

Legislative History for Connecticut Act

<u>HB 6037</u>	<u>PA 477</u>	<u>1980</u>
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Senate	2725-34, 2857, 2859-60, 3862-66, 3934-37, 3983	(23)
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JOINT  
STANDING  
COMMITTEE  
HEARINGS

JUDICIARY  
PART 5  
1127-1435

1980

State Capitol  
Judiciary Room  
March 26, 1980  
9:00 A.M.

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PRESIDING CHAIRMAN: Representative Garavel

COMMITTEE MEMBERS PRESENT:

REPRESENTATIVES: Onorato, Patton, DelPercio,  
Parker

REP. PAUL GARAVEL: My name is Rep. Garavel and I will be chairing this meeting this morning. The first speaker I'd like to call is Rep. Chester Morgan. Just for those people present I'd like to remind you that maybe not all the committee members are present at this time but your testimony is being made record and will be available for all the committee members to review.

REP. CHESTER MORGAN: I've heard that one before. Good morning, Mr. Chairman. It is indeed a pleasure to testify here this morning before the Judiciary Committee on one of the newest members of our General Assembly. I just want to go on record as saying thank you to the members of this committee and the staff for the outstanding work they've done bringing what I think is one of the most important bills to come before this legislature this year. On a emergency basis and the work they've done has been outstanding.

The bill I refer to is raised committee bill 6037, an act concerning licensing of purchases of precious metal and stones. This problem is just surfaced in the past six to eight months as we've seen what the great increase in the rise of gold, silver and some of the other metals that I describe in the bill that I've had drafted by this committee. I think we've seen all the ads in the newspapers with a set-up motel operations. Large concerns are coming in from out-of-state. No questions asked on buying gold or silver and other precious stones and metals. Many of which I think are stolen goods.

This bill that I have asked to be drafted by the committee would require that the purchaser be licensed by the Chief of Police or in the case where there is no Chief of Police in a town the First Selectman.

REP. MORGAN: (continued)

It would require recordkeeping including time of each transaction, description of the goods, name and address of the seller and positive identification of the seller and the type of identification used. This would be public record and would be available to the Chiefs or Police or the First Selectmen in each town. Some of the more aspects of the bill deal that no minor unless accompanied by a parent or guardian could take part in these transactions. And I think we've seen in all our towns where some of our young people are getting involved in robberies in the homes and getting caught and with the type of ads that are there with cash reward and different things like this, I think many of our young people are being led astray because of these ads and end up ruining their lives for great periods and that's why we opted to have in this bill that no minors would be able to sell for the purchases of precious metals unless accompanied by a parent or guardian.

Another major portion of the bill there will be no cash transactions. All transactions will either be by check, draft or money order. This will go a long way in recording some of the transactions that are going on and keeping records and it would also be much easier to trace some of these transactions with the draft or check what have you.

One of the problems that we had as I originally intended to write into this bill was that the purchases were to be required to keep this metal or stone for a certain period of time. I've met with members of the industry and they have convinced me at this time it would be very, very hard on their industry to keep this amounts of metal in their stores for the period of two weeks to a month. That's why we changed to go along that there would be no transactions and we've written out of the bill a portion where they would have to keep these metals for a certain amount of time.

I did tell them that while I felt this bill would go a long way I would be looking at it over the interim and if this still was a problem we would work with them and see what we could do. But at this time there is no provision to keep this metal or stones or any period of time. The bill also requires that a receipt be given to the seller that describes the goods and what have you.

REP. MORGAN: (continued)

Also, they would have to give weekly sworn statements to the Chief of Police which would include the name and address of the seller and a description of the goods. One change that I would ask that we forgot when we had the bill drafted was I would hope you would look to either make this bill effective on passage or in lieu of that if you felt that this was not time enough at least make it effective July 1, 1980 and not the effective date that most bills have which would be October 1st.

We're facing a crisis I think you see now that it is not as large as it was in the past few weeks because of the drop in the price of gold and silver but there's nothing to say in the next few weeks or months that the prices will not be driven up again and these problems will arise. I thank the committee. I think they've done an outstanding job and I realize you're working on a time schedule today. This is your deadline day. And I think that this is a most important bill and I hope you will when you meet in your committee and in your deliberations you will bring forth the words that I gave and others that will follow me on this important bill. And just exactly why we need it either effective on passage or at least in lieu of that July 1, 1980. Are there any questions.

REP. GARAVEL: Thank you. Yes, I have one question. You have been opposed --

REP. MORGAN: I'm sorry.

REP. GARAVEL: A dollar a month fine.

REP. MORGAN: I think we left that -- I'm not on the Judiciary Committee and I think that that's in your area of expertise and that's why we didn't leave that blank because --

REP. GARAVEL: Do you have any recommendation that you might like to see.

REP. MORGAN: No, I don't. Maybe people that are going to follow me. There are starting to be bills in other states and maybe they could give you that testimony. But at this time I would leave it up to the wisdom of the committee as to

REP. MORGAN: (continued)  
exactly what the license fee would be and what the penalty  
fee would be in that section f in line 49.

REP. GARAVEL: Thank you, Rep. Morgan.

REP. MORGAN: Thank you very much.

REP. GARAVEL: Rep. William Rogers.

REP. WILLIAM ROGERS: Good morning, Mr. Chairman. I'm  
Rep. William Rogers of the 69th Assembly District. And  
I can appreciate your caring this committee meeting this  
morning. I did the same in one of my three last Thursday  
Planning and Development. I was the lone member for an  
hour and a half.

I am coming this morning to support strongly raised committee  
bill 6036, an act concerning victim and witness assistance.  
In short, what it does is add a few words to the current  
legislation. And it recognizes now the necessary work being  
done by the victim in witness assistance services in which  
I feel currently is extremely insufficiently funded. I  
think we have been putting so much emphasis on the rights  
of the criminal and have tragically ignored the rights and  
the harm that is being done to so many of those being  
attacted in crime today.

And I will sit by here and listen to some of them more  
involved people in this unit again to add to my fund of  
knowledge which is going leaps and bounds and thank you  
very much.

REP. GARAVEL: Thank you. I have two names listed here. Harold  
& Jan Kritzman. Do they intend to speak together.

MR. HAROLD KRITZMAN: Mr. Chairman, my name is Harold Kritzman.  
I am President and owner of Old Town Coin Company, Inc.  
doing business in the Town of Newington, Connecticut. I'm  
here to discuss representative of myself and my industry  
the committee bill 6037, a bill replacing restrictions on  
precious metals dealing in Connecticut.

We of Old Town Coin Company, Inc. urge the passage of this  
very important bill. In the interest of law enforcement

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MR. KRITZMAN: (continued)

against fly by nights precious metals buys by other local opportunists. Who encourage the receiving of stolen silver, gold and jewels pay instant cash, ask no questions, keep no records and leave town with the merchandise very rapidly.

The bill proposed by State Rep. Chester D. Morgan of Vernon and Rep. Paul A. LaRosa of Hartford provides what we feel. A necessary restrictions in buying silver, gold, jewelry and precious stones. We wish to make one modification to the bill as it stands. Specifically in line 45 through 50. Which states currently each such licensed person shall make a weekly sworn statement describing the goods received and setting forth the name and address of each person from whom goods for purchase to the Chief of Police of First Selectman of each municipality and which the transacted business of that week.

We respectfully would like to have that perhaps considered to be a weekly sworn statement upon request. I do not see the need for the Chief of Police or other First Selectmen to on a regular basis when no need to ask for a sworn statement.

REP. GARAVEL: So if you had to ask for one you would have to make it anyway, right.

MR. KRITZMAN: That's correct. Well, what I'm saying is since we're not spelling out it would have to be done by a Notary Public or whatever to swear out the records as they stand are accurate as described. That when required and/or requested by the Chief of Police that such records be made available. Although obviously we will be taking those records anyway. It's just -- I'm not speaking for the Chiefs of Police but I would assume that they would not want to make it a part of their weekly job to come and read a sworn statement from us. Obviously, when necessary it would be required.

REP. GARAVEL: I think the intent here is to have the license person just file it with the Police Department. And leave it on record there for the Police Chief to review if he needs to. I think that is what the intent is.

MR. KRITZMAN: I understand, Mr. Chairman, I'd like that reviewed because that was not made clear.

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REP. GARAVEL: I'll see that it --

MR. KRITZMAN: Okay. As an established dealers of precious metals and rare coins in our eight year business in Newington, we have always transacted a business according to similar guidelines. We accept suitable records up to this time, have paid only by check and find none of the restrictions as set forth in this bill to restrict our current mode of operation. Or in our opinion any professional operation of the buying or selling of precious metals in this town. I thank you chairman for hearing our opinion and hope that this can be enacted without further delay.

REP. GARAVEL: Thank you. Charles Ward.

MR. CHARLES WARD: Good morning. My name is Charles Ward from Vernon, Connecticut and I'm a victim of a recent burglary. As a matter of fact I'm a victim twice over. This is the second time that I've been burglarized in less than a year. I might add that I leave my doors open now. I haven't anything of any value left. So I have no personal gain to be here except to promote the passage of the bill as created by Rep. Morgan and Rep. LaRosa, Bill 6037.

In my particular case I don't believe that my town of Vernon or the circumstances surrounding the burglaries at my home are unique or different in any way to the total state picture. We're all, I guess, all too aware that this situation has reached an epidemic proportion with the increase of the cost of precious metals. And the tragic aspect of it is the young people that are getting involved through the ads that have been referred to here earlier. Through the shady characters who are breezing in and out of town or setting up phony fronts as the case of the fence of my material.

Enticing the young people to participate in this activity. A week after the second robbery back in February I followed up on one of these ads that may be of interest to this committee. This was a half page -- a good half page ad with a dollar bill across the top to get your attention. The largest letters in the ad were immediate case. The ad said everything really except no questions asked. This was a fella that set up in a motel.

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MR. WARD: (continued)

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I went to the motel and up to the third floor where he was conducting his business. There were chairs lined down the corridor of the motel, around the corner and almost the entire floor. There had to be at least fifty or sixty people sitting there with their paper bags and boxes, with their possessions. At the door to the fella's room was a uniformed officer from the town here in Connecticut. Gun, the whole thing. And I went up and I asked him now you're here to protect the fella inside. He said, that's right.

I think that this is a situation where no I said, is he paying by cash, check or what. Oh, he said cash. I said, does he require any identification. At this point he got a little confidential, leaned toward me, kind of poked me in the ribs and he said, identification are you kidding look around at some of these people, which I had already done of course. My guess would be that probably about 50% of those people in that motel that morning were there legitimately with their own possessions, the other 50% you would have to question severely, including a lot of young people. Juveniles, who have no reason in the world to be in possession of these types of goods.

