



Senate

General Assembly

February Session, 2002

File No. 394

Senate Bill No. 600

Senate, April 9, 2002

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

AN ACT CONCERNING THE CLAIMS COMMISSIONER.

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

1 Section 1. Section 4-142a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2002*):

3 (a) The Claims Commissioner shall be appointed by the Governor
4 with the advice and consent of the General Assembly to serve for a
5 term of four years from the first day in July in the year of his
6 appointment and until his successor has been appointed and has
7 qualified. The commissioner shall be an attorney-at-law and shall have
8 been admitted to practice before the courts of the state of Connecticut
9 for at least five years prior to his appointment. The commissioner shall
10 receive such compensation as is fixed under the provisions of section
11 4-40. The commissioner shall devote full time to the duties of the office.
12 The commissioner may enter into such contractual agreements, in
13 accordance with established procedures, as may be necessary for the
14 discharge of his duties. Subject to the provisions of section 4-32, and

15 unless otherwise provided by law, the commissioner is authorized to
16 receive any money, revenue or services from the federal government,
17 corporations, associations or individuals, including payments from the
18 sale of printed matter or any other materials or services.

19 (b) The Office of the Claims Commissioner shall be within the office
20 of the Comptroller for administrative purposes only.

21 Sec. 2. (*Effective October 1, 2002*) Notwithstanding any provision of
22 chapter 66 of the general statutes, any person serving as Claims
23 Commissioner pursuant to section 4-142a of the general statutes, as
24 amended by this act, on the effective date of this section and section 1
25 of this act shall receive full credit, for retirement purposes, for any
26 prior period or periods of actual full-time state service.

This act shall take effect as follows:	
Section 1	<i>October 1, 2002</i>
Sec. 2	<i>October 1, 2002</i>

JUD *Joint Favorable*

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:

Fund-Type	Agency Affected	Current FY \$	FY 03 \$	FY 04 \$
GF - Cost	State Employees Retirement Contrib. (State Comptroller)	None	None	Minimal

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill requires the Claims Commissioner to devote full time to the duties of the office. It does not change the amount of compensation he receives; consequently, there is no fiscal impact related to this change. The bill also provides that the current Claims Commissioner shall receive full credit for any prior period of actual full-time state service. This would result in a minimal cost to the state employees retirement contributions account within the Office of the Comptroller.

OLR Bill Analysis

SB 600

AN ACT CONCERNING THE CLAIMS COMMISSIONER**SUMMARY:**

This bill requires the claims commissioner to devote full time to the duties of his office. The commissioner is appointed by the governor with the advice and consent of the General Assembly for a four-year term.

The bill also gives the claims commissioner serving on October 1, 2002 full credit for retirement purposes for any actual full-time state service, regardless of any provisions of the State Employees Retirement Act.

EFFECTIVE DATE: October 1, 2002

BACKGROUND***Claims Commission Law***

The law requires those who seek permission to sue the state to go to the claims commissioner unless their case falls within certain exceptions. The commissioner can approve the immediate payment of "just claims" not exceeding \$7,500. If he recommends paying or rejecting claims over \$7,500, the commissioner must submit the recommendation to the General Assembly. The General Assembly may accept or alter the recommendation or reject it and grant or deny the claimant permission to sue the state.

The General Assembly or the commissioner can authorize a claimant to sue the state when they deem it just and equitable and when the claim, in their opinion, presents an issue of law or fact under which the state, were it a private person, could be liable. In such situations, the state waives its immunity from liability and all defenses that might arise from the governmental nature of the activity complained of. The rights and liability of the state in these lawsuits are the same as those of private persons in similar circumstances.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Report

Yea 41 Nay 0