and conditions  
50 of the license.

51 Sec. 3. Subsections (c) and (d) of section 22a-58 of the general

52 statutes are repealed and the following is substituted in lieu thereof  
53 (*Effective from passage*):

54 (c) Private applicators shall maintain a record with respect to each  
55 use of restricted use pesticides, which shall include, but not be limited  
56 to, the following information: (1) The name of the applicator, (2) the  
57 kind and amount of pesticide used, (3) the date and place of  
58 application, and (4) the crop or site treated and the amount of acreage  
59 treated. [A copy of the record shall be submitted to the commissioner  
60 on or before January thirty-first for the preceding calendar year in  
61 which the application was made.] Such record shall be: (A) Compiled  
62 in a format that may be prescribed by the commissioner, (B)  
63 maintained by the private applicator for a period of not less than five  
64 years from the date the record is made, and (C) made available to the  
65 commissioner upon request.

66 (d) Commercial applicators shall maintain records with respect to  
67 their use of and supervision of the use of pesticides. Such records shall  
68 be maintained for not less than five years after the date of application  
69 and shall include, but not be limited to, the (1) name and certification  
70 number of the commercial supervisor and the commercial operator, (2)  
71 kind and amount of pesticide used, (3) date and place of application,  
72 (4) pest treated for, and (5) crop or site treated. [A summary of the  
73 items maintained under subdivisions (1) and (2) shall be submitted to  
74 the commissioner on or before January thirty-first for the preceding  
75 calendar year in which the application was made on such form as the  
76 commissioner may prescribe.] Such records shall be: (A) Compiled in a  
77 format that may be prescribed by the commissioner, (B) maintained by  
78 the commercial applicator for a period of not less than five years from  
79 the date such records are made, and (C) made available to the  
80 commissioner upon request.

81 Sec. 4. Section 22a-66g of the general statutes is repealed and the  
82 following is substituted in lieu thereof (*Effective from passage*):

83 (a) A pesticide application business shall maintain records for not

84 less than five years from the date such record is made or amended,  
85 whichever is later. The record shall indicate:

86 (1) For each application of a pesticide made on behalf of the  
87 business, (A) the name and certification number of the commercial  
88 supervisor and the commercial operator, (B) the kind and amount of  
89 pesticide used and the amount of acreage treated, if applicable, (C) the  
90 date and place of application, (D) the pest treated for, and (E) the crop  
91 or site treated;

92 (2) A list of the names and corresponding Environmental Protection  
93 Agency registration numbers of any pesticide applied by the business;  
94 and

95 (3) The name and applicator certification number of each certified  
96 commercial pesticide applicator, operator or supervisory, who is an  
97 employee or agent of the business, and a list of the types of  
98 applications which each is performing.

99 (b) Information required under subdivision (2) of subsection (a) of  
100 this section may be kept separately from the records required by  
101 subdivision (1) of said subsection or may be integrated with such  
102 records by including on the record of each pesticide application the full  
103 name and Environmental Protection Agency registration number of  
104 the pesticide used.

105 (c) All records and information required to be kept pursuant to this  
106 section shall be kept at the registrant's place of business, shall be made  
107 available to the commissioner upon request and may be inspected by  
108 the commissioner pursuant to section 22a-59. If the registrant's place of  
109 business is outside of the state, the records and information shall be  
110 made available to the commissioner at a location in the state not more  
111 than ten days after receipt of a request for inspection from the  
112 commissioner.

113 (d) A pesticide application business shall, upon written request,  
114 provide a customer with a copy of the record which is required to be

115 kept pursuant to this section and which pertains to a pesticide  
116 application performed for that customer.

117 Sec. 5. Subsection (c) of section 22-11h of the general statutes is  
118 repealed and the following is substituted in lieu thereof (*Effective from*  
119 *passage*):

120 (c) Individual structures used for aquaculture as defined in section  
121 22-11c, including, but not limited to, racks, cages or bags, as well as  
122 buoys marking such structures, which [do not otherwise require] have  
123 a permit under federal Army Corps of Engineers regulations and do  
124 not interfere with navigation in designated or customary boating or  
125 shipping lanes and channels, shall be placed in leased or designated  
126 shellfish areas and shall be exempt from the requirements of sections  
127 22a-359 to 22a-363f, inclusive.