When I left the motel I was approached as I entered the elevator by a Columbo type character in a trenchcoat. He offered me whatever if I hadn't sold my goods because I didn't have anything to sell. I was just there checking out. He said I'll give you more if you haven't accepted his bid. Whatever he offered I'll offer you more. When I got down to the parking lot I was approached a third time. Now this situation. As I say there's nothing between the phony fronts you both have seen the ads, a phone number, immediate cash. Will travel. In other words meet me at an abandoned lot at midnight and I'll give you cash for whatever you've been able to steal that day.

This situation if it weren't tragic for the victim and for the young people. In my case there were three teenagers and three juveniles. Five robberies in one afternoon. The fence has got an empty building with a sign outside. And by testimony to the police, individually and separately, he bought this material and as a matter of fact taught these kids what to steal as much as two years early.

MR. WARD: (continued) HB6037

In other words, don't bring me anything that's gp or gf. Go for the gold filled, look for 10 caret, 14, 18, 24. Bring me material that only says sterling and that's -- I got the impression when I checked this one situation at the motel that it bordered on a keystone cop comedy. Honest to God. You would have to -- you know if it weren't tragic you would stand back and laugh.

A Laurel and Hardy type of situation that these people (inaudible). I think that this is a situation where no license is in fact a license to steal. That's exactly what's happened. And I would think that all dealers would welcome this bill. I don't know to what extent legitimate business is being siphoned off by these people. But I think that Rep. Morgan and Rep. LaRosa should be commended and applauded for bringing this bill forward. I thank you.

REP. GARAVEL: Thank you. Richard Dubiel. Just state your name for the record. HB6036

MR. RICHARD DUBIEL: Mr. Chairman. Members of the Judiciary Committee. My name is Richard Dubiel. I'm a Counsel with the Victim Offender Program of United Services of Danielson. The purpose of our program is to help innocent victims like Mr. Ward and those before me. Misery likes company so they say. And Mr. Ward you're one of 155,000 victims of crime last year in Connecticut.

The Victim Compensation Board was established to help reduce the financial impact of victimization and selected categories of cause. In creating this board the State legislature acknowledge the heartship experience by many victims of crime. And have formed a mechanism for providing them with some relief. However, much of the money earmarked for this purpose is currently unexpended.

I would argue that a constant compensatory program that provides monetary relief to just a few victims and allows no mechanism for more general victim support is inadequate. It is widely recognized that victim needs and concerns can frequently be neglected in a legal process. Police Departments and State's Attorneys do not have the time or staff resources to give victims the attention they deserve.

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MR. DUBIEL: (continued)

Currently, more personal victim services are being provided across the state by counselor advocates who work closely with local Police Departments and State's Attorneys. These counselors provide information, advocacy, claims assistance and counseling to the whole range of criminal victims. Our program in a rural northeastern Connecticut served 225 victims last year. Many of these programs such as our own are currently facing the ends of their Federal support.

Passage of house bill 6036 would allow victims to apply to state board established for victim relief for funds to continue providing these crucial services. I urge you to support this legislation. Thank you.

REP. GARAVEL: Thank you. Do you have any idea what the cost will be of this program.

MR. DUBIEL: No, I'm sorry I do not.

REP. GARAVEL: But there is a cost attached.

MR. DUBIEL: Many of the funds used to support this would be provided by a fee charged to each person sentenced in court. Currently, I believe, it's \$10.00 -- a \$10.00 court fee.

REP. GARAVEL: Do you think it might be self-sustaining.

MR. DUBIEL: Yes, I believe so.

REP. GARAVEL: Thank you. Marc Green.

MR. MARC GREEN: Good morning, Mr. Chairman.

REP. GARAVEL: Good morning.

MR. GREEN: My name is Marc Green. I am an officer in the firm of Lux, Bond & Green & Stevens Jewelers of Hartford, Connecticut. I'm a fourth generation jeweler. I'm an ex-director of the Better Business Bureau of Greater Hartford. I'm currently a Director Connecticut State Retail Jewelers Association. I hold national office on a organization and procedures committee of the American Gem Society, of which I'm a licensed certified gemologist.

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MR. GREEN: (continued)

I'm here to speak on behalf of house bill 6037, an act concerning licensing purchasers of precious metals and stones. I strongly urge passage of this bill. I'd like to add a couple of points not made. First of all, I would like to congratulate Rep. Morgan. I think this is a bill most needed by the state. A couple of points I'd like to bring up. Number one, already I am required by city ordinance being in business in Hartford of making statements to the Police Department on any transaction I already had when I purchase precious stones or metals from the consuming public.

This has never impeded our business. We have always paid by check. And conducted our business professionally. This particular bill I also believe will aid the victim of crimes. I also, listening to previous testimony, do urge passage of this bill to July 1, 1980 area due to the volatility of the precious stones and metals market. I might add that this bill because of the volatility market is quite important. It not only helps everybody involved as far as recordkeeping. I believe it would not impede at all professional practices and businesses. I believe it would be a great help in crime prevention. I strongly urge passage of this bill as soon as possible. Thank you very much.

REP. GARAVEL: Thank you. I have just one question. Right now you as a jeweler, do you need a license to buy gold plated silver or --

MR. GREEN: I don't actually -- I have a junk license is what it is. I'm required to have a junk license. And this is by city ordinance. I am required to make periodic statements of any purchases I make to the local Police Department. Not only am I supposed to do this. I also have to take a description of the person and identification as well.

REP. GARAVEL: That's for anything that you buy --

MR. GREEN: That's correct. And it has become a normal business procedure. It has not affected our business. It's really takes a couple of minutes, you know, to ask somebody for identification. And paying by check actually is just a professional method of conducting business.

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REP. GARAVEL: But right now you do not need a license to buy.

MR. GREEN: No.

REP. GARAVEL: Thank you. Dennis Barry.

MR. DENNIS BARRY: Good morning, Mr. Chairman. My name is Dennis Barry. I work for the Chief State's Attorneys Office where I'm in charge of the Victim Witnesses Unit. As you know from earlier testimony we have six field offices across the state that help crime victims. In order to give you some idea of the numbers that we're talking about I think I ought to say that these six offices have provided more than 20,000 services in a little less than two years to crime victims and witnesses.

The previous speaker said there were about 155,000 crime victims in Connecticut annually. That's a very conservative estimate in addition to which I think you ought to be aware that there are more than 100,000 witnesses to crimes which are often at least as traumatized as the victim. I'm here today to speak in behalf raised committee 6036, an act concerning victim and witness assistance. I applaud the committee for raising this bill. It is an excellent combination of assistance and compensation. The compensation act as it is currently written does provide a needed relief valve to those crime victims who have damages and other costs which are not compensated from any other fashion.

A compensational loan however is simply not enough. We do need victim assistance. With the expected cut back and/or demise of LLEA some of the states must petition an effective victim assistance program will be dying very shortly. One of which is my program in the Chief State's Attorneys Office. A tally before the Appropriations Committee. We're seeking funding for that. These funds are in doubt at the moment.

We see passage of this act as a potential back stop for survival of this office. We also see it as being helpful to the implementation of the compensation act as it is when one considers that more than 80% of the compensation claims that comes to the board come through our offices. We think an interesting part of this act is that it will not cost the taxpayers of Connecticut anything. The act is funded by

MR. LEXIUS: (continued)

Victims of crimes in the Hartford area sometimes, many times and up to eight months ago didn't have anybody to turn to. I think the key word here is to go beyond what everyone else has given you is this. A lot of times people who have been victimized by crimes need someone to talk to. Someone to explain the system to him. Someone to lend a friendly ear. And I would certainly appreciate that you would consider this bill. It would be a great loss not only to the people who are affected by crimes but to the whole state if bill 6036 was not passed.

Again, it would not cost the taxpayers any money. It is something that is paid through the court system. Through the \$10.00 that each defendant pays at the end of his disposition of his case. And I do believe that it is time that we do respond to the needs of the victims.

REP. GARAVEL: I just have one question. Previous speakers noted that the cost of the program is \$140,000 a year and they're asking for state funding.

MR. LEXIUS: Well, it's also in the appropriations area.

REP. GARAVEL: It won't cost additional money. Is that what you're saying.

MR. LEXIUS: Well, no it wouldn't cost additional money. But the money that we would collect through the bill would

REP. GARAVEL: Would cover. Thank you.

MR. LEXIUS: Thank you.

REP. GARAVEL: Any questions. Edward Eisenberg, please.

MR. EDWARD EISENBERG: Members of the Committee. My name is Edward Eisenberg, Executive Secretary of the Connecticut Retail Jewelers Association also urging your strong support in passage of raised committee bill 6037. In answer to the question that had been asked by the legislative Rep. Garavel. You had asked about the fee and approximate

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MR. EISENBERG: (continued)

amount as far as the fee is concerned. As far as the present statutes are concerned in this state on junk license of which there are two in the state, in Hartford and Bridgeport. Section 21-10 of the General Statutes now calls to be fixed by the Selectmen by a sum not less than \$2.00, nor more than \$10.00 a year. We feel that \$10.00 would be a reasonable fee under the circumstances. However, we feel very strongly that in the second part of the bill dealing with anyone who violates any provision of this section shall be fined not more than that there should be teeth in the law, it should be stringent and we certainly hope that the Judiciary Committee with come up with a strong penalty to deter what has been taking place.

MR. GARAVEL: Well, I think there are some people here who might want to know your question. Al probably wants a life sentence.

REP. ALFRED ONORATO: Under this proposal this would effectively reduce or this would require anybody that wants to sell coins.

MR. EISENBERG: Excuse me. The current word up of this bill is to prevent the sale of gold, silver and platinum.

REP. ONORATO: You're talking about 6037.

MR. EISENBERG: 6037, right.

REP. ONORATO: Anybody that wants to sell coins. Anybody that wants to sell jewelry.

MR. EISENBERG: That's correct.

REP. ONORATO: Gold chains.

MR. EISENBERG: Right.

REP. ONORATO: Has to go to the Town where they want to sell it to be registered with the Chief of Police. Is that right.

MR. EISENBERG: Yes. We had hoped our testimony here prior to the time that you came in, Rep. Onorato.

REP. ONORATO: I understand. This is similar although it doesn't go as far as the one in Little Rock, Arkansas. The ordinance that they --

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MR. EISENBERG: That is correct. You're aware of that.

REP. ONORATO: Yes, I am aware of that. We try to keep on top of things. And the one in Little Rock, Arkansas, although we probably agree with the purpose behind the bill in that to prevent transients from coming in and actually defrauding the public or making transients the recipient of stolen goods. That's what the purpose is, that some of the purpose anyway. But this effectively would cut off anybody else. I mean if I wanted to sell coins I decided to go down to the Selectman or Chief of Police.

According to our Section A -- what you tell me now.

