

Legislative History for Connecticut Act

HB 3983

(PA 550)

1959

Judiciary: 1966-1969, 2003

Senate: 3717-3718

House: 4108-4114, 4559-4562, 4713-4715

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**JOINT  
STANDING  
COMMITTEE  
HEARINGS**

**JUDICIARY  
AND GOVERN -  
MENTAL FUNCTIONS**

— — — — —  
**PART 5  
PAGES 1599 - 2003**

**CONN.  
GENERAL  
ASSEMBLY  
1959**

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## JUDICIARY AND GOVERNMENTAL FUNCTIONS

WEDNESDAY 10:30 A.M.

APRIL 29, 1959

Senator Scanlon, presiding

Members present: Senators: Scanlon, Cady  
 Representatives: Hammer, Schlossbach, Finch, Marsters,  
 Shea, Mills, Lyddy, Satter, Gersten, Shulansky.

Sen. Scanlon: We will open the hearing with the bills listed in the bulletin for Wednesday, April 29, 1959. We'll hear first from any legislators that wish to speak for or against any bill in order that they can get on to other hearings.

Representative John Casey, So. Windsor: I'm speaking in favor of HOUSE BILL No. 3773 (Rep. Casey, South Windsor) FIRING OF GUIDED MISSILES. This bill was given a full hearing about a month or so ago in the Military Affairs Committee at which time the proponents were here in favor of it and the State Police Officers were here with their views on it also. I don't feel that we should take up the Committee's valuable time with another full scale hearing; I would ask Senator Pickett, the Chairman of the Military Affairs Committee to give you the transcript and perhaps you could make a decision on the basis of the transcript. Thank you Senator.

Representative John Hunziker, Stratford: I would like to go on record as supporting SENATE BILL No. 1269 INCREASING THE NUMBER OF SUPERIOR COURT JUDGES. I think this is an essential bill and certainly in Fairfield County. Thank you.

Sen. Scanlon: Any other Representatives or Senators wish to speak?

Harry H. Lugg, Legislative Commissioner: I would like to invite the Committee's attention first to HOUSE BILL No. 3983 ACTIONS ON AGREEMENTS TO SELL REAL ESTATE. It appears the fourth one from the bottom on page 8. This bill has been worked on by the Legislative Council and the gist of it is this. Some time ago the committee which formulated standards of title for the Bar Association was called upon to fix a date beyond which a Bond-for-Deed or other agreement for the sale of real estate would no longer constitute an encumbrance on the land records. They felt in view of the General Statute of Limitations that they could do nothing more than to fix the General Statute of Limitations' period plus one year in each case, hence, 7 years for an instrument not under seal and 18 years for an instrument under seal.

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Mr. Lugg continues: Now, I contacted all the members of that Committee and particularly the Chairman of it and that is his word as to why the Standard of Title is adopted. I believe in the 1955 session it was that for some reason or other the Judiciary Committee picked this up with the idea that it might be made a matter of statute. I've contacted every member of that Committee and nobody on it can remember why they did this. So, I can't offer you other than they proceeded to codify by statute what was mainly the Standard of Title. The Council took this under its wing during the last session and we had a hearing which was advertised and circularized as all hearings were and only 2 or 3 people appeared at it. The problem is this you can see this puts into statute the situation where you have a Bond-for-deed recorded and placed on the land records, if you have a prospective purchaser who decided he isn't going through with it under this statute there is nothing we can do to get that Bond-for-Deed off the record except the possible bringing of an action in the Superior Court. In the first place, I don't think that's fair because I don't think any owner of property should be put to that expense to rid himself of a thing like this and in the second place, I question whether in the face of a statutory provision such as this, a judge could make such an order. My personal feeling in the matter was very strongly that this operated to the detriment of people who owned property, were perfectly honest about it, some would give a great many times a small sum of money and then decide he wasn't going to go through with the purchase and just refuse to do anything about it. I found other attorneys who had the same experience, the result would be however that the title could not be cleared because of this provision in the statutes. I got the Council to consider this because it's my personal feeling that if anybody doesn't carry out his bargain within a reasonable time after the date for performance stipulated in the interest there is no reason why the second party who is to all intents and purposes is being perfectly honest in his feeling in the matter should suffer from it. My suggested act and this is mine and not the Council provides that where you have an instrument recorded on the land records, an agreement to sell or a Bond-for-Deed that isn't carried out within six months after the date therein specified for performance it will no longer considered an encumbrance on the land record. I don't intend

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Mr. Lugg continues: to interfere with any rights of breach of contract or any of that kind of thing that a person might have but I don't see for the life of me why a person should be to all intents and purposes unable to convey his property mortgage it or whatever. In honesty, I must tell you that the council took this up and they came to a conclusion which I thoroughly disagree which was that they ought to study it for two years more. Now, if you've got a situation like this and you know what the answer is I don't see why we should waste time studying it for two years more and that is why I had this bill put in here to bring it to the attention of your committee because I think it is a situation which certainly needs a remedy.

