



Senate

General Assembly

File No. 644

February Session, 2002

Substitute Senate Bill No. 600

Senate, May 6, 2002

The Committee on Appropriations reported through SEN. CRISCO of the 17th Dist., Chairperson of the Committee on the part of the Senate, that the substitute 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 Section 4-142a of the general statutes is repealed and the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.

This act shall take effect as follows:	
Section 1	October 1, 2002

APP *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: None

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.

OLR Bill Analysis

sSB 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 legislature's advice and consent for a four-year term.

EFFECTIVE DATE: October 1, 2002

BACKGROUND***Claims Commission Law***

The law requires anyone seeking permission to sue the state to go to the claims commissioner unless the case falls within certain exceptions. The commissioner can approve the immediate payment of "just claims" up to \$7,500. If he recommends paying or rejecting claims over \$7,500, he must submit the recommendation to the General Assembly.

The General Assembly may accept or alter a 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 in their opinion, the claim 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 state's rights and liability in these lawsuits are the same as those of private persons in similar circumstances.

Legislative History

On April 17, the Senate referred the bill to the Government Administration and Elections Committee, which reported it favorably on April 19. On April 25, the Senate referred it to the Appropriations Committee, which reported this substitute on April 26, eliminating a

provision in the original bill (File 394) that gave 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.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Report

Yea 41 Nay 0

Government Administration and Elections Committee

Joint Favorable Report

Yea 16 Nay 0

Appropriations Committee

Joint Favorable Substitute

Yea 45 Nay 0