



General Assembly
February Session, 2006

Raised Bill No.

416

LCO No. 2174



Referred to Committee on

Introduced by: **ENVIRONMENT**
(ENV)

AN ACT CONCERNING ENVIRONMENTAL CONSERVATION POLICE OFFICERS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 1-217 of the 2006 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective from passage*):

4 (a) No public agency may disclose, under the Freedom of
5 Information Act, the residential address of any of the following
6 persons:

7 (1) A federal court judge, federal court magistrate, judge of the
8 Superior Court, Appellate Court or Supreme Court of the state, or
9 family support magistrate;

10 (2) A sworn member of a municipal police department, [or] a sworn
11 member of the Division of State Police within the Department of Public
12 Safety or a sworn law enforcement officer within the Department of
13 Environmental Protection;

14 (3) An employee of the Department of Correction;

15 (4) An attorney-at-law who represents or has represented the state
 16 in a criminal prosecution;

17 (5) An attorney-at-law who is or has been employed by the Public
 18 Defender Services Division or a social worker who is employed by the
 19 Public Defender Services Division;

20 (6) An inspector employed by the Division of Criminal Justice;

21 (7) A firefighter;

22 (8) An employee of the Department of Children and Families;

23 (9) A member or employee of the Board of Pardons and Paroles;

24 (10) An employee of the judicial branch; or

25 (11) A member or employee of the Commission on Human Rights
 26 and Opportunities.

27 (b) The business address of any person described in this section
 28 shall be subject to disclosure under section 1-210, as amended. The
 29 provisions of this section shall not apply to Department of Motor
 30 Vehicles records described in section 14-10, as amended.

31 Sec. 2. Section 1-24 of the 2006 supplement to the general statutes is
 32 repealed and the following is substituted in lieu thereof (*Effective from*
 33 *passage*):

34 The following officers may administer oaths: (1) The clerks of the
 35 Senate, the clerks of the House of Representatives and the chairpersons
 36 of committees of the General Assembly or of either branch thereof,
 37 during its session; (2) state officers, as defined in subsection (t) of
 38 section 9-1, as amended, judges and clerks of any court, family support
 39 magistrates, judge trial referees, justices of the peace, commissioners of
 40 the Superior Court, notaries public, town clerks and assistant town
 41 clerks, in all cases where an oath may be administered, except in a case
 42 where the law otherwise requires; (3) commissioners on insolvent

43 estates, auditors, arbitrators and committees, to parties and witnesses,
44 in all cases tried before them; (4) assessors and boards of assessment
45 appeals, in cases coming before them; (5) commissioners appointed by
46 governors of other states to take the acknowledgment of deeds, in the
47 discharge of their official duty; (6) the moderator of a school district
48 meeting, in such meeting, to the clerk of such district, as required by
49 law; (7) the first selectman, in any matter before the board of
50 selectmen; (8) the Chief Medical Examiner, Deputy Medical Examiner
51 and assistant medical examiners of the Office of the Medical Examiner,
52 in any matter before them; (9) registrars of vital statistics, in any matter
53 before them; (10) any chief inspector or inspector appointed pursuant
54 to section 51-286i; (11) registrars of voters, deputy registrars, assistant
55 registrars, and moderators, in any matter before them; (12) special
56 assistant registrars, in matters provided for in subsections (b) and (c) of
57 section 9-19b and section 9-19c; (13) the Commissioner of Public Safety
58 and any sworn member of any local police department or the Division
59 of State Police within the Department of Public Safety, in all affidavits,
60 statements, depositions, complaints or reports made to or by any
61 member of any local police department or said Division of State Police
62 or any constable who is under the supervision of said commissioner or
63 any of such officers of said Division of State Police and who is certified
64 under the provisions of sections 7-294a to 7-294e, inclusive, as
65 amended, and performs criminal law enforcement duties; (14) judge
66 advocates of the United States Army, Navy, Air Force and Marine
67 Corps, law specialists of the United States Coast Guard, adjutants,
68 assistant adjutants, acting adjutants and personnel adjutants,
69 commanding officers, executive officers and officers whose rank is
70 lieutenant commander or major, or above, of the armed forces, as
71 defined in section 27-103, to persons serving with or in the armed
72 forces, as defined in said section, or their spouses; (15) investigators,
73 deputy investigators, investigative aides, secretaries, clerical assistants,
74 social workers, social worker trainees, paralegals and certified legal
75 interns employed by or assigned to the Public Defender Services
76 Commission in the performance of their assigned duties; (16) bail

