

<b>Act Number</b>	<b>Session</b>	<b>Bill Number</b>	<b>Total Number of Committee Pages</b>	<b>Total Number of House Pages</b>	<b>Total Number of Senate Pages</b>
PA 71-19		7249	2	2	2
<u>Committee Pages:</u> <ul style="list-style-type: none"> <li><i>Judiciary 434-435</i></li> </ul>				<u>House Pages:</u> <ul style="list-style-type: none"> <li>529-530</li> </ul>	<u>Senate Pages:</u> <ul style="list-style-type: none"> <li>594-595</li> </ul>

**H-109**

**CONNECTICUT  
GENERAL ASSEMBLY  
HOUSE**

**PROCEEDINGS  
1971**

**VOL. 14  
PART 2  
449-973**

passage of the bill. Will you remark further? If not, all those in favor, will indicate by saying aye. All those opposed. The bill is PASSED.

djh

THE CLERK:

Calendar No. 38, Substitute for House Bill No. 5273, An Act Concerning Combination Hunting, Trapping and Sport Fishing Licenses for Elderly Persons, File No. 28.

MR. IWANICKI (79th):

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

THE DEPUTY SPEAKER:

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

MR. IWANICKI (79th):

Mr. Speaker, this bill resolves that persons over 65 years of age who have been a resident of not more than less of one year in the state of Connecticut may be issued a license to hunt, trap or to fish without a fee. I notice some members in this House right now, I think they're going to be a little bit happy about this. I think it's a good bill. It should pass. Thank you, Mr. Speaker.

THE DEPUTY SPEAKER:

Will you remark further? If not, the question is on acceptance and passage. All those in favor will indicate by saying aye. All those opposed? The bill is PASSED.

THE CLERK:

Page 2 of the Calendar. Calendar No. 45, House Bill No. 7249, An Act Concerning Admissibility as Evidence of Business Entries and Photographic Copies, File No. 27.

MR. BINGHAM (157th):

Mr. Speaker, I move acceptance of the committee's Joint Favorable Report and passage of the bill.

THE DEPUTY SPEAKER:

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

MR. BINGHAM (157th):

Mr. Speaker, the section of the General Statutes 52-180 presently permits the introduction into evidence of business entries certain writings, records without testimony of the person who made such entries provided certain criteria are met. The existing law also permits the introduction of copies if the original is destroyed in the regular course of business. The existing legislation, however, specifically excludes those originals held in a custodial and fiduciary capacity from the provisions set forth in the second sentence. This bill would permit originals held in a custodial and fiduciary capacity to be recorded or copied, then destroyed and the report or copy still introduced into evidence under the business entry rule.

THE DEPUTY SPEAKER:

Will you remark further? If not the question is on acceptance of the Joint Committee's favorable and passage of the bill. All those in favor will indicate by saying aye. All those opposed? The bill is PASSED.

THE CLERK:

Calendar No. 46, House Bill No. 7143, An Act Concerning Visitation Rights Concerning Children, File No. 26.

THE DEPUTY SPEAKER:

Would the Acting Majority Leader care to have this matter passed pertaining--

**S-77**

**CONNECTICUT  
GENERAL ASSEMBLY**

**SENATE**

**PROCEEDINGS**

**1971**

**VOL. 14**

**PART 2**

**474-956**

March 23, 1971

Page 25

The amendment is carried. The Chair rules that this is a technical amendment and you may proceed with the bill.

SENATOR JACKSON:

Thank you, Mr. President. Basically the bill provides that the Commissioner of Corrections shall have the power to give another state agency or civic agency, such as the Police Department, the right to turn over prisoners to them for transportation to and from a correctional center and the court houses. What it basically will do is save the State approximately 20 thousand dollars by allowing the state to cooperate with the local police department. I believe it's a very good bill and I would urge its passage.

THE CHAIR:

Question is on passage of the bill. Will you remark further? If not, all those in favor of passage of the bill signify by saying, "aye". Opposed, "nay". The ayes have it. The bill is passed.

THE CLERK:

Turn to page 2 of your Calendar. Third item from the top. Cal. No. 60. File No. 27. Favorable report of the Joint Standing Committee on Judiciary. House Bill No. 7249. An Act Concerning Admissibility as Evidence of Business Entries and Photographic Copies.

SENATOR JACKSON:

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

This act amends 52180 of the General Statutes and allows original memoranda which are being held, now allows original memoranda which are being held in the custodial officiducial capacity to be destroyed if they have been photographically reproduced unless preservation is otherwise required by

March 23, 1971

Page 26

statutes and by that is, the Probate Courts would continue to be required to maintain the original records. Banks and other agencies which are acting at the present time in a trustee capacity, would be able to destroy some of the original records providing they're using and reproducing them on photocopying machines.

I believe this would be a good housekeeping bill and I would urge its passage.

THE CHAIR:

Question is on passage of the bill. Would you remark further? If not, all those in favor of passage of the bill, signify by saying, "aye". Opposed "nay". The ayes have it. The bill is passed.

