

Legislative History for Connecticut Act

4183335	PAGES SCRAW	1961
House	1359-1360	(2)
Senate	1351	(1)
Jud & Gov.	467-469	(3)
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Transcripts from the Joint Standing Committee Public Hearing(s) and/or Senate and House of Representatives Proceedings

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CONFERENCE

GENERAL ASSEMBLY

OF

SENATORS

PROCEEDINGS

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and passage of the bill. Those in favor will signify by saying AYE, opposed, the bill is passed.

THE CLERK: Cal. No. 488, file 397, HB No. 3335. An Act concerning leases for more than one year. Favorable report of the JC on Judiciary.

THE CHAIR: Sgnator Relihan of the 21st District.

SENATOR RELIHAN: I move acceptance of the committee's favorable report and passage of the bill. This is an amendment to the Connecticut Statutes and merely changes the word "person" to "persons" and includes the heirs, administrators and executors of lessors and lessees. It's a technical amendment.

THE CHAIR: Are there further remarks? No further remarks, the question is on the acceptance of the committee's favorable report and passage of the bill. Those in favor will signify by saying AYE, opposed, the bill is passed.

THE CLERK: Cal. No. 489, file No. 398, HB No. 3707. An Act concerning qualification of Justices of the Peace. Favorable report of the JC on Judiciary.

THE CHAIR: Senator Relihan of the 21st District.

SENATOR RELIHAN: May Cal. 489 stand over for a day please.

THE CHAIR: Cal. No. 489 will be passed over retaining its place on the calendar.

THE CLERK: Cal. No. 490, file 437, HB no. 4125. An Act concerning certification to practice medicine and surgery. Favorable report of the JC on Public Health & Safety.

THE CHAIR: Senator Gladstone of the 22nd District.

SENATOR GALDSTON: May that bill stand over and retain its place

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a State cost, and other times it could be Municipal expense, but there is the additional expense of the Court work, which this was meant to defray.

THE SPEAKER:

Will you remark further? If not, all those in favor of the bill indicate by saying aye; opposed no; the ayes have it and the bill is passed.

THE CLERK:

Calendar No. 389, File No. 397, House Bill No. 3335, an Act concerning leases for more than one year.

Favorable report of the Joint Committee on Judiciary and Governmental Functions.

A VOICE: Mr. Speaker.

THE SPEAKER: The gentleman from Redding.

MR. MURREN OF REDDING:

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

THE SPEAKER:

The question is on the acceptance of the Committee's favorable report and passage of the bill. Will you remark?

MR. MURREN OF REDDING:

Mr. Speaker, this is a clarification of the existing law. A little reading of the existing Statute gives the impression that unrecorded or defectively executed leases binding only upon the lesser and his heirs and not the lessee and his heirs; this is contrary to good contract principles and in fact, contrary to

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the determination by the Supreme Court of Errors in this State. This is a good bill and should pass.

THE SPEAKER:

Will you remark further? If not, all those in favor of the bill say aye; opposed no; the ayes have it and the bill is passed.

THE CLERK:

Calendar No. 390, File No. 398, House Bill No. 3707, an Act concerning Qualifications of Justices of the Peace.

Favorable report of the Joint Committee on Judiciary and Governmental Functions.

A VOICE: Mr. Speaker.

THE SPEAKER: The gentleman from Westport.

MR. BOYD OF WESTPORT:

I move the acceptance of the Committee's favorable report and passage of the bill.

THE SPEAKER:

The question is on the acceptance of the Committee's favorable report and the passage of the bill. Will you remark?

MR. BOYD OF WESTPORT:

Mr. Speaker, this bill is designed to give additional time in which Justices of the Peace may qualify, because you know, some of their functions have been removed and I believe some of them have not qualified. It extends such time into June 3rd, and validates any acts they may have performed in the meantime. It is a good bill and I think we ought to pass it.

THE SPEAKER:

Will you remark further? If not, all those in favor of the

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Mr. Danaher continues: would think that there would be some committee of the State Bar that would be happy to take this on and I suggest to Mr. Orcott that when this new pamphlet comes off the press, that if he'll send me a copy of it, I'll submit it to the State Bar and see whether or not we feel that there should be some additional comment to protect the landowners.

Chairman Falsey: Is there anyone else to speak in opposition to H.B. 3322? We'll pass on then to H.B. 3335, AN ACT CONCERNING LEASES FOR MORE THAN ONE YEAR (Rep. McGee).

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Mr. Danaher: This is a bill that has been proposed by the Junior Bar Section. The State Bar Association has considered it and is in favor of the bill. All it does, is attempt to take care of an ambiguity which does exist in the statutes to provide that this particular lease which is defective for any reason, is not only binding upon the lessor and his heirs, but also is binding upon the lessee and his heirs.

Mr. Harris: May I inquire again on this pamphlet. The new one is in color. It's quite a bit more elaborate than this and is in booklet form. There's been three or four thousand dollars expended, to date, on preparation, etc., Do you want us to stop the presses on this thing?

Rep. Eddy: No. Not at all. However, you must have a proof copy of it.

Mr. Harris: I inquired, as of Tuesday, for a proof copy. We don't have it yet. We've worked at it a good many years to get it in a simplified form. If you get too much verbiage, too many quotations, you can't get people to read it.

Rep. Eddy: I understand. Could we get a copy of the written material in it? Thank you.

Chairman Falsey: Is there anyone else to speak in favor of this bill H.B. 3335? Anyone in opposition?

Frank Goldman: I don't oppose the bill in essence. I wonder if Mr. Danaher and committee have eliminated any thoughts that it needs to have the words "successors" or "executors" or "administrators" added in it? It's new to me. I haven't had any time to consider it but it says it shall not be valid against anyone except the lessor and lessee and their respective heirs. You're not providing for corporations with "successors", unless you assume that the word "heir" covers that. You would want to cover it, I think, and you would also want to cover the administrator.

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Chairman Falsye: You say this is the first time you've seen it, Mr. Goldman? If you feel definite about that, will you send us a letter or are you definite now?

Mr. Goldman: I'd be glad to send you a letter but I am quite definite. I think it certainly isn't clear that it does apply to him. You don't want to exempt them and say that his executor or administrator is not bound; nor do you want to say that the successor of a corporation, lessee or lessor is not bound and why not put it in and then be sure. That's the only objection I have to the bill. The signs, you give them to anyone, who acquires later. That's just the point I think. You don't want to bind them because they're entitled to the protection of the recording of it.

Chairman Falsye: Thank you, Mr. Goldman. Is there anyone else to speak concerning H.B. 3335? We'll pass on then to H.B. 3656, AN ACT CONCERNING CLARIFICATION OF THE WORD DAMAGES WHEN USED IN CONNECTION WITH SECTION 48-12 of the 1958 REVISION OF THE GENERAL STATUTES (Reps. Sheehan and Spiegel). Anyone to speak in favor of that bill?