

Legislative History for Connecticut Act

HB 7936 P.A. 79-571 (FAX) 1979

Jud. 1512-1514

Sen. 5308, 5382

House: 9793-9797

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**JOINT  
STANDING  
COMMITTEE  
HEARINGS**

**JUDICIARY  
PART 5  
1509-1901**

**1979**

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ksm

## JUDICIARY

April 16, 1979

ELBRIDGE JOEL (Continued): out from date of first sale. That word "first" was left out...

SEN. DE PIANO: Oh, I see. Date of first sale - eight years...

ELBRIDGE JOEL: Sale - eight years - correct...

SEN. DE PIANO: And three years from date of discovery...

ELBRIDGE JOEL: Discovery, right. But definitely not knocking it out completely, which this paragraph, as you probably realize, does.

SEN. DE PIANO: Okay? Thank you very much.

ELBRIDGE JOEL: Thank you, Mr. Chairman.

SEN. DE PIANO: Nora Parcels.

PERSON IN AUDIENCE: She's not speaking today.

SEN. DE PIANO: Oh, you're not. Okay. Angela Grant. You're not gonna speak?

ANGELA GRANT: Yes, I am.

PERSON IN AUDIENCE: She wants to pass her spot.

FRANCIS CADY: Mr. Chairman, I'm Francis Cady, Chairman of the Law Revision Commission. I'm here today in support of three bills which are part of the Law Revision Commission's technical revision of the General Statutes. These bills are 1664, implementing the Law Revision Commission's technical revision of the Probate Laws; 7953, implementing the revision of the Real Estate Laws; 7936, concerning revision in the landlord/tenant provisions entitled 47a.

As you know, the Law Revision Commission undertook a technical revision of the General Statutes at the direction of the 1977 Session of the General Assembly, and this is the first revision since 1958. Last year we delivered to you a revision of Title 46. This was adopted unanimously by both the House and the Senate. I think that everyone who has used the Family Law Statutes will agree that this revised language and format has made these statutes easier to read and to understand. In addition, we've developed with the LCO a new format which lists the contents of each chapter at the beginning of the chapter. This makes

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## JUDICIARY

April 16, 1979

FRANCIS CADY (Continued): it easier for the reader, especially laymen, to locate the statute for which he's looking. These bills that I'm speaking on today are the merely technical revisions, they are not intended to change the meaning of the law. The three bills enact only the language change aspects of our revision work.

Another aspect of this reorganization into chapters--this reorganization work is done by the Commission with the cooperation of the LCO. I might add that in view of the fact that the revision of the laws will not actually be codified until 1981, the Commission has entered into informal discussions with the LCO to determine the most useful format for publication of the revision in the 1979 Public Acts. The ultimate goal of this is to convey the benefit of the revision to users of the General Statutes as soon as possible at a most economical cost.

As an aid to this Committee, the Commission's staff has prepared draft revisions for each of the areas off the law covered by the bills before you, Probate, Real Estate and Landlord/Tenant Law. These draft revisions show both the suggested language changes and the proposed reorganization of the Statute sections. In addition, there is a comment to each Statute which explains the reason for the language changes that we have used. Each draft revision also contains an explanation of what a technical revision is intended to accomplish, a legal memorandum on how the courts have interpreted changes made by the technical revisions, and a detailed table of contents and a conversion table. These draft revisions explain in detail exactly what each revision is about and why it was made...

SEN. DE PIANO: Where are those? Have you filed them with the Committee?

FRANCIS CADY: I have them here, Mr. Chairman, and we will file them following my testimony.

SEN. DE PIANO: Okay.

FRANCIS CADY: I'll explain a little bit about what these constitute in just a moment. Before concluding, I would like to mention that in doing this revision work, we have consulted with members of the Bar and with state agencies. I'd like to thank in particular Judge Glen Neirim, Chief Probate Court Administrator, and his staff for the help and advice that they've provided.

FRANCIS CADY (Continued): I'd also like to thank the Estates and Probate Section of the Connecticut Bar Association, especially Attorney Ronald Dietrick of that section and the Real Property Section of the Connecticut Bar Association. Thanks also to Sharon Leone Braize of the LCO. I will now give to the Clerk a copy of each of the three bills which has been marked up to reflect minor language changes which we are suggesting in each bill. These changes are in the nature of correcting typographical errors and minor errors in style. I think you can see, Mr. Chairman, that a great deal of work and thoughtful consideration has gone into preparation of these technical revision bills. I hope that the Committee will give them its unanimous approval.

I'd like now to turn the microphone over to Miss Angela Grant, who will speak on the Law Revision Commission's substantiated revision of the Guardianship Statutes.

ANGELA GRANT: My name is Angela Grant. I'm a staff attorney to the Connecticut Law Revision Commission, and I'm here to speak in support of Raised Committee Bill No. 1661, An Act Concerning Guardianship of Children, which embodies a comprehensive revision of the Statutes concerning guardianship of the person of children.

The Law Revision Commission feels that this extensive revision has been necessary to bring the Connecticut General Statutes regarding this area of the law into compliance with the requirements of state and federal case laws which have developed in the years since these guardianship statutes were first enacted.

The text of the bill is fairly straightforward. It includes changes in notice requirements.

SEN. DE PIANO: What are those changes?

ANGELA GRANT: Well it wasn't clear at which stages of various proceedings notice was required previously and to which parties, and it's been broken down in very clear steps and at each point the parties in interest are provided notice, as customary for proceedings of this type. It also has clarified the standards for appointment of guardians, for removal of a parent or other guardian, and for counsel for the child.

I'd like to address one of the sections briefly in a moment. The revision was prepared over the course of a year in close cooperation with the honorable Glenn E.

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CONNECTICUT  
GEN. ASSEMBLY  
SENATE

PROCEEDINGS  
1979

VOL. 22

PART 16

5201-5561

## SENATE

JUNE 1, 1979

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LFU

THE CLERK:

Calendar 1219, Files 1121 and 1191, Favorable Report of the Joint Standing Committee on Judiciary, Substitute House Bill 7936, AN ACT IMPLEMENTING THE LAW REVISION COMMISSION'S TECHNICAL REVISION OF THE LANDLORD AND TENANT LAW, as amended by House Amendment, Schedule A.

THE CHAIR:

Senator Santaniello.

SENATOR SANTANIELLO:

Mr. President, I move acceptance of the Joint Committee's Favorable Report and passage of the Bill.

THE CHAIR:

Question is on acceptance and passage as amended by House A. Will you remark Senator?

SENATOR SANTANIELLO:

Briefly Mr. President. I think the title sums it up. It's a technical Bill, amendments to the statutes on the landlord and tenant laws as has been presented by the Connecticut Law Revision Commission. It's technical in nature and if there is no objection, I'd move it to the Consent Calendar.

THE CHAIR:

Further discussion on the Bill? Objection to the Motion? Hearing neither, it is so ordered.

THE CLERK:

Calendar 1220, File 1123, Favorable Report of the Joint Standing

## SENATE

JUNE 1, 1979

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Members of the Circle that our business is not really concluded. Senator Schneller has a Bill that he wants to reconsider and put a different Amendment on so after you vote on the Consent Calendar, we're not really thru, so don't head for the doors too quickly. The machine will be opened.  
Senator Schneller.

SENATOR SCHNELLER:

Mr. President -

THE CHAIR:

I'm just calling to your attention that you might have pushed the wrong button. Have all Senators voted? The machine will be closed and locked. On the Consent Calendar, the total voting is:

32

17 Necessary for passage

<u>32</u> Yeas	<u>HB 7975, HB 7936, HB 7953, HB 5945, HB 7694, HB 5370,</u>
<u>0</u> Nay	<u>SB 1483, HB 7884, SB 1418, SB 1429, SB 1667, SB 1467, HB 7153</u>

The Consent Calendar is adopted. Senator Schneller.

SENATOR SCHNELLER:

Mr. President, I ask that the Senate stand at ease for possible reconsideration of an Amendment that I offered earlier today dealing with the extension of State employees contracts. There might be a technical flaw in the Amendment. We would have had a new Amendment here but unfortunately the



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GEN. ASSEMBLY  
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9589-9933

House of Representatives

Wednesday, May 23, 1979

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kcr

well of the House. The machine will be opened.

