

PA12-131

HB5328

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**JOINT
STANDING
COMMITTEE
HEARINGS**

**GENERAL
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825 – 1093**

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putting them out there to work with nonprofits that serviced our -- our disadvantaged really opened their eye and so it was two-fold. They -- they got to put their service in. They worked off their fine and many of them come back to actually give more time to the community.

So from that perspective I would say yes. As far as -- we would be willing to allow the courts to make that discretion because, again, on a case-by-case basis there very well may be a youngster that you just -- you need to apply a -- a financial fine to as -- and then somebody else it may be a combination of both or the community service. But the community service aspect has worked well with our juvenile justice system in Milford and our probation system and, in fact, I think our two officers, one of them actually works on a -- keeping kids out of -- out of jail through that piece. So thank you very much for bringing that up.

REP. REBIMBAS: Thank you for answering that.

Thank you, Mr. Chair.

SENATOR DOYLE: Thank you.

Any more questions from the Committee?

Seeing none, thank you.

Next speaker is Richard Foley, then Marissa Heglin. Richard.

RICHARD FOLEY: Good afternoon, Mr. Chairman and Committee members. My name is Richard Foley. I'm here today to speak on Raised Bill 5328 which is An Act Establishing a Fine Art Secured Lending License.

This is an emerging industry. It's just recently come up. We have talked to the Committee Chairman and some Committee members and the Rankings in an effort to get a sense of the Committee. We've taken that -- those comments and sort of reworked them. I've provided copies to the Clerk's desk.

The first law we -- we did endeavor to find a definition of what fine art is which would seem to be a good idea if you're going to have a bill that's going to license it. Now the -- we replicate a lot of the language that exists in -- in the pawn statute but this is a -- a much different kind of industry. It's not about somebody's used saxophone. It's about a piece of artwork that has significant value.

What people do and comp -- not just people but companies do is they will come in and post this as collat -- effectively as collateral for a loan, either for their personal use or for their business or for their corporation. It may be any - any of the above. That then sits there in a secured facility and, at a future date, is redeemed or not and that's sort of where -- where it sits.

And we -- we are clearly open to discussion and -- and understand that the Committee should always have ultimate input.

Thank you for your time.

SENATOR DOYLE: Thank you.

Any questions from the Committee? Seeing none, thank you very much.

RICHARD FOLEY: Have a good day.

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going to do. So, just reminding you of the ground rules. Pass it on to our colleagues.

With that, I am going to call on a good friend of ours who always has a smile on her face, Representative Lile Gibbons, come on up.

(Representative Gibbons in the Chair.)

SPEAKER GIBBONS:

You know, it's very dangerous when you let the animals out of the zoo because you don't know what I'm going to do. And since I'm up here, the very first pronouncement I'm going to say, because I get to be speaker for all of three minutes, is first of all, all sessions from now on will be conducted during regular business hours and we can -- and we can debate for the next five hours what regular business hours are.

Secondly, when I go like this, that means all debate is to be terminated and everybody is to vote, so.

Okay. Will the Clerk please call Calendar Number 101?

THE CLERK:

On page 34, Calendar 101, substitute for House

Bill number 5328, AN ACT ESTABLISHING A FINE ART
SECURED LENDING LICENSE, favorable report by the
Committee on the Judiciary.

SPEAKER GIBBONS:

Representative Taborsak.

REP. TABORSAK (109th):

Thank you, Madam Speaker. I must say it's an
honor to bring out a bill before you.

I move acceptance of the Joint Committee's
favorable report and passage of the bill.

SPEAKER GIBBONS:

The question is acceptance of the Joint
Committee's favorable report and passage of the bill.

Will you remark, sir?

REP. TABORSAK (109th):

I will. Thank you, Madam Speaker.

Madam Speaker, the Clerk is in possession of a
strike-all amendment, LCO Number 4234. I would ask
that the Clerk call that amendment, and I be granted
leave of Chamber to summarize.

SPEAKER GIBBONS:

Will the Clerk please call LCO Number 4234, which
will be designated house amendment Schedule "A"?

THE CLERK:

LCO 4234, House "A," offered by Representatives
Taborsak and Rebimbas.

SPEAKER GIBBONS:

The Representative seeks leave of the Chamber to
summarize the amendment.

Is there objection to summarization? Is there
objection?

Hearing none, Representative Taborsak, you may
proceed with summarization.

REP. TABORSAK (109th):

Thank you, Madam Speaker.

