

Legislative History for Connecticut Act

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SB 532	PA 164	1996
Senate	865-866, 1493-1494, 2813-2821	(13)
House	5144-5149	(6)
Ins.	466, 591, 645	(3)
	total	22 pg

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Transcripts from the Joint Standing Committee Public Hearing(s) and/or Senate  
and House of Representatives Proceedings

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CONNECTICUT  
GEN. ASSEMBLY  
SENATE

PROCEEDINGS  
1996

VOL. 39  
PART 3  
618-992

THE CHAIR:

Without objection, so ordered.

SEN. FLEMING:

Calendar 178 is marked Go.

Calendar 179. Madam President, I would move that

SB454

that be referred to the Committee on Judiciary.

THE CHAIR:

Without objection, so ordered.

SEN. FLEMING:

Calendar 180 is marked pass retained.

On Calendar Page 12, Calendar 181. Madam

SB458

President, I would move that that item be referred to

the Committee on Human Services.

THE CHAIR:

Without objection, so ordered.

SEN. FLEMING:

Calendar 182. Madam President, I would move that

SB532

that item be referred to the Committee on Finance,

Revenue and Bonding.

THE CHAIR:

Without objection, so ordered.

SEN. FLEMING:

Calendar 183, SB346, File 222. Madam President, I

would move that to the Consent Calendar.

THE CHAIR:

So ordered.

SEN. FLEMING:

Calendar 184. Madam President, I would move that that item be referred to the Committee on Appropriations.

SB449

THE CHAIR:

Without objection, so ordered.

SEN. FLEMING:

Calendar 185. Madam President, I would move that that item be referred to the Committee on Appropriations.

SB475

THE CHAIR:

Without objection, so ordered.

SEN. FLEMING:

Calendar 186. Madam President, I would mark that pass retained.

On Calendar Page 13, at the top of the page, Calendar 187 is marked pass retained.

Calendar 188 is marked pass retained.

Calendar 189. Madam President, I would move that that item be referred to the Committee on Judiciary.

SB 211

THE CHAIR:

Without objection, so ordered.

SEN. FLEMING:

Calendar 190 is marked Go.

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CONNECTICUT  
GEN. ASSEMBLY  
SENATE

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PART 5  
1343-1701

Calendar 156, Madam President, I would move that that item be referred to the Committee on Appropriations.

SB 372

THE CHAIR:

Without objection, so ordered.

SEN. FLEMING:

Calendar 158, is marked Go.

Calendar 159, is marked Go.

Calendar 161, Madam President, I would move that that item be referred to the Committee on Judiciary.

SB 450

THE CHAIR:

Without objection, so ordered.

SEN. FLEMING:

Calendar 169, is marked pass retained.

On Calendar Page 27, Calendar 170, is marked passed temporarily.

Calendar 171, Madam President, I would move that that item be referred to the Committee on Human Services.

SB 332

THE CHAIR:

Without objection, so ordered.

SEN. FLEMING:

Calendar 172, is marked pass retained.

Calendar 179, is marked Go.

Calendar 182, Madam President, I would move that

SB 532

that item be referred to the Committee on Judiciary.

THE CHAIR:

Without objection, so ordered.

SEN. FLEMING:

Calendar 184, is marked pass retained.

On Calendar Page 28, Calendar 185, is marked Go.

Calendar 189, Madam President, I would move that

SB 211

that item be referred to the Committee on Finance,  
Revenue and Bonding.

THE CHAIR:

Without objection, so ordered.

SEN. FLEMING:

Calendar 191, Madam President, I would move that  
that item be referred to the Committee on Finance,  
Revenue and Bonding.

THE CHAIR:

Without objection, so ordered.

SEN. FLEMING:

Calendar 194, Madam President, I would move that  
that item be placed at the Foot.

THE CHAIR:

Motion is to refer this item to the Foot of the  
Calendar. Without objection, so ordered.

SEN. FLEMING:

Calendar 195, is marked Go.

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CONNECTICUT  
GEN ASSEMBLY  
SENATE

PROCEEDINGS  
1996

VOL 39  
PART 9  
2765 3127

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Senate

Tuesday, April 30, 1996

to search this state for twenty years, we would not find a finer candidate for Chief Justice than Robert Callahan. We're very, very proud of him in Norwalk.

THE CHAIR:

Thank you Senator. Will you remark further? Are there other announcements? If not, would the Clerk please return to the Call of the Calendar.

