

PA13-160

SB1003

House	8234-8237	4
Public Safety	2008-2015, 2040-2049	18
Senate	1790-1794, 2068-2070	8
		30

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

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there objection? Is there objection? So ordered.

Chamber will stand at ease.

(Chamber at ease.)

(Deputy Speaker Orange in the Chair.)

DEPUTY SPEAKER ORANGE:

The House will please come back to order. The House will please come back to order.

Will the Clerk please call Calendar Number 587.

THE CLERK:

Yes, Madam Speaker. Good evening. On page 25, Calendar Number 587, Favorable Report of the Joint Standing Committee on General Law, Substitute Senate Bill 1003, AN ACT CONCERNING SECOND-HAND DEALERS.

DEPUTY SPEAKER ORANGE:

Representative Stephen Dargan of the 115th. You have the floor, sir.

REP. DARGAN (115th):

Thank you very much, Madam Speaker. I move for acceptance of the Joint Committee's Favorable Report, passage of the bill in concurrence with the Senate.

DEPUTY SPEAKER ORANGE:

The question before the Chamber is passage of the bill in concurrence with the Senate.

Representative Dargan.

REP. DARGAN (115th):

Thank you very much, Madam Speaker. This bill just simply excludes clothing dealers, used children product dealers, and used sporting equipment dealers from the requirements of second-hand dealers.

DEPUTY SPEAKER ORANGE:

Will you care to remark further?

Representative Jàn Giegler.

REP. GIEGLER (138th):

Thank you, Madam Speaker. I rise in support of the bill before us. On that wintery day in Waterbury when the Public Safety Committee had their off-site meeting, all the individuals from Once Upon a Child -- we must have had about five of them -- that came to speak to us about the problems that they were facing as a result of previous legislation that we had passed.

So this bill will help them, and also a group that also does music equipment, not have to log in every single item that they have and hold it for any period of time. So it's a good bill, and we really

need to help this industry so they can move their inventory forward. And I urge my client -- my colleagues' support. Thanks.

DEPUTY SPEAKER ORANGE:

Thank you, madam. Will you care to remark further on the bill before us? Will you care to remark further on the bill before us? Will you care to remark further?

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

THE CLERK:

The House of Representatives is voting by roll.
The House of Representatives is voting by roll. Will Members please report to the Chamber immediately?

DEPUTY SPEAKER ORANGE:

Have all Members voted? Have all Members voted? Please check the board to determine if your vote has been properly cast. If so, the machine will be locked and the Clerk will take a tally.

A VOICE:

140, 0, 10.

A VOICE:

Thank you.

DEPUTY SPEAKER ORANGE:

And will the Clerk please announce tally.

THE CLERK:

In concurrence with the Senate, Senate Substitute
Bill 1003.

Total Number Voting	140
Necessary for Passage	71
Those voting Yea	140
Those voting Nay	0
Absent and Not Voting	10

DEPUTY SPEAKER ORANGE:

Thank you, Mr. Clerk. The bill passes in
concurrence with the Senate.

Will the Clerk please call Calendar Number 652?

THE CLERK:

Yes, Madam Speaker, on Page 35, Calendar Number
652, Favorable Report of the Joint Standing Committee
on Government Administration and Elections, Senate
Substitute Bill 889, AN ACT CONCERNING THE UNIVERSITY
OF CONNECTICUT AND COMPETITIVE BIDDING FOR
AGRICULTURAL PURCHASES BY CONSTITUENT UNITS OF HIGHER
EDUCATION.

DEPUTY SPEAKER ORANGE:

Representative Gregory Haddad of the 54th.

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Obviously, if someone is in a position to assault a police officer, they're among the most dangerous people in our society. So the -- the Blue Alert not only protects the police officer, but also, I believe anyways, society in general, and I think it's a good bill, and I hope that it -- my colleagues will agree.

Thank you.

THE CHAIR:

Thank you.

Will you remark? Will you remark?

Not Senator Hartley?

SENATOR HARTLEY:

Madam President, I would ask that this be put on the Consent Calendar, please.

