

Connecticut General Assembly



OFFICE OF FISCAL ANALYSIS

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September 16, 2011

TO: Senator Andrew Roraback
Representative Tim O'Brien
Co-Chairs, Regulations Review Committee

FROM: Alan Calandro, Director *(AC)*

SUBJECT: Review of Agenda Items for the September 27, 2011 Meeting

OFA has reviewed the state and municipal fiscal impact of the seven items on the agenda (items 2011-022 thru 2011-024, 2011-017a, 2011-20a and early consideration items 2011-026 and 2011-027) for the above meeting.¹ The following table summarizes our review.

Reg. #	Agency	Is Agency Estimate of State Impact Reasonable?	Is Agency Estimate of Municipal Impact Reasonable?	Did Agency Submit a Small Business Impact Statement? ²	Did Agency Submit a Regulatory Flexibility Analysis? ³
2011-022	SDE	Yes	Yes	Yes	No
2011-023	DSS	Yes	Yes	No	No

¹ CGS Section 2-71c(c)(7) requires OFA to prepare "short analyses of the costs and long range projections of ... proposed agency regulations."

² PA 09-19 requires agencies to prepare a small business impact statement on all regulation submittals, effective October 1, 2009.

³ CGS 4-168(a) requires agencies to prepare a regulatory flexibility analysis statement on all regulation submittals when there is an impact on small businesses.

Reg. #	Agency	Is Agency Estimate of State Impact Reasonable?	Is Agency Estimate of Municipal Impact Reasonable?	Did Agency Submit a Small Business Impact Statement?²	Did Agency Submit a Regulatory Flexibility Analysis?³
2011-024	DCP	Yes	Yes	Yes	No
2011-017a	DCS	Yes	Yes	Yes	No
2011-020a	Ethics	Yes	Yes	Yes	No
2011-026	DEP	Yes	Yes	Yes	No
2011-027	DEP	Yes	Yes	Yes	No

Please contact me if you have any questions or would like additional information.

AC: lmk
 Regs-Sept27,11-concur
 Office of Fiscal Analysis

AGENCY FISCAL ESTIMATE OF PROPOSED REGULATION

Agency Submitting Regulation: State Department of Education Date: April 26, 2011

Subject Matter of Regulation: Ensure that charter schools operate independently and use state and federal funds appropriately

Regulation Section No.: Sections 10-66-1 to 10-66-7, inclusive

Statutory Authority: Section 10-66mm of the Connecticut General Statutes

Other Agencies Affected: Charter School boards of education

Effective Date Used In Cost Estimate: April 26, 2011

Estimate Prepared By: Robert Kelly Telephone No: (860) 713-6574

SUMMARY OF COST AND REVENUE IMPACT OF PROPOSED REGULATION

Agency: State Department of Education

Fund Affected: General Fund

Brian Mahoney
Brian Mahoney, Chief Financial Officer

4/26/11

	First Year(2010)	Second Year (2011)	Full Operation (2012)
<u>Number of Positions</u>			
Personal Services	0	0	0
Other Expenses	0	0	0
Equipment	0	0	0
Grants	0	0	0
Total State Cost or (Savings)	0	0	0
Estimated Revenue Gain or (Loss)			
Total Net State Cost or (Savings)	0	0	0

Explanation of State Impact of Regulation: Using staff and resources currently available, the state will continue to monitor the charter schools to ensure that they operate in compliance with the law, their charter and meet the needs of all students.

Explanation of Municipal Impact of Regulation: State charter schools operate independent of the local or regional school district and will not have a municipal impact.

Explanation of Small Business Impact of Regulation: Not applicable.

Small Business Impact Statement

Prior to adopting a new section or amendment, Section 4-168a of the Connecticut General Statutes (C.G.S.) requires that each state agency consider the affect of such action on small businesses as defined in C.G.S. Section 4-168a. When such a regulatory action may have an adverse affect on small businesses, C.G.S. Section 4-168a directs the agency to consider regulatory requirements that will minimize the adverse impacts on small businesses if the addition of such requirements (1) will not interfere with the intended objectives of the regulatory action and (2) will allow the new section or amendment to remain consistent with public health, safety and welfare.

State Agency submitting proposed regulations: State Department of Education

Subject matter of Regulation: Ensure that charter schools operate independently and use state and federal funds appropriately.

In accordance with C.G.S. Section 4-168a, staff analyzed the affect on small businesses of the proposed regulations and determined the following:

True False (Check all appropriate boxes):

- | | | |
|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | The regulatory action will not have an affect on small businesses. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | The regulatory action will have an affect on small businesses, but will not have an Adverse affect on such small businesses. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | The regulatory action may have an adverse affect on small businesses, and no alternative considered would be both as effective in achieving the purpose of the action and less burdensome to potentially affected small business. Alternatives considered include the following:
(1) The establishment of less stringent compliance or reporting requirements for small businesses;
(2) The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;
(3) The consolidation or simplification of compliance or reporting requirements for small businesses;
(4) The establishment of performance standards for small businesses to replace design or operational standards required in the new section or amendment; and
(5) The exemption of small businesses from all or any part of the requirements contained in the new section or amendment. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | The regulatory action will have an adverse affect on small businesses that cannot be minimized in a manner that is consistent with public health, safety and welfare. |

The State agency listed above notified the Department of Economic and Community Development of its intent to take the proposed action and completed the Agency Fiscal Estimate of Proposed Regulations.

DSS ID #

AGENCY FISCAL ESTIMATE OF PROPOSED REGULATIONS

AGENCY SUBMITTING REGULATION Department of Social Services DATE 10/19/07

SUBJECT MATTER OF REGULATION Requirements for Payment of Rehabilitation Services for
Individuals under Age 21 with Behavioral Health Disorders REGULATION SECTION NO. 17b-262

STATUTORY AUTHORITY Sub-Sec (a) of Sec 4-168 CGS: 17b-262

OTHER AGENCIES AFFECTED _____

EFFECTIVE DATE USED IN COST ESTIMATE Fiscal Year 2008

ESTIMATE PREPARED BY Jennifer Pardus

QUESTIONS SHOULD BE ADDRESSED TO Lee Voghel TELEPHONE 424-5842

SUMMARY OF STATE COST AND REVENUE IMPACT OF PROPOSED REGULATION

Agency Department of Social Services Fund Affected _____

	First Year 2006	Second Year 2007	Full Operation 2007
Number of Positions	_____	_____	_____
Personal Services	_____	_____	_____
Other Expenses	_____	_____	_____
Equipment	_____	_____	_____
Grants (Medicaid)	_____	_____	_____
Total State Cost (Savings)	_____	_____	_____
Estimated Revenue Gain (Loss)	_____	_____	_____
Total Net State Cost (Savings)	<u>See Below</u>	<u>See Below</u>	<u>See Below</u>

EXPLANATION OF STATE IMPACT OF REGULATION:

The Department of Social Services, under section 17b-262 of the Connecticut General Statutes, intends to adopt regulations in accordance with the provisions of subsection 4-168 of the Connecticut General statutes. These regulations pertain to requirements for payment of rehabilitation services for individuals under age 21 with behavioral health disorders in the Medicaid program.

These regulations establish the requirements under which Providers who are enrolled in the Connecticut Medical Assistance Program are to receive payment for rehabilitation services for individuals under age 21 with behavioral health disorders. The proposed regulations establish three categories of rehabilitation services, establish the requirements under which a Provider may enroll in Medicaid, define reimbursement practices, define covered services, outline billing and payment methods, define rates, and reference necessary documentation and audit requirements.

Please refer to the attached regulations.

FINANCIAL IMPACT

Payment regulations are required for every area of Medicaid, and these proposed regulations appropriately formalize guidelines already followed by Rehabilitation Services Providers. Since these regulations pertain to procedures already in practice, and guidelines regarding billing practices were previously issued to Providers, there is no significant fiscal impact anticipated with the adoption of these policies. It is, however, possible that there could be some efficiencies realized, as these regulations guide Providers in a more prescriptive manner, and could serve to more proactively correct any inaccurate billing procedures currently occurring.

MUNICIPAL IMPACT: None.

AGENCY FISCAL ESTIMATE OF PROPOSED REGULATION

Agency Submitting Regulation: Department of Consumer Protection

Date: 07-14-2010

Subject Matter of Regulation: The Posting of Motor Fuel Prices

Regulation Section No.: 16a-15a-2 Statutory Authority: 4-168 and 16a-15a.

Other Agencies Affected: n/a

Effective Date Used In Cost Estimate: Upon Passage (Filing with the Secretary of the State).

