

HB 5709

PA 739

1971

Judiciary 707

House 4966

Senate 3403

3

**JOINT
STANDING
COMMITTEE
HEARINGS**

JUDICIARY

**PART 3
689-1000**

1971

H.B. #1228 - AN ACT CONCERNING PARTIAL RELEASES OF MORTGAGES IN CONDEMNATION PROCEEDINGS.

The Department of Transportation approves the intent of H.B. #1228 but does not concur with several prospects of the Bill. For one thing the State appraises all property which is to be taken and this is generally accomplished by independent fee appraisers. The State would contend that such appraisals are sufficient for establishing the value to be used and to secure new appraisals or to pay for additional appraisals would be a duplication of effort and a waste of funds.

It is also felt that the settling of amounts relating to the mortgage is a separate transaction between the mortgagee and the owner, and the condemning authority should not be interjected as an intermediary. If necessary, the money should be put in escrow, the release granted and the decision for disbursement of funds left to the mortgagee and the owner.

Lastly, the Bill also refers specifically in many places, to condemn or condemnation proceedings. It is suggested that the wording be changed to reflect the fact that many acquisitions will be amicable and not necessarily condemnations.

H.B. #5664 - AN ACT CONCERNING APPROVAL BY STATE REFEREE OF LAND PURCHASED FOR HIGHWAYS.

This Bill proposes to change Section 13a-74 of the General Statutes making an approval for all highway condemnations over \$15,000 to take it away from the referee, the department strongly favors this Bill.

Mem. of Comm. What is the number?

Mr. Yasensky: 13a-74 - Oh, the Bill I am speaking on is #5664. The Department of Transportation recommends favorable action on this Bill. It would make the law pertaining to referee's approvals uniform in both friendly and unfriendly acquisitions. Section 13a-74 of the General Statutes required Referee's approval for all highway land condemnations over \$15,000 while for a friendly acquisition under Section 13a-73 sub-section "c" of the General Statutes, a Referee must approve all acquisitions over \$3,000.

The Bill would permit a more expeditious processing of payments in this value range thereby benefiting the property owner. The Bill would also reduce the workload of the Referee in an area where the owner has already indicated his satisfaction in the State's offer by acceptance.

Properties in the value range of \$15,000 or less generally represent minor or uncomplicated takings. Also, any owner expressing dissatisfaction with the State's offer, always has the right to reject it and file an appeal.

H.B. #5709 - AN ACT CONCERNING ACQUISITION OF LAND ADJACENT TO HIGHWAY FOR AGRICULTURE AND NATURAL RESOURCES PURPOSES.

The Department of Transportation would like to support the purpose of H.B. #5709.

H-118

**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
1971**

**VOL. 14
PART 11
4831-5162**

Saturday, June 5, 1971

16

ad

aisle, I move to suspension of the rules and passage of the one star consent items on Today's Consent Calendar.

MR. SPEAKER:

Please proceed.

MR. SARASIN:

Calendar no. 1390 - Substitute for House Bill 6714 - An Act Concerning the Investment and Management of State Funds. File 1626

Calendar no. 1399 - Substitute for House Bill 5627 - An Act Creating a Summary Proceeding for Uninsured Motorists. File 1616.

Calendar no. 1403 - Substitute for House Bill 685 - An Act Concerning Approval of Subdivision Plans. File 1609.

Calendar no. 1407 - Substitute for House Bill 6210 - An Act Concerning Interest. File 1627.

Calendar no. 1412 - Substitute for House Bill 5415 - An Act Concerning the Performance of Autopsies. File 1632.

Calendar no. 1413 - House Bill 5709 - An Act Concerning Acquisition of Land Adjacent to Highway for Agriculture and Natural Resources Purposes. File 1630.

Calendar no. 1417 - Substitute for House Bill 5049 - An Act Concerning the Assessment and Taxation of New Real Estate Construction. File 1628.

Calendar no. 1464 - Substitute for House Bill 8799 - An Act Concerning the Definition of Manufacturers Under the Motor Vehicle Statutes. File 1640.

Calendar no. 1466 - House Bill 9246 - An Act Granting a Right-of-way Across Property of the State Police Barracks in

S-82
CONNECTICUT
GENERAL ASSEMBLY

SENATE

PROCEEDINGS
1971

VOL. 14
PART 7
2874-3413

June 9, 1971

Page 74

File 1186; Cal. 643, House Bill 6904, File 1582; Cal. 1150, House Bill 7901
File 1342; Cal. 1192, House Bill 7148, File 1334; Cal. 1204, House Bill 7256
File 1393; Cal. 1214, House Bill 7014, File 1423; Cal. 1226, House Bill 8914
File 1073; Cal. 1257, House Bill 7048, File 1464; Cal. 1262, House Bill 8271
File 1474; Cal. 1267, House Bill 9020, File 1457; Cal. 1271, House Bill 5049
File 1628; Cal. 1272, House Bill 5415, File 1632; Cal. 1273, House Bill 5627
File 1616; Cal. 1274, House Bill 5709, File 1630; Cal. 1275, House Bill 5714
File 1575; Cal. 1276, House Bill 5834, File 1569; Cal. 1277, House Bill 5938
File 1585; Cal. 1278, House Bill 6210, File 1627; Cal. 1279, House Bill 6367
File 1565; Cal. 1280, House Bill 6561, File 1555; Cal. 1281, House Bill 6674
File 1586; Cal. 1285, House Bill 7077, File 1556; Cal. 1287, House Bill 8272
File 1566; Cal. 1289, House Bill 8578, File 1579; Cal. 1290, House Bill 8799
File 1640; Cal. 1293, House Bill 9246, File 1638; Cal. 1294, House Bill 9256
File 1637; Cal. 1295, House Bill 9001, File 737; Cal. 629, House Bill 7642
File 638; Cal. 721, House Bill 7802, File 1127; Cal. 755, House Bill 8761
File 773; Cal. 802, House Bill 8658, File 906; Cal. 964, House Bill 6197
File 1359; Cal. 975, House Bill 7609, File 876; Cal. 990, House Bill 8561
File 1172; Cal. 1041, House Bill 9196, File 1232.

Mr. President, I move for the adoption of all those bills, I move for suspension of the rules, first of all, for consideration of those which were not single starred or were not double starred rather.

THE CHAIR:

All those in favor of suspension of the rules indicate by saying, "aye"
All those opposed? Suspension is granted.

SENATOR CALDWELL: