

You Didn't Can't Build That!

How Connecticut's Occupational License Laws Stifle Entrepreneurship and Job Creation

Connecticut needs as many entrepreneurs as it can get. But for many would-be small businesspeople, Connecticut's stringent occupational licensure laws stand in the way.

Connecticut licenses 241 occupations,¹ from hairdressers to glaziers. Often sold in the name of public safety, more often licensure laws serve as artificial barriers to entry designed to limit supply and protect other occupations from unwanted competition. A study by the Institute for Justice considers Connecticut the 15th most broadly and onerously licensed of any state.²

Occupation	Number of States that License
Conveyor	1
Forest Worker	1
Home Entertainment Installer	3
Cross-connection Survey Inspector	4
Tree Trimmer	7
Upholsterer	7
Iron/Steel Contractor (Residential)	11
Pharmacy Technician	12
Locksmith	13
Sign Language Interpreter	16
Animal Control Officer	17
Backflow Prevention Assembly Tester	18
Crane Operator	18
Animal Trainer	20
Optician	22
Coach	24
Weigher	24
Animal Breeder	26
Taxidermist	26
Paving Equipment Operator Contractor	27
Painting Contractor (General/Commercial)	28
Sheet Metal Contractor (General/Commercial)	28
Cement Finishing Contractor (General/Commercial)	29

¹ See Appendix A for a full list.

² Dick M. Carpenter II, Lisa Knepper, Angela C. Erickson, and John K. Ross, *License to Work: A National Study of Burdens from Occupational Licensing* (Arlington, VA: The Institute for Justice, 2012), available online at <https://www.ij.org/license-to-work-release-5-8-12>.

Floor Sander Contractor (General/Commercial)	29
Insulation Contractor (General/Commercial)	29
Mason Contractor (General/Commercial)	29
Midwife	29
Pipelayer Contractor	29
Terrazzo Contractor (General/Commercial)	29
Bill Collector Agency	30
Carpenter/Cabinet Maker Contractor (General/Commercial)	30
Drywall Installer Contractor (General/Commercial)	30
Glazier Contractor (General/Commercial)	30
Iron/Steel Contractor (General/Commercial)	31
Child Care Worker	33
Fire Alarm Installer	34
Milk Sampler	34
Security Alarm Installer	34
Door Repair Contractor	35
Security Guard	37
Message Therapist	39
HVAC Contractor (General/Commercial)	40
Fisher	41
Athletic Trainer	46
Earth Driller	47
Preschool Teacher	49
Barber	50
Bus Driver (City/Transit)	51
Cosmetologist	51
Emergency Medical Technician	51
Pest Control Applicator	51
School Bus Driver	51
Truck Driver	51
Vegetation Pesticide Handler	51

Nor are such laws applied consistently among the states – something that should raise an eyebrow given the stated motivation of protecting the public health and safety. Some states license florists – one imagines course instruction on preventing consumers from being pricked by a rose’s thorns – while others do not. Sixteen states (including Connecticut) think it’s vital to license sign language interpreters for the deaf. While most states license barbers, the United Kingdom does not and yet Princess Kate’s hair still looks fab.

Of 102 moderate-income occupations licensed in America, Connecticut licenses 54 of them, the most in New England. For example, glazier contractors, a profession which only thirty states require

licenses at all, have a Connecticut requirement of 1,867 days (more than five years) of education/experience along with \$142 in fees and a required exam. Crane operators, which only 18 states license, require 730 days of education/experience, \$100 in fees, and two exams. And conveyor operators (supermarket checkout clerks exempted), which Connecticut is the *only* state in the nation to license, demands 730 days of education/experience, \$142 in fees, and an exam. Removing these senseless licenses, along with the others on the list compiled by the Institute for Justice, will offer employment opportunities for the workers whose lack of education has kept them out of work during the current recession.

Connecticut requires a license in less than half of all states license should be deregulated.³ Our recommendation that Connecticut ends licensing them, is identical to the policy proposal of The Connecticut Policy Institute,⁴ which independently reached the same conclusion as we did. These professions are:

- Crane operators
- Opticians
- Conveyor operators
- Sign language interpreters
- Tree trimmers
- Weighers
- Forest workers
- Home entertainment installers
- Residential iron/steel contractors
- Animal control officers
- Locksmiths
- Animal trainers
- Backflow prevention assembly testers
- Cross-connection survey inspectors
- Pharmacy technicians
- Upholsterers.

³ See Appendix B for details. We exclude student athlete coaches from what we propose to eliminate. The regulatory burden on this profession is comparatively low, and the rationale for required training, which is for understanding head injuries and concussions, is more plausible than others.

