

Legislative History for Connecticut Act

HB 5738

PA 82-357

1982

House - 544-545, 4014-4019

Senate - 431, 3343-3346, 3377-3378

Public Safety - 460-461

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CONNECTICUT
GEN. ASSEMBLY
HOUSE

PROCEEDINGS
1982

VOL. 25
PART 2
268-554

klj

House of Representatives

Friday, March 19, 1982

ACTING SPEAKER ONORATO:

Referred to the Committee on Appropriations.

CLERK:

Favorable Report of the Joint Standing Committee on General Law, House Bill No. 5590, AN ACT CONCERNING THE MOBILE HOME TASK FORCE. The committee recommends that the bill be referred to the Committee on Appropriations.

ACTING SPEAKER ONORATO:

Referred to the Committee on Appropriations.

CLERK:

Favorable Report of the Joint Standing Committee on Labor and Public Employees, House Bill No. 5486, AN ACT CONCERNING LEGISLATIVE OVERSIGHT OF JOB TRAINING PROGRAMS. The committee recommends that the bill be referred to the Committee on Appropriations.

ACTING SPEAKER ONORATO:

Referred to the Committee on Appropriations.

CLERK:

Favorable Report of the Joint Standing Committee on Public Safety, House Bill No. 5738, AN ACT CONCERNING POLICE TRAINING. The committee recommends that the bill be referred to the Committee on Government Administration and Elections.

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House of Representatives

Friday, March 19, 1982

ACTING SPEAKER ONORATO:

Referred to the Committee on Government Administration and Elections.

CLERK:

Favorable Report of the Joint Standing Committee on Labor and Public Employees, House Bill No. 5541, AN ACT CONCERNING PRODUCTIVITY OF STATE EMPLOYEES. The committee recommends that the bill be referred to the Committee on Appropriations.

ACTING SPEAKER ONORATO:

Referred to the Committee on Appropriations.

CLERK:

Favorable Report of the Joint Standing Committee on Labor and Public Employees, House Bill No. 5435, AN ACT CONCERNING CHILD SUPPORT OWED BY PERSONS RECEIVING UNEMPLOYMENT BENEFITS. The committee recommends that the bill be referred to the Committee on Judiciary.

ACTING SPEAKER ONORATO:

Referred to the Committee on Judiciary.

CLERK:

Favorable Report of the Joint Standing Committee on Planning and Development, House Bill No. 5074, AN ACT CONCERNING POSTING OF BONDS IN APPEALS FROM THE DECISIONS OF ZONING BOARDS OF APPEALS. The committee recommends that

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House of Representatives

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DEPUTY SPEAKER FRANKEL:

The bill is passed.

CLERK:

Page 7, Calendar 354, Substitute for House Bill 5738, AN ACT CONCERNING POLICE TRAINING. Favorable Report of the Committee on Government Administration and Elections.

REP. GIBSON: (40th)

Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. Betsey Gibson.

REP. GIBSON: (40th)

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

DEPUTY SPEAKER FRANKEL:

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

REP. GIBSON: (40th)

Yes, Mr. Speaker. Will the Clerk please call LCO 3728, and may I be permitted to summarize?

DEPUTY SPEAKER FRANKEL:

The Clerk has LCO No. 3728 which will be designated as House Amendment Schedule "A". Will the Clerk please

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call the amendment.

CLERK:

LCO No. 3728, Scheduled House Amendment "A".
Offered by Rep. Gibson, 40th District, entitled AN ACT
CONCERNING POLICE TRAINING.

DEPUTY SPEAKER FRANKEL:

Representative seeks permission to summarize
this amendment in lieu of reading by our Clerk. Is
there objection? Hearing none, you may proceed, madam.

REP. GIBSON: (40th)

Yes, Mr. Speaker. What this amendment does is
it strikes out line 31. It also strikes out on line
32 and until and including the semi-colon. Then on line
37, we take out "the person who performs" and put in
"a member of a law enforcement unit who performs police
duties."

This is to take care of any constables or people,
traffice control police.

On line 38, what we're doing is we're defining a
part-time police officer as meaning a person that performs
police duties by a police officer less than 20 hours.

On line 78 what we're doing is "the council shall
appoint the Vice Chairman and the Secretary" whereas now

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the Governor appoints the Chairman.

On line 229, after the word "be" we're going to insert "automatically" which will then mean that the people that are waiting to get into the Academy will not automatically become a police officer after this legislation is passed.

