

Legislative History for Connecticut Act

SB 847	PA 42	1989
House	2509, 2724	(2)
Senate	910-911	(2)
Public Safety	255-256, 273-274, 275-276, 397-398	(8)

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CONNECTICUT
GEN. ASSEMBLY
HOUSE

PROCEEDINGS
1989

VOL. 32
PART 8
2416-2802

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House of Representatives Wednesday, April 5, 1989

Calendar #155, HB7192, File #165. AN ACT CONCERNING BINDERS FOR INSURANCE COVERAGE. At the bottom of the page, Calendar #161, HB7341. FILE #177. AN ACT CONCERNING PROMULGATION OF CERTAIN LABOR DEPARTMENT REGULATIONS. On the next page, Calendar 162, HB5302, File #175. AN ACT CONCERNING THE PLACEMENT OF ANABOLIC STEROIDS IN THE SCHEDULE OF CONTROLLED SUBSTANCES.

Across the page, Calendar #167, Substitute HB7264, File #182. AN ACT CONCERNING THE DEFINITION OF "MEMBER" FOR PURPOSES OF THE MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM. Calendar #168, Substitute HB6789, File #185. AN ACT CONCERNING THE POSTING OF APPEAL BONDS. Bottom of the page, Calendar #171, Substitute HB7375, File #189. AN ACT CONCERNING PAYMENTS TO CERTAIN DISABLED STATE EMPLOYEES.

Bottom of page 8, Calendar #179, SB434, File #139. AN ACT CONCERNING CITIZENS' ENGINE COMPANY NO. 2 OF SEYMOUR. Calendar #180, SB761, File 131. AN ACT CONCERNING PETTY CASH LOAN FUND FOR LOANS FOR WORK-RELEASE PROGRAM. Moving down the page, Calendar 183, SB847, File 147. AN ACT CONCERNING THE INSPECTION OF SMOKE DETECTION EQUIPMENT IN ONE AND TWO-FAMILY DWELLINGS. Calendar 184, SB875, File 140. AN ACT CONCERNING THE STATE INSURANCE PURCHASING BOARD. And Calendar 185, Substitute SB836, File #128. AN ACT

House of Representatives

Thursday, April 6, 1989

BUSINESS ON THE CONSENT CALENDAR
BILLS PASSED

On motion of Representative Bertinuson of the 57th the following bills on the Consent Calendar which were starred for action were passed in accordance with Rule 43 of the House Rules:

INSURANCE AND REAL ESTATE. H.B. No. 7192 (RAISED) (File No. 165) AN ACT CONCERNING BINDERS FOR INSURANCE COVERAGE.

LABOR AND PUBLIC EMPLOYEES. H.B. No. 7341 (RAISED) (File No. 177) AN ACT CONCERNING THE PROMULGATION OF CERTAIN LABOR DEPARTMENT REGULATIONS.

LABOR AND PUBLIC EMPLOYEES. Substitute for H.B. No. 7264 (RAISED) (FILE No. 182) AN ACT CONCERNING THE DEFINITION OF "MEMBER" FOR PURPOSES OF THE MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM.

JUDICIARY. Substitute for H.B. No. 6789 (COMM) (File No. 185) AN ACT CONCERNING THE POSTING OF APPEAL BONDS.

LABOR AND PUBLIC EMPLOYEES. Substitute for H.B. No. 7375 (RAISED) (File No. 189) AN ACT CONCERNING PAYMENTS TO CERTAIN DISABLED STATE EMPLOYEES.

EDUCATION. Substitute for H.B. No. 7466 (RAISED) (File No. 207) AN ACT CONCERNING MANDATORY RETIREMENT FOR TENURED PROFESSORS AT INDEPENDENT INSTITUTIONS OF HIGHER EDUCATION.

ENERGY AND PUBLIC UTILITIES. Substitute for H.B. No. 6068 (COMM) (File No. 210) AN ACT CONCERNING THE SALE OF ELECTRICITY BY PRIVATE POWER PRODUCERS.

JUDICIARY. S.B. No. 434 (COMM) (File No. 139) AN ACT CONCERNING CITIZENS' ENGINE COMPANY NO. 2 OF SEYMOUR.