128 Sec. 6. Section 22a-73 of the general statutes is repealed and the  
129 following is substituted in lieu thereof (*Effective from passage*):

130 (a) To carry out and effectuate the purposes and policies of this  
131 chapter it is the public policy of the state to encourage municipal  
132 participation by means of regulation of activities causing noise  
133 pollution within the territorial limits of the various municipalities. To  
134 that end, any municipality may develop and establish a  
135 comprehensive program of noise regulation. Such program may  
136 include a study of the noise problems resulting from uses and activities  
137 within its jurisdiction and its development and adoption of a noise  
138 control ordinance.

139 (b) Any municipality may adopt, amend and enforce a noise control  
140 ordinance which may include the following: (1) Noise levels which  
141 will not be exceeded in specified zones or other designated areas; (2)  
142 designation of a noise control officer and the designation of an existing  
143 board or commission, or the establishment of a new board or  
144 commission to direct such program; (3) implementation procedures of  
145 such program and the relation of such program to other plans within

146 the jurisdiction of the municipality; (4) procedures for assuring  
147 compliance with state and federal noise regulations; (5) noise level  
148 restrictions applicable to construction activities, including limitation on  
149 on-site hours of operation.

150 (c) [No ordinance shall be effective until such ordinance has been  
151 approved by the commissioner. No] Any such ordinance shall be  
152 [approved unless it is in conformity with] at least as stringent as any  
153 state noise control plan, including ambient noise standards, adopted  
154 pursuant to section 22a-69 or any standards or regulations adopted by  
155 the administrator of the United States Environmental Protection  
156 Agency pursuant to the Noise Control Act of 1972 (P.L. 92-574) or any  
157 amendment thereto. Notwithstanding the provisions of this  
158 subsection, any municipality may adopt more stringent noise  
159 standards than those adopted by the commissioner. [, provided such  
160 standards are approved by the commissioner.]

161 Sec. 7. Section 23-53 of the general statutes is repealed and the  
162 following is substituted in lieu thereof (*Effective from passage*):

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

169 NORTHEASTERN INTERSTATE FOREST FIRE

170 PROTECTION COMPACT

171 ARTICLE I

172 The purpose of this compact is to promote effective prevention and  
173 control of forest fires in the northeastern region of the United States  
174 and adjacent areas in Canada by the development of integrated forest  
175 fire plans, by the maintenance of adequate forest fire fighting services

176 by the member states, by providing for mutual aid in fighting forest  
177 fires among the states of the region and for procedures that will  
178 facilitate such aid, and by the establishment of a central agency to  
179 coordinate the services of member states and perform such common  
180 services as member states may deem desirable.

181

ARTICLE II

182 This agreement shall become operative immediately as to those  
183 states ratifying it whenever any two or more of the states of Maine,  
184 New Hampshire, Vermont, Rhode Island, Connecticut, New York and  
185 the Commonwealth of Massachusetts have ratified it and the Congress  
186 has given its consent. Any state not mentioned in this article which is  
187 contiguous with any member state may become a party to this  
188 compact. Subject to the consent of the Congress of the United States,  
189 any province of the Dominion of Canada which is contiguous with any  
190 member state may become a party to this compact by taking such  
191 action as its laws and the laws of the Dominion of Canada may  
192 prescribe for ratification. In this event, the term "state" in this compact  
193 shall include within its meaning the term "province" and the  
194 procedures prescribed shall be applied in the instance of such  
195 provinces, in accordance with the forms and practices of the Canadian  
196 government.

197

ARTICLE III

198 Each state joining herein shall appoint three representatives to a  
199 commission hereby designated as the Northeastern Forest Fire  
200 Protection Commission. One shall be the state forester or officer  
201 holding an equivalent position in such state who is responsible for  
202 forest fire control. The second shall be a member of the legislature of  
203 such state designated by the commission or committee on interstate  
204 cooperation of such state, or if there be none, or if said commission on  
205 interstate cooperation cannot constitutionally designate the said  
206 member, such legislator shall be designated by the governor thereof;  
207 provided that if it is constitutionally impossible to appoint a legislator

208 as a commissioner from such state, the second member shall be  
209 appointed by the governor of said state in his discretion. The third  
210 member shall be a person designated by the governor as the  
211 responsible representative of the governor. In the event that any  
212 province of the Dominion of Canada shall become a member of this  
213 commission, it shall designate three members who will approximate  
214 this pattern of representation to the extent possible under the law and  
215 practices of such province. This commission shall be a body corporate  
216 with the powers and duties set forth herein.

217 **ARTICLE IV**

218 It shall be the duty of the commission to make inquiry and ascertain  
219 from time to time such methods, practices, circumstances and  
220 conditions as may be disclosed for bringing about the prevention and  
221 control of forest fires in the area comprising the member states, to  
222 coordinate the forest fire plans and the work of the appropriate  
223 agencies of the member states and to facilitate the rendering of aid by  
224 the member states to each other in fighting forest fires.

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

229 The commission shall, more than one month prior to any regular  
230 meeting of the legislature in any signatory state, present to the  
231 governor and to the legislature of the state its recommendations  
232 relating to enactments to be made by the legislature of that state in  
233 furthering the interests and purposes of this compact.

234 The commission shall consult with and advise the appropriate  
235 administrative agencies of the states party hereto with regard to  
236 problems connected with the prevention and control of forest fires and  
237 recommend the adoption of such regulations as it deems advisable.

238 The commission shall have power to recommend to the signatory



239 states any and all measures that will effectuate the prevention and  
240 control of forest fires.

241 **ARTICLE V**

242 Any two or more member states may designate the Northeastern  
243 Forest Fire Protection Commission as a joint agency to maintain such  
244 common services as those states deem desirable for the prevention and  
245 control of forest fires. Except in those cases where all member states  
246 join in such designation for common services, the representatives of  
247 any group of such designating states in the Northeastern Forest Fire  
248 Protection Commission shall constitute a separate section of such  
249 commission for the performance of the common service or services so  
250 designated provided that, if any additional expense is involved, the  
251 state so acting shall appropriate the necessary funds for this purpose.  
252 The creation of such a section as a joint agency shall not affect the  
253 privileges, powers, responsibilities or duties of the states participating  
254 therein as embodied in the other articles of this compact.

255 **ARTICLE VI**

256 The commission may request the United States Forest Service to act  
257 as the primary research and coordinating agency of the Northeastern  
258 Forest Fire Protection Commission, in cooperation with the  
259 appropriate agencies in each state and the United States Forest Service  
260 may accept the initial responsibility in preparing and presenting to the  
261 commission its recommendations with respect to the regional fire plan.  
262 Representatives of the United States Forest Service may attend  
263 meetings of the commission and of groups of member states.

264 **ARTICLE VII**

265 The commission shall annually elect from its members a chairman  
266 and a vice-chairman. The commission shall appoint such officers or  
267 employees as may be required to carry the provisions of this compact  
268 into effect, shall fix and determine their duties, qualifications and  
269 compensation, and may at its pleasure, remove or discharge any such

270 officer or employee. The commission shall adopt rules and regulations  
271 for the conduct of its business. It may establish and maintain one or  
272 more offices for the transaction of its business and may meet at any  
273 time or place but must meet at least once a year.

274 A majority of the members of the commission representing a  
275 majority of the signatory states shall constitute a quorum for the  
276 transaction of its general business, but no action of the commission  
277 imposing any obligation on any signatory state shall be binding unless  
278 a majority of the members from such signatory state shall have voted  
279 in favor thereof. For the purpose of conducting its general business,  
280 voting shall be by state units.

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

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

289 **ARTICLE VIII**

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

294 Whenever the state forest fire control agency of a member state  
295 requests aid from the state forest fire control agency of any other  
296 member state in combatting, controlling or preventing forest fires, it  
297 shall be the duty of the state forest fire control agency of that state to  
298 render all possible aid to the requesting agency which is consonant  
299 with the maintenance of protection at home.

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

304 ARTICLE IX

305 Whenever the forces of any member state are rendering outside aid  
306 pursuant to the request of another member state under this compact,  
307 the employees of such state shall, under the direction of the officers of  
308 the state to which they are rendering aid, have the same powers  
309 (except the power of arrest), duties, rights, privileges and immunities  
310 as comparable employees of the state to which they are rendering aid.

311 No member state or its officers or employees rendering outside aid  
312 pursuant to this compact shall be liable on account of any act or  
313 omission on the part of such forces while so engaged, or on account of  
314 the maintenance or use of any equipment or supplies in connection  
315 therewith.