The next few parts of the amendment are technical and that the recertification process will take place by July 1, 1983.

I move the adoption of this amendment.

DEPUTY SPEAKER FRANKEL:

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

If not, all those in favor, please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER FRANKEL:

Those opposed nay. The ayes have it.

House "A" is adopted and it is ruled technical.

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House Amendment Schedule "A".

Strike out line 31 in its entirety.

Strike out line 32 up to and including the semicolon.

In line 37, strike out "PERSON WHO PERFORMS" and insert the following in lieu thereof: "MEMBER OF A LAW ENFORCEMENT UNIT WHO PERFORMS POLICE DUTIES."

In line 38, strike out "POLICE FUNCTIONS".

After line 38, insert the following: "PART-TIME" MEANS THE PERFORMANCE OF POLICE DUTIES BY A POLICE OFFICER LESS THAN TWENTY HOURS PER WEEK."

In line 78, strike out the comma and insert the following in lieu thereof: "AND THE COUNCIL SHALL APPOINT".

In line 226, after the word "OFFICER" insert the following: ",EXCEPT A PROBATIONARY CANDIDATE,".

In line 229, after the word "BE" insert the word "AUTOMATICALLY".

In line 230, after the word "COUNCIL" insert the following: "IN ACCORDANCE WITH THE PROVISIONS OF SUBSECTION (a) OF SECTION 7-294e, AS AMENDED BY SECTION 4 OF THIS ACT".

In line 251, strike out the closing bracket and the word "ON".

In line 253, strike out "ON A PART-TIME BASIS".

In line 258, strike out the brackets around the word "said" and strike out the word "THE".

In line 259, strike out the opening bracket before the word "attesting".

In line 262, after the word "PROCEDURES" insert the following: "AND WITHIN THE TIME FRAME".

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In line 263, after the word "COUNCIL" insert the following: ", PROVIDED THAT ALL SUCH POLICE OFFICERS SHALL BE RECERTIFIED NOT LATER THAN JULY 1, 1983".

DEPUTY SPEAKER FRANKEL:

Will you remark further on this bill, as amended?

REP. GIBSON: (40th)

Yes, Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. Gibson.

REP. GIBSON: (40th)

Mr. Speaker, this bill has three components to it. It is addressed to the part-time officers and the requirements of training of the part-time officers that were started last year.

It also starts review training that every three years there will be 40 hours of review training by all police officers.

It also takes in the recommendations from the Program Review Committee on certifications and the waiver process that they now do. We will also begin, the General Assembly will begin to receive and afford an annual report as the Governor does.

I so move this legislation.

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I move adoption and passage of this bill.

DEPUTY SPEAKER FRANKEL:

Will you remark further on this bill? If not, would 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. Would the members please return to the Chamber. There is a roll call vote pending in the hall of the House. Would the members return to the Chamber immediately.

Have all the members voted? Have all the members voted. If so, the machine will be locked. The Clerk will take a tally.

Would the Clerk please announce the tally.

CLERK:

House Bill No. 5738, as amended by House "A".

Total number voting	136
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Necessary for passage	69
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Those voting yea	25
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Those voting nay	11
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Those absent and not voting	15
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DEPUTY SPEAKER FRANKEL:

The bill, as amended, is passed.

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GEN. ASSEMBLY
SENATE

PROCEEDINGS
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326-586

1982 GENERAL ASSEMBLY

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TECHNICAL SESSION
MARCH 19, 1982

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ACT CONCERNING CHILD SUPPORT OWED BY PERSONS RECEIVING UNEMPLOYMENT BENEFITS. To Judiciary.

Labor and Public Employees, Substitute House Bill 5486,

AN ACT CONCERNING A STUDY OF JOB TRAINING IN CONNECTICUT.

Labor and Public Employees, Substitute House Bill 5541,

AN ACT CONCERNING A STUDY OF THE QUALITY OF WORK-LIFE AND PRODUCTIVITY OF STATE EMPLOYEES. To Appropriations.

Labor and Public Employees, Substitute House Bill 5763,

AN ACT CONCERNING PLANT RELOCATIONS, CLOSINGS AND LAYOFFS. To Appropriations.

Planning and Development, House Bill 5074, AN ACT CONCERNING POSTING OF BONDS IN APPEALS FROM THE DECISIONS OF ZONING BOARDS OF APPEAL. To Judiciary.

Planning and Development, Substitute House Bill 5792,

AN ACT CONCERNING THE USE OF JOB TRAINING FUNDS. To Appropriations.