Rep. Schlossbach: How would the record indicate the performance hadn't been completed?

Mr. Lugg: Well, if the performance had been completed I would think that you would for instance in a Bond-for-Deed, if performance had been completed we would assume that the purchaser would record his deed. This would protect himself.

Rep. Hammer: Mr. Ludd. (Other voices in background asking questions.)

Mr. Lugg: I would be willing to go along with that certainly. The only thing I think we ought to prevent here is the injustice of having a purchaser say, "I'm not going to go through with this but I'm not going to give you release either." Then your under the expense of a law suit to it. At the most even if you could succeed which I doubt.

Rep. Hammer: I feel that this is a good bill. There is only one question that I have, I think Mr. Shulansky mentioned it to me too and that was this: what would the effect of this bill be on a long-term lease with an option to buy. Let's say an option to be exercised within 10 years. Would that in any way prejudice the rights of a potential purchaser who is under such lease.

Mr. Lugg: I wouldn't think that the phraseology in this act as I drew it that it would be so because it says, "it does not cease to be an encumbrance until six months after the date therein specified for performance." If you had a period that long, you would still have to wait until the end of it plus six months.

Mr. Hammer: I'm speaking in a situation where the date of performance is not specified. In other words the option can be exercised at any time. Do you feel that that might be corrected by some additional language in the bill?

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- Mr. Ludd: The bill as I drafted it says or if the date is not specified in the agreement then six months after the date thereof.
- Rep. Hammer: That would be the date of execution?
- Mr. Ludd: Yes.
- Sen. Scanlon: I think the question that Mr. Shulansky raised was a 10 year lease with a 10 year option. Do you have to wait until 20 years and 6 months?
- Mr. Ludd: I see.
- Rep. Hammer: We could clarify it if we knew just what particular instruments we're talking about. In other words, specifically bond-for-deeds and specifically exclude that type of instrument such as a lease with an option to buy.
- Mr. Ludd: Either that or provide that the exercise of the option should be noted on the land records. Again you might be in the same position where you have the optionee who isn't going to do anything about it and your owner of the property is again in the same situation where he is bound. I would be willing to spell it out in the bill, yes, certainly.
- Rep. Finch: A lease with a certain given period; then a lease with an option for a continued period. If the option may be exercised at anytime during that period then the effect of your proposed statute here would not operate in the option period.
- Mr. Ludd: I wouldn't think so. I don't think any of us would pass a title if we had that kind of thing on it but rather than have any controversy I would be willing to spell it out.
- Rep. Finch: I would think that this would come into effect at the end of the 20 year period as the example of Representative Shulansky gave.
- Mr. Ludd: So would I.
- Sen. Scanlon: Did you have another bill?
- Mr. Ludd: Yes, HOUSE BILL No. 3986 MAKING CERTAIN CORRECTIONS IN THE GENERAL STATUTES. This is a customary bill that the Commissioner's office puts in at every session of the General

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JUDICIARY AND GOVERNMENTAL FUNCTIONS

H.B. No. 3773 (Rep. Casey) FIRING OF GUIDED MISSILES.

---

Acting Chr. Finch:

Proponents?

Carroll E. Shaw, Captain State Police:

not

I would like to register in favor of this. In view of what Rep. Casey told the committee earlier in the day that the transcript of the original minutes would be available to this committee, and in view of that I don't think it would be fair for me to expound on why we don't like the bill. I do want to report this was reported out favorably on April 24.

Acting Chr. Finch:

Opponents? We'll close the hearing on this.

H.B. No. 3982 VALIDATING THE NOTICE OF GEORGE MANSOLF TO THE CITY OF MERIDEN.

---

Acting Chr. Finch:

Proponents or opponents? We'll close the hearing on this.