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

320 Any member state rendering outside aid pursuant to this compact  
321 shall be reimbursed by the member state receiving such aid for any  
322 loss or damage to, or expense incurred in the operation of any  
323 equipment answering a request for aid, and for the cost of all  
324 materials, transportation, wages, salaries, and maintenance of  
325 employees and equipment incurred in connection with such request.  
326 Provided, that nothing herein contained shall prevent any assisting  
327 member state from assuming such loss, damage, expense or other cost  
328 or from loaning such equipment or from donating such services to the  
329 receiving member state without charge or cost.

330 Each member state shall provide for the payment of compensation

331 and death benefits to injured employees and the representatives of  
332 deceased employees in case employees sustain injuries or are killed  
333 while rendering outside aid pursuant to this compact, in the same  
334 manner and on the same terms as if the injury or death were sustained  
335 within such state.

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

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

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

346 The provisions of this article that relate to the rendering of outside  
347 aid in combating, controlling or preventing forest fires shall be  
348 applicable to the provision of such aid by any state that is party to this  
349 compact to any other state that is party to a regional forest fire  
350 protection compact in another region provided the legislature of such  
351 other state assents to the outside aid provisions of this compact.

352 ARTICLE X

353 When appropriations for the support of this commission or for the  
354 support of common services maintained by the commission or a  
355 section thereof under the provisions of article V are necessary, the  
356 commission or a section thereof shall allocate the costs among the  
357 states affected with consideration of the amounts of forested land in  
358 those states that will receive protection from the service to be rendered  
359 and the extent of the forest fire problem involved in each state, and  
360 shall submit its recommendations accordingly to the legislatures of the  
361 affected states.

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

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

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

374 ARTICLE XI

375 The representatives from any member state may appoint and  
376 consult with an advisory committee composed of persons interested in  
377 forest fire protection.

378 The commission may appoint and consult with an advisory  
379 committee of representatives of all affected groups, private and  
380 governmental.

381 ARTICLE XII

382 The commission may accept any and all donations, gifts and grants  
383 of money, equipment, supplies, materials and services from the federal  
384 or any local government, or any agency thereof and from any person,  
385 firm or corporation, for any of its purposes and functions under this  
386 compact, and may receive and utilize the same subject to the terms,  
387 conditions and regulations governing such donations, gifts and grants.

388 ARTICLE XIII

389 Nothing in this compact shall be construed to authorize or permit

390 any member state to curtail or diminish its forest fire fighting forces,  
391 equipment, services or facilities, and it shall be the duty and  
392 responsibility of each member state to maintain adequate forest fire  
393 fighting forces and equipment to meet normal demands for forest fire  
394 protection within its borders.

395 Nothing in this compact shall be construed to limit or restrict the  
396 powers of any state ratifying the same to provide for the prevention,  
397 control and extinguishment of forest fires, or to prohibit the enactment  
398 or enforcement of state laws, rules or regulations intended to aid in  
399 such prevention, control and extinguishment in such state.

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

403 ARTICLE XIV

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

410 Sec. 8. Subsection (c) of section 23-65h of the general statutes is  
411 repealed and the following is substituted in lieu thereof (*Effective from*  
412 *passage*):

413 (c) An application for the certification as a forest practitioner shall  
414 be made to the Commissioner of Energy and Environmental Protection  
415 and shall contain such information regarding the applicant's  
416 qualifications and proposed operations and other relevant matters as  
417 the commissioner deems necessary.

418 (1) The commissioner shall require the applicant for forester  
419 certification to demonstrate, upon examination, that he possesses

420 adequate knowledge concerning the proper application of forest  
421 management techniques, the ecological and environmental  
422 consequences of harvesting activity and mitigating measures to be  
423 employed to minimize possible adverse impacts on environmental  
424 conditions within the harvest area.

425 (2) The commissioner shall require the applicant for supervising  
426 forest products harvester certification to demonstrate, upon  
427 examination, that [he] the applicant possesses adequate knowledge  
428 concerning techniques and procedures normally employed in the  
429 conduct and supervision of a harvest operation, the safe and  
430 environmentally responsible operation of harvesting equipment, and  
431 mitigating measures to be employed to minimize possible adverse  
432 impacts of harvesting activity on environmental conditions within the  
433 harvest area.