⁴ Ben Zimmer, "Connecticut's Regulations – Examples Where Costs Exceed the Benefits," The Connecticut Policy Institute (March 12th, 2013).

If these professions begin matching the employment rates (as a percentage of the population) found in states without licenses, employment in the professions would increase by 25%-30%. This will lead to an increase in employment of 1,500-2,000.⁵

Other licensure reforms have been proposed by the Goldwater Institute:⁶

1. Create a “sunrise” provision that requires advocates of new licensing proposals to prove their need before they are approved
2. Require that all licensing laws are periodically reauthorized after a rigorous review proves.
3. Require licensing boards to have a supermajority of members drawn from the general public rather than the profession itself.
4. Replace mandatory licensing with voluntary certification.
5. Enact legislation protecting the right to earn a living.
6. Expand the scope of practice for some professionals, allowing them to perform more services.

⁵ This may look like a very modest total, but keep in mind that there are many factors affecting unemployment rates, and this constitutes just a sliver of occupational licensure laws. Information on how we came to this estimate can be found in Appendix C.

⁶ Bryan Schломach, “Six Reforms to Occupational Licensing Laws to Increase Jobs and Lower Costs.” *Goldwater Institute Policy Report*, posted July 10, 2012, available at <http://goldwaterinstitute.org/article/six-reforms-occupational-licensing-laws-increase-jobs-and-lower-costs> (accessed October 18th, 2012).

Appendix A. List of all regulated professions in Connecticut

1. Acupuncturist License
2. Agent for Student Athletes
3. Alcohol and Drug Counselor
4. Anesthesia/Conscious Sedation (Dentists)
5. Animal Breeder
6. Animal Control Officer
7. Animal Trainer
8. Apple Juice & Cider Manufacturer and Bottler
9. Architect
10. Asbestos Training Provider
11. Asbestos Worker/Supervisor/Consultant/Contractor
12. Assisted Living Services Agency
13. Athletic Trainer
14. Audiologist
15. Backflow Prevention Assembly Tester
16. Baker
17. Barber
18. Bill Collector Agency
19. Boiler Installer
20. Bounty Hunter
21. Bus Driver (City/Transit)
22. Carnivals and Circuses
23. Carpenter/Cabinet Maker Contractor (General/Commercial)
24. Casino Employee
25. Casualty Claim Adjuster
26. Cement Finishing Contractor (General/Commercial)
27. Certified Insurance Consultant
28. Check Casher
29. Child Care Worker
30. Child Day Care Home
31. Children's Hospital
32. Chiropractor
33. Chronic and Convalescent Nursing Home
34. Chronic Disease Hospital
35. Cigarette Dealer
36. Cigarette Distributor
37. Clinical Social Worker
38. Coach
39. Commercial Arborist
40. Commercial Pesticide Operator
41. Community Training Home
42. Community Arrangement License
43. Community Association Manager
44. Conch Fisherman
45. Consumer Collection
46. Continuing Education Providers
47. Conveyor
48. Cosmetologist
49. Crane Operator
50. Cross-connection Survey Inspector
51. Debt Adjuster
52. Debt Negotiation
53. Demolition Contractor
54. Dental Hygienist
55. Dentists
56. Dietitian/Nutritionist
57. Door Repair Contractor
58. Driving School
59. Drywall Installer Contractor (General/Commercial)
60. Earth Driller
61. Electrical Trades
62. Electrogologist
63. Embalmer/Funeral Director
64. Emergency Medical Responder
65. Emergency Medical Technician
66. Employment Agency
67. Engineering & Land Surveying
68. Environmental Laboratory
69. Family Planning Clinic
70. Farmer
71. Fire Alarm Installer
72. Fire Protection Trades
73. Firefighter
74. Fisher
75. Floor Sander Contractor (General/Commercial)
76. Forest Worker
77. Fraternal Agent
78. Frozen Desserts Manufacturer (retailer)
79. Frozen Desserts Manufacturer (whole sale)
80. Fuel Wholesale Distributor
81. Funeral Services Inspector
82. Fur Breeder
83. General Hospital
84. Glazier Contractor (General/Commercial)
85. Glaziers (Automotive & Flat Glass)
86. Hairdresser
87. Hatchery
88. Health Club
89. Hearing Instrument Specialist
90. Heating, Piping, and Cooling Trades
91. Home Entertainment Installer
92. Home Health Care Agency
93. Home Heating Fuel Dealer
94. Home Improvement Contractor

