

PA12-067

SB0061

House	7777, 7852-7854	4
Public Safety	107-119, 166, 170-172, 200-204	22
<u>Senate</u>	<u>2952-2953</u>	<u>2</u>
		28

H - 1145

**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2012**

**VOL.55
PART 23
7514 - 7863**

cd/sg/lg/sd/ev
HOUSE OF REPRESENTATIVES

599
MAY 8, 2012

number of other bills that require amendments to be called and will be calling them afterwards.

But for right now, Calendar 219 would be the first -- first bill to add to the consent calendar. Calendar 219. The second is Calendar 455. Third is Calendar 510. Fourth is Calendar 513. And the fifth is Calendar 320.

HB 5148
SB 62
SB 61
SB 353
SB 320

DEPUTY SPEAKER ARESIMOWICZ:

Thank you very much, sir.

The motion before us is to place the following items on the consent calendar for action later in the day: Calendar numbers are 219, 455, 510, 513 and 320.

Is there objection to the motion? Is there objection to the motion?

Hearing none, those items are placed on the consent agenda for action later today.

Will the Clerk please call Calendar 90?

THE CLERK:

On page 37, Calendar 90, House Bill Number 5022, AN ACT INCREASING PENALTIES FOR VOTER INTIMIDATION AND INTERFERENCE, favorable report by the Committee on Judiciary.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Morin, you have the floor, sir.

cd/sg/lg/sd/ev
HOUSE OF REPRESENTATIVES

674
MAY 8, 2012

On page 7, Calendar 219, House Bill Number 5148,
AN ACT CONCERNING AN ACT CONCERNING COMMUNICATIONS TO
VICTIMS OF THE CURRENT OPERATION OF A MOTOR VEHICLE
THAT RESULTS IN DEATH OR SERIOUS PHYSICAL INJURY.
DEPUTY SPEAKER ARESIMOWICZ:

The distinguished Majority Leader, Representative
Sharkey.

REP. SHARKEY (88th):

Thank you, Mr. Speaker.

Good to see you up there.

DEPUTY SPEAKER ARESIMOWICZ:

Thank you, sir.

REP. SHARKEY (88th):

Mr. Speaker, this represents the consent calendar
and for everyone's edification, I will be listing off
the calendar numbers in numerical order so that
everyone can follow. I'll try keep it -- and make
sure that I do it in numerical order. Thank you.

These will be: Calendar Number 90, Number 155,
Number 219, Number 223, Number 290, Number 320, Number
338, Number 345, Number 389, Number 430, Number 444,
Number 455, Number 467, Number 470, Number 475, Number
481, Number 485, Number 488, Number 489, Number 494,

cd/sg/lg/sd/ev
HOUSE OF REPRESENTATIVES

675
MAY 8, 2012

Number 496, Number 497, Number 505, Number 510, Number
513, Number 525, and Number 531.

I move adoption, I move adoption.

And with that, Mr. Speaker, I move adoption of
the consent calendar. I move the consent calendar.

(Speaker Donovan in the Chair.)

SPEAKER DONOVAN:

The question before us is on passage of the bills
on today's consent calendar.

Will you remark?

If not, staff and guests please come to the well
the House. Members take their seats. The machine
will be open.

THE CLERK:

The House of Representatives is voting by roll
call. Members to the chamber. The House is voting
today's consent calendar by roll call. Members to the
chamber please.

SPEAKER DONOVAN:

Have all members voted? Have all members voted?

Please check the roll call board to make sure
your vote has been properly cast.

cd/sg/lg/sd/ev
HOUSE OF REPRESENTATIVES

676
MAY 8, 2012

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

The Clerk please announce the tally.

THE CLERK:

On today's consent calendar

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

SPEAKER DONOVAN:

The consent calendar passes.

Any announcements or introductions? Any announcements or introductions?

Is there any business on the Clerk's desk?

THE CLERK:

A list of Senate bills, Mr. Speaker.

SPEAKER DONOVAN:

Representative Brendan Sharkey.

REP. SHARKEY (88th):

Thank you, Mr. Speaker.

I move that we waive -- waive the reading of the bills and have these items placed immediately on the House calendar.

**JOINT
STANDING
COMMITTEE
HEARINGS**

**PUBLIC
SAFETY AND
SECURITY
PART 1
1 – 317**

**2012
INDEX**

is written now, I think if you up that number, it would help out the police departments and the towns and the cities.

REP. DARGAN: Thank you very much. Further questions from any committee members? Thank you very much for your testimony.

RICHARD HOLTON: Thank you for your time, sir.

