

Legislative History for Connecticut Act

<u>SB643</u>	<u>(PA13)</u>	<u>1995</u>
Senate 438, 796-798, 809-810		(6)
House: 911-916		(6)
Public Safety: 370, 428		(2)
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Transcripts from the Joint Standing Committee Public Hearing(s) and/or Senate  
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S-372

CONNECTICUT  
GEN. ASSEMBLY  
SENATE

PROCEEDINGS  
1995

VOL. 38  
PART 2  
342-714

SENATOR FLEMING:

Yes. Thank you, Madam President. For the purposes of marking the calendar, on Page 1, Calendar Item 28, SR23 is marked Go; Calendar Item 29, SR24 is marked Go. On Page 2, Calendar No. 30, SB643, File No. 26, move it be referred to the Committee on Planning and Development. I think without objection, Madam President, it would be referred there?

PRESIDENT RELL:

' Without objection, so ordered.

SENATOR FLEMING:

Thank you, Madam President. Calendar 31, SB645, File No. 27, is marked Go. Calendar 32, SB644, File No. 28, is marked Go. Calendar No. 33, SB642, File No. 33, I move it be referred to the Committee on Energy and Technology.

PRESIDENT RELL:

z. The reference is to Energy and Technology.

Without objection, so ordered.

SENATOR FLEMING:

Calendar No. 34, SB842, File No. 34, I would ask for suspension so that we may consider this item.

PRESIDENT RELL:

The question is on suspension. Is there objection? Seeing none, so ordered.

S-373

CONNECTICUT  
GEN. ASSEMBLY  
SENATE

PROCEEDINGS  
1995

VOL. 38  
PART 3  
715-1078

Calendar?

THE CLERK:

On page 7, Calendar No. 30, SB643, AN ACT ALLOWING  
PROVISIONAL APPOINTMENT OF LOCAL FIRE MARSHALS.

Returned from the Committee on Planning and  
Development.

THE CHAIR:

Senator Scarpetti.

SEN. SCARPETTI:

Thank you, Madam President.

Madam President, I move exception of the Joint  
Committee's favorable report and passage of the bill.

THE CHAIR:

Questions on passage. Will you remark?

SEN. SCARPETTI:

Madam President, current statute does not permit  
the appointment of interim fire marshals by a  
municipality when the appointed marshal is unable to  
carry out the duties of the office.

This leaves the municipality without the ability  
to have an acting marshal in the office while searching  
for a replacement.

Passage of this bill will allow a municipality to  
appoint an interim fire marshal for a period not to  
exceed 180 days.

THE CHAIR:

Questions on passage of the bill. Will you  
remark?

SEN. SCARPETTI:

Thank you, Madam President.

If there's no objection, I would like to place  
this on the consent calendar.

THE CHAIR:

Question is placing this on the consent calendar.  
Without objection, it's so -- excuse me. Senator  
Bozek.

SEN. BOZEK:

Madam President, I have a question on this  
particular item. With regard --

THE CHAIR:

Please proceed.

SEN. BOZEK:

With regard to the fire marshal, is the  
replacement or the temporary appointment of the fire  
marshal that would be in question, would that person be  
certified as a alternate fire marshal and be capable of  
signing legal documents?

THE CHAIR:

Senator Scarpetti, would you care to respond?

SEN. SCARPETTI:

Well, this -- this bill allows municipalities to incorporate a certified deputy mar -- fire marshal to act as a marshal until the new one can be -- that a new one can be found.

SEN. BOZEK:

All right.

SEN. SCARPETTI:

The answer is yes.

SEN. BOZEK:

Yes. Thank you very much. Thank you very much --

SEN. SCARPETTI:

Thank you.

SEN. BOZEK:

-- Madam President.

THE CHAIR:

You're welcome, Senator Bozek. Thank you, Senator Scarpetti.

SEN. SCARPETTI:

Thank you, Madam President.

THE CHAIR:

The question then is to move this to the consent calendar. Without objection, it's so ordered.

Clerk, please return to the Call of the Calendar.

THE CLERK:

On page 7, Calendar No. 39, SB820, AN ACT

On page 4, Calendar No. 67, HB6260.

On page 4, Calendar No. 70, SB916.

On page 5, Calendar No. 72, HB6495.

On page 5, Calendar No. 77, SB843.

On page 6, Calendar No. 80, SB896.

On page 7, Calendar No. 30, SB643.

On page 7, Calendar No. 39, SB820.

On page 7, Calendar No. 32 --

SEN. FLEMING:

No, no, that's not it. Don't bother.