Estimate Prepared By: Jerry P. Padula, Esq. - DCP Legal

Telephone No.: 860-713-6087

SUMMARY OF COST AND REVENUE IMPACT OF PROPOSED REGULATION

Agency: Department of Consumer Protection Fund Affected: n/a

	First Year	Second Year	Full Operation
Number of Positions	n/a	n/a	n/a
Personal Services	\$0	\$0	\$0
Other Expenses	\$0	\$0	\$0
Equipment	\$0	\$0	\$0
Grants	\$0	\$0	\$0
Total State Cost or (Savings)	\$0	\$0	\$0
Estimated Revenue Gain or (Loss)	\$0	\$0	\$0
Total Net State Cost or (Savings)	\$0	\$0	\$0

Explanation of State Impact of Regulation:

No fiscal impact is anticipated. The Department of Consumer Protection currently handles complaints in the area of motor fuel price posting. At this time, other complaints involving the form of payment are also received by the Department and attempts are made at a resolution, so no additional costs for compliance are anticipated. This proposed regulation creates a disclosure standard for the sale of motor fuels using debit card payments when those payments do not earn the posted "cash discount," if such a discount is offered. We anticipate this regulation change will assist consumers in the marketplace, as well as assist the Department in resolving complaints.

Explanation of Municipal Impact of Regulation:

No impact on municipalities is anticipated. The Department has jurisdiction over these regulations.

Explanation of Small Business Impact of Regulation:

This proposed regulation will alter some business practices of motor fuel retailers in Connecticut who choose to offer "cash discounts" and also accept debit cards. The Department considered the alternatives listed in Conn. Gen. Stat. Section 4-168a. Please see the attached Small Business Impact Statement for more details.

Is a regulatory flexibility analysis required pursuant to C.G.S. 4-168a? No.

Exh E

SMALL BUSINESS IMPACT STATEMENT

Prior to adopting a new section or amendment, Section 4-168a of the Connecticut General Statutes (C.G.S.) requires that each state agency consider the affect of such action on small businesses as defined in C.G.S. Section 4-168a. When such a regulatory action may have an adverse affect on small businesses, C.G.S. Section 4-168a directs the agency to consider regulatory requirements that will minimize the adverse impacts on small businesses if the addition of such requirements (1) will not interfere with the intended objectives of the regulatory action and (2) will allow the new section or amendment to remain consistent with public health, safety and welfare.

State Agency submitting proposed regulations: Department of Consumer Protection

Subject matter of Regulation: The Posting of Motor Fuel Prices

In accordance with C.G.S. Section 4-168a, agency staff analyzed the affect on small businesses of the proposed regulations and determined the following:

Check the appropriate box:

- ☐ The regulatory action will not have an affect on small businesses.
- ☐ The regulatory action will have an affect on small businesses, but will not have an adverse affect on such small businesses.
- ☒ The regulatory action may have an adverse affect on small businesses, and no alternative considered would be both as effective in achieving the purpose of the action and less burdensome to potentially affected small business. Alternatives considered include the following:
- (1) The establishment of less stringent compliance or reporting requirements for small businesses;
 - (2) The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;
 - (3) The consolidation or simplification of compliance or reporting requirements for small businesses;
 - (4) The establishment of performance standards for small businesses to replace design or operational standards required in the new section or amendment; and
 - (5) The exemption of small businesses from all or any part of the requirements contained in the new section or amendment.
- ☐ The regulatory action will have an adverse affect on small businesses that cannot be minimized in a manner that is consistent with public health, safety and welfare.

The Department of Consumer Protection notified / (did not notify) the Department of Economic and Community Development of its intent to take the proposed action, and completed / (did not complete) the Agency Fiscal Estimate of Proposed Regulations.