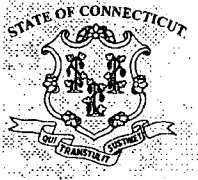
77 commissioners employed by the Judicial Department in the
 78 performance of their assigned duties; (17) juvenile matter investigators
 79 employed by the Division of Criminal Justice in the performance of
 80 their assigned duties; (18) the chairperson of the Connecticut Siting
 81 Council or the chairperson's designee; (19) the presiding officer at an
 82 agency hearing under section 4-177b; (20) family relations counselors
 83 employed by the Judicial Department and support enforcement
 84 officers and investigators employed by the Department of Social
 85 Services Bureau of Child Support Enforcement and the Judicial
 86 Department; in the performance of their assigned duties; (21) the
 87 chairperson, vice-chairperson, members and employees of the Board of
 88 Pardons and Paroles, in the performance of their assigned duties; [and]
 89 (22) the Commissioner of Correction or the commissioner's designee;
 90 and (23) a sworn law enforcement officer appointed under section 26-5
 91 within the Department of Environmental Protection in all affidavits,
 92 statements, depositions, complaints or reports made to or by any such
 93 officer.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	1-217
Sec. 2	<i>from passage</i>	1-24

Statement of Purpose:

To protect the confidentiality of home addresses of Department of Environmental Protection Conservation officers.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]



General Assembly

February Session, 2006

Senate

CONNECTICUT STATE LIBRARY
LEGISLATIVE REFERENCE SECTION

File No. 80

Substitute Senate Bill No. 416

Senate, March 22, 2006

The Committee on Environment reported through SEN. FINCH of the 22nd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING ENVIRONMENTAL CONSERVATION POLICE OFFICERS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 1-217 of the 2006 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective from passage*):

4 (a) No public agency may disclose, under the Freedom of
5 Information Act, the residential address of any of the following
6 persons:

7 (1) A federal court judge, federal court magistrate, judge of the
8 Superior Court, Appellate Court or Supreme Court of the state, or
9 family support magistrate;

10 (2) A sworn member of a municipal police department, [or] a sworn
11 member of the Division of State Police within the Department of Public
12 Safety or a sworn officer within the Department of Environmental

13 Protection;

14 (3) An employee of the Department of Correction;

15 (4) An attorney-at-law who represents or has represented the state
16 in a criminal prosecution;

17 (5) An attorney-at-law who is or has been employed by the Public
18 Defender Services Division or a social worker who is employed by the
19 Public Defender Services Division;

20 (6) An inspector employed by the Division of Criminal Justice;

21 (7) A firefighter;

22 (8) An employee of the Department of Children and Families;

23 (9) A member or employee of the Board of Pardons and Paroles;

24 (10) An employee of the judicial branch; or

25 (11) A member or employee of the Commission on Human Rights
26 and Opportunities.

27 (b) The business address of any person described in this section
28 shall be subject to disclosure under section 1-210, as amended. The
29 provisions of this section shall not apply to Department of Motor
30 Vehicles records described in section 14-10, as amended.

31 Sec. 2. Section 1-24 of the 2006 supplement to the general statutes is
32 repealed and the following is substituted in lieu thereof (*Effective from*
33 *passage*):

34 The following officers may administer oaths: (1) The clerks of the
35 Senate, the clerks of the House of Representatives and the chairpersons
36 of committees of the General Assembly or of either branch thereof,
37 during its session; (2) state officers, as defined in subsection (t) of
38 section 9-1, as amended, judges and clerks of any court, family support
39 magistrates, judge trial referees, justices of the peace, commissioners of

