

HB 8485

PA 677

1971

Judiciary 910

House 5165

Senate 3406

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**JOINT
STANDING
COMMITTEE
HEARINGS**

JUDICIARY

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Now this Committee in its wisdom two years ago extended the Statute of Limitations from one year to two years. Assume you have a \$30,000 case. Don't bring suit for two years and you have added \$3,600. It won't be reached for two more years and you have added \$3,600 more so after the jury says \$30,000, the bill is \$37,200. Now that is the most cogent explanation I can give you of that Bill. The next one is not dissimilar - 6500.

H.B. #6500 - AN ACT PROVIDING FOR INTEREST ON JUDGMENTS FOR DAMAGES IN TORT CASES.

This calls for interest from the date of the writ and is based on the assumption that the lawyer who issued the writ knows what the case is all about, has a fair figure in mind and is ready to sit down and settle it and you know and I know from 42 years of practice, that that is not true and when he gets to the judges chambers he will take about 25% of the demand he made two weeks before.

The third is a Bill 8485 which is based on a limited Bill that is being experimented on in just two small countys of New Jersey - namely penalizing or attorneys fees. But this also is a one way street.

H.B. #8485 - AN ACT CONCERNING OFFER OF JUDGMENT.

This Bill says in effect that if the plaintiff receives more than 20% above what he was offered, he can get a reasonable attorney's fee not to exceed \$750 and if he doesn't get 80%, then likewise he assessed \$750 or his client is. Of course, if he losses the case after he is offered the \$10,000, he is not charged anything. He has blown his client's case out the window and refused \$10,000. Now I say to you that if the insurance company defending the case guesses right, within 20%, 50% of the time, I say that is pretty good batting average.

Now, if you are going to say that in the other - take a 1,000 cases they guess right on and a 1,000 cases they guess wrong on - and believe you me it is not an exact science, that will cost him \$750 tax 1,000 - \$750,000 if you are going to pay each your insurance premium. Now the public is crying about insurance premiums and all these Bills are designed to increase the cost of insurance because the insurance company is only a conduit for money and if they need more money to pay the claims, they are going to increase the rates so I will leave with you much more elaborate memorandum and what I have stated briefly in opposition to these three Bills. Thank you very much.

Sen. Jackson: Thank you, Mr. Cooney for your brevity. John Bruno. Is there anyone else that wishes to speak that has not signed the List, Sir?

Mr. Robinson: I am Dick Robinson representing the Automobile Club of Hartford and I think that some of the comments that have been made are valid on both sides and one is that the public does not know anything or very little either the No-Fault Bill nor do they know very much about their current Bill or the current coverages that are the court system.

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

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for H. B. No. 8485, An Act Concerning Retirement of State's Attorneys, File No. 1642; Calendar No. 1479, substitute for H. B. No. 6372, An Act Concerning Charitable Remainder Trusts, File 1676; Calendar No. 1481, H. B. No. 8125, An Act Concerning Notice of Sessions for the Admission of Electors, File No. 1677; on page 2, Calendar No. 1488, substitute for H. B. No. 6841, An Act Concerning the Application of The Cigarette Tax to Unlicensed Person Selling Untaxed Cigarettes, File No. 1658; Calendar No. 1492, substitute for H. B. No. 7996, An Act Concerning the Registration of Snowmobiles for Tax Purposes, File No. 1667; Calendar No. 1495, substitute for H. B. No. 9221, An Act Concerning Minor Parties, File No. 1662; Calendar No. 1498, H. B. No. 5174, An Act Concerning Limitation of Mechanic's Lien, File No. 1636; Calendar No. 1504, substitute for H. B. No. 6843, An Act Concerning Refunds of the Motor Fuel Tax, File No. 1683; Calendar No. 1506, substitute for H. B. No. 8852, An Act Concerning Equipment Requirements for Motor Vehicles Used in Making Highway Safety Motion Pictures, File No. 1682; Calendar No. 1531, S. B. No. 0676, An Act Concerning the Definition of Officer Under the Motor Vehicle Statutes, File No. 48; on page 3, Calendar No. 1532, substitute for S. B. No. 705, An Act Concerning Dealers Exempted from the Law Relating to Motor Vehicle Dealers and Repairers, File No. 1412; Calendar No. 1537, substitute for S. B. No. 1067, An Act Concerning Use of Revised Form of Absentee Ballot, File No. 1549; Calendar No. 1538, S. B. No. 1155, An Act Concerning the Incorporation of Political Committees, as amended by Senate Amendment Schedule "A", File No. 1055; Mr. Speaker, I move the adoption of these items.

THE SPEAKER:

Question is on acceptance and passage. Are there any individual objections? Hearing none, all those in favor indicate by saying aye. Opposed?

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File numbers and I'll move for suspension for immediate consideration.

They should be in the Clerk's possession and we'll file this list too, if he wishes.

THE CHAIR:

That's what we're talking about, Senator. We want to compare the bills themselves, against the list we have.

Would you come up, Senator Ives and we'll expediate this very quickly?

SENATOR IVES:

Mr. President, I move for suspension of the rules for immediate consideration of the following bills:

THE CHAIR:

If there is no objection it is so ordered.

SENATOR IVES:

Mr. President, House Bill 5109, File 1268; House Bill 5298, File 1699; House Bill 5433, File 1310; House Bill 5730, File 940; House Bill 5781, File 1196; House Bill 5782, File 1211; House Bill 6277, File 289; House Bill 6411, File 1117; House Bill 6448, File 1377; House Bill 6685, File 1461; House Bill 6716, File 1684; House Bill 6927, File 934; House Bill 7170, File 769; House Bill 7811, File 1104; House Bill 8410, File 1106; House Bill 8225, File 1197; House Bill 8796, File 927; House Bill 8835, File 1305; House Bill 9189, File 1453; House Bill 6928, File 1080; House Bill 8485, File 1642.

Mr. President, I move for the adoption of the bills listed.

THE CHAIR:

Is there any objection to the adoption or passage of the bills? Hearing none; said bills declared passed.