

SB 1022

PA 769 (Vetoed)

1971

Judiciary

545, 558

House

5568, 5974-5977

Senate

2880

**JOINT  
STANDING  
COMMITTEE  
HEARINGS**

**JUDICIARY**

**PART 2  
393-688**

**1971**

CVS  
11.

TUESDAY

JUDICIARY COMMITTEE

MARCH 2, 1971

Lt. Griffin: (cont'd)

H.B.#7413 - AN ACT CONCERNING THE RIGHT OF WAY AT STOP SIGNS.

The State Police Department is in favor of this bill.

H.B.#7487 - AN ACT CONCERNING SPEED LIMITS.

This proposes to raise the maximum allowable speed limit from 70 miles to 75 miles per hour. We are opposed to this bill.

S.B.#654 - AN ACT ELIMINATING AXLE WEIGHT RESTRICTIONS AS A CONSIDERATION PERTAINING TO OVERWEIGHT ON VEHICLES AND TRAILERS.

The State Police Department has no objection to the passage of this act due to the difficulty in obtaining accurate axle weights and the resultant difficulty in obtaining convictions on this charge.

Sen. Jackson: What number was that?

Lt. Griffin: That was S.B.#654. Introduced by Senator Dupont.

We would like to go on record as recommending a change in the present, or in the statute. On the printed bill, line 32, after the word "lesser", we would delete the words, "without written permission from the commissioner of transportation which shall prescribe the condition under which the same shall be operated." This is as regards permits for overweight. We propose that the following be substituted: "without a written permit from the commissioner of Transportaion which will be issued only for vehicles with semi-trailers which exceed the maximum allowable registered weight of 73,000 lbs. when such vehicle or vehicle with semi-trailer is carrying a load which cannot be broken down so as to be loaded on more than one vehicle or vehicle with semi-trailer, and provided that the vehicle receiving such permit be, has been certified by the vehicle manufacturer as being capable of safely carrying the actual weight above the statutory minimum of 73,000 lbs. Gentlemen, the purpose of this addition is to require that people who wish to haul loads heavier than there rated equivalent, equipment -- -- . In other words, the two axle vehicle should be limited to the statutory amount that is allowed. The State Police Department would like to go on record of being in favor of S.B.# 1022 concerning stopping of motor vehicles at railroad crossings.

S.B.#1022 - AN ACT CONCERNING STOPPING OF MOTOR VEHICLES AT RAILROAD CROSSINGS.

TUESDAY

JUDICIARY COMMITTEE

MARCH 2, 1971

Mr. Adint: (cont'd) Just a little background on the next four bills. Two years ago, a Legislative subcommittee met and reviewed many of the our motor vehicles statutes to see how closely we conform with the uniform vehicle code. Many of our laws differ in form. Some were in partial conformity but these are the four areas that are being heard today that we felt changes should be made. And I'm speaking in favor of these four bills.

S.B.#1022- AN ACT CONCERNING STOPPING OR MOTOR VEHICLES AT RAILROAD CROSSINGS

This concerns the vehicles transporting school children and carrying explosive substances requiring that as they are crossing a railroad track that they would not shift gears.

S.B.#1023 - AN ACT CONCERNING HAND SIGNALS BY MOTORISTS

To amend our present hand signal law. As Lt. Griffin has said Connecticut, I believe, is one of one or two states that does not comply with the uniform vehicle code. Most of the other states have. And I would like to point out a slight error on #1023, Section 2, which reads Section 14-246 of the General Statute is repealed. This Section 2 is in error on this bill and should not be there. Section 2 will be repeated in another bill but it should not appear here under this bill.

S.B.#1025 - AN ACT CONCERNING RESTRICTED TURNS, U-TURNS AND STOPPING ON HIGHWAYS AND SIGNALS THEREFOR

This concerns the right of way for a vehicle intending to turn left within an intersection. The previous law simply stated intersection. The uniform code adds a left turn at an intersection, alley, private road or drive way.

S.B.#1102 - AN ACT CONCERNING RECKLESS DRIVING

This would put a little more substance to our present reckless driving law in that it will add "not only endangering life but also endangering property" and it will delete the phrase "other than the occupant of such motor vehicle" so that no matter whose life the driver endangers it will be considered reckless driving if he is driving so recklessly.

I would also like to submit position papers on the next four bills but I would like to go over some of the salient points of each bill. And I speak in favor of all four of these bills.