Eck F

UPDATED AGENCY FISCAL ESTIMATE OF PROPOSED REGULATION

Agency Submitting Regulation: Department of Construction Services Date: August 1, 2011

Subject Matter of Regulation: State Building Code – 2005 Connecticut Supplement, 2011 amendment to adopt the 2009 International Energy Conservation Code

Regulation Section No.: 29-252-1d Statutory Authority: 29-252

Other Agencies Effected: None

Effective Date Used In Cost Estimate: 8/1/11

Estimate Prepared By: State Building Inspector Telephone No.: 860-685-8310

ESTIMATE OF COST OR REVENUE IMPACT OF PROPOSED REGULATION

Agency: Department of Construction Services Fund Effected: General

	First Year	Second Year	Full Operation
<u>Number of Positions</u>			
Personal Services	0	0	0
Other Expenses	0	0	0
Equipment	0	0	0
Grants	0	0	0
Total State Cost or (Savings)	0	0	0
Estimated Revenue Gain or (Loss)	0	0	0
Total Net State Cost or (Savings)	0	0	0

Explanation of State Impact of Regulation:

The adoption of this standard is driven by both Public Act 09-192 and the American Recovery and Reinvestment Act of 2009. The fiscal impact to the state is to provide educational programs to code users, which the state already does within existing resources. The change in codes will simply mean a change in subject matter for the classes, but will have no impact on staffing. New code books for staff are funded from the educational fee collected on building permits and do not impact the general fund.

Explanation of Municipal Impact of Regulation:

Municipalities will be required to purchase new energy conservation code books at a total cost of between \$70 and \$300, depending on staffing levels within the municipality. This occurs every code change cycle and is appropriately budgeted for by municipalities. The 2009 IECC would have been adopted as part of the next code cycle. Instead, it is being adopted approximately 18 months to two years early.

Explanation of Small Business Impact of Regulation:

Buildings constructed utilizing this standard will achieve energy savings.

Is a regulatory flexibility analysis required pursuant to C.G.S. 4-168a?

No.

Small Business Impact Statement

Prior to adopting a new section or amendment, Section 4-168a of the Connecticut General Statutes (C.G.S.) requires that each state agency consider the effect of such action on small businesses as defined in C.G.S. Section 4-168a. When such regulatory action may have an adverse effect on small businesses, C.G.S. Section 4-168a directs the agency to consider regulatory requirements that will minimize the adverse impacts on small businesses if the addition of such requirements (1) will not interfere with the intended objectives of the regulatory action and (2) will allow the new section or amendment to remain consistent with public health, safety and welfare.

State Agency submitting proposed regulations: Department of Public Safety

Subject matter of Regulation: State Building Code – 2009 International Energy Conservation Code Amendment

In accordance with C.G.S. Section 4-168a, staff analyzed the effect on small businesses of the proposed regulations and determined the following:

Check all appropriate boxes:

- ☐ The regulatory action will not have an effect on small businesses.
- ☒ The regulatory action will have an effect on small businesses, but will not have an adverse effect on such small businesses.
- ☐ The regulatory action may have an adverse effect on small businesses, and no alternative considered would be both as effective in achieving the purpose of the action and less burdensome to potentially effected small business. Alternatives considered include the following:
- (1) The establishment of less stringent compliance or reporting requirements for small businesses;
 - (2) The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;
 - (3) The consolidation or simplification of compliance or reporting requirements for small businesses;
 - (4) The establishment of performance standards for small businesses to replace design or operational standards required in the new section or amendment; and
 - (5) The exemption of small businesses from all or any part of the requirements contained in the new section or amendment.
- ☐ The regulatory action will have an adverse effect on small businesses that cannot be minimized in a manner that is consistent with public health, safety and welfare.

Has the State agency listed above notified the Department of Economic and Community Development of its intent to take the proposed action and completed the Agency Fiscal Estimate of Proposed Regulations?

Yes.

AGENCY FISCAL ESTIMATE OF PROPOSED REGULATION

Agency Submitting Regulation: Department of Public Safety Date: 7/30/2010

Subject Matter of Regulation: State Building Code – 2005 Connecticut Supplement - 2009
International Energy Conservation Code
Amendment

Regulation Section No.: 29-252-1d Statutory Authority: 29-252

Other Agencies Effected: None

Effective Date Used In Cost Estimate: 7/30/10

Estimate Prepared By: State Building Inspector Telephone No.: 860-685-8310

ESTIMATE OF COST OR REVENUE IMPACT OF PROPOSED REGULATION

Agency: Department of Public Safety Fund Effected: General Fund

	First Year	Second Year	Full Operation
Number of Positions			
Personal Services	0	0	0
Other Expenses	0	0	0
Equipment	0	0	0
Grants	0	0	0
Total State Cost or (Savings)	0	0	0
Estimated Revenue Gain or (Loss)	0	0	0
Total Net State Cost or (Savings)	0	0	0

Explanation of State Impact of Regulation:

The adoption of this standard is driven by both Public Act 09-192 and the American Recovery and Reinvestment Act of 2009. The fiscal impact to the state is to provide educational programs to code users, which the state already does within existing resources. The change in codes will simply mean a change in subject matter for the classes, but will have no impact on staffing. New code books for staff are funded from the educational fee collected on building permits and do not impact the general fund.