The House of Representatives is voting by roll at this time. Would the members please return to the Chamber immediately. The House of Representatives is voting by roll at this time. Would the members please return to the Chamber immediately.

Have all the members voted? Would the members please check the roll call machine to determine if their vote is properly recorded. The machine will be locked. The Clerk will take the tally. Will the Clerk please announce the tally.

CLERK:

Senate Bill 1585 with Senate Amendment Schedule "A".

Total number voting	145
Necessary for passage	73
Those voting yea	145
Those voting nay	0
Those absent and not voting	6

SPEAKER ABATE:

The bill as amended passes.

CLERK:

Calendar 1346, File 1121, Substitute for House Bill 7936, AN ACT IMPLEMENTING THE LAW REVISION COMMISSION'S TECHNICAL REVISION OF THE LANDLORD AND TENANT LAWS. Favorable Report of the Committee on Judiciary.

House of Representatives

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REP. TULISANO: (29th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Richard Tulisano.

REP. TULISANO: (29th)

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

SPEAKER ABATE:

The question is on acceptance of the Joint Committee's Favorable Report and passage of the bill. Will you remark, sir?

REP. TULISANO: (29th)

Yes, Mr. Speaker. Mr. Speaker, the Clerk has an amendment, LCO 9107.

SPEAKER ABATE:

The Clerk has in his possession an amendment, LCO No. 9107 designated House Amendment Schedule "A". Would the Clerk please call and read the amendment.

CLERK:

LCO No. 9107, offered by Rep. Tulisano of the 29th. In line 15, delete "47" and substitute "46" in lieu thereof. In line 196, before "47a-46" insert "(47a-44)".

SPEAKER ABATE:

The amendment is in your possession. What is your pleasure.

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REP. TULISANO: (29th)

Mr. Speaker, I move adoption of the amendment.

SPEAKER ABATE:

The question is on adoption of House Amendment Schedule "A". Will you remark on its adoption.

REP. TULISANO: (29th)

Yes, Mr. Speaker. Clearly it is technical. It makes some changes in the file copy because of improper references, and is technical in nature only, correcting the file copy.

SPEAKER ABATE:

Will you remark further on the adoption of House "A"? All those in favor please indicate by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER ABATE:

Opposed, nay. The ayes have it. The amendment is adopted and it is ruled technical. Will you remark further on the bill as amended?

REP. TULISANO:

Yes, Mr. Speaker. Mr. Speaker, this is another revision that has come to us from the Law Revision Commission of our landlord-tenant laws. Different than the one we addressed earlier today which was substantive in nature, this is purely a technical bill, there are no substantive changes in the law. There is recodification, changes to the language and

House of Representatives

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simplification, but nothing that is in the opinion of the commission and the committee that there is any substantive changes in the law.

We have moved some of the Public Health code, that is the landlord, the tenant house act language to the landlord-tenant laws, because many lay people use these acts, and we're trying to make, put most of the law in one single place, so that they may research it easier. As I indicated it is purely technical in nature and nothing substantive in the bill.

I move its passage.

SPEAKER ABATE:

Will you remark further on this bill as amended?

Would all the members please be seated. Would all staff and guests please come to the well of the House. The machine will be opened.

The House of Representatives is voting by roll at this time. Would the members please return to the Chamber immediately. The House is voting by roll at this time. Would the members please return to the Chamber immediately.

Have all the members voted. Would the members please check the roll call machine to determine if their vote is properly recorded. The machine will be locked. The Clerk will take the tally.

REP. MAZZA: (115th)

Mr. Speaker.

House of Representatives

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SPEAKER ABATE:

Rep. Vito Mazza:

REP. MAZZA: (115th)

Thank you. In the affirmative, please.

SPEAKER ABATE:

The Journal will note.

REP. FARRICIELLI: (102nd)

Mr. Speaker.

SPEAKER ABATE:

Rep. Joseph Farricielli.

REP. FARRICIELLI: (102nd)

In the affirmative, please.

SPEAKER ABATE:

The Journal will so note, sir.

Will the Clerk please announce the tally.

CLERK:

House Bill 7936 as amended by House Amendment Schedule "A".

Total number voting 144

Necessary for passage 73

Those voting yea 144

Those voting nay 0

Those absent and not voting 7

SPEAKER ABATE:

The bill as amended passes.