H.B. No. 3983 ACTIONS ON AGREEMENTS TO SELL REAL ESTATE.

H.B. No. 3984 CONVEYANCE OF AN EASEMENT BY THE STATE TO THE METROPOLITAN DISTRICT.

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H.B. NO. SPECIAL DEPUTY SHERIFFS TO ATTEND THE CIRCUIT COURT

H.B. NO. 3986 MAKING CERTAIN CORRECTIONS IN GENERAL STATUTES

HJR. No. 89 CREATING A COMMISSION TO STUDY AND REPORT ON THE ESTABLISHMENT OF CIRCUIT COURT.

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Acting Chr. Finch: Proponents or oppositions on these? We'll close the hearings for today.

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FLW

JUDICIARY AND GOVERNMENTAL FUNCTIONS

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Acting Chr. Finch: Proponents or oppositions on these?  
We'll close the hearings for today.

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CONNECTICUT  
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SENATE

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PART 8

3625-4196

ML 93  
MONDAY

3717  
JUNE 1, 1959.

THE CLERK:

Cal. No. 1722. File No. 1321. Substitute for House Bill No. 3116. An Act concerning Retirement Credit of State Employees for Leaves of Absence for Educational Purposes. Favorable report of the Committee on Public Personnel.

THE CHAIR:

Senator Urbinati of the 19th District.

SENATOR URBINATI:

Mr. President, I would like to have this bill recommitted. In that our committee has discovered that the requirements as asked for in this bill are no longer necessary due to other similar measures that have been passed in this session.

THE CHAIR:

Question is on recommitment. Any objection? Seeing no objections, the bill is recommitted.

THE CLERK:

Cal. No. 1723. File No. 1412. House Bill No. 3983. An Act concerning Actions on Agreements to Sell Real Estate. House Amendment Schedule "A" adopted May 23, 1959. Favorable report of the Committee on Judiciary and Governmental Functions.

THE CHAIR:

Senator Scanlon of the 6th District.

SENATOR SCANLON:

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

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THE CHAIR:

Question is on acceptance of the committee's favorable report and passage of the bill. Will you remark?

SENATOR SCANLON:

Mr. President, this bill would provide that matters that are on land records, executory agreements, bonds for deed, etc. would be valid only for a year following the date on which performance should have been completed or if no date, 18 months following the date of execution. It would be a great help to clearing up problems of cause on title where bonds for deed might lie for quite some time. At least now you'd know when it could no longer be in force from the law.

THE CHAIR:

Will you remark further? If not all those in favor will signify by saying "aye", those opposed "no". The "ayes" have it. The bill is ordered passed.

THE CLERK:

Cal. No. 1724. File No. 1336. Substitute for House Bill No. 2023. An Act concerning Education of Children both Blind and Deaf. Favorable report of the Committee on Appropriations.

SENATOR ARMENTANO:

Mr. President..

THE CHAIR:

Senator from the 3rd.

SENATOR ARMENTANO:

I move for acceptance of the committee's favorable report

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JUNE 1, 1959.

and passage of the bill.

THE CHAIR:

Question is on acceptance of the committee's favorable report and passage of the bill. Will you remark?

SENATOR ARMENTANO:

This bill involves <sup>two</sup> children that are both blind and deaf. It allows an increase from \$3500 to \$4500 per year per child for the purpose of sending these <sup>two</sup> children out of state because we have no facilities for educating them in this state. The bill further provides for the first time a three years residence requirement. Both of these children have been lifelong residents of Connecticut. I urge its passage.

THE CHAIR:

Will you remark further? If not all those in favor will signify by saying "aye", those opposed "no". The "ayes" have it. The bill is ordered passed.

THE CLERK:

Cal. No. 1725. File No. 1334. House Bill No. 2144. An Act authorizing an Appropriation to the State Board of Education for the Establishment of a Library/Center in the Windham-Tolland County Area. Favorable report of the Committee on Appropriations.

SENATOR ARMENTANO:

Mr. President..

THE CHAIR:

Senator from the 3rd.

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PART 10  
3988-4479

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wish to change his vote? The Chair will now lock the machine.

The clerk will please announce the vote.

THE CLERK:

<del>THE</del> Those voting yes	37
Those voting no	176
Those absent & not voting	66

THE SPEAKER:

The no's have it. The bill is rejected.

THE CLERK:

Cal. 925. File 752

H.B. 3983. An act concerning actions on agreements to sell real estate.