Madam Speaker, the strike-all amendment before
the Chamber is a bill establishing a fine art secured
lending license. The bill before the Chamber very
closely mirrors our -- what people know as our pawn
broker statutory scheme. What it does is it addresses
a need of a niche industry in our state that provides
a service to Connecticut residents who have pieces of
fine art valued over \$2,500, and that are looking for
some financing. The financing that can be provided
under this bill is similar to that that a pawn broker
provides, except that these entities would be
specializing in fine art.

The bill before you follows the same consumer

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protection requirements that people might be familiar with from our pawn broker statutory scheme, a very familiar computerized record keeping system to ensure that these transactions are legitimate and can be tracked, and that we're not fostering an environment where stolen property can be sold in the marketplace.

Madam Speaker, the bill before you is a good bill for consumers. It addresses a need in an industry that is growing in the state of Connecticut. I move adoption.

SPEAKER GIBBONS:

The question is on adoption of house amendment Schedule "A".

Will you remark on the amendment? Will you remark further? Will you remark further on the amendment before us?

Oh, I'm sorry, excuse me. Representative Rebimbas, I don't see you.

REP. REBIMBAS (70th):

Good afternoon, Mrs. speaker. It's certainly my honor to be able to comment on this amendment which turns into the underlying bill while having you there. And it's also very appropriate that we're establishing a fine art secured legislation when we have a fine

classy speaker on the pulpit there.

So, through you, Madam Speaker, a question to the proponent of the amendment.

SPEAKER GIBBONS:

Please proceed, Representative.

REP. REBIMBAS (70th):

Through you, Madam Speaker, to the Chairman of the General Law Committee.

Just to highlight again what the minimum qualifications for something to be considered a fine art, could you let -- tell the Chamber what the minimum market value for any item to be considered a fine art?

SPEAKER GIBBONS:

Representative Taborsak, you have the floor.

REP. TABORSAK (109th):

Through you, Madam Speaker, \$2,500.

SPEAKER GIBBONS:

Representative Rebimbas.

REP. REBIMBAS (70th):

Thank you. And thank you to the Chairman for highlighting that, and thank you, Madam Speaker.

I just wanted to rise in support of the amendment, that it is going to be the underlying bill.

This is a very important piece of legislation for this particular piece of the industry because, again, they were regulated under the pawnbrokers and we are talking about fine art. These are items that are \$2,500 or more. And certainly I think that's distinguishable, but at the same time the legislation before us certainly mirrors and is very similar to all the rules and regulations that they needed to follow under the pawnbrokers. And I think this is a regulated industry that will be able to deter additional thefts and also allow for our municipalities, police officers to conduct proper investigations.

So, again, it does not weaken the rules and regulations that they were governed by, but in fact it just creates a new category for them so they can be properly recognized as a fine arts dealer. So, I do stand in support of this piece of legislation and ask that my colleagues do as well.

Thank you, Madam Speaker.

SPEAKER GIBBONS:

Thank you, Representative.

Will you remark further?

Representative Smith of the 108th.

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REP. SMITH (108th):

Thank you, Madam Speaker, and good afternoon.

Just a quick question, if I may, for the
proponent of the bill.

SPEAKER GIBBONS:

Representative Taborsak.

Please proceed.

REP. SMITH (108th):

I'm looking at the lines 270 to 272 and then 266
to 269 which sets forth the penalties for a violation
of this act. And I see a violation for one who
willfully engages in business of a fine art and
secured lender without a license is a class D felony.
And my question to the proponent is would that be the
same for the pawnbroker license as well?

Through you, Madam Speaker.

SPEAKER GIBBONS:

Representative Taborsak.

REP. TABORSAK (109th):

Thank you, Madam Speaker.

Through you, yes, that is correct.

SPEAKER GIBBONS:

Representative Smith.

REP. SMITH (108th):

Thank you, and great to see you up there as well.

SPEAKER GIBBONS:

Will you remark further on the amendment before us?

Representative Yaccarino of the 87th.

REP. YACCARINO (87th):

Thank you, Madam Speaker. It's a pleasure to see you up there.

Just one quick question through you, Madam Speaker.

SPEAKER GIBBONS:

Representative Taborsak, absolutely.

Please proceed.

REP. YACCARINO (87th):

Thank you, Madam Speaker.

I currently own for 21 years a collectible business, and from time to time I have items that are two to 3,000, \$4,000, which is very rare, but it does happen. Will I fall under this? I've had an existing business license with the State for the last 21 years.

