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**H-113**

**CONNECTICUT  
GENERAL ASSEMBLY  
HOUSE**

**PROCEEDINGS  
1971**

**VOL. 14  
PART 6  
2503-3010**

Page 8, Calendar 777, Substitute for House Bill 5858 -  
An Act Concerning Adoption of a Uniform Safe Driver Plan for  
Automobile Insurance, File 790.

MR. SPEAKER:

My calendar indicates that this item was passed retaining  
earlier.

CLERK:

The Clerk's calendar indicates that everything was PR'd  
on that page except the last item.

Calendar 813, Substitute for Senate Bill 0492 - An Act  
Concerning Regulating Activity Involving Explosives.

MR. SPEAKER:

Representative Cohen of the 41st.

REPRESENTATIVE COHEN:

I move acceptance and passage of the joint committee's  
favorable report.

MR. SPEAKER:

Will you remark.

REPRESENTATIVE COHEN:

I think the Clerk has an amendment.

MR. SPEAKER:

Clerk call House Amendment Schedule A.

The Clerk indicates even though it does not appear printed in  
your material for today on the file that there is a Senate  
amendment schedule A which properly should be adopted.

REPRESENTATIVE COHEN:

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the Commissioner of Finance and Control or any such space that they may require. It also provides further that when such space is provided it shall be subject to the approval of the Board of Trustees where institutions are involved which are governed by such Boards.

MR. SPEAKER:

Will you remark further on the bill. Questions on acceptance of the Joint Committee's favorable report and passage of the bill. All those in favor will indicate by saying Aye. Opposed.

The bill is passed.

CLERK:

The Clerk now has the amendment on Calendar 255.

MR. SPEAKER:

Is the Majority Leader prepared to advance on Calendar 255 at this time.

REPRESENTATIVE HANNON:

We find ourselves in the position of having to ask this matter be passed retaining.

MR. SPEAKER:

Is there objection to the matter be retained. Hearing none, so ordered.

CLERK:

Page 8, Calendar 813, Substitute for Senate Bill 492 - An Act Concerning Regulating Activity Involving Explosives as amended by Senate Amendment Schedule A.

MR. SPEAKER:

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Gentleman from the 41st.

REPRESENTATIVE COHEN:

I move acceptance and passage of the Joint Committee's favorable report and passage of the bill.

MR. SPEAKER:

Question is on acceptance and passage. Will you remark.

REPRESENTATIVE COHEN:

The Clerk has an amendment.

MR. SPEAKER:

The calendar items read by the Clerk, although it is not indicated on the printed calendar, is as amended by Senate Amendment Schedule A. The Clerk has in his possession two House amendments. The appropriate motion before us before consideration of other house amendment, is consideration of Senate Amendment Schedule A. Will the gentleman from the 41st care to address himself to Senate Amendment A.

REPRESENTATIVE COHEN:

I yield to Mr. Oliver.

REPRESENTATIVE OLIVER:

Mr. Speaker, I would move it, although it was moved at the time we passed the matter temporarily the first time. It was connection with an inquiry thereto that we asked to have the matter passed temporarily. Mr. Speaker wishes me to move adoption of Senate A, I should certainly do so.

MR. SPEAKER:

The Chair was informed by the Clerk before the Chair brought

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this to the attention of the gentleman of the 41st that such action had not been taken. I think the gentleman be kind enough to take that motion at this time.

REPRESENTATIVE COHEN:

It is late, I will move.

MR. SPEAKER:

Question is on adoption of Senate Amendment Schedule A. Will you remark.

REPRESENTATIVE COHEN:

Mr. Speaker, as I said before, Senate Amendment Schedule A adds Section 6 to the bill, file 26. Section 6 sets forth certain exceptions to a bill which I would explain later when it comes before us as amended. These exceptions do not change our existing firearms and ammunition statutes. Section 6 of the bill grants as originally asked me by Mr. Stevens, no immunity to any person to create bombs by buying and assembling gun powder or components of ammunition. This bill, as we will get into goes to the problem of explosive which is an increasing problem in our society these days, but Section 6 grants no license to anyone to assemble bombs through the use of taking apart of ammunition or firearms. I move acceptance of Senate A.