THE CLERK:

Page 17, Calendar 182, Substitute for SB532, File 220, AN ACT CONCERNING BAIL BONDSMEN INSURANCE. Favorable Report of Committee on Insurance, Finance, and Judiciary. The Clerk has one Amendment.

THE CHAIR:

Senator DeLuca.

SEN. DELUCA:

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

THE CHAIR:

Question is on passage. Will you remark?

SEN. DELUCA:

Yes, I would ask the Clerk to call LCO-3776 please.

THE CLERK:

Senate Amendment Schedule "A" LCO-3776, introduced

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Senate

Tuesday, April 30, 1996

by Senator DeLuca.

THE CHAIR:

Senator DeLuca, the Amendment is in your possession.

SEN. DELUCA:

I would move adoption of the Amendment.

THE CHAIR:

Question is on adoption. Will you remark?

SEN. DELUCA:

Yes, Madam President. In essence the Amendment will become the bill. What this Amendment does is license bail bond agents. Presently there are two classes of bail bond agents. One group that is licensed, and one that isn't.

This would license the other group of agents. And this is in response to requests by the state's attorney's office. What it does is set up a licensing and testing procedure and sets up the criteria by which the Insurance Commissioner would set up the licensing and application process.

This is in response to problems that have been happening throughout the state where some gang members have been getting into and providing bail bonds, and providing the wrong information, etc., and taking care of members of their gang.

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Senate

Tuesday, April 30, 1996

So this is again, in response to the state's attorney's office concerns. And will tighten up the process and make sure that people that are offering bail bonds, and offering as bail bond agents will be properly licensed and meet all the criteria established.

THE CLERK:

The Clerk has a second Amendment.

THE CHAIR:

Question first is on adoption of Senate Amendment "A". Will you remark? Will you remark? If not, I'll try your minds. All those in favor indicate by saying aye.

SENATORS:

Aye.

THE CHAIR:

Opposed nay? Aye's have it, Senate "A" is adopted. Will you remark further on the bill? Senator Looney.

SEN. LOONEY:

Thank you Madam President. Madam President, Clerk has an Amendment, LCO-5977. Clerk may please call that Amendment, if I may be given leave to summarize and waive the reading.

THE CLERK:

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Senate

Tuesday, April 30, 1996

Senate Amendment Schedule "B" LCO-5977, introduced  
by Senator Looney.

THE CHAIR:

Senator Looney.

SEN. LOONEY:

Madam President. Move adoption of the Amendment.

THE CHAIR:

Question is on adoption. Will you remark?

SEN. LOONEY:

Madam President. Thank you Madam President. What  
this Amendment will do, it is the concept that was  
contained in the other bill that we had the other day  
regarding trying to adjust the handling of terminated  
bail.

And what it does would provide a change from two  
to five business days after bond is ordered forfeited,  
in which the court may, in its discretion after finding  
that the defendant's failure to appear was not willful,  
vacate the forfeiture and reinstate the bond.

The issue here is that two days is too stringent a  
period, and limits overly severely the discretion of  
the court, when there may be many good reasons why  
someone was not able to appear within two days.

There had been discussion among the various  
parties involved, the states attorney's, the bondsmen,

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the Judicial Department, and others, with a number of days ranging anywhere from two to ten as being the time frame to be considered here. Five, I believe is sort of the middle range that does provide some closure and finality, but also does not unduly limit or restrict the discretion of the court to deal with, to deal with hardship situations, and unforeseen situations in the reinstatement of bond. Thank you Madam President.

THE CHAIR:

Thank you Senator Looney. Question is on adoption of Senate Amendment "B". Will you remark? Senator DeLuca.

SEN. DELUCA:

Thank you Madam President. My question to the proponent of the Amendment if I may. Has there been a public hearing on the issue because I did not have a copy of this Amendment up until it was just handed to me this moment.

I haven't had an opportunity, I've never heard of it, and I'm not aware of it being offered until this very moment. So I have questions on what it does, and whether there was a hearing.

THE CHAIR:

Senator Looney.

SEN. LOONEY:

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Yes, Madam President. Through you, this is a, this is the concept that was in another bill. It was heard in the Judiciary Committee, and has been extensively discussed, and for which a vehicle was found. It was going to be offered on the other, the other bail bondsmen's bill last week. And at that time I had discussed with Senator DeLuca and others looking for another vehicle for the Amendment on the bill that would need to go back to the House.