Public Safety, Substitute House Bill 5738, AN ACT CON-

CERNING POLICE TRAINING. To Government Administration and Elections.

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Hearing none, the matter will be on Consent.

THE CLERK:

Calendar 566, File 448, 798, Substitute for House Bill 5738, AN ACT CONCERNING POLICE TRAINING, as amended by House Amendment, Schedule A, with a Favorable Report of the Committee on Government Administration and Elections.

THE CHAIR:

Senator Baker.

SENATOR BAKER:

Mr. President, I move for acceptance of the Joint Committee's Favorable Report and passage of the Bill.

THE CHAIR:

Will you remark Senator?

SENATOR BAKER:

Mr. President, this Bill would reauthorize the Municipal Police Training Council for five years as a result of Sunset Review and it would make substantive and technical changes in related law. It would transfer the Municipal Police Training Council from the Department of Public Safety for administrative purposes only, to the Division of State Police for administrative purposes only. Under the Bill, the

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Governor would be required to appoint a chairperson and the Council would appoint a vice-chairperson and a secretary from among the Council members. The Bill would not affect the number of Council members which are 17 or the specified interests which might be represented in the membership. The Bill would expand the powers to allow for the Municipal Police Training Council to develop and periodically update a comprehensive, municipal police training plan, require police officers to satisfactorily complete at least 40 hours of certified review training every three years, set minimum educational and training standards for police officers to be employed in any capacity instead of only studying police training standards, accept financial assistance from any governmental unit or public agency as well as from the private sector. And it would be allowed to conduct compliance reviews with law enforcement units, conduct management surveys and develop uniform criteria for issuing waivers of regulations or procedures set by the Council.

It would limit to one year, the time period in which a police officer can be employed by a law enforcement unit

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without being certified or receiving an extension from the Council. A police officer not employed by a law enforcement unit for more than two years, unless on a leave of absence, would lose his or her certification. On being re-employed, the officer would be required to apply for re-certification in a way specified by the Council.

The Bill would limit to one year, the time period in which a police officer, including persons who perform police functions 20 or more hours per week can be employed by a law enforcement unit without being certified. A police officer not employed by a law enforcing unit more than two years, unless on a leave of absence, could lose his or her certification.

The Bill would require the Council to certify applicants who have completed equivalent training in another state as long as the applicant satisfies certain testing requirements.

Mr. President, the House Amendment A would clarify the definitions of police officer and part time and with reference to exempted part time police officers from the basic training and certification requirements and made other technical changes. If there are any questions--

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otherwise I would move it to the Consent Calendar.

THE CHAIR:

Is there any objection to moving the Bill as amended by House Amendment, Schedule A, to the Consent Calendar?

Hearing none, it's so ordered.

THE CLERK:

Calendar 567, File 513, Substitute for House Bill 5035, AN ACT CONCERNING THE DEMOLITION OF HAZARDOUS BUILDINGS, with a Favorable Report of the Committee on Judiciary.

THE CHAIR:

Senator Owens.

SENATOR OWENS:

Mr. President, I move acceptance of the Joint Committee's Favorable Report and passage of the Bill.

THE CHAIR:

Remark?

SENATOR OWENS:

Yes Mr. President. This Bill would specify that the statute which requires that the State Building Code be the Building Code of all cities, towns and burroughs does not prevent any town, city or burrough from adopting an ordinance

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HB 5056, HB 5127, HB 5131, HB 5406, HB 5457, HB 5459,
HB 5542, HB 5761, HB 5800, HB 5821, HB 5864, 387
HB 5896, HB 5920, SB 644, SB 43, SB 352, LFU
HB 5572, HB 5931, HB 5932, HB 5680, HB 5738,
HB 5035, HB 5124, HB 5136, HB 5641, HB 5401, HB 5672,

567, 568 and 569. On page 19, Calendar 570, 572, 573 and
 574. On page 20, Calendar 575, 578. Page 21, Calendar
 580, 581, and 582. And that concludes the call of today's

Consent Calendar. HB 5647, HB 5648, HB 5649, HB 5876, HB 5657, HB 5851,
HB 5426, HB 5418, HB 5463, HB 5164, HB 5733, HB 5604,
 THE CHAIR: HB 5722, HB 5780, HB 5782, HB 5815, HB 5957, HB 5578,
HB 5032, HB 5133, HB 5682, HB 5822, HB 5888, HB 5798,
 Senator Robertson. HB 5955, HB 5960, HB 5397, HB 5744, HB 5626,
HB 5902, HB 5615, HB 5736, HB 5125, HB 5452,
 SENATOR ROBERTSON: HB 5488, HB 5767, SB 634, SB 382, HB 5640,
HB 5834, HB 5412, HB 5504, HB 5737, HB 5586,