MR. SPEAKER:

Will you remark further on Senate Amendment Schedule A. If not, all those in favor will indicate by saying Aye. Oppose. Amendment is adopted. Prior to action of Senate Amendment Schedule A, the gentleman from the 41st indicated additional

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House Amendments.

REPRESENTATIVE COHEN:

I move acceptance of House Amendment Schedule A. I yield to Mr. Oliver.

MR. SPEAKER:

The Chair cannot entertain motions for adoption of multiple amendments concurrently. The Clerk will please read House Amendment Schedule A.

CLERK:

Mr. Oliver's amendment.

REPRESENTATIVE OLIVER:

A point of information, MR. Speaker, does the Clerk have more than one House Amendment in his possession.

MR. SPEAKER:

The Clerk indicated the Chair prior to calling the item, he had two house amendments in his possession. Will the Clerk please confirm that information.

CLERK:

Yes, I have House Amendment Schedule A which refers to line 187 offered by Mr. Oliver and I have one from Mr. Stevens which refers to line 72.

REPRESENTATIVE OLIVER:

Let's take up House Amendment Schedule A.

CLERK:

Which one is going to be A.

REPRESENTATIVE OLIVER:

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A is the one I put in.

CLERK:

House Amendment Schedule A, offered by Mr. Oliver of the 10<sup>4</sup>th. In line 187, after the word "act" add the words "or of Section 29-83.

REPRESENTATIVE OLIVER:

I move adoption.

MR. SPEAKER:

Question is on adoption of House Amendment Schedule A. Will you remark.

REPRESENTATIVE OLIVER:

Technical of Housekeeping merely makes a reference to the definitional sections.

MR. SPEAKER:

Will you remark further on House Amendment Schedule A. If not, all those in favor will indicate by saying Aye. Opposed. House Amendment A is adopted. Will you remark further on the bill as amended.

REPRESENTATIVE OLIVER:

Speaking on the bill as amended by Senate A and House A.

MR. SPEAKER:

Gentleman from the 41st.

REPRESENTATIVE COHEN:

I introduced this bill and would rather speak on it to make sure it passes.

This bill will help prevent the indiscriminate sale and use

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of dynamite and explosives. At these difficult times of stress and dissent, when public buildings and private property is being bombed and destroyed with some loss of life, some additional legislation is needed. What this bill does is to tighten the controls when purchases of dynamite are made by permits or by license. It creates a dual system of licensing. One, the State Commissioner of police, the other is the marshall at the local level. A record of the time of purchase is made by the purchaser as to his identity, his character and his residence. The bill increases the penalty for any absence of these requirements. This is a much needed bill.

MR. SPEAKER:

Will you remark further on the bill as amended by House Amendment Schedule A. Gentleman from the 104th.

REPRESENTATIVE OLIVER:

I am pleased to concur with the remarks of the distinguished Chairman of that committee. It is an excellent bill. The two amendments have tightened it up very well.

MR. SPEAKER:

Question is on acceptance of the Joint Committee favorable report and passage of the bill as amended by Senate Amendment Schedule A and House Amendment Schedule A. Will you remark further on the bill as amended. The lady from the 101st.

REPRESENTATIVE CLARK:

I would like to concur that this is a good bill. It includes a section requiring financial responsibility before a person is

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permitted to use explosives.

MR. SPEAKER:

Will you remark further on the bill as amended. Gentleman from the 122nd.

REPRESENTATIVE STEVENS:

The Clerk has a further amendment.

MR. SPEAKER:

The Clerk has a further amendment. Will the Clerk read House Amendment Schedule B.