95. Home Improvement Salesperson
96. Home Inspector
97. Home Inspector Intern
98. Homemaker Companion Agency
99. Homeopathy
100. Hospice
101. Hospital for Mentally Ill Persons
102. HVAC Contractor (General/Commercial)
103. Hypnotist
104. Infirmary Operated by Educational Institution
105. Insulation Contractor (General/Commercial)
106. Insurance Producer License
107. Interior Designer
108. Investment Adviser
109. Investment Adviser Agent
110. Iron/Steel Contractor (General/Commercial)
111. Iron/Steel Contractor (Residential)
112. Itinerant/Managing Itinerant
113. Kennel/Pet Shop/Pet Groomer
114. Landscape Architect
115. Lead Abatement Supervisor
116. Legalized Gaming Employee
117. Licensed Environmental Professional
118. Life Settlement Broker
119. Life Settlement Provider
120. Liquidator/Promoter
121. Livestock Dealer
122. Lobbyist
123. Locksmith
124. Major Contractor
125. Marine Pilot
126. Marital and Family Therapist
127. Martial Arts/Self-Defense Club
128. Mason Contractor (General/Commercial)
129. Massage Therapist
130. Maternity Home
131. Maternity Hospital
132. Mausoleums/Crematories/Private Burial Grounds
133. Medical Gas & Vacuum Installation & Maintenance
134. Mental Health Community Residence
135. Mental Health Day Treatment
136. Mental Health Intermediate Treatment
137. Mental Health Psychiatric Outpatients
138. Mental Health Residential Living
139. Message Therapist
140. Midwife
141. Milk Dealer
142. Milk Distributor
143. Milk Producer
144. Milk Retailer
145. Milk Sampler
146. Mobil Home Seller
147. Money Transmitter
148. Mortgage Broker
149. Mortgage Correspondent Lender
150. Mortgage Lender
151. Mortgage Loan Originator
152. Motor Vehicle Dealer
153. Motor Vehicle Physical Damage Appraiser
154. Motor Vehicle Repairer
155. Naturopathic
156. New Home Construction Contractor
157. Nurse
158. Nurse Aide
159. Nursing Home Administrator
160. Occupational Therapist
161. Occupational Therapy Assistant
162. Operating Stationary Engineer
163. Operator of Bazaars and Raffles
164. Optical Shop
165. Optician
166. Optician Apprentice
167. Outpatient Clinic
168. Outpatient Dialysis Unit
169. Outpatient Surgical Facility
170. Oyster Fisherman
171. Painting Contractor (General/Commercial)
172. Paving Equipment Operator Contractor
173. Perfusionist
174. Pest Control Applicator
175. Pharmacist
176. Pharmacy Benefits Manager
177. Pharmacy Technician
178. Physical Therapist
179. Physical Therapist Assistant
180. Physician Assistant
181. Physician
182. Pipelayer Contractor
183. Plumbing Trades
184. Podiatrist
185. Preschool Teacher
186. Private Detective
187. Private Detective Fire Investigator
188. Private Occupational Schools
189. Professional Bondsman
190. Professional Counselor
191. Psychologist
192. Public Insurance Adjuster
193. Public Service Technician
194. Radiologist
195. Real Estate Appraiser
196. Real Estate Broker
197. Real Estate Salesperson

198.Reinsurance Intermediary Broker/Manager	221.Subsurface Sewage Disposal System Cleaner/Installer
199.Rental Car Company	222.Surety Bail Bond Agent
200.Residential Care Home	223.Surplus Lines Insurance Broker
201.Respiratory Care Practitioner	224.Swine Garbage Feeder
202.Rest Home with Nursing Supervision	225.Taxidermist
203.Retail Gasoline Dealer	226.Teacher
204.Retail Liquor Sale	227.Telecommunications Infrastructure Layout License
205.Sanitarian	228.Terrazzo Contractor (General/Commercial)
206.School Bus Driver	229.Theaters
207.Securities, Agent of Issuer	230.Tree Trimmer
208.Securities, Broker-Dealer	231.Truck Driver
209.Securities, Broker-Dealer Agent	232.TV, Radio, and Electronics Technicians Trades
210.Security Alarm Installer	233.Upholsterer
211.Security Guard	234.Vegetation Pesticide Handler
212.Security Service	235.Vending Machine Operator
213.Seed Labeler	236.Veterinarian
214.Sheet Metal Contractor (General/Commercial)	237.Wastewater Treatment Facility Operator
215.Shorthand Reporter	238.Water & Non-Alcoholic Beverage Manufacturer and Bottler
216.Sign Language Interpreter	239.Weigher
217.Solar Trades	240.Well Child Clinic
218.Solid Waste Facility Operator	241.Youth Camp
219.Speech and Language Pathologist	
220.Substance & Abuse & Dependence	

Appendix B. Laws to be amended pursuant to elimination of occupational licensure.