Explanation of Municipal Impact of Regulation:

Municipalities will be required to purchase new energy conservation code books at a total cost of between \$70 and \$300, depending on staffing levels within the municipality. This occurs every code change cycle and is appropriately budgeted for by municipalities. The 2009 IECC would have been adopted as part of the next code cycle. Instead, it is being adopted approximately 18 months early.

Explanation of Small Business Impact of Regulation:

Buildings constructed utilizing this standard will achieve energy savings.

Is a regulatory flexibility analysis required pursuant to C.G.S. 4-168a?

No.

Small Business Impact Statement

Prior to adopting a new section or amendment, Section 4-168a of the Connecticut General Statutes (C.G.S.) requires that each state agency consider the effect of such action on small businesses as defined in C.G.S. Section 4-168a. When such regulatory action may have an adverse effect on small businesses, C.G.S. Section 4-168a directs the agency to consider regulatory requirements that will minimize the adverse impacts on small businesses if the addition of such requirements (1) will not interfere with the intended objectives of the regulatory action and (2) will allow the new section or amendment to remain consistent with public health, safety and welfare.

State Agency submitting proposed regulations: Department of Construction Services

Subject matter of Regulation: State Building Code – 2005 Connecticut Supplement, 2011 amendment to adopt the 2009 International Energy Conservation Code

In accordance with C.G.S. Section 4-168a, staff analyzed the effect on small businesses of the proposed regulations and determined the following:

Check all appropriate boxes:

- ☐ The regulatory action will not have an effect on small businesses.
- ☒ The regulatory action will have an effect on small businesses, but will not have an adverse effect on such small businesses.
- ☐ The regulatory action may have an adverse effect on small businesses, and no alternative considered would be both as effective in achieving the purpose of the action and less burdensome to potentially effected small business. Alternatives considered include the following:
- (1) The establishment of less stringent compliance or reporting requirements for small businesses;
 - (2) The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;
 - (3) The consolidation or simplification of compliance or reporting requirements for small businesses;
 - (4) The establishment of performance standards for small businesses to replace design or operational standards required in the new section or amendment; and
 - (5) The exemption of small businesses from all or any part of the requirements contained in the new section or amendment.
- ☐ The regulatory action will have an adverse effect on small businesses that cannot be minimized in a manner that is consistent with public health, safety and welfare.

Has the State agency listed above notified the Department of Economic and Community Development of its intent to take the proposed action and completed the Agency Fiscal Estimate of Proposed Regulations?

Yes. The predecessor agency, the Department of Public Safety, made such notification.

AGENCY FISCAL ESTIMATE OF PROPOSED REGULATION

Agency Submitting Regulation: Office of State Ethics Date: March 22, 2011

Subject Matter of Regulation: Lobbyists that are associations, groups of persons or organizations; lobbyist badges; and gifts-to-the-state from non-restricted donors.

Regulation Section Nos.: 1-81-27, 1-92-46a, and 1-92-52

Statutory Authority: CGS 1-81 and 1-92

Other Agencies Affected: None

Effective Date Used In Cost Estimate: March 22, 2011

Estimate Prepared By: Cynthia Isales, Assistant General Counsel Telephone No.: 860-263-2400

SUMMARY OF COST AND REVENUE IMPACT OF PROPOSED REGULATION

Agency: OSE

Fund Affected: n/a

	First Year 2011	Second Year 2012	Full Operation 2013
Number of Positions	0	0	0
Personal Services	0	0	0
Other Expenses	0	0	0
Equipment	0	0	0
Grants	0	0	0
Total State Cost or (Savings)	0	0	0
Estimated Revenue Gain	0	0	0
Total Net State Cost or (Savings)	0	0	0

Explanation of State Impact of Regulation:

No impact on the state.

Explanation of Municipal Impact of Regulation:

No impact on municipalities.

Explanation of Small Business Impact of Regulation:

No impact on small businesses.