Committee on Judiciary and Governmental Functions.

THE SPEAKER:

Gentleman from Meriden.

MR. SHEA:

Clerk has an amendment.

THE CLERK:

House Amend. Sched. "A".

Sec.1, strike out all after the enacting clause and substitute the following in lieu thereof: Sec. 1, sec. 52-574 of the General Statutes is repealed and the following is substituted in lieu thereof: No agreement for the sale of real estate or any interest therein shall (be enforcible) constitute an encumbrance on the <sup>title such</sup> ~~part~~ of ~~said~~ real estate or interest (more than 7 years),

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after 6 months from the date provided therein for performance (in the case of agreements not under seal for more than 18 years after the date provided therein for the performance <sup>the case of</sup> in/agreements under seal) or after 6 months from the date of execution thereof if no date is provided therein for performance. (B) said period (for enforcement) shall not be suspended by any disability absence from the state, new promise not appearing on the land record or any other cause, and no title shall be considered unmarketable because of the appearance of any such agreement on the land record unreleased after the expiration of said (period). The provisions of section (52-573) 52-950 shall not apply to this section. This act shall take effect from its passage.

THE SPEAKER:

Gentleman from Voluntown.

MR. PALMER:

This amendment is designed I think to do what the bill originally intended to do. The amendment will assure an agreement pertaining to the sale of real estate that is recorded in the land records of the town will not constitute an encumbrance on the title after 6 months from the date of performance of the agreement or if no date or performance is specified within 6 mos. from the date of the agreement. It would still leave the parties free to sue for breach of contract but would not constitute an encumbrance on the real estate. I move for the adoption of the amendment.

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DEK  
A-123  
THE SPEAKER:

Question is on the adoption of House Amend. Sched. "A".  
Will you remark. Gentleman from Avon.

MR. AUGUST:

The file notes this is a bill reported out favorably by the committee on Judiciary and Governmental Functions. I would direct a question to the gentleman from Voluntown as to whether or not this is the same bill which was "canned" in the committee on General Law?

MR. PALMER:(Voluntown)

It looks similar to the bill we had in General Law. I don't know how it got to Judiciary, but I think the amendment we are offering will take care of the objections we had in the General Law Committee.

MR. AUGUST: (Avon)

I don't understand the amendment entirely, but I am going to be opposed to it because it does not include what I think is necessary to accomplish what is needed. This same measure was studied by the Legislative Council, and on page 61 of the most recent report, there is the statement of its study, and on page 62 and 63 there was a proposed draft of a bill suggested to cure the problem involved here, and that is that for years after an agreement to sell has been signed it shall not be an encumbrance on the real estate and prohibits the owner of the real estate from disposing of his land to another. The proposal suggested by the Legislative Council heralds the

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provisions in our statutes which concerns the foreclosure of mechanics lien, under which, and which is filed in the proper time of the 60 day period, action must be commenced within a 2 year period in order to keep alive any interest the plaintiff or claimant might have. It seems to me incumbent that any amendment or any bill which should be passed by this House on this question must include the rights on the part of the claimant to bring his action and thus keep alive his action, but it ought not to preclude him until that interest shall be precluded by a decision from one of our courts. I am opposed to the amendment, not to the principle involved, and I am of the opinion this matter should be recommitted but I will withhold that statement until I hear more of the explanation of the amendment itself. Perhaps I can be convinced.

MR. DUDLEY: (Guilford)

Could the clerk read the amendment again?

THE CLERK:

(Reads the amendment as on pages 121 and 122 of this transcript.)

THE SPEAKER:

Gentleman from Avon.

MR. AUGUST:

I am opposed to this amendment. As I understand the amendment as it was read, and this is rather a technical point, the change in the bill as printed in the file as created by the proposed amendment would provide that no agreement for

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the sale of real estate or interest therein shall constitute a lien on that property more than 6 mos. after the date of setting the bond for deed for performance. The hazard in this amendment as I see it allows the owner of the real estate to dispose of that land to another on the 7th month or during it, and to dispose of his assets and to prohibit the claimant or purchaser from exercising his rights of both his term of specific performance to require a purchase or sale of the land or to get damages from the owner because he has left the area or disposed of the assets.

I am opposed to the amendment and move that the matter be retained so that a proper amendment can be prepared.

THE SPEAKER:

Is there an objection to having this bill retained?