JUDICIARY. S.B. No. 761 (RAISED) (File No. 131) AN ACT CONCERNING PETTY CASH LOAN FUND FOR LOANS FOR WORK-RELEASE PROGRAM.

PUBLIC SAFETY. S.B. No. 847 (RAISED) (File No. 147) AN ACT CONCERNING THE INSPECTION OF SMOKE DETECTION EQUIPMENT IN ONE AND TWO-FAMILY DWELLINGS.

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GEN. ASSEMBLY
SENATE

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WEDNESDAY
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Call the next item, please.

THE CLERK:

Calendar #112, File #147, SB847. AN ACT CONCERNING
THE INSPECTION OF SMOKE DETECTION EQUIPMENT IN ONE AND
TWO FAMILY DWELLINGS.

Favorable Report of the Committee on PUBLIC SAFETY.

THE CHAIR:

Senator Herbst.

SENATOR HERBST:

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

THE CHAIR:

Will you remark?

SENATOR HERBST:

Yes, Mr. President. This bill is to correct an
error that was in the original bill passed last year,
and it requires that the local Fire Marshal inspect all
buildings falling under their jurisdiction at least
once every year, except for one and two family
dwellings.

THE CHAIR:

Further remarks on the bill? Senator Herbst.

SENATOR HERBST:

If there are no further remarks, I would request

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this be placed on the Consent Calendar.

THE CHAIR:

Without objection, so ordered. Call the next item,
please.

THE CLERK:

Calendar Page 4, Calendar #117, File 83, Substitute
HB5854. AN ACT ESTABLISHING AUGUST FOURTEENTH OF EACH
YEAR AS A DAY TO COMMEMORATE THE END OF WORLD WAR II.

Favorable Report of the Committee on GOVERNMENT
ADMINISTRATION AND ELECTIONS.

THE CHAIR:

Senator Atkin.

SENATOR ATKIN:

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

THE CHAIR:

Will you remark?

SENATOR ATKIN:

Yes, thank you, Mr. President. This bill is very
simple in its language, but very important to the many
Veterans who served in World War II. And, it simply
requires the Governor to name or proclaim August 14th
of every year as the day that commemorates the end of
World War II, and that suitable exercises be held here
in the State Capitol and in other areas around the

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pinched somebody who committed a violent crime it's a felony, baby. No two ways about it. What the court does with it after, that's a different story,

REP. SMITH: But the thing,

REP. MIGLIARO: If you are going to wait until what the conviction is, the line doesn't make sense.

REP. SMITH: I think,

REP. MIGLIARO: It is or isn't.

REP. SMITH: Okay, my understanding of what you try and do is the sheer fact that, in fact, someone could be arrested for a felony, they may end up being convicted of a misdemeanor, a reduced charge. What that is trying to address is that person that committed a violent crime, and is not found guilty of a felony but is found guilty of a reduced misdemeanor, it would take them,

REP. MIGLIARO: You should spell it out though, in the bill,

REP. SMITH: Okay.

REP. MIGLIARO: Because it is very ambiguous. A good lawyer could get a hold of this and tie you up in knots in a court. Thank you.

SEN. HERBST: Are there any further questions? If not thank you very much, Representative.

REP. SMITH: Thank you.

SEN. HERBST: Our next speaker is Major David Paige, Department of Public Safety.

MAJ. DAVID PAIGE: Good evening, Senator Herbst and members of the Public Safety Committee. I am Major David Paige. I am the Deputy State Fire Marshal. The Department of Public Safety Bureau State Fire Marshall supports the passage of SB847, AN ACT CONCERNING THE INSPECTION OF SMOKE DETECTION EQUIPMENT IN ONE AND TWO-FAMILY DWELLINGS. Section 29-292 requires that the Connecticut Fire Safety

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Code contain provisions for smoke detection and warning equipment in residential buildings and in particular in one and two family dwellings.

The Code does contain such provisions. The number of buildings which are covered by smoke detection and warning equipment provision of the Code is truly staggering. Another law, the law that this bill addresses, 29-305 requires that local fire marshalls inspect all buildings falling under jurisdiction of the Code at least once each year. The Bureau of State Fire Marshal firmly supports the requirement for smoke detection and warning equipment in residential buildings as they have had a dramatic effect in reducing fire deaths in such occupancies in Connecticut and throughout the nation as well.