Small Business Impact Statement

Prior to adopting a new section or amendment, Section 4-168a of the Connecticut General Statutes (C.G.S.) requires that each state agency consider the affect of such action on small businesses as defined in C.G.S. Section 4-168a. When such a regulatory action may have an adverse affect on small businesses, C.G.S. Section 4-168a directs the agency to consider regulatory requirements that will minimize the adverse impacts on small businesses if the addition of such requirements (1) will not interfere with the intended objectives of the regulatory action and (2) will allow the new section or amendment to remain consistent with public health, safety and welfare.

State Agency submitting proposed regulations: OSE

Subject matter of Regulation: Lobbyists that are associations, groups of persons or organizations; lobbyist badges; and gifts-to-the-state from non-restricted donors.

In accordance with C.G.S. Section 4-168a, staff analyzed the affect on small businesses of the proposed regulations and determined the following:

True False (Check all appropriate boxes):

- ☒ ☐ The regulatory action will not have an affect on small businesses.
- ☐ ☒ The regulatory action will have an affect on small businesses, but will not have an adverse affect on such small businesses.
- ☐ ☒ The regulatory action may have an adverse affect on small businesses, and no alternative considered would be both as effective in achieving the purpose of the action and less burdensome to potentially affected small business. Alternatives considered include the following:
- (1) The establishment of less stringent compliance or reporting requirements for small businesses;
 - (2) The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;
 - (3) The consolidation or simplification of compliance or reporting requirements for small businesses;
 - (4) The establishment of performance standards for small businesses to replace design or operational standards required in the new section or amendment; and
 - (5) The exemption of small businesses from all or any part of the requirements contained in the new section or amendment.
- ☐ ☒ The regulatory action will have an adverse affect on small businesses that cannot be minimized in a manner that is consistent with public health, safety and welfare.

The State agency listed above notified the Department of Economic and Community Development of its intent to take the proposed action and completed the Agency Fiscal Estimate of Proposed Regulations.

AGENCY FISCAL ESTIMATE OF PROPOSED REGULATION

AGENCY SUBMITTING REGULATION Energy and Environmental Protection Date 1/3/2011

SUBJECT MATTER OF REGULATION Hunting

REGULATION SECTION NUMBER 26-66-1, 26-66-2, 26-86a-1, 26-86a-6, 26-86a-10, 26-86a-12

STATUTORY AUTHORITY 26-66, 26-86a and as amended by PA 10-99

OTHER AGENCIES AFFECTED None

EFFECTIVE DATE USED IN COST ESTIMATE 1/3/2011

ESTIMATE PREPARED BY E. Hinsch, Program Specialist 2 TELEPHONE 424-3923

SUMMARY OF STATE COST AND REVENUE IMPACT OF PROPOSED REGULATION

Agency Energy and Environmental Protection Fund Affected None

	First Year	Second Year	Full Operation
Number of Positions	0	0	0
Personal Services	0	0	0
Other Expenses	0	0	0
Equipment	0	0	0
Grants	0	0	0
Total State Cost (Savings)	0	0	0
Estimated Revenue Gain (Loss)	0	0	0

EXPLANATION OF STATE IMPACT OF REGULATION:

These regulations will have no fiscal impact on the state.

EXPLANATION OF MUNICIPAL IMPACT OF REGULATION:

These regulations will have no fiscal impact on the municipalities.

Small Business Impact Statement

Prior to adopting a new section or amendment, Section 4-168a of the Connecticut General Statutes (C.G.S.) requires that each state agency consider the effect of such action on small businesses as defined in C.G.S. Section 4-168a. When such regulatory action may have an adverse effect on small businesses, C.G.S. Section 4-168a directs the agency to consider regulatory requirements that will minimize the adverse impacts on small businesses if the addition of such requirements (1) will not interfere with the intended objectives of the regulatory action and (2) will allow the new section or amendment to remain consistent with public health, safety and welfare.