REP. DARGAN: Next presenter is Bruce Marcus.

BRUCE MARCUS: Good afternoon and I thank you, Representative Dargan and Senator Hartley and the Public Safety Committee. I'm here -- my name is Bruce Marcus, I'm a resident of Glastonbury. I'm here to speak in favor of S.B. 61, AN ACT EXEMPTING AMATEUR RADIO OPERATORS USING HANDHELD RADIOS FROM THE PROHIBITION that was written into the cell phone law in 2005. Let me give you a little background on myself. I'm a graduate of the University of Hartford from 1965.

I've been involved in public safety communications for 43 years. And the fact that Matt Reed is one of my clients here, the chief that just left. And we do a lot of public safety communications. I've been a ham radio operator for 39 years. And the original motor vehicle statute used to exempt us against the prohibition of using radios while in motion.

Amateurs serve the public through SKYWARN, all the -- all the things you see on TV when all these talking heads are talking about the storms and they're telling you how the trees are and what -- where the things are coming down around you are coming from the hams that are SKYWARN spotters of which I am and have been for years. In fact, we are involved with

the Hartford marathon, various parades, and various public service operations.

And we've been exempted in previous legislation and we've gotten caught up and confused in the new cellular legislation. And to that effect also some of our people that we serve that have two-way radios, mobile two-way radios with a handheld microphone are sometimes confused with the people with the distracted driving law.

And we've had incidents where hams have gotten citations because the officer couldn't discriminate, he didn't see it and doesn't understand the difference. That's an education process as well as we need a legislative process to exempt us. So I myself drive a 2002 Tahoe with 260,000 miles on it. I have six microphones at my disposal in the car. I've never had an accident. And I participated in the October 3, 1979, Windsor Locks tornado.

I happened to be driving both for my commercial reasons and my amateur reasons, and one of the hams at the National Guard facility at the airport called in on the amateur repeater that's on our tower in Box Mountain and Vernon, and he had no telephones, no communications, and this gentleman who still we know today operates for Algonquin Gas called and asked to be patched into the General at the Armory right around the corner here.

And the General asked him, he said, well, why didn't you call me on the phone? He says there are no phones. And what about the radios? He says there are no radios only my amateur radio, my little walkie-talkie here which is communicating through an amateur repeater. I'm also president of one of the largest radio clubs in the state that has repeaters

throughout the whole state. You can take one of these little walkie-talkies and talk anywhere from I-84 to the Massachusetts border.

We're here during all the storms, we've been here all the time backing up all of the facilities. In fact, Jeff Fox, one of the announcers at Channel 61, is a ham. There are a lot of hams even in the state police all across our -- our working groups and to participate in amateur radio. So we think this bill is good, it's good for the community, and it would be good to get the clarification on push-to-talk mobile radios as well as the amateur handheld radios clarified in the state legislature. And we thank you for your support and listening to us. Any questions?

REP. DARGAN: Thank you very much, Bruce.

Senator Guglielmo.

SENATOR GUGLIELMO: Yes, thanks. Thanks for coming up, Bruce. Quick question, you've been active in all the storms, not you personally, but the ham operators like the last two that we had this past winter?

BRUCE MARCUS: I actually have been personally both professionally and on the amateur side. We support all the SKYWARN activities, all the stuff that the three National Weather Service Agencies get in Albany, Long Island, and Taunton, Massachusetts, have direct connections to us. When all the cell phones were down and all the power down, our amateur facilities were up and we were reporting live and actual information as to how many trees, the situation in Simsbury, all those things were known to us and factual.

I almost laughed at some of the stuff that the -- was being presented by some of the utility people because we knew more about how bad the damage was. I've been involved in the Wilkes-Barre flood, the Windsor Locks tornado, the ice storm, Gloria, all those times I've -- we've participated and supported all those activities.

SENATOR GUGLIELMO: And have some ham operators actually been ticketed for using their radio?

BRUCE MARCUS: Yes, in fact, we were talking to one this morning on the way in here. And he had been ticketed by the Manchester police and he kept saying I paid the fine because I couldn't take the time off from work to explain it to the prosecutor. In past years we even had a Deputy Commissioner, Warren Thurnauer, both Thurnauer's involved with --

SENATOR GUGLIELMO: I know. Sure.

BRUCE MARCUS: You know Beau. His father was in at Motor Vehicles and he was one of the ones that has the law passed originally and we used to keep a copy of the law in the glove box in case we were stopped and we would just hand it to the officer. So you can -- you can go either way, but if somebody is distracted driving, he deserves to have a ticket.

