

Act Number	Session	Bill Number	Total Number of Committee Pages	Total Number of House Pages	Total Number of Senate Pages
PA 71-767		5627	1	1	1
<u>Committee Pages:</u> <ul style="list-style-type: none"> Judiciary 554-555 				<u>House Pages:</u> <ul style="list-style-type: none"> 4966(Consent) 	<u>Senate Pages:</u> <ul style="list-style-type: none"> 3403

H-118

**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
1971**

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

Saturday, June 5, 1971

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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

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CONNECTICUT
GENERAL ASSEMBLY

SENATE

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2874-3413

June 9, 1971

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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:

**JOINT
STANDING
COMMITTEE
HEARINGS**

JUDICIARY

**PART 2
393-688**

1971

CVS
20.

TUESDAY

JUDICIARY COMMITTEE

MARCH 2, 1971

Rep. Papandrea: (cont'd) go quite as far as they should. Maybe, it's because I was born in Europe that I have the, a little bit of the european mentality. But I think that there's a great deal for us to learn from the experience that the european countries have had with their drunk drivers. I think that if you look at the English experiment, in particular, the net effect has been such a salutary one and the net reduction in the number of fatalities and serious major injuries and accidents has been so substantial that I think it augers well for us to emulate them in some respects. Now, I know that attitudes in this state and in this nation will have to be softened before we can do that. But I think that if we compare how we handle drunk driving, which is admittedly the single most serious highway problem in this country and in this state, if we compare how we treat it and how european countries treat it, and how it is suggested by leading authorities in the world and in this nation that it should be treated, we'll see that what is proposed by S.B.#1101 is in fact, very lenient.

I would very much like to see the day when the penalties are so stiff for this offense that very, very few people would ever venture to get into their automobile after having had any intoxicating beverage. But I think it's important that this bill be favorably reported out. And if nothing else is served, at least the opportunity to focus-in and zero-in on this problem and let the people of Connecticut really know what the number one social problem on our highways is.

I would also say to you that I've read in many publications a new attempt to have and bring about a sociological approach to the problem of drunk driving. I would caution the Committee against embracing this philosophy. I think, it is a very, should we say, it's almost a charming sort of solution because it brings out from us the sympathy for the basic problems that the individual, who is a drunk driver, experiences as a person. And I think it's a very subtle sort of influence upon us when we study the problem. But I think, it is wrong. I think basically that is to be attacked and approached in a subsidiary and perhaps concurrent manner. But I think that basically, deterrents are needed. I think most of us today understand the value of deterrents especially in an age where having a license, being able to operate are such vital necessities.

Mr. Chairman, the other matter that I would like to speak to is: H.B.#5627.

H.B.#5627 - AN ACT CREATING A SUMMARY PROCEEDING FOR UNINSURED MOTORISTS.

CVS
21.

TUESDAY

JUDICIARY COMMITTEE

MARCH 2, 1971

Rep. Papandrea: (cont'd) Now in 1967, the Legislature saw fit to make compulsory uninsured motorist coverage, under every single policy of liability insurance issued within the state of Connecticut. Now, this was an effort to extend protection and coverage to people who would be unfortunately the victims of people who caused an accident and had no insurance. Since that time, there has been a tremendous number of cases which have resulted from uninsured motorist policies and the protections afforded thereunder. There is, however, absolutely no summary procedure by which it can be determined whether or not there was in fact insurance. I know personally of two cases which I have handled in which judgements in amounts in excess of \$20,000, one of them as a matter of fact, is in excess of \$25,000, were obtained and yet, there is no final disposition of these matters, simply because the carrier has seen fit to bring an appeal, believe it or not within the United States District Court because the company is a non-resident company, and the delay now is in its seventh year. I'm certainly not suggesting this on the basis of this experience. But I've done a great deal of talking to counsel all over the state and this is a very widespread problem. It seems that regardless of any disposition within a court of law or by means of arbitration with the company there is presently no procedure for binding and permanent final determination of the existence of insurance. Now in our day and age, it really accomplishes nothing to have your day in court if you can't get the relief that is at the end of the judicial determination of what you're entitled to. And I think that there should be a summary procedure set up. I think it's one that has many difficulties that should be immediately apparent to anyone who has studied the problem because you've got to encompass the parties into one action. You've got to in effect pre-judge fault in order to do this. But I think that since we do have arbitration proceedings which are now binding and as a matter of fact are spelled out in every single uninsured motorist policy which is written in this state. You cannot without leave of the company bring a law suit. You must submit to arbitration under uninsured motorist. And I feel very strongly that there's no reason if this is so why that arbitration procedure cannot be made number one, summary and definite time limits prescribed and secondly, why parties cannot be joined to it. And I would say that there should definitely be a right of appeal which again should be given some sort of priority because in effect what we've done is we have penalized people who have to seek their relief under the provisions of uninsured motorist. And I submit to you that it was the intension of this Legislature not to create a second class citizen but to assure equal protection of all our citizens by making the uninsured motorist coverage mandatory in 1967.

Thank you.