CLERK:

Offered by Mr. Stevens of the 122nd. In line 72, after the word "explosives.", insert the following language: "Any such license to use explosives shall bear both the fingerprints of the licensee obtained by the Commissioner of State Police at the time of licensing, and his photograph, furnished by him, of a size specified by the Commissioner and taken not more than one year prior to the issuance of the license."

In line 103, after the word "explosives" delete the word "shall" and delete all of the language in lines 104 through 107.

MR. SPEAKER:

Gentleman from the 122nd.

REPRESENTATIVE STEVENS:

The purpose of the amendment is simply to make identification of the individual who obtains the license more specific so that we can retain strict control over individuals who are so licensed. I think it strengthens the bill which is needed. I move its

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adoption.

MR. SPEAKER:

Question is on adoption of House Amendment Schedule B. Will you remark further.

REPRESENTATIVE OLIVER :

When discussions were taking place on House Amendment Schedule A at a prior time this afternoon, I for one, and I for one, and I think the Chairman of the committee, weren't aware of House Amendment Schedule B. I would like to inquire of the gentleman who brought out from the 122nd. I take it, as I read this, this transfers fingerprints which occurred in subsection D of the bill to subsection B. As you read this transfer does this eliminate the requirement of fingerprints of the license under subsection C. As I read it, D referred to both A and B and I wonder if it does now.

MR. SPEAKER:

Does the gentleman from the 122nd care to respond.

REPRESENTATIVE STEVENS:

Can we pass this temporarily.

MR. SPEAKER:

The matter be passed temporarily.

CLERK:

Page 9, Calendar 825, Substitute for House Bill 8187 - An Act Concerning the Terms of Elective Municipal Officers.

MR. SPEAKER:

Gentleman from the 46th.

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regular calendar.

MR. SPEAKER:

Objection. Hearing none, the matter is retained.

REPRESENTATIVE HANNON:

May I inquire at this time as to the status of the passed temporarily. We have one matter that was passed temporarily. We are now ready to proceed with it.

MR. SPEAKER:

Will the Clerk please return to page 8. Calendar 813, the Chair's notation indicates that that matter is still before us, it was passed temporarily.

CLERK:

Substitute for Senate Bill 0492 - An Act Concerning  
Regulating Activity Involving Explosives. Amended by Senate A which we adopted, House A, adopted, House B which we are considering.

MR. SPEAKER:

Gentleman from the 104th.

REPRESENTATIVE OLIVER:

Speaking on House Amendment Schedule B offered by Mr. Stevens. It has been reviewed by council, it is intended to be and does indeed operate as a mere housekeeping change. The bill as originally printed in the file required fingerprints to get these licenses, this just changes it from Section B to Section D. It is probably just as well to do so and I think an orderly fashion I think we can accept that.

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MR. SPEAKER:

Will you remark further on House Amendment Schedule B. The gentleman from the 46th.

Will you remark further on House B. If not, all those in favor will indicate by saying Aye. Opposed. House Amendment Schedule B. is passed. Question is on acceptance of the Joint Committee's favorable report and passage of the bill as amended by Senate Amendment Schedule A as amended by House Amendment Schedule A and B. All those in favor. Will you remark further. Gentleman from the 46th.

REPRESENTATIVE DONNELLY:

I would like to know and I am a little confused, as to whether or not there has been a satisfactory answer to Mr. Steven's question of early this afternoon. As to the components of smaller ammunition being accepted from the operation of this bill. Does Mr. Oliver know. regretablely Mr. Stevens has left.

REPRESENTATIVE OLIVER:

Mr. Speaker, through you, the gentleman from the 46th wasn't in the chamber when I answered that question on about the third time it was passed temporarily. Yes, no, in the spirit of good will I would say that matter has been clarified and I would respond if the members would let me speak for the fourth time on this thing.

Mn speaking in answer to Mr. Donnelly's question, that exemption in Section 6 to which he refers which was Senate Amendment Schedule A. Basically protects the existing fine

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work of statutes, federal and state, concerning firearms and firearms ammunition. It in no way changes or infringes upon our existing statutes so referred and Section 6 of the bill grants no immunity on the other hand to any person to create bombs by buying or assembling gun powder for components of ammunition.

