



General Assembly

February Session, 2002

Raised Bill No. 5751

LCO No. 2489

Referred to Committee on Judiciary

Introduced by:
(JUD)

AN ACT CONCERNING THE CLAIM AGAINST THE STATE OF THE ESTATE OF J. BLAINE LEWIS AND THE CLAIMS AGAINST THE STATE OF ELAINE BURNS, INDIVIDUALLY AND AS NEXT FRIEND OF RYAN CORNELL.

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

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

18 Sec. 2. (*Effective from passage*) (a) Notwithstanding the failure to file a
19 claim against the state with the Claims Commissioner within the time
20 limitations specified by subsection (a) of section 4-148 of the general
21 statutes, and notwithstanding the provisions of subsection (c) of said
22 section 4-148 barring the presentment of a claim once considered by
23 the Claims Commissioner, by the General Assembly or in a judicial
24 proceeding, Elaine Burns, as next friend of and conservator for Ryan
25 Cornell, and Elaine Burns, individually, is authorized pursuant to the
26 provisions of subsection (b) of said section 4-148 to present her claims
27 against the state to the Claims Commissioner. The General Assembly
28 deems such authorization to be just and equitable and finds that such
29 authorization is supported by compelling equitable circumstances and
30 would serve a public purpose.

31 (b) The state shall be barred from setting up the failure to comply
32 with the provisions of section 4-148 of the general statutes and from
33 setting up the fact that the claims had once been considered by the
34 Claims Commissioner, by the General Assembly or in a judicial
35 proceeding as defenses to such claims.

This act shall take effect as follows:	
Section 1	<i>from passage</i>
Sec. 2	<i>from passage</i>

Statement of Purpose:

To authorize the estate of J. Blaine Lewis and Elaine Burns, individually and as next friend of Ryan Cornell, to present their claims against the state to the Claims Commissioner for a hearing on the merits.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]