But most of the time the officer doesn't understand and just sees the microphone and, oh, that guy is using his cell phone, we're going to pull him over and he's going to get a ticket. I can raise a little revenue here. But, you know, we usually don't argue. And we had another ham who works at ESPN who's been involved in the -- in the business for many years, also a professional, got ticketed in

Enfield. And he went to court and he got it thrown out. I'm sure there's other instances, but I don't have a list.

SENATOR GUGLIELMO: Okay. And then one final thing, there was no opposition, I've been in and out but I've been here mostly, there was no opposition to this bill from any police organizations or public safety organizations?

BRUCE MARCUS: No, I talked to Chief Salvatore, who I also know, and Matt Reed, and they said it would be good to have clarification on the mobile radio aspect because we have like radar for transit districts, we have oil companies, we have people that serve the public that are using two-way radios all day. Can you imagine oil tankers pulling over in the middle of 84 so they can call (inaudible) what's my next job? Because you know they're afraid of getting a ticket.

SENATOR GUGLIELMO: Yeah.

BRUCE MARCUS: It would be crazy. And tow truck drivers, Matt Reed mentioned tow truck drivers, I forgot that one.

SENATOR GUGLIELMO: Thank you. Thank you, Mr. Chairman.

REP. DARGAN: Thank you. Further questions from committee members? Thank you very much for your testimony.

BRUCE MARCUS: Thank you.

REP. DARGAN: Next presenter is Steven Dube.

STEVEN DUBE: Thanks very much, Representative Dargan, and Senators and Representatives,

Senator Guglielmo. My name is Steve Dube and I'm from Tallen, Connecticut. I'm a federally-licensed amateur advanced class radio operator, and I have been for 24 years. I've operated both fixed and mobile radios since then, prior to that I was a CBER back since 1976 operating mobile and base station. Radio has been a great hobby for me and I've done it for quite a while.

During this time, I've had the opportunity to serve the public in a bunch of different ways with radio by participating in SKYWARN, as Bruce talked about earlier, working with (inaudible) in Taunton, and specifically a lot of the stuff I did was more during the thunderstorms in the summertime which pop up sporadically.

So when we're out driving home from work or on our way into work or on our errands during the course of the day, it's a good thing we're out there because we're able to -- when -- when they do call (inaudible) we can participate right away. I've also worked with communications for the MS Society bike races, both in Hartford and other towns, and many different walk-a-thons.

And prior to that, we used to use our radios, and we still do, we have what is known as a phone patch off the repeaters where we can actually access cell phone coverage and talk to police departments and report accidents and that sort of thing on the highway.

So I mean there's a lot of different organizations that are in amateur radio called ARES, the cert people, which you're probably familiar with, are also made up in many cases of hams. They utilize the ham frequencies

because, as Bruce said and it's true, when everything else goes down, we're still up and running. That's what we do. So we're just trying to get some clarification so that we can practice the hobby and basically train by operating constantly on and about the course of the day.

And just as an anecdote, for all the years I've been out there, I've never had an accident. I don't know of anybody who's operating a radio has ever had a traffic accident. It's a whole different dynamic than talking with a cell phone. If you have a cell phone, you have to move your entire body in order to turn around to move. With an amateur and a handheld microphone, you're talking like this. And you can easily work your head around and get 360, or, you know, 180 degrees coverage with your eyes. So it's a whole different thing, and it's certainly much safer.

I don't know what experiences have been with public radio or -- I mean business radio or police, fire, whether they've ever had any problems, but I doubt it. It's a very safe method of operation -- mobile. That's it for me. Thank you very much for -- any questions or anything else --

REP. DARGAN: Thank you, Steven.

Senator Guglielmo.

SENATOR GUGLIELMO: Thanks for coming up, Steve. Steve is one of my constituents. And I know you talked to me a little bit about possibly a technical change that would help. Could you -- could you tell the committee about that.

STEVEN DUBE: Right, a lot of us operate, as I side,

a mobile radio which is tied with a microphone. The radio is mounted to the vehicle and like a taxi cab or a police radio, we use the microphone separately. And we'd like to just have wording reflecting that a mobile radio would be exempt from this prohibition also.

SENATOR GUGLIELMO: If you could email that to me, Steve, then I'll make sure that the other committee members take a look at it too. Thank you for coming up.

STEVEN DUBE: I'll be glad to. Thank you.

SENATOR GUGLIELMO: Thank you, Mr. Chairman.

REP. DARGAN: We have one more question, I think, for you.

SENATOR HARTLEY: Yes, thanks, Steve. And perhaps I should've asked this to the folks before you, but so I don't really know too much about ham radios. So, yeah, you have the microphone, but how are you operating it? There must be something on the device where you are looking down, programming a number, or what -- what are you doing? How -- how are you, okay, I understand the speaking part of it.

