



# House of Representatives

General Assembly

**File No. 202**

January Session, 2007

Substitute House Bill No. 7048

*House of Representatives, March 29, 2007*

The Committee on Environment reported through REP. ROY, R. of the 119th Dist., Chairperson of the Committee on the part of the House, 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 Section 1-217 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

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

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

9 (2) A sworn member of a municipal police department, [or] a sworn  
10 member of the Division of State Police within the Department of Public  
11 Safety or a conservation enforcement officer or special conservation  
12 officer appointed by the Commissioner of Environmental Protection

13 pursuant to section 26-5;

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. The provisions of this  
29 section shall not apply to Department of Motor Vehicles records  
30 described in section 14-10.

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 Section 1-24 of the general statutes is repealed and the  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

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

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

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

94 Sec. 3. Section 26-6 of the general statutes is amended by adding  
95 subsection (g) as follows (*Effective from passage*):

96 (NEW) (g) The commissioner may authorize a full-time  
97 conservation officer or special conservation officer in the Division of  
98 State Environmental Conservation Police to provide law enforcement  
99 services regarding recreational boating safety that are within the scope  
100 of such officer's authority under section 26-6 to: (1) Persons at  
101 construction or related worksite on or adjacent to a public waterways,  
102 when the safety of workers at such site may be affected by boating  
103 activity, or (2) persons subject to a marine event permit under section  
104 15-140b on or adjacent to a public waterway, when such a marine  
105 event may affect the safety of recreational boaters or where the safety  
106 of those involved in such marine event may be affected by recreational  
107 boating activity. Time spent in performance of such law enforcement  
108 services shall be in addition to the regular work hours of the

109 workweek for such officer. Each such officer shall be compensated by  
 110 the state for the performance of such services at a rate equal to one and  
 111 one-half times such officer's normal hourly rate of pay. Entities  
 112 engaging the department in said services shall reimburse the  
 113 Department of Environmental Protection for the compensation of such  
 114 officer and the costs related to the performance of such services, at a  
 115 rate to be determined by the commissioner. Performance of such  
 116 services under the provisions of this subsection shall not constitute  
 117 state service for retirement purposes under the provisions of chapter  
 118 66. For the purposes of this section, "person" means person as defined  
 119 in section 22a-2.

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
Sec. 3	<i>from passage</i>	26-6

**ENV**      *Joint Favorable Subst.*

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 chamber thereof for any purpose:

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***OFA Fiscal Note***

***State Impact:*** None

***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.

There is no fiscal impact anticipated due to the authorization of Conservation Officers to provide law enforcement services regarding recreational boating safety.

***The Out Years***

***State Impact:*** None

***Municipal Impact:*** None

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**OLR Bill Analysis**

**sHB 7048**

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

**SUMMARY:**

This bill (1) authorizes conservation enforcement officers and special conservation officers appointed by the Department of Environmental Protection (DEP) commissioner to administer oaths with regard to affidavits, statements, depositions, complaints or reports made to or by them while performing their duties and (2) exempts their home, but not their business, addresses from disclosure under the Freedom of Information Act (FOIA).

It allows the commissioner to authorize full-time and special conservation officers to provide law enforcement services for recreational boating safety to (1) people working at construction or other worksites on or next to public waterways when their safety may be affected by boating activity and (2) people who obtain a marine event permit on or next to a public waterway when their safety or that of recreational boaters may be affected.

The officers must provide these services in addition to their regular workweek, and must be paid time and a half for the overtime. Entities requesting these services must reimburse DEP for the officers' compensation and related costs at a rate the commissioner determines. These services do not count as state service and thus are not factored in when determining the officers' state retirement benefits.

EFFECTIVE DATE: Upon passage

**BACKGROUND**

**Freedom of Information Act Exemptions**

The law exempts from disclosure under FOIA the home addresses of judges, state and local police officers, corrections department employees, firefighters, and others.

**Marine Event Permit**

The commissioner must provide written permission at least 30 days in advance for any marine parade, regatta, race, tournament or exhibition held on state waters or, by agreement with the U.S. Coast Guard, on federal waters.

**COMMITTEE ACTION**

Environment Committee

Joint Favorable Substitute

Yea 30 Nay 0 (03/12/2007)