However, at the same time the Bureau realizes that the reality is such that it is impossible for local fire marshalls across the state to inspect every one and two family home for the smoke detection requirements of the Code on a yearly basis. By requiring inspection upon request or complaint of the owner or occupant, this bill recognizes the importance of life safety smoke detectors while at the same time it provides an enforcement mechanism without placing fire marshalls in a position from which they cannot possibly carry out their legislative mandates. Thank you.

SEN. HERBST: Are there any questions of Major Paige? If not, thank you very much.

MAJ. DAVID PAIGE: Thank you Senator.

SEN. HERBST: Our next speaker is Lieutenant Ed Dunstone, Department of Public Safety followed by Captain Ron Mikulka of the Department of Public Safety.

LT. ED DUNSTONE: Senator Herbst, members of the Public Safety Committee, for the record I am Lieutenant Ed Dunstone from the Department of Public Safety. I am the Executive Officer for the State Fire Marshalls. I am here to speak on three bills. I am too equipped with a weapon, being a police

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SEN. HERBST: Yes, and the Committee, because of the number of questions that were asked, I may get some flack on this people, but we said six to seven for legislators and agency heads. You have gone beyond the seven o'clock. The public is now going to start promptly at seven, agency heads who have not spoken, please make appointments with full Committee or Committee members and we will now proceed immediately with the public. I repeat, when you hear that bell, you have one minute left to speak. Each public member will also get five minutes and Committee members will be allowed to ask questions. That does not include the five minutes allotted to you. I am very sorry to the gentlemen that came.

: Twenty five minutes ago, I thought I had a chance.

: I'll call you individually if I may.

SEN. HERBST: You've already spoken to me, I've no problem with your bill.

: No problem.

SEN. HERBST: Ed Fennelly, Connecticut State Firemen's Association.

ED FENNELLY: Madame Chairman, with your permission I'd like the name following mine is Tom Dragon.

SEN. HERBST: Both of you together on one bill.

ED FENNELLY: We're going to speak on the same thing, Tom.

SEN. HERBST: You mean you are going to save us some time.

ED FENNELLY: Good evening Madame Chairman, Senator Herbst, members of the Public Safety Committee, my name is Ed Fennelly. I represent the Connecticut State Firemen's Association, the Connecticut Fire Chiefs Association, also the Connecticut Fire Marshal's Association. First, I'd like to make reference to copies of a letter. I won't read it, you have copies of it and for the sake of time I'll

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just make comment, it's from the President of the Connecticut Fire Marshal's Association, Deputy Fire Marshal John Vendetta and it speaks in favor of SB847, AN ACT CONCERNING THE INSPECTION OF SMOKE DETECTION EQUIPMENT IN ONE AND TWO-FAMILY DWELLINGS.

I won't go any further. You do have copies of his letter

SEN. HERBST: Yes.

ED FENNELLY: in front of you. I would also go on record for the State Firemen's Association and the Connecticut Fire Chief's Association in favor of SB833, SB847, the one I just spoke to, SB848 on the E 9-1-1 designation, SB877 and also two other bills that I will speak briefly to. One if SB893 the appropriation of \$100,000 for the Litchfield County Dispatch Incorporated. This money is a result of last year, the state coming forth with bonding for two facilities, two emergency communication regional facilities, replacement and establishment of new equipment out in that area where the state was lacking in a communication center in the Litchfield area. This request, knowing full well, and I've dealt with appropriations and everything and other areas of money requesting this year but the state has put forth an excess of \$250,000 last year for establishment of this center and what they are looking for now is a continuation or them being able to now put it into operation.

Also, we are supporting SB897, the request for bonding for the Quinebaug Valley Emergency Communication Center and also the Valley Shore Emergency Center. The request for this is a follow through on capital improvements that started last year in the area of our regional communications centers. The Colchester Center was bonded to the tune of about \$250,000 last year for purchasing and updating of equipment.

These centers are vitally important to the state and actually, briefly, the pesaps for 8911 through the establishment of these regional communication centers and the location of the pesaps in these centers and the state putting forth bonding to the tune of \$6.7 million a few years ago for

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establishment of these centers and they are coming in under budget as a result of a regional approach. That's what's accomplished by supporting these regional centers and keeping them active and up to date as far as their equipment goes. I'll answer any questions.