MR. EISENBERG: Well, I think there are some people here who might want to comment. May Mr. Kritzman comment on your question.

REP. GARAVEL: Please state your name please.

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MR. KRITZMAN: Yes, my name is Harold Kritzman, President of Old Town Coin Company. The current wording of this bill does not prevent the selling of rare coins, gold, jewelry and precious stones. What it is attempting to do is to prevent the purchase of same without need of record or questions asked. The attack that we are making is not necessarily just against the transient hotel itinerants as they've been referred to.

But also any lay person who may take upon themselves to knowingly or unknowingly become a fence for stolen merchandise by virtue of the fact that they will be paying by cash and not required to buy or keep records of such transaction. We're not attempting to put the private collector out of business by being able to trade among themselves at coin shows which of course is a major part of my own business. We are just trying to make sure that such business is kept in a professional manner and is available as far as records are concerned to the law enforcement agencies that might be able to use such records in the enforcement of the law and the prevention of crime.

REP. ONORATO: I know several people that deal in coins. Perhaps not to the extent that you do. Now in order that they buy coins from either a friend or a neighbor or perhaps in the

REP. ONORATO: (continued)  
state or anybody else that has a coin for sale or jewelry for sale or precious metals for sale has got to go on register. Perhaps they're not in that business. Maybe they work in the shop or they do something else and they do this as a hobby or something. They've got to go to register, keep records of all the transactions of everything they buy. Do I understand that correct.

MR. KRITZMAN: Again, what you're saying can possibly be interpreted as such. But what we are again attempting to do.

REP. ONORATO: I think that's what the bill says.

MR. KRITZMAN: The bill is saying there that -- okay. Let's clarify that particular point. What we're saying is someone is in the business of buying and selling precious metals, gold and silver. Obviously, we are not trying to prevent the collector and hobbyist from trading among themselves and selling. But what we are trying to attempt to do --

REP. ONORATO: Suppose I'm not in the business. I am collecting and trading precious stones. Supposing that I know an individual that has a collection for sale or perhaps has some his wife has some gold chains for sale and I want to purchase them. And perhaps too then I heard of two other people who have things for sale and I want to purchase them. That's not my business. I have to go and register and pay this fine. If I don't am I subject to the penalty.

MR. KRITZMAN: What we are saying here is that indeed if you are purchasing a collection that you are advertising to do so. Okay.

REP. ONORATO: That's not what I said.

MR. KRITZMAN: What you're asking for is more specifics in the bill and saying that those who perhaps advertise to buy or sell precious metals, gold and silver by virtue of the public media should be restricted to these regulations. I see your point well taken and perhaps a modification could be made to allow for the novel trading. However --

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REP. ONORATO: This proposal was before us last session wasn't it.

MR. KRITZMAN: No it was not.

REP. ONORATO: Didn't it have something to do with trying to limit or trying to put on the books provisions such as these. It had to do with coins and it had to do with dealers before the increase in the precious metals. But there was something before us last year, I'm pretty certain and it had to do with that to eliminate the problem that you're trying to eliminate now. It came before this committee.

MR. KRITZMAN: I'm not aware of such a previous attempt to do -- obviously the media had with more of the public's knowledge and we were made aware of this pretty much on second hand information by the news media that the bill was to be enacted. Let me add one more thing. It is normally considered within this business that it was indeed previously a hobby and as a hobby was not restricted as to record keeping, etc.

Obviously, this hobby has turned into a business for a great number of people.

REP. ONORATO: Excuse me for one minute. Last year we had a proposal before us that bill would protect the area of rare stamps and rare coins. There was a proposal before us that there was some complaints received that an individual purchased an uncirculated coin.

MR. KRITZMAN: I'm familiar with that bill. Okay. This is a different situation entirely. This is a granantee as to condition at the time of sale. This is not -- we are trying to police that from within at this time through our American Association and we see hopefully no need to go to the outside of our registry to do so. Then a constant contention and a battle within our own group in years.

Again, I would like to end by saying this. This -- the idea of the ad the come on ad the advertising to pay cash in itself insinuates some reason for the need to pay cash. Will not go into detail what the motivation is but most of us through

MR. KRITZMAN: (continued)

inuendo can understand what the cash motivation is. We feel that a lot of the overnight precious metals experts that have decided to advertise in the media are doing so for obvious other reasons. We are in the precious metal business. We have done it in our eight year business.

No we do not. We have records going back to our business 1973. Each and every transaction has been recorded. These records have in the past -- do you want me to bring this up before you -- that we have been instrumental in the past in helping to bring certain individuals to their just and lawful rewards by virtue of the fact that we do keep records. We see no purpose in dwelling on that point so I do want to say that what a individual does privately.

We have a situation in our state and I'd like to bring this up before you. Obviously, precious metals in our State are considered tangible personal property. And as such is taxable by the state with state sales tax. This in itself causes a lot of private individuals to take it upon themselves to become precious metals dealers. They if they come into my store must pay the state sales tax for the purchase of gold and silver items.

If however, they take it upon themselves to advertise in the news media to buy such merchandise from the public they need not charge or collect a sales tax. This is the primary motivating force for the general public that you are referring to. Unfortunately, there's nothing we can do as registered coin dealers in the State of Connecticut. We lose that business to the private factor involved.

The hobbyist will always buy and trade among themselves with no collection of taxes. That is the primary motivation for most of the people that you see. However, the people that we are trying to eliminate are those that openly advertise to pay immediate cash and stay in areas for very short periods of time do not ask questions do not require to keep records and leave with such merchandise after open advertising for the liquidation of stolen goods. This idea of the cash reward to search out your neighbors home so that you can sell it us at a hotel is primarily what this bill is attempting to do. I do not see a bill that will encompass all aspects to

MR. KRITZMAN: (continued)

prevent crime from occurring, obviously. But we are trying to narrow down by prevention the number of opportunities the, the number of potential crimes that will be occurred because one area of fencing has been eliminated.

Obviously, there still will be fences. They can go to Rhode Island, they can go to New York. That's where a lot of material ends up. We can do nothing about that. But the neighborhood fence, the gentlemen who puts up his plaque in the window and says I buy gold and silver for cash. He's in some other business and he does this because he wants to invest in gold and silver himself and does not by virtue of the state sales tax want to go to a registered dealer in the state.

He becomes an unknowing fence. We are hoping to prevent that. Not necessarily to collect more revenues for the state but just because it's this type of operation that gives our type of operation a bad name. Thank you.

REP. GARAVEL: Thank you. This time I'd like to call Rep. Morgan to clarify one point.

REP. MORGAN: Thank you again, Mr. Chairman. I'm compelled to come back and testify with Rep. Onorato and I hope Rep. Onorato realizes the Little Rock ordinance is being questioned in the courts because of its constitutionality. I think it's an undue burden on the dealers. A little history for Rep. Onorato. This bill was introduced by this committee by my request because of my meeting with the people. We had a victim testify here this morning from my district.

We've had people come in and testify in the business. We've had people come in from jewelers and the Retail Jewelers Association. I think you'll find at Little Rock experience is placing an undue hardship on the people in that city. It's effectively going to shut off any coin convention of coin dealers and I think that you'll see that the restrictions require picture taking of the transactions which is in my estimation almost impossible to do. It requires fingerprinting and we know what it requires to do fingerprinting.

REP. MORGAN: (continued)

This bill is an attempt to alleviate a problem that has arisen in the six to eight months with the large increase in the price of gold and silver. One of the original portions of this bill when I brought it forth to this committee was that the dealers would be required to hold their goods for 14 to 30 days. This bill has been patterned along the pawnbrokers who require to keep their goods for six months.

Members of the industry met with me stated that this would be an undue hardship on them because in some cases they would be sitting on many millions of dollars for a 14 day period or a 30 day period which would make them the targets for thieves. So I promised that if this bill goes forth as it is and I think it will go a long way to alleviating many of the problems that we see in this state with many of our youth being enticed by the newspaper ads to bring forth the stolen goods and sold.

There's no cash deals. Most deals are in cash now. I think this bill will go a long way. If the dealers are required to hold the goods for any length of time in the way I think Little Rock requires. We will look at it over the interim and come back with a problem. But I think this bill will go a long way. We have had no one here this morning testify against this bill. The industry's in favor of it. And I'm sure in the wisdom of the committee they care to put in some transaction by some wording to take care of the cash transaction I'm sure they can do that.

But I will remind you with Mr. Kritzman just testified. In many cases these people are because they pay no sales tax on these transactions. I think it's a very important bill. I realize today's your deadline but I hope that you will see fit and as I testified earlier there was left out I had hoped it would either be effecton on passage or in lieu of that July 1st which would give people some time to come forth with the paper work and get this bill going. I think it's going to go a long way to deter house breaking in this state, many crimes in this state and I hope you'll act on in favor of this morning. Are there any questions.

REP. GARAVEL: Yes, I have one question. On Section E. We had someone testify that they would like that upon request. What are your feelings.

REP. MORGAN: I have no problem with that because I can see if continual reports are going into the Chiefs of Police and it's not really necessary they don't have a problem city or town I see no problem with that. If the Chief or the First Selectman decides that there is a problem on there then they request weekly a sworn statement I think that that would be more than adequate. And I really have no problem with upon request. Under the bill in earlier sessions they will have to keep all this information. It will be available to them. And if you look in Section B the records there are available to the Chiefs of Police, the State Police officers at any time. So they can go in and inspect them. I think that with the gentlemen that testified for my District area this morning, Mr. Ward, this is very important because he had an article of goods that was readily identifiable and that's what led to the arrest of five youths in my town and it also led to the arrest of the fence but unfortunately the fence no longer had the goods.

Because in many cases this stuff is melted down immediately. And the stones are shipped out of state immediately. So really what we have left now is five youths in my town who were enticed by the newspaper ads, stole the goods, were educated by the fence, stole the goods, were given a very low price. The fence is probably going to be got off scot free and the lives of these five young men are going to be ruined for a good long time. So I think that upon request is not an unreasonable addition to the bill and speaking with the gentlemen that was here from the Jewelers and the Junk License I think that \$10.00 is an adequate bill is a question you asked me earlier about the fee for the license, I think \$10.00 is an adequate amount for the time that the dealer or chief or first selectman want to spend as far as the in your area of expertise and I have nothing to offer on that.

REP. GARAVEL: Thank you. Are there further questions.

REP. MORGAN: Thank you very much.

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that redress in a court of law. If there is no objection, I move that to the consent calendar.

THE CHAIR:

Motion's been made to place the matter on the consent calendar, if there's no objection? It is so ordered.

THE CLERK:

Moving to page 13 of the calendar, Calendar 585 which has been marked passed temporarily. We'll now proceed with Calendar 586, File 422, 781, Substitute for House Bill No. 5991. An Act Concerning Summary Process. (As amended by House Amendment Schedule "A"), with a Favorable Report of the Committee on Judiciary.

SENATOR SANTANIELLO:

Mr. President.

THE CHAIR:

Senator Santaniello.

SENATOR SANTANIELLO:

There has been a request to pass that temporarily. I make that motion if there is no objection.

THE CHAIR:

Motion has been made to pass this matter temporarily. If there's no objection, it is so ordered.

THE CLERK:

Continuing on page 13 of the calendar, Calendar No. 588, File 456, 786, Substitute for House Bill No. 6037. An Act Concerning Licensing Purchasers of Precious Metals and Stones.

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(As amended by House Amendment Schedules "A", "B", "C" and "E"),  
with a Favorable Report of the Committee on Judiciary.

THE CHAIR:

Senator DePiano.

SENATOR DEPIANO:

I move that the bill be passed as amended, Mr. President.

THE CHAIR:

The question is on the passage of the bill as amended by  
House Amendments Schedule "A", "B", "C" and "E".

SENATOR DEPIANO:

Yes. This bill in effect requires any person engaged in  
the business of purchasing precious metals and stones be li-  
censed and to keep records of the purchases. The bill calls  
for a fine of not more than \$1,000.00 for a violation of its  
provisions. House Amendment "A" changes the effective day  
from October 1st, 1980 to July 1st, 1980. It further licen-  
ses to make weekly sworn statements only if requested to do  
so by the licensing authority. House Amendment "B" exempts  
from the bill the purchase of specified items from a wholesaler  
by a manufacturer or retail seller whose primary place of busi-  
ness is in Connecticut and defines the word, "wholesaler."  
House Amendment "C" clarifies that the required sworn statement  
from licensees would not be deemed to be public documents under  
the Freedom of Information Laws, and House Amendment "E" makes  
the licensing fee of \$10.00 payable annually instead of just once.

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Also, it limits the right to have access to and the right to inspect records of the place of business to state and local police officers. Under the original bill, any local official could have gotten that information. If there is no objection, I move it be placed on the consent calendar.

SENATOR KNOUS:

Mr. President.

THE CHAIR:

Senator Knous.

SENATOR KNOUS:

Mr. President, I'm not quite sure whether I have an objection, but I do have a question, thru you to Senator DePiano. Senator, regarding the person engaged in the business of, I was just curious whether the intent of this bill would also then, in fact, impact people who would run ads, in other words, a small coin collector who might run an ad in the paper for purchase of coins. Would this impact them also?

SENATOR DEPIANO:

I think if he's in the business of selling and buying coins, that this would affect him.

SENATOR KNOUS:

That would also be an individual then, Senator, thru you, Mr. President. Let's say an individual that's not necessarily in the business of such but just a person who is more or less a collector.

SENATOR DEPIANO:

If he's a collector, I don't think he comes under this bill,

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but if he's in the regular business of buying and selling coins, then under the circumstances, I think he would come under this bill.

SENATOR KNOUS:

Thank you, Mr. President, thru you, again to Senator DePiano, just to finalize this. The intent of the legislation then isn't to impact the incidental collector, but rather someone who is engaged in a profit making enterprise.

SENATOR DEPIANO:

What we're concerned about, through you, Mr. President, is the fact that people are buying and selling this as a going business and advertising every day on buying and selling coins. He's certainly not a collector. He's in the business of buying and selling for profit and therefore, we want to have that licensed.

SENATOR KNOUS:

Thank you, Mr. President. I have no objection.

THE CHAIR:

Will you remark further? Senator Johnson.

SENATOR JOHNSON:

I have an amendment to this bill and I wonder if the Clerk has received it.

THE CHAIR:

Does the Clerk have an amendment to Calendar ...

SENATOR JOHNSON:

LCO 4627?

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THE CLERK:

The Clerk has just been handed the amendment. Just came in.

SENATOR JOHNSON:

Thank you.

THE CHAIR:

Senator, while the amendment is being passed around the circle, do you care to explain it? And waive the reading.

SENATOR JOHNSON:

Yes, thank you, Mr. President. I ask the waiving of the reading of the amendment and leave to explain it. It's a very, very simple amendment.

THE CHAIR:

If there is no objection the waiving ...

THE CLERK:

Senator, if you would permit me to just call the LCO number of the amendment. Clerk has Senate Amendment Schedule "A", LCO No. 4627 offered by Senator Johnson, copies are presently being distributed. That's LCO No. 4627.

THE CHAIR:

Senator Johnson.

SENATOR JOHNSON:

This is a very simple amendment. I'm sorry the bill crept up before I had a chance to explain it around the circle, but it speaks directly to the problem that Senator Knous ....

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THE CHAIR:

Excuse me, Senator, excuse me. I don't believe you moved the adoption of the amendment.

SENATOR JOHNSON:

Excuse me. I thought I had done that previously. I would move the adoption of Senate Amendment, LCO No. 4627, and it would simply eliminate coins from this bill. The purpose being, the rationale being that people who deal in coins would have to list out according to this bill every coin when a transaction took place. That's an unwieldy administrative burden and one that I think there is no benefit from imposing. Coins by their very nature are not all that distinctive, so that the description would, in fact, not provide the kind of information that would allow <sup>any</sup> tracing to an individual identifying coin, so I would ask that, I don't know how many of the rest of you have heard from small coin dealers, but I certainly have, and I think that this bill would place on them an administrative burden that is real and would not accomplish anything in terms of enabling us to identify those coins, so I would move acceptance of the amendment.

THE CHAIR:

Question is on the adoption of the amendment. Will you remark further? Senator DePiano.

SENATOR DEPIANO:

Mr. President, I rise in opposition to the amendment. The

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thrust of this bill is to avoid some criminal activity in regard to the purchase and selling of the items that are listed in the bill. Coins today are an investment. They're no longer looked upon, most of the time at least the people that we're trying to go after here, as being handled by collectors. Now, if it's a collector, as I said before, I don't think the thrust of this bill is directed towards them, but certainly we're talking about coins that are worth five, six, seven and eight hundred dollars and God knows how much more, and under those circumstances, I think the bill should apply to them if they fall within the jurisdiction of the content of this law.

THE CHAIR:

Will you remark further? Senator Cutillo.

SENATOR CUTILLO:

Yes, Mr. President. I see there's another amendment being passed out. I would be against this one and for the subsequent one that may be discussed and I would talk at length on the bill as amended because it is a necessary bill that has been broached by the Chairman of the Judiciary Committee. I'm cognizant and aware of this legislation because it was brought to our attention in General Law and it came to us a little too late, but insofar as the amendment is concerned, I would ask for defeat of this amendment and probably look a little harder at the one to follow.

THE CHAIR:

Will you remark further? Senator Johnson.

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SENATOR JOHNSON:

Thank you. I would just point out to the circle that this bill requires that each licensed person shall keep a record in which he shall note at the time of each transaction a description of the goods purchased. Well, if a coin dealer uses a general description 500 pennies years 1935 to '45, that description, at least I don't understand the benefit or the usefulness of having that general description recorded. On the other hand, if you interpret this law, as you may in fact interpret it, to mean that he must list every individual penny and the year and whatever other identifying marks he may be able to put on it, then it's a really hopeless task for a small business man to list out fifty or a hundred or two hundred coins that he receives and while they are worth hundreds of dollars, most small coin dealers are dealing in volumes of coins that relative to their original value have escalated dramatically in value, but actually don't have a current value that is tremendous. So, while I appreciate the problem of the extremely valuable coin and the problem of thefts of coins it seems to me that the way this bill is worded we are subjecting small coin dealers to really an impossible administrative burden.

THE CHAIR:

Will you remark further on Senate Amendment Schedule "A"?  
Will you remark further? Senator DePiano.

SENATOR DEPIANO:

May we have a roll call please?

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THE CHAIR:

Roll call has been requested. Will the Clerk please call the roll.

THE CLERK:

An immediate roll call has been called for in the Senate. Will all Senators please be seated. An immediate roll call has been called for in the Senate. Will all Senators please take their seats.

THE CHAIR:

Machine is open. Machine is open. Have all Senators voted? Senator Lieberman, do you care to vote on ... Present and voting 33, those in the affirmative 22, negative 11, the amendment passes.

THE CLERK:

The Clerk has Senate Amendment Schedule "B", Senate Amendment Schedule "B", LCO No. 4629 offered by Senator Johnson. Copies have been distributed.

SENATOR JOHNSON:

I would withdraw that amendment at this time.

THE CHAIR:

Senate Amendment Schedule "B" is withdrawn. We're on the bill, as amended by Senate Amendment Schedule "A". Senator DePiano, do you care to move the bill at this time. It is amended by Schedule "A" and is now before us.

SENATOR DEPIANO:

I thought there was another amendment.

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THE CHAIR:

The second amendment was withdrawn.

SENATOR DEPIANO:

I move the bill as amended, Mr. President. If there is no objection, I move it be placed on the consent calendar.

THE CHAIR:

Motion has been made to place the matter on the consent calendar. If there's no objection, it is so ordered.

THE CLERK:

Moving on the calendar, Calendar No. 589, File 366, House Bill No. 5022. An Act Concerning A Report on the Condition of State Roads. (As amended by House Amendment Schedule "A"), with a Favorable Report of the Committee on Transportation. The Clerk has an amendment.

THE CHAIR:

Is someone available to move calendar No. 589.

SENATOR OWENS:

I move acceptance of the joint committee's favorable report and passage of the bill. Mr. President, if I may, I know that Senator Baker was interested in this. I think that he has introduced an amendment. I know that he would want to speak on the amendment. Is that correct, Mr. Clerk?

THE CHAIR:

The Clerk has an amendment?

THE CLERK:

The Clerk has an amendment offered by Senator Owens.

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THE CHAIR:

Have you got that, Mr. Clerk? The item to be removed.

THE CLERK:

I understand. Calendar 209 on page 4, File No. 270 to be removed from the consent calendar.

THE CHAIR:

It shall be so ordered. The item is off consent. Any other items?

SENATOR CUNNINGHAM:

Mr. President.

THE CHAIR:

Senator Cunningham.

SENATOR CUNNINGHAM:

Yes, on page 15, Calendar No. 600.

HB 5984

THE CHAIR:

Calendar 600 to be removed from the consent calendar. Any other items to be removed? Senator Post. Are you standing to move an item from the consent calendar?

SENATOR POST:

Yes, Sir. I'd like to remove Calendar 588.

HB 6037

THE CHAIR:

Calendar 588. Any others? Three items have been removed from the consent calendar. Consequently, we will have four roll calls. Please do not leave your seats. Announce an immediate roll call then proceed to call the consent calendar after the people are in. We will do these items first. Announce your

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SENATOR JOHNSON:

It was my understanding that on page 13, Calendar 588 went to the consent calendar.

THE CHAIR:

588 has been removed from the consent calendar.

SENATOR JOHNSON:

All right.

THE CHAIR:

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588 was removed. We are going to have four roll calls. We're going to have one roll call on calendar 209, one roll call on calendar 588, one roll call on calendar 600 and one roll call on the remainder of the items on the consent calendar. First item, calendar 209, the machine is open. Have all Senators voted? Have all Senators voted? Machine is closed. The Clerk will take a tally. The vote is 32 yea, 2 nay. The bill is passed. Proceed.

THE CLERK:

Next item is on page 13, Calendar No. 588, Substitute for House Bill No. 6037.

THE CHAIR:

Machine is open. Machine is closed. Clerk will take a tally. Senator Ciarlone.

SENATOR CIARLONE:

Mr. President, I guess I was a little short on the finger. I wish to be recorded in the affirmative.

THE CHAIR:

In the affirmative. Sit right there, Senator, and keep your finger poised at all times for the next two votes please

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so we can all get out of here.

SENATOR CUTILLO:

I pushed the wrong button not cognizant of the bill.

Thank you.

THE CHAIR:

Senator Cutillo, you wish to be recorded in the affirmative?

SENATOR CUTILLO:

In the ayeah.

THE CHAIR:

In the ayeah. Clerk will so note. The vote is 31 yea, 3 nay. Bill is passed. Everyone sit quietly. Listen please.

THE CLERK:

Page 15 of the calendar, Calendar No. 600, File 625, Substitute for House Bill No. 5984.

THE CHAIR:

Are you ready? Machine is open. Machine is closed. Clerk will take a tally. I can't believe it. I can't believe Senator Johnson. For what purpose do you rise, Senator Johnson?

SENATOR JOHNSON:

I wish to be recorded in the affirmative please.

THE CHAIR:

You'd like to be in the affirmative. Will the machine record Senator Johnson in the affirmative. The vote is 33 yea, 1 nay, the bill is passed. Now this is the consent calendar,

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passed temporarily.

THE CHAIR:

Calendar 588, that had been passed temporarily, it's the Chair's understanding that Senator DePiano is at this time, ready to bring out the Bill. Will you call the Bill, Mr. Clerk please.

THE CLERK:

The Clerk will now call Calendar 588, File 456, 786, Substitute for House Bill 6037, AN ACT CONCERNING LICENSING PURCHASERS OF PRECIOUS METALS AND STONES, as amended by House Amendment, Schedules A, B, C and E and Senate Amendment, Schedule A, with a Favorable Report of the Committee on Judiciary. The House rejected Senate Amendment, Schedule A on April 30th. The Senate passed April 28th.

THE CHAIR:

Senator DePiano.

THE CLERK:

The Clerk has two Amendments.

SENATOR DE PIANO:

Mr. President, I move acceptance of the Committee's Joint Favorable Report and passage of the Bill and ask that the Senate concur with the House's action in rejecting Senate Amendment,

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Schedule A.

THE CHAIR:

The first item will be for that consideration. You're moving as amended by House Amendment, Schedule A, B, C and E?

SENATOR DE PIANO:

That's right.

THE CHAIR:

That passed this chamber as well, asking for the rejection of Senate Amendment, Schedule A which was rejected by the House; is that correct, Senator DePiano?

SENATOR DE PIANO:

That's right, Mr. President.

THE CHAIR:

Further discussion on the rejection of Senate Amendment, Schedule A? Will you remark on that? Remarking on Senate A, Senator? Proceed.

SENATOR JOHNSON:

Yes. I would urge that the Circle not reject Senate Amendment A. You will recall Senate Amendment A excluded coin dealers from this Bill and I have two other Amendments that we can consider now that step back from that. But I have talked to people in the House and they would rather do it by a Committee of Conference. There are--there is agreement on that

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kind of protection and they would rather do it by Conference than by us passing Amendments here and I think it's something that we could constructively do together before the end of the session without endangering the Bill.

THE CHAIR:

Senator DePiano.

SENATOR DE PIANO:

Mr. President, I have not been contacted by anyone in regard to the action that has been just spoken to by Senator Johnson, but I will withdraw my motion to reject--to concur with the House's action.

THE CHAIR:

The Amendment technically is not before us. It was rejected by the House. If you wish to concur with their action, we would also concur with their rejection. If you do not wish to, then we have to readopt Senate Amendment, Schedule A at this time which would force the item into a Committee of Conference. If you wish to withdraw your motion on supporting the House's side, you may do so and then you may offer the original Senate Amendment, Schedule A which will place the Bill in a position of a Committee of Conference and at that time, no further action can be taken on the Bill until a Committee of Conference is called and met.

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SENATOR DE PIANO:

Mr. President, I'm going to ask once again that the Senate concur with the House's action in rejecting Senate Amendment, Schedule A.

THE CHAIR:

The question--motion has been made that we concur with the House and reject Senate Amendment, Schedule A by Senator DePiano. Senator Johnson objects to concurrence. We will Roll Call the item at this time. Announce a Roll Call please.

THE CLERK:

An immediate Roll Call has been called for in the Senate. Will all Senators please take their seats. An immediate Roll Call has been called for in the Senate. Will all Senators please be seated.

THE CHAIR:

Senator Johnson, the Chair recognizes you.

SENATOR JOHNSON:

My apologies to Senator DePiano. My understand was that this Bill had been PT'd from the beginning so that I was not aware that it was coming up or I would have made clear then what had been going on between the Houses. But I think there is support for some more moderate dealings with coin dealers and I would urge the Senate to reject the motion--to vote against

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the motion to accept the Bill in concurrence with the House and that way we will have a chance to handle the problem of the coin dealers.

THE CHAIR:

Senator Lieberman.

SENATOR LIEBERMAN:

Mr. President, forgive me at this hour, but I wonder if we could not pass this temporarily for a short while longer.

THE CHAIR:

We may do that. It was--there was no objection to taking when we took it Senator and as we all know in the Circle, an item passed temporarily means exactly that. It does not mean it's passed for the day. It means it's passed on a temporary basis. Senator Lieberman would like to reinstitute the item being passed temporarily, Senator DePiano.

SENATOR DE PIANO:

I have no objection to that.

THE CHAIR:

The item is again passed temporarily. Continue with the Calendar.

We're going to proceed with the Calendar, with Unfavorable

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THE CHAIR:

Proceed Senator.

SENATOR BAKER:

Mr. President, House Amendment A directs the Claims Commissioner in this case to pay York's Inc., \$2,554.94. This is for a Bill subsequently rendered to the claimant, by the claimant, which was neglected to be paid for by the Department of Children and Youth Services. If there is no objection, I would move that to the Consent Calendar.

THE CHAIR:

The motion's been made to place this Resolution on Consent. Is there any objection? Hearing none, it is so ordered.

THE CLERK:

Moving to an item that was previously passed temporarily on the Calendar, Calendar 588, Calendar 588, File 456, 786, Substitute for House Bill 6037, AN ACT CONCERNING LICENSING PURCHASERS OF PRECIOUS METALS AND STONES, as amended by House Amendment, Schedules A, B, C and E and Senate Amendment, Schedule A, with a Favorable Report of the Committee on Judiciary. The House rejected Senate Amendment, Schedule A

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## SENATE

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on April 30th. The Senate passed April 28th.

THE CHAIR:

Senator DePiano.

SENATOR DE PIANO:

I move for acceptance of the Committee's Joint Favorable Report and passage of the Bill as amended by House Amendment, Schedules A, B, C, and E and ask that Senate Amendment, Schedule A be rejected.

THE CHAIR:

Motion has been made to pass Substitute Bill 6037 in concurrence with the House. Will you remark further?

SENATOR DE PIANO:

No Mr. President.

THE CHAIR:

Do you want to reject A?

SENATOR DE PIANO:

Yes Mr. President. I want to act in concurrence with the House's action.

THE CHAIR:

Proceed Senator. Will you remark? Your motion in essence

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is to pass the Bill in concurrence with the House.

SENATOR DE PIANO:

That's correct.

THE CHAIR:

Proceed.

SENATOR DE PIANO:

And I move it be placed on the Consent Calendar or is it passed automatically?

THE CHAIR:

Will you remark? The motion's been made to place on Consent? Will you remark?

SENATOR DE PIANO:

Mr. President, I believe that once it concurs with the House action, that the Bill is passed.

THE CHAIR:

I believe that's correct, but notwithstanding what happened earlier, I think we have to vote on it and it's the interpretation of the current Chair that we have to vote by Roll on the final action of anything before the chamber.

SENATOR DE PIANO:

Then I move it be placed on the Consent Calendar.

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THE CHAIR:

Will you remark further, Senator Johnson?

SENATOR JOHNSON:

Just to say that I concur with Senator De Piano. If there are indeed the kinds of problems that have been envisioned by a portion of the coin industry, we will address them next session, it being too late to do so this session.

THE CHAIR:

Motion's been made to place on Consent. Is there any objection? Hearing none, it's moved to Consent.

Senator Lieberman.

SENATOR LIEBERMAN:

Mr. President, I would ask at this time that we go to page 1 of the Agenda for today and begin to pick up some of the items listed thereon.

THE CLERK:

The Clerk, at this time, would like to call an item on page 1 of today's Agenda, under the item of Favorable Reports, House Bill 5391, AN ACT CONCERNING ELIGIBILITY FOR AID TO FAMILIES OF DEPENDENT CHILDREN, as amended by House A.

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THE CHAIR:

At the switch, you're right. Clerk will so note. Senator Skowronski in the affirmative.

The vote is:

34 YEA

0 NAY

The Consent Calendar passed. HB 5940, HB 5454, HB 6006, HB 6046, HB 6037, HJ 53, HJ 54, HJ 14, HJ 20, SJ 46, SJ 47, HB 5391, HB 5400, HB 5574, SB 737

SENATOR LIEBERMAN:

Mr. President, I move for a suspension of the Rules to allow for immediate transmittal of those items that should go to the House.

THE CHAIR:

Is there objection? Hearing none, it is so ordered.

SENATOR LIEBERMAN:

Mr. President, we will meet tomorrow at 1:00 P.M., without benefit or burden of caucus. We will come right out directly to the floor and do our business on a couple of issues that I think we're all very familiar with.

THE CHAIR:

Thank you Senator. The Chair will be here to bank that gavel, Lord willing, at 1:00 P.M. sharp.

SENATOR LIEBERMAN:

Thank you sir. If there is no further business on the

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CONNECTICUT  
GEN. ASSEMBLY  
HOUSE

PROCEEDINGS  
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VOL. 23  
PART 11  
3045-3335

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Would the Clerk please announce the tally?

CLERK:

House Bill No. 5301 as amended by House Amendment Schedule "A".

