

Legislative History for Connecticut Act

SB 21	PA 598	1957
Genl Law	487, 494	2
Senate	2684, 3539	2
House	3477-3480	4
		8

Transcripts from the Joint Standing Committee Public Hearing(s) and/or Senate and House of Representatives Proceedings

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**JOINT
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HEARINGS**

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**CONN
GENERAL
ASSEMBLY
1957**

**SPECIAL SESSION
MARCH 1958**

GENERAL LAW COMMITTEE

THURSDAY, MARCH 21, 1957

10:00 a.m.

Present: Senators Filer, Cooney, Minetto, Goldberg
 Representatives August, Bascomb, Carpenter,
 Elliott, Larson, Koskoff, Pitt, Turner, Winnick,
 Swanson

Presiding: Senator Filer and Representative August

Rep. August: We will open the hearing for those bills scheduled for the 10 o'clock hearing for the General Law Committee. If there are any legislators who wish to be heard, we will hear from them briefly at first, but please retain your long comments for the time when the bills are being specifically heard.

We will consider you a legislator this morning, Mr. Lugg.

Harry A. Lugg: The bill that I am interested in on your docket this morning is S.B. 21.

S. B. No. 21 (Sen. Borden). AN ACT CONCERNING APPEARANCE IN COURT OF PARENTS OF MINORS CHARGED WITH CRIMES.

The Committee will find this on Page 34 of the current report of the Legislative Council and it is part of a program that we worked out in relation to the driving of automobiles by teenagers. This particular bill is on the books now. We think it is an excellent bill, particularly in relation to motor vehicle offenses. It provides that a minor who is charged with a criminal offense and must appear in court must be accompanied by a parent, and it is good so far as it goes. But it doesn't go far enough because there are no teeth in it.

Actually, of course, the judge can, as I know many of them do, continue the cases in order that the youngsters bring their parents into court at the end of the continuance, but they can't actually compel it.

Now, the purpose of our amendment which is nothing more than the addition of one or two sentences to the section is this. That if the parents fail to appear in the courtroom with their children, we proposed that the judge be given the authority to continue it, which of course, he already has.

MARCH 21, 1957

Rep. Schlossbach: (Continued) from a person who he has willfully, feloniously and maliciously killed.

The question is whether or not the probate court would have the right to go into the question of whether or not it was a felonious or willful killing. And I would say yes. They have that power now. They must under the statute at the present time because the Bird case was an appeal from the probate court.

Sen. Filer: Thank you. Are there any other legislators who would like to be heard briefly before we take the bills up in order?

Rep. Rose Brokop, Stratford: I would like to speak in favor of S.B. 21. This bill is a recommendation of the Legislative Council. The law was adopted in 1955, but found inadequate in that it didn't carry a penalty and couldn't be enforced. Therefore, this penalty clause had been added in this section. It should be passed, and I might say also that it is the result of a study into the teenage driving problems that we have had in the last few months. Thank you very kindly.

Sen. Armentano, 3rd District, Hartford: I want to go on record also in favor of S. B. 21 and S. B. 20 for the reasons stated by the previous speaker.

S. B. No. 20 (Sen. Armentano) AN ACT CONCERNING COURT ATTENDANCE OF PARENTS OF MINORS CHARGED WITH CRIME.

Both of these bills are similar except the bill introduced by Sen. Borden, S. B. 21, carries the penalty of contempt. My bill, No. 20, carries with it not more than \$50. It makes no difference to me which bill you pass, but I do think we ought to pin down the penalty because as the thing is working out now, many parents are not appearing in court and the judge is a little reluctant to get a little tough with them.

Sen. Filer: Are there any more legislators who wish to be heard briefly at this time? If not, am I correct that we completed S. B. 396? If so, we will take H. B. 958, an act concerning procedures for the determination of mental capacity and persons accused of crime.

Dr. John Blasko, Commissioner of State Dept. of Mental Health: As a person and as a department, we do not come here in favor of or against this bill, but

S-20

GOVERNMENT

GENERAL ASSEMBLY

SENATE

PROCEEDINGS

1957

VOL. 7

PART 3

MAY 20 - MAY 24

2346-223

MAY 21, 1957

68

SENATOR FILER:

Mr. President, this bill would make it clear that in the existing statute, volunteer firemen and civil defense personnel could use a flashing blue light, not just a steady light. It also has a provision that any flashing light may be used by any vehicle when it's disabled or in a hazardous position on the highway. It's a good bill; I hope it passes.

THE CHAIR:

Further remarks? The question is upon the acceptance of the committee's favorable report and the passage of the bill. All those in favor, signify by saying AYE, opposed? The report is accepted and the bill is passed.

THE CLERK:

Cal. No. 1202, File 1039, Substitute for Senate Bill 21.
An Act concerning appearance in court of parents of minors charged with crimes. Favorable report, General Law.

THE CHAIR:

The Senator from the 12th.

SENATOR FILER:

Mr. President, the Clerk has an amendment.

THE CHAIR:

The Clerk will read the amendment.

THE CLERK:

Amendment offered by Senator Filer of the Twelve District

S-26

CONNECTICUT
GEN. ASSEMBLY
SENATE

PROCEEDINGS
1957

VOL. 7
PART 6
3224-3761

MAY 28, 1957

120

ment made, would have to be consummated before December 31st, 1958, and if they didn't, they would have to come back to the next legislature for further authorization. I hope the bill passes.

THE CHAIR:

Will you remark further? The question is upon the acceptance of the committee's favorable report and the passage of the bill as amended, by Senate Amendment Schedule "A". All those in favor signify by saying AYE, opposed? The report is accepted and the bill is passed as amended.

THE CLERK:

Cal. No. 1567, File 1382, a reprint of File 1039, Substitute for Senate Bill 21. An Act concerning appearance in court of parents of minors charged with crimes. (As amended by Senate, not House, Senate Amendment Schedule "A", approved the Legislative Commissioner.) Favorable report, General Law.

THE CHAIR:

The Senator, from the 12th.

SENATOR FILER:

Mr. President, I move for acceptance of the committee's favorable report and passage of the bill as amended.

THE CHAIR:

The question is upon acceptance of the committee's favorable report and passage of the bill as amended by Senate Amend-

HA-35

CONNECTICUT
GEN. ASSEMBLY

HOUSE

PROCEEDINGS
1957

VOL. 7

PART 6

2923-3519

Monday, June 3, 1957

Finance.

MR. PROUT (SUFFIELD):

I move acceptance of the bill in concurrence.

THE SPEAKER:

Question is on acceptance and passage. Will you remark?

MR. PROUT (SUFFIELD):

This bill authorizes the city of Waterbury to issue up to one hundred thousand dollars worth of bonds to be used only for expanding park department facilities. The usual procedure concerning issuance and payment are included in the bill, and the Board of Aldermen have the authority to determine how and when they will be issued. It's a good bill.

THE SPEAKER:

Will you remark further? Lay from Waterbury.

MRS. JONES (WATERBURY):

The City of Waterbury has recently had land given it for two parks and we hope that these bonds are validated and we have the opportunity to have this money to develop parks, and I hope the bill will pass.

THE SPEAKER:

Will you remark further? If not, question is on acceptance and passage. Those in favor say "Aye" opposed "No." The "Ayes" have it, bill is passed.

THE CLERK:

Calendar 1951, file 1382. Sub. for SB 21. An Act concerning Appearance in Court of Parents of Minors Charged with Crimes. (As amended by Senate Amendment Schedule A. (Favorable report of

Monday, June 3, 1957

General Law.

MR. KRAWIECKI (BRISTOL):

I move acceptance and passage.

THE SPEAKER:

Question is on acceptance and passage. Will you remark?

MR. KRAWIECKI (BRISTOL):

This bill amends the existing law passed in 1955 .

THE SPEAKER:

The Chair informs the Gentleman from Bristol this is amended by Senate Amendment Schedule A. It will be necessary for you to adopt the amendment.

MR. KRAWIECKI (BRISTOL):

I move the adoption of the amendment, Sir.

THE SPEAKER:

Question is on the adoption of Senate Amendment Schedule A. Do you desire to have the Clerk read the amendment?

MR. KRAWIECKI (BRISTOL):

Would it be read, please?

THE CLERK:

Senate Amendment Schedule A. as offered by Senator Filer of the 12th District, to Sub. SB 21, file 1039.

In line 8, after the period insert "in the case of any child committed to the guardianship of the state welfare commissioner said commissioner may designate any member of the welfare department to act as his representative."

In line 8, after "parent", delete "or" and insert a comma. After "guardian" insert "or representative."

Monday, June 3, 1957

MR. KRAWIECKI (BRISTOL):

This Senate Amendment of course clarifies the situation where there is a guardian and inform the state welfare commissioner. I think it's a reasonable attempt to clarify this statute and make it conforming to a special situation. It should pass.

THE SPEAKER:

Will you remark further on the adoption of the amendment? If not, those in favor say "Aye" opposed "No." The "Ayes" have it, Gentleman from Ashford.

MR. BARTOK (ASHFORD):

I have received one complaint in regard to this bill that youngsters that get in trouble, particularly when they're not in the same town where the parents are located, that the police do not take the trouble in many cases to notify the parents, and it would seem to me that a provision would be in order here that the parents should definitely be notified. I don't see anything in this bill. Would that be a good suggestion?

MR. KRAWIECKI (BRISTOL):

I don't think that that would be necessary. I think the police are aware of the fact - the statutes of Connecticut, and they certainly take note of this fact. Certainly if the law requires that the parent accompany the child that it would be an obligation of the police to tell the parents to appear. If you will note later on in the bill, there is subpoena power given to the court so that if the court finds that the parent refused to appear, and that would imply that he had been notified, then the subpoena power can be used to bring the parents before the courts, and I

Monday, June 3, 1957

94
certainly feel that a parent should be there to see what is going on with minor children.

THE SPEAKER:

Question is on the adoption of the amendment. Those in favor say "Aye" opposed "No." The "Ayes" have it, the amendment is adopted.

Now, is there objection to suspension of the rules for immediate consideration of the bill as amended? The Chair hears none, the rules are suspended.

MR. KRAWIECKI (BRISTOL):

I move the adoption of the bill as amended and passage in concurrence with the Senate.

THE SPEAKER:

Question is on acceptance and passage, as amended by Senate Amendment Schedule A. Will you remark further?

MR. KRAWIECKI (BRISTOL):

Just one thing, Mr. Speaker, on this bill was a provision added that if the parent is physically capable to appear it covers the situation that has developed since 1955, when this was first passed, but there are occasions where a parent or just one partent, who may be desperately ill or otherwise unable to appear. Under thos circumstances there would be an excuse for that.

THE SPEAKER:

Question is on acceptance and passage of this bill as amended. Will you remark further? If not, those in favor say "Aye" opposed "No." The "Ayes" have it, bill is passed.

MR. GOOGEL (NEW BRITAIN):