THE CLERK:

That's it.

THE CHAIR:

Thank you, Mr. Clerk.

Again, would you please announce that we are in the process of a roll call vote on the consent calendar?

THE CLERK:

The Senate is voting on the consent calendar.

Will all Senators please return to the Chamber?

The Senate is voting on the consent calendar.

Will all Senators please return to the Chamber?

THE CHAIR:

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

Will the Clerk please announce the tally?

THE CLERK:

Total Senators voting, 35. Required for passage,  
18. Those voting "yea", 35; those voting "nay", 0.

THE CHAIR:

The consent calendar passes.

Senator Fleming.

SEN. FLEMING:

Thank you, Madam President.

Madam President, we've completed the first  
markings and I'd like to go back to re-mark the  
calendar.

On page 4, Calendar 69, previously marked PT, is  
marked Go.

On page 5, Calendar 75, again, previously marked  
PT, is marked Go.

And on page 6, Calendar 82, previously marked PT,  
is marked Go.

THE CHAIR:

Thank you, Senator Fleming.

Would the Clerk please call Calendar No. 69?

THE CLERK:

On page 4, Calendar No. 69, SB855, AN ACT  
CONCERNING LETHAL INJECTION, favorable report from the  
Joint Committee on Judiciary. And the Clerk is

H-722

CONNECTICUT  
GEN. ASSEMBLY  
HOUSE

PROCEEDINGS  
1995

VOL. 38

PART 3

707-1122

SPEAKER RITTER:

Have all members voted? Please check the roll call machine to make sure your vote is properly cast. The machine will be locked. Clerk, please take the tally. Representative Stratton.

REP. STRATTON: (17th)

In the affirmative, Mr. Speaker.

SPEAKER RITTER:

Representative Stratton from the 17th District will be recorded in the affirmative. Anybody else? If not, the Clerk will please announce the tally.

CLERK:

Senate Bill Number 6495, as amended by Senate "A" in concurrence with Senate.

Total Number Voting	145
Necessary for Passage	73
Those voting Yea	145
Those voting Nay	0
Those absent and not voting	6

SPEAKER RITTER:

The bill passes.

Clerk, please call Calendar Number 81.

CLERK:

On Page Four, Calendar 81, Substitute for Senate Bill Number 643, AN ACT ALLOWING PROVISIONAL

APPOINTMENT OF LOCAL FIRE MARSHALS. Favorable Report  
of the Committee on Public Safety and P&D.

SPEAKER RITTER:

The Honorable Chair of the Public Safety  
Committee, Representative Steve Dargan.

REP. DARGAN: (115th)

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

SPEAKER RITTER:

The motion is on acceptance and passage, in  
concurrence with the Senate. Please proceed, sir.

REP. DARGAN: (115th)

Mr. Speaker, this bill, underneath the General  
Statutes does not permit the appointment of an interim  
Fire Marshal by a municipality when an appointed Fire  
Marshal passes away or retires. So this in effect will  
give the local municipality the ability to have an  
acting Fire Marshal in office pending the search for a  
permanent replacement. The time limit is 180 days.

I urge adoption.

SPEAKER RITTER:

The question is on passage. Will you remark  
further? If not, -- Representative DePino.

REP. DEPINO: (97th)

Thank you, Mr. Speaker. On the bill, Mr. Speaker, this was a bill that was heard by the Committee on Public Safety and it was the Department's bill. The bill passed unanimously in committee. It is a small technical change to the statute, but it allows for an interim appointment for a Fire Marshal which does not exist right now. They have to be a deputy from within the ranks or another municipality, but it is a very reasonable way to to fill a vacancy in a small town and I urge its passage.

Thank you.

SPEAKER RITTER:

Thank you, Representative DePino, the ranking member of Public Safety. It is nice to see those cooperative committees. It is nice to see those cooperative committees, I said.

Will you remark further? If not, staff and guests please come to the well of the House. The machine will be opened.

CLERK:

The House of Representatives is voting by roll

call: Members to the Chamber. Members to the Chamber.

The House is voting by roll.

SPEAKER RITTER:

Have all members voted? If all members have

voted, please check the roll call machine to make sure your vote is properly cast. If it has, the machine will be locked and the Clerk will please take the tally.

Representative Dimeo.

REP. DIMEO: (103rd)

Mr. Speaker. May I be recorded in the affirmative?

SPEAKER RITTER:

One second please, Representative Dimeo.

REP. DIMEO: (103rd)

Mr. Speaker, I would like to be in the affirmative, please.