State Agency submitting proposed regulations: Energy and Environmental Protection (DEEP)

Subject matter of Regulation: Hunting

RCSA 26-66-1, 26-66-2, 26-86a-1, 26-86a-6, 26-86a-10, 26-86a-12

In accordance with C.G.S. Section 4-168a, staff analyzed the effect on small businesses of the proposed regulations and determined the following:

Check all appropriate boxes:

- ☐ The regulatory action will not have an effect on small businesses.
- ☒ The regulatory action will have an effect on small businesses, but will not have an adverse effect on such small businesses. **SEE EXPLANATION**
- ☐ The regulatory action may have an adverse effect on small businesses, and no alternative considered would be both as effective in achieving the purpose of the action and less burdensome to potentially effected small business. Alternatives considered include the following:
- (1) The establishment of less stringent compliance or reporting requirements for small businesses;
 - (2) The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;
 - (3) The consolidation or simplification of compliance or reporting requirements for small businesses;
 - (4) The establishment of performance standards for small businesses to replace design or operational standards required in the new section or amendment; and
 - (5) The exemption of small businesses from all or any part of the requirements contained in the new section or amendment.
- ☐ The regulatory action will have an adverse effect on small businesses that cannot be minimized in a manner that is consistent with public health, safety and welfare.

Explanation: It is expected that the proposed revisions to RCSA section 26-86a-6(b)(8) that establishes seasons for hunting deer with a revolver will have a positive effect on small businesses throughout the state. The other proposed regulations will have no effect on small business.

Has the State agency listed above notified the Department of Economic and Community Development of its intent to take the proposed action and completed the Agency Fiscal Estimate of Proposed Regulations?

The Department of Energy and Environmental Protection did not notify the Department of Economic and Community Development of its intent to take the proposed action because the action will not have an adverse impact on small businesses.

AGENCY FISCAL ESTIMATE OF PROPOSED REGULATION

Agency Submitting Regulation: Energy and Environmental Protection (DEEP) Date: July 7, 2011

Subject Matter of Regulation: Inland Fisheries and Wildlife

Regulation Sections No.: RCSA 26-48a-1, 26-55-1, 26-66-4, 26-112-43, 26-112-44(b), 26-112-45(d), 26-112-45(m), 26-112-46(c), 26-112-46(d), 26-112-46(g), 26-112-46(k), 26-142a-1, 26-142a-12

Statutory Authority: CGS 26-48a, 26-55, 26-66, 26-112, 26-142a

Other Agencies Effected: None

Effective Date Used In Cost Estimate: July 7, 2011

Estimate Prepared By: William Foreman Telephone No.: 860-424-3868

ESTIMATE OF COST OR REVENUE IMPACT OF PROPOSED REGULATION

Agency: Energy and Environmental Protection Fund Effected: N/A

	First Year	Second Year	Full Operation
Number of Positions	0	0	0
Personal Services	0	0	0
Other Expenses	0	0	0
Equipment	0	0	0
Grants	0	0	0
Total State Cost or (Savings)	0	0	0
Estimated Revenue Gain or (Loss)	0	0	0
Total Net State Cost or (Savings)	0	0	0

Explanation of State Impact of Regulation:

There is no anticipated impact to the state.

Explanation of Municipal Impact of Regulation:

There is no anticipated impact to any municipality.

Explanation of Small Business Impact of Regulation:

It is expected that the proposed revisions to RCSA section 26-112-46(c) that extend the fishing season by seven weeks on 12 miles of the most popular trout fishing stream in CT will have a positive effect on small businesses in that area. The other 13 proposed regulations will have no effect on small business.

Is a regulatory flexibility analysis required pursuant to C.G.S. 4-168a?

As there is no anticipated adverse impact to small business, no regulatory flexibility analysis is required.

Small Business Impact Statement

Prior to adopting a new section or amendment, Section 4-168a of the Connecticut General Statutes (C.G.S.) requires that each state agency consider the effect of such action on small businesses as defined in C.G.S. Section 4-168a. When such regulatory action may have an adverse effect on small businesses, C.G.S. Section 4-168a directs the agency to consider regulatory requirements that will minimize the adverse impacts on small businesses if the addition of such requirements (1) will not interfere with the intended objectives of the regulatory action and (2) will allow the new section or amendment to remain consistent with public health, safety and welfare.

