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Honorable Representative Lawlor, Senator McDonald and members of the Judiciary Committee  
Room 2500  
210 Capitol Ave  
Hartford, CT 01606

Dear Representative Lawlor, Senator McDonald, and members of the Judiciary Committee,

Thank you for giving me the opportunity to speak to you today regarding the RAISED BILL NO. 1128, AN ACT CONCERNING INTERRUPTION OF TELECOMMUNICATIONS SERVICE, SCRAP METAL PROCESSORS AND MOTOR VEHICLE RECYCLERS. I am the General Manager of Connecticut Operations for Sims Metal Management, which has operations in Stamford, North Haven and New Haven.

I believe the as written bill may have several unintended negative consequences for our industry. In the proposed bill the following provisions should be amended to clarify the type of scrap material intended to be targeted by the law, specifically to state scrap utility equipment - not the generic term scrap equipment. The current language allows this section to be open to misinterpretation which could lead to misapplication of the law. Such misapplication would cause great harm to honest metal recyclers across the state of Connecticut by imposing an undue burden to set aside material, or impose a risk of conviction, not intended in the spirit of the law.

Additionally, further distinction of the utility equipment should be added to the Larceny Section and the Tag & Hold Section. Again, vague language and broad language could be left open to varied interpretation, result in undue burden to set aside material, or impose a risk of conviction, not intended in the spirit of the law.

- In Section 1. Section 53a-123 (a) (6), the Larceny Section:  
"or (6) the property, regardless of its value, consists of wire, cable or other [such utility] equipment used in the provision of telecommunications service and the taking of such property causes an interruption in the provision of emergency telecommunications service."
- In the proposed Sec. 2. Subsection (a) of section 21-11a, (a)  
"Such scrap metal processor shall not be required to segregate scrap metal it receives from other materials on its premises and hold the same for five days except for scrap [wire, cable or other such utility] equipment [STRIKING the words wire or cable] that could be used in the transmission of telecommunications or data or the transmission or distribution of electricity by an electric distribution company unless purchased from (1) a person registered pursuant to section 29-402 to engage in the business of demolition of buildings, or (2) a person who has already segregated such scrap metal pursuant to this chapter and such person provides such scrap metal processor with a written statement affirming such segregation."
- In the Tag & Hold Section, Sec. 2. Subsection (a) of section 21-11a:  
"Such scrap metal processor shall not be required to segregate scrap metal it receives from other materials on its premises and hold the same for five days except for scrap wire, cable [or other such utility equipment] that could be used in the transmission of telecommunications or data or

the transmission or distribution of electricity by an electric distribution company.”

- Also in Proposed Sec. 2. Subsection (a) of section 21-11a, (a)(2):

“Upon receipt of scrap [wire, cable or other such utility] equipment [STRIKING the words ~~wire or cable~~] that could be used in the transmission of telecommunications or data or the transmission or distribution of electricity by an electric distribution company, such scrap metal processor shall make a copy of the certificate of registration of such vehicle, [;] record a description of the material received, [;] and record a statement as to the location from which the material came.”

Sims Metal Management has no other objection to this legislation besides those changes. Once again, the current language allows this law to be open to misinterpretation which could lead to misapplication. Such misapplication would cause great harm to honest metal recyclers across the state of Connecticut by imposing an undue burden to set aside material, or impose a risk of conviction, not intended in the spirit of the law.

We have been working with and will continue to work with law enforcement and affected industries to make sure scrap metal recyclers across the state are in compliance with Public Act 08-150.

Thank you for your time, I look forward to working with you more on this issue.

Sincerely,

John Sartori  
General Manager - Connecticut  
Sims Metal Management