Mr. President, I would like to request that Calendar
 481, File 694, Senate Bill 634, AN ACT DEFERRING FOR ONE
 YEAR ADOPTION OF NEW BUDGET REQUIREMENTS FOR PROGRAMS AND
 SUBMISSION OF A TASK FORCE REPORT CONCERNING THE EFFECTIVE
 NESS OF PROGRAM. I'd ask that be removed from the Consent
 Calendar and PR'd for tomorrow. HB 5087, HB 5091, HB 5727,
HB 5976, HB 5153, HB 5536.

THE CHAIR:

Well, it will be removed from the Consent Calendar for
 now. We'll discuss the PR after the Consent Calendar. ARE
 there any other questions, comments on any item on the
 Consent Calendar or requests to remove from the Consent
 Calendar? If not, the machine is open for the Consent Cal-
 endar. Is Senator Skowronski still here?

The machine will be closed and locked.

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TOTAL VOTING 36

THOSE VOTING YEA 36

The Consent Calendar is adopted. Senator Schneller.

SENATOR SCHNELLER:

Mr. President, I would move for suspension of the rules for immediate transmittal of the following items to the House. Calendar 438, Bill 5578; Calendar 475, House Bill 5736; Calendar 477, House Bill 5452; Calendar 479, Bill 5767; Calendar 486, Senate Bill 382; Calendar 527, Bill 5542; Calendar 545, Bill 352.

THE CHAIR:

Is there any objection to the motion? Hearing none, the rules are suspended as to those items only. What is your pleasure in reference to Calendar 481 which was removed from the Consent Calendar and has been moved for adoption? Senator Schneller.

SENATOR SCHNELLER:

I would move that it be passed retained.

THE CHAIR:

Is there any objection to pass retaining Calendar 481? Hearing none, it's passed retained. Senator Schneller.

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HEARINGS**

**PUBLIC SAFETY
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MR. FENNELLY: (continued)

Service organizations. For those members of the Committee that do not, I have passed out these to all the members of both the Senate and the House. If you do not have copies, I will be leave copies here today with the Chairman. Thank you.

SEN. CASEY: Thank you Ed. Any questions by Committee members? The next speaker is Chief Knapp followed by Kathy Coffin.

CHIEF-WILLIAM KNAPP: Mr. Chairman, members of the Committee, my name is Chief William Knapp of the Wethersfield Police Department, here to represent the Connecticut Police Chiefs Association on Committee Bill 5738. With me, to answer questions, if you have any, are Chief John R. Salarsi from Winsted, the Chairman of the Municipal Police Training Council and Steve Kelly, the Director of Training from that staff.

As I begin, let me say that we are universally pleased with the interest in police training and we appreciate the input and the interest of the members of this Public Safety Committee who have discussed this subject with us and/or with other chiefs. I compliment you on your attention to issues, included in, but also separate from the Sunset Report. The Connecticut Police Chiefs Association most enthusiastically supports this Bill. We urge you to give it favorable report. We urge you to actively seek its passage by the General Assembly. Not only have you shown interest in police training by raising this Bill, but you show an understanding of the issues and problems in the area of police training.

This Bill as it stands today, has been subject at this point, to review by and input from the Municipal Police Training Council, the Committee on Training and Standards of the Police Chiefs Association, the legislative Committee and the Board of Directors. We think it's a good way to go. Police training has come a long way under the auspices of the Municipal Police Training Council. Over 180 officers received their basic training each year. Over 4,000 officers receive in-service training and at what cost? I would like to

CHIEF KNAPP: (continued)

remind this Committee that police training is not supported by tax dollars. It's supported by a surcharge that is attached to motor vehicle fines in effect we generate our revenue. This Bill retains the size of the training council which just two years ago, was increased so that civilian persons could be accepted onto it and that is, as I understand it, in his freshman year.

This Bill--if you will recall, I testified the other day on a 35 hour mandate. I see that this Bill now has a 40 hour mandate. Well, we have to take the good with the bad and I think that that's a move in the right direction and we can live with it.