State Agency submitting proposed regulations: Energy and Environmental Protection (DEEP)

Subject matter of Regulation: Inland Fisheries and Wildlife

RCSA 26-48a-1, 26-55-1, 26-66-4, 26-112-43, 26-112-44(b), 26-112-45(d), 26-112-45(m), 26-112-46(c), 26-112-46(d), 26-112-46(g), 26-112-46(k), 26-142a-1, 26-142a-12

In accordance with C.G.S. Section 4-168a, staff analyzed the effect on small businesses of the proposed regulations and determined the following:

Check all appropriate boxes:

- ☐ The regulatory action will not have an effect on small businesses.
- ☒ The regulatory action will have an effect on small businesses, but will not have an adverse effect on such small businesses. **SEE EXPLANATION**
- ☐ The regulatory action may have an adverse effect on small businesses, and no alternative considered would be both as effective in achieving the purpose of the action and less burdensome to potentially effected small business. Alternatives considered include the following:
- (1) The establishment of less stringent compliance or reporting requirements for small businesses;
 - (2) The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;
 - (3) The consolidation or simplification of compliance or reporting requirements for small businesses;
 - (4) The establishment of performance standards for small businesses to replace design or operational standards required in the new section or amendment; and
 - (5) The exemption of small businesses from all or any part of the requirements contained in the new section or amendment.
- ☐ The regulatory action will have an adverse effect on small businesses that cannot be minimized in a manner that is consistent with public health, safety and welfare.

Explanation: It is expected that the proposed revisions to RCSA section 26-112-46(c) that extend the fishing season by seven weeks on 12 miles of the most popular trout fishing stream in CT will have a positive effect on small businesses in that area. The other 13 proposed regulations will have no effect on small business.

Has the State agency listed above notified the Department of Economic and Community Development of its intent to take the proposed action and completed the Agency Fiscal Estimate of Proposed Regulations?

The Department of Environmental Protection did not notify the Department of Economic and Community Development of its intent to take the proposed action because the action will not have an adverse impact on small businesses.

AGENCY FISCAL ESTIMATE OF PROPOSED REGULATION

Agency Submitting Regulation: Environmental Protection (DEP) Date: November 30, 2010

Subject Matter of Regulation: Inland Fisheries and Wildlife

Regulation Sections No.: RCSA 26-48a-1, 26-55-1, 26-66-4, 26-112-43, 26-112-44(b), 26-112-45(d), 26-112-45(m), 26-112-46(c), 26-112-46(d), 26-112-46(g), 26-112-46(k), 26-142a-1, 26-142a-12

Statutory Authority: CGS 26-48a, 26-55, 26-66, 26-112, 26-142a

Other Agencies Effected: None

Effective Date Used In Cost Estimate: July 1, 2011

Estimate Prepared By: William Foreman Telephone No.: 860-424-3868

ESTIMATE OF COST OR REVENUE IMPACT OF PROPOSED REGULATION

Agency: Environmental Protection Fund Effected: N/A

	First Year	Second Year	Full Operation
Number of Positions	0	0	0
Personal Services	0	0	0
Other Expenses	0	0	0
Equipment	0	0	0
Grants	0	0	0
Total State Cost or (Savings)	0	0	0
Estimated Revenue Gain or (Loss)	0	0	0
Total Net State Cost or (Savings)	0	0	0

Explanation of State Impact of Regulation:

There is no anticipated impact to the state.

Explanation of Municipal Impact of Regulation:

There is no anticipated impact to any municipality.

Explanation of Small Business Impact of Regulation:

Is a regulatory flexibility analysis required pursuant to C.G.S. 4-168a?

As there is no anticipated adverse impact to small business, no regulatory flexibility analysis is required.

Small Business Impact Statement

Prior to adopting a new section or amendment, Section 4-168a of the Connecticut General Statutes (C.G.S.) requires that each state agency consider the effect of such action on small businesses as defined in C.G.S. Section 4-168a. When such regulatory action may have an adverse effect on small businesses, C.G.S. Section 4-168a directs the agency to consider regulatory requirements that will minimize the adverse impacts on small businesses if the addition of such requirements (1) will not interfere with the intended objectives of the regulatory action and (2) will allow the new section or amendment to remain consistent with public health, safety and welfare:

State Agency submitting proposed regulations: Environmental Protection (DEP)

Subject matter of Regulation: Inland Fisheries and Wildlife

RCSA 26-48a-1, 26-55-1, 26-66-4, 26-112-43, 26-112-44(b), 26-112-45(d), 26-112-45(m), 26-112-46(c), 26-112-46(d), 26-112-46(g), 26-112-46(k), 26-142a-1, 26-142a-12

In accordance with C.G.S. Section 4-168a, staff analyzed the effect on small businesses of the proposed regulations and determined the following:

Check all appropriate boxes:

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- ☒ The regulatory action will have an effect on small businesses, but will not have an adverse effect on such small businesses. **SEE EXPLANATION**
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