STEVEN DUBE: We usually -- I would say almost all of the time operate on one repeater at a given time. So the radio is basically just -- we turn it on or it's already on when we start the car. We pick up the mike and talk while we're driving, and that's it.

SENATOR HARTLEY: So you're not dialing?

STEVEN DUBE: No.

SENATOR HARTLEY: It's not -- you're not searching

for numbers, you are -- in other words, when you hit the on button, you are on the frequency that you're going to be communicating and there's no other options for you? Is that correct, or can you go to different frequencies?

STEVEN DUBE: We could change, sure, we could change the frequency while mobile, and you can do that from the handheld, from the microphone itself. It has a reset button and actually you can change and move back and forth. Kind of like the modern cars that are coming out today, my new Jeep Patriot, has buttons in the steering wheel where I can control the volume on the radio, our microphones do the same thing with the mobile units. And with the handhelds, everything is right here.

SENATOR HARTLEY: So you're not dialing a number, but you can effectively be changing frequencies, so you're talking to different entities or populations -- listening too?

STEVEN DUBE: Yeah, Once in a blue moon, really, most of the time when amateurs are talking on a repeater, it's -- it's like a bunch of us are getting together for a conversation -- a group conversation. We just happen to be driving when we do it.

SENATOR HARTLEY: And so is there a license that you get to be a ham operator?

STEVEN DUBE: Absolutely. We have to pass an exam with the FCC for each level of license class. I'm an advanced which meant I had to go through three levels to get there. These licenses involve -- or the exams involve both laws and operations, schedules, frequencies that we're allowed to use, what we can do and what we

can't do legally. And also the electronics part of it and the radio part of it.

SENATOR HARTLEY: And so you don't use cell towers, you basically are using frequency bands, right?

SENATOR DUBE: Frequency bands and they have -- it's not a -- sometimes they're on a cell tower, but they are a repeater that's similar to a cell. The transmission from this radio goes in one frequency and it's already automatically set to another frequency to transmit. Same concept of police, fire, every other method of communication uses in order to expand the range of these very short-range devices by themselves. So we can talk all over, like Bruce said, all over the state of Connecticut of the 7-9 repeater in Vernon. We also crosslink into Taunton, Massachusetts, to talk to the National Oceanic and Atmospheric Association for the weather nets that we do.

SENATOR HARTLEY: So you never go down, but if it's on a tower, could you theoretically be down on that?

STEVEN DUBE: Those could go down, yes. They have backup generators and there's a lot of different things that they do in order to ensure that they don't go down.

SENATOR HARTLEY: Who has backup generators? The tower?

STEVEN DUBE: Yeah, the owner of the repeater (inaudible)

SENATOR HARTLEY: But that would only be specific for the ham operators, not for the cell operator?

STEVEN DUBE: I can't address that, I don't have a repeater. But he could probably -- okay. He says we --

SENATOR HARTLEY: I heard that. For the record, you've been down one hour since 1971.

STEVEN DUBE: Right. The other side of ham radio is the fixed radio at -- at your house.

SENATOR HARTLEY: Which is a ham, right?

STEVEN DUBE: And there's also -- people will use those sometimes in a mobile situation where they're on a frequency or in a band plan that allows them to transmit throughout the United States or worldwide without the use of a repeater.

SENATOR HARTLEY: Now do you know how other states treat ham operators with regard to an exemption for handheld device?

STEVEN DUBE: Anecdotally, I don't know the specific states, but I have heard that there were several others that have done so -- they have basically given us that exclusion.

SENATOR HARTLEY: So are they handheld versus the majority or is it the majority that allow ham - ham operators to be exempt?

STEVEN DUBE: I don't know, but I can get you that answer.

SENATOR HARTLEY: Okay. But I think maybe our LCO folks will help us on that issue. Thanks. And then the other thing is do you know -- what is this population that we're talking about? How many ham operators are there in the state? Do -- do you know that?

111
jmf/gbr PUBLIC SAFETY AND SECURITY
COMMITTEE

February 28, 2012
11:00 A.M.

STEVEN DUBE: 10,000.

SENATOR HARTLEY: So that's 10,000 people who'd be on the road who can speak on a --

STEVEN DUBE: Maybe yes, maybe no. There's a wide variety of what we do. Not everybody who is a ham goes mobile with it, but there's quite a few. An entire class of radio licensing is based on the mobile communications.

SENATOR HARTLEY: And amongst yourselves, is there anything that you have done to identify, you talk about fatalities or accidents where a ham might be involved, do you have any statistics on that?

STEVEN DUBE: No, zero.

SENATOR HARTLEY: Thanks so much. I'm just trying to understand this whole area.

STEVEN DUBE: It's an exciting hobby.

SENATOR HARTLEY: Yeah.

STEVEN DUBE: And it's growing actually. I thought with the advent of the internet, we'd shrink and die. But if anything, it's actually expanding.

SENATOR HARTLEY: Thank you very much, Mr. Chair.

REP. DARGAN: Further -- we have one other question or comment anyways. I -- you know with all this new technology out there, and I'm just amazed that ham operators haven't been down more so than the new telecommunications that we have out there that seems to go down in major storms whether it's cell phone use or whatever

that it's out there, and I found it interesting that how you said, how you ham operators talk to one another and get together.

It's similar to when Senator Hartley is at a rock concert and she's in a mosh pit and she's in there, so I guess there's a correlation between ham operators and Senator Hartley and mosh pits and rock concerts. So thank you very much for your testimony.

SENATOR HARTLEY: I lost you there Mr. Chairman, but I don't think it's very good. Thank you.

REP. DARGAN: The next presenter is Lisamarie Fontana who is President of Local 387, the (inaudible) Corrections employees. She's not here. We'll go back to her.

Next is Lori Pelletier. I don't see her either.

Next presenter is Andy Matthews, President of the Connecticut State Police Union.

ANDREW MATTHEWS: Good afternoon, Senator Hartley, Representative Dargan. My name is Andrew Matthews, I'm the President of the Connecticut State Police and I'm also a Sergeant with the State Police. We represent approximately 1,028 troopers, sergeants, and master sergeants. We recognize that we would not be here today if it were not for your unwavering support in the past for public safety and trooper safety.

We're here to speak against Governor's Bill 32 which would remove the mandate of the 1,248 sworn troopers, allows for an unlimited voluntary auxiliary program, and would only require the Commissioner of the State Police to submit a staffing report every two years

HB5014

ROBERT CROOK: No questions? All right.

REP. DARGAN: I don't think so. Thank you, Robert.

ROBERT CROOK: Thank you.

REP. DARGAN: Next presenter is Kevin Borgnis.

KEVIN HOLIAN-BORGNIS: Good afternoon, Senator Hartley, Representative Dargan, members of the Public Safety and Security Administration -- Committee, sorry. My name is Kevin Borgnis, I'm Secretary and founding member of the Connecticut Citizen's Defense League. I'm also a licensed amateur radio operator. I'm here in support of Senate Bill 61, Senate Bill 196, and House Bill 5245, but I'll only be speaking on 5245.

Connecticut is one of the eleven may-issue states, meaning a permit to carry, may be -- may or may not be issued even if a background check comes back clean. Connecticut requires local issuing authorities to define suitability, but doesn't define what suitability is and is thus left up to towns to determine their own criteria.

State law has -- has given the Commissioner of Emergency Service and Public Protection the power to define the form of the application. And as other have said, towns are adding their own requirements such as three letters of reference, waivers so they can look into your credit and dental records, and indemnification if you have civil action in the event that you're fired because the police have talked to your employer.

of themselves or the state is codified in our state constitution. Can you imagine if a police department made a criminal defendant wait for four months to see an attorney and another four months to have an arraignment while they sat in jail. There would -- there would be outrage over that.

The right to bear arms is no less important than the right to a fair and speedy trial. Once again I strongly support this bill. I hope this committee will find it prudent to pass it, and if possible to amend it to include some sort of an enforcement position -- provision so that all the police can't, with impunity, violate the wishes of this legislation. Thank you for your time.

REP. DARGAN: Thank you, John. Thank you for coming to testify. Questions from any committee members? Okay. Thank you very much. The next presenter is Richard Burgess. Richard Burgess or George Burgess or Ellen Burgess. Am I pronouncing it right? Oh, okay.

Jonathon Hardy is next.

JONATHAN HARDY: Good afternoon, my name is Jonathan Hardy. I've actually seen most of you guys quite a bit last year, this is getting pretty good. I'm here to testify on two very different sides of legislation. I'll go with the -- more the quick one first.

The bill that we have ahead of us for S.B. 61, an act exempting radio operators. I am the district emergency coordinator that covers the responsibility for the amateur radio operators throughout region three. If you're familiar with the way the state of Connecticut map is, I cover region three, the 42 towns. I have 170

volunteers that are already licensed and that also have offices within various state and local municipalities.

Without getting too deep into this, the only point I want to make is we do need to separate -- make this amateur radio, if there is that amendment that was discussed earlier put in as a provision, simply because it's -- it doesn't matter what the radio is whether it's handheld, whether it's mounted in the car. The way we communicate with them is actually identical and we don't want to have that interpretation made up at the curb side.

The various organizations we work with, I actually as a volunteer have an office with the State of Connecticut at the region three facility, that is a state veteran's hospital in Rocky Hill. The State has recognized the value of the service that we do provide our communities.

At the same time, I also have a desk that is only 40 feet from the Governor's desk right around the corner at the Armory here. And that purpose is so that we can facilitate this information between hospitals, local municipalities, the American Red Cross, the Salvation Army, and community emergency response teams, or CERT teams. Oh, and the National Weather Service which we do provide a lot of live weather data for them.

A couple of questions that were brought up earlier I just wanted to mention in regards to our method of communication. We're actually listening more than 95 percent of the time, 98 percent of the time and transmitting only a very small portion of it. So we're not constantly yacking on our microphones as we're

driving down the road. That being said, when the issue was brought up about -- too bad Senator Hartley isn't here, the issue about programming radios.

They're pre-programmed, most of them nowadays are so technical we use our laptop computers. We're not exactly driving down 91 with our laptop programming it as we're kind of going along. I think that would scare a lot of people. So it's just a matter of hitting one button like a preset on the radio in your vehicle, we're on that other frequency and we're good to go. That's all I have on the -- the amateur radio side. If you have any questions, I can -- I can go a little bit further on that?

I'm going to briefly hit on three of the firearms bills that are ahead of us. One of them would be S.B. -- Senate Bill 196, this again is the recording of the long book. I had a situation about -- about a year ago where we purchased a firearm at a gun show and there was that other book. Something wasn't logged in properly and I got a call if I could go in and refill out everything and make it legible and everything else.

I had to take a half a day off of work to go do this, to comply with the statute. And there's already the exact same thing is already being recorded on a federal level. Only somebody from the department of redundancy department would really want this sort of thing to kind of continue. It took a lot of time off from my day, and it was actually really ridiculous.

House Bill 5246, AN ACT CONCERNING THE PERMIT TO SELL PISTOLS AND REVOLVERS, being at shows and clubs. Growing up in this neighborhood,

Mr. John M. West
 43 Academy Street Apt 102
 Southington, CT 06489-3259

Chairman Hartley and Committee Members,

My Name is John West from Southington, Connecticut. I am an Amateur Radio operator Federally licensed by the Federal Communications Commission; my federally issued call sign is N1IWT. The license grant is for both fixed station operation and mobile operation. I am in my 21st year of licensure.

(This testimony is as an independent individual and not to be construed as part of any organization. I am the Publicity Manager of the TIPSnet, the Training, Information and Public Service Network, a weekly regional informational meeting on the air.)

That said I would like to enter this testimony in favor of Senate Bill No. 61 that will hopefully end confusion over mobile operation of Amateur Radio equipment in Connecticut. I thank Senator Guglielmo for sponsoring this Bill

The thrust of this Bill is simply to clarify a divide that is being found in part of Connecticut's Law Enforcement community. In Connecticut, Amateur Radio operators have always been accorded the privilege to operate mobile in accordance with the rights and privileges of the Federal license grant they hold.

Simply, once the cell phone and distracted driving bill was enacted ham operators were inadvertently put into limbo. If a properly licensed ham operator were stopped for operation while driving many individual law enforcement officers would give a ticket for doing what the ham radio operator was properly licensed for, or worse would say 'oh well it looks like a cell phone' so it can't be used. Other towns there were never problems or questions. The problem is it is not evenly enforced.

During preparation for a TIPSnet program on the subject last spring, a couple of participants decided to contact anonymously a group of police departments including the Connecticut State Police, all at random, anyone who answered the call. This way it was figured we'd get the fairest sample.

The results of the 10 called – 5 would issue a ticket without room for discussion, 5 would not, or would release someone upon presentation of proof of licensure. This indicates if at nothing else, a need for education to laws and traditions currently on the books. After this sample the question was even larger – no one seemed to know the answer.

My personal hope is two-fold –

- 1) I'd like to call for uniformity, this bill SB No. 61 simply says we can do what we have always done but never had been deduced to writing. I think this will make it easier for Law Enforcement to properly enforce the current law.
- 2) Secondly, it could be set up for hams to avail themselves to using the State DMV-issued license plates signifying they are ham operators and they have been available for decades. This would identify them immediately as Hams so there was no question.