- Animal Control Officer (\$200 in fees, 2 days of education/training): Ch. 290 Sec. 26-47(b)(1): “No person shall engage in the business of controlling nuisance wildlife, other than rats or mice, without obtaining a license from the commissioner.” **Repeal. Replace with voluntary certification.**
- Animal Trainers (\$50 in fees, 1 exam): Ch. 435 Sec. 22-344: “Licensing of commercial kennel, pet shop, training facility or grooming facility. Fees. Inspection. Conformance to zoning regulations.” **Repeal special license for training facilities. Require facilities only to pass standard health and safety regulations all businesses must pass.**

- Backflow Prevention Tester (\$50 in fees, 6 days of education/training, 1 exam): RCSA 25-32-11(e): *Specific language unavailable online.* **Insert provision instructing agency licenses are not needed for this task.**
- Conveyor Operator (\$142 in fees, 730 days of education/training, 1 exam): Ch. 393 Sec. 20.334a: *Specific language granting agency the ability to regulate conveyor operators is not clear, according to Institute for Justice.* **Insert specific language specifying that Department of Consumer Protection cannot license this occupation into code.**
- Crane Operators (\$142 in fees, 730 days of education/training, 1 exam): Ch. 539 Sec. 29-224: “Crane operators' license required. Certificate of registration for crane operator apprentices. Exceptions.” **Repeal, entrusting contractors to determine who may operator cranes. Accidents will be standard torts.**
- Cross-Connection Survey Inspector (4 days of education/training, 1 exam): RCSA 25-32-11(h): *Specific language unavailable online.* **Insert provision instructing agency licenses are not needed for this task.**
- Forest Worker (\$129 in fees, 1 exam): Ch. 451a Sec. 23-65h: “Forest practitioner certification. Classifications and requirements. Regulations.” **Repeal. Connecticut is the only state in the country with this license.**
- Home Entertainment Installer (\$92 in fees, 1 exam): Ch. 394 Sec. 20-344. Duties of board. Examinations. Records of Licenses to be Maintained.” **Repeal. Replace with voluntary certification.**
- Locksmiths (\$200 in fees): Ch. 400p Sec. 20-691: “Locksmiths. Definitions. Registration. Exemptions. Prohibitions. Regulations. Investigations and hearings. Revocation and suspension of registration. Civil penalty. Unfair or deceptive trade practice.” **Repeal. Replace with voluntary certification.**

- Opticians (\$100 in fees, 730 days of education/training, 4 exams): Ch. 381 Sec. 20-146. “Licensed opticians; examinations. Licensure without examination.” **Repeal. Replace with voluntary certification.**
- Pharmacy Technician (\$50 in fees): Ch. 400j Sec. 20-598a: “Registration and certification of pharmacy technicians.” **Repeal. Technicians’ accidents will be treated as torts against pharmacy.**
- Sign Language Interpreters (\$660 in fees, 2 days of education/training, 3 exams): Ch. 814a Sec. 46a-33a: “Registration of persons providing interpreting services. Required qualifications.” **Eliminate requirements. Replace with voluntary certification board.**
- Tree Trimmers (\$25 in fees, 2 exams): Ch. 421 Sec 23-61b: “Licensing for arboriculture; examination; fees; renewal; suspension; revocation. Nonresidents. Records. Pesticides.” **Repeal. Connecticut one of only seven states which requires license. Accidents to be dealt with as torts.**
- Upholsterers (\$50 in fees): Ch. 420a Sec. 21a-234: “Licenses; permits. Fees.” **Eliminate licensing fees. That only six other states license demonstrates this is not a public health issue.**
- Weighers (\$40 in fees): Ch. 751 Sec 43-16a-q: “Licensed Public Weighers.” **Repeal. Replace with voluntary certification.**

Appendix C. Explanation of estimation of change in unemployment

To estimate this, we looked at twelve of the seventeen professions for which the Bureau of Labor Statistics has sufficient data to compare employment in states with and without certain licenses. The professions excluded were Sign Language Interpreters, Coaches, Residential Iron/Steel Contractors, Backflow Prevention Assembly Tester, and Cross-Connection Survey Inspector. It should be noted as well that two of the professions in Connecticut, animal control workers and locksmiths, have higher

employment as a percentage of population than the average state without licensure. These were included in the average. We believe that employment will still grow for these professions should licensure be eliminated; it is by chance and other factors that employment is as high as it is in Connecticut for them.