Total number voting 132

Necessary for passage 67

Those voting yea 132

Those voting nay 0

Those absent and not voting 19

SPEAKER ABATE:

The bill as amended passes.

CLERK:

Calendar No. 308. File No. 456. Substitute for House

Bill No. 6037. AN ACT CONCERNING LICENSING PURCHASES OF PRECIOUS

METALS AND STONES. Favorable report of the Committee on Judiciary.

REP. MORGAN: (56th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Chester Morgan.

REP. MORGAN: (56th)

Yes. Mr. Speaker, I move acceptance of the Joint Committee's favorable report and passage of the bill.

SPEAKER ABATE:

The question is on acceptance of the Joint Committee's favorable report and passage of the bill. Will you remark, Sir?

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REP. MORGAN: (56th)

Yes, Mr. Speaker. This bill would curb the activities of unscrupulous metal dealers who encourage theft by giving thieves an easy way to dispose of their stolen goods. This bill would license buyers of precious metals and stones, require them to keep records, require the description of the goods to be kept the name and address of the seller and positive identification. A receipt to the buyer containing info described above in their records would also have to be kept by the purchaser. Transactions would no longer be in cash. It requires that they be in check, draft or money order. Each purchaser would be required to make weekly sworn statements on their transactions to the licensing authority. There would be no minors could sell to the purchasers of a precious metals unless they were accompanied by their guardian or parent. This bill also provides for a thousand dollar fine for a violation of this act. Mr. Speaker, in recent months, with the rises in the price of gold and silver, we have seen comparable rises in the thefts of the same types of metal. It's been going on at a very alarming rate.

We've all seen the newspaper ads, sometimes full page that have brought in men and women from out of state, rent a motel room and come down and with no questions asked, no identification needed, they will buy their goods in many cases, I think, are stolen goods. Mr. Speaker, this bill attempts to correct the

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problem that we've seen, that has arisen in the part few months.  
Mr. Speaker, also the Clerk has an amendment LCO NO. 3055. Would  
the Clerk please call and read the amendment please?

SPEAKER ABATE:

The Clerk has in his possession an amendment LCO NO. 3055,  
designated House Amendment Schedule "A". Would the Clerk please  
call and read the amendment.

CLERK:

LCO No. 3055 offered by Rep. Morgan of the 56th District.

In line 1, before the word "(NEW)" insert the designation  
"Section 1."

In line 37, strike out the word "Each" and insert the phrase  
"Upon request of the licensing authority each" in lieu thereof.

After line 46, add the following:

"Sec. 2. This act shall take effect July 1, 1980."

SPEAKER ABATE:

The amendment is now in your possession, Sir. What is  
your pleasure?

REP. MORGAN: (56th)

Yes. Mr. Speaker. I move adoption of the amendment.

SPEAKER ABATE:

The question is on adoption of House Amendment Schedule "A".  
Will you remark now on its adoption?

REP. MORGAN: (56th)

Yes, Mr. Speaker. This amendment merely makes clear that the reports that have to be filed will only be on the required and licensing authorities. It also makes the effective date July 1, 1980. I move adoption.

SPEAKER ABATE:

Will you remark further on the adoption of House Amendment Schedule "A"? Will you remark further on its adoption?

REP. MANNIX: (142nd)

Mr. Speaker.

SPEAKER ABATE:

Rep. Mannix.

REP. MANNIX: (142nd)

A question to the proponent of the bill.

SPEAKER ABATE:

State your question.

REP. MANNIX: (142nd)

As I believe I understood correctly, Rep. Morgan, you said that the reporting would only be at the request of the licensing agent, meaning the town as the licensing agent. Is that correct?

SPEAKER ABATE:

Rep. Morgan.

REP. MORGAN: (56th)

Mr. Speaker, through you. The licensing authority that

we speak of as delineated in the bill would be the Chief of Police in the town where there is one, or the First Selectman where is no Chief of Police. Those are set up by this bill to be the licensing authorities.

REP. MANNIX: (142nd)

Mr. Speaker, another question, through you, please.

SPEAKER ABATE:

Rep. Mannix.

REP. MANNIX: (142nd)

You don't mention it appears to me a conversion period. In other words, a period by which a person would not be able to convert, let's say, a piece of silver by melting it down, it appears you don't have a conversion period. And, secondly, another possible problem is we have 169 municipalities.

So, someone from the other side of the Connecticut River, east of the Connecticut River, comes down to Fairfield County and takes from a home a piece of silver, brings it back up to his own town where he happens to know and goes in and sells it to an individual there, who is licensed, that individual doesn't have to make a report unless requested. Then, turns around and converts it and we end up with a loss to the person in Fairfield County. No record is required on a state-wide basis. No central reporting area and no conversion control. Could you comment on

that possible problems and there's a defect in this amendment and bill?

SPEAKER ABATE:

Rep. Morgan.

REP. MORGAN: (56th)

Yes, Mr. Speaker, through you. I think you'll find if you look at the pawnbrokers statute that we've patterned the reports, most of the bill, the description, after what is required by the pawnbrokers. I think we've got on a statewide reporting basis that would require a fiscal note. What we're intending to do in this bill is to stop the unscrupulous people that are coming into the state, renting motel rooms and will come to your house and buy this stuff, whatever they have to do. The intent is to do that.

If we had a statewide reporting basis, I think it would set up a bureaucracy that we don't have the funds to do at this time. This is an attempt to stop what I see as a problem in each and every one of the towns.

As far as the conversion, if I understand your question correctly, I think you mean that there is no tie-up that is kept in the shop and I had originally had written into the bill a 14 day or 30 day, which was my original intent. We had many dealers come to us and we've at the public hearing had testimony that some of these people were doing almost a million dollars a day

in business. And they felt that we would just make them a collection agency and very ripe for theft in their own place, where if we had them hold it for 14 days, they could possibly be sitting on \$7 or \$8 million of goods.

REP. MANNIX: I made the promise that I would take that part out of the bill, see what happens and this was sort of on an emergency basis, see what happens and come back next year and if there are problems with the bill, they're going to have to keep it for a certain amount of time.

REP. MANNIX: The pawnbrokers at this time are required to keep your goods 6 months. They're a little bit different situation, but the 14 to 30 day period in the original bill wasn't bad but because of the problems that the honest dealers pointed out to me at the public hearing, we removed it at this time.

REP. MANNIX: (142nd)

Thank you, Rep. Morgan. Mr. Speaker, Members of the House, I understand it is an emergency measure and I can see there are some very serious weaknesses that ought to be looked at next session. I have some experience with the pawnbroking law on the statutes in New York State and there are requirements, as Rep. Morgan mentioned, to protect the innocent person, the person who is being burglarized. I don't think we have enough protection here, but it is an emergency measure and I will support it on that basis.

REP. RAPOPORT: (73rd)

Mr. Speaker. Mr. Speaker.

SPEAKER ABATE:

Rep. Rapoport.

REP. RAPOPORT: (73rd)

Mr. Speaker, a question, through you, to the proponent of the bill.

SPEAKER ABATE:

State your question please.

REP. RAPOPORT: (73rd)

Rep. Morgan, please, how would antique dealers fit into this?

SPEAKER ABATE:

Rep. Morgan, will you respond?

REP. MORGAN: (56th)

Yes, Mr. Speaker, through you. If antique dealers are buying the goods described in the early part of the bill, they would have to be licensed. We're trying to stop people from buying these goods without it. They would have to have the license of \$10.

REP. RAPOPORT: (73rd)

Thank you, Mr. Morgan. And, through you, Mr. Speaker, one more question. Would this have any play in the selling by

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antique dealers of the products?

REP. MORGAN: (56th)

Mr. Speaker, through you. This bill only addresses the part of the problem which is buying. It does not address selling.

REP. RAPOPORT: (73rd)

Thank you, Mr. Speaker. I just wanted that known in the debate.

SPEAKER ABATE:

The Chair would observe that pending before the Chamber for action is the adoption of House Amendment Schedule "A". Will you remark further on the adoption of House "A"? If not, all those in favor of its adoption, please indicate by saying aye.

REPRESENTATIVES:

REP. Aye.

SPEAKER ABATE:

All those opposed nay. The ayes have it. The amendment and ruled technical.

Now, would you remark on the bill as amended?

REP. DE ZINNO: (84th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Benjamin DeZinno.

REP. DE ZINNO: (84th)

Mr. Speaker, would the Clerk please call LCO 3162 and may I have permission to summarize?

SPEAKER ABATE:

The Clerk has in his possession an amendment, LCO No. 3162, designated House Amendment Schedule "B". Would the Clerk please call the amendment.

CLERK:

LCO No. 3162, offered by Rep. DeZinno of the 84th.

SPEAKER ABATE:

The gentleman has requested leave of the Chamber to summarize this amendment in lieu of Clerk's reading. Is there objection? Hearing none, the Rules are suspended for that purpose. Rep. DeZinno, you may proceed with summarization, Sir.

REP. DE ZINNO: (84th)

Thank you, Mr. Speaker. Mr. Speaker, this amendment, House Amendment "B", just simply removes well-known, well-established industry located in the State of Connecticut, such as Wallace Brothers in Wallingford, International Silver Company in Meriden, to name a few of our highly respected industries that deal every day in silver and silver type products, as well as other precious metals.

I move passage of the amendment, Sir.

SPEAKER ABATE:

The question is on adoption of House Amendment Schedule "B". Will you remark further on its adoption?

REP. MORGAN: (56th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Morgan.

REP. MORGAN: (56th)

Mr. Speaker, I think the amendment is a good amendment. It was never our intention to delve into the realm of big business that are legitimately, in most cases, doing a fine job. I have found in recent days that they are beginning to buy from the public and I just it noted for the record that if they do buy from the public if they set up areas in their factory or their offices that they would be required to adhere to the portions of this bill that deal with them.

It is a good amendment and I urge it's adoption.

SPEAKER ABATE:

Will you remark further on the adoption of House Amendment Schedule "B". If not, all those in favor of its adoption, please indicate by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER ABATE:

All those opposed, nay. The ayes have it. The amendment is adopted and ruled technical.

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CLERK House Amendment Schedule "B".

In line 8, after the word "business" insert the following: "; except that the provisions of this subsection shall not apply to the purchase of such items from a wholesaler by a manufacturer or retail seller whose primary place of business is located in this state."

In line 10, after the period add the following: "For the purpose of this subsection "wholesaler" means a person in the business of selling tangible personal property to be resold at retail or raw materials to be manufactured into suitable forms for use by consumers."

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SPEAKER ABATE:

Will you remark further on the bill as amended by House Amendment Schedules "A" and "B"?

REP. JAEKLE: (122nd)

Mr. Speaker.

SPEAKER ABATE:

Rep. Robert Jaekle.