Hams are known for their operation in public emergencies such as Tropical Storm Irene and Winter Storm Alfred, or as we say "When All Else Fails, Amateur Radio", whether an organized effort such as the Amateur Radio Emergency Service, (ARES ®) organization, ran by the ARRL the National Organization for Amateur Radio, based in Newington CT, or individual hams just trying to lend a hand.

Allowing proper mobile operation whether via hand-held radio, or fixed mobile installation, or even more sophisticated digital modes, allows for the training for public safety events i.e.; parades, bicycle or motorcycle benefit rides, etc or use in an emergency.

Members of our Amateur Radio community are not trying to usurp the intent of the laws on the book that are there to keep the roads safe, we are only trying to restore confidence in a group that lends a hand when needed many times when casually driving along the road

We are all taking about proper safe legal operation nothing to change the original intent of the original bill in question This is just a technical change to increase uniformity in enforcement.

Thank you for your consideration

Mr John M West
Amateur Call N1IWT

860-628-6454
n1iwt@tipsnet.org

Name: George Lillenstein
Email address: ab1gl@arrl.net
Town: Manchester, CT

Affiliations:

FCC Amateur Extra license call sign AB1GL
ARES Region 3 Asst. District Emergency Coordinator
Member of ARRL, Manchester CERT team, Capitol Region Auxiliary Emergency Communicators, and numerous local repeater support clubs

I strongly support raised bill CB61 providing an exemption allowing licensed ham radio operators to use their two-way radios in their cars.

I would like to see the amendment broadened further.

As written, the amendment specifies a "hand-held radio." There are other radios used by mobile hams that need to be allowed as well.

The most commonly used mobile two-way radios would not be covered as proposed. These radios may be mounted in or on the dashboard, under a seat or in the trunk. Some have a hand-held accessory that might act as a microphone, speaker, switch, and/or buttons. They are often held at the side of the mouth and might look like a cell phone to a trooper. But they are not "hand-held radios".

Some mobile ham radios can be operated using wireless headsets. But these hands-free sets are not covered by either clause C (because they are not "hand-held radios", nor by the hands-free clause D (because they are not "mobile telephones").

I urge deletion of the phrase "hand-held" in the proposed amendment. It should read:

(C) the use of a radio by a person with an amateur radio station license issued by the Federal Communications Commission, or (D) the use of a hands-free mobile telephone device.

This wording would also allow the use of other types of radios. A ham might legitimately need to use a scanner or a radio from another mobile service to provide interoperability for emergency communications. The flexibility and wide range of equipment we may use is exactly what makes the amateur radio service so robust during an emergency.

E. Jonathan Hardy
New Britain, CT
Kb1kix@arrl.net

FCC Licensed Amateur Radio Operator, KB1KIX
Amateur Radio Emergency Services,
District Emergency Coordinator,
Region 3, CT

I would like to express my support for SB61. AN ACT EXEMPTING AMATEUR RADIO OPERATORS USING HAND-HELD RADIOS FROM THE PROHIBITION ON USING HAND-HELD MOBILE TELEPHONES AND MOBILE ELECTRONIC DEVICES WHILE DRIVING.

I am the District Emergency Coordinator for the Amateur Radio Emergency Service, Region 3, CT. Our organization utilizes the same map as used by the Department of Emergency Services and Public Protection. In fact, we have Memorandum of Understandings and similar agreements with:

State of CT, Dept. of Emergency Services and Public Protection
American Red Cross
Salvation Army
National Weather Service/SKYWARN
Various local Community Emergency Response Teams
Various hospitals
Various charities including The Jim Calhoun Cancer Challenge and Angelride (amongst others).

As you can see by the groups we work with, we provide a valuable public service. I have almost 170 volunteers in my region alone, and several thousand amateurs willing to help if needed during emergencies and public service.

Because of the nature of the services we provide, we use two way radios. Whether we are transmitting weather observations to the National Weather Service, transmitting information to a hospital on behalf of our state, staffing shelters or providing emergency and routine communications for non-profit charities – our radios are the key to the services we provide.

Two way radio doesn't belong in the same category as cell phones. Unlike cell phones, our communication are half-duplex. Meaning simply, we can only talk or listen at any given time, but not both at the same time (like a telephone conversation). In actuality, we actually listen over 99 percent of the time and only talk when we have relevant information to provide to those groups we serve.

Furthermore, I feel the language of the bill may need clarification. Amateur radios aren't just "hand held" (like a "walkie talkie") as mentioned in this bill. Amateur radios can be mobile radios (installed in a vehicle), similar to those used by law enforcement and public sector employees. As such, I feel we need clarification that simply exempts amateur radio, not the type of radio being used.

I applaud the legislature for bringing up this issue and helping us clarify the difference between amateur radio and cell phone use. This bill would prevent the possibility of an amateur radio operator from infraction and/or fine while providing the services we offer to our communities.

P20
L16

SUPPORT S.B. 61 – An Act Exempting Amateur Radio Operators
SUPPORT S.B. 196 – AAC the Recording Of Pistol And Revolver Sales
SUPPORT H.B. 5245 – AAC the Application Requirements for a Temporary State Permit to Carry

Senator Hartley, Representative Dargan, Members of the Public Safety and Security Committee,

My name is Kevin Holian-Borgnis. I am current Secretary and a founding member of the Connecticut Citizens Defense League the largest grassroots gun rights organization in the state. I am also a licensed amateur radio operator. I am writing in support of three bills S.B. 61, S.B. 196, and H.B. 5245.

SUPPORT S.B. 61 – An Act Exempting Amateur Radio Operators

As a member of the Ellington Community Emergency Response Team, I was activated to help my town in the Emergency Operations Center during Hurricane Irene. While driving from my home to the town's EOC, I came across several downed power lines. At each of these incidences, I used my mobile amateur radio to notify the Emergency Operations Center of the location of the downed line and other pertinent information. Under current law, I could have been fined for using a mobile electronic device while the vehicle was in motion.

SUPPORT S.B. 196 – AAC the Recording Of Pistol And Revolver Sales

Federal regulations already require that licensed gun dealers retain a bound record book detailing all gun sales they transact. For too long, Connecticut law has required a separate set of records putting undue burden on law abiding Connecticut businesses. This bill eliminating the requirement for a separate bound book and making the federally mandated book available to police is just common sense.

SUPPORT H.B. 5245 – AAC the Application Requirements for a Temporary State Permit to Carry

Connecticut is one of 11 'may-issue' states when it comes to permits/licenses to carry a handguns. This means that there is some requirement beyond a simple background check. In Connecticut, the local issuing authority must determine that a candidate is 'suitable' before a temporary permit to carry can be issued. Nowhere does state law define what makes a candidate 'suitable,' but it does make clear that applicants for a permit to carry use "application forms prescribed by the Commissioner of Emergency Services and Public Protection."

Since there is no strict mandate from the state defining who is 'suitable' each of the 169 towns and cities in Connecticut gets to determine that for themselves. In doing so, municipalities have added forms, waivers, and other requirements above and beyond what are required by statute. Additional forms include arrest-style description sheets asking for hair-style, piercings and tattoos, and manner of dress among other things. Towns are asking applicants to sign waivers to provide access to credit and dental records; indemnification against civil action in the event that you are fired as a result of

S - 644

**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2012**

**VOL. 55
PART 9
2639 - 2991**

pat/rgd/gbr
SENATE

314
May 3, 2012

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

Thank you, Madam President.

And a final item is on calendar page 25, Calendar 112, Senate Bill 61, move to place that item on the consent calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, if the Clerk would now read the items on the consent calendar, both these just added and the ones placed on it earlier today, and then if we might move to a vote on the consent calendar.

THE CHAIR:

Absolutely.

Mr. Clerk, will you please call the calendar first, the consent calendar.

THE CLERK:

On calendar page 1, Calendar 106, Senate Bill 316; page 3, Calendar 235, House Bill 5030; on page 6, Calendar 315, Senate Bill 367; on page 9, Calendar 363, House Bill 5073; on page 10, Calendar 377, House Bill 5346; on page 11, Calendar 39, House Bill 5318; on page 13, Calendar 400, House Bill 5515; and on page 14, Calendar 407, House Bill 5484.

On page 15, Calendar 409, House Bill 5498; page 25, Calendar 178, Senate Bill 384. On page 25, Calendar 112, Senate Bill 61; page 26, Calendar 202,

pat/rgd/gbr
SENATE

315
May 3, 2012

Senate Bill 383; page 27, Calendar 280, Senate
Bill 345. And on page 29, Calendar 352, Senate
Bill 353.

THE CHAIR:

Okay. All right.

Mr. Clerk, will you please call for a roll call vote on the consent calendar, and the machine will be open.

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:

Have all members voted?

If all members voted, the machine will be locked.

Mr. Clerk, will you call the tally.

THE CLERK:

On today's consent calendar.

Total Number voting	36
Necessary for passage	19
Those voting Yea	36
Those voting Nay	0
Those absent and not voting	0

THE CHAIR:

The consent calendar passes.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

First of all, of the matters referred to committee earlier, would move that those items be immediately