40 the Superior Court, notaries public, town clerks and assistant town
 41 clerks, in all cases where an oath may be administered, except in a case
 42 where the law otherwise requires; (3) commissioners on insolvent
 43 estates, auditors, arbitrators and committees, to parties and witnesses,
 44 in all cases tried before them; (4) assessors and boards of assessment
 45 appeals; in cases coming before them; (5) commissioners appointed by
 46 governors of other states to take the acknowledgment of deeds, in the
 47 discharge of their official duty; (6) the moderator of a school district
 48 meeting, in such meeting, to the clerk of such district, as required by
 49 law; (7) the first selectman, in any matter before the board of
 50 selectmen; (8) the Chief Medical Examiner, Deputy Medical Examiner
 51 and assistant medical examiners of the Office of the Medical Examiner,
 52 in any matter before them; (9) registrars of vital statistics, in any matter
 53 before them; (10) any chief inspector or inspector appointed pursuant
 54 to section 51-286l; (11) registrars of voters, deputy registrars, assistant
 55 registrars, and moderators, in any matter before them; (12) special
 56 assistant registrars, in matters provided for in subsections (b) and (c) of
 57 section 9-19b and section 9-19c; (13) the Commissioner of Public Safety
 58 and any sworn member of any local police department or the Division
 59 of State Police within the Department of Public Safety, in all affidavits,
 60 statements, depositions, complaints or reports made to or by any
 61 member of any local police department or said Division of State Police
 62 or any constable who is under the supervision of said commissioner or
 63 any of such officers of said Division of State Police and who is certified
 64 under the provisions of sections 7-294a to 7-294e, inclusive, as
 65 amended, and performs criminal law enforcement duties; (14) judge
 66 advocates of the United States Army, Navy, Air Force and Marine
 67 Corps, law specialists of the United States Coast Guard, adjutants,
 68 assistant adjutants, acting adjutants and personnel adjutants,
 69 commanding officers, executive officers and officers whose rank is
 70 lieutenant commander or major, or above, of the armed forces, as
 71 defined in section 27-103, to persons serving with or in the armed
 72 forces, as defined in said section, or their spouses; (15) investigators,
 73 deputy investigators, investigative aides, secretaries, clerical assistants,
 74 social workers, social worker trainees, paralegals and certified legal

75 interns employed by or assigned to the Public Defender Services
 76 Commission in the performance of their assigned duties; (16) bail
 77 commissioners employed by the Judicial Department in the
 78 performance of their assigned duties; (17) juvenile matter investigators
 79 employed by the Division of Criminal Justice in the performance of
 80 their assigned duties; (18) the chairperson of the Connecticut Siting
 81 Council or the chairperson's designee; (19) the presiding officer at an
 82 agency hearing under section 4-177b; (20) family relations counselors
 83 employed by the Judicial Department and support enforcement
 84 officers and investigators employed by the Department of Social
 85 Services Bureau of Child Support Enforcement and the Judicial
 86 Department, in the performance of their assigned duties; (21) the
 87 chairperson, vice-chairperson, members and employees of the Board of
 88 Pardons and Paroles, in the performance of their assigned duties; [and]
 89 (22) the Commissioner of Correction or the commissioner's designee;
 90 and (23) a sworn officer appointed under section 26-5 within the
 91 Department of Environmental Protection in all affidavits, statements,
 92 depositions, complaints or reports made to or by any such officer.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	1-217
Sec. 2	<i>from passage</i>	1-24

Statement of Legislative Commissioners:

In sections 1 and 2, "law enforcement" was deleted for accuracy and statutory consistency.

ENV Joint Favorable Subst.-LCO

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(706)

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: See Below

Municipal Impact: None

Explanation

The bill, which adds Conservation Officers from the Department of Environmental Protection (DEP) to those employees whose residential addresses can not be publicly disclosed by state and local government agencies under the Freedom of Information Act, will have no cost to the state.

Eliminating the need to certify sworn law enforcement officers within the DEP as public notaries by adding DEP Conservation Officers to the list of those who may, by law administer oaths would minimally reduce costs to the DEP and minimally reduce revenue to the state. The agency would no longer need to supply the Conservation Officers with a notary seal and stamp and the payment of the \$60 fee every five years to the Office of the Secretary of State would not be required. There are approximately 50 Conservation Officers at the current time.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future.

CONNECTICUT
STATE LIBRARY
LEGISLATIVE REFERENCE
SECTION

OLR Bill Analysis**sSB 416****AN ACT CONCERNING ENVIRONMENTAL CONSERVATION POLICE OFFICERS.****SUMMARY:**

This bill adds Department of Environmental Protection (DEP) sworn law enforcement officers (conservation officers) to those people whose residential addresses are not publicly disclosable by state and local government agencies under the Freedom of Information Act.

The law already covers:

1. federal and state judges, federal magistrates, and state family support magistrates;
2. state and local police officers;
3. Judicial, Department of Correction (DOC), and Department of Children and Families employees;
4. past and present state prosecutors or public defenders;
5. Division of Criminal Justice inspectors;
6. firefighters;
7. Commission on Human Rights and Opportunities members and employees; and
8. Parole Board members.