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**CONNECTICUT  
GENERAL ASSEMBLY  
HOUSE**

**PROCEEDINGS  
1971**

**VOL. 14  
PART 13  
5555-6226**

Tuesday, June 8, 1971

14.

MBS

Officers Observe Dogs Attacking Deer, file 653.

Calendar No. 1578, Substitute for Senate Bill No. 1022.  
An Act Concerning Appointment to Fill a Vacancy in Judicial  
Office, file 1602.

Calendar No. 1579, Substitute for Senate Bill No. 1045.  
An Act Concerning Tax Payments Applicable to Oldest Obligation  
on Specific Property, file 1591

Calendar No. 1581, Senate Bill No. 1115, An Act Concerning  
Removal of Destruction of signs, file 1516.

Calendar No. 1582, Senate Bill No. 1145. An Act Requiring  
State Department Heads to File Bills Earlier, file 1538.

Calendar No. 1585, Substitute for Senate Bill No. 1296,  
An Act Concerning the Penalty for Assaulting a Police Officer  
or Fireman, file 1511.

On page 4, Calendar No. 1591, Substitute for Senate Bill  
No. 1572, An Act Concerning Standardizing the Investment of  
State Civil List Funds, file 1506.

Calendar No. 1592, Substitute for Senate Bill No. 1573.  
An Act Concerning State Referee Approval of Certain Negotiated  
Condemnations, file 1520.

Calendar No. 1595, Substitute for Senate Bill No. 1625. An  
Act Concerning Exemption of Municipalities from Payment of  
Gasoline Tax for Governmental Purposes, file 1551.

On page 5, Calendar No. 1596, Senate Bill No. 1788, An  
Act Concerning Discharge of Sewage, Directly or Indirectly,

THE SPEAKER:

Will you remark on the bill as amended? If not, all those in favor indicate by saying aye. Opposed? The bill is PASSED.

MR. MAHANEY (92nd):

Mr. Speaker, I would at this time like to direct the Clerk's attention to page 8, the corrected write-in matter, Calendar No. 1568, S.B. No. 680, File 1240. I move you, sir, that this matter be recommitted to the Committee on State and Urban Development.

THE SPEAKER:

Will you remark? Is there objection? Hearing none, the item indicated is recommitted. The Calendar number, for the benefit of the Laurel Club is No. 1568.

MR. MAHANEY (92nd):

Mr. Speaker, I would direct your attention now, sir, to page 9 of today's calendar, Calendar No. 1576, substitute for S.B. No. 889, File No. 1533, and move you, sir, that this matter be recommitted to the Committee on Judiciary.

THE SPEAKER:

Will you remark? Is there objection? Hearing none, the item indicated is recommitted.

MR. MAHANEY (92nd):

Mr. Speaker, on page 9 also, I would request at this time that the Clerk call Calendar No. 1578.

THE CLERK:

Calendar No. 1578, on page 9, substitute for S.B. No. 1022, An Act Concerning Appointment to Fill a Vacancy in Judicial Office.

MR. CARROZZELLA (81st):

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Mr. Speaker, I move for acceptance of the Joint Committee's favorable report and passage of the bill. djh

THE SPEAKER:

Will you remark?

MR. CARROZZELLA (81st):

Mr. Speaker, we are all concerned as to the caliber of judges that eventually go on to the bench in the State of Connecticut. Under present law, the Governor can make an interim appointment and there is no investigation as to the qualifications of the individual involved until the next session of the General Assembly. What this bill does is to allow the interim Judiciary Committee to review the qualifications of any interim appointment and after thirty days, make a report to the Governor who, whatever the report is, can nonetheless, make the appointment during the interim. I think it is a good bill because it will give the interim Judiciary Committee a chance to examine the qualifications of all judicial appointments without interfering in any way with the appointment power of the Governor to make such appointments during the interim. I move acceptance and passage of the bill.

THE SPEAKER:

Further remarks on the bill?

MR. COLLINS (165th):

Mr. Speaker, a question to the gentleman from the 81st on this particular bill. In the event that a vacancy occurs and, as we all know with the overburdened dockets of the court, some dispatch is necessary in the filling of these vacancies in the interim, in the event that a vacancy should occur, how long would the Judiciary Committee have to act before they would have to make some recommendation. That's question number one.

THE SPEAKER:

Would the gentleman care to respond?

