



House of Representatives

General Assembly

File No. 11

February Session, 2000

House Bill No. 5139

House of Representatives, March 3, 2000

The Committee on Judiciary reported through REP. LAWLOR of the 99th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

An Act Concerning The Claim Against The State Of Sister Gail Nicastro.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 (a) Notwithstanding the failure to file a claim against the state with
2 the Claims Commissioner within the time limitations specified by
3 subsection (a) of section 4-148 of the general statutes, and
4 notwithstanding the provisions of subsection (c) of said section 4-148
5 barring the presentment of a claim once considered by the Claims
6 Commissioner, by the General Assembly or in a judicial proceeding,
7 Sister Gail Nicastro is authorized pursuant to the provisions of
8 subsection (b) of said section 4-148 to present her claim against the
9 state to the Claims Commissioner. The General Assembly deems such
10 authorization to be just and equitable and finds that such authorization
11 is supported by compelling equitable circumstances and would serve a
12 public purpose.

13 (b) The state shall be barred from setting up the failure to comply

14 with the provisions of section 4-148 of the general statutes and from
15 setting up the fact that the claim had once been considered by the
16 Claims Commissioner, by the General Assembly or in a judicial
17 proceeding as defenses to such claim.

JUD Committee Vote: Yea 37 Nay 0 JF

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: Potential Future Cost

Affected Agencies: Office of the Claims Commissioner

Municipal Impact: None

Explanation

State Impact:

Passage of the bill allows Sister Gail Nicastro, whose claim is currently ineligible, to present her claim against the state to the Claims Commissioner. Claims for damages up to \$7,500 are processed through the Office of Claims Commissioner and can be handled within the agency's existing budgetary resources.

Claims for damages exceeding \$7,500 are decided in a judicial proceeding. To the extent that the bill leads to a claim in court that results in a judgment against the state, it would result in costs to the state that cannot be determined. Judgments against the state are paid from the resources of the General Fund.

OLR Bill Analysis

HB 5139

***AN ACT CONCERNING THE CLAIM AGAINST THE STATE OF
SISTER GAIL NICASTRO.***

The Office of Legislative Research does not analyze special acts.