MR. SPEAKER:

Will you remark further on the bill. If not, the question is on acceptance and passage as amended by Senate A and House A and B. All those in favor will indicate by saying Aye. Opposed. The bill is passed.

REPRESENTATIVE HANNON:

If there is no other business to come before this chamber, I move we adjourn until Monday at 1:30.

MR. SPEAKER:

Question is on adjournment until Monday at 1:30 P.M. All those in favor will indicate by saying Aye. Opposed. The House stands adjourned.

TIME: 4:42 P.M.

Ann T. Delaney  
House Transcriber

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Mr. President, this bill merely abolishes an ancient action on the books, concerning criminal conversation. I might add, according to our caucus some of the conversations, I have heard around here during the past few months, we might want this to be retro-active but I'm afraid it can't be. I urge the adoption of the bill.

THE CHAIR:

Question is on passage, will you remark further? Will anyone criminally converse further? If not, all those in favor signify by saying, "aye". Opposed, "nay". The ayes have it. The bill is passed.

THE CLERK:

FOOT OF THE CALENDAR:

CAL. NO. 193. File No. 212. Favorable report of the joint standing committee on Public Health and Safety. Substitute Senate Bill 492. An Act Concerning Regulating Activity Involving Explosives. Clerk has an amendment.

SENATOR PAC.

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

THE CLERK:

SENATE AMENDMENT A, offered by Senator Alfano:

Add section 6, as follows:

Sec. 6. No provision of this act shall apply to small arms ammunition or components thereof, or to gun powder in quantities of not more than fifty pounds in any one place, or to any materials for hand loading, reloading or custom loading small arms ammunition for hunting or other sporting purposes; and any person, firm or coporation. which has obtained and is the holder of either (1) ~~a valid license as an importer, manufacturer, or dealer,~~



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Please turn to page 22. Under the heading Disagreeing Action. Calendar #193, file #1164. Favorable report Joint Senate Committee on Public Health and Safety, subs. S.B. 492. An Act Concerning Regulated Activity Involving Explosives.

SENATOR PAC:

Mr. President, I move acceptance of the Joint Committee's favorable report and passage of the bill as amended by Senate schedule (a) and the House amendment schedule (a & b).

THE CHAIR:

Will you remark.

SENATOR PAC:

The House added an amendment to this omnibus bill on explosives and the amendment is to the effect that it includes in the exclusions that we provided for the small fire arms people as section (2983) which is concerned with chemical and mechanical compounds and explosives of this type. This is dealt with this statute. And it also provides that the Commissioner of Police shall obtain the photograph and the fingerprints of any user of explosives, rather than the local fire marshall.

THE CHAIR:

Question on passage. Will you remark further, if not, all those in favor of passage, signify by saying Aye. The Ayes have it, the bill is passed.

**JOINT  
STANDING  
COMMITTEE  
HEARINGS**

**PUBLIC  
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PUBLIC HEALTH AND SAFETY

TUESDAY

FEBRUARY 23, 1971

Rep. Lyons: Mr. Flanagan, I might add that's a fine name. Would you have any objection to a four year term of office?

Mr. Flanagan: If I may answer your question in this manner, Mr. Lyons, you will hear this morning a bill whiches the fire service is in favor of, 482, and I think and I think that all of the answers will be included in this particular bill affecting the fire marshalls who will be under the certification of the state fire marshalls office. This is really a good strong bill and would protect every municipality in the state.

And if I may, Mr. Chairman, while I have the opportunity to register in favor of S.B. 482, and also S.B. 492 as your committee will hear it later on. Thank you very much.