This is the concept of the bill, of what had been embodied in the prior bill. And I'm sorry the Senator did not actually see the Amendment. It was passed around just a short time ago.

THE CHAIR:

Senator DeLuca.

SEN. DELUCA:

Thank you Madam President. After conference, I understand that this is something was part of Judiciary, and was offered on another bill previously, and there was a problem. And as long as the Judiciary Committee has no problem with that being, it's concept I have no problem with it on this bill, as long as the Judiciary has no problem with the concept.

THE CHAIR:

Will you remark further on Senate Amendment "B"?

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Senate

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Will you remark further? If not, all those in, I'm sorry Senator Upson.

SEN. UPSON:

Through you Madam President to Senator DeLuca. Yes, this was brought up. The simple change is from two to five business days. As long as this will not hurt or affect the outcome of your bill going through the system, I certainly have no objection if you have no objection.

THE CHAIR:

Will you remark further? Will you remark further? If not, I'll try your minds. All those in favor indicate by saying aye.

SENATORS:

Aye.

THE CHAIR:

Opposed nay? Aye's have it, Senate "B" is adopted. Will you remark further on the bill as amended? Senator DeLuca.

SEN. DELUCA:

Thank you Madam President. As I indicated earlier, Amendment "A" became the bill, and with Amendment "B" the Amendment that takes care of the other item. I'm not sure any further explanation is needed, and if there's no objection, I would move this

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Senate

Tuesday, April 30, 1996

to Consent Calendar.

THE CHAIR:

Motion is to refer this item to the Consent Calendar. Without objection, so ordered. Senator Upson.

SEN. UPSON:

Yes, Madam President, could we call the Consent Calendar, please.

THE CHAIR:

We would be honored to do that sir. Would the Clerk please call the Consent Calendar.

THE CLERK:

An immediate roll call in the Senate on the Consent Calendar. Will all Senators return to the chamber. An immediate roll call in the Senate on the Consent Calendar. Will all Senators please return to the chamber.

Page 4, SB 402 Calendar 326. Page 6, SB 605 Calendar 426. Page 8, HB 5699 Calendar 445. Page 9, HB 5365 Calendar 478. Page 10, HB 5486 Calendar 483. Page 11, HB 5368 and HB 5622 Calendar 485 and 488. Page 13, HB 5813 and HB 5347 Calendar 495, 497. Page 14, HB 5643 Calendar 502. Page 15, HB 5312 Calendar 505. Page 16, HB 5521 and HB 5621 Calendar 510, 511. Page 17, SB 228 and SB 458 Calendar 154, 181, and 182. Page 20, SB 532 and SB 399 Calendar 325. Page 22, SB 569 Calendar 373. Page 25, SB 452 and SB 417 Calendar 163, 170, SB 422 and SB 556 Calendar 240, 286, 304. Page 27, SB 597 and SB 291.

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Senate

Tuesday, April 30, 1996

SB 492  
Calendar 319.

THE CHAIR:

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

THE CLERK:

Total Number Voting	35
Necessary for Passage	18
Those Voting Yea	35
Those Voting Nay	0

THE CHAIR:

The Consent Calendar is adopted. Senator Upson.

SEN. UPSON:

I move for immediate transmittal to the Governor of Calendar 304, SB291, AN ACT CONCERNING STUDENT USE OF TELECOMMUNICATION DEVICES AND THE ESTABLISHMENT OF GRADUATION DATES.

THE CHAIR:

Without objection, so ordered.

SEN. UPSON:

Thank you.

THE CLERK:

Page 17, Calendar 185, Substitute for SB475, File 226. Substitute for SB475 AN ACT CONCERNING GRANTS FROM CULTURAL HERITAGE DEVELOPMENT ACCOUNT. Favorable

H-756

CONNECTICUT  
GEN. ASSEMBLY  
HOUSE

PROCEEDINGS  
1996

VOL. 39  
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5059-5422

kmr

462 005144

House of Representatives

Monday, May 6, 1996

DEPUTY SPEAKER HYSLOP:

Representative Hartley in the affirmative.

DEPUTY SPEAKER HARTLEY:

Thank you sir. Will the Clerk please announce the tally.

CLERK:

SB550 as amended by Senate "B" in concurrence with the Senate.

Total Number Voting	147
Necessary for Passage	74
Those voting Yea	146
Those voting Nay	1
Those absent and not voting	3

DEPUTY SPEAKER HARTLEY:

Bill as amended is passed. Will the Clerk please call Calendar 584.