SPEAKER RITTER:

Representative Dimeo from the 103rd will be in the affirmative. Representative Samowitz.

REP. SAMOWITZ: (129th)

Mr. Speaker, I would like to be recorded in the affirmative.

SPEAKER RITTER:

Representative Samowitz from the 129th in the affirmative. That was Samowitz, Representative Samowitz. Representative Tonucci.

REP. TONUCCI: (104th)

Yes. I would like to be recorded in the

affirmative, please.

SPEAKER RITTER:

Representative Tonucci from the 104th, the person who will probably win the pool again today, in the affirmative.

REP. TONUCCI: (104th)

Thank you.

SPEAKER RITTER:

Representative Nardello. Representative Nardello from the 89th District will be recorded in the affirmative.

Representative Serra.

REP. SERRA: (33rd)

Mr. Speaker, in the affirmative, please.

SPEAKER RITTER:

Representative Serra from the 33rd district will be in the affirmative.

Representative McGrattan.

REP. MCGRATTAN: (42nd)

In the affirmative, Mr. Speaker.

SPEAKER RITTER:

Representative McGrattan will also be in the affirmative. Are we all set? Clerk, please announce the tally.

CLERK:

Senate Bill Number 643 in concurrence with the  
Senate

Total Number Voting	145
Necessary for Passage	73
Those voting Yea	145
Those voting Nay	0
Those absent and not voting	6

SPEAKER RITTER:

The bill passes. Clerk, please call Calendar  
Number 83.

CLERK:

At the top of Page Five, Calendar 83, House Bill  
Number 6583, AN ACT CONCERNING WARRANTLESS ARRESTS.  
Favorable Report of the Committee on Judiciary.

SPEAKER RITTER:

Representative Lyons.

REP. LYONS: (146th)

Mr. Speaker, thank you. Mr. Speaker, I would move  
that House Bill Number 6583 be referred to the  
Committee on Planning and Development.

SPEAKER RITTER:

The motion is before us. Any objection? Seeing  
none, it will be referred to Planning and Development.

Clerk, please call Calendar 65.

CLERK:

JOINT  
STANDING  
COMMITTEE  
HEARINGS

PUBLIC SAFETY  
PART 1  
1-378

1995  
INDEX

The City of New Haven supports this bill and feels that the issue of training of police officers is being made a much more serious one by the increasingly complex responsibilities of police officers, to the day of the genial cop on the corner with his club, you know, for enforcement are well over.

Cops nowadays are professionals who have to deal with increasingly complex social problems and the City of New Haven supports any effort on behalf of what's now the Municipal Police Training Council to professionalize both their standards and the responsibility with which they take their job.

House -- excuse me, SB643, 644, and 645 dealing with Fire Marshals. On 643, the City of New Haven opposes this bill, at least as it's currently worded.

While we understand that the purpose of the bill is to provide for the continuity of services maintained through the interim appointment of a code qualified personnel, we feel the bill as proposed secures -- does exactly what it's -- appears designed to avert.

Cities like New Haven and we think many of them have already other people within the departments who could handle responsibilities. And this process, at least for keeping 100 -- or putting in 180 days is one that we see some difficulty with and we'd be happy to supply, if the Committee wants or feels strongly about moving forward with this kind of a provision, we'd be happy to supply some language that might be a little more helpful to you in it. But as it's currently worded, we think that the bill causes more problems than it would solve.

Bill 644 and 645, we support, particularly 645, we think will help with the occupancy of buildings in a timely fashion, noting that the Fire Marshal's office is not a legislative body and the appeals process is desirable, but a time limit needs to be placed on that.

I want to next testify on HB5587, which is AN ACT

JOINT  
STANDING  
COMMITTEE  
HEARINGS

PUBLIC SAFETY  
PART 2  
379-782

1995



STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC SAFETY  
DIVISION OF FIRE, EMERGENCY AND BUILDING SERVICES

TO: General Assembly Public Safety Committee

FROM: George E. Luther  
DEPUTY COMMISSIONER

DATE: January 26, 1995

SUBJECT: Bill 643 - An Act Allowing Provisional Appointment of Local Fire Marshals

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As the author of this proposal, the Department of Public Safety supports and encourages favorable action in this matter.

Section 29-297, CGS currently does not permit the appointment of an interim fire marshal by a municipality when the appointed fire marshal passes away, retires, becomes disabled, etc. This leaves the municipality without the ability to have an acting fire marshal in office pending a search for a permanent replacement.

Favorable passage of this proposal will permit a municipality to appoint an interim fire marshal for a period not to exceed 180 days.