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Sec. 22a-630(d)-1. Annual registration renewal fee for manufacturers

(a) Definitions.

Terms used in this section shall have the meanings given to them in section 22a-638-1 of the Regulations of Connecticut State Agencies.

(b) Annual Registration Renewal Fee.

(1) Each year, the commissioner shall determine an annual registration renewal fee for each manufacturer. A manufacturer shall submit its annual registration renewal fee with the submission of its annual re-registration. The fee shall be effective for one year. The annual registration renewal fee for each manufacturer shall not be less than \$250.00 and shall be based upon:

(A) the expected costs to the department for administering the program established pursuant to chapter 446n of the Connecticut General Statutes for the upcoming year; and

(B) each manufacturer's market share as determined pursuant to section 22a-638-1(g) to (i), inclusive, of the Regulations of Connecticut State Agencies and subsection (c) of this section.

(2) The annual registration renewal fee collected from all manufacturers shall cover, but not exceed, the expenses incurred by the department to administer the program established pursuant to chapter 446n of the Connecticut General Statutes.

(c) **Annual Budget.** Each year the commissioner shall develop an annual budget for administering the program established pursuant to chapter 446n of the Connecticut General Statutes, including, but not limited to, the cost of any program development, licensing, inspections, enforcement and education and outreach to carry out such program. The budget shall indicate categories of projected costs for administering the program and provide the total projected budget for each category. The commissioner shall post the budget on the department's website and shall provide the budget to the manufacturers.

(d) Calculation of Annual Registration Renewal Fee.

(1) To determine a manufacturer's annual registration renewal fee, the commissioner shall determine the approximate number of all computers, monitors, televisions and printers sold for the previous year. To the extent feasible, the number of units sold shall be based upon nationally available data, including but not limited to, the number of units shipped, retail sales data, consumer surveys or other nationally available market share data. The commissioner shall divide the approximate number of units sold for each type of CED by the approximate total of all CEDs sold. This will yield a percentage of the total of all CEDs sold that is attributable to each type of CED. The total amount of the department's budget for administrative expenses for the upcoming year shall be apportioned to each type of CED such that the budget for each type of CED shall correspond to the percentage of the total units sold that is attributable to each type of CED. If monitors represent twenty-five (25%) per cent of the total of all CEDs sold, then twenty-five (25%) per cent of the department's budget shall be allocated to the manufacturers of monitors. The portion of the department's budget allocated to each type of CED shall then be allocated among the manufacturers based upon their market share as provided for in section 22a-638-1(g) to (i), inclusive, of the Regulations of Connecticut State Agencies.

(2) Notwithstanding the foregoing, regardless of the market share determination made by the commissioner, no manufacturer shall pay less than \$250.00 per year for its annual registration renewal fee.

(e) **Notification of Annual Registration Renewal Fee.** At least thirty (30) days before the date that an annual registration renewal shall be submitted, the commissioner shall provide a manufacturer, in writing, at the address provided on the manufacturer's registration or a more recent address provided to the commissioner by a manufacturer, the manufacturer's annual registration renewal fee. Where applicable, the notice shall state the amount owed for each type of CED.

(f) **Late Fee.** A manufacturer who pays its annual registration renewal fee after the date it is due shall pay an additional fee of ten (10%) per cent of such annual registration renewal fee, plus one and one quarter (1^o %) per cent per month or part thereof that the annual registration renewal fee was late. This subsection shall not prevent the commissioner from pursuing other remedies available by law.

(g) **Method of Payment.** Unless payment by another means is approved by the commissioner, the annual registration renewal fee shall be paid by certified check or money order made payable to "Department of Environmental Protection".

(h) **Failure to Pay.** A manufacturer that does not pay its annual registration renewal fee, or any late fee, shall not be in compliance with the provisions of chapter 446n of the Connecticut General Statutes and this section. Such a manufacturer shall:

(1) not be included in the list of compliant manufacturers posted on the department's website pursuant to section 22a-634(a) of the Connecticut General Statutes; and

(2) be subject to all of the consequences of being in non-compliance, including, but not limited to, any action provided for by law.

(Adopted effective June 1, 2010)