REP. JAEKLE: (122nd)

Thank you, Mr. Speaker. The Clerk has an amendment bearing LCO No. 3493. Would the Clerk please call and read the amendment?

SPEAKER ABATE:

The Clerk has in his possession an amendment, LCO No. 3493, designated House Amendment Schedule "C". Would the Clerk please call and read the amendment.

CLERK:

LCO No. 3493, offered by Rep. Jaekle of the 122nd.

In line 43, after the period insert the following: "Such sworn statement shall not be deemed public records for the purposes of sections 1-15, 1-18a, 1-19 to 19b, inclusive, and 1-21 to 1-21k, inclusive."

SPEAKER ABATE:

The amendment is now in your possession. What is your pleasure?

REP. JAEKLE: (122nd)

I move adoption of the amendment.

SPEAKER ABATE:

The question is on adoption of House Amendment Schedule "C". Will you remark now on its adoption?

REP. JAEKLE: (122nd)

The purpose of this amendment is to provide sworn statements as required in the file copy which sworn statement would describe not only the goods but the name and address of the person selling those goods would not be deemed public records under the provisions

of Freedom of Information, the reason being it may be all right for people to hock the family jewels, but I don't know whether we really want newspapers each week to report who indeed is selling some of their valuables in the face of the high price of silver and gold and I, frankly, do not feel that this information should be public information which could be disseminated through the newspapers and it would insure the privacy of those individuals who either through choice, or under the present economic climate feel compelled to sell their silver and gold. And that is the purpose of the Amendment.

SPEAKER ABATE:

Will you remark further on the adoption of House Amendment Schedule "C"? Will you remark further on the adoption of House Amendment Schedule "C"? If not, all those in favor of its adoption, please indicate by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER ABATE:

All those opposed, nay. The ayes have it. The Amendment is adopted and ruled technical.

Will you remark further on this Bill as now amended by House Amendment Schedules "A", "B" and "C".

REP. BELAGA: (136th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Julie Belaga.

REP. BELAGA: (136th)

Mr. Speaker, would the Clerk please read LCO 3495, and may I be permitted to summarize?

SPEAKER ABATE:

The Clerk has in his possession, an Amendment, LCO No. 3495, designated House Amendment Schedule "D". Would the Clerk please call the Amendment.

CLERK:

LCO 3495, offered by Rep. Belaga of the 136th, Rep. Jaekle of the 122nd and Rep. Osiecki of the 108th.

REP. BELAGA: (136th)

Mr. Speaker.

SPEAKER ABATE:

The lady has requested leave of the Chamber to summarize this Amendment. Is there objection? Hearing none, you may proceed with summarization. Rep. Belaga.

REP. BELAGA: (136th)

Thank you, Mr. Speaker. I wholeheartedly endorse the concept of this Bill. It addresses the problem that we face in

Connecticut and delineates the whole process by which the public can be protected, that I have a sense that between lines 19 and 25 that it's a bit of overkill and it indeed allows access to a private business, when we do have a process bill, there's a search warrant.

I think that that's more than we need to do to deal with this process and so the Amendment deletes those lines. I move passage of the Amendment.

SPEAKER ABATE:

Will you remark further on the adoption of House Amendment Schedule "D"? Will you remark further on its adoption?

REP. MORGAN: (56th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Chester Morgan.

REP. MORGAN: (56th)

Yes, Mr. Speaker, I would rise to object to this. We took this language out of the present pawnbroker statute, I don't think there's any problem with that. I think this would really go to defeat a long ways the purpose of the Bill. If the police officers and other people that are mentioned in the Bill do not have access to these records, I think it would be very difficult to catch some of these thieves. I really don't

think they'd have their goods melted down, what have you, and I think without access to these records, I went along with Rep. Jaekel's Amendment that kept the records private only the police officers, the municipal police officers, and municipal officials would have the access at all times to the records. It was kept private.

But as far as removing them from it, I think it's going a little too far and I object and I urge rejection of the Amendment.

SPEAKER ABATE:

Will you remark further on the adoption of House Amendment Schedule "D"?

REP. WILBER: (133rd)

Mr. Speaker.

SPEAKER ABATE:

Rep. Elinor Wilber.

REP. WILBER: (133rd)

Mr. Speaker, I also would oppose the Amendment. I think the intention of this Bill is partially to lay a paper trail to apprehend people who are breaking the law. And it just seems to me that if the police don't have access to that trail, there's no point in having a good deal of the Bill. Thank you, Mr. Speaker.

SPEAKER ABATE:

Will you remark further on the adoption of House Amendment Schedule "D"?

REP. MAZZA: (115th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Vito Mazza.

REP. MAZZA: (115th)

Mr. Speaker, a question through you to Rep. Morgan, relative to the Amendment.

SPEAKER ABATE:

State your question, please, sir?

REP. MAZZA: (115th)

Thank you, through you, Mr. Speaker, line 21 says "any state police officer, municipal police officer or other municipal official shall have access at all times to the record required", did we mean by lines 21 municipal official could be a mayor, first selectman, tax collector, a city treasurer, or what have you, who would be considered a municipal official of a city to have access to these records? I think the Amendment addresses the deletion of that for that purpose. Can you answer that, please, for me? Thank you.

SPEAKER ABATE:

Rep. Morgan.

REP. MORGAN: (56th)

Yes, Mr. Speaker, through you. Whatever the statutes define as a municipal official, I would say those are the ones that have access to the records, same as on the pawnbrokers statute.

SPEAKER ABATE:

and Rep. Mazza.

REP. MAZZA: (115th)

Through you, Mr. Speaker. Based on that assumption, I would think that the Amendment is a good one and I think the Amendment ought to be supported because it seems to me that many people, and I recognize the problems we are having with out-of-staters coming in and using hotel rooms and bilking people out of thousands of dollars. However, it seems to me that people who have their own personal possessions that they wish to dispose of, ought to have the ability to keep those records private and not have a municipal official recognizing a police official, a state official, police official, but not an elected municipal official to come in and see anybody's record. I think the Amendment's a good one and ought to be supported.

REP. OSIECKI: (108th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Clarice Osiecki.

REP. OSIECKI: (108th)

Mr. Speaker, speaking in support of the Amendment, line 21 says a great deal more than that. It says municipal officials shall have access at all times to the record or card to be kept and may inspect the place where the business is carried on as well as any goods purchased or received. And we could be talking about a zoning commissioner.

We could be talking about a member of the board of education. The Amendment is not meant to weaken the bill. We're talking about someone being licensed, filing sworn statements so the police have access and can do some apprehension. But what the Bill says, beginning on line 21 is something that I think is in violation of other laws that apply to having to have a search warrant.

Mr. Speaker.

SPEAKER ABATE:

Rep. Osiecki.

REP. OSIECKI: (108th)

Through you to the proponent of the Bill, please, a question.

SPEAKER ABATE:

State your question, please.

REP. OSIECKI: (108th)

Rep. Morgan, if this Bill passes and an individual is licensed and he files statements, why would anyone need access to a place of business, perhaps to inspect goods purchased, which are part of an inventory of a licensed dealer?

SPEAKER ABATE:

Rep. Morgan.

REP. MORGAN: (56th)

Mr. Speaker, through you, I think if you look at the lines earlier, it says, "each such licensed person shall demand positive identification from the person selling the article and the type or form of identification received shall be noted in the record." I think that we're going along with what we've earlier done in the pawnbroker's statute and said that the State Police, seeing we did take out the section of holding the goods for a certain amount of time, deletes the State Police or the municipal police and I really think it's just a matter of semantics of the municipal official because I don't think they've done it now with the pawnbrokers.

But they would have access to go in there and look at what some of the goods are. The precipitation of this Bill was

a constituent of mine who had two large thefts in his home, the first theft he had no record whatsoever of what was stolen and nothing was ever recovered.

The second theft, he had been educated by the police to keep a record of what he had in his house. One of those happened to be a very distinct belt buckle that was made out in the far west. With that there, the police had a pretty good idea of who was working the neighborhood and who might have been the fence.

They went to that fence, found the belt buckle there and that's what led to the arrest and break-up of a large suburban crime ring in our town.

Now if you remove the provision that would not allow the police to go in, we've already removed the provision that they don't have to hold the goods.

You're really making the bill worthless, I would say and I would have to oppose it.

REP. OSIECKI: (108th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Osiecki.

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REP. OSIECKI: (108th)

Actually, I was simply asking the proponent a question.

I would like to, in speaking in support of the Amendment, restate that I support the Bill. I'm sure we all have constituents who have suffered because of untraceable goods.

But we also all have reputable businessmen in jewelry stores and antique dealers. And human nature being what it is, I don't think that we want to violate property rights to such a degree that we give blanket authority to anyone to inspect an entire inventory.

I would suggest to you that in my town also, we have recently broken up a ring through the cooperation of our antique dealers.

But we also have two officers under arrest for robbing the very business they were hired to protect.

And I believe, unless they have a proper warrant, they should not have the right to enter premises and inspect goods.

SPEAKER ABATE:

Will you remark further on the adoption of House Amendment Schedule "D"?

REP. GROPPA: (63rd)

Mr. Speaker.

SPEAKER ABATE:

Rep. John Groppo.

REP. GROPPA: (63rd)

May this item be passed temporarily, please, seeing as we have some problems?

SPEAKER ABATE:

The motion is that we pass temporarily the matter pending before us, which is the adoption of House Amendment Schedule "D". Is there objection to the motion? Is there objection? Hearing none, it is so ordered. Action to pass temporarily, action on the amendment, automatically sets aside action on the main question.

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House Amendment Schedule "D".

In line 19, strike the words "Any state"  
Strike lines 20 through 25 in their entirety.

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SPEAKER ABATE:

We'll go to the next item on the Calendar.

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CLERK:

Senate Bill No. 37 as amended by Senate Amendment  
Schedule "A".

Total Number Voting	137
Necessary for Passage	69
Those voting Yea	130
Those voting Nay	7
Those absent and not Voting	15

SPEAKER ABATE:

The bill as amended, passes.

CLERK:

Calendar page 11, Calendar No. 308, File 456, Substitute  
for House Bill No. 6037, AN ACT CONCERNING LICENSING PURCHASERS OF  
PRECIOUS METALS AND STONES. Favorable Report of the Committee on  
Judiciary.

SPEAKER ABATE:

The matter just called by the Clerk was one that we  
passed temporarily. The bill has been amended by House Amendment  
Schedules "A", "B", and "C". At the time, the motion to pass  
this item temporarily pending for action before the Chamber was  
the adoption of House Amendment Schedule "D". Will you remark  
further on the adoption of House Amendment Schedule "D"?

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REP. BALAGA: (136th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Julie Balaga.