CLERK:

On page sixteen, Calendar 584, substitute for SB532. AN ACT CONCERNING BAIL BONDSMEN INSURANCE. As amended by Senate amendment schedules "A" and "B." Favorable report of the Committee on Judiciary.

DEPUTY SPEAKER HARTLEY:

Representative Doyle.

REP. DOYLE: (26th)

Thank you Madam Speaker. I move acceptance of the

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House of Representatives

Monday, May 6, 1996

joint committee's favorable report and passage of the bill in accordance with the Senate.

DEPUTY SPEAKER HARTLEY:

Motion is on acceptance and passage in concurrence with the Senate. Will you remark sir? Will you remark sir?

REP. DOYLE: (26th)

Thank you Madam Speaker. I have an amendment previously designated Senate amendment schedule "A" LCO 3776, with the Clerk please call and may I be allowed to summarize?

DEPUTY SPEAKER HARTLEY:

The Clerk is in possession of LCO 3776, previously designated Senate amendment "A" will the Clerk please call.

CLERK:

LCO 3776 Senate "A" offered by Senator DeLuca.

DEPUTY SPEAKER HARTLEY:

Representative Doyle has asked leave to summarize and without objection, proceed sir.

REP. DOYLE: (26th)

Thank you Madam Speaker. What the amendment does is strike out the file copy and basically creates a structure for the application, examination, and licensing and other requirements for surety bail bond

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House of Representatives

Monday, May 6, 1996

agents. The genesis of this bill is basically certain individuals with questionable backgrounds have become bail bondsmen and this amendment creates a structure to properly register them and to certify them and do criminal background checks and I move its adoption.

DEPUTY SPEAKER HARTLEY:

Question is adoption of Senate "A" will you remark further? Will you remark further on Senate amendment "A"? If not we will try our minds. All those in favor please indicate by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER HARTLEY:

Those opposed nay. The ayes have it, the amendment is adopted. Will you remark further on the bill as amended? Representative Doyle.

REP. DOYLE: (26th)

Yes Madam Speaker, I have an amendment previously designated Senate amendment schedule "B" LCO 5977, will the Clerk please call and may I be allowed to summarize?

CLERK:

Clerk is in possession of LCO 5977, previously designated Senate amendment "B." Will the Clerk please call.

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CLERK:

LCO 5977, Senate "B" offered by Senator Rennie.

DEPUTY SPEAKER HARTLEY:

Representative Doyle has asked leave to summarize and without objection, proceed sir.

REP. DOYLE: (26th)

Thank you Madam Speaker. What this amendment does is it changes the present law determines that when an individual is on bond and does not reappear back in court and the person voluntarily returns within six months, the court shall reinstate said bond.

Recently SB305 that we passed a few weeks ago basically changed the six month period to a two day period. So the court had at its discretion the ability to reinstate a bond when a person voluntarily returned only within two days. What the amendment before the Chamber does is amend it from a two day period to a five day period.

The basis for the additional three days is basically for a long weekend, therefore over a holiday weekend failed, like a long weekend he would have five days to get back. And I move its adoption.

DEPUTY SPEAKER HARTLEY:

Question is adoption of Senate amendment "B" will you remark further? If not we'll try our minds. All

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House of Representatives

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those in favor please indicate by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER HARTLEY:

Those opposed nay. The chair is in doubt. All  
those in favor of Senate amendment "B" please indicate  
by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER HARTLEY:

Those opposed nay. The ayes have it the amendment  
is adopted. Will you remark further on the bill as  
amended? If not, staff and guests please come to the  
well members take your seat, the machine is open.

CLERK:

The House of Representatives is voting by roll  
call, members to the Chamber. The House is voting by  
roll call, members to the Chamber please.

DEPUTY SPEAKER HARTLEY:

Have all the members voted? Is your vote properly  
recorded? If so, the machine will be locked. The  
Clerk will please take a tally. Clerk please announce  
the tally.

CLERK:

SB532 as amended by Senate "A" and "B" in

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House of Representatives

Monday, May 6, 1996

concurrence with the Senate.

Total Number Voting	146
Necessary for Passage	74
Those voting Yea	146
Those voting Nay	0
Those absent and not voting	4

DEPUTY SPEAKER HARTLEY:

Bill as amended is passed. Are there any announcements or points of personal privilege at this time? Representative Lawlor.