MR. CARROZZELLA (81st):

Through you, Mr. Speaker, the bill provides that the interim Judiciary Committee has thirty days within which to make the report. Now obviously, if an emergency situation occurred, I'm sure that the committee could get together and make the report but I would point out once again, this in no way affects the power of the Governor, whatever the report is, to make such interim appointment.

MR. COLLINS (165th):

The next question, Mr. Speaker, through you, does the bill require the Governor to wait for the report of the Judiciary Committee before he goes, before he fills such vacancy?

THE SPEAKER:

Does the gentleman care to respond?

MR. CARROZZELLA (81st):

Mr. Speaker, through you, I would say no, I think that the language of the bill is broad enough to allow the Governor to nonetheless make the appointment, but hopefully what would be done is that he will submit the names to the interim committee, we will review the qualifications, interview the judicial nominee and report back and then he will make the appointment.

THE SPEAKER:

Further remarks on the bill? If not, all those in favor, excuse me, Rep. Ritter from the 6th.

MR. RITTER (6th):

Mr. Speaker, as Clerk of the Judiciary Committee, I'd like to support

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Wednesday, June 9, 1971

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this and to report to the members of the House that this has been a void in our law for some time. The committee is making the effort to fill that void through this bill.

THE SPEAKER:

Further remarks? If not, all those in favor indicate by saying aye.

Opposed? The bill is PASSED.

MR. MAHANEY (92nd):

Mr. Speaker, I would at this time, Mr. Speaker, on page 9, ask that Calendar No. 1583, substitute for S.B. No. 1153, File No. 1519, be referred to the Committee on Finance.

THE SPEAKER:

Will you remark?

MR. HOLDSWORTH (125th):

Mr. Speaker, I don't think this particular item should be recommitted.

THE SPEAKER:

Motion is to refer to the Committee on Finance. Will you remark further?

MR. HOLDSWORTH (125th):

Excuse me, Mr. Speaker, may I have the file number again please?

THE SPEAKER:

We're on page 9, Calendar No. 1583, the third from the bottom, in your files as 1519.

MR. HOLDSWORTH (125th):

Excuse me, Mr. Speaker.

THE SPEAKER:

The objection is withdrawn. Will you remark? Is there objection?

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CONNECTICUT  
GENERAL ASSEMBLY

SENATE

PROCEEDINGS  
1971

VOL. 14  
PART 7  
2874-3413

## THE CLERK:

The following bills were passed on a Consent Motion by Senator Caldwell with the approval of the Minority Leader;

GOVERNMENT ADMINISTRATION AND POLICY: Substitute House Bill 8682. House Bill 5854. JUDICIARY: Substitute House Bill 7495. House Bill 5662; Substitute House Bill 851. GOVERNMENT ADMINISTRATION AND POLICY: Senate Bill 652; Senate Bill 1145; JUDICIARY Senate Bill 1788; Senate Bill 805; Substitute Senate Bill 1093; Substitute Senate Bill 868; Substitute Senate Bill 1441; BANKS AND REGULATED ACTIVITIES: Substitute Senate Bill 467; GOVERNMENT ADMINISTRATION AND POLICY: Senate Bill 1833; JUDICIARY Substitute Senate Bill 1296; TRANSPORTATION: Senate Bill 1115; Substitute Senate Bill 255; ELECTIONS: Substitute Senate Bill 508; JUDICIARY: Substitute Senate Bill 1022; Substitute Senate Bill 1543; TRANSPORTATION: Substitute Senate Bill 1807; JUDICIARY Substitute Senate Bill 550; substitute senate bill 823; JUDICIARY: Senate Bill 898. TRANSPORTATION Substitute Senate Bill 807; FINANCE: Substitute Senate Bill 1576; Senate Bill 1570; Substitute Senate Bill 1572; Substitute Senate Bill 1549; Substitute Senate Bill 1549; Substitute Senate Bill 1625; Substitute Senate Bill 1045; TRANSPORTATION: Substitute Senate Bill 815; EDUCATION: Substitute Senate Bill 1840; GOVERNMENT ADMINISTRATION AND POLICY: House Bill 6870; House Bill 9249; INSURANCE AND REAL ESTATE: House Bill 6995; GOVERNMENT ADMINISTRATION AND POLICY: House Bill 9242.

## THE CHAIR:

Is there any objection to the passage of the bills, as called by the Clerk? If not, Senator Fauliso, do you move the passage of all said bills?