SEN. HERBST: Are there any questions of Ed because his time is up, so you can ask him questions.
Representative Hoye.

REP. HOYE: Ed, if my house, if I'm renting a house, SB 847 renting out a house and my tenant complains, the inspection is made, what happens then?

SEN. HERBST: On smoke detectors?

REP. HOYE: Yes, on the smoke detectors.

SEN. HERBST: He is talking about the smoke detectors, Ed.

ED FENNELLY: Oh,

REP. HOYE: I'm sorry.

ED FENNELLY: You are renting a house, your tenant complains, the inspection is made, well, the complaint, whatever the complaint is, if there is no smoke detectors, the fire marshal will put him on notice that he has to have by state statute smoke detectors

REP. HOYE: What's the violation? Do you have any idea? Is there a fine to it?

ED FENNELLY: No, I don't think there is a specific fine.

SEN. HERBST: I can't answer that.

ED FENNELLY: But they can follow through the normal procedure where there is a violation of the state fire safety code.

REP. HOYE: Yes, but I'm just saying, if they are found in violation

SEN. HERBST: There is a fine.

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ED FENNELLY: There is a fine but I don't know the specifics,

SEN. HERBST: There is a fine, yes.

ED FENNELLY: But I don't know the specifics of what the class of the fine is.

SEN. HERBST: There is a fine for fire code violation and that probably will apply on any fire code violation. I don't know what the amount is.

REP. HOYE: This would just fall into the general violation of the state fire safety code.

SEN. HERBST: Any other questions of Ed. If not, Tom it's your turn.

TOM DRAGON: Thank you Senator Herbst, members of the Public Safety Commission, I'm here to talk on behalf of SB897. I have written a number of letters and testimony and so forth that have been presented. I'll try to be as brief as I can. The Quinebaug Valley Dispatch Association was established back in 1975 as a regional center for ten towns. Four years ago, three additional towns service joined us, requested our services. We cover an area of approximately 487 square miles in eastern Connecticut, the population of approximately 89,000 people.

When the center was first established, it actually took over the operation of a dispatch center which was operated under a county fund in, back in the early 50's I believe, when it was first established. We have, we still use equipment that was purchased at that time. Some of the equipment goes back as far as 25 years old. We are in dire need of updating our systems to provide a better service to these communities. We have been established as a 9-1-1 center back in 1975 and last year switched over to the Enhanced 9-1-1 system.

I strongly urge your consideration on SB897 and ask your cooperation on the bill.

SEN. HERBST: Tom, just one question. Your emergency center services all volunteer fire departments.



STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC SAFETY
DIVISION OF STATE POLICE
EAU OF STATE FIRE MARSHAL AND SAFETY SERVICES

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March 2, 1989

TO: Public Safety Committee

SUBJECT: Senate Bill 847
An Act Concerning the Inspection of Smoke Detection
Equipment in One and Two-Family Dwellings.

SUBMITTED BY: Major David J. Paige
Deputy State Fire Marshal
State Fire Marshal's Office

The Department of Public Safety, Bureau of State Fire Marshal, supports the passage of SB-847, "An Act Concerning the Inspection of Smoke Detection Equipment in One and Two-Family Dwellings".

Section 29-292 requires that the Connecticut Fire Safety Code contain provisions for smoke detection and warning equipment in residential buildings and, in particular, in one and two-family dwellings. The Code does contain such provisions. The number of buildings which are covered by the smoke detection and warning equipment provision of the Code is truly staggering.

Another law (CGS 29-305) requires that local fire marshals inspect all buildings falling under jurisdiction of the Code at least once every year.

The Bureau of State Fire Marshal firmly supports the requirement for smoke detection and warning equipment in residential buildings as they have had a dramatic effect in reducing fire deaths in such occupancies in Connecticut and throughout the nation as well. However, at the same time, the Bureau realizes that the reality is such that it is impossible for local fire marshals across the State to inspect every one and two-family home for the smoke detection requirements of the Code on a yearly basis. The Bureau of State Fire Marshal

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believes that this bill recognizes the importance to life safety of smoke detection and warning equipment while, at the same time, it provides an enforcement mechanism without placing fire marshals in a position from which they cannot possibly carry out their legislative mandate.