THE CLERK:

CAL. NO. 71. FILE NO. 24. Favorable report of the joint standing committee on Safety and Public Health. House Bill No. 6056. An Act Concerning The Piercing of Ears. (As Amended by House Amendment Schedule A)

SENATOR PAC:

Mr. President, I move acceptance of the Joint Committee's favorable report and passage of the bill, as amended by House Amendment Schedule A.

THE CHAIR:

Will you remark?

SENATOR PAC:

Mr. President the 1969 Session of the Legislature passed a bill prohibiting the piercing of ears by anyone other than a qualified physician. This prohibition was aimed at the practice of performing this minor surgery in retail stores. There had been many instances of young girls who had suffered serious infection from this practice. The one flaw in the law and

**JOINT  
STANDING  
COMMITTEE  
HEARINGS**

**JUDICIARY**

**PART 2  
393-688**

**1971**

41

BC

THURSDAY

JUDICIARY COMMITTEEFEBRUARY 25, 1971

The first two Bills are S.B. #919 and H.B. #6888 both of which may be characterized as relating to Right to Legislation.

S.B. #919 - AN ACT RELATING TO CONTEMPT PROCEEDINGS AGAINST JOURNALISTS AND BROADCASTERS WHO FAIL TO DISCLOSE NEW SOURCES.

H.B. #6888 - AN ACT CONCERNING ACCESS TO PUBLIC RECORDS.

This Committee has extended the curiosity to the Connecticut Daily Newspaper Association to hear these Bills with other right to know Bills on March 19th and therefore I will refrain from taking up your time on those today.

H.B. #6579 - AN ACT CONCERNING GARNISHMENT OF BANK ACCOUNTS.

H.B. #6579 is of interest to the Connecticut Bankers Association on whose behalf I appear with respect to that Bill. The Connecticut Bankers Association is not the sponsor of this Bill but it favors an enactment of this further liberalization of the Law for the reasons stated so well by Representative Morano a little earlier.

S.B. #822 - AN ACT CONCERNING THE ADMINISTRATION OF CHARITABLE TRUSTS.

S.B. #822 and S.B. #824 are identical Bills and are identical in their fact and the Connecticut Bankers Association favors the enactment of these Bills also. I understand that the Connecticut Bar Association has council her who will explain these Bills briefly. The purpose of these Bills is to prevent the inadvertent disqualification of private foundations from the tax exempt status and Mr. Anthony will be along in a few minutes to tell you all about that but I would like to register the Bar Association in favor of those, I beg your pardon, the Bankers Association favor those two Bills.

H.B. #7249 - AN ACT CONCERNING ADMISSIBILITY AS EVIDENCE OF BUSINESS ENTRIES AND PHOTOGRAPHIC COPIES.

The last Bill is H.B. #7249, is the Connecticut Bankers Association's Bill and it is rather simple in its effect if you will note on the reverse side it brackets out the **exclusion** of business records which are held in a custodial or fiduciary capacity. This Bill, of course, is directed to the substitution of microfilm or other photographic process document to assure their admissibility in evidence in lieu of the original documents and I do not know the history of that exclusion but it does present a great many problems to the Trust Department of the Banks of this State because they are uncertain as to the degree to which they are permitted to destroy original records which have been put on microfilm and are readily available in the event there is

42  
BC

THURSDAY

JUDICIARY COMMITTEEFEBRUARY 25, 1971

any controversy concerning them. So that the Connecticut Bankers Association urges your careful consideration and approval of H.B. #7249. Thank you.

Sen Jackson: Thank you. Doctor Thayer to be followed by Dale Can Winkle.

Dr. Thayer: Mr. Chairman. Doctor Thayer representing. I am going to talk about H.B. #5415 and again I am representing the State Medical Society in the same position.

H.B. #5415 - AN ACT CONCERNING THE PERFORMANCE OF AUTOPSIES.

House Bill No. 5415, "An Act Concerning the Performance of Autopsies," by imposing a time limitation, would very seriously restrict the efforts of the chief medical examiner in his investigations into sudden and suspicious death occurring in the State of Connecticut.

The chief medical examiner is very much concerned with the interests and welfare of the next-of-kin of an individual who has died under unusual circumstances. They should be adequately and properly informed of the reasons and of the necessities for the performance of a post-mortem examination. On the other hand, he is aware that circumstances occur which mandate the prompt initiation of an investigation.

An autopsy performed within a reasonably short period of time after a seemingly suspicious death has occurred may prevent a fruitless police investigation by establishing a natural cause of death. Conversely, a sudden, unexpected death, without obvious signs of violence, may turn out to have been the result of a criminal act, such as manual strangulation.

In instances where a child under one year of age is found dead in a crib, the possibility that an infectious disease may have caused death, necessitates that a post-mortem examination be done within a short period of time. This will allay the justified fears of a policeman or fireman who has attempted mouth-to-mouth resuscitation.

For these reasons, the chief medical examiner, while recognizing the very great importance of informing relatives and of not proceeding perfunctorily, wishes to go on record as being opposed to the creation of a time limit before an autopsy under Section 530 (b) may be initiated.

I thank you for your attention and I would like to state the Doctor Porazon is also here with me to speak on the same Bill and subject.