



Senate

General Assembly

File No. 558

January Session, 2001

Substitute Senate Bill No. 1436

Senate, May 2, 2001

The Committee on Judiciary reported through SEN. COLEMAN of the 2nd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING CLAIMS AGAINST THE STATE.

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

1 Section 1. Notwithstanding the failure to file an appeal with the
2 Employees' Review Board within the time limitations specified by
3 section 5-202 of the general statutes, and notwithstanding that the
4 subject of such appeal has once been considered by the Claims
5 Commissioner, by the Employees' Review Board, by the General
6 Assembly or in a judicial proceeding, Ludmil Chotkowski is
7 authorized to submit his appeal to the Employees' Review Board,
8 provided he submits such appeal to the board not later than October 1,
9 2001.

10 Sec. 2. (a) Notwithstanding the failure to file a claim against the state
11 with the Claims Commissioner within the time limitations specified by
12 subsection (a) of section 4-148 of the general statutes, and
13 notwithstanding the provisions of subsection (c) of said section 4-148
14 barring the presentment of a claim once considered by the Claims

15 Commissioner, by the General Assembly or in a judicial proceeding,
16 Nadim Hanna is authorized pursuant to the provisions of subsection
17 (b) of said section 4-148 to present his claim against the state to the
18 Claims Commissioner. The General Assembly deems such
19 authorization to be just and equitable and finds that such authorization
20 is supported by compelling equitable circumstances and would serve a
21 public purpose.

22 (b) The state shall be barred from setting up the failure to comply
23 with the provisions of section 4-148 of the general statutes and from
24 setting up the fact that the claim had once been considered by the
25 Claims Commissioner, by the General Assembly or in a judicial
26 proceeding as defenses to such claim.

JUD *Joint Favorable Subst.*

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 Significant Cost

Affected Agencies: Claims Commissioner, Department of Administrative Services (Employees' Review Board)

Municipal Impact: None

Explanation

State Impact:

The bill permits Ludmil Chotkowski to submit an appeal to the Employees' Review Board. Mr. Chotkowski is seeking lost wages and interest related to the termination of his employment in 1976 by the Veterans' Home & Hospital (now the Department of Veterans' Affairs) in Rocky Hill. If the Employees' Review Board rules in his favor, a significant cost to the state could result.

The bill also permits Nadim Hanna to present his \$1 million claim against the state to the Claims Commissioner. He is seeking damages and permission to sue the state for personal injury he claims he sustained in 1998 when a patient of the Capitol Region Mental Health Center attacked him. By law, the Claims Commissioner can only award claims in amounts of \$7,500 or less, which are payable from the adjudicated claims account within the Office of the Claims Commissioner. He may recommend to the General Assembly that

larger claims be awarded or that permission to sue be granted.

OLR Bill Analysis

sSB 1436

AN ACT CONCERNING CLAIMS AGAINST THE STATE.

The Office of Legislative Research does not analyze special acts.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 37 Nay 0