



House of Representatives

General Assembly

File No. 439

February Session, 2000

Substitute House Joint Resolution No. 139

House of Representatives, April 5, 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 substitute joint resolution ought to be adopted.

Resolution Rejecting The Recommendation Of The Claims Commissioner With Regard To The Claim Of The Town Of West Hartford, Et Al.

Resolved by this Assembly:

1 That the recommendation of the Claims Commissioner, file number
2 17861 of said commissioner, that the claim against the state in excess of
3 seven thousand five hundred dollars of the Town of West Hartford, et
4 al., be dismissed, is rejected and (1) the Town of West Hartford, et al.,
5 is authorized to institute and prosecute an action against the state to
6 apportion liability for damages if the town or the individual
7 defendants are held liable in an action for wrongful death instituted
8 and prosecuted by the Estate of Joshua A. Silver, and (2) the Estate of
9 Joshua A. Silver is authorized to institute and prosecute to final
10 judgment an action against the state to recover damages as
11 compensation for the wrongful death of Joshua A. Silver on August 18,
12 1998.

JUD **Committee Vote:** Yea 40 Nay 0 JFS

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 Claim Commissioner

Municipal Impact: See below

Explanation

State and Municipal Impact:

The resolution rejects the recommendation of the Claims Commissioner that the claim of the Town of West Hartford, Et. Al. be dismissed and permits the claimants to sue the state to apportion damages. To the extent that the action against the state results in a judgment in favor of the claimant, it would result in a cost to the state that cannot be determined.

OLR Bill Analysis

sHJ 139

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TOWN OF WEST HARTFORD, ET AL.***

The Office of Legislative Research does not analyze resolutions.