

Legislative History for Connecticut Act

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HB 6586	PA 16	1987
House 1120 - 1123		4p.
Senate 645 - 647, 653 - 654		5p.
Insurance and Real Estate 65		1p.
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		10p.

Transcripts from the Joint Standing Committee Public Hearing(s) and/or Senate  
and House of Representatives Proceedings

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CONNECTICUT  
GEN. ASSEMBLY  
HOUSE

PROCEEDINGS  
1987

VOL. 30  
PART 4  
1103-1453

action, Mrs. Pat Geoffries from London is the sister of our Distinguished Assistant Deputy Speaker, David Lavine, and she's seated in the Well of the House with Mrs. Gladys Lavine, and if they would stand, I'm sure that the House would give them a very warm welcome.

SPEAKER STOLBERG:

Are there further announcements or points of personal privilege. If not, will the Clerk please return to the Call of the Calendar.

CLERK:

Page 9, Calendar 51, Substitute for House Bill 6586  
AN ACT CONCERNING PAYMENT ON INSURANCE CLAIMS FOR MOTOR  
VEHICLES DECLARED TO BE A TOTAL LOSS. Favorable Report  
of the Committee on Insurance and Real Estate.

SPEAKER STOLBERG:

Rep. Gabe Biafore.

REP. BIAFORE: (125th)

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

SPEAKER STOLBERG:

Will you remark?

REP. BIAFORE: (125th)

Mr. Speaker, the clerk has an amendment, LCO 5005.  
Will the Clerk please call and read the amendment?

pt

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House of Representatives

Tuesday, February 24, 1987

**SPEAKER STOLBERG:**

The Clerk has an amendment, LCO 5005 designated House Amendment Schedule "A". Will the Clerk please call and read.

**CLERK:**

LCO 5005 designated House "A" offered by Rep. Cibes.

In lines 2 and 3, delete "(15)" and insert "(16)" in lieu thereof

**SPEAKER STOLBERG:**

What is your pleasure?

**REP. BIAFORE:** (125th)

Mr. Speaker, I move for adoption of the amendment.

**SPEAKER STOLBERG:**

Will you remark?

**REP. BIAFORE:** (125th)

Mr. Speaker, this is just a technical amendment. In screening we found that the number should have been 16 and not 15.

**SPEAKER STOLBERG:**

Is there further significant debate on the amendment? Is there further debate on the amendment? If not, all those in favor of the amendment, please indicate by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER STOLBERG:

All those to the contrary nay. The amendment is adopted, and ruled technical, very technical.

Will you remark further on the bill as amended?

REP. BIAFORE: (125th)

Yes, Mr. Speaker, the bill would provide that sales tax would be paid to insurers whose cars declared totalled and this is being done presently by some of the insurance companies but this would make it mandatory for all the insurance companies so that the insurance would get equal treatment.

SPEAKER STOLBERG:

Will you remark further? Will you remark further on the bill as amended? If not, will all members please be seated. Will staff and guests come to the well of the House. The machine will be opened.

CLERK

The House of Representatives is now voting by roll. Will members please return to the Chamber immediately. The House of Representatives is now voting by roll call. Members please return to the Chamber immediately.

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1123

House of Representatives

Tuesday, February 24, 1987

CLERK: The House of Representatives is now voting by roll call. Will members return to the Chamber immediately. The House of Representatives is now voting by roll call. Members please return to the Chamber.

SPEAKER STOLBERG:

Have all the members voted and is your vote properly recorded? Have all the members voted, and is your vote properly recorded?

Have all the members voted? Rep. Wilber. If all the members have voted and your vote is properly recorded, the machine will be locked and the Clerk will take a tally.

Will the Clerk please announce the tally.

CLERK:

House Bill 6586 as amended by House "A".

Total number voting	145
Necessary for passage	73
Those voting yea	145
Those voting nay	0
Those absent and not voting	5

SPEAKER STOLBERG:

The bill is passed.

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GEN. ASSEMBLY  
SENATE

PROCEEDINGS  
1987

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PART 2  
377-763

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THE CHAIR:

Any objection? Hearing none, so ordered.

THE CLERK:

Calendar No. 62, File Nos. 78 & 48, Substitute for House Bill No. 6586. AN ACT CONCERNING PAYMENT ON INSURANCE CLAIMS FOR MOTOR VEHICLES DECLARED TO BE A TOTAL LOSS. (As amended by House Amendment Schedule "A"). Favorable Report of the Committee on INSURANCE AND REAL ESTATE.

THE CHAIR:

Senator Powers.

SENATOR POWERS:

Thank you, Mr. President. I rule acceptance of the Joint Committee's favorable report and passage of the bill in concurrence with the Senate - in concurrence with the House - and also House amendment "A".

THE CHAIR:

Do you wish to remark?

SENATOR POWERS:

Thank you, Mr. President. This bill is really clarifying some existing activities and that is that most insurance companies at this time include sales tax in the total of a settlement. Unfortunately, not are all doing that. This would simply require uniformity as long as the insured relinquishes the

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title and I would, if there is no objection, Mr. President, I would ask that this be placed on the Consent Calendar.