Gentleman from Voluntown

MR. PALMER:

I think this bill as amended does the job we want it to do. It was drawn in the Legislative Commissioner's office after much study on his part, and it is designed that once an agreement for the sale of land is put on record that agreement is not going to tie up the sale of land for an indefinite period as it does at the present time. We have situations where a person makes a down payment of \$100 on a 10,15 or 20 thousand dollar piece of property and the prospective purchaser will record the agreement and no attorney will pass the title to that 2 or 3 yrs. after the expiration date of that

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agreement and so it constitutes encumbrance. In some cases the owners have gone into court and asked for a declaratory judgment declaring that is no longer a valid agreement, and I think there is some doubt whether or not the court has a right to declare that no longer a valid agreement.

This does not prevent the parties' rights to sue for breach of contract after the 6 months period. If the purchaser feels he has suffered a loss because of the breach he may still sue and recover. The only thing this does is to insure that the owner of the property after 6 months may convey this property free from the encumbrance of this agreement.

The other party may still sue for breach of damages, and I don't think it is a valid argument to say that he may dispose of his assets and thereby deprive the other party of any remedy. This prevents tying the land up for either 7 years or some other period. I think this is a very desirable amendment and see no reason to pass it over.

THE SPEAKER:

Does the gentleman from Avon make that in a form of a motion.

Is there an objection?

Gentleman from Brookfield.

MR. PINNEY:

Speaking on the amendment.

The form in which it now stands it makes very little sense to me. In the event we continue I shall vote against the

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amendment and the bill. The gentleman from Avon has suggested that he will be willing to sit down with the gentleman from the other side and discuss a possible probable amendment which I think is possible by following the language of the Legislative Council report.

THE SPEAKER:

Gentleman from New Britain.

MR. GOOGEL:

If I may interrupt, we can save some time. I believe the objections to pass retaining have been removed.

THE SPEAKER:

If there is no objection the bill will be continued retaining its place.

THE CLERK:

Cal. 1042. File 882

Sub. for H.B. 3934. An act amending an act establishing a town council and manager form of government in the town of Stratford.

Favorable report of Judiciary and Governmental Functions.

THE SPEAKER:

Gentleman from Stratford.

MR. HUNZIKER:

I move acceptance and passage of the bill.

Mr. Speaker, I rise to present the interim bill. I anticipate the questions of the members of the Republican Party which has had every Home Rule bill to date by stating that the

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4480-5072

Monday, May 25<sup>th</sup> 1959

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Mr. Speaker, I would like to have Calendar No. 478, on page 31, Substitute for House Bill No. 3648, and also Calendar No. 571, Substitute for House Bill No. 3647, placed in the regular order.

THE SPEAKER:

They will be taken off the foot of the Calendar and placed in their regular order.

THE CLERK:

Page 1 of the Calendar. Calendar No. 925. File No. 752. House Bill No. 3983. An Act concerning Actions on Agreements to Sell Real Estate. Favorable report of the Committee on Judiciary and Governmental Functions.

THE SPEAKER:

The gentleman from Brookfield.

MR. PINNEY OF BROOKFIELD:

Before we get on with the Calendar, may I make an announcement? There will be a Republican policy meeting immediately after adjournment this afternoon.

THE SPEAKER:

The gentleman from Voluntown.

MR. BALMER OF VOLUNTOWN:

The Clerk has an amendment, Mr. Speaker.

THE SPEAKER:

Will the Clerk please read the amendment?

THE CLERK:

House Amendment Schedule "A".

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Strike out all after the enacting clause and insert in lieu thereof:

(a) No interest in real property existing under an executory agreement for the sale of real property or for the sale of an interest in real property shall survive longer than one year after the date provided in such agreement for the performance thereof or, if such date is not so provided, longer than eighteen months after the date on which such agreement was executed, unless such interest is extended as provided herein or unless action is commenced within such period to enforce the agreement and notice of lis pendens is filed as directed by section 52-325 of the general statutes. (b) Such interest may be extended only by re-execution of the written agreement or by execution of a new written agreement, provided such agreement, whether re-executed or newly executed, is recorded as directed by section 47-10 and section 47-17 of the general statutes. The period provided by this section shall not otherwise be extended, whether because of death, disability, absence from the state or for any other reason. Upon the expiration of an interest the title to property affected by the interest shall not thereafter be considered unmarketable because of such expired interest. (c) Nothing in this section shall be construed to limit or deny any legal or equitable rights a party may have under such agreement except the right to have such agreement specifically enforced.

THE SPEAKER:

The gentleman from Voluntown.

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MR. PALMER OF VOLUNTOWN:

Mr. Speaker, I move for the adoption of the amendment.

THE SPEAKER:

Question is on adoption of House Amendment Schedule "A".

Will you remark?

MR. PALMER OF VOLUNTOWN:

Mr. Speaker, this changes the existing bill to provide agreements for the sale and purchase of real estate and shall not encumber the real estate involved for a period longer than one year after the date of performance, or if no date of performance is specified, after eighteen months.

I think it's a good amendment and I hope it passes.

THE SPEAKER:

The gentleman from Avon.

MR. AUGUST OF AVON:

Mr. Speaker, this amendment answers all of the questions which most of us at least have had concerning the bill.

It's a good amendment and I hope it passes.

THE SPEAKER:

Will you remark further? The Chair recognizes the gentleman from Wilton.

MR. EARLE OF WILTON:

Mr. Speaker, I think the amendment leaves some points up in the air. What, for example, would happen to a right of first refusal? Would that end after a year? For this reason, I think I'll vote against it.

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THE SPEAKER:

Will you remark further? Question is on adoption of House Amendment Schedule "A". All those in favor please say aye, opposed no. In the opinion of the Chair the ayes have it. The amendment is adopted.

Question now is on acceptance of the committee's favorable report.

The gentleman from Brookfield.

MR. PINNEY OF BROOKFIELD:

Mr. Speaker, that's a rather lengthy and complex amendment. I think it would be well if we had that one printed. We probably wouldn't be able to take it up this afternoon anyway.

THE SPEAKER:

It will be forwarded to the Legislative Commissioner.

THE CLERK:

Page 2. of the Calendar. Calendar No. 1058. File No. 511. Substitute for Senate Bill No. 981. An Act concerning Employment of Minors. Favorable report of the Committee on Labor.

THE SPEAKER:

The gentleman from Watertown.

MR. VERNOVAI OF WATERTOWN:

Mr. Speaker, the Clerk has an amendment.

THE SPEAKER:

Will the Clerk please read the amendment?

THE CLERK:

House Amendment Schedule "A".

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individuals and statesmen but as a community, a State and a Nation, that we may ever march onward and upward in righteousness, truth and justice through Jesus Christ our Lord. Amen.

THE CLERK:

Favorable committee reports from the Senate. Favorable report of the Joint Standing Committee on:

INCORPORATIONS

Senate Bill No. 1232. An Act terminating the Corporate Existence of the East Neck Chapel Association of Waterford.

ROADS AND BRIDGES

Senate Bill No. 303. An Act concerning Maintenance of a Road in Ledyard and Groton.

THE SPEAKER:

The bills so reported favorably will be tabled for the Calendar.

THE CLERK:

Bill raised by the Committee on Appropriations. Senate Bill No. 1292, An Act concerning Creating a Commission to Study and Report on a Revision of the Corporation Laws of the State.

THE SPEAKER:

Refer to the Committee on Appropriations.

THE CLERK:

Page 1 of the Calendar. Calendar No. 925. File No. 752. House Bill No. 3983, as amended by House Amendment Schedule "A". An Act concerning Actions on Agreements to Sell Real Estate. Favorable report of the Committee on Judiciary and Governmental

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THE SPEAKER:

Will you remark further? Question is on passage of the bill as amended by House Amendment Schedule "A". All those in favor say aye, opposed no. The ayes have it. The bill is passed.

THE CLERK:

Calendar No. 1032. File No. 1264. House Bill No. 3900.  
An Act validating the Notice Given by Concettina Munafò to the City of Hartford. Favorable report of the Committee on General Law.

THE SPEAKER:

The gentleman from New Britain.

MR. GOOGEL OF NEW BRITAIN:

Mr. Speaker, I move acceptance of the committee's favorable report and the passage of the bill.

THE SPEAKER:

Question is on acceptance of the committee's favorable report and passage of the bill.

MR. GOOGEL OF NEW BRITAIN:

Mr. Speaker, this is a bill which is typical of many bills of this nature which were previously passed by this House permitting a party to have his or her day in court. In this particular instance the notice given to the city of Hartford was defective, and this bill would validate the notice and permit that party to prosecute her action in court.

I urge the passage of this bill.