

Legislative History for Connecticut Act

SP 329	PA 99	SCAN 1963
Sen: 1026		1
Hse. 1843-1844		2
Jud: 542		1
		HP

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

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CONNECTICUT  
GENERAL ASSEMBLY  
HOUSE

PROCEEDINGS  
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MR. BOYD:

I would ask him to restate his question. I wasn't listening.

MR. GROOBERT:

Yes, Sir. I would be glad to. Through you, Mr. Speaker, whether the chairman feels that if notice is given by certified letter whether it would be necessary if the letter be given or sent by an indifferent person.

MR. BOYD:

I think that the answer to that is fairly negative.

THE SPEAKER:

Will you remark further. If not, the question is on acceptance of the committee's favorable report and the passage of the bill. All those in favor kindly say "Aye", all those opposed. So ordered.

THE CLERK:

Calendar No. 282. File No. 216. Senate Bill No. 329. An act concerning treble damages for theft. Favorable Report. Joint Committee. Judiciary and Governmental Functions.

THE SPEAKER:

The Gentleman from Westport.

MR. BOYD:

I move acceptance of the committee's favorable report and the passage of the bill in concurrence.

THE SPEAKER:

The question is on the acceptance of the joint committee's favorable report and the passage of the bill in concurrence with

the Senate. Will you remark.

MR. BOYD:

Mr. Speaker. This bill merely changes the words "its value" to "his damages" in the case of recovery from a person who steals the property of another. It is felt that at the present time in our complex society, the theft of a small part of almost insignificant value of a tremendously valuable piece of machinery, which would require a substantial bit of time, perhaps, to replace would not be met with the needs of that situation, would not be met by paying treble its value. On the other hand the damages being so high treble damages would seem reasonable.

THE SPEAKER:

Will you remark further. If not, the question is on acceptance of the joint committee's favorable report and the passage of the bill in concurrence with the Senate. All in favor kindly say "Aye", those opposed. So ordered.

THE CLERK;

Calendar No. 283. File No. 98. Substitute for Senate Bill No. 1004. An act concerning the penalty for failure to keep records of narcotic drugs. Favorable Report. Joint Committee. Public Health and Safety.

THE SPEAKER:

The Lady from Orange.

MRS. CLARK:

I move acceptance of the committee's favorable report and

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passed.

THE CLERK:

Calendar No. 191. File No. 216. Senate Bill No. 329.

An act concerning treble damages for theft.

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

SENATOR FALSEY:

Mr. President....

THE CHAIR:

Senator Falsey of the 8th.

SENATOR FALSEY:

I move for the acceptance of the committee's favorable report and passage of this bill.

THE CHAIR:

Do you wish to remark?

SENATOR FALSEY:

The purpose of this bill, Mr. President, is contained in the meaning of the word "damages as opposed as to value". In many instances and most instances, perhaps, at best that value and damages would be synonymous. Situations do arrive where a person steals something of small value which causes great amounts of damage such as stealing a part of an automobile of insignificant value, but very difficult to replace. I think it is a worthwhile addition to our law and I urge its approval.

THE CHAIR:

Further remarks on the bill? The question then is on

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**JOINT  
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HEARINGS**

**JUDICIARY  
AND  
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FUNCTIONS**

**PART 2**

**288 - 671**

**CONN.  
GENERAL  
ASSEMBLY**

**1963**

to my office and try and collect against people who have fled to North Carolina or Virginia or some of our southern states and we find an impossibility to satisfy judgment, then as a practicing lawyer in the State of Connecticut I am awfully proud of our law where most of our judgments are against people can be satisfied by such laws as this one.

Chr. Falsey: Any one else to speak generally in favor of this bill? Any one in opposition? S. B. 326 any one to speak in favor of that?

The problem of S. B. 326 is that a great many fly by nighters have taken the buildings homes and this booms since world war two. What happens when a man starts to build a lot of homes on speculation and he goes under and he takes off for the tracks in Florida and subcontractors are left without the ability to place their mechanic liens of record. This bill intends to remedy that by permitting in the cases where the subcontractor has done work and the owner cannot be located, that an order of notice be permitted under the mechanic liens law of today, where there is no notice of permitted that I know of.

Mr. Dannaher: On behalf of the State Bar Association, we also are in favor of the principle being sought by this measure.

Chr. Falsey: Any one else in favor of this bill? Any one in opposition? S. B. 329 any one in favor of that bill?

Mr. Reed: The New Haven County Bar Association in the statement of purpose describes what the purpose of this bill is. Thief damages property. Property may be out of use for a considerable time while replacement parts are being procured. The person whose property is damaged can recover the cost of the damaged parts, but is limited to regular damages for loss of use. This is manifestly unfair, for example you have a foreign car and somebody takes a small part of this foreign car which costs \$5.00 for you to get back, but you have to wait six weeks to get the part from a foreign country. Under the present bill, the bill is useless, and we think it should be three times its damages for a person who steals the property of another or knowingly receives or conceals stolen property.

Chr. Falsey: Any one else in favor? Any one in opposition? 330 any one in favor of this bill?

Mr. Yedkin: I am Harold Yedkin representing the New Haven Bar Association and of all of the bills that you have before you today, I think this bill is the most important. I want to tell you what the evil is so that you will know how important this bill is. John Jones a theoretical person goes to a small loan company and borrows \$600. John Jones when he borrows the small loan