

S-433

CONNECTICUT
GEN. ASSEMBLY
SENATE

PROCEEDINGS
1999

VOL. 42
PART 5
1431-1786

001508

78

pat

Senate

Wednesday, May 5, 1999

discussion, I would move this bill to the Consent Calendar.

THE CHAIR:

Without objection, so ordered.

THE CLERK:

Calendar 353, File 192, HB7020 An Act Making Technical Corrections to the Insurance Statutes. Favorable Report of the Committee on Insurance.

THE CHAIR:

Senator Jepsen.

SEN. JEPSEN:

Thank you, Madam President. I would ask that this matter be passed and retain its place on the Calendar.

THE CHAIR:

Without objection, so ordered.

THE CLERK:

Calendar Page 18, Calendar 358, File 37, HB6806 An Act Concerning the Statute of Limitations in Wrongful Death Actions. Favorable Report of the Committee on Judiciary.

THE CHAIR:

Senator Williams.

SEN. WILLIAMS:

Thank you, Madam President. I move adoption of the Joint Committee's Favorable Report and passage of the

001509

79

pat

Senate

Wednesday, May 5, 1999

bill.

THE CHAIR:

The question is on passage. Will you remark?

SEN. WILLIAMS:

Thank you, Madam President. This bill quite simply would eliminate the statute of limitations on wrongful death actions. And it arises from a case that I think most in the Chamber have heard of regarding the murder of Patricia Urbanski of New Britain and the subsequent judgment in favor of her convicted murderer in the amount of \$2 million.

Now, at the time that that judgment came through, the statute of limitations for the family of Patricia Urbanski, the statute had run and they were no longer able to file a wrongful death action. For the victims of any family who have to suffer the loss of one of their own through murder, I think, Madam President, it is vitally important that we allow the victims' families to be able to recover and not to have an arbitrary statutory bar to their recovery should the murderer actually come into a windfall at some point in the future.

I would also like to state for the record that because a statute of limitations is not, does not alter a substantive right, it would be, in this case,

001510

pat

80

Senate

Wednesday, May 5, 1999

retroactive and we have state Supreme Court authority for that proposition and for all of those reasons I would urge passage of the bill.

THE CHAIR:

The question is on passage. Will you remark further? Senator Sullivan.

SEN. SULLIVAN:

Thank you, Madam President. Only to thank Senator Williams and the Judiciary Committee for bringing the legislation here so that we can vote on it and hopefully soon have this legislation on the Governor's desk.

The murder of this young 15 year old and the pain and loss and tragedy to the Urbanski family was only compounded as Senator Williams says, by the loss of the opportunity under prior law to seek claim for wrongful death. And if you can imagine remembering a statute of limitations and dealing with the blood brutal murder of your daughter, I can understand their dilemma.

To have that compounded by the prospect that the murderer, having escaped any financial liability would now enjoy some \$2 million however wrongly or rightly awarded in his own case, and the family have no opportunity to seek recovery for themselves would have compounded this horrible tragedy even further.

So, Senator Williams, this will probably not be the

001511

81

pat

Senate

Wednesday, May 5, 1999

most long lasting bit of legislation that we or you bring forward, but it shows that the system does both listen and feel and I thank you for the work you've done on this.

THE CHAIR:

Thank you, Senator. Will you remark further?

Senator Herlihy.

SEN. HERLIHY:

Thank you, Madam President. I'd like to associate my comments with Senator Sullivan. It was immediately following the awarding of in excess of \$2 million to the convicted rapist and murderer that I was contacted by a representative of the family. And I want to thank Senator Sullivan. I went to him. The Urbanskis live in Farmington, which is his district and he was extremely helpful.

I also want to thank Senator Williams and the Judiciary Committee for offering this family that is battling with this issue, offering them this legislative redress. Thank you.

THE CHAIR:

Thank you, Sir. Will you remark further? Senator McKinney.

SEN. MCKINNEY:

Thank you, Madam President. Through you to the

pat

Senate

Wednesday, May 5, 1999

proponent of the bill. Senator Williams had indicated that this legislation would be retroactive. In other words, if someone had a claim that is beyond two years, they would now be able to bring it.

My question to the proponent is, if someone had brought a claim say three years and that claim had been dismissed due to lack of jurisdiction because of failure to comply with the statute of limitations, would that claim be resurrected?

THE CHAIR:

Senator Williams.

SEN. WILLIAMS:

Thank you, Madam President. Through you, yes. Right now what we're saying by enacting this legislation is that the statute of limitations which was formerly a bar, would no longer be a bar. And because that's, excuse me, Madam President.

THE CHAIR:

Senator Williams.