Richard R. Mulligan, Captain of State Police, Commanding Officer of the Division of Public Safety and Deputy State Fire Marshall: Representing Commissioner Mulcahy who is the State Fire Marshall, we wish to register in opposition to the provisions of S.B. 129. We feel that this would be defeating everything that we have been working towards over the last ten to fifteen years in upgrading the position of local fire marshalls. We have a bill that will come before you later in your calendar, S.B. 482, which hopefully will do what we've been attempting to achieve over the years which would provide for certification of the local fire marshall. And it would maybe, or perhaps, spell out more clearly the tenure of office of this particular position.

I will have further to say on that when that bill comes up.

Sen. Pac: Any questions? Thank you. Anyone else?

Howard Reynolds, Chairman of the Legislative Committee of the Conn. Association of Fire Chiefs: Our organization wishes to go on record in opposition to S.B. 129. We agree with what has been previously said regarding this bill, in opposition to it, and we do not feel it would be in the public interest to have this bill become law. Thank you.

Rep. Cohen: What made these people want to put in this bill? They must have some-

Howard Reynolds: I'm not familiar with it. It's nothing that the fire service sponsored I assure you.

Sen. Pac: Any other firemen in the crowd? We'll move on to S.B. 131.  
AN ACT CONCERNING CONFIDENTIALITY OF RECORDS CONCERNING MORBIDITY AND MORTALITY. Anyone speaking in favor?

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We feel that he should have the continuity of office and also that he should be properly trained in his office after he accepts it or before he accepts it. We feel that this bill will go a long way in securing the desired effects that would be in the public interest in this important job.

Also I would like to register in favor of HB, SB 492, at this time.

Sen. Pac: Thank you.

Andrew Flanagan, representing the Connecticut State Firemens Association: With their approval of H.B. or S.B. 482. This bill has been given quite considerable consideration by members of the fire marshals association in working in close cooperation with the state fire marshals office in the drafting of this bill in order to strengthen and by strengthening the fire marshals office of the appointment to the fire marshal position it will afford better protection. With your kind consideration I am hoping for a favorable report guaranteeing the people in the state of Conn. greater public protection. Thank you.

Richard Smallman, Fire Marshall, West Shore Fire District, City of West Haven: I would like at this time as a member of the West Shore Fire District and also as being a member of the state board of the Fire Marshals Association, to go on record as being in favor of S.B. 482 and 494 and 492.

John H. Tweed, Fire Chief and Fire Marshal, Town of Branford and also representing the Conn. State Fire Marshals Legislative Committee: We would like to go on record in favoring S.B. 482. This is a bill that is definitely needed in the state to upgrade the position of fire marshal. It is a very important position. As you probably are all familiar with the regulations as set forth in our state statutes and the duties of a fire marshal. This will bring it up to a certification which is definitely needed with the increase and changing in our laws. I'd also like to go on record in favoring S.B. 492 also. Thank you very much.

Joseph Howell, Chief, State Fire Department: I'd like to go on record in favor of 482 and 492. I think these are very important. I'd like to see them passed. Thank you.

Sen. Pac: Anyone else wishing to be heard?

Angelo Willey, Fire Marshal, Alleytown Fire District, City of West Haven: The Alleytown Fire District would like to go on record as being in favor of bills 492 and 482. Thank you.

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George Raitt, representing the American Blasting Association, as president, also affiliated with the Drilling and Blasting Contractors in the state of Connecticut: In reference to bill 492, regulating activity involving explosives, as a representative of users and suppliers, perhaps paradoxically, we are supporting this bill wholeheartedly. It has been in this state, there is possibly seven or eight million pounds of explosives used annually on an average. At the present time anybody who can convince the local fire marshal that he is capable and competent, for a fee of twenty-five cents, he can get a permit to blast. We feel and welcome such regulation. We feel that it helps us as legitimate, responsible people.

We do have some revisions, some tailoring, some minor tailoring. I don't know whether this is the place to do it, if it would be appropriate. I'm not familiar here. I'm not an attorney. Under section 2: Any person, having in his possession any explosive for which he has not a bill of sale or who cannot produce legal evidence - a bill of sale is not always available in this type of situation. Much of this is sold on credit in large amounts. I would like a clarification on what legal evidence this would entail.

Rep. Cohen: Bill of sale doesn't necessarily mean a cash sale.

Mr. Raitt: No, but it would be an invoice which may or may not be present at that particular time.

Rep. Cohen: If you knew you had to have one, you could get one.

Mr. Raitt: Yes, well (transcript not clear) Actually this is somewhat covered under section 3 g, Violating of any section 3 is also liable for penalty. I would caution one thing on the words competence and technically qualified when referring to the licensing. This is a very difficult thing to try to determine. You're dealing with tremendous forces here, two and three million pounds per square inch. It's awful hard to judge who is and who isn't. I do think that you may run into a problem on licensing. There are various types of blasting. There is agricultural, research and development people and so on as well as tunnel, and quarry and regular construction. I think there should be some differentiation as to, perhaps, a type of license for each specific category or a qualification, in other words restricted to certain types because by this you would have a man who was a farmer who was going to blow a stump would have the same license as the man who was going to blast in the vicinity of a structure with large amounts of explosive and so on. I'd like to point out too that the federal register, volume 36, No. 10, part 181 of the Internal Revenue Service has just put into effect a federal

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law. I'm sure you've all heard about it, and I don't see any conflict with this particular bill. Thank you very much.

Sen. Pac: Any questions?

Hollis Church, President, H.F. Church Drilling and Blasting Company in Farmington: I came to appear in favor of this bill, even though it may complicate our business slightly. No legitimate user that I can think of would fail to recognize the need for this legislation.

Arthur Sibley, A.E. Sibley, Inc.: I am authorized distributor for Hercules Inc. one of the major manufacturers of explosives and I would like to speak in favor of 492. I call to your attention that we are, we will support legislation and additions and corrections of laws pertaining to the use of explosives in this state. We feel that the department has done an excellent job in recommending this, and we hope that the corrections and tailoring that will take place as a result of conversations here today, the recommendations of Mr. Raitt, will make a very good step in the direction in bringing law into our industry that is similar to what is being called for and what we are regulated by federal act. I hope very much that you can give it consideration. The use of explosives is a very necessary implement of our industry for construction in this state, and we need to protect the public and consider the public's interest, since we are under terrific pressure by influences that want to use explosives for purposes that are not what they were originally designed for, namely in ways that are damaging and threatening of public property and life. We're very much in favor of it and we hope that you'll give it prompt attention.

William Cruise, New Haven Trap Rock Company, Drilling and Blasting Superintendent: In the state of Connecticut we are the largest users of commercial explosives in the state. And I do believe this to be a workable law that we can work with. And we'd like to go on in favor of this bill.

Sen. Pac; Anyone else wishing to be heard on any subject? If not the public hearing of this committee is ended.

Statement by Ruth H. Clark, District 101, prepared for Public Health and Safety Committee Hearing, February 23, 1971: I want to speak in support of SB 492. AN ACT CONCERNING REGULATING ACTIVITY INVOLVING EXPLOSIVES.

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I favor all the recommended changes embodied in this act and especially Sec. 3 (e) requiring financial responsibility on the part of the users of explosives or blasting material.

I had put in HB 5068 with this idea in mind and I am happy to see it embodied in Senator Alfano's bill.

I am also in favor of the lead-based Paint Poisoning bills HB 5104, 5107, 5108, 5109, 5178.

SB 520 I believe should be amended to include the services of uncertified personnel such as school health aides who assist the school nurse, the school physician, and occasionally the dental hygienist with the school health program.

The Connecticut Jewish Community Relations Council is in favor of the following Legislative Bills: House Bills 5104, 5106, 5107, 5109, 5178, 5322, 5888, 6058; Senate Bills 200, 131, 189, 199, 517, 520, 630, and 363.

The connecticut Jewish Community Relations Council is in opposition to Senate Bill 422.