

PA12-072

SB0195

House	7829-7832, 7852-7854	7
Judiciary	2320	1
Public Safety	32, 34-35, 73-75, 86, 98, 106-107, 220-222	13
<u>Senate</u>	<u>2485-2490</u>	<u>6</u>
		27

H - 1145

**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2012**

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

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

651
MAY 8, 2012

REP. URBAN (43rd):

I move that this resolution be placed on the
consent calendar.

DEPUTY SPEAKER ARESIMOWICZ:

The motion before us is to place this item on the
consent calendar.

Is there objection? Is there objection?

Hearing none, this item is placed on the consent
calendar.

Will the Clerk please call Calendar 496?

THE CLERK:

Also, on page 28, Calendar 496, Senate Bill
Number 195, AN ACT CONCERNING THE STORAGE OF STOLEN
PROPERTY, favorable report by the Committee on
Planning and Development.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Dargan of the 115th, you have the
floor, sir.

REP. DARGAN (115th):

Thank you, Mr. Speaker.

I move acceptance of the joint committees'
favorable report and passage of the bill in
concurrence with Senate.

DEPUTY SPEAKER ARESIMOWICZ:

The question is on acceptance of the joint committees' favorable report and passage of the bill in concurrence with the Senate.

Will you remark, sir?

REP. DARGAN (115th):

Thank you, Mr. Speaker.

The underlying bill increases stolen property from \$250 to \$1,000.

The Clerk is in possession of LCO 4331. May he please call, and I be allowed to summarize.

DEPUTY SPEAKER ARESIMOWICZ:

Will the Clerk please call LCO Number 4331, which will be designated Senate Amendment Schedule "A."

THE CLERK:

LCO 4331, Senate "A" offered by Representative Dargan and Senator Rowe.

DEPUTY SPEAKER ARESIMOWICZ:

Representative seeks leave of the Chamber to summarize the amendment.

Is there objection to summarization? Is there objection to summarization?

Hearing none, Representative Dargan, you have the floor, sir.

REP. DARGAN (115th):

Thank you very much, Mr. Speaker.

This just adds to the precious metals and stone dealer provisions.

And I move its adoption.

DEPUTY SPEAKER ARESIMOWICZ:

The question before the Chamber is on adoption of Senate Amendment Schedule "A."

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

Hearing none, let me try your minds.

All those in favor, please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER ARESIMOWICZ:

Those opposed, nay.

The ayes have it.

The amendment adopted.

Will you remark further on the bill as amended?

Representative Dargan.

REP. DARGAN (115th):

Thank you very much, Mr. Speaker.

I would personally like to thank the finest ranking member, Representative Giegler, and I move that this resolution to consent.

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

654
MAY 8, 2012

DEPUTY SPEAKER ARESIMOWICZ:

The motion before us is to place this item on the consent calendar.

Is there objection? Is there objection?

Hearing none, this item is placed on consent.

Will the Clerk please call Calendar 497.

THE CLERK:

On page 29, Calendar 497, Substitute for Senate Bill Number 207, AN ACT CONCERNING RESIDENTIAL HEATING OIL AND PROPANE CONTRACTS, favorable report by the Committee on Energy and Technology.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Taborsak of the 109th, you have the floor, sir.

REP. TABORSAK (109th):

Thank you, Mr. Speaker.

I move acceptance of the joint committees' favorable report and passage of the bill in concurrence with the Senate.

DEPUTY SPEAKER ARESIMOWICZ:

The question is on acceptance of the joint committees' favorable report and passage of the bill in concurrence with the Senate.

Will you remark, 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**

**JUDICIARY
PART 7
2004 - 2358**

2012



CONNECTICUT POLICE CHIEFS ASSOCIATION

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March 12, 2012

Testimony presented to the Joint Committee on Judiciary

Chief Anthony Salvatore, Chief Matthew Reed for the Connecticut Police Chiefs Association

The Connecticut Police Chiefs Association (CPCA) represents all municipal police departments in Connecticut as well as police departments at private and state universities.

CPCA supports H.B. 5286, AAC The Return of Stolen Property. Currently police must seize and hold as evidence stolen property valued at over \$250, though it is seldom needed as evidence by the court. Property of a lesser value may be returned to the owner. The proposed legislation would raise the property value to \$500. CPCA supports this change as police departments will be able to return such property to its rightful owner for their use and enjoyment thus lessening the impact of victimization and lessen the burden on local police departments to process and store certain pieces of property.

It should be noted that CPCA also supports S.B. 195, AAC The Storage of Stolen Property which increases the threshold value of property to be retained to \$1,000. (Joint Committee on Public Safety and Security)

END

*online
only*

**JOINT
STANDING
COMMITTEE
HEARINGS**

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

**2012
INDEX**

DANNY STEBBINS: I look forward to those conversations, Representative. You've been a supporter of us for a long time. It's much appreciated.

REP. ORANGE: Thank you.

REP. DARGAN: Thank you. Further questions from committee members? Hearing none, thank you very much, Colonel.

The next presenter from Department of Emergency Services and Public Protection is Steve Spellman.

STEVEN SPELLMAN: Good morning, Senator Hartley, Representative Dargan, and distinguished members of the committee. My name is Steven Spellman, I'm Chief of Staff for Commissioner Reuben Bradford of the Department of Emergency Services and Public Protection, and I'm here today to speak on his behalf and on behalf of the agency in regard to six bills. We submitted written testimony in -- in regard to each of these six bills, and I will try to be brief in regard to my summaries.

First of these is Senate Bill 62, AN ACT CONCERNING THE CONNECTICUT PUBLIC SAFETY DATA NETWORK. What this bill would do is to provide a -- a governance procedure in statute for the Public Safety Data Network. The Public Safety Data Network was first entered into statute in 2005 when the General Assembly authored -- authorized use of the E-9-1-1 fund to connect the 107 PSAPs or public safety answering points, by fiber optic network, replacing the old copper wire lines.

SB64
SB195
HB5094
HB5096
HB5294

At the time that this was done, it was

a bill that you've seen before and have JF'd before. It's gotten caught up when it's left this committee in the JF deadline for the Judiciary Committee. There's nothing terribly controversial in this bill in regard to firearms.

It's in five sections. The first section would bring into conformity the carrying a firearm under the influence which is currently in statute at 0.1, to make it 0.08 as are other under the influence statutes currently in place. Sections two and three would conform state law to federal law in regard to the NICS program which is the Brady Bill, the National Instant Criminal Check, to provide additional information as to date and place of birth.

Section four would remove an archaic section from the statutes. The only section that is drawing some attention is section 5 of the bill which would provide for notice of gun shows to be given 30 days in advance as it is given to the local chief of police to my agency. I think our response to that has calmed concerns about it and that the intent is really to be user friendly in that when there are these gun shows, often on a weekend, you can have up to 200 transactions resulting from the gun show. And we want to make sure that we have sufficient personnel working those weekends in order to handle that increased workload.

Senate Bill 195, AN ACT CONCERNING THE STORAGE OF STOLEN PROPERTY. This bill in previous years was actually an agency bill, and we're pleased to see it appear again because it would help us in terms of what you saw from the Colonel's testimony, are scarce resources. Basically, it would raise the threshold from \$250 to \$1,000 in terms of having to meet the

what can be rather stringent requirements of providing an inventory for the Clerk of the court in regard to evidence.

The evidence is still stored -- stored securely, but that paperwork requirement of preparing a formal inventory for the clerk of the court would be raised so that it would only need to be done if the value was in excess of \$1,000.

Senate -- House Bill 5094, we -- we were extremely pleased when the General Assembly finally passed a Move Over Law and this bill is intended to strengthen that law. The existing law that was passed is only applicable to highways of three or more lanes. And what this 5094 would do would to -- would be to make the Move Over Law applicable by mirroring it to the definition of highway in Connecticut General Statute 14-1 so that it would be applicable on -- on limited-access highways of two or more lanes which include many sections of I-95.

Raised Bill 5096 is again is an agency bill and AN ACT CONCERNING THE FIREARMS EVIDENCE DATABANK. And this is a bill that is intended to eliminate a statutory requirement that is not of great value in terms of solving crimes. Currently, it is required by statute to do mandatory entry of bullet data information from test fires of seized firearms. Each one of those takes about 20 minutes of data entry time at the lab, which I know you're all aware has scarce resources. There's less than a one percent chance to make a confirmed bullet match in regard to these tests.

The much more accurate test is in regard to casings. So what we would like is -- is to have this statutory requirement that we have to

out with the three-minute warning yet. But if you think that your comments are going to go over that timeframe, if you could just summarize, and then we'll get to questions. Thank you.

SUSAN BRANSFIELD: Good afternoon and thank you, Representatives and Senators, and thank you for all the work that you do for public safety. My name is Susan Bransfield, I'm First Selectman of the Town of Portland, and I'm also the Chairman of the Connecticut Conference of Municipalities Committee on Public Safety.

The Connecticut Conference of Municipalities, as you know, is the statewide association of towns and cities and is the voice of local government, your partners in governing Connecticut. Our members represent over 90 percent of Connecticut's population and we certainly appreciate the opportunity to testify on bills of interest to towns and cities.

The one that I'm testifying on today is Senate Bill 195, AN ACT CONCERNING THE STORAGE OF STOLEN PROPERTY, and CCM strongly supports this bill. This bill would amend the state mandated threshold that requires local police officials to seize and store stolen property from the current value of over \$250 to a proposed value of over \$1,000. By law, local agencies may return stolen property to an owner if the value is equal to or less than the current threshold.

This proposal is a reasonable adjustment to the current law that would offer some relief, which is very important. Any relief we can get is good. Some relief for our local law enforcement personnel from certain administrative burdens such as logging, storage, and inventory of items as well as to

permit the rightful owners access to their own property in a more timely manner to vital, sensitive property such as personal computers and smart phones. The threshold that triggers the state mandate has not been adjusted since the mid-1980s, and doesn't accommodate for increases in the values of personal properties that we have seen during this time period.

The committee favorably reported and the House passed a similar proposal last session as a modest relief measure for municipalities from the state mandate, and it would be wise for you to do so again. CCM and myself urge the committee to favorably report S.B. 195. Thank you for the opportunity this afternoon.

REP. DARGAN: Thank you, Susan. Questions from any committee members?

Senator Daily.

SENATOR DAILY: I -- I'd say our Chair was slightly remiss in not saying the wonderful Susan Bransfield.

SUSAN BRANSFIELD: Thank you, Senator Daily, the wonderful Senator.

SENATOR DAILY: And I think you have a very good for all our municipalities, they deserve the relief.

SUSAN BRANSFIELD: Yes, and if I can just reiterate, any time you can help local officials relieve some of the burdens that they are experiencing is certain valuable. And I appreciate the opportunity to let you know what good work you're doing. So thank you.

SENATOR DAILY: Well, certainly this provides a

little bit of relief to municipalities without trampling the rights of our citizens at all either. So I think it's a good way to approach it.

SUSAN BRANSFIELD: Thank you.

REP. DARGAN: Further questions? Thank you very much for coming and testifying.

SUSAN BRANSFIELD: Thank you. Have a good afternoon.

REP. DARGAN: Next presenter is Brooks Pierce, representing Sportech. It's good that Brooks is coming to testify on something besides police, fire, and onto gaming issues.

BROOKS PIERCE: Thank you very much. Senator Hartley, Representative Dargan, and distinguished members of the Public Safety and Security Committee, I'd like to thank you for the opportunity to provide testimony today in support of Raised Bill 5095, AN ACT CONCERNING OFF-TRACK BETTING FACILITIES.

The proposed legislation provides local communities the opportunity to decide whether to include simulcasting or rather the display of video when considering an opportunity to host a new off-tracking betting facility. Currently a local community can vote in favor of hearing -- of having a branch in their town, but then needs state legislative permission to show the live race. Patrons would be able to hear the race and wager on the race, but not watch the race approved by the state Legislature.

As you may recall, we've come before the committee over the last few years to ask for

Very simply, the Board of Firearms permit examiners ruled in 2009 that the information to file for a pistol permit, anything above that is not required by state statute and we want to reinforce that position. So that is the bulk of my testimony as far as I have no position right now, our organization has no position on S.B. 64 or H.B. 5096. Again I hope that this committee will help this bill move forward with the amended suggestions by Representative Sampson and myself to -- to help further this bill along. Any questions?

REP. DARGAN: Thank you very much, Scott. Questions from any committee members? Hearing none, thank you very much.

SCOTT WILSON: Thank you.

REP. DARGAN: Next presenter is Chief Salvatore and Chief Reed.

MATTHEW REED: Good afternoon, members of the committee. My name is Matthew Reed, I'm Chief of Police with the Sound Windsor Police Department. I am Legislative Co-Chair for the Connecticut Police Chiefs Association. My colleague, Chief Salvatore, was called to court and had to leave. I'm on the last legs of my voice as this cold continues to batter me, so I will be brief in my comments. We have submitted written testimony concerning our support of Senate Bill 195, AN ACT CONCERNING THE STORAGE OF STOLEN PROPERTY. We support this in that the value of the property that local police departments are required to catalog and keep in their local property room should be raised to \$1,000. We support that.

HB 294
SB 249

Regarding Senate Bill 196, the recording of

authority, while that authority remains vested in other communities that may remain invested in the CEO or the elected -- top elected official in that community. So that's our position as far as Senate Bill 249.

If there are any other questions regarding any other pending legislation, those were the most important ones that we wanted to take positions on, but I can certainly answer any other questions.

REP. DARGAN: Thank you, Chief Reed. Questions from any committee members?

Representative.

REP. YACCARINO: Thank you, Chief. On the police chiefs -- removing the assistant police chief, our town, North Haven, we have selectman form of government and our police commission hire - really recommends assistants. So I -- I do agree with you. It should be, I think, between the commissioner, the chief, and the first selectman or the CEO of the town basically. But the police know better, I think, than -- or at least the commissions along with the chief know better than I think --

MATTHEW REED: Our fear is the unintended implications of a broad stroke change to the process that is in place that may be to the detriment of some communities, while it may help others.

REP. YACCARINO: I spoke to our chief and assistant -- the deputy chief yesterday. I mean I've known them for quite a long time, and obviously they feel that it should be within the -- within the police commission along with the existing chief. As far as the lateral, S.B.

H35294

department might not be aware of when that case is going forward. So individuals from the local or the state police could actually be there when that case is being heard. So I appreciate you coming forward with some suggestions to us today.

RICHARD HOLTON: Thank you. And I'd just like to mention on Senate Bill No. 63 when the civilian testified about, you know, the drug testing issue, just to give you some information on that, the Hartford Police Union and the City of Hartford have in their collective bargaining agreement that they do do random drug testing. And they do have reasonable, you know, reasonable suspicion, they do testing. So there are departments out there that have that and they are held to that standard.

So it's not an issue of its running rampant with police departments and these agencies and these cities that employ police officers aren't taking that affirmative approach to make sure their officers aren't under the influence while they're out in the performance of their duties. And we also like to say we support Senate Bill 195. The one thing we run into in the City of Hartford based on our volume of robberies and burglaries, we do seize evidence, the court, some of the defense attorneys want to see the actual item.

So that's really an unnecessary burden on the department and these agencies to hold onto that item when it's only like an iPhone or a phone that can be returned to the individual on the recovery, and a photograph taken of it. They want to actual have the tangible property to manipulate and feel it which is just a tactic by the attorney in the end. So I think that bill is cumbersome on -- the statute the way it

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



PUBLIC SAFETY & SECURITY COMMITTEE

February 28, 2012

P8
L17

Good Morning,

I am Susan Bransfield, First Selectman of Portland and the Chair of the Connecticut Conference of Municipalities Policy Committee on Public Safety.

The Connecticut Conference of Municipalities (CCM) is Connecticut's statewide association of towns and cities and the voice of local government - your partners in governing Connecticut. Our members represent over 90% of Connecticut's population. We appreciate the opportunity to testify on bills of interest to towns and cities.

CCM supports **SB 195** "*An Act Concerning the Storage of Stolen Property*".

This bill would amend the state-mandated threshold that requires local police officials seize and store stolen property, from the current value of over \$250 to a proposed value of over \$1,000. By law, local agencies may return stolen property to an owner if the value is equal to or less than the current threshold.

This proposal is a reasonable adjustment to current law that would offer some relief for local law enforcement personnel from certain administrative burdens (i.e. log, storage, and inventory of items) -- as well as permit the rightful owners access to their property in a timelier manner -- vital, sensitive property such as personal computers and smart-phones. The threshold that triggers this state mandate has not been adjusted since the mid-1980's and does not accommodate for increases in the values of personal properties during this time period.

The Committee favorably reported (and the House passed) a similar proposal last session (HB 6429) as a modest relief measure for municipalities from this state mandate -- and would be wise to do so again this session.

CCM urges the Committee to **favorably report SB 195**.

★ ★ ★ ★ ★

If you have any questions, please contact Mike Muszynski, Legislative Analyst of CCM via email mmuszynski@ccm-ct.org or (203) 500-7556.



STATE OF CONNECTICUT
DEPARTMENT OF EMERGENCY SERVICES & PUBLIC PROTECTION
OFFICE OF THE COMMISSIONER

February 28, 2012

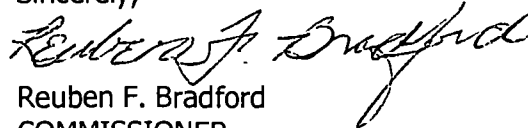
Rep. Stephen Dargan, Co-Chairman
Sen. Joan Hartley, Co-Chairman
Public Safety and Security Committee
Legislative Office Building
Hartford, CT 06106

SB 195 AN ACT CONCERNING STORAGE OF STOLEN PROPERTY

The Department of Emergency Services and Public Protection supports this bill.

This proposed bill would raise the threshold at which an inventory must be prepared of items seized that are stolen property from \$250.00 to \$1000.00. This change will greatly help members of the Connecticut State Police, as well as other law enforcement officers. An increase in the dollar value will mean less time that a trooper or officer will have to spend seizing, inventorying, filling out paperwork, and then driving to his or her barracks or police department to now log, tag and enter the item into evidence. This additional time spent could be better served with the trooper or officer on patrol, helping citizens that are in need of our assistance. There would also be additional time and money savings as a result of the evidence that will NOT need to be stored and tracked by an evidence officer. This will free up time, and much needed space. This will free up the space to be utilized for more important cases, rather than for those items that just taking up space until the conclusion of a case that is highly unlikely to go to trial.

Sincerely,


Reuben F. Bradford
COMMISSIONER

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Testimony presented to the Public Safety and Security Committee

Chief Anthony Salvatore, Chief Matthew Reed for the Connecticut Police Chiefs Association

The Connecticut Police Chiefs Association (CPCA) represents all municipal police departments in Connecticut as well as police departments at private and state universities.

CPCA supports S.B. 195, AAC The Storage of Stole Property. Currently police must seize and hold as evidence stolen property valued at over \$250, though it is seldom needed as evidence by the court. Property of a lesser value may be returned to the owner. The proposed legislation would raise the property value to \$1,000. CPCA supports this change as police departments will be able to return such property to its rightful owner for their use and enjoyment thus lessening the impact of victimization and lessen the burden on local police departments to process and store certain pieces of property.

CPCA supports S.B. 196, AAC The Recording of Pistol and Revolver Sales in a Bound Book. CPCA agrees with the Committee's intention of streamlining the record keeping requirement by making the requirement fall in line with federal record keeping requirements. However, CPCA recommends that the proposed legislation be amended to require that any such record also be made available to any sworn member of the local police department. Local police chiefs in communities where they exist are the issuing authority for the sale of pistols and revolvers and as such, should have the authority to inspect sales records.

CPCA supports H.B. 5294, AAC Lateral Certification of Police Officers. However, CPCA wants to ensure that the hiring authority retains the right to require any candidate to meet certain physical fitness requirements as prescribed by the municipality.

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S - 643

**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2012**

**VOL. 55
PART 8
2276 - 2638**

cah/meb/gdm/rgd/tmj
SENATE

247
May 2, 2012

limit we want to make sure that there's an opportunity to show that that person was driving under the influence at the time. My concern was whether, you know, something below the legal limit could be leveraged. Senator Looney says that's not the intent and I accept the good Majority Leader's answer on that.

Thank you.

THE CHAIR:

Thank you very, very much.

SENATOR LOONEY:

Yes. Thank you, Madam President.

Thank you, Senator McKinney.

THE CHAIR:

Thank you, Senator Looney.

At this time will you remark? Will you remark?

Senator Hartley.

SENATOR HARTLEY:

If there's no objection, madam, I would ask that this be put on the consent calendar.

THE CHAIR:

Seeing no objection, so ordered.

Mr. Clerk.

THE CLERK:

On page 21, Calendar 73, Senate Bill Number 195, AN ACT CONCERNING THE STORAGE OF STOLEN PROPERTY, favorable report of the Committee on Public Safety and Planning and Development.

THE CHAIR:

cah/meb/gdm/rgd/tmj
SENATE

248
May 2, 2012

Senator Hartley.

SENATOR HARTLEY:

Yes, Thank you, Madam President.

I move acceptance of the joint committee's favorable report and passage of the bill.

THE CHAIR:

The motion is on acceptance and passage.

Will you remark?

SENATOR HARTLEY:

Yes. Thank you, madam.

The underlining bill basically was a relief, a mandate relief to municipalities. By law currently law enforcement agencies must inventory property that is seized in the course of an arrest and then it must be inventoried and stored when, in the opinion of the law enforcement officer, it is valued at more than \$250. That is a statute that is fairly dated and \$250 in 2012 is not what it was initially when the statute was implemented.

And so the bill just changes that threshold to a thousand dollars and therefore property can be returned to individuals who are involved in such circumstances. And anything under the threshold now of a thousand dollars does not have to be inventoried and stored.

Madam President, the Clerk is in possession of LCO 4331. And I ask that the Clerk please call and I be granted leave to summarize.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO Number 4331, Senate "A," offered by Senator Hartley and Representative Dargan.

cah/meb/gdm/rgd/tmj
SENATE

249
May 2, 2012

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY:

Thank you, Madam President.

I move adoption.

THE CHAIR:

Motion is on adoption. Will you remark?

SENATOR HARTLEY:

This LCO speaks to a series of legislation that was passed over the last two years regarding pawnbrokers and precious metal dealers. And this particular piece is a part of that legislation which in '012 did not get implemented, which was intended to.

And what it simply does is identify that any pawnbroker who has a dual license as a pawnbroker and a precious metal dealer would be allowed to pay or to cash a check up to a threshold of a thousand dollars and this would be in conformity with the legislation we passed in '012 and for a limited period of time which was established in that legislation, which would be until July of 2021.

And with that, I ask for support.

THE CHAIR:

Would you remark?

Senator Guglielmo.

SENATOR GUGLIELMO:

Through you, Madam President, a quick question for the proponent.

THE CHAIR:

Please proceed, sir.

cah/meb/gdm/rgd/tmj
SENATE

250
May 2, 2012

SENATOR GUGLIELMO:

Yeah. Is the amendment that we're talking about, has this been agreed to by the agency and by the industry for the precious stones and metals, madam?

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY:

Thank you, Madam President.

And thank you for your question, Senator Guglielmo, and also for your help in going through all of these sometimes tedious parts.

But I am pleased to say that this piece is unanimously supported, sir.

SENATOR GUGLIELMO:

Thank you, Madam President.

I want to thank Senator Hartley, too. I know she worked very hard on this bill along with Representative Dargan.

THE CHAIR:

Thank you.

Will you remark further? Will you remark further?

All in favor of the amendment please say aye.

SENATORS:

Aye.

THE CHAIR:

Opposed? The amendment passes.

Senator Hartley.

SENATOR HARTLEY:

cah/meb/gdm/rgd/tmj
SENATE

251
May 2, 2012

Thank you, madam.

And if there's no objection, I'd ask that this be put on
the consent calendar.

THE CHAIR:

Seeing no objection, so ordered.

Mr. Clerk --

Oh, sorry. Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Madam President. Madam President.

THE CHAIR:

Yes. Yes, Senator Looney.

SENATOR LOONEY:

Yes, Thank you, Madam President.

Madam President, if the Clerk would now read the items on the consent calendar so that we might proceed to a vote on that consent calendar.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Let's see. On today's consent calendar we have on page 1, Calendar 85, Senate Bill Number 43; page 3, Calendar 189, Senate Bill 323; page 4, Calendar 205, Senate Bill Number 237; on page 5, Calendar 237, House Bill Number 5057; on page 6, Calendar 294, Senate Bill 111.

Also on page 6, Calendar 298, House Bill 5225; on page 11, Calendar 365, House Bill Number 5094; on page 11, Calendar 370, House Bill 5287; on page 13, Calendar 385,

cah/meb/gdm/rgd/tmj
SENATE

252
May 2, 2012

House Bill 5123; on page 15, Calendar 401, House Bill 5516; on page 19, Calendar 421, House Bill 5107.

On page 21, Calendar 59, Senate Bill Number 97; also on page 21, Calendar 90, Senate Bill 188; on page 21, again, Calendar 72, Senate Bill 63; page 21, Calendar 73, Senate Bill 195; on page 22, Calendar 104, Senate Bill 207; on page 24, Calendar 197, Senate Bill Number 315; also on page 24, Calendar 183, Senate Bill 234.

Page 25, Calendar 208, Senate Bill 347; on page 25, Calendar 233, Senate Bill 371; on page 26, Calendar 275, Senate Bill 391; on page 27, Calendar 288, Senate Bill 299; on page 27, Calendar 292, Senate Bill 156; and on page 28, Calendar 333, Senate Bill Number 426.

THE CHAIR:

Okay. Mr. Clerk, would you please call for a roll call vote 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:

If all members have voted -- all members voted. The machine will be closed. And Mr. Clerk, will you call this great 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 passed.