SEN. WILLIAMS:

Thank you, Madam President. Let me modify the beginning of my previous response. Apparently, if this had been acted upon by the court and dismissed with prejudice because of the statutory limitation, then that would be apparently final action on the matter because

001513

pat

83

Senate

Wednesday, May 5, 1999

it would have been litigated previously under the previous statute. So I will leave my answer there.

THE CHAIR:

Senator McKinney.

SEN. MCKINNEY:

Thank you, Madam President. And just a quick comment. What we are doing in passage of this bill is saying that if someone did not bring suit within two years and never brought suit, they now have the right to bring one.

Had someone brought a suit but brought it untimely, they cannot now bring a suit.

It's also worth noting for the record that under our laws, someone can bring a civil suit within the statute of limitations, secure a judgment, and that judgment will be good for twenty years and is often extended by the court beyond that. Thank you, Madam President.

THE CHAIR:

Thank you, Sir. Will you remark further?

SEN. WILLIAMS:

Madam President.

THE CHAIR:

Senator Williams.

SEN. WILLIAMS:

pat
Senate

84 001514

Wednesday, May 5, 1999

Just one further note to also thank Senator Sullivan and Senator Herlihy for their remarks. And also just to note that we in the Chamber have done many important things in the last couple of years on behalf of victims and I think this is one more positive step forward on behalf of the families of those who have been injured or killed in the commission of crime.

THE CHAIR:

Thank you, Sir. Will you remark further? Will you remark further? Senator Williams.

SEN. WILLIAMS:

Madam President, if there is no objection, I would move this to the Consent Calendar.

THE CHAIR:

Without objection, so ordered.

THE CLERK:

Calendar Page 22, Matters Returned from Committee, Calendar 95, File 24, Substitute for SB1011 An Act Concerning the Nondisclosure of Residential Addresses of Employees of the Board of Parole. Favorable Report of the Committee on Judiciary and Government Administration and Elections. The Clerk is in possession of two Senate amendments.

THE CHAIR:

Senator Williams.

pat

Senate

Wednesday, May 5, 1999

Calendar Page 3, Calendar 184, Substitute for
Senate, correction, Substitute for HB6208.

Calendar 185, HB6591.

Calendar 186, Substitute for HB6715.

Calendar Page 5, Calendar 228, SB1062.

Calendar Page 6, Calendar 257, Substitute for
SB1003.

Calendar 269, Substitute for SB1228.

Calendar Page 7, Calendar 284, HB6820.

Calendar 286, Substitute for HB7055.

Calendar Page 8, Calendar 289, HB6617.

Calendar 290, HB6629.

Calendar Page 9, Calendar 296, HB6933.

Calendar 301, SB1178.

Calendar Page 11, Calendar 313, SB1230.

Calendar Page 13, Calendar 322, Substitute for
SB1341.

Calendar Page 16, Calendar 343, SB974.

Calendar 346, Substitute for HB6664.

Calendar Page 17, Calendar 350, Substitute for
HB6611.

Calendar Page 18, Calendar 356, HB6657.

Calendar 357, Substitute for HB6680.

Calendar 358, HB6806.

Calendar 359, Substitute for HB7046.

001529

pat

99

Senate

Wednesday, May 5, 1999

Calendar 360, HB7050.

Calendar Page 19, Calendar 363, Substitute for
HB5359.

Calendar Page 22, Calendar 95, Substitute for
SB1011.

Calendar Page 25, Calendar 193, Substitute for
SB1147.

Calendar 195, Substitute for SB1250,

Calendar Page 26, Calendar 205, Substitute for
SB1256.

Calendar 206, SB1259.

Calendar Page 27, Calendar 226, Substitute for
SB1163, .

Calendar 233, Substitute for SB1276.

Calendar 145, Substitute for SB1044.

Calendar Page 28, Calendar 344, Substitute for
HJ32.

Madam President, that completes the first Consent
Calendar.

THE CHAIR:

Thank you, Sir. Would you once again announce a
roll call vote on the Consent Calendar. The machine
will be opened.

THE CLERK:

An immediate roll call has been ordered in the

001530

100

pat

Senate

Wednesday, May 5, 1999

Senate. Will all Senators please return to the Chamber.

An immediate roll call has been ordered in the Senate on the Consent Calendar. Will all Senators please return to the Chamber.

THE CHAIR:

Have all members voted? If all members have voted, the machine will be locked. The Clerk please announce the tally.

THE CLERK:

Motion is on adoption of Consent Calendar #1.

Total number voting, 34; those voting yea, 35; those voting nay, 0. Those absent and not voting, 1.

THE CHAIR:

The Consent Calendar is adopted.

Senator Jepsen.

SEN. JEPSEN:

Thank you, Madam President. This is going to conclude today's Calendar. I would ask that Calendar 161 from Page 2 be marked PR and that this conclude today's legislative session.

THE CHAIR:

Thank you, Sir. At this time the Chair will entertain points of personal privilege or announcements.

