

PA13-220

SB1094

House	9243-9327	85
Public Safety	2067	1
Senate	4500-4519	20
		106

H – 1176

**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2013**

**VOL.56
PART 27
9050 – 9390**

pat/gbr
HOUSE OF REPRESENTATIVES

259
June 3, 2013

Good afternoon, sir.

REP. ARESIMOWICZ (30th):

Madam Speaker, I rise to move for suspension of our rules for immediate consideration of Senate Bill 1094.

DEPUTY SPEAKER ORANGE:

The question before the Chamber is on suspension of our rules for the immediate consideration of Senate Bill Number 1094, 1-0-9-4. Is there objection? Is there objection? Hearing none, the rules are suspended for that purpose.

And will the Clerk please now call Calendar Number 683.

THE CLERK:

House Calendar 683, Favorable Report of the Joint Standing Committee on Public Safety and Security, Senate Bill 1094 AN ACT CONCERNING EMERGENCY SERVICES AND PUBLIC PROTECTIONS.

DEPUTY SPEAKER ORANGE:

Representative Dargan.

REP. DARGAN (115th):

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

DEPUTY SPEAKER ORANGE:

The question is acceptance of the Joint Committee's Favorable Report and passage of the bill in concurrence with the Senate. Representative Dargan.

REP. DARGAN (115th):

Thank you very much, Madam Speaker. The underlying bill just basically updates the name of the Department of Emergency Service and Public Protection, and I move for its adoption.

DEPUTY SPEAKER ORANGE:

The question before the Chamber is on adoption of Senate Amendment Schedule "A". Will you remark? Will you remark on Senate Amendment Schedule "A"?

Representative Sampson.

REP. SAMPSON (80th):

Thank you, Madam Speaker, a couple of questions to the proponent of the bill, if I could.

DEPUTY SPEAKER ORANGE:

Please proceed, sir.

REP. SAMPSON (80th):

Madam Speaker, can you tell me what LCO Number we're looking at?

pat/gbr
HOUSE OF REPRESENTATIVES

261
June 3, 2013

Madam Speaker, I will yield the Floor back to you.

DEPUTY SPEAKER ORANGE:

Representative Sampson, thank you very much.
Representative Steve Dargan.

REP. DARGAN (115th):

Madam Speaker, at this time the Clerk is in possession of Amendment LCO 8513. May he please call and I be allowed to summarize.

DEPUTY SPEAKER ORANGE:

Will the Clerk please call LCO Number 8513, which has been previously designated as Senate Amendment Schedule "A".

THE CLERK:

Senate Amendment Schedule "A", LCO 8513
introduced by Senator Williams, Representative
Sharkey, Senator Looney, Representative Aresimowicz,
Senator McKinney and Representative Cafero.

REP. CAFERO (142nd)

Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Cafero.

REP. CAFERO (142nd):

Madam Speaker, I wonder if the Chamber could stand at ease because there's very few, in fact no copies of the Amendment available on this side of the aisle.

DEPUTY SPEAKER ORANGE:

The Chamber will stand at ease while we're waiting for copies to be distributed. Thank you.

(CHAMBER AT EASE.)

Will the House please come back to order. Will the House please come back to order.

And I believe Representative Dargan, you have the Floor, sir.

REP. DARGAN (115th):

Thank you very much, Madam Speaker. At this time if the Clerk could call LCO Number 8513 and I be allowed to summarize.

DEPUTY SPEAKER ORANGE:

I believe Representative we already did that and you moved adoption and we were going to begin talking on Senate "A" when we realized there weren't copies distributed, so.

REP. DARGAN (115th):

Thank you very much, Madam Speaker, I just wanted to repeat that for the good Speaker and the good Clerk

so there is no confusion because there wasn't any on my behalf. But thank you very much for that.

DEPUTY SPEAKER ORANGE:

Thank you, Representative Dargan. Madam Speaker, a few months ago we did a bill, which had much debate on all sides of the issue dealing more specifically with guns within our state.

Today, Madam Speaker, we're dealing with a couple of amendments to clarify a number of issues from a number of individuals that came forth with issues within that specific bill. Not only to thank the leaders, Majority Leader, Minority Leader that are sitting here, my Ranking Member Giegler, my Vice-Chair, Representative Verrengia and my good friend Representative Miner. So at this time if I can, Madam Speaker, I would like to talk more specifically about this Amendment.

This Amendment that's before us today clarifies a number of language in a number of different sections. It allows individuals to register assault weapons they purchase before the date of the passage of the bill, but which were not delivered. There was a number of confusion dealing with that after the passage of the bill because of order backlogs.

It also clarifies the language ensuring that these individuals can lawfully take possession of those weapons that they have contracted for.

Underneath this Amendment, a lawful possession of those assault weapons can be evidenced by a written writing indicating that a legal, binding contract for purchase was entered into on or before the effective date of the passage of the original bill.

It also goes on to talk about whether, how it was paid for the weapon in full or in part. Those in possession of assault weapons will also be allowed to attest under oath at the time of the registration that they had been in possession of the weapon on or before that effective date.

It goes on to clarify that individuals who purchased assault weapons or large capacity magazines on the morning of April 4th, the day that the Governor signed the bill at 12:20 in the afternoon, can register, declare such weapons and magazines, and can continue to lawfully possess them.

The underlying bill was unclear as to those weapons purchased on the day of enactment and that simply clarifies that for a number of individuals.

It also goes on to clarify that only sworn and duly certified law enforcement officers at police departments, DESP, as opposed to other employees can purchase and possess assault weapons and large capacity magazines.

It goes on to clarify that these officers must have written authorization from the departments to purchase these assault weapons.

It adds certain inspectors and officers at DMV, the Chief State's Attorney's Office, DEEP and certain post-certified constables where there were some outstanding issues acting as police officers to those individuals that can possess, purchase such weapons as long as they have written authorization from the Department to do so.

It also gives sworn armored car policemen the right to carry large capacity magazines as part of their official duty. These were some issues that were not in the specific bill that we passed.

It goes on and clarifies that sworn law enforcement officers, certain inspectors, again, officers at DMV, the Chief State's Attorney's Office, DEEP and written post-certified constables, police officers, are exempted from the new long gun and

ammunition certification requirement until they separate or retire from his or her position.

It also allows federally licensed, which we call curios or relics collectors to buy such firearms directly from other licensed collectors. Curios and relics are firearms that are between 50 and 75 years old. It clarifies that issue.

It goes on to clarify that exempted law enforcement officers, certain inspectors officers at DMV, again, the Chief State's Attorney's Office, DEEP and certain post-certified constables acting as that police officer do not have to register to declare assault weapons or large capacity magazines that they use as part of their official duties while they are on active duty, but are required to register those assault weapons and large capacity magazines within 90 days or when they separate from active service.

It also goes on to clarify that federally licensed firearms manufacturers can freely possess large capacity magazines for their firearms that are not required underneath the law to declare those possessions.

It also authorizes DESP to adopt regulations allowing the continued sale of certain Olympic target

pistols that are assault weapons underneath the new law. These will be the only assault weapons that may be sold or transferred in Connecticut or only under limited circumstances.

Purchasers will be required to attest they are buying the pistols for competition and/or target shooting purposes and must continue to register them. DESP regulations will also, can allow residents of other states to bring these such target pistols into Connecticut to participate in collegiate and/or other formal competitions.

It also goes on, Mr. Speaker, allows individuals to leave assault weapons, when they legally possess them for their under-age beneficiaries at the time of their death through the means of a trust that can possess that assault weapon until the beneficiary turns 21, Mr. Speaker.

It also goes on to clarify that individuals who placed assault weapons on consignment or pawned them before the date of passage can legally get such weapons back at consignment shop. I'm speaking a little out of turn because that will be in Section b, I mean, Senate Amendment "B", so let me not speak about that for the time being.

It also requires firearm dealers who assist individuals with a private sale of long guns to initiate any background checks through DESP instead of contacting the federal government directly.

It also clarifies that criminal background checks required for ammunition certification is a state level background check as opposed to a national check.

And it goes on to clarify that semi-automatic rifles that were assault weapons prior to the passage of the underlying bill will continue to be defined as assault weapons.

Mr. Speaker, this was in collaboration of a number of Legislators in this room, also some input from gun retailers and gun manufacturers within our state. So no matter how you stood on the original bill that we did, we tried to clear up a number of issues that were outstanding to a number of Legislators in here on both sides of the aisle that received input either from their constituents or the gun industry or retailers within our state.

So I'm happy that this fix is before us and I do move for its adoption.

SPEAKER SHARKEY:

Thank you, sir. The question before the Chamber is adoption of Senate Amendment "A". Will you remark? Representative Miner of the 66th.

REP. MINER (66th):

Thank you, Mr. Speaker. I'm not sure whether anyone intended for comments to be made about the bill in general to be made now or after the next amendment gets done, but let me just say that I intend to support this Amendment and would certainly have maybe a couple of questions to ask the good Representative once this is passed.

SPEAKER SHARKEY:

Thank you sir. Again, for those who wish to question, offer questions on Senate Amendment "A"? Representative Noujaim. On Senate Amendment "A"? Thank you. Representative Sampson of the 80th, on Senate "A".

REP. SAMPSON (80th):

Thank you, Mr. Speaker, I do have a couple of questions on Senate Amendment "A".

SPEAKER SHARKEY:

Please proceed, sir.

REP. SAMPSON (80th):

So, through you, Mr. Speaker, to the proponent. I want to stick to just one very, very small section, which is Lines 295 through Line 297 of LCO 8513. I'm wondering if the kind Chairman of the Public Safety Committee would share with me what this language means?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

Mr. Speaker, just give me a moment. Mr. Speaker, through you, I just wanted to make sure I was looking at my notes. I believe in my quick overview that I might have stated before and it's still in existence.

Anything that was banned prior to the bill is still banned. Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Sampson.

REP. SAMPSON (80th):

Thank you, Mr. Speaker. I guess the question I have is, it's a very confusing section. It refers to sections of an underlying statute and a subsequent revision and then an effective date, and I'm wondering

if the Chairman would let us know what those sections require?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

Through you, Mr. Speaker, I know that it talks about the revision in 1958 and then revised January 1, 2013. Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Sampson.

REP. SAMPSON (80th):

Thank you, Mr. Speaker. Okay. Well, I guess I will describe what my understanding is, and that is that prior to the bill being passed early in April, we had an assault weapons ban in Connecticut, and it included both center fire and rim fire firearms.

And it made any weapon that had a detachable magazine subject to a provision that if it had two cosmetic features it would become an assault weapon.

When the bill was passed earlier this year, a policy change was made so that we would be changing the definition of an assault weapon to include only

center fire rifles and ones that have a pistol grip, a detachable magazine and one cosmetic feature.

So my understanding here is that this language is going to say that any firearm that might have been subject to the earlier definition is now also banned as well as weapons that are defined by the new definition of assault weapon. Through you, Mr. Speaker, is that correct?

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

Through you, Mr. Speaker, I know there's been some confusion on that in referencing the rim fire semi-automatic firearms with detachable magazines, but to the good gentleman, that answer I would say would be, yes.

SPEAKER SHARKEY:

Representative Sampson.

REP. SAMPSON (80th):

Thank you, Mr. Speaker. So certainly there are folks that purchased firearms after the previous bill passed early in April that would have not fit into the new definition of assault weapon, and for simplification for the Chamber, I would say anything

that is a rim fire weapon, which some of us learned were called plinkers also, would no longer be banned and considered assault weapons at that time. Is that correct? Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

Through you, that is correct, yes.

SPEAKER SHARKEY:

Representative Sampson.

REP. SAMPSON (80th):

Thank you, Mr. Speaker. So my understanding is that this particular language is going to make it that those weapons that we unbanned as of the earlier bill in April are now going to be re-banned again. Is that correct?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

Through you, I would say that answer is yes, too.

SPEAKER SHARKEY:

Representative Sampson.

REP. SAMPSON (80th):

Thank you, Mr. Speaker. I guess my only concern here is that this particular bill has been described as the fix it bill for some time, and I do appreciate the effort and energy that has been put in it, because I think on the whole it does many, many good things that were required because of the haste and confusion that was created by the bill that we passed in April.

And I am very, very pleased to see the number of changes, which were enumerated by the Chairman of the Public Safety Committee, including, you know, taking care of folks that had certain firearms in limbo, per se, say at a gun dealer or something like that, and some of the other changes that are in here.

I'm a little disappointed because I have a list of about 25 or so fix its that have come to our attention since that bill was passed, and we really only addressed a very, very small number of them, but I would in general say any progress to clarify what the law is for our law abiding citizens in our state is a positive move.

This, however, I don't see as a clarification. I see this as a policy change. The fact is, we are going to ban more firearms if we pass this than are

currently banned, and for that reason I will be voting no on this Amendment.

Thank you, Mr. Speaker.

SPEAKER SHARKEY:

Thank you, sir. Do you care to remark further on Senate Amendment "A"? Representative Miner for the second time.

REP. MINER (66TH):

Thank you, Mr. Speaker. I attempted to try and get us to a, you know, to a point in time when we would be able to discuss the bill in total, including the next Amendment, but I'm afraid that if we move off of this point, there may be some confusion about what my understanding this section does versus what just occurred.

In fact, to kind of highlight that, when the Senate passed the bill there was an attempt to, I think, clarify that question through an Amendment on the Senate Floor, and if I could ask your indulgence to talk about what occurred that would have made clear that any changes in perceived policy or policy that may have occurred on the day that we voted on the underlying bill that we're attempting to fix, which would have been the April 4th date.

That if people perceive that to be a change in policy, that that policy would then move forward. I'm not convinced that that in fact was the case. In fact, the Senate Amendment failed, and my understanding is that the crux of that Amendment was, how many, what's the phrase, options, features, is one allowed to have and was one allowed to have on a long rifle and qualify as an assault weapon.

I think we all understood when we took the bill up originally that this had to do with the detachable magazine and a pistol grip, and Representative Dargan and I went to speak with the two people that were involved in the debate upstairs, Senator Guglielmo and Senator Hartley relative to that secondary Amendment, which failed, to try and clear up whether or not it was the intention on April 4th to allow a rim fire gun with more features to be legal, fall outside that, I think what some people referred to as the assault weapon ban.

And after that conversation, including staff and the Senate, in fact, there was a very clear understanding I think on both Representative Dargan's part and mine that what this Amendment attempts to do is to make it clear that rim fire long rifles with a

detachable magazine under the law now as it stands in the land can only be ten rounds to be sold in the State of Connecticut, can have a pistol grip but can't have an additional feature.

So the feature would be exactly the way it was pre-April 4th, so let's pick April 1st. And what we did in the State of Connecticut was decouple the larger center fire rounds and the smaller rim fire rounds, which gets to a level of technicality that eludes even me sometimes.

So if I could, a question through you to Representative Dargan, please.

SPEAKER SHARKEY:

Please proceed, sir.

REP. MINER (66th):

Representative Dargan, in Section 3 the language that was just referred to, is it true as the Amendment is drafted that certain rim fire semi-automatic firearms with detachable magazines mentioned in this Section that were legal on April 1st, would still be legal as of the passage of this bill? Through you.

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

Right. Prior to that date of April 1st, yes.

SPEAKER SHARKEY:

Representative Miner.

REP. MINER (66th):

And so I think what that attempts to highlight is, if someone today, the bill hasn't passed yet, was to walk into a gun dealer and want to buy a long rifle with a detachable magazine and a pistol grip, and it met this new language, that would still be legal.

After the passage of this bill, if I were to ask Representative Dargan, if that same long gun with two more features on it was to be bought after the passage of that bill, would that purchase be legal? Through you.

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

Through you, Madam, Mr. Speaker, how many features? Through you.

SPEAKER SHARKEY:

Representative Miner.

REP. MINER (66th):

Two more features beyond the features that would have been legal on April 1st.

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

In that case we go with the one plus one rule, one plus two would be illegal. Through you.

SPEAKER SHARKEY:

Representative Miner.

REP. MINER (66th):

Right. So the question becomes for the Chamber, what was our intention on the 4th, and I can tell you from my perspective, I didn't think the intention of this Chamber or the other was to expand the possibility when it came to these types of guns, but I do think that we very clearly wanted to make a distinction between low caliber and large caliber and I think that's where the confusion came in, Mr. Speaker, and so, gun aficionados, not to their fault and gun dealers may very well have sold a gun from April 4th to now that had more than one feature.

And what this Amendment attempts to do is to respect the fact that we may have said that and clarify the fact that someone may, in fact, may have bought it, but you can keep it.

And just as you wouldn't have been able to buy it on April 1st, you won't be able to buy it after the passage of this bill because of the additional features. And the only reason you would have to register it would be that it qualifies under the feature standard that we have in the bill, the underlying bill, as an assault weapon.

So, I understand, and I'm probably as pure a gun nut as anybody and this may be a defining moment where some people decide that I'm not, but I do believe that the reason for this was to try and clarify questions that have come to the Chamber, this Chamber, and upstairs, irrespective of party, to make sure that no one inadvertently became a felon.

I don't think that was your intent. That wasn't mine. Whether you voted for the bill, as Representative Dargan said, or you didn't, I think the majority of this Amendment provides clarity in some areas that I intended to take up later, and I may, so that people do the right thing, and we recognize in this section that some people may have bought guns that we may not have been as clear as we could have been or may not have done what some of us wanted to have happen, but I think it does do what we intended

pat/gbr
HOUSE OF REPRESENTATIVES

281
June 3, 2013

to do under the fix it bill, so to speak. Thank you,
Mr. Speaker.

SPEAKER SHARKEY:

Thank you, sir. Do you care to remark further on
Senate Amendment "A"? The distinguished Minority
Leader, Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker. Ladies and gentlemen, we
are blessed to have so many people in the Chamber and
first among them, Representative Miner, who are so
familiar with first of all, our gun laws and firearms
in general.

I'm one of the people who are not that familiar,
but had to do a crash course, certainly, while we were
debating the gun bill that was passed in April.

With regard to the issue that was brought up by
Representative Sampson, if the Chamber will indulge
me, because maybe many people who are not firearm
experts will understand the lingo that I'm about to
try to explain.

Prior to April 4th when we passed the gun bill,
our laws said, since 1994, that if you have a long gun
it will be considered an assault weapon if you have a
detachable magazine and two of the following features,

a pistol grip, a flash suppressor, a grenade launcher and a folding stock or telescopic stock. Maybe there were more. I know those four.

So you had guns that had a detachable magazine and a pistol grip, but a solid stock, no flash suppressor, no bayonet clip, no grenade launcher, et cetera. Those were legal.

In that 1994 law, we never distinguished between center fire rifles and rim fire rifles. During the negotiations in the gun debate this April, we, as Representative Miner correctly stated, wanted to distinguish as we redefined what an assault weapon was, between a center fire rifle and a rim fire rifle or 22 caliber or plinker, as it's been called.

So we also wanted to redefine what an assault weapon was. We said an assault weapon is a long gun that has a detachable magazine and one of the following features, pistol grip or thumb hold stock, a bayonet clip, grenade launcher, folding or telescopic sight, et cetera.

We said that if a plinker or a 22 caliber, a rim fire rifle had the old test, those two, that two-pronged test, that was not going to be considered an assault rifle. We excluded that from the definition

and as we speak here today, and if this bill passes tomorrow and the next day, those 22 caliber guns that might look exactly like the ones that we now ban or call assault rifles, are legal. They were then and they are now, and they will be tomorrow if we pass this bill.

So let's be clear about that. This bill does not all of a sudden consider 22 caliber rifles that have a detachable magazine and one of those features, an assault weapon. It does not. We purposely excluded 22 calibers from the law we passed in April and they will continue to be excluded. Period. End of story.

Where the confusion comes, is that it could have been interpreted, and that is why it's necessary to clarify, that when we passed the bill in April, we not only excluded these rim fire 22 caliber rifles from the new definition of assault weapons, but we excused them from the old definition of assault weapons as if we now were saying you could buy a 22 caliber with a bayonet clip, a grenade launcher, a folding stock, et cetera. That was never, ever, ever the intent.

However, because that was not addressed in the bill passed on April 4th, as has been pointed out, there are some people that might have thought, aha, we

can now do that, and they might have purchased a gun that not only had a pistol grip, detachable magazine, but maybe an additional feature or features such as a folding telescopic stock, a bayonet clip, a flash suppressor or a grenade launcher.

I believe you'll find in the next Amendment that we're going to say, okay, we get that you got confused upon that and you could keep it, as long as you register it, but we want to make clear that we certainly weren't expanding what we did in 1993, or I should say undoing what we did in 1993, and confirming that 22 caliber rim fire rifles that have a detachable magazine and one of those features will not be treated like an assault weapon.

So I want that to be very clear with regard to this bill. That's coming sort of from a layman's point of view, but there was talk about that, oh my God, we thought that rim fired 22 calibers with a detachable magazine and one feature, be that the pistol grip were okay now and continue to be, were okay then and continue to be okay, or in other words, exempted from what we did April 4th, and oh my God, this bill will change that.

No. No. No. No. Wrong. It doesn't. We continue to make a distinction in this state between center fire rifles and rim fire rifles. What this bill does is clarify so many of the issues that were matters of confusion based on the other bill.

From a gun owner's point of view, a law-abiding gun owner's point of view, this bill clarifies many things and gives people back what may have been withheld from them because of the confusion, because with due respect, regardless of what you thought of the other bill, whether you voted for or against it, it was never, ever, ever, the intention of that bill or this bill, God knows, to confiscate or take away or deprive something of somebody that they already lawfully own. Never. No one is losing a gun.

And it would be a shame, in my opinion, if this Amendment, which was done on behalf of and for law-abiding gun owners who were caught in that confusion to have this Amendment interpreted as anything but that.

So, Mr. Speaker, I stand in support of this Amendment. Thank you.

SPEAKER SHARKEY:

Thank you, sir. Do you care to remark further on Senate Amendment "A"? Do you care to remark further on Senate Amendment "A"?

If not, let me try your minds. All those in favor of Senate Amendment "A" please signify by saying Aye.

REPRESENTATIVES:

Aye.

SPEAKER SHARKEY:

Those opposed, Nay.

REPRESENTATIVE:

Nay.

SPEAKER SHARKEY:

The Ayes have it. The Amendment is adopted. Do you care to remark further on the bill as amended? Representative Dargan.

REP. DARGAN (115th):

Thank you very much, Speaker Sharkey. The Clerk is in possession of LCO Number 8619. May he please call and I be allowed to summarize.

SPEAKER SHARKEY:

Will the Clerk please call LCO Number 8619 which has been previously designated Senate Amendment "B">

THE CLERK:

Yes, Mr. Speaker. LCO Number 8619 designated
Senate Amendment Schedule "B" offered by Senator
Williams and Representative Sharkey et al.

SPEAKER SHARKEY:

The gentleman has asked leave of the Chamber to summarize. Is there objection? Is there objection? Seeing none, you may proceed with summarization, sir.

REP. DARGAN (115th):

Thank you very much, Mr. Speaker. I know that the six respective leaders are on this Amendment, but this really is the Representative Miner Amendment because at about 11:00 this morning, we went up to the Senate Chambers to deal with a clarification that Representative Miner seen fit and of course, as some Senate Democrats will do, they were in a little bit of opposition to doing anything.

As they said to me and Representative Miner, well, you had plenty of time to look at it. Now, using a Larry Cafero, Representative Cafero moment, I didn't get it until midnight Saturday, so we didn't have a lot of time to really look at it. So I'm in agreement with my Minority Leader but the good sense of the Senate Democrats, they decided to go forth because they were a little scared of Representative

Miner and Representative Dargan and they heard that Representative Sampson was coming up next, and that really scared them, so that's why we have this Amendment before us.

This Amendment specifically deals with, the one section deals with the trust and/or beneficiary and the other issue dealt with licensed gun owners or pawn broker license with some issues of people that might have taken their guns to the pawn brokers and during the confusion they weren't necessarily able to get them back, so I move for its adoption.

SPEAKER SHARKEY:

The question before the Chamber is adoption of Senate Amendment "B". Do you care to remark?
Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker. With the exception of all the other comments that Representative Dargan made, just sticking strictly to the facts on Page 2, I think what this does, this language here does align the treatment of hand guns that may have been left in a consignment or pawn broker facility so that they can get their gun back and I that's under the underlying bill as amended. That takes the same action with

regard to long guns, so I would suggest passage, thank you. Or urge passage.

SPEAKER SHARKEY:

Thank you, sir. Do you care to remark further on Senate Amendment "B"? Do you care to remark further on Senate Amendment "B"? Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker, good afternoon, sir. Through you, Mr. Speaker, I do have a couple simple questions to Representative Dargan if I may.

SPEAKER SHARKEY:

Please proceed sir.

REP. NOUJAIM (74th):

Thank you, sir. To Representative Dargan, if I may ask you, on Line 7 it takes away the two words, this act and replaces it by Public Act 13-3. Would you be kind enough to describe for us the difference between what this act means versus Act 13-3. Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

Through you, Mr. Speaker, this just clarifies the language underneath the larger Senate Amendment "A".

It wasn't clear. This basically clarifies the language if, in fact, there is a trust and/or beneficiary that wanted to leave a gun or a number of guns to some individual that was under the age of 21. Through you.

SPEAKER SHARKEY:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker. And through you, Mr. Speaker, to Representative Dargan. So essentially in the previous bill that was passed some time back in April, that ability of a dealer to transfer those guns to a trust were not there in the bill, but now they are, if I'm correct?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

Through you, Mr. Speaker, in that section, that is correct. It was not clear to some of the owners of these specific individual shops, stores, consignment, pawn brokers, whether or not after the effective date if they would be in violation of the law and it was not the intent of this General Assembly to do that,

and that's why this fix is here. Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you. Thank you, Mr. Speaker. Thank you, Representative Dargan. And through you, Mr. Speaker, if I'm correct, Lines 15 and 16 basically specify that all of this that we have just spoken about will be eligible and effective until October 1, 2013, and then after that would this become a violation of the statute?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

Through you, Madam Speaker, Mr. Speaker, that would be correct, yes.

SPEAKER SHARKEY:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker. So for legislative intent then, we have like now a grace period, if I may call it that way, between April 14, 2013 and October

pat/gbr
HOUSE OF REPRESENTATIVES

292
June 3, 2013

1, 2013 for the purpose of doing the transfer of those weapons, if I'm correct? Through you, Mr. Speaker.

SPEAKER SHARKEY:

If I may just clarify sir, did you say April 14th or April 4th.

REP. NOUJAIM (74th):

April 4th, Mr. Speaker. Thank you.

SPEAKER SHARKEY:

Thank you. Representative Dargan.

REP. DARGAN (115th):

Through you, that is correct, yes.

SPEAKER SHARKEY:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker. I truly appreciate the answers and I do intend to support this Amendment.

Thank you, sir.

SPEAKER SHARKEY:

Thank you, sir. Would you care to remark further on Senate Amendment "B"?

If not, let me try your minds. All those in favor of Senate Amendment "B" please signify by saying Aye.

REPRESENTATIVES:

Aye.

SPEAKER SHARKEY:

Those opposed, Nay. The Ayes have it. The
Amendment is adopted.

Do you care to remark further on the bill as amended? Do you care to remark further on the bill as amended? Representative Dargan. Representative Miner of the 66th.

REP. MINER (66th):

Thank you, Mr. Speaker. On the bill as amended, I didn't remember everything that Representative Dargan mentioned. Some of those went immediately out of my mind when they included my name and others, but I know there was another issue that gun manufacturers came to us with and that was the ability to move parts around the State of Connecticut, and all of us, I think are concerned about jobs.

And the best I can determine, this bill allows them to continue to deal with subcontractors within the State of Connecticut, so if someone manufacturers a receiver, they can send it out and have it powder coated. They can have it tooled. They can have it, whatever it needs to be done prior to the law, they'll be able to do that again under this bill.

It's my understanding that there may still be a bit of a question with regard to warranty. Under federal law, if I were to send a gun back through a dealer to a manufacturer it's my understanding, Mr. Speaker, that they can't all be fixed and from time to time they actually replace that gun and if the Members of the Chamber don't know, that's a paperwork nightmare, because that serial number is assigned to you, and so I'm hoping that after the passage of this, we'll be able to work administratively with DESP to make sure that for those, that in those very rare occasions when someone who lawfully owns a gun sends it back in good faith to have it repaired, and finds that they can't send that exact gun back, which is required under federal law, that we will permit that kind of an exchange in those circumstances.

I'm not sure it's prohibited in here, but I think the gun manufacturers are asking for some clarification and I certainly would commit to try and work on that in the future.

Mr. Speaker, I opposed the original bill for a number of reasons and I support this language because I think it does attempt to at least square the intent of that bill on that night, on that day, with what the

public was hoping to have happen. They didn't intend to get their gun caught up in a consignment shop somewhere. They didn't intend to do anything wrong in buying a gun that may not have met our intent.

There were a lot of questions that I was asked about how far below the stock of a handgun can the magazine be? They went on and on and I think on a lot of people's parts they tracked questions and tried to get answers. And so to the extent this fixes some of those answers.

I think it's the best kind of public policy decision I could make, having voted against the original bill because I do think it provides clarity to the extent that it is, and as Representative Dargan said, if there are other things that come to our attention, I think there are good people in this building and I think that if we can continue to try and address those questions and keep law abiding citizens out of trouble, we'll all be better for it.

So thank you, Mr. Speaker.

SPEAKER SHARKEY:

Thank you, sir. Do you care to remark further on the bill as amended? Representative Altobello of the 82nd.

REP. ALTOBELLO (82nd):

Thank you, Mr. Speaker. Just a question or two to the proponent of the bill as amended, please.

SPEAKER SHARKEY:

Please proceed, sir.

REP. ALTOBELLO (82nd):

Thank you very much. Through you, Mr. Speaker, on the day that the Governor signed the bill, and I think you had indicated earlier that it was approximately 12:20 in the afternoon, there were still people trying to purchase firearms and their State Police checks were going on for many hours after that.

Through you, Mr. Speaker, my question is, does the language in this bill as amended more or less validate those purchases that actually were finalized after the Governor signed the bill? Through you.

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

Through you, Mr. Speaker, there was some confusion on that. I would say, any purchase that day to midnight or to the next day would not be in violation of the law.

Through you.

pat/gbr
HOUSE OF REPRESENTATIVES

297
June 3, 2013

SPEAKER SHARKEY:

Representative Altobello.

REP. ALTOBELLO (82nd):

Thank you again, Mr. Speaker, and I thank the proponent. I had just read an on-line account of what happened in the Senate and the answer would have been contrary, so I just wanted that clarified. Thank you.

SPEAKER SHARKEY:

Thank you, sir. Do you care to remark further on the bill as amended? Representative Noujaim of the 74th.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker. Good afternoon to you sir, again.

SPEAKER SHARKEY:

Good afternoon, sir.

REP. NOUJAIM (74th):

On the bill as amended, obviously I rise in support of this bill. I do have some questions that I would like to ask, through you, to Representative Dargan, primarily for legislative intent and clarification. Through you, Mr. Speaker.

SPEAKER SHARKEY:

Please proceed, sir.

REP. NOUJAIM (74th):

To Representative Dargan, I'm looking at Line 54 and basically old language on Line 54 says, members or employees of the. That has been eliminated and replaced by the Department of Emergency Services and so on, and then it also continued to the Division of Criminal Justice, Department of Motor Vehicles and so on.

Would you be kind enough to describe, how would this be different if we are saying the Department, what does this mean? Does this mean perhaps a part-time employee of the Department would be eligible for the same privileges and benefits? Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

Through you, Mr. Speaker, yes, that is correct. Sometimes when they reference Department, some law enforcement communities are either state agencies will do the purchasing of firearms. Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker. So through you, Mr. Speaker, if I am a part-time employee of any of those organizations that are referenced in this section, would I be eligible then to go out and purchase an assault weapon in my own name? Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

Through you, Mr. Speaker, the answer to that would be no.

SPEAKER SHARKEY:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker. So through you, Mr. Speaker, to Representative Dargan, in reference to this paragraph, then, would the good Representative describe to me what is permissible then in this paragraph? How do they purchase these assault weapons and why are they listed accordingly?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

Through you, Mr. Speaker, as I stated before, it would be up to that specific Department in order to buy those firearms. Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker. So I presume then, through you, Mr. Speaker, that those weapons will be purchased by the Department to be used by one specific employee during the discharge of his or her own duty as employee of that Department. Am I correct? Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

The answer is yes. Through you.

SPEAKER SHARKEY:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker. And through you, Mr. Speaker, if that employee leaves the Department and that employee is somehow, let me rephrase that.

If the employee leaves the Department, would he or she be obligated immediately to turn over their weapon back to the Department? Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

Through you, Mr. Speaker, in most cases that service revolver or long gun is probably owned by that specific Department, but there was language in respect to, if in fact that someone who was POST certified on his or her on the time of their retirement, they would have X amount of days, similar to everyone else in order to register that specific gun. Through you.

SPEAKER SHARKEY:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker. And that's exactly what I'm leading to because later on in the bill it says that 90 days after the discharge or retirement, they will be able to go register the gun and keep it under their own name.

So if that is the case, then we do have a previous employee who somehow owns on his or her own, an assault weapon, and will this be permitted then?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

Through you, Mr. Speaker, a number of communities, law enforcement communities, in some of them they purchase the weapon. In other communities, they get permission from the chain of command in order to purchase a specific weapon.

In that case, if it's in the time of his or her employment, that person would be exempt. But on the retirement of that specific individual, that individual purchased the gun, he or she would have to register it just like any other individuals within the state underneath the current bill. Through you.

SPEAKER SHARKEY:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker. And through you, Mr. Speaker to Representative Dargan, I would like Representative Dargan, just for legislative intent, to

explain in Line 76 and 77 the meaning of nuclear facility licensed by the United States. Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

That was an issue, that's a good question, because I know when there was questions early in this, the Nuclear Regulatory Authority, which we have a facility in Waterford, Connecticut, underneath federal law, they carry a minimum of a 30 magazine clip, so that's what that's related to. Through you.

SPEAKER SHARKEY:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker. And through you, Mr. Speaker, to Representative Dargan, Line 109 to 111, it seems to me now this is new language that says a trustee or an executor of an estate will be able to transfer an assault weapon to someone else.

And for legislative intent, would this mean that my executor, who in this case happens to be my daughter, will be able to transfer assault weapons from my name to somebody else as being the executor or

pat/gbr
HOUSE OF REPRESENTATIVES

304
June 3, 2013

the trustee of an estate. Am I correct in that?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

Through you, Mr. Speaker, yes. The answer is
yes.

SPEAKER SHARKEY:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker. And through you, Mr.
Speaker, I'd like for legislative intent once again,
classify and clarify Lines 295 to 297, and I think
Representative Miner and Representative Cafero cleared
this matter in a very, very eloquent manner. I just
want to make sure that nothing that was not banned in
the previous bill that was passed back on April 4,
2013 is going to be banned in those three lines, 295
to 297, for legislative intent.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

Can you hold up just one minute, Mr. Speaker?

I'll make sure I have the right answer.

SPEAKER SHARKEY:

Please take your time, sir.

REP. DARGAN (115th):

Mr. Speaker, I apologize for that. Through you, Mr. Speaker, I just wanted to, I was looking at some of my notes from before, so I apologize.

Through you, the answer would be, anything that was banned prior would still be banned. Through you.

SPEAKER SHARKEY:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker. I'm satisfied with his answer. And through you, Mr. Speaker, I am looking at Lines 385 and 386 and later on in some other lines of this legislation. It speaks about Olympic trials or target shooting.

I don't know if we have too many Olympic trials in the State of Connecticut, but if we are mixing Olympic trials and target shooting, would this mean that anyone now who would want to go target shooting or target practicing could claim that I am trying to prepare myself for an Olympic trial and therefore be

able to own those assault weapons for this purpose? I hope I am clear on this. Just to make sure, for legislative intent. Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

Through you, Mr. Speaker, although DESP will deal with a number of these issues, this is really a small, small percentage of international Olympic target shooting type of individuals, including U.S.A. Shooting and on a collegiate level. Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker. And the same continues on Line 500 to 505, so it is very important to clarify this matter. As long as we know it is on the collegiate level now. Thank you, Mr. Speaker.

Thank you, Mr. Speaker. These are all the questions that I have. I appreciate the time of the Chamber. Thank you, Mr. Speaker.

SPEAKER SHARKEY:

Thank you very much. Would you care to remark further on the bill as amended? Representative Piscopo of the 76th.

REP. PISCOPO (76th):

Thank you, Mr. Speaker. Mr. Speaker, I have been listening pretty carefully to the debate. I read the Amendments and I just have one, and I understand all the answers. I just have one quick question. It's to do with a firearm manufacturer.

There was a firearm manufacturer, I think it's Stag Firearms in New Britain, Connecticut. An entrepreneur, he makes firearms, and he analyzed the Connecticut law very carefully, so he developed a weapon that was to conform with the law we passed in April.

My question to you, my question to the proponent through you, Mr. Speaker is, would the new weapon that Stag has just developed, he had a prototype. It's in production. No one has bought it yet. Would that be acceptable under this language?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

Through you, Mr. Speaker, I honestly can't answer that question because I don't know if the prototype to that gun is done and Stag Arms would probably be better having a conversation with the permitting unit of DESP in order to see if it's in the legal definition of the law.

So I'm sorry, Representative Piscopo that I can't give you a more definitive answer, but I think that, whether it's Stag Arms or another, a number of other manufacturers within the state, if they do go forward with a new specification and/or prototype, that they have that conversation with the authority that will regulate all the licensing components and what the actual law does.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Piscopo.

REP. PISCOPO (76th):

Thank you, Mr. Speaker, and I thank the gentleman for his answer.

SPEAKER SHARKEY:

Thank you, sir. Do you care to remark further on the bill as amended? Representative Bolinsky of the 106th.

pat/gbr.
HOUSE OF REPRESENTATIVES

309
June 3, 2013

REP. BOLINSKY (106th):

Thank you, Mr. Speaker. Good afternoon. Is it evening yet? Good evening.

DEPUTY SPEAKER ORANGE:

Good evening, sir.

REP. BOLINSKY (106th):

This is cool. Mr. Speaker, through you, I have a comment for the proponent of the bill, as well as a question.

SPEAKER SHARKEY:

Please proceed, sir.

REP. BOLINSKY (106th):

Okay. As far as the comment goes, I want to thank the proponent and the workers of the bill for fixing some of the unintended consequences in the original legislation. It, I believe, represents a good body of work.

My question, however, revolves around a provision of the Homeland Security Act of 2006 and HR218, officers and retired officers qualifying under the same criteria as active officers may carry firearms anywhere in the United States and that includes over state lines with some restrictions.

I'm wondering in the 45 pages of Amendment that are standing before me right now if we have addressed this particular concern? Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

Thank you very much, Mr. Speaker. There is a lot of discussion on the underlying bill and discussion within the fix up bill, too, that we didn't want to hurt any law enforcement official in his or her capacity of the law, but there is a number of other individuals that said, that came to us that said, law enforcement should not get a carve out and if they're not in the law enforcement activity and/or community, when they're retired that they should have to go underneath the same laws on registering as every other good gun law-abiding citizen within the state.

And I know there's been some discussion from retired law enforcement officials that I have talked to and we haven't dealt with that in this part of the, this, the larger Amendment or the smaller Amendment before us.

Through you, Mr. Speaker.

DEPUTY SPEAKER ORANGE:

Representative Bolinsky.

REP. BOLINSKY (106th):

Thank you to the good gentleman, and through you, Mr. Speaker, you know, I would submit that if we're talking about, and I'm not certain how to qualify any of this, Representative Dargan, but if we're talking about a retiree who's a relatively recent retiree, and he's following all of the laws.

For instance, the individual to whom I'm referring right now does re-qualify annually with the Police Academy, you know, here in Connecticut, and, you know, I believe that, you know, in doing such he qualifies himself under the Homeland Security Act as if he were a law enforcement agent, even though he's not currently employed, you know.

He serves a role that would not be all that different from an air marshal on an aircraft, except he's not active duty, but you know, being there covertly undercover, you know, a crime could certainly be prevented by having somebody with 30 years of law enforcement service available with a firearm, qualified, you know, once a year to be sure that they are, you know, okay to carry that and still understand the basic objectives of the job of law enforcement.

Through you, Mr. Speaker, is there something we can do to address that, and can it be put on our next wish list?

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

Through you, Mr. Speaker, I know on the federal level, federal law dealing with air marshals and the Justice Department and the FBI, although on a local and state level the example that you gave of a peace officer, someone that's retired that's still in good standing gets recertified through POST, that individual right now would have to go through the normal process of registering his or her guns and if the person, that individual did come out of retirement and worked in a peace officer status that was POST certified, he or she at that time would be able to carry that service revolver. That would not be subject to the current bill or the prior bill that we did.

But to the last part of your question, we'll probably as we move forward will have further discussions and since I hear from a lot of law enforcement personnel on this, we'll look at it and

pat/gbr
HOUSE OF REPRESENTATIVES

313
June 3, 2013

discuss it further in the future and I appreciate your input to that issue and try to come to some resolution to that issue. Through you, thank you.

SPEAKER SHARKEY:

Representative Bolinsky.

REP. BOLINSKY (106th):

All right. Also through you, Mr. Speaker, thank you very much, Representative Dargan. I look forward to working with you on that and thank you very much for the work you've done on this bill.

SPEAKER SHARKEY:

Thank you, sir. Do you care to remark? Would you care to remark further on the bill as amended? Representative Sampson of the 80th.

REP. SAMPSON (80th):

Thank you, Mr. Speaker, and good evening.

SPEAKER SHARKEY:

Good evening, sir.

REP. SAMPSON (80th):

I have a couple of questions for the proponent of the bill on the bill as amended.

SPEAKER SHARKEY:

Please proceed, sir.

REP. SAMPSON (80th):

Thank you, Mr. Speaker. I'm hoping the Chairman of the Public Safety Committee, who's done a fine job of answering the questions so far can help me out on a couple of things.

We determined that back in April, we made a policy change with the regard to what rim fire firearms would fall under an assault weapons ban, and if this amended bill passes, we will be again making another change, albeit from what I understand, to revert back to what the law was prior to the beginning of April, and that's really what I'm inquiring about. Two things.

First, what happens to anyone that purchased a firearm between the passage of the first bill and if this bill passes? It's my understanding that we are in some way protecting them, but I'm hoping that the Chairman can illustrate that for us. Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

Thank you very much, Mr. Speaker. I know there's been a lot of discussion and we heard input referencing this certain rim fire semi-automatic

pat/gbr
HOUSE OF REPRESENTATIVES

315
June 3, 2013

weapon with the detached magazine, and with that they could, underneath the law that we passed, they could get a certificate in order to make them legal underneath the law. Through you.

SPEAKER SHARKEY:

Representative Sampson.

REP.SAMPSON (80th):

Thank you, Mr. Speaker. So from what I understand, we are going to essentially allow anyone to make, who made a purchase between the first bill and this one, we're going to grandfather them so they would have been able to purchase a rim fire rifle that is only subject to the one feature test that exists in the new bill, or no features, actually, as long as they purchased it within that window.

Is that correct? Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

Through you, Mr. Speaker, that answer is yes.

SPEAKER SHARKEY:

Representative Sampson.

REP. SAMPSON (80th):

Thank you. Thank you, Mr. Speaker, and thank you to the good Chairman for his answer.

So just a follow up. So I'm wondering which feature tests will be used for rim fire rifles going forward? Will it be the two-feature test that was in existence prior to the bill in April, or is it going to be subject to the assault weapons ban that we have established for all other rifles going forward from that point?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

Through you, Mr. Speaker, I think the correct answer is the Representative would know the so-called one and one.

Through you.

SPEAKER SHARKEY:

Representative Sampson.

REP. SAMPSON (80th):

Thank you, Mr. Speaker. That's an interesting answer because I had interpreted the bill to be the opposite.

So we are in fact not going back to the way things used to be prior to the first bill in April, but instead, making rim fire rifles subject to the new definition of an assault weapons ban. Is that correct?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

Mr. Speaker, I'm so used to, there's so many different definitions, so let me back up. I misquoted myself with the one and one. It would be one and two, through you, with the rim fire, so let me just clarify that.

SPEAKER SHARKEY:

Representative Sampson.

REP. SAMPSON (80th):

Thank you, Mr. Speaker, and I believe that by one and two, you mean the prior definition of assault weapons ban, prior to the passage of our bill in April, which would mean that you would still be able to purchase a 22 rim fire rifle that has a pistol grip and up to two features. And I'd like to make sure that that is indeed the case.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

Through you, Mr. Speaker, no, it would be back to what I previously stated. It would be one and one.

Through you.

SPEAKER SHARKEY:

Representative Sampson.

REP. SAMPSON (80th):

Thank you, Mr. Speaker. It is my understanding that the previous assault weapons ban allowed center fire and rim fire rifles with a pistol grip and a, because it's not mentioned at all in the previous assault weapons ban, a pistol grip. It does not matter but I'm pointing it out as a point of difference between the new one, a detachable magazine and a pistol grip and two features.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

Can he repeat that question, because I didn't hear it. Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Sampson, could you repeat the question? Representative Sampson, could you repeat your question?

REP. SAMPSON (80th):

Thank you, Mr. Speaker. I'm just trying to clarify if this amended bill passes and I want to manufacture or save up or purchase a rim fire rifle in the future under this amended bill, which assault weapon ban applies, and I believe we said it would be the assault weapons ban that was in effect prior to 1994, in which case, I'm just trying to clarify that a rim fire rifle that has a detachable magazine and a pistol grip could still have two features?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

Through you, Mr. Speaker, I stand corrected. I think the ban in 1994 was one and one, too. When the federal assault weapon ban expired, our state ban stayed in effect.

Through you.

SPEAKER SHARKEY:

Representative Sampson.

REP. SAMPSON (80th):

Thank you, Mr. Speaker, and thanks to the gentleman for his answer.

I have in front of me here the statute, 53-202a and I don't really want to belabor this point. I just think it is very important to a number of individuals in our society, law-abiding citizens who are interested in manufacturing and purchasing and using firearms in our state, to know exactly what this law is going to do.

And if you look at 53-202a, it says that the assault weapons ban is going to apply to a weapon that has a detachable magazine and a combination of any, no more than two of the following.

Now, it doesn't mention pistol grip. The reason why I'm bringing that up is because we've only added pistol grip as a feature in the new assault weapons ban. So I want to be sure that it doesn't matter with respect to a rim fire rifle whether it has a pistol grip, and it will be subject to this original assault weapons ban that was in effect prior to April.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

Through you, Mr. Speaker, I believe that pistol grip was in the old ban, too. Through you.

SPEAKER SHARKEY:

Representative Sampson.

REP. SAMPSON (80th):

Well, thank you, Mr. Speaker. However, I am certain that it's not. I don't know how to rectify that situation. I'd rather not read the entire statute here, but it's important to me that for legislative intent that we are actually informed at the extent at which we are changing existing law and I think this illustrates another point, which is that, much like the original law, this was put together without very much public input.

So I'm just going to, I don't know if the gentleman would like to stand at ease for a moment to take an review 53-202a, but I would like very much to make sure that my question is answered properly. Through you, Mr. Speaker.

SPEAKER SHARKEY:

Sir, I believe he's answered your question. If you wish to pose a question, you may, but I would, you

have the Floor and you can ask whatever questions you want.

REP. SAMPSON (80th):

Well, thank you, Mr. Speaker. Well, I have two choices, I supposed. One is to continue with what I believe is correct, or to take the gentleman's response to mean that firearms with a pistol grip, whether they be rim fire or not going forward will fall under the assault weapons ban.

If that is the case, then we will be in effect, banning a great number of firearms going forward from this bill that were not previously banned.

If that is not true, we will still be banning a great number of firearms that were not previously banned before April, and we made an impact on people that owned these firearms, who certainly after that law was passed, looked it up to find out whether their firearm would fall under the requirement of being registered or not.

There are people who were prospective buyers, maybe even young high school shooters competing in a league who were contemplating the purchase of such a firearm who will have to change their tact going forward and finally, manufacturers who in an attempt

to adapt to our recently passed legislation might have made new style firearms for sale.

And for those reasons, I'm going to have to stand in opposition to the bill. And I have to tell you, Mr. Speaker, nothing upsets me more than to vote no on this proposed bill before us.

I understand the effort that was put into it by the parties included. I understand why we are here, is in an effort to fix this bill that was passed regardless of how we voted for it, to take care of law-abiding gun owners who have found gray areas where the loss is after that day.

Unfortunately, I can only support the parts of this bill that actually fix something, and not this one section, which seems to change policy for the negative and ban more firearms than before, and I'm very, very, very upset about it, Mr. Speaker. I was hoping that we would find a way to not have that happen. Thank you, Mr. Speaker.

SPEAKER SHARKEY:

Thank you, sir. Would you care to remark further on the bill as amended? Would you care to remark further on the bill as amended? Representative Ziobron of the 34th.

pat/gbr
HOUSE OF REPRESENTATIVES

324
June 3, 2013

REP. ZIOBRON (34th):

Thank you, Mr. Speaker. I just have a couple of questions to the proponent of the bill, please.

SPEAKER SHARKEY:

Please proceed, madam.

REP. ZIOBRON (34th):

Thank you, Mr. Speaker. I've heard a lot of questions regarding the new definitions of when somebody has a weapon in their line of duty, and I specifically would draw the proponent's attention to Line 60 through 73.

My confusion lies in whether it's a private weapon or a weapon that's been purchased by the Department, and I'm just looking for clarification, Mr. Speaker.

So for instance, on the day of the gun bill, I had several phone calls from state troopers in my district who are concerned about the differences between their own personal weapon and a weapon that may have been issued to them from the Department.

So through you, Mr. Speaker, to the good proponent, is there any difference in that weapon in Lines 60 to 73?

Through you.

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

Through you, Mr. Speaker, the definition again for sworn law enforcement, there's different communities that do it different ways. Some instances the service revolver is purchased through the Department. In other instances, that weapon might be purchased individually for that law enforcement personnel with the understanding that the police chief of that department says that he or she could carry that service weapon in his or her capacity as a sworn law enforcement personnel. Through you.

SPEAKER SHARKEY:

Representative Ziobron.

REP. ZIOBRON (34th):

Thank you, Mr. Speaker. So on Line 73 when it said official duties or when off duty, that would apply to whether the weapon was private or departmentally purchased?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

Through you, the answer would be yes.

SPEAKER SHARKEY:

Representative Ziobron.

REP. ZIOBRON (34th):

Okay. Thank you, Mr. Speaker. And I do appreciate that clarification because in small towns all over the state where we have state troopers, a lot of times I understand that they purchase their own weapons.

Through you, Mr. Speaker, I do have another question. In that same area, I certainly understand why the explanation of different members, for instance organized police departments or people within the Department of Correction certainly, officers within DEEP, but Mr. Speaker, my question is, I really don't understand why the carve out for a salaried inspector of a motor vehicle designated by the Commissioner of Motor Vehicles.

Through you, Mr. Speaker, why is it necessary for these employees to have a large capacity magazine?

Through you.

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

Through you, Mr. Speaker, there are a number of other, a number of state agencies that actually have peace officer status and this was a number of state agencies that came to us, including the State's Attorney's Office, realizing when the initial bill was written and voted upon, that we were not including them and that's the reason for a number of different agencies within that specific section.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Ziobron.

REP. ZIOBRON (34th):

Thank you, Mr. Speaker. So through you, am I to understand then that the chief inspector, oh I'm sorry, a salaried inspector of a motor vehicle has the same duties as a police officer? Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

Through you, Mr. Speaker, that these individuals are POST certified, so the answer would be yes.

SPEAKER SHARKEY:

Representative Ziobron.

REP. ZIOBRON (34th):

Thank you, Mr. Speaker. And I really appreciate that clarification because when you're reading it, to the average lay person you wouldn't realize that's the case.

And lastly, Mr. Speaker, I also have been contacted by a couple of other groups of people who are in dangerous lines of work. For instance, bail enforcement personnel and security personnel.

Through you, Mr. Speaker why were they not included in Sections 60 through 73? Through you.

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

Through you, Mr. Speaker, although I wasn't involved in the negotiations, those individuals that you mentioned are not POST certified or peace officer status.

Through you.

SPEAKER SHARKEY:

Representative Ziobron.

REP. ZIOBRON (34th):

Thank you, Mr. Speaker. So that clarifies that for me, so I guess just for the legislative intent,

only POST certified folks, no matter what department they serve in would be allowed through this area to carry a large capacity magazine? Through you, sir.

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

Through you, Mr. Speaker, I think the answer would be anyone with sworn duties. Through you.

SPEAKER SHARKEY:

Representative Ziobron.

REP. ZIOBRON (34th):

Thank you. So can you please, through you, Mr. Speaker, to the good Representative show me where it says sworn duties, just for my clarification.

Through you, please.

SPEAKER SHARKEY:

Representative Dargan, take your time if you need to.

REP. DARGAN (115th):

No. Through you, if you go to Line 60 that might be of some help and also there's a good example on Line 82 dealing with armed car service personnel that might be helpful to you, that some of the prior organizations you met, that they might in the future

might be able to have conversations with DESP on what some of those specific issues they are in order to possibly in the future be able to have the right to carry in their capacity within their job specification. Through you.

SPEAKER SHARKEY:

Representative Ziobron.

REP. ZIOBRON (34th):

Thank you, Mr. Speaker, and yes, Lien 82 is very helpful for me to understand the difference.

Thank you, Mr. Speaker.

SPEAKER SHARKEY:

Thank you, madam. Would you care to remark further? Would you care to remark further on the bill as amended? Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker, for the second time. I'm appreciative for your indulgence. Through you, Mr. Speaker, I just have one follow up question, which I neglected to ask.

SPEAKER SHARKEY:

Sure.

REP. NOUJAIM (74th):

To Representative Dargan, I'm looking at Line 841 and basically 841 eliminates this entire section, which speaks about a national instant criminal background check, and it is replaced by Lines 847 to 853 where simply they speak about the transfer of calling or contacting the Department of Emergency Services.

But then if I flip back to Line 889 that speaks again about a national instant criminal background check to determine if the prospective transferee is eligible to receive such long gun, and somehow that language confused me because it seems to be taking it out one way and then replacing it and then putting it back in the body of the language. May I inquire, through you, Mr. Speaker, for explanation.

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

Thank you very much, Mr. Speaker. Now what we do is, we ask a firearm dealer instead of going through the national NIKS system to go through our state Emergency Services Public Protection on the possibility of prospective transfer and/or the

purchase of any one of these weapons. Through you,
Mr. Speaker.

SPEAKER SHARKEY:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you Mr. Speaker. Through you, Mr. Speaker,
then am I to conclude that the national background
check is no longer needed as presented in this
legislation?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

Through you, no, it is needed but instead of the
dealers going through the federal system, we feel it's
more efficient for them on transfer of guns or a
number of other issues to go through our Department of
Emergency Service and Public Protection. We feel that
it's a more efficient manner and quick manner because
some of the issues then that on the federal level it's
taken too long in order to get back to specific
dealers on this. Through you.

SPEAKER SHARKEY:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker, and that is basically what I was inquiring about is the length of time that it takes to receive that notification or to receive that permission.

But the question that I still have, so then how is the background check is being provided. Is there still, it seems to me that in Line 889 it specifically says about the national background check.

How is that then produced? Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

Through you, Mr. Speaker, thank you. So you want to apply for a weapon and you're dealer instead of going through HIKS goes through DESP and then DESP and/or the Board of Firearms Permits will go through NIKS in order to get that information back to that dealer.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker. And through you, Mr. Speaker, then in all of this duration that is taken, the time that is requiring to get the permit from the state and the background check, at that time, at any time during this period, would the person buying or purchasing the firearm be in a position of the firearm or he or she would have to wait until all permits, including the background check come back? Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

Through you, Mr. Speaker, the good gentleman what he characterized is correct, yes.

SPEAKER SHARKEY:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker.

SPEAKER SHARKEY:

Thank you, sir. Do you care to remark? Would you care to remark further on the bill as amended? The distinguished Minority Leader, Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker. Mr. Speaker, I'm going to make some general comments on the bill, but before I do, I think it is vitally important that we make some clarification here, because I think in the give and take of several questions that were asked to Representative Dargan, there may be some misunderstandings.

I want to remind the Chamber that before we passed the gun bill on April 4th of this year, we obviously had an assault weapon law on the books in the State of Connecticut. It was 53-202a. And what it said is, that an assault weapon will be defined as follows when it comes to semi-automatic rifles.

It said a semi-automatic rifle that has an ability to accept a detachable magazine, so that's sort of the, that sort of starts it all. If your semi-automatic rifle can accept a detachable magazine it said under the old law, any semi-automatic rifle, either a 22 caliber rim fire or a center fire rifle.

If it had two of the following characteristics, it was considered an assault rifle. Two. If it had two of them, you could have one, but not two of the following features, a folding or telescopic stock, a pistol grip, a bayonet mount, a flash suppressor or a

grenade launcher. If it had a detachable magazine and two or those things it was banned since 1994.

When we passed the law in April, we said we're going to redefine what an assault weapon is and that is, if it has a detachable magazine and one of the following features, and it listed a whole bunch of features, but that rifle had to be a center fire rifle, meaning that we allowed all of the 22 caliber plinkers, as they're called, not to fall under that new definition of an assault rifle, but never the intent to take them out of the old definition of an assault rifle.

So for instance, a question was asked earlier by Representative Piscopo about the announcement Stag Arms, the gun manufacturer, I believe in Bristol announced wherein they took what was an AR-15 model gun that before April was legal, even as a center fire rifle, and after April became illegal as a center file rifle and they made it a rim fire rifle.

And Representative Piscopo said, would that be legal under this current law. The answer is yes, it would. Why? Because it's rim fired, it's semi-automatic with a detachable magazine and it only has one, not two of the characteristics that I, going back

to the old law. It only has that pistol grip, so it would be legal.

I want to make sure we understand that. So that being the case, to go back to Representative Sampson's question, there are no new guns that we, by the passage of the bill that's before us that were legal before that we're making illegal. The exception or clarification pertains to the following.

Between April 4th and today, or when this bill if it passes is signed, there were some that were confused and said, all rim fired rifles are even now exempt from the old ban, meaning they can have a detachable magazine and a pistol grip and a folding stock and a bayonet clip. That's wrong. That's wrong.

But if someone was confused to that and it happened between April 4th and today, to have happened to buy a gun that had those features, we don't want them to be considered criminals.

So this law that's before us that we're about to pass, this bill, says if you happen to be in that category, keep your gun as it is. Just register it.

It is vitally important that that is clear to the gun manufacturers so they know what they can and

cannot do, and to people out there who are gun, law-abiding gun owners so they know how they can remain such.

And that brings, first of all I want to confirm that. Through you, Mr. Speaker, Representative Dargan, are the representations I just made true and accurate for legislative intent? Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

Through you, Mr. Speaker, as we've gone forward this year, there's been a lot of confusion on what that terminology has been and Representative Cafero has characterized that, and the answer is yes. Through you.

SPEAKER SHARKEY:

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker. Ladies and gentlemen, when the whole gun debate started this particular Session, each individual had a different way of thinking about the legislation that we were working on, its purposes, its goals, et cetera.

For me personally, and I happen to be intimately involved in the negotiation of the bill, of course public safety was paramount. But what was also so important to me is two points.

One, that we protected law abiding gun owners, that nothing we were going to do by a word in a bill or the signing of that into law was going to make someone who is law abiding on a Wednesday a criminal on a Thursday. It was wrong to do that.

The second thing that was very important for me personally is that these law abiding gun owners who were in ownership and possession of their various guns, having followed all the rules, were not put in a position by the passage of the bill or the signing of that bill into law wherein someone had to go and take away what they lawfully owned.

Those three things were of paramount importance to me. Public safety to make sure we weren't making law abiding gun owners instant criminals and putting them at risk of being felons or otherwise and not taking anything away that was lawfully someone's property.

And we accomplished that in the underlying bill. You might not like it, the bill we did in April. You

pat/gbr
HOUSE OF REPRESENTATIVES

340
June 3, 2013

might not like it for a, what we did prospectively. I get that. I respect that. But at very least, you're going to have to admit we didn't take guns or magazines, we didn't take anything away from anyone and to the best of our ability made nobody an instant criminal.

Now, since the passage of this bill, we found out a lot of stuff, a lot of stuff that that bill had made unintended consequences, a lot of people who maybe consigned their guns or ordered their guns and were just waiting for delivery, were being deprived of their guns.

A lot of gun manufacturers said, oh, my God, does this mean I can't take the parts to be finished or tooled or whatever. Would I now all of a sudden be a criminal? If I all of a sudden had an 18 or 19 or 20-year-old person working in my manufacturing plant and they were making a gun that otherwise they couldn't handle until they were 21, am I criminal?

And the leaders said, we've got to straighten that out because again, our goal is not to make law-abiding citizens criminals, and that was the purpose of this bill.

We even went beyond that. I'll give you an example. I have a constituent of mine in my district, a law-abiding 63-year-old man. He hasn't so much as had a traffic ticket in the last 40 years. He was a gun lover, a law-abiding gun owner. He owned pistols. He collected them, lawfully, followed all the rules.

And even unrelated to the bill we passed in April, all of a sudden he got a call from his local police department, Norwalk's police department, because they had got a call from the Department of Public Safety saying that since 12/14 there was more scrutiny being paid attention to things and they happened to review his records and they found that in 1971 when he was 20 years old, on mischief night, he had an egg thrown at his car and he threw one back and hit the kid in the head, and he had to pay a \$10 fine, for what was known as Assault 3, a misdemeanor. This is in 1971.

And in 1976 and every five years later he got a pistol permit and he owned pistols, and all of a sudden he found that all of his pistols were taken away from him, just last January because of a 41-year-old violation. That's not fair and it's not right, and this bill corrects that.

It says if you committed a misdemeanor prior to 1994 it's not going to be counted for eligibility when you apply for a pistol permit or some of these other eligibility certificates. And in the case of my constituent, he's going to get his guns back. That's the purpose of this bill.

Now, I know there's a lot of emotions with the whole issue. God, did I learn that. But this particular bill is for the purpose of keeping and making it clear that we are not in the business of passing bills to make instant criminals and play gotcha. We're not in the business of saying we want your gun. We'll take your gun. We're going to confiscate stuff.

Oh, maybe some people might like that, but that's not what we did and this makes it clear we're not doing that, and that's why I'm proud of it and that's why I'm supporting it. Thank you, Mr. Speaker.

SPEAKER SHARKEY:

Thank you, sir. Staff and guests to the Well of the House. Members take your seats. The machine will be opened.

THE CLERK:

The House of Representatives is voting by Roll.

The House of Representatives is voting by Roll.

Will Members please return to the Chamber immediately.

SPEAKER SHARKEY:

Have all the Members voted? Have all the Members voted? Will Members please check the board to make sure your vote is properly cast.

If all the Members have voted, the machine will be locked and the Clerk will take a tally. The Clerk please announce the tally.

THE CLERK:

In concurrence with the Senate, Senate Bill 1094 as amended by Senate "A" and "B".

Total Number Voting	146
Necessary for Passage	74
Those voting Yea	131
Those voting Nay	15
Those absent and not voting	4

SPEAKER SHARKEY:

The bill as amended passes in concurrence with the Senate. The Chamber will stand at ease.

(CHAMBER AT EASE.)

DEPUTY SPEAKER ORANGE:

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**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2013**

**VOL. 56
PART 15
4473 - 4802**

vd/rd/cah/gdm/gbr
SENATE

2
June 3, 2013

SENATOR LOONEY:

Good afternoon, Mr. President.

Mr. President, we're set to -- to begin. There are three items on the Calendar that I will be marking as three orders of the day. It is likely that they will be the only three items taken up unless there is a Consent Calendar at some point later in the day.

So the -- the first, Mr. President, is on Calendar page 3, Calendar 244, Senate Bill 1094.

The second order of the day will be Calendar page 35, Calendar 692, House -- Emergency Certified Bill rather -- Emergency Certified House Bill 6704, which is the -- the budget bill.

And the third item, Mr. President, is on Calendar page 24, Calendar 687, House Bill 6580.

So, Mr. President, if we could begin by calling the -- the first item identified as the first order of the day.

THE CHAIR:

Thank you, Senator.

Mr. Clerk.

THE CLERK:

On page 3, Calendar 244, Senate Bill Number 1094, AN ACT CONCERNING EMERGENCY SERVICES AND PUBLIC PROTECTION, Favorable Report of the Committee on Public Safety and there are amendments.

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY:

Good afternoon, Mr. President.

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

vd/rd/cah/gdm/gbr
SENATE

3
June 3, 2013

THE CHAIR:

On acceptance and passage, will you remark, madam?

SENATOR HARTLEY:

Yes thank you, Mr. President.

Mr. President, there are, as the Clerk indicated, amendments, and I would ask that the Clerk please call LCO 8513.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO Number 8513, Senate Amendment Schedule "A" offered by Senators Williams, Looney, et al.

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY:

I move adoption.

THE CHAIR:

On adoption, will you remark?

SENATOR HARTLEY:

Yes. Thank you, Mr. President, indeed.

The amendment that we have before us is a -- an acting clause which will -- the clarification of a bill that we passed here several weeks ago, and that was the bill dealing with our gun legislation. It essentially is the product of a bipartisan effort working group to refine the underlying bill that was adopted in the month of April.

It does a number of things in terms of clarifying that legislation which we came together as a result of that

vd/rd/cah/gdm/gbr
SENATE

4
June 3, 2013

eventful day that befell our state and the community of Newtown.

It clarifies language which allows individuals to register assault weapons which they had purchased prior to the date of passage but had not received -- were not delivered until after the passage, and basically because of the volume of purchases and the -- and the backlog of orders.

It further clarifies language in showing in that these individuals can lawfully take possession of those weapons which they had contracted for.

It clarifies that individuals who purchased assault weapons or large capacity magazines on -- on April 4th -- and that was the day at 12:20 in the afternoon that the Governor signed the bill -- that those individuals can register and declare such weapons and magazines and continue to possess them legally.

Additionally, it -- it clarifies that only sworn and duly certified law enforcement officers at law enforcement agencies, police departments, at DESPP, the Department of Emergency Services and Public Protection, as opposed to other employees in those entities, can purchase and possess assault weapons and large capacity magazines and clarifies that these officers additionally must have the written authority from those specific departments which employ them for the purchase of such assault weapons.

It adds certain inspectors and officers -- those are the officers at DMV -- inspectors and officers at DMV, the -- the state -- the -- the Chief State's Attorney's Office, also DEEP, the Department of Energy and Environmental Protection, and -- as well as certain POST-certified constables who are acting as police officers to that group of people who can legally possess and purchase, once again, so long as they have the written authority of those entities for whom they are working. Also, gives sworn armored car police officers -- policemen the right to carry large capacity magazines also as part of their official duty.

It further clarifies that sworn law enforcement officers, certain inspectors, officers at DMV, State's Attorney's Office, DEEP and certain POST-certified constables acting as police officers are exempt from the new long gun and

vd/rd/cah/gdm/gbr
SENATE

5
June 3, 2013

ammunition certificate and that is, of course, until they -- while they are in that employment as a sworn law enforcement officer and until they separate or are retired from their particular agency.

Additionally, it allows a federally licensed curio and relics collector, which is a defined category, to buy such fire -- firearms, that is curios and antiques, from other licensed collectors.

The -- the bill also clarifies that exempt law enforcement officers and inspectors at DMV and the Chief State's Attorney's Office, DEEP -- once again this -- the list of those exempt, certain POST-certified constables acting as police officers do not have to register or declare assault weapons or large capacity magazines that they are using as part of their official duties while they are on active duty. But, once again, they will be required, when -- once they separate from service, to register those weapons and large capacity magazines within a 90-day window.

Additionally, the clarifications are that federally licensed firearm manufacturers can freely possess large capacity magazines for the firearms. They are not required to declare these possessions.

Further clarification authorizes DESPP to -- that is the Department of Emergency Services and Public Protection, to adopt regulations allowing the continued sale of certain -- what are called "Olympic Target Pistols" that are assault weapons under the law.

These will be the only assault weapons that can be sold and transferred in Connecticut and -- with definitive circumstances, and that is a purchaser will attest to the fact that they are buying such firearms, an Olympic Target Pistol, for the purposes of competition or target shooting purposes

Additionally, the DESPP regulations will define and delineate that residents from other states can bring such target pistols to the state in their competitions, collegiate or other such formal competitions.

Another refinement is to allow individuals to leave assault weapons which they legally possess to their under-aged beneficiary upon their death. So there is

vd/rd/cah/gdm/gbr
SENATE

6
June 3, 2013

established a means by virtue of a trust that the weapons can be passed on, put in trust, until the beneficiary reaches the legal age, age 21.

Also, there is a clarification that individuals who place assault weapons on consignment or pawn them before the date that can legal -- they can legally have such weapons can receive them back from the consignment or the pawn shop. There was a question by those entities about the transfer of these. And we want to be very clear that indeed they can be transferred back, that is those that fall within that defined time period.

We then are -- requires the firearms dealers who are assisting an individual with regard to the -- the private sale of long guns, which we have now defined in the law, that a -- a firearm dealer can assist in this sale and -- and that the background check will be through the Department of Emergency Services and Public Protection rather than them going directly to the federal government and the NICS process.

Additionally, we are clarifying that criminal background checks required for the ammunition certificate are on a state level which means it is a -- a name and date of birth check as opposed to the national check.

The -- one other additional clarification is that the semi-automatic rifles that were assault weapons prior to the underlying -- the passage of the underlying bill are, in this amendment, once again defined as assault weapons.

Thank you, Mr. Speaker, and once again, I urge passage, sir.

THE CHAIR:

Thank you, Senator.

Senator Markley.

SENATOR MARKLEY:

Thank you, Mr. President.

I'm glad to see the corrections which have been made to certain problems which came forward -- which were created

vd/rd/cah/gdm/gbr
SENATE

7
June 3, 2013

by the bill that we passed earlier in this session. I said at the time that we passed it that, because of the process which brought it before us, there was no question that there were going to be flaws in the bill, and there were flaws in the bill predictably.

I think that we now have a correction which has come forward through the same kind of process and is going to have the same kind of flaws in it. The previous bill was the result of a long period of -- of hearings without legislation, negotiation privately, then a very quick process from the time that the bill was drafted until the bill was voted on.

I think that this is commonly the case here, and it is especially the case when we're dealing with something that's controversial. A deal was put together, and like a house of cards, the ideas we have to get out of the room quickly before it falls apart again. The less time that's given for scrutiny the better chance there is of passage. And the more people look at it the more they're going to find wrong with it.

Well, finding what's wrong with it is what we ought to be doing before we vote. And it's what we ought to give the people the opportunity to do before something is voted on so we don't have to come back to correct it.

Now, fast forward to where we stand now, that's history. What we're doing now is current events. Again, we've had a correction. There's been an examination done, which was not part of a legislative process, and now a bill which has just come to us late on Saturday, that has what we are told are corrections but which we've had no time to actually confirm or work or to pass by the people who are most involved in it.

Believe me, there are people in organizations that would put a great deal of time into examining the legal language and making sure that this bill accomplishes what it's supposed to accomplish, but they are not going to have the chance to do so. And we will again live with what others errors there are in what is passed here today.

But let me add that I think a couple of the things which we correct, which I don't disagree with, point out the faulty premises of the legislation that we pass. For

vd/rd/cah/gdm/gbr
SENATE

8
June 3, 2013

instance, we've exempted now a large number of people who are in law enforcement or in various kinds of enforcement from the bans on magazine capacity and on the definition of assault weapons which we enforce on the general public.

I think we have to ask ourselves -- and that -- and that exemption, of course, applies both while they're on duty and on their personal time. I think we have to ask ourselves, when -- when the -- when the point is -- when the case is made what does anybody need a high capacity magazine for, we might want to ask ourselves what does a -- an environmental protection inspector need a high capacity magazine for?

Well, they need it for those moments of -- of threat, which are the same ones that a homeowner can face when they are -- when -- when the firepower coming at you is greater than the firepower that you have. How else can you describe it?

And I think if we acknowledge that we are putting law enforcement officers at risk by limiting the -- their ability to defend themselves, I think we have to acknowledge that we're putting homeowners at risk by limiting their ability to defend themselves.

It's just that somehow that -- those people don't have the same sympathy from us and the cases seem more unlikely and more abstract, and yet, next door to me in Cheshire and in other places, we've seen cases which are anything but abstract and which are profoundly tragic.

Now, let me say the last thing about this amendment and the reason that I will oppose it, which is a category of -- of weapons, the Rimfire 22s were under the bill that we passed a couple of months ago exempted from further restrictions under the assault weapons ban. And that may have been accidental on the part of the Legislature or on the part of the proponents of the bill, but it was not seen as accidental by the legal gun owners in Connecticut who, acknowledging that these guns are -- understanding that these guns are not a -- a particular threat, assumed that this is what the Legislature had in mind.

Now, insofar as people purchase the weapons, we are going to cover them under this amendment. But insofar as this amendment again creates a further restriction of the

vd/rd/cah/gdm/gbr
SENATE

9
June 3, 2013

rights of law abiding gun owners as they exist now in the State of Connecticut, I will not support it. And I think, to sound -- well, I don't mind hitting the same note repeatedly if I think it's the right note to be hit.

We have to look at the way that we do business here and we have to -- if we would let legislation go through the proper channels in the proper way, we would not have to make corrections and we would not have to correct our corrections.

I think this is a failure of the -- it is a failure of the legislative process that this bill even needs to be before us. And the fact that we haven't even learned by that, what we need to do to do this bill better, is a disappointment to me. And I'll say that again as an accusation to nobody, least -- least of all to my -- my friend and my seatmate here Senator Hartley. But I think that -- that we all have to be conscious of this and we all have to try to find a way to just do it better.

Thank you very much, Madam President.

(President in the Chair.)

THE CHAIR:

Will you -- will you remark? Will you remark?

Don't run, we'll wait.

Senator Fasano.

SENATOR FASANO:

Thank you, Madam President.

Madam President, through you to Senator Hartley.

THE CHAIR:

Please proceed, sir.

SENATOR FASANO:

vd/rd/cah/gdm/gbr
SENATE

10
June 3, 2013

Madam President, I know that in the bill it talks about if you are a gun manufacturer and a gun goes to you and you repair it, you return that gun to the owner who sent it to you. Is that correct?

Through you, Madam President.

THE CHAIR:

Senator Hartley.

Yes. Good afternoon, Madam President.

THE CHAIR:

Good afternoon.

SENATOR HARTLEY:

And through you, Madam, to Senator Fasano.

Yes -- yes it is correct, sir.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

And is it equally true that if I have a gun and it's an out-of-state manufacturer and there's a warranty on that gun and I sent that gun to be repaired and they take the gun in and they repair that very gun and return that same gun to the owner that also would be okay in the bill. Is that correct?

Through you, Madam President.

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY:

Yes. Through you, Madam President.

And to Senator Fasano, and once again thank you for your

vd/rd/cah/gdm/gbr
SENATE

11
June 3, 2013

question and the clarification on that. Yes, the answer to you, sir, is that is correct.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Thank you, Madam President.

I thank Senator Hartley for those answers.

Thank you, Madam President.

THE CHAIR:

Thank you.

Will you remark?

Senator Witkos, good afternoon, sir.

SENATOR WITKOS:

Good afternoon, Madam President.

If I may, just a -- a comment or two. I -- I'm going to align my remarks with Senator Markley. And I'm hoping that we have some assurances from the good chair of the Public Safety Committee that the amendment that's before us today is a result of folks reaching out saying there were some flaws in the bill. There were some things that were interpreted incorrectly, et cetera, et cetera, so these are -- are fixes to the original bill that's here today.

And I'm hoping that if those people that weren't the advocates didn't realize that they could reach out and voice their concerns about some of things that they realize needed to be fixed that, as they do reach out, even through the Department of Public Safety or through some other entity, that possibly those won't be rejected out of hand. So next year, if we have to come back and offer a few more fixes onto a piece of legislation that those folks weren't aware of, that they got their voices heard -- can also be heard and we can repair that because, once again,

vd/rd/cah/gdm/gbr
SENATE

12
June 3, 2013

we're -- we're moving quite rapidly through not -- to -- to make the fixes.

And I'm not so sure the general public knew that there was going to be a, quote, fixed bill out here so, as this hits the press, they may realize those situations that they ran into, they can do their research to say, okay, it fixed the problem that I had, that's very good, but there may be a few lost souls there that says, oh, I wish they didn't -- they didn't ask me because I would have had this fix put in there without changing structurally the -- the program. And I hope we have the same avenue for those folks to come forward as well.

Thank you, Madam President.

THE CHAIR:

Thank you.

Will you remark?

Senator Hartley.

SENATOR HARTLEY:

Yes, thank you, Madam President.

And through you, Madam, to Senator Witkos.

And once again thank you for all your work on the Public Safety and Security Committee and you do bring a wealth of knowledge into our conversations.

I always view legislation as being organic and that is what we are here to do to never profess that we are infallible, and so, yeah, the -- the legislation before us is not perfect. I don't think that any legislation we do is ever perfect and we need to obviously continue always to re-evaluate those policies and statutes. And that, quite frankly, is our role as duly elected Legislators.

I thank you, though, for your question and for having this exchange.

Through you, Madam President.

vd/rd/cah/gdm/gbr
SENATE

13
June 3, 2013

THE CHAIR:

Thank you.

Will you remark? Will you remark?

If not -- Senator Markley.

SENATOR MARKLEY:

I -- I would ask the vote be taken by roll.

THE CHAIR:

A roll call vote will be taken.

Seeing no response, Mr. Clerk, will you 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 on Senate "A" in the Senate.

THE CHAIR:

Do you want to call for a roll call vote again? I'm missing (inaudible) there. All right. (Inaudible) is coming anyway. Don't worry. I'm waiting.

THE CLERK:

Immediate roll call has been ordered in the Senate.
Senators return to the Chamber. Immediate roll call on Senate "A" in the Senate.

THE CHAIR:

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

Mr. Clerk, will you call the tally.

THE CLERK:

Senate Amendment Schedule "A" for Senate Bill 1094,

vd/rd/cah/gdm/gbr
SENATE

14
June 3, 2013

The total Number Voting	34	
Necessary for Adoption		18
Those Voting Yea	33	
Those Voting Nay		1
Those Absent and Not Voting		2

THE CHAIR:

The amendment passes.

Will you remark?

Senator Hartley.

SENATOR HARTLEY:

Yes, Madam President.

The Clerk is in possession of LCO 8619. I ask that the Clerk please call and I be granted leave to summarize, madam.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO Number 8619, Senate "B" offered by Senators Williams, Looney, et al.

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY:

Yes, Madam President. I move adoption.

THE CHAIR:

Motion is on adoption.

Will you remark, ma'am?

SENATOR HARTLEY:

vd/rd/cah/gdm/gbr
SENATE

15
June 3, 2013

Yes. Thank you, Madam President.

So in the -- Senate Amendment "A" we had clarified that if an individual had an assault weapon which was on consignment or in a pawn shop before the date of passage that they could legally receive back from the consignment or the pawn shop that item.

LCO 8619, the -- Senate Amendment "B" before us now would do the same for large capacity magazines, madam, and I move adoption.

THE CHAIR:

Will you remark? Will you remark?

SENATOR HARTLEY:

And I would ask for a call roll vote when the vote be taken, madam.

THE CHAIR:

A roll call will be taken at the time.

Will you remark?

If not, Mr. Clerk, will call for a roll call vote and the machine will be open on Senate "B."

THE CLERK:

Immediate roll call ordered in the Senate. Senators please return to the Chamber. Immediate roll call on Senate Amendment Schedule "B" has been ordered in the Senate.

THE CHAIR:

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

Mr. Clerk, will you please call the tally.

THE CLERK:

vd/rd/cah/gdm/gbr
SENATE

16
June 3, 2013

Senate Amendment Schedule "B" for Senate Bill 1094,

Total Number Voting	34	
Necessary for Adoption	18	
Those Voting Yea	34	
Those Voting Nay		0
Those Absent and Not Voting	2	

THE CHAIR:

Senate "B" passes.

Will you remark further? Will you remark further?

Senator Markley.

SENATOR MARKLEY:

Thank you, Madam President.

The Clerk is in possession of an Amendment, LCO Number 8608.

THE CHAIR:

Mr. Clerk, will you please call the Amendment.

THE CLERK:

LCO Number 8608, Senate Amendment Schedule "C" offered by Senators Markley, Guglielmo, et al.

THE CHAIR:

Senator Markley.

SENATOR MARKLEY:

Thank you very much, Madam President.

I would move adoption of the Amendment and ask the reading may be waived so I might summarize it.

THE CHAIR:

The motion is on adoption.

vd/rd/cah/gdm/gbr
SENATE

17
June 3, 2013

Please remark, sir.

SENATOR MARKLEY:

Thank you, Madam President.

This very small amendment actually -- I'm hoping that maybe the -- the diminutive size of it will be a selling point. But it -- what it does is restore the exemption that was created for the Rimfire 22s, which I discussed when we were talking about Senator Hartley's Amendment A.

So it leaves the rest of the bill intact -- the rest of the bill which I feel is -- so far as I've been able to review it or had feedback on it, I think the rest of the bill is all an improvement. The only part of it which creates further restrictions is the part which would be addressed by this amendment.

So this would make Rimfire 22s legal weapons regardless of any preexisting regulations which were removed in our action a couple of months ago. And I would say that this was the understanding that gun owners had. I know that from the forum which I held in Southington a few weeks ago.

It was my understanding and it was their understanding that that exemption had been lifted. So I don't see this -- I don't see the restoration of that -- of those regulations as having been an unknown error, but it seemed to me to have been a decision that was made and this would hold us to that decision.

I would urge passage of this amendment and I would ask that a roll call vote be taken.

Thank you.

THE CHAIR:

Will you remark?

Senator Hartley.

SENATOR HARTLEY:

Yes. Thank you, Madam President.

vd/rd/cah/gdm/gbr
SENATE

18
June 3, 2013

Indeed I would like to remark and point out that this is a -- the product of much detailed work, a bipartisan effort, as was the underlining bill which we adopted, Senate Bill 1160, in the month of April.

And I should say that it appears that all who worked in this bipartisan fashion recognized the fact that this exemption was not intended initially, and therefore, in order to recognize that, we essentially are saying, from that date of passage to the -- the effective date of the -- the bill that we had before us, those Rimfire 22s will be designated to be legal so long as the owner complies with all of the provisions that have been set out, such as becoming registered and following that process, which will be articulated on the -- the DESPP website and a which is of some help, I think, in walking through these changes as we go forward.

I should also like to mention that we -- we should note that the Rimfire 22 with one feature is clearly still legal. It is -- when we then comply with the new definitions, that the -- anything beyond that would -- would not be.

So I, unfortunately, do oppose the amendment as brought forth by my colleague to the right and ask that we reject this amendment, Madam President.

Thank you.

THE CHAIR:

Will you remark?

Senator Guglielmo.

SENATOR GUGLIELMO:

Thank you, Madam President.

I would just like to request a roll call vote on the amendment.

THE CHAIR:

It has been already, sir. Thank you.

vd/rd/cah/gdm/gbr
SENATE

19
June 3, 2013

SENATOR GUGLIELMO:

Just -- just quickly, the Rimfire 22 is indeed a 22-caliber weapon. I believe it's the only 22-caliber long gun that's banned. And 22 caliber is a -- as you know, a low caliber, generally not associated with the, crimes, although we're told that in the Newtown massacre that the young man used a 22 to kill his mother. Of course, we don't know that because we haven't seen the police report yet. But -- which -- which would be another reason we should probably had not done any of this until we saw that report, but that's water under the bridge.

But, anyway, I think that it makes no sense to -- to ban a 22-caliber weapon. The only reason we're banning it is because of cosmetics. And, of course, that was my objection to the original bill because most of the weapons banned, in fact, all of the weapons banned were because of cosmetics.

So, thank you, Madam President, and I urge support for this amendment.

THE CHAIR:

Thank you.

Will you remark? Will you remark?

If not, Mr. Clerk, will please call for a roll call vote and the machine will be open on Senate "C."

THE CLERK:

Immediate roll call has been ordered in the Senate.
Senators please return to the Chamber. Immediate roll call on Senate Amendment Schedule "C" has been ordered in the Senate.

THE CHAIR:

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

Mr. Clerk, will you call the tally, please.

THE CLERK:

vd/rd/cah/gdm/gbr
SENATE

20
June 3, 2013

Senate Amendment Schedule "C" for Senate Bill 1094,

Total Number Voting	34
Necessary for Adoption	18
Those Voting Yea	14
Those Voting Nay	20
Those Absent and Not Voting	2

THE CHAIR:

The Amendment fails.

Will you remark further? Will you remark further?

If not, we are going to call for a roll call vote as soon as we get it up on the board.

Okay. Mr. Clerk, will you 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 have voted, the machine will be closed.

Mr. Clerk, will you call for a -- please call the tally.

THE CLERK:

Senate Bill 1094 as amended,

Total Number of Voting	34
Necessary for Adoption	18
Those Voting Yea	33
Those Voting Nay	1
Those Absent and Not Voting	2

THE CHAIR:

The bill passes.

vd/rd/cah/gdm/gbr
SENATE

21
June 3, 2013

Mr. Clerk. Oh, sorry.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, I move for immediate transmittal to the House of Representatives of Calendar Page 3, Calendar 244, Senate Bill 1094, just enacted in the Senate.

Thank you, Madam President.

THE CHAIR:

So ordered, sir.

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Madam President.

If we might stand at ease for a -- for a moment.

THE CHAIR:

The Senate will stand at ease.

(Chamber at ease.)

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, if we might return to order, and I would ask the Clerk to call as the next item of business on Calendar page 35, Calendar 692, Emergency Certified House Bill Number 6704, AN ACT CONCERNING EXPENDITURES AND

**JOINT
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**PUBLIC
SAFETY AND
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PART 6
1768 - 2112**

2013

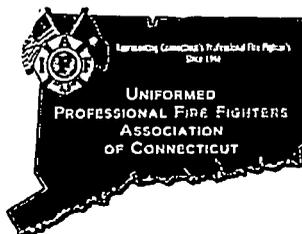
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PAUL J. RAPANAULT
 DIRECTOR
 Legislative/Political Affairs

March 18, 2013

Good afternoon Senator Hartley, Representative Dargan and members of the Public Safety and Security Committee. My name is Paul Rapanault. I am the Director of Legislation/Political Affairs of the Uniformed Professional Fire Fighters of Connecticut. The UPFFA represents 4,000 career fire fighters, Emergency Medical Technicians and dispatchers in nearly 60 municipal and state local unions.

I am here today in support of two bills before you.

S.B. No. 1094 (RAISED) AN ACT CONCERNING EMERGENCY SERVICES AND PUBLIC PROTECTION. This bill makes statutory updates that are necessary due to the reorganization of the Department of Emergency Services and Public Protection. **We SUPPORT THIS BILL.**

H.B. No. 6596 (RAISED) AN ACT CONCERNING POLICE OFFICERS AND FIREFIGHTERS. This bill authorizes a referendum to determine if certain municipal police officers and firefighters may be covered by Medicare. In some cases, police and fire fighters may not be covered by Medicare. According to federal rules, before such employees can be considered for coverage, there must be a referendum of employees to permit participation. **We SUPPORT THIS BILL.**

Thank you for your consideration of this issue.

Paul J Rapanault
 DIRECTOR
 Legislative/Political Affairs