It also mandates the search for better utilization of the Meriden facility without mandating a conflict between the State and the municipal departments. I'd like to make a side comment. We seem to get along with the State Police, we do, and yet we maintain a separate identity which I believe is also true. And that is sometimes a very delicate balance and it's wise for the legislature not to mess with it. I would like to close my testimony by saying simply that it's a good Bill. Thank you for your effort and we will try to answer any questions you have.

REP. KUSNITZ: Thank you sir. Are there any questions from the Committee? Thank you. Kathy Coffin.

MS. KATHY COFFIN: Senator Casey, members of the Committee, my name is Kathy Coffin. I am Director of the Hartford Office on the Handicapped. I'm Vice President of Advocacy for Connecticut Chapter's National Spinal Cord Injury Foundation and I'm a member of the Connecticut Coordinating Committee on the Handicapped. I am here today to generally support Raised Committee Bill 5809 as it tends to enhance the incentive enforcement of the State Building Code as it regards accessibility. I have four specific comments to make. One, in Section 6 it refers to members of the Code and Inspection Section and the Code and Standards Committee. On line 227-228, there's a requirement for four public members. I would recommend that two of

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GOVERNMENT ADMINISTRATION & ELECTIONS

March 23, 1982

MR. DOBBINS: (continued)

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The two members of the board who are salary employees on the Veterans' Organization, Joseph H. and Dominick J. Lamato are going to Washington DC this March 27 through the 30th to meet with members of the Connecticut Congressional Delegation. I believe Mr. Burns has a copy of the itinerary which we'll be glad to furnish. They're going there seeking sufficient funds to maintain all Veterans' programs including funding for our State Veterans' Home and Hospital.

In conclusion, gentlemen, we urge you to amend 595 and include a provision that will allow salaried employess of Veterans' Organizations to serve on commissions, serve as Commissioners, namely as the Veteran's Home in Rocky Hill, Rocky Hill Veterans' Home in Rocky Hill. And thank you very much for your attention.

REP. WALKOVICH: Thank you, Mr. Dobbins. Are there any questions from the Committee. Thank you.

MR. DOBBINS: Thank you, sir.

REP. WALKOVICH: William Knapp.

T. WILLIAM KNAPP: Mr. Chairman, members of the Government Administration and Elections Committee, my name is William Knapp I'm Chief of the Wethersfield Police Department and I'm here to speak on behalf of the Connecticut Police Chiefs' Association.

To urge you to reject line 37 through line 141 of Raised Committee Bill 5898 and to urge you to give a joint favorable report to substitute bill 5738 with one little exception. Within the substitute bill 5738 on line 64 the word Chairperson ought to be deleted. The reason we request the deletion of that is because the Governor has indicated that he would like to retain the authority to appoint the chairperson. Substitute bill 5738 addresses favorably the issues in connection with Police training and standards that we have worked closely with the Public Safety Committee to accomplish. 5738 has the full support of the law enforcement community and we regard it as a step for

MR. KNAPP: (Continued)

getting the municipal police training council adequate authority to set police training policy and standards of the local police departments in the state. Thank you very much. I intended to be brief and I hope I was. I'll answer any questions.

REP. WALKOVICH: Thank you for your brief remarks. Are there any questions from the committee. Thank you, Mr. Knapp.

MR. KNAPP: Right.

REP. WALKOVICH: Tom Haines. Avery Lamphier.

Bureau of State Fire Marshall

CHIEF AVERY LAMPHER: Mr. Chairman, members of the GAE Committee. I'm here to speak on House Bill 5898 and in reference to a State Fire Marshall's Office and the State Fire Marshall's Association. The Connecticut State Fire Marshall's Association -- I'll be brief today. Last Saturday the Connecticut State Fire Marshall's Association voted to support the state in position that we now hold with the Connecticut State Police Department.

Again, after ignoring the report of the Sunset Committees, we again voted this Spring and reinstated our position into form. The State Fire Marshalls' Association strongly urge that we keep the present structure of the Connecticut State and the Connecticut Fire Marshalls as is. I know there's been testimony that's been presented to the various of the Public Safety and there's also been statements made that the fire service was not in full support of the structure as it is now.

However, no organization in the world can boast of 100% when it comes to an actual vote on their structure. I think we all realize that. So, when someone says not all the fire marshalls in the state are in accordance with this bill, I would certainly have to agree with that. However, I will say in excess of 90% and I will be glad to (inaudible). The Connecticut State Fire Marshalls' Association, I've been a member of this organization, I've been a fire chief and a fire marshall in Watertown for the last 22½ years. I've had the