THE CHAIR:

Seeing no objection, so ordered.

Mr. Clerk.

THE CLERK:

On page 48, Calendar 269, Substitute for Senate Bill Number 1003, 'AN ACT CONCERNING SECOND-HAND DEALERS, Favorable Report of the Committee on Public Safety and Security.

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY:

Thank you, Madam President.

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

THE CHAIR:

Motion is on passage.

Please proceed, ma'am.

SENATOR HARTLEY:

Thank-- thank you, Madam President.

This bill would exempt dealers of clothing, children's products, and sporting equipment from the secondhand dealer requirements. We have certain enterprises which sell used baby clothes, used hockey skates. And the nature of their -- their products is very different than some of the other kinds of things that are sold on a secondhand basis. And it would not make sense to have them hold, for example, a baby onesie -- that's kind of what the products are that would fall under this definition. So we are basically helping them to streamline their business, to move their products, and to allow consumers to have access to these kinds of products in an expedited way.

Thank you, madam.

THE CHAIR:

Will you remark? Will you remark?

Senator Guglielmo.

SENATOR GUGLIELMO:

Thank you, Madam President.

Just a quick remark, actually. It's a common sense piece of Legislation. There were -- are quite a few second high-end clothing dealers in Connecticut, partially due to the economy, I think. And they were having difficulty, as the -- as our chair lady indicated, keeping up with the law. They were actually, I believe, categorized improperly under the former

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Legislation. This straightens that out. And I think it's -- it helps an important segment of our society and of our retail business.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Guglielmo.

Senator Witkos.

SENATOR WITKOS:

Thank you, Madam President.

I also rise to support the bill. You know, who would have thought that we -- we don't have a -- a secondary or a black market for baby onesies. And unfortunately, this got caught up in our -- our Legislation. We tried to prevent folks that would go out and steal things, specifically precious metals, and go to reclaim or sell them for money and use them for whatever illicit purposes.

But when we -- we acted in good faith in this General Assembly, we -- we kind of, maybe, overstepped a little bit and we're correcting something that shouldn't have been within the guidelines that we set before. So I think it's a -- it's a probusiness bill. It's something that, I think, folks should pass on a -- a bipartisan and unanimous level.

Thank you, Madam President.

THE CHAIR:

Thank you.

Will you remark?

Senator Frantz.

SENATOR FRANTZ:

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Thank you, Madam President.

Through you, I have a question for Senator Hartley and the bill.

THE CHAIR:

Please proceed, sir.

SENATOR FRANTZ:

Thank you, Mr. -- Madam President. Appreciate that.

Senator Hartley, I'm running through your bill for the first time here. I'm sorry. I do not sit on your committee. My question for you is, does this affect the dealers, secondhand dealers, responsibility to -- in the case of clothing, for example, make sure that the clothes are sanitized?

And -- and the reason why I ask that question is that we have had hockey players, and in particular, hockey goalies in the family, and they're pads after three seasons are candidates for super fund cleanup with the -- with the EPA.

And I'm just wondering, does the bill speak to the responsibility of -- of reselling something that has been sanitized?

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY:

Thank you, Madam President. And through you to Senator Frantz.

Well, that, in my mind, waxes of a little bit of micro -- or overmanaging. And it would seem to me that if you are a reputable vendor, then you are not accepting anything that isn't fit for resale. And if you have noticed on these kinds of vendors, they will say that there are

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standards and they have to be fit for resale.

I have, for one, very often, bought my kids hockey skates from these kinds of places, because, guess what? These are hockey skates that are all ready broken in, and there's great value to that when they're out skating. So I think that's a common-sense standard that any vendor would take on. And for us to legislate that kind of thing goes a little bit over the edge.

Thank you, Madam President.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you, Madam President.

By the way, I love that answer, Senator Hartley. And thank you for not only your sponsorship of this bill, but also for that excellent answer.

Thank you, Madam President.

THE CHAIR:

Thank you.

Will you remark? Will you remark?

Senator Hartley.

SENATOR HARTLEY:

Madam President, thank you. And if there is no objection, I would ask that this be put on the Consent Calendar, madam.

THE CHAIR:

Seeing no objection, so ordered.

Mr. Clerk.

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The bill passes.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, if the Clerk might now call the items on the Consent Calendar before proceeding to a vote on that Consent Calendar.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On Page 1, Calendar 545, Senate Resolution Number 27; also on Page 1, Calendar 546, Senate Resolution Number 28. On Page 2, Number 547, Senate Resolution Number 29. On Page 2, Number 549, Senate Resolution Number 31. On Page 5, Number 184, Senate Bill 1026. On Page 7, Calendar Number 253, Senate Bill Number 763. On Page 16, Calendar Number 412, Senate Bill Number 962. On Page 17, Calendar Number 436, Senate Bill Number 673. On Page 18, Calendar Number 438, Senate Bill Number 761. Also on Page 18, Calendar Number 443, Senate Bill Number 1056. On Page 19, Calendar Number 449, Senate Bill Number 828. On Page 20, Calendar Number 461, House Bill Number 6540.

On Page 21, Number 469, House Bill Number 6574. On Page 23, Number 480, Senate Bill Number 238. On Page 25, Calendar Number 501, House Bill Number 5799. Also on Page 25, Number 507, House Bill Number 5117. On Page 26, Calendar Number 508, House Bill Number 6571. On Page 26, Calendar Number 509, House Bill Number 6348. Also on Page 26, Calendar Number 510, House Bill Number 6007 and on Page 26, Calendar Number 512, House Bill Number 6392.

On Page 40, Calendar Number 48, Senate Bill Number 519. On Page 40, Calendar Number 60, Senate Bill Number 859. Also on Page 40, Calendar Number 104, Senate Bill Number 833.

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On Page 41, Calendar Number 107, Senate Bill Number 917. On Page 42, Calendar Number 123, Senate Bill Number 434. On Page 43, Calendar Number 129, Senate Bill Number 898. Also on Page 43, Calendar Number 139, Senate Bill Number 158. On Page 43, Calendar Number 167, Senate Bill Number 879.

On Page 45, Calendar Number 195, Senate Bill Number 816. Also on Page 45, Calendar Number 204, Senate Bill 652. On Page 47, Calendar Number 241, Senate Bill 1040. On Page 48, Calendar Number 269, Senate Bill 1003. Also on Page 48, Calendar Number 270, Senate Bill Number 1007.

On Page 50, Calendar Number 304, Senate Bill 1019. Also on Page 50, Calendar Number 310, Senate Bill 903. And finally on Page 53, Calendar Number 399, Senate Bill 1069.

THE CHAIR:

Mr. Clerk, will you call for a roll call vote. The machine will be open on the Consent Calendar.

THE CLERK:

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

THE CHAIR:

If all members have voted, if all members have voted the machine will be locked. Mr. Clerk, will you please call the tally.

THE CLERK:

On Consent Calendar Number 1.

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

THE CHAIR:

Consent Calendar is passed.

Are there any points of personal privilege?

Senator Doyle.

SENATOR DOYLE:

Thank you, Madam President.

Yeah for a point of information for the Chamber.

THE CHAIR:

Please proceed, sir.

SENATOR DOYLE:

Yes, thank you, Madam President.

Tomorrow the General Law Committee will be meeting at 11:15 outside the Hall of the House. The bulletin said 15 minutes before the early session so now we're making it definitive. Tomorrow at 11:15 outside the Hall of the House the General Law Committee will be considering one bill that was referred to us.

Thank you, Madam President.

THE CHAIR:

Thank you.

Senator Duff next.

SENATOR DUFF:

Thank you, Madam President.

For the point of announcement please.

THE CHAIR:

Please proceed, sir.

**JOINT
STANDING
COMMITTEE
HEARINGS**

**PUBLIC
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COMMITTEE

March 18, 2013
6:00 P.M.

Thank you, Madam Chair.

SENATOR HARTLEY: Thank you, Representative
D'Amelio.

Further questions from Committee members?

REP. DARGAN: One other question.

SENATOR HARTLEY: Yeah.

REP. DARGAN: Frank, just one last question. Do you
know how many nonprofits are in the state that
deal with pull tabs or com -- or on your side
of the business how many you might deal with?

FRANK CHESKY: Yeah I think there's approximately
200, I'm -- I'm going off the top of my head
here, 200 nonprofits that are licensed or
permitted to sell sealed tickets.

I'm not sure -- you know we have some of them.
Some of the other competitors have some of the
other nonprofits.

REP. DARGAN: Okay, thank you.

SENATOR HARTLEY: Thank you, Frank.

If there are no other questions, thanks for
being here and giving us this testimony.

FRANK CHESKY: Thank you.

SENATOR HARTLEY: Brian Gaer on 1072 as well.

BRIAN GAER: Thank you Public Safety Committee. I'm
in support of Bill No. 1003. For the past 20
years I operated two brands of retail stores,
Once Upon A Child which caters to children and

Plato's Closet which caters to teenagers and young adults.

My Once Upon A Child stores are in the cities of Bristol, Wether --

SENATOR HARTLEY: Brian, can I just interrupt you and ask for the record just state your name for us.

BRIAN GAER: Sorry, Brian Gaer.

SENATOR HARTLEY: Thank you, sorry to interrupt.

BRIAN GAER: Okay. My Once -- my Once Upon A Child stores are in the cities of Bristol, Wethersfield, Hamden, Milford and Manchester and my Plato's Closet stores are in Wethersfield, South Windsor, Enfield and in Orange.

I am a franchisee of the Winmark Corporation, a public traded company out of Minnesota, Minneapolis. They roughly have 1,000 franchises like myself. Two years ago when the pawn shop bill passed, I feel that we were unfairly lumped into that bill. Yes we do buy things from customers but we don't buy high theft items.

Last year my Once Upon A Child stores bought 1.2 million items at the average cost of \$1.60 and my Plato's Closet stores bought 400,000 items at the average cost of \$2.80. My main competitors are consignment shops and the only difference between what I do and what consignment shops do is I buy my merchandise.

Our business model let us be more efficient on a buy on so we can relay the profits to the -- our customers and give them a better value. If

the bill pass -- if the bill doesn't pass, my -
- my payroll will go -- will go up so much
because of the recordkeeping requirements that
the law presently states.

I can't imagine taking pictures of 200 -- 2
million items per year which -- that the law
would require. That's 5,500 items per day. I
-- I will have no idea how much labor that I
would have to -- that would have to be put
through.

Also, the law also requires for me to pay like
checks for every item that I buy. I buy
onesies that have a value to people of 25
cents. So if I buy four onesies from an
individual, I would actually write them up --
write them out a check for \$1.

SENATOR HARTLEY: Brian, that's a little
housekeeping buzzer. But you can summarize if
you -- if you're at that point.

BRIAN GAER: Okay, so if this law doesn't pass and
they -- and the law enforcement holds liabless
within this law, this law will put me out of
business.

SENATOR HARTLEY: Well I guess that's pretty bluntly
stated.

BRIAN GAER: It's the truth.

SENATOR HARTLEY: Yup.

BRIAN GAER: Yup.

SENATOR HARTLEY: First of all thanks for being
here. So I know what a onesie is.

BRIAN GAER: Okay.

SENATOR HARTLEY: I don't know if a lot of other people do.

BRIAN GAER: Okay.

SENATOR HARTLEY: So the Once Upon A -- Once Upon A -- A Child is -- is it just all children's clothing and goods and --

BRIAN GAER: Just children's goods: toys, books, just equipment, swings, bassinets. We got out of the furniture business when all the recalls came on.

SENATOR HARTLEY: Yeah and then -- and in the -- and in the Plato's what kind of --

BRIAN GAER: Teenagers and young adults.

SENATOR HARTLEY: Oh teenagers and -- and adults, okay. And it's -- so your model isn't the traditional consignment because you purchase the item? I walk in the store with 20 onesies --

BRIAN GAER: Yeah.

SENATOR HARTLEY: -- and you're going to buy them from me.

BRIAN GAER: Now what we do -- first we have you sign in, we ask for licenses and we take down all the information. We explain how we buy things. We look at each item piece by piece. We look for stains, tears and style of it and what we can take we actually input it in our deluxe system and that will spit out a price and we offer you the price that we can pay for the item and what we can -- and what we can't take we ask for you --

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COMMITTEE

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6:00 P.M.

SENATOR HARTLEY: to -- to -- yeah take it with me.

BRIAN GAER: -- to take it back.

SENATOR HARTLEY: And so the price is established by
the franchise --

BRIAN GAER: Franchisor.

SENATOR HARTLEY: -- on a national basis?

BRIAN GAER: Yes.

SENATOR HARTLEY: So in California you're going to
get the same return on a onesie.

BRIAN GAER: Exactly, yes. I mean what we sell for
a \$1 (inaudible) sold for \$1.

SENATOR HARTLEY: Yeah, yeah. You know it seems
like it's very clearly a -- a different niche
in the -- in the business.

BRIAN GAER: Our -- our main consumers are the
soccer moms.

SENATOR HARTLEY: Yes.

BRIAN GAER: I mean that's what people will bring
us. We don't deal with -- no one like thieves.

SENATOR HARTLEY: Yeah, yeah, right. I don't know
who's stealing onesies these days.

BRIAN GAER: Exactly.

SENATOR HARTLEY: Yes, Representative Giegler.

REP. GIEGLER: Thank you for being here. You have
one in Danbury too I believe.

BRIAN GAER: Yes she will speak after me. We all are a franchise.

REP. GIEGLER: Oh okay, okay. You are a franchise. That's what I was going to ask you --

BRIAN GAER: Yup.

REP. GIEGLER: -- if you're a franchise.

BRIAN GAER: Yes.

REP. GIEGLER: So right now under the present statutes you would have to like take a photo of each item that's in your store --

BRIAN GAER: Each item.

REP. GIEGLER: -- and log them in into a register.

BRIAN GAER: Yes plus take a picture of each cushto -
- customer selling to us.

REP. GIEGLER: Oh each customer as well.

BRIAN GAER: And hold each item for 10 days.
There's been weeks in each one my locations
I've bought 15,000 items within a given week.
It -- it would literally be impossible to do.

REP. GIEGLER: Okay, good, thank you.

SENATOR HARTLEY: Thank you, Representative Giegler.

Representative D'Amelio.

REP. D'AMELIO: Thank you, Madam Chair.

How -- how did you determine that you fell into this lull? Were you inspected by the state or

were you sent correspondence saying that this is not what you have to do?

BRIAN GAER: I was determined -- the chief of police of the Town of Wethersfield I'm friendly with him and he informed me about this law or I had no idea otherwise and I actually went to each and every town to talk to the police of chief - - the police of chiefs to exempt me from the law because it's up to the town itself and I only -- I only received responses from two chiefs and the other ones never even called me back.

REP. D'AMELIO: You know I -- I remember when we debated the bill regarding the pawn shops a year or two ago and I don't think any -- any of us ever had any intentions to put consignments under that. So I was just wondering if -- if you -- you know if you were fined or if the state --

BRIAN GAER: No.

REP. D'AMELIO: No, okay. Thank you.

SENATOR HARTLEY: Thank you, Representative D'Amelio.

Representative Esposito.

REP. ESPOSITO: Just a question to him. Does -- does this law also apply to like Goodwill and Salvation Army?

BRIAN GAER: No.

REP. ESPOSITO: Okay.

BRIAN GAER: But we actually -- we actually buy the stuff from a cus -- customer.

REP. ESPOSITO: All right so it wouldn't apply to Goodwill who takes items and then resells them?

BRIAN GAER: No or consignment shops.

REP. ESPOSITO: Or consignment shops, okay, thank you.

SENATOR HARTLEY: Thank you.

No further questions?

Thanks a lot for being with us, Frank, oh excuse me Brian.

BRIAN GAER: Thank you.

SENATOR HARTLEY: Okay, yup, wrong line.

John Yac -- Yacovino, Connecticut Fire Marshal's Association.

JOHN YACOVINO: Good evening, Co-Chair Dargan and Co-Chair Hartley and members of the Public Safety Committee. My name is John Yacovino and I am here representing the Connecticut Fire Marshal's Association. I am currently their president and I am also the deputy fire marshal for the City at Meriden Fire Department.

I'm here to talk about House Bill 6524, AN ACT CONCERNING BUILDING CODE ADOPTION CYCLES AND DUTIES OF THE BUILDING OFFICIALS. CFMA is adamantly against the section of the bill that deals with the state building code being reviewed in intervals of not less than six years. Six years is much too long for the review of building and fire codes.

Although this bill does not specifically address or include the state fire code, if this

Thank you.

REP. CLEMONS: Yeah close.

JOHN MANCINI: Close.

SENATOR HARTLEY: Thank you.

Further questions?

Seeing none, thanks very much for being with us, John.

JOHN MANCINI: Thank you.

SENATOR HARTLEY: Cami Scott, Once Upon A Child.

CAMILLIA SCOTT: Good evening to all of you and thank you for your time tonight. My name is Camillia Scott and I am the owner of Once Upon A Child in Enfield and I came today to support Bill No. 1003. I am here to tell you about my store and to show our appreciation to the community for your recognize -- recognition of the difference between typical pawn businesses and our community-based franchise retail stores specifically under the Winmark corporate umbrella.

I have been a part of Enfield community for 20 years and have been serving our customers every day by providing a fun and convenient way to sell their kids stuff while also being able to consistently purchase quality children's items at an affordable price.

We offer a vital service to families in this economic climate and my store could not exist with the added expense that would be necessary due to the new regulations. We follow a specific buy process every time we purchase

items from our customers requiring a picture ID, address and contact information.

This process provides easily traceable record - records of all items bought and sold. Eighty percent of our business is apparel and the average price that we pay per item is approximately \$1.65. Our customers are family members wanting to re -- recycle items no -- they long -- no longer use so they can more economically keep up with their ever changing needs of their families.

We purchase children's items only and do not buy or sell high theft items. We are connected to the community in many ways. We have established ourselves as a place to donate items that are no longer needed and partnered with many organizations that ensure that these items get to those who need them most.

We have been beneficial to foster parents, the Enfield-based children's coalition and three religious groups that help single mothers and their children with economic hardship. We send an average of three van loads a week to these groups which greatly help those in need and in turn we keep all of these items also out of our local landfills.

Three families in Enfield last year were devastated from losing their homes by fire and we had provided each of those families a \$500 gift card to replace their children's clothing and baby equipment they lost in the fire.

It is clear that it is important to us to maintain that our -- our community bond and to help each other in charitable endeavors. I have witnessed over 20 years how much my store has meant to many but would no longer be in bin

-- business if we were expected to follow the regulations associated with the original legislation.

I understand the need for the recent and -- for the recent changes and commend the Committee on working towards solutions to help the issues that surround high theft items. Once Upon A Child does not fit the problematic profile and with your help I can continue serving the customers and their community that I have so enjoyed for the past 20 years.

Thank you for your time. Any questions?

SENATOR HARTLEY: Thank you.

Questions from Committee members?

Well I suppose this was a surprise to find out about this legislation.

CAMILLIA SCOTT: It was.

SENATOR HARTLEY: Yeah but thanks for being here and it -- it seems like you are clearly in a different category.

CAMILLIA SCOTT: Certainly don't want to be repetitive. Just certainly want to represent ourselves properly so thank you very much for your time.

SENATOR HARTLEY: Yup, thank you.

And Diana Maunsell.

DIANA MAUNSELL: Hi my name is Diana Maunsell and I'm the owner of Once Upon A Child in Danbury and I'm also here in favor of Bill 1003. I come here tonight to reinforce what Brian and

Cami have already said and to express just what an important part we play in the community that we serve.

We're in business to serve a very clear mission to provide a fun and convenient way to buy and sell gently used kids stuff focusing on quality, safety and value. My store provides a -- a vital service to families and in this economic climint -- climate businesses like mine cannot survive with added expenses and families cannot afford to pay even more for goods and clothing.

Beyond the business of buying and selling kids stuff, my store has been a pivotal part of the community. We are not just a business. We've become a community hub for those who have items to donate to charities. We have continuously donated items to Birthright, foster parents and catholic charities, to name a few.

We have three donation bins behind our store which we fill every day with clothing. These charities then pick up every week to provide the items to people in need free of charge.

Make no mistake if this legislation remains as is it will put me out of business due to the cost of implementation. Our business does not buy or sell high theft items. The average cost of the items that we buy is \$1.65, hardly quick cash and 80 percent of our inventory is clothing.

I strongly urge you to support Bill 1003 and exempt us from the original legislation. Thank you for your time.

SENATOR HARTLEY: And thank you, Diana.

Questions from Committee members?

So where are you located in Danbury, Diana?

DIANA MAUNSELL: Right next to Walmart at Exit 8.

SENATOR HARTLEY: Oh yeah I know Exit 8 (inaudible).
How long have you been in business?

DIANA MAUNSELL: Fifteen years.

SENATOR HARTLEY: Fifteen years, oh okay. Well
thank you as a small business operator and
owner and we're happy for your presence and
your testimony today.

DIANA MAUNSELL: Thanks for your time.

SENATOR HARTLEY: No questions?

I would like to invite Tim Phelan.

TIMOTHY G. PHELAN: Senator Hartley, Representative
Dargan, members of the Public Safety Committee,
thank you very much for your time and courtesy
to our members that were here previously to
testify, Cami, Brian and Diana. I just want to
reiterate our association which is a state-wide
trade association representing all types of
retailers.

I was here today to lend our support to these
members on behalf of Raised Bill 1003. As you
heard from the testimony, it's -- it is clear
the intention of -- I think the intention of
this Committee and of the General Assembly not
to include these types of businesses as part of
the recordkeeping requirements under the second
hand dealer license.

However there was some discussion in the law enforcement community about licensing requirements and whether these folks should be licensed and so to clarify that we ask the Committee, and we appreciate very much you doing so, raising this bill and having this public hearing.

And now we just would be happy to continue to work with you throughout the rest of this process to see through to conclusion and hopefully finally clarify this portion of the -
- of the statute.

So thank you for your time. I also want to mention we do have another member of ours, Janet Zygmunt, who owns a Play It Again Sports store right here in -- nearby in Southington who might have just a little bit of stage fright and may not want to testify or she might but didn't get here in time to tet -- to sign up so also Play It Again Sports is also part of the Winmark Corporation franchise and franchisee agreements.

So thank you for your time and courtesy and I'd be happy to answer any questions you may have.

SENATOR HARTLEY: Tim, does she want to come up with you right now?

TIMOTHY G. PHELAN: I don't know. Janet -- Janet would you like to come up?

A VOICE: Oh we got it.

SENATOR HARTLEY: Okay.

A VOICE: Add a chair.

TIMOTHY G. PHELAN: Thank you, Senator.

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COMMITTEE

March 18, 2013
6:00 P.M.

JANET ZYGMUNT: Janet Zygmunt, Play It Again Sports in Southington. I own and operate Play It Again Sports. I've been in business for seven years now. We recently celebrated that anniversary this weekend along with our 50,000th customer.

SB1003

We do mainly new equipment so we have maybe a -
- 50, 60, 70 percent is brand new and we
purchased used equipment, maybe 20 to 40
percent, maybe used equipment that we purchase
from customers. We currently do have in place
-- we do the same at the Play It Agains, we
take licenses when we buy from customers. We
have their names, driver's license, date of
birth. We have a security system that we do
have their video when they come in the door and
sell to us.

We do it with some Highland equipment, golf
equipment and such, but mainly our -- our
ticket is anywhere from \$1 to maybe \$20 that
we're paying out to customers as they come in
and sell to us.

And in the last seven years we've only had
three incidences of equipment that turned out
to be -- that was stolen and with our current
process in place we were able to properly
handle that with the authorities.