REP. BALAGA: (136th)

Yes, Mr. Speaker, thanks to having the bill PT'd, I think we've been able to work out a good solution to our problems, so I'd like to withdraw LCO No. 3495.

SPEAKER ABATE:

House Senate Schedule "D" is withdrawn. Will you remark further on the bill as amended by House Amendment Schedule "A", "B", and "C"?

REP. MORGAN: (56th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Chester Morgan.

REP. MORGAN: (56th)

Mr. Speaker, the Clerk has an amendment, LCO 3661. Would the Clerk please call and read the amendment?

SPEAKER ABATE:

The Clerk has in his possession an amendment, LCO No. 3661 designated House Amendment Schedule "E". Would the Clerk please call?

CLERK:

LCO No. 3661 offered by Rep. Morgan of the 56th District.

SPEAKER ABATE:

Would the gentleman please summarize the amendment in lieu of Clerk's reading. Is there objection to summarization? Hearing none, you may proceed to summarize the amendment, Rep. Morgan.

REP. MORGAN: (56th)

Yes, Mr. Speaker, and the wonderful cooperation of democracy in this Chamber, we have come up with an amendment that I think will solve some of the questions that were put forth by "D". This amendment in line 9 would insert the words an annual before the word fee so it would be an annual fee of \$10. That would give it a time limit. In line 20, we would strike the word other municipal officer and also on line 21, we would strike at all times.

This will take out the objections to other municipal officials and it will also take out the objection they had to the inspection of these records at all times. It's a good move, the amendment, and I move its adoption.

SPEAKER ABATE:

Will you remark further on the adoption of House Amendment Schedule "E"? If not, all those in favor of its adoption, please

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indicate by saying aye.

REPRESENTATIVES:

Clerk Aye.

SPEAKER ABATE:

All those opposed, nay.

REPRESENTATIVES:

ca. No.

SPEAKER ABATE:

The ayes have it. It is adopted and ruled technical.

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ext. The following is House Amendment Schedule "E":

St- In line 9, delete the word "a" and insert the words "an annual" in lieu thereof.

In line 20, delete the comma after the word "officer" and insert the word "or" in lieu thereof.

In line 20, delete the words "or other" after the word "officer".

In line 21, delete the words "municipal official" and the words "at all times".

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SPEAKER ABATE:

Will you remark further on this bill?

REP. MAZZA: (115th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Vito Mazza.

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REP. MAZZA: (115th)

The Clerk has an amendment, LCO 3662, please. Would the Clerk please call and read?

SPEAKER ABATE:

The Clerk has in his possession an amendment LCO No. 3662 designated House Amendment Schedule "F". Would the Clerk please call and read the amendment?

CLERK:

LCO No. 3662 offered by Rep. Mazza of the 155th District. In line 27, after the word "goods" insert the following: ", except collector coins".

SPEAKER ABATE:

The amendment is in your possession, sir. What is your pleasure?

REP. MAZZA: (115th)

Mr. Speaker, I move for passage of the amendment.

SPEAKER ABATE:

The question is on adoption of House Amendment Schedule "F". Will you remark now on its adoption?

REP. MAZZA: (115th)

Yes, Mr. Speaker. All for legislative intent, all we're trying to do here is to eliminate the young coin collectors that will be trading with some of the coin dealers who are trading with

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their pennies, nickels, and dimes. Small amounts, trading coins and eliminate them from the provisions of the bill. Thank you.

SPEAKER ABATE:

Will you remark further on the adoption of House Amendment Schedule "A"?

REP. MORGAN: (56th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Morgan.

REP. MORGAN: (56th)

Mr. Speaker, I rise to oppose the amendment. I think if the gentleman wants legislative intent, I will state that we're not trying to get at the youngster that is dealing with his little blue book or what have you or he has collected his coins. But if we insert the words except collector coins, I think that would be hard to define. We really wouldn't know who they were.

There's no amount specified in here. We're trying to get the minors that are getting into so much trouble in our towns, that are breaking into houses, selling these things. And many of them are coins from being able to do this without a parent or guardian. I think except collector coins is too hard to define and I urge rejection of the amendment.

SPEAKER ABATE:

Will you remark further on the adoption of House Amendment Schedule "F"? If not, all those in favor of its adoption, please indicate by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER ABATE:

All those opposed, nay.

REPRESENTATIVES:

No. *(H. Am. F was rejected on a voice vote.  
See House Journal, April 18)*

SPEAKER ABATE:

Will you remark further on this bill? Will you remark further on the bill as amended by House Amendment Schedule "A", "B", "C", and "E"? If not, would all the members please be seated. Staff and guests to the well of the House, please. The machine will be opened.

The House of Representatives is voting by roll at this time. Would the members please return to the Chamber immediately. The House of Representatives is voting by roll at this time. Would the members please return to the Chamber immediately.

Have all the members voted? Members, please check the roll call machine. Have all the members voted? Would the members please check the roll call machine. The machine will be locked.

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CLERK: The Clerk will take the tally.

REP. SPONHEIMER: (103rd)

Mr. Speaker.

SPEAKER ABATE:

Rep. Sponheimer.

REP. SPONHEIMER: (103rd)

In the affirmative, please, Mr. Speaker.

SPEAKER ABATE:

The Journal will so note; Rep. Sponheimer has cast his vote in the affirmative.

REP. MILNER: (7th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Milner.

REP. MILNER: (7th)

Mr. Speaker, in the affirmative, please.

SPEAKER ABATE:

The Journal will so note.

Would the Clerk please announce the tally.

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CLERK:

House Bill 6037 as amended by House Amendment Schedules  
"A", "B", "C", and "E".

Total Number Voting	137
Necessary for Passage	69
Those voting Yea	130
Those voting Nay	7
Those absent and not Voting	14

SPEAKER ABATE:

The bill as amended, passes.

CLERK:

Calendar page 13, Calendar No. 331, File 156, Substitute for  
Senate Bill No. 154, AN ACT CONCERNING COMMUNITY RESIDENTIAL  
PROGRAMS FOR MENTALLY RETARDED PERSONS. Favorable Report of the  
Committee on Public Health.

REP. LAROSA: (3rd)

Mr. Speaker.

SPEAKER ABATE:

Rep. Paul LaRosa.

REP. LAROSA: (3rd)

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

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DEPUTY SPEAKER FRANKEL:

The bill as amended passes.

CLERK:

Calendar No. 308, Files 456 and 786, Substitute for  
House Bill No. 6037, AN ACT CONCERNING LICENSING PURCHASERS OF  
PRECIOUS METALS AND STONES, as amended by House Amendment  
Schedules "A", "B", "C" and "E", and Senate Amendment "A."  
Favorable Report of the Committee on judiciary.

REP. MORGAN: (56th)

Mr. Speaker.

DEPUTY SPEAKER FRANKEL: (56th)

Rep. Morgan.

REP. MORGAN: (56th)

Mr. Speaker, I move acceptance of the Joint Committee's  
Favorable Report and passage of the bill in concurrence with the  
Senate.

DEPUTY SPEAKER FRANKEL:

Question is on acceptance of the Joint Committee's  
Favorable Report and passage of this bill in concurrence with  
the Senate. Will you remark sir.

REP. MORGAN: (56th)

Yes, Mr. Speaker. The Clerk has an amendment, LCO 4627,  
designated Senate Amendment "A." Will the Clerk please call  
and read.

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DEPUTY SPEAKER FRANKEL:

Clerk has in his possession amendment LCO No. 4627, previously designed Senate Amendment Schedule "A." Will the Clerk please call and read.

CLERK:

LCO No. 4627, offered by Senator Johnson of the 6th District.

In line 4, strike out the comma after the word "jewelry" and insert in lieu thereof the word "or." In line 5, strike out the words "or coins."

DEPUTY SPEAKER FRANKEL:

The amendment is in your possession, sir, what is your pleasure.

REP. MORGAN: (56th)

Yes, Mr. Speaker, I move rejection.

DEPUTY SPEAKER FRANKEL:

Question is on the rejection of Senate "A." Will you remark.

REP. MORGAN: (56th)

Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. Morgan.

REP. MORGAN: (56th)

The Senate, in the infinite wisdom, decided with this amendment to remove coins through the provision of this bill. This will mean that coin dealers will still be able to deal with minors, paying cash; not required to be licensed or to keep or provide records and still not have to require positive identification to help police in a case where the coins are stolen.

Mr. Speaker, I urge rejection of this amendment.

DEPUTY SPEAKER FRANKEL:

Will you remark further on the rejection of Senate Amendment Schedule "A." Will you remark further on its rejection. If not, all those in favor of its objection, please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER FRANKEL:

Those opposed nay. The ayes have it. Senate "A" is rejected.

Will you remark further on this bill as amended by House "A", "B", "C" and "E?"

REP. MORGAN: (56th)

Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. Morgan.

REP. MORGAN: (56th)

I urge acceptance and passage as amended by House "A", "B", "C" and "E."

DEPUTY SPEAKER FRANKEL:

Will you remark further on this bill? Will you remark further on this bill? If not, the staff and guests please come to the well of the House. Would the members please take their seats. The machine will be opened.

The House of Representatives is now voting by roll call. Would the members please return to the Chamber. There is a roll call vote in progress in the hall of the House, would the members return to the Chamber immediately.

Have all the members voted. Have all the members voted and is your vote properly cast. If so, the machine will be locked. The Clerk will take a tally.

Clerk, please announce the tally.

CLERK:

House Bill No. 6037, as amended by House Amendment Schedules "A", "B", "C", and "E."

Total number voting	140
Necessary for passage	71
Those voting yea	129
Those voting nay	11
Those absent not voting	11

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DEPUTY SPEAKER FRANKEL:

The bill as amended passes.

CLERK:

Calendar No. 379, Files 554 and 809, House Bill 5686,  
AN ACT CONCERNING THE PROHIBITION OF EMPLOYMENT OF THE CONSUMER  
COUNSEL AND THE COMMISSIONERS OF THE DIVISION OF PUBLIC UTILITY  
CONTROL BY PUBLIC SERVICE COMPANIES AND FORMER STATE LEGISLATORS  
AS LOBBYISTS, as amended by House Amendment Schedules "A",  
and "D", and Senate Amendment Schedule "A." Favorable Report  
of the Committee on Government Administration and Elections.

REP. LAVINE: (100th)

Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Is the Rep. Lavine.

REP. LAVINE: (100th)

Mr. Speaker, I move the acceptance of the Joint  
Committee's Favorable Report in concurrence with the Senate.

DEPUTY SPEAKER FRANKEL:

Question is on the acceptance of the Joint Committee's  
Favorable Report and passage of this bill in concurrence with  
the Senate. Will you remark sir?

REP. LAVINE: (100th)

Yes, Mr. Speaker. Would the Clerk please call Senate  
Amendment "A", LCO 4718