434 (3) The commissioner shall require the applicant for forest products  
435 harvester certification to demonstrate, upon examination, that [he] the  
436 applicant possesses adequate knowledge concerning techniques and  
437 procedures normally employed in the conduct of a harvest operation  
438 and the safe and environmentally responsible operation of harvesting  
439 equipment, except that an applicant who demonstrates to the  
440 satisfaction of the commissioner that [he] the applicant has engaged in  
441 commercial forest practices at least once per year for the ten years  
442 immediately preceding October 1, 1991, shall be exempt from such  
443 examination requirement.

444 (4) (A) If the commissioner finds that the applicant is competent  
445 with respect to the required qualifications, including those provided in  
446 section 23-65o, [he] the commissioner shall certify the applicant to  
447 perform such forest practices as appropriate to the requested  
448 certification. The certification shall be valid for a period not to exceed  
449 five years and may be renewed by the commissioner with or without  
450 further examination. The commissioner may establish regulations for  
451 forest practitioner certification so that one-fifth of the certificates expire  
452 each year. The commissioner may certify a forest practitioner for less

453 than five years and prorate the registration fee accordingly to  
454 implement the regulations established pursuant to this subsection.

455 (B) Notwithstanding the provisions of subparagraph (A) of this  
456 subdivision, the commissioner may grant a sixty-day extension for any  
457 forest practitioner who failed to submit a complete application for  
458 renewal prior to the expiration date of such forest practitioner's  
459 certification. Such forest practitioner shall submit a complete  
460 application for renewal within such sixty-day extension period. Any  
461 renewed certification issued by the commissioner pursuant to this  
462 subparagraph shall not require reexamination by such forest  
463 practitioner prior to such issuance but shall require the submission of  
464 an additional fee, as determined by the commissioner.

465 (5) If the commissioner finds that the applicant is not competent  
466 with respect to the requirements for the requested certification, the  
467 commissioner shall refuse to issue the applicant a certificate. The  
468 commissioner shall inform the applicant of the refusal in writing,  
469 giving the reasons for such refusal. Any person aggrieved by such  
470 refusal may, within thirty days from date of issuance of such denial,  
471 request a hearing before the commissioner, which hearing shall be  
472 conducted in accordance with chapter 54.

473 (6) The commissioner may certify without examination any person  
474 who is certified: [in] (A) In another state under a law which provides  
475 substantially similar qualifications for certification and which grants  
476 similar privileges of certification without examination to residents of  
477 this state certified under the provisions of this section, or (B) through  
478 examination by the Society of American Foresters, or a similar  
479 organization, that provides substantially similar qualifications for  
480 certification provided such person can demonstrate knowledge of the  
481 forestry laws of this state to the commissioner's satisfaction.

482 (7) The commissioner may, by regulation, adopted in accordance  
483 with the provisions of chapter 54, prescribe fees for applicants to  
484 defray the cost of administering examinations and carrying out the



485 provisions of this chapter. A state or municipal employee who engages  
486 in activities for which certification is required by this section solely as  
487 part of his employment shall be exempt from payment of a fee. Any  
488 certificate issued to a state or municipal employee for which a fee has  
489 not been paid shall be void upon termination of such government  
490 employment.

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

497 (9) The commissioner shall require all forest practitioners certified  
498 under sections 23-65f to 23-65o, inclusive, to participate [biennially] in  
499 a relevant program of professional education to improve or maintain  
500 professional forestry skills that is sponsored by the Department of  
501 Energy and Environmental Protection, the New England Society of  
502 American Foresters, The University of Connecticut, Yale University or  
503 the Connecticut cooperative extension system, or participation in  
504 another program approved by the department. Such professional  
505 education shall take place during the recertification cycle and be in  
506 accordance with the prescribed schedule set forth in regulations  
507 adopted in accordance with the provisions of this chapter.