But we have -- in the last seven years we have
recycled over 40,000 pieces of equipment --
sports and fitness equipment, so --

SENATOR HARTLEY: And many hockey skates to the
Hartley family.

Questions?

Yes, Representative Giegler.

REP. GIEGLER: Thank you and I guess it's probably more directed to Tim. Besides Once Upon A Child and Play It Again Sports is there other franchises such as this that exist in the state?

TIMOTHY G. PHELAN: You know within the Winmark Corporation there's -- there's Plato's Closet, there's Play It Again Sports and there's Once Upon A Child. I think that's it.

JANET ZYGMUNT: Music Go Round.

TIMOTHY G. PHELAN: Music round, okay, sorry.

REP. GIEGLER: Music --

JANET ZYGMUNT: Music Go Round.

TIMOTHY G. PHELAN: Music Go Round. But there's aren't --

REP. GIEGLER: But that's instruments that they're doing?

TIMOTHY G. PHELAN: Right. And the relationship that these folks have is similar to a relationship that takes place in the quick service restaurant industry where you buy a franchise and you have contractual arr -- arrangement, you have obligations you have to meet. You know if you -- you don't abide by those, if you take things like stolen -- trafficking stolen goods, you lose your -- your license. It's not a good thing. Don't want to have that happen. These folks don't -- don't want to do that and they don't do that.

And again we just want to make sure that the -- the statute is clear so under the local licensing authority, which you granted to -- to

the local chiefs of police a couple of years ago, that they're clear that they don't have to have a second-hand dealer license, don't have to comply with the recordkeeping requirements that, as Brian explained, are pretty extensive and for a company his size would -- would be a big burden on him.

SENATOR HARTLEY: Thank you very much and thank you for coming out.

TIMOTHY G. PHELAN: I might -- I might just if I could just add one more point. In the bill drafting there may be an - an issue around the definition of primary. Would -- I'd like to look at -- and -- and look at that again. We - - we did talk to the bill drafters, I think it was at your direction, Senator Hartley. They contacted us and we don't, you know, presume to be able to write bills for the Legislature, that's LCO's job, but we -- we would like if we could to re-examine that definition of primary and perhaps work with you or LCO in trying to make sure we have that nailed down just right.

SENATOR HARTLEY: Yeah so that's got to happen like tomorrow.

TIMOTHY G. PHELAN: Tomorrow, yes. No snow day tomorrow. And, Senator Hartley, it is a pleasure to be here in Waterbury.

SENATOR HARTLEY: Oh stop now.

TIMOTHY G. PHELAN: I have a lot of friends. I have a lot of --

REP. DARGAN: Phelan.

TIMOTHY G. PHELAN: I -- I have a lot of friends in Waterbury.

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COMMITTEE

March 18, 2013
6:00 P.M.

REP. DARGAN: Phelan St. Pat --

TIMOTHY G. PHELAN: Senator Hartley, you know that.
I have lots of friends.

REP. DARGAN: Phelan, St. Patrick's Day has passed.

TIMOTHY G. PHELAN: Oh it's always St. Patrick's Day
in Waterbury.

REP. DARGAN: Okay I guess, okay, next.

TIMOTHY G. PHELAN: It is a pleasure to be here.

REP. DARGAN: Okay, yeah.

SENATOR HARTLEY: They're -- they're giving you the
(inaudible).

A VOICE: (Inaudible).

SENATOR HARTLEY: Okay, thanks, Tim.

TIMOTHY G. PHELAN: Okay, thank you.

SENATOR HARTLEY: As -- as Chairman Dargan would say
bye bye now.

REP. DARGAN: Yes, bye bye now. Hit the road -- hit
the road.

SENATOR HARTLEY: Gor-- Gordon Willard.

GORDON G. WILLARD: Tim, I don't know you but thank
you for warming up the crowd for me.

Chairs Hartley and Dargan, distinguished
members of the Committee of the Public Safety
and Security Committee, thanks for the
opportunity to come before you and speak about
H.B. 6488, AN ACT CONCERNING THE EVACUATION AND