The bill also adds DEP conservation officers to the list of those who may, by law, administer oaths; DEP conservation officers may administer an oath in all affidavits, statements, depositions,

complaints, or reports made to or by such officers.

EFFECTIVE DATE: Upon passage

BACKGROUND

Address Protection for Certain Employees

The Freedom of Information Act prohibits state and local government agencies from disclosing to the public the home addresses of certain specified local, state, and federal employees, with one exception. The prohibition does not apply to personal information, including home addresses, in Department of Motor Vehicles records, which are disclosable to government agencies and others who obtain and agree to use the information only for limited specified purposes. However, the law allows certain people to have their business addresses rather than home addresses provided in these limited instances when they request this from the motor vehicles commissioner in writing. These individuals include:

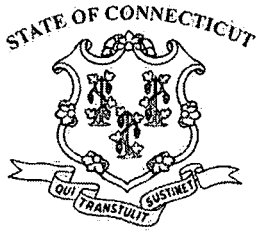
1. federal court judges and magistrate or judges of state Superior, Appellate, or Supreme courts;
2. local and state police officers;
3. DOC employees;
4. attorneys-at-law who represent or have represented the state in a criminal prosecution; or
5. members or employees of the Board of Pardons and Paroles (CGS § 14-10).

COMMITTEE ACTION

Environment Committee

Joint Favorable

Yea 25 Nay 0 (03/08/2006)



General Assembly

February Session, 2006

[SENATE] Amendment [A.]

LCO No. 3933



Offered by:

SEN. WILLIAMS, 29th Dist.
SEN. LOONEY, 11th Dist.
SEN. GAFFEY, 13th Dist.

SEN. HANDLEY, 4th Dist.
SEN. MCDONALD, 27th Dist.
SEN. FINCH, 22nd Dist.

To: Subst. Senate Bill No. 416

File No. 80

Cal. No. 101

**"AN ACT CONCERNING ENVIRONMENTAL CONSERVATION
POLICE OFFICERS."**

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Subsection (e) of section 14-10 of the 2006 supplement to
4 the general statutes is repealed and the following is substituted in lieu
5 thereof (*Effective October 1, 2006*):

6 (e) In the event (1) a federal court judge, federal court magistrate or
7 judge of the Superior Court, Appellate Court or Supreme Court of the
8 state, (2) a member of a municipal police department or a member of
9 the Division of State Police within the Department of Public Safety, (3)
10 an employee of the Department of Correction, (4) an attorney-at-law
11 who represents or has represented the state in a criminal prosecution,
12 [or] (5) a member or employee of the Board of Pardons and Paroles, or
13 (6) an employee of the Division of Criminal Justice submits a written

14 request and furnishes such individual's business address to the
15 commissioner, such business address only shall be disclosed or
16 available for public inspection to the extent authorized by this section."

101

SENATE AMENDMENT

Calendar: 101

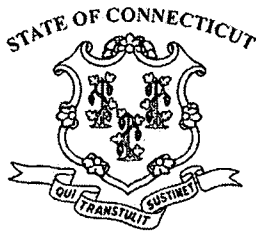
LCO: 3933

Bill: 416

A

ADOPTED voice REJECTED voice

ADOPTED roll REJECTED roll



General Assembly

[SENATE] Amendment

February Session, 2006

LCO No. 3851



Offered by:

SEN. WILLIAMS, 29th Dist.

SEN. HANDLEY, 4th Dist.

SEN. LOONEY, 11th Dist.

SEN. MCDONALD, 27th Dist.

SEN. GAFFEY, 13th Dist.

SEN. FINCH, 22nd Dist.

To: Subst. Senate Bill No. 416

File No. 80

Cal. No. 101

**"AN ACT CONCERNING ENVIRONMENTAL CONSERVATION
POLICE OFFICERS."**

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 53a-172 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2006*):

5 (a) A person is guilty of failure to appear in the first degree when (1)
6 while charged with the commission of a felony and while out on bail
7 or released under other procedure of law, [he] such person wilfully
8 fails to appear when legally called according to the terms of [his] such
9 person's bail bond or promise to appear, or (2) while on probation for
10 conviction of a felony, [he] such person wilfully fails to appear when
11 legally called for [a violation of probation hearing] any court hearing
12 relating to a violation of such probation.

13 (b) Failure to appear in the first degree is a class D felony.