Through you, Madam Speaker.

SPEAKER GIBBONS:

Representative Taborsak.

REP. TABORSAK (109th):

Through you, Madam Speaker.

To try to answer the gentleman's question, this really pertains to businesses, people that want to go into the business of pawning, which is to really take an item as collateral for a loan that is provided. I don't think that the business that you described would be considered pawning, so, I think the answer is no.

Through you, Madam Speaker.

SPEAKER GIBBONS:

Representative Yaccarino.

REP. YACCARINO (87th):

Thank you for the answer.

Thank you.

SPEAKER GIBBONS:

Will you remark further on the amendment before us? Will you remark further?

If not, I will try your minds. All those in favor, please signify by saying yes -- saying aye.

REPRESENTATIVES:

Aye.

SPEAKER GIBBONS:

Aye. All those opposed, nay.

REPRESENTATIVE:

Nay.

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SPEAKER GIBBONS:

The eyes have it and the amendment is adopted.

Will you remark further on the bill as amended?

Will you remark further on the bill as amended?

If not, will staff and guests please --

VOICES:

No.

SPEAKER GIBBONS:

Oh, dear. Representative Sharkey.

REP. SHARKEY (88th):

Representative, thank you, Madam Speaker. I was almost heartbroken that I wasn't going to have the opportunity to offer a few comments upon your retirement.

You know, I know the minority leader has spoken very eloquently in the past and today about the nature of this place being a family. And I couldn't agree more, and I think one of the things that really makes the family work is the sense of goodness that we get from each other and that we draw from each other. And I think I can speak for all of us on this side of the aisle that that is perhaps your greatest signature from our standpoint. You have always demonstrated a grace and a friendliness as well as an intelligence

Lile has been a dear friend of all of us and mine especially. She has been so incredibly helpful during my tenure as leader of this caucus. All of us, I guess, could do a heck of a lot of other things in life, maybe some more important, and certainly Lile is one of those people who could have done a whole host of different, probably more exciting things. But I think she'd be the first to tell you that she might not have been able to do something as rewarding. And what I have so admired about Lile is that over 12 years she has devoted herself, of course, to her District, certainly to this Chamber, and in particular the Human Services Committee which was very near and dear to her heart. She has a huge, huge heart.

Madam Speaker, you have graced us with your presence and your leadership. You have graced me and others with your friendship. I wish you all the best, and I'm going to miss you. Good luck.

SPEAKER GIBBONS:

Thank you. Thank you very much.

Oh, my goodness, okay. Okay, thank you. I don't think we've passed this bill yet or voted on it. Are we going to the bill?

Will there be -- will you remark further on the

bill as amended? I think we're beyond that.

If not, would the staff and guests please come to the well of the House? Will the members please take your seat, and the machine will be open.

THE CLERK:

~~The House of Representatives is vote big roll~~
call. Members to the Chamber. The house taking a roll call vote. Members to the Chamber deck, please.

SPEAKER GIBBONS:

Have all the members voted? Have all the members voted? Will the members please check the board to determine if your vote is properly cast?

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

If all the members have voted, the machine will be locked and the Clerk will take a tally. Hurry up.

The Clerk will please announce -- oh, dear. Ooh.
Representative Morris of the 140th.

REP. MORRIS (140th):

Madam Speaker, I'd like to cast my vote in the affirmative.

SPEAKER GIBBONS:

Your vote will be so cast.

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Representative Hewett of the 39th.

REP. HEWETT (39th):

I'd like to cast -- I'd like to cast my vote in
the affirmative.

SPEAKER GIBBONS:

Your vote will be so cast.

Representative Miller of the 36th.

REP. MILLER (36th):

Thank you, Madam Speaker. I'd like to cast my
vote in the affirmative also.

Thank you.

SPEAKER GIBBONS:

Thank you. Your vote will be so recorded.

Have all the members voted now?

The Clerk will now announce the tally, please.

THE CLERK:

House Bill 5328 as amended by house A.

Total number voting	144
Necessary for passage	73
Those voting Yea	144
Those voting Nay	0
Those absent and not voting	7

SPEAKER GIBBONS:

The bill as amended is passed.

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So ordered, sir.

SENATOR LOONEY:

Thank you, Madam President.

Also calendar page 8, Calendar 482, House Bill 5106, move to place the item on the consent calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

Thank you, Madam President.

Calendar page 19, Calendar 489, House Bill 5248, move to place the item on the consent calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

Thank you, Madam President.

