

Legislative History for Connecticut Act

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JOINT
STANDING
COMMITTEE
HEARINGS

GENERAL LAW

PART 3

783 - 1965

CONN.
GENERAL
ASSEMBLY

1965

THURSDAY

GENERAL LAW

APRIL 8, 1965

Mr. Alfano: Is there a substitute bill on 4272 now?
 Rep. Hill: Yes there is. I have a copy of it here. Would you like it?

Mr. Alfano: For the information of the public here, this substitute bill increases the amount to seven hundred and fifty dollars instead of two fifty. I assume this bill has been printed a substitute bill.

Mary Hill: Yes, it has.

Mr. Alfano: Any other legislatures? If not, we will take the bills in order of their assignment. Senate bill 140. An act concerned with sale of pistols and revolvers. And by the way, as long as we are on that subject, I notice that we have all other bills pertaining to guns and etc. If we do have other bills and our committee would like to talk to them at the time they speak, they may so. Proponents on this bill.

Captain Hussey: Ladies and gentlemen, Senator Alfano. I am Captain Hussey of the State Police Department. I speak for the State Police Department and in regards to Senate bill 140, we to the exception to certain technical bill that I forwarded to you through Mr. Cooley would like to be on record as including this bill.

S. B. NO. 140 (Senator Alfano) AN ACT CONCERNING THE SALE OF PISTOLS AND REVOLVERS.

Captain Hussey: In regards to bill no. 1370, the State Police Department would like to be on record as opposing this bill. We feel that it places an impossible burden upon the authorities. In one day it would be necessary for them, the authorities in any one town to judge the character of the man who made his living in a distant town to advise the seller that he is not to sell this man a gun or he is to sell him a gun. We feel that this cannot be done.

H. B. NO. 3634 (Rep. Williams) AN ACT CONCERNING PISTOL AND REVOLVER PERMITS.

Captain Hussey: Bill no. 513 or 3634, we would like to be on record as disapproving this bill also. The custom of this bill is good but it would create some problem, especially the

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Senator Lucas: Is there anyone here to speak in opposition to this bill?

Mr. Juliani: Mr. Chairman, Members of the Committee: I am S. Daniel Juliani, of West Hartford, President of the Connecticut State Rifle and Revolver Association, Chairman for the Connecticut Gun Guild, and for the Metropolitan Revolver League.

While it may appear to some members of the Legislature that some members of our groups are sometimes at odds with the position taken by the police, in actual fact, in substance, we are very much in agreement. We are delighted that today we not only give the appearance of agreement in substance, but we are actually in agreement that S. B. 1370 could not possibly be worse than it is.

It is a very bad bill. It is impracticable. It is entirely out of order in the sense that it requires a Police Chief in a town where the buyer does not reside, to pass upon the suitability of the buyer. It also is unworkable in that it requires the Police Chief to act within one day.

Happily, the producer of the bill is pleased with S. B. 140, which I understand your Committee favorably reported, and which I understand is in the works now, going through the Senate. S. B. 140 is much preferred over S. B. 1370. 1370 is entirely impracticable and unworkable.

At this time, I would ask the indulgence of the Committee, to speak on H. B. 2057, which is not listed, but which is on the same subject. It's a bill to prohibit the transfer of ammunition to certain minors.

I think the record of a prior hearing has my comments on this bill. I want to register again in opposition to that bill, because it overreaches the pistol and revolver area, and would outlaw junior rifle programs, such as those operated by a legitimate rifle club, police departments, YMCAs, and so on. With the permission of the Chair, I would like to leave my notes on this point. Thank you very much.

Chief Sullivan: Mr. Chairman, Members of the Committee: My name is Chief Thomas Sullivan of Wethersfield,

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Senator Mariani: rights to own guns, if no one wants to decide who is qualified. I believe our law-enforcement body should be made to come up with a statement that the person who has applied is suitable and entitled to own a gun. It shouldn't be up to the vendor to decide that the man may or may not kill someone, or he may or may not use the gun properly. As it is now, the burden of proof is on the wrong people, if there is such a proof. But I think that we could do something constructive in this whole area of firearms, if we put the responsibility in the hands of the law-enforcing body. Thank you.

Rep. Jones: Are you familiar with S. B. 140?

Senator Mariani: No, I'm not familiar, I understand that that does a better job of doing what I want to do. I have no particular qualms about which bill is reported out favorably. The concept is what I'm thinking about, and the inadequacy of the present statutes, to handle the terrible problem that we have in the state relative to firearms.