14 Sec. 502. Section 53a-173 of the general statutes is repealed and the
15 following is substituted in lieu thereof (*Effective October 1, 2006*):

16 (a) A person is guilty of failure to appear in the second degree when
17 (1) while charged with the commission of a misdemeanor or a motor
18 vehicle violation for which a sentence to a term of imprisonment may
19 be imposed and while out on bail or released under other procedure of
20 law, [he] such person wilfully fails to appear when legally called
21 according to the terms of [his] such person's bail bond or promise to
22 appear, or (2) while on probation for conviction of a misdemeanor or
23 motor vehicle violation, [he] such person wilfully fails to appear when
24 legally called for [a violation of probation hearing] any court hearing
25 relating to a violation of such probation.

26 (b) Failure to appear in the second degree is a class A misdemeanor.

27 Sec. 503. Subsection (e) of section 14-10 of the 2006 supplement to
28 the general statutes is repealed and the following is substituted in lieu
29 thereof (*Effective October 1, 2006*):

30 (e) In the event (1) a federal court judge, federal court magistrate or
31 judge of the Superior Court, Appellate Court or Supreme Court of the
32 state, (2) a member of a municipal police department or a member of
33 the Division of State Police within the Department of Public Safety, (3)
34 an employee of the Department of Correction, (4) an attorney-at-law
35 who represents or has represented the state in a criminal prosecution,
36 [or] (5) a member or employee of the Board of Pardons and Paroles, or
37 (6) an employee of the Division of Criminal Justice submits a written
38 request and furnishes such individual's business address to the
39 commissioner, such business address only shall be disclosed or
40 available for public inspection to the extent authorized by this section.

41 Sec. 504. Subsection (b) of section 30-86 of the general statutes is
42 repealed and the following is substituted in lieu thereof (*Effective*
43 *October 1, 2006*):

44 (b) (1) Any permittee or any servant or agent of a permittee who
 45 sells or delivers alcoholic liquor to any minor [,] or [to] any intoxicated
 46 person, or to any habitual drunkard, knowing the person to be such an
 47 habitual drunkard, shall be subject to the penalties of section 30-113.

48 (2) Any person who sells, ships, delivers or gives [any such liquors
 49 to such] alcoholic liquor to any minor, by any means, including, but
 50 not limited to, the Internet or any other on-line computer network,
 51 except on the order of a practicing physician, shall be fined not more
 52 than one thousand five hundred dollars or imprisoned not more than
 53 eighteen months, or both.

54 (3) The provisions of this [section] subsection shall not apply [(1)]
 55 (A) to a sale, shipment or delivery made to a person over age eighteen
 56 who is an employee or permit holder under section 30-90a and where
 57 such sale, shipment or delivery is made in the course of such person's
 58 employment or business, [(2)] (B) to a sale, shipment or delivery made
 59 in good faith to a minor who practices any deceit in the procurement of
 60 an identity card issued in accordance with the provisions of section 1-
 61 1h, as amended, who uses or exhibits any such identity card belonging
 62 to any other person or who uses or exhibits any such identity card that
 63 has been altered or tampered with in any way, or [(3)] (C) to a
 64 shipment or delivery made to a minor by a parent, guardian or spouse
 65 of the minor, provided such parent, guardian or spouse has attained
 66 the age of twenty-one and provided such minor possesses such
 67 alcoholic liquor while accompanied by such parent, guardian or
 68 spouse.

69 Sec. 505. Section 53a-92a of the general statutes is repealed and the
 70 following is substituted in lieu thereof (*Effective October 1, 2006*):

71 (a) A person is guilty of kidnapping in the first degree with a
 72 firearm when [he] such person commits kidnapping in the first degree
 73 as provided in section 53a-92, and in the commission of said crime [he]
 74 such person uses or is armed with and threatens the use of or displays
 75 or represents by [his] such person's words or conduct that [he] such

76 person possesses a pistol, revolver, machine gun, shotgun, rifle or
77 other firearm. No person shall be convicted of kidnapping in the first
78 degree and kidnapping in the first degree with a firearm upon the
79 same transaction but such person may be charged and prosecuted for
80 both such offenses upon the same information.

81 (b) Kidnapping in the first degree with a firearm is a class A felony,
82 [for which one year of the sentence imposed may not be suspended or
83 reduced by the court.] "

SENATE AMENDMENT

Calendar: 101

LCO: 3851

Bill: 416

ADOPTED voice REJECTED voice

ADOPTED roll REJECTED roll