Calendar page 21, Calendar 504, House Bill 5319, move to place the item on the consent calendar.

THE CHAIR:

So ordered.

SENATOR LOONEY:

Thank you, Madam President.

Calendar page 21, Calendar 505, House Bill 5328, move to place the item on the consent calendar.

THE CHAIR:

So ordered, sir.

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(HB 5283)

On page 3, Calendar 240, House Bill 3283; page 3, Calendar 299, House Bill 5437; page 5, Calendar 349, Senate Bill 374; page 6, Calendar 375, House Bill 5440; page 6, 362, House Bill 5011.

On page 7, Calendar 376, House Bill 5279; on page 7, 387, House Bill 5290; on page 8, 394, House Bill 5032; on page 8, 396, House Bill 5230.

Also on page 8, Calendar 398, House Bill 5241; on page 8, Calendar 393, House Bill 5307; on page 9, Calendar 403, House Bill 5087; on page 9, Calendar 406, House Bill 5276; on page 9, 407, House Bill 5484; on page 11, Calendar 424, House Bill 5495; on page 12, Calendar 435, House Bill 5232; on page 13, Calendar 5 -- excuse me Calendar 450, House Bill 5447; on page 14, Calendar 455, House Bill 3 -- I'm sorry -- House Bill 5353.

On page 14, Calendar 453, House Bill 5543; on page 14, Calendar 459, House Bill 5271; on page 15, Calendar 464, House Bill 5344; on page 15, Calendar 465, House Bill 5034; on page 16, Calendar 469, House Bill 5038; on page 17, Calendar 475, House Bill 5550; on page 17, Calendar 474, House Bill 5233; on page 17, Calendar 477, House Bill 5421.

Page 18, 480, House Bill 5258; on page 18, Calendar 479, House Bill 5500; page 18, Calendar 482, House Bill 5106; on page 18, Calendar 483, House Bill 5355; on page 19, Calendar 489, House Bill 5248; on page 19, Calendar 488, House Bill 5321; on page 20, Calendar 496, House Bill 5412.

On page 21, Calendar 504, House Bill 5319; page 21, Calendar 505, House Bill 5328; on page 22, Calendar 508, House Bill 5365; on page 22, Calendar 510, House Bill 5170; on page 23, Calendar 514, House Bill 5540; on page 23, Calendar 517, House Bill 5521.

Page 24, Calendar 521, House Bill 5343; page 24, Calendar 518, House Bill 5298; page 24, Calendar 523, House Bill 5504; page 29, Calendar 355, Senate Bill 418; on page 13, Calendar 444, 5037; and Calendar 507, House Bill 5467.

THE CHAIR:

Senator -- Senator Suzio.

SENATOR SUZIO:



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Bills placed on the Consent Calendar on May 9, 2012

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Bills from Senate Agenda Number 3 from the May 9th Senate Session that were placed on the Consent Calendar

HB5304
HB 5342

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Good evening, Madam President.

I just want to clarify. I thought I heard the Clerk call House Bill 5034? Is that on the consent calendar?

THE CHAIR:

Do you know what page that is, sir?

SENATOR SUZIO:

No I -- he was reading so fast, Madam, I couldn't get it.

THE CHAIR:

It's -- yes it's 53 -- I don't know.

SENATOR SUZIO:

5034.

THE CHAIR:

5034, yes sir.

SENATOR SUZIO:

I object to that being put on the consent calendar, Madam President.

THE CHAIR:

Okay, that will be removed.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Yes, just seeing that -- ask to remove that item from the consent calendar.

THE CHAIR:

So ordered.

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At this time we'll call a roll call vote on the consent calendar.

Mr. Clerk.

THE CLERK:

Immediate roll call has been ordered in the Senate.
Senators please return to the Chamber. Immediate roll call has been ordered in the Senate.

THE CHAIR:

Senator Coleman, we need your vote, sir.

Senator Kissel, Senator Kissel. Senator Kissel, will you vote on the consent calendar please?

All members have voted?

If all members have voted, the machine will be closed.

Mr. Clerk, will you call the amendment -- I meant the tally.

THE CLERK:

On today's consent calendar.

Total Number Voting	36
Necessary for Adoption	19
Those Voting Yea	36
Those Voting Nay	0
Those Absent and Not Voting	0

THE CHAIR:

The consent calendar has passed.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, I believe the Clerk is in possession of Senate Agenda Number 6 for today's session.