THE CHAIR:

Senator Upson.

SENATOR UPSON:

Yes, if I may Mr. President, through you ask Senator Powers one question.

THE CHAIR:

You may proceed.

SENATOR UPSON:

The sales tax, this means if I purchased a vehicle for \$10,000 and had a trade in for \$5,000 and then that vehicle was in an accident a year later. The sales tax that we are talking about would just be the actual sales tax that I paid on my original vehicle, minus, including the deduction for the trade in. If I may Mr. President, through you.

THE CHAIR:

Senator Powers.

SENATOR POWERS:

Mr. President, through you, to Senator Upson. That is my understanding.

SENATOR UPSON:

Thank you very much.

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THE CHAIR:

Further remarks? Do you wish to move this to the Consent Calendar, Senator Powers?

SENATOR POWERS:

Yes, I'm sorry. I do, Mr. President.

THE CHAIR:

Without objection, so ordered.

THE CLERK:

Calendar page 4, Calendar No. 63, File No. 49, House Bill No. 6588. AN ACT CONCERNING CANCELLATION OF COMMERCIAL AUTOMOBILE INSURANCE ISSUED UNDER A RESIDUAL MARKET MECHANISM. Favorable Report of the Committee on INSURANCE AND REAL ESTATE.

THE CHAIR:

Senator Powers.

SENATOR POWERS:

Thank you, Mr. President. I move acceptance of the Joint Committee's favorable report and passage of the bill in concurrence with the House.

THE CHAIR:

Will you remark?

SENATOR POWERS:

Yes, Mr. President. Thank you. This simply exempts commercial automobile insurance policies that currently come

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THE CLERK:

Calendar page 1, under EXECUTIVE & LEGISLATIVE NOMINATIONS, Calendar No. 59, Senate Joint Resolution No. 9. Calendar No. 67, House Joint Resolution No. 68. Calendar No. 85, Senate Joint Resolution No. 35. Calendar page 2, Calendar No. 86, Senate Joint Resolution No. 36. Calendar No. 87, Senate Joint Resolution No. 37. Calendar No. 88, Senate Joint Resolution No. 24. Under FAVORABLE REPORTS, Calendar No. 51, Substitute for House Bill No. 5558. Calendar page 3, Calendar No. 56, Substitute for Senate Bill No. 157. Calendar No. 58, Substitute for Senate Bill No. 833. Calendar No. 60, House Bill No. 5554. Calendar No. 61, House Bill No. 5557. Calendar No. 62, Substitute for House Bill No. 6586. Calendar page 4, Calendar No. 63, House Bill No. 6588. Calendar No. 64, House Bill No. 5073. Calendar No. 65, House Bill No. 5332. Calendar page 5, RESOLUTIONS, Calendar No. 68, House Joint Resolution No. 28. Calendar No. 69, House Joint Resolution No. 30. Calendar No. 70, House Joint Resolution No. 31. Calendar No. 71, House Joint Resolution No. 32. Calendar No. 72, House Joint Resolution No. 33. Calendar page 6, Calendar No. 73, House Joint Resolution No. 34. Calendar No. 74, House Joint Resolution No. 35. Calendar No. 75, House Joint Resolution No. 36. Calendar No. 76, House Joint Resolution No. 38. Calendar No. 77, House Joint Resolution

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No. 40. Calendar page 7, Calendar No. 78, House Joint Resolution

No. 42. Calendar No. 79, House Joint Resolution No. 43.

Calendar No. 80, House Joint Resolution No. 44. Calendar No. 81,

House Joint Resolution No. 46. Calendar No. 82, House Joint

Resolution No. 47. Calendar page 8, Calendar No. 83, House Joint

Resolution No. 49. Calendar No. 84, House Joint Resolution No.

50. That is the entire Consent Calendar.

THE CHAIR:

Any corrections or omissions? The machine is open. Please record your vote. Has everyone voted? The machine is closed. Clerk, please tally the vote. The result of the vote, 35 yea, 0 nay. The Consent Calendar is adopted. We have Senate Agendas 2 and 3. Senator O'Leary.

SENATOR O'LEARY:

Thank you, Mr. President. I move that all items on Senate Agendas No. 2 and 3 date March 3, 1987 be acted upon as indicated and that the Agenda be incorporated by reference into the Senate Journal and the Senate Transcript.

THE FOLLOWING IS SENATE AGENDA NO. 2 FOR TUESDAY, MARCH 3, 1987:

SENATE BILL FAVORABLY REPORTED - WITH A CHANGE OF REFERENCE

Program & Review & Investigations - Substitute Senate Bill 870.

An Act Concerning the Legislative Recommendations of the Program Review and Investigations Committee for the Department of

JOINT  
STANDING  
COMMITTEE  
HEARINGS

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PART 1  
1-343

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RCB 6586 This would require insurers to add the sales tax to the settlement amount paid for a motor vehicle declared a constructive total loss. This is our current practice and we support it as fair to consumers, unless the consumer receives the settlement but also keeps the car. We recommend that this bill be amended to specify that sales tax shall be included in the settlement whenever the insurer takes title to the car.