508 Sec. 9. Section 23-65i of the general statutes is repealed and the  
509 following is substituted in lieu thereof (*Effective from passage*):

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

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

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

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

522 (4) The number of commercial forest product sales, the total number  
523 of acres harvested in such sales, the type and total volumes of products  
524 generated by such sales and total annual expenditure for the purchase  
525 of such sales;

526 (5) [Evidence] Attestation of [biennial] participation in a relevant  
527 program of professional education to improve or maintain professional  
528 forestry skills that is sponsored by the Department of Energy and  
529 Environmental Protection, the New England Society of American  
530 Foresters, The University of Connecticut, Yale University or the  
531 Connecticut cooperative extension system, or participation in another  
532 program approved by the department, provided proof of such  
533 participation shall be furnished to the commissioner upon request and  
534 be in accordance with the prescribed schedule set forth in regulations  
535 adopted in accordance with the provisions of this chapter; and

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

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

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

544 (2) [Evidence] Attestation of [biennial] participation in a relevant

545 program of professional education to improve or maintain forest  
546 products harvesting skills that is sponsored by the Department of  
547 Energy and Environmental Protection, the New England Society of  
548 American Foresters, the University of Connecticut, Yale University, the  
549 Connecticut cooperative extension system or is otherwise approved by  
550 the department, provided proof of such participation shall be  
551 furnished to the commissioner upon request and be in accordance with  
552 the prescribed schedule set forth in regulations adopted in accordance  
553 with the provisions of this chapter; and

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

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

560 (1) [Evidence] Attestation of [biennial] participation in a relevant  
561 program of professional education to improve or maintain forest  
562 products harvesting skills that is sponsored by the Department of  
563 Energy and Environmental Protection, the New England Society of  
564 American Foresters, The University of Connecticut, Yale University,  
565 the Connecticut cooperative extension system or is otherwise  
566 approved by the department, provided proof of such participation  
567 shall be furnished to the commissioner upon request and be in  
568 accordance with the prescribed schedule set forth in regulations  
569 adopted in accordance with the provisions of this chapter; and

570 (2) Other information the commissioner deems necessary.

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

574 (f) (1) The commissioner may, by regulation adopted pursuant to  
575 the provisions of chapter 54, prescribe fees for applicants to defray the

576 cost of administering examinations and assisting in carrying out the  
577 purposes of section 22a-451, except the fees for certification and  
578 renewal of a certification shall be as follows: [(1)] (A) For supervisory  
579 certification as a commercial applicator, two hundred eighty-five  
580 dollars; [(2)] (B) for operational certification as a commercial  
581 applicator, eighty dollars, and [(3)] (C) for certification as a private  
582 applicator, one hundred dollars. A federal, state or municipal  
583 employee who applies pesticides solely as part of his employment  
584 shall be exempt from payment of a fee. Any certificate issued to a  
585 federal, state or municipal employee for which a fee has not been paid  
586 shall be void if the holder leaves government employment. The fees  
587 collected in accordance with this section shall be deposited in the  
588 General Fund.

589 (2) The commissioner may renew any certification issued pursuant  
590 to this section for the holder of a certification that has lapsed less than  
591 one year provided the holder of such certification submits to the  
592 commissioner a signed renewal application, payment of the applicable  
593 renewal fee and any late fee. Such late fee shall be calculated as  
594 follows: Beginning on the first day that such certification lapses, ten  
595 per cent of the applicable renewal fee plus one and one-quarter per  
596 cent per month, or part thereof, for a period not to exceed one year.  
597 Any holder of a certification that has lapsed more than one year shall  
598 be examined in accordance with the requirements of this section and  
599 any regulation adopted pursuant to the provisions of this section.

600 Sec. 11. Section 26-107h of the general statutes is repealed and the  
601 following is substituted in lieu thereof (*Effective from passage*):

602 On or before February first, annually, the Commissioner of Energy  
603 and Environmental Protection [shall] may submit to the joint standing  
604 committee of the General Assembly having cognizance of matters  
605 relating to the environment a report on the progress of the program  
606 established under section 26-107f, the purposes for which any funds  
607 allocated to said program were expended and the future of the  
608 program.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	15-154(d) and (e)
Sec. 2	<i>from passage</i>	22a-6o(b)
Sec. 3	<i>from passage</i>	22a-58(c) and (d)
Sec. 4	<i>from passage</i>	22a-66g
Sec. 5	<i>from passage</i>	22-11h(c)
Sec. 6	<i>from passage</i>	22a-73
Sec. 7	<i>from passage</i>	23-53
Sec. 8	<i>from passage</i>	23-65h(c)
Sec. 9	<i>from passage</i>	23-65i
Sec. 10	<i>from passage</i>	22a-54(f)
Sec. 11	<i>from passage</i>	26-107h

**ENV**      *Joint Favorable Subst.*