Senator Lucas: Thank you. The hearing is now open on H. B. 4675. Anyone to speak on this bill?

H. B. 4675 (Reps. Sabota and Carrozzella) AN ACT CONCERNING THE ACCEPTANCE OF STREETS.

Mr. Byrne: Thomas Byrne, representing the Connecticut Federation of Planning and Zoning Agencies. The Federation is in favor of H. B. 4675, however the way it's written, I think a legitimate objection to it may be made that the time to hand it to the legislative body, or the Board of Selectmen is by requiring that the Planning Commission approve a layout before they can accept it. We like the bill the way it is. But if this isn't satisfactory to the Committee, we'd like to recommend that at least, such streets be referred to the Commission for a recommendation. This may not be binding, but at least have their thinking on this matter.

Rep. Mayer: Isn't this true now, Tom, that under the regulations, any acceptance of a thoroughfare must be referred first to the Planning and Zoning Commission?

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SENATE

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act concerning retirement credit for Joseph Paterno.

Favorable report of the Joint Committee on Public Personnel.

THE CHAIR:

Senator Gaffney.

SENATOR GAFFNEY:

Mr. President, I move for acceptance of the Joint Committee's favorable report and the acceptance of the bill.

THE CHAIR:

Do you wish to remark?

SENATOR GAFFNEY:

This allows Joseph Paterno of Bridgeport to receive credits for his service with the State Consumers Protection Department and to be added to his state retirement fund. This has been several bills we have been approving. It is a good bill to pass.

SENATOR GLADSTONE:

Mr. President, I agree it is a good bill and should pass.

THE CHAIR:

Any further remarks? The question then is on the acceptance of the committee's favorable report and passage of the bill. All those in favor say "aye", "opposed". The bill is passed.

THE CLERK:

Calendar No. 89. File No. 79. Substitute for Senate Bill No. 140. An act concerning the sale of pistols and revolvers.
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THE CHAIR:

Senator Alfano of the 7th.

SENATOR ALFANO:

Mr. President, I move for acceptance of the committee's favorable report and passage of this bill.

THE CHAIR:

Do you wish to remark?

SENATOR ALFANO:

Mr. President, I am very happy to be able to report this bill out favorably. If you will recall two years ago we had a considerable amount of difficulty with this particular bill. It was a bill in which the National Rifle Association and many other gun clubs took a very strong position against. I am very happy now that the state and local gun clubs, the Connecticut State Revolver Association, the Connecticut State Police and its Connecticut Association and Chief of Police are all highly in favor of this particular bill. The bill does the following: Any person who now wants to buy a pistol, hand gun or a rifle and goes to a retailer for a purchase of a weapon of this nature, must first, fill out an application in triplicate. This gun cannot be delivered to the proposed purchaser or the applicant until a waiting period of seven days has elapsed. The dealer must send one copy of the application to the Commissioner of the State Police; the other copy of the application to the Chief of Police in the residence of the Town from which the applicant comes from. The Chief of Police of that Town or the other duly authorized

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authority or the State Police Commissioner, after examinations of records to determine whether or not a person who is applying to purchase this hand gun, has committed a felony. If it is found that he has committed a felony, they have the obligation to notify the gun dealer within a period of seven days, and this gun cannot be delivered to the applicant or the proposed purchaser. There was originally considerable opposition of this bill by a lot of people who felt that they had constitutional right to bear arms. Letters from people from various parts of the State and Country. Of course, I questioned whether this is a constitutional right and what the interpretation of it is. The right to bear arms was intended to apply sofar as the National Guard or Militia was concerned; and not give everybody an automatic rifle, right regardless of their character. The arguments against the bill was the fact that if we were ever invaded by the Communists, I have had this in letters, we won't have guns to go out and protect the Country. I am sure that we all agree that this is rather ridiculous. Hand pistols and hand guns aren't going to keep anyone out of the Country if we have an invasion. They argue also, well a criminal will steal a gun so what good is this Legislation. It is interesting to know that not too many months ago in the Gallup poll, that 73% of the people in the United States have serious hope and desire that sale of hand guns and pistols are more thoroughly controlled. In fact, this number of people in the Country have always believed that there were restrictions on the sale of hand pistols and hand guns. My feeling that the seven

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day cooling-off period now, also is very important because of the possibility it might eliminate a crime. A person who wants to take drastic action will have some time to think about it. He won't have access to this particular weapon. It is also my feeling that this particular bill will prevent the commission of one crime, or save one life, it certainly will be worthwhile. I am certainly very, very happy to report this bill out and the unanimous endorsement of this by this body.

THE CHAIR:

Further remarks?

Senator Shulansky of the 5th.

SENATOR SHULANSKY:

Mr. President, Senator Mariani, the Minority Leader, is not able to be here today and I know that this is a subject matter that he has been most interested. He had a similiar bill before the General Law Committee. I know that were he here, he would rise in support of this bill and compliment Senator Alfano and the General Law Committee for finding a solution to what has been a indistinguishable problem.

THE CHAIR:

Further remarks?

Senator McGuire of the 20th.

SENATOR MCGUIRE:

Mr. President, I, too, would like to speak on the bill. I think that Senator Alfano is to be commended for his persistence. I also think that he is to be commended for accepting the

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modifications that have been made in the bill, so that the protection of everyone is taken care of. Questions such as these are quite emotional, and there has been a tremendous amount of emotion about the Country concerning the sale of fire arms and so forth. It is needful that calm and deliberate contemplation be given to any bill which would modify the rights of the people in general. I think that the provisions that have been written into this substitute bill take care of all of the questions that might have arrived. I wish to say that, again, that Senator Alfano has been most concerned with not only the public in general, but the people who indistinguishable and other people who use guns, and has made sure that everyone is protected in this bill. It is a good bill and I can urge the Senate to pass it.

THE CHAIR:

Further remarks? The question is on the acceptance of the committee's favorable report and passage of the bill. All those in favor say "aye", "opposed". The bill is passed.

THE CLERK:

Calendar No. 90. File No. 80. Senate Bill No. 251. An act establishing a department of correction.

Favorable report of the Senate Committee on Penal Institutions.

SENATOR GLADSTONE:

Mr. President, may Calendar 90 stand over and retain its place on the Calendar?

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sound change, needed in the election division of the secretary of State's office. It is most deserving of a favorable consideration and I urge its passage.

THE SPEAKER:

Is there any further remarks. If not the question is on acceptance and passage. Those in favor please signify. Opposed? The bill is passed.

THE CLERK:

Calendar No. 260, File #79. Substitute for Senate Bill No. 140. An Act Concerning the Sale of Pistols and Revolvers. Favorable report Joint Committee on General Law.

MR. McNAMARA (EAST HARTFORD)

I move acceptance of the Joint Committee's favorable report and the passage of the bill in concurrence with the Senate.

THE SPEAKER:

The question is on acceptance and passage. Will you remark?

MR. McNAMARA (EAST HARTFORD)

The thrust of this bill is to provide that before any seller of a revolver or a pistol may make delivery of it to the purchaser, that notice must be provided to the Commissioner of State Police as well as to the Municipal Police Authorities or to the civil authorities in the municipalities, there being no police authority. Within one week from the giving of said notice these authorities are to notify the seller. If their records disclose the fact that the purchaser has been convicted of a felony and if such notification is given to the seller, the firearm is not to be delivered to the purchaser. The obvious purpose of the bill is to try to prevent these firearms falling into the hands of known felons, which presently is difficult to do. It's a good bill and I urge its passage.

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THE SPEAKER:

Is there any remarks further? If not the question is on the acceptance of the Joint Committee's favorable report and passage of the bill. All those in favor. Those opposed? The bill is passed.

THE CLERK:

Calendar No. 261, File No. 76. Senate Bill No. 498. An Act Concerning Retirement Credit for Joseph Paterno. Favorable report Joint Committee on Public Personnel.

MRS. DE PAOLO (SOUTHINGTON)

I move the acceptance of the Joint Committee's favorable report and passage of the bill in concurrence with the Senate.

THE SPEAKER:

The question is on acceptance and passage. Will you remark?

MRS. DePAOLO (SOUTHINGTON)

This bill grants to a Bridgeport City Employee credit for retirement purposes for his state service on transfer of salary contributions from the state employees retirement fund to the Municipal Employees Retirement Fund. I urge its passage.

THE SPEAKER:

Are there any further remarks? The question then is on acceptance and passage. All those in favor, please signify. Those Opposed? The bill is passed.

THE CLERK:

Please turn to page twelve of the calendar. The last two items, these should have been listed under unfavorable reports and the Clerk is in error, but there are two unfavorable reports. Calendar No. 298, and No. 299. So the Clerk calls the unfavorable report.