REP. LAWLOR: (99th)

Thank you Madam Speaker. For purposes of an announcement.

DEPUTY SPEAKER HARTLEY:

Proceed sir.

REP. LAWLOR: (99th)

The Judiciary Committee will meet tomorrow at ten minutes prior to the commencement of the House Session, assuming the Senate is out of session by then, outside the hall of the House to take action on bills referred to us today.

DEPUTY SPEAKER HARTLEY:

Thank you sir. Further announcements? If not will the Clerk please return to the Call, Calendar 263.

CLERK:

JOINT  
STANDING  
COMMITTEE  
HEARINGS

INSURANCE  
AND  
REAL ESTATE  
PART 2  
307-695

1996

REP. AMANN: Thank you, Commissioner.

COMM. JESSIE FRANKL: Thank you.

REP. AMANN: The next speaker is Chief State Attorney Jack Cronan, followed by Representative Beals.

JACK CRONAN: I don't want the job, Mr. Chairman.

(Laughter)

JACK CRONAN: I'm Jack Cronan from the Chief State's Attorneys Office and a first time caller in the Insurance Committee in my experience up here.

I want to comment very briefly about SB 532, which concerns the insurance for bail bondsmen. We think it's a good idea, but this may need some work. There are some problems in the drafting I think that can be corrected.

I have Attorney Angela Maturullo from our office who does the bail bond collections here. She our expert. She's the person that brings the money into the State. If you have any technical questions, Angela would be more than happy to answer them.

I don't know if you're aware, there are really two types of bail bondsmen. There is the bail bondsmen who writes a personal bond. He is licensed by the Department of Public Safety. The bondsman who writes for an insurance company basically is licensed by the Insurance Commission. So, there's a distinction between the two types. This covers only the bondsmen that write for the insurance companies.

Any --

REP. AMANN: I'm sure your boss is happy that you don't want his job. Any questions?

SEN. DELUCA: Just one thing --

JACK CRONAN: Yes, sir.

this, and it's good for you, it will help you, think how bad the Connecticut economy is, what if you lose your job, wouldn't it be good to have this kind of insurance in place. Yet we know from looking at the policies that it will cover next to nothing.

SEN. WILLIAMS: Thank you very much.

RAPHAEL PODOLSKY: Thank you.

SEN. WILLIAMS: (Inaudible, microphone not on).

MARY CASEY: Good afternoon. My name is Mary Casey and I'm President of the Connecticut State Surety Association. Our organization represents bail bond agents throughout the State of Connecticut.

I am a licensed bail bondsman and have been for the past 16 years. I'm here to speak in favor of Raised Bill No. 532 concerning new licensing procedures for bail bond agents.

Up until approximately six years ago anyone applying for a position as a bail bond agent was required to take an insurance course and two State exams. Upon completing these requirements, a license was then issued by the Insurance Department. For unknown reasons these requirements were eliminated and as attested to this morning by Mr. Bailey's office, it's created numerous problems.

We have a special position of responsibility and trust in our relations with the courts, with the law enforcement agencies and with the general public. This bill will help us maintain our professionalism and our integrity and will protect the State of Connecticut from licensing unethical or otherwise unqualified agents.

Thank you for your help in this matter.

SEN. WILLIAMS: Thank you. Any questions? Thank you.

MARY CASEY: Thank you.

**State of Connecticut**

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**Testimony of Faith P. Arkin  
Insurance and Real Estate Public Hearing  
March 5, 1996**

**Senate Bill 532, An Act Concerning Bail Bondsmen Insurance**

**Senate Bill 533, An Act Establishing an Office of Business Advocate  
for Unemployment Compensation Benefits Within the Labor Department**

I regret that I am unable to appear before you today to testify on S.B. 532, An Act Concerning Bail Bondsmen Insurance, and S.B. 533, An Act Establishing an Office of Business Advocate for Unemployment Compensation Benefits Within the Labor Department. With regard to S.B. 532, I would like to raise two issues:

1. In subsection (j) (lines 92-95), the language provides that any "company" aggrieved may appeal in accordance with section 4-183. Is this language intended to limit appeals only to "companies" or may any "person, partnership, association or corporation, resident or insurer" as set forth in lines 15-16 be permitted to appeal?

2. Does commissioner mean insurance commissioner?

With regard to S.B. 533, I would like to request that lines 26-29 be amended to clarify the manner and procedures for taking this appeal.

Thank you for your consideration of these issues.