Senator Bozek.

SEN. BOZEK:

H-802

CONNECTICUT
GEN. ASSEMBLY
HOUSE

PROCEEDINGS
1999

VOL. 42
PART 4
1034-1396

gmh

162

001256

House of Representatives

Wednesday, April 21, 1999

REP. GODFREY: (110TH)

Mr. Speaker, I would move that this item be referred to the Committee on Finance, Revenue and Bonding.

DEPUTY SPEAKER HYSLOP:

Seeing no objection, so ordered.

Representative Godfrey.

REP. GODFREY: (110TH)

Mr. Speaker, ladies and gentlemen, at this time I'd like to move a number of items off of the regular calendar on to the Consent Calendar. These will sit there until our next session date next week where they will be called for a vote.

The items I would like to move, Mr. Speaker at this time to the Consent Calendar will be Calendar Number 112, House Bill Number 6806, AN ACT CONCERNING THE STATUTE OF LIMITATIONS IN WRONGFUL DEATH ACTIONS.

Calendar Number 184, House Bill Number 6725, AN ACT MANDATING PSYCHOLOGISTS TO REPORT CASES OF ABUSE, NEGLECT AND EXPLOITATION OF THE ELDERLY.

Calendar Number 199, Senate Bill Number 645, AN ACT EXPANDING THE POWERS OF CONNECTICUT CREDIT UNIONS.

Calendar Number 200, Senate Bill Number 1012, AN ACT CONCERNING VALIDATION OF MARRIAGES.

Calendar Number 201, Substitute for Senate Bill

H-803

CONNECTICUT
GEN. ASSEMBLY
HOUSE

PROCEEDINGS
1999

VOL. 42
PART 5
1397-1776

001465

161

kmr

House of Representatives

Wednesday, April 28, 1999

CLERK:

HB7020.

Total Number Voting	147
Necessary for Passage	74
Those voting Yea	147
Those voting Nay	0
Those absent and not voting	4

DEP. SPEAKER CURREY:

The bill is passed. Will the Clerk please call the
Consent Calendar.

CLERK:

On page one. Calendar 112, HB6806, AN ACT
CONCERNING THE STATUTE OF LIMITATIONS IN WRONGFUL DEATH
ACTIONS. Favorable report of the Committee on
Judiciary.

DEP. SPEAKER CURREY:

Representative Godfrey.

REP. GODFREY: (110th)

Thank you Madam Speaker. Madam Speaker, ladies and
gentlemen today's Consent Calendar consists of a number
of items as you see on your calendars and on your go
lists. They include Calendar 112, HB6806; Calendar 184,
HB6725; Calendar 199, SB645; Calendar 200, SB1012;
Calendar 201, substitute for SB1030; Calendar 212,
substitute for SB1190; Calendar 213, substitute for

001466

162

kmr

House of Representatives

Wednesday, April 28, 1999

SB1197; Calendar 239, substitute for HB5373; Calendar
243, HB6657; Calendar 250, substitute for HB7046;
Calendar 271, HB7051.

HB7050

Madam Speaker, I would move passage of the bills on
today's Consent Calendar.

DEP. SPEAKER CURREY:

Will you remark further on the Consent Calendar?
Will you remark further? If not, will staff and guests
please come to the well and members take their seats,
the machine will be open.

CLERK:

The House of Representatives is voting by roll call
members to the Chamber. The House is voting by roll
call, members to the Chamber please.

DEP. SPEAKER CURREY:

Have all the members voted? Have all the members
voted? If so, please check the machine to make sure
your vote is properly cast. If all the members have
voted, the machine will be locked. The Clerk will
please take the tally. The Clerk will please announce
the tally.

CLERK:

On the Consent Calendar.

Total Number Voting	147
Necessary for Passage	74

001467

163

kmr

House of Representatives

Wednesday, April 28, 1999

Those voting Yea	147
Those voting Nay	0
Those absent and not voting	4

DEP. SPEAKER CURREY:

The Consent Calendar passes. Will the Clerk please call Calendar 299.

CLERK:

On page twelve. Calendar 299, substitute for HB6935, AN ACT CONCERNING DECISIONS OF REGIONAL CORPORATIONS ON FINANCIAL ASSISTANCE. Favorable report of the Committee on Planning and Development.

DEP. SPEAKER CURREY:

Representative Godfrey.

REP. GODFREY: (110th)

Thank you Madam Speaker. Madam Speaker, I move that this item be referred to the Committee on Finance, Revenue and Bonding.

DEP. SPEAKER CURREY:

Hearing no objections, so ordered. Will the Clerk please call 296.

CLERK:

On page eleven. Calendar 296, substitute for HB6638, AN ACT CONCERNING OPERATING RESERVES FOR HOUSING DEVELOPMENTS.

DEP. SPEAKER CURREY: