



House of Representatives

General Assembly

File No. 240

February Session, 2004

Substitute House Joint Resolution No. 41

House of Representatives, March 24, 2004

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 KATHRYN R. BERUBE.

Resolved by this Assembly:

1 That the recommendation of the Claims Commissioner, file number
2 18891 of said commissioner, that no award be granted to Kathryn R.
3 Berube on her claim against the state in excess of seven thousand five
4 hundred dollars and that permission to sue be denied, is rejected and
5 Kathryn R. Berube is authorized to institute and prosecute to final
6 judgment an action against the state to recover damages as
7 compensation for personal injury allegedly suffered by her on
8 November 18, 2000. Such action shall be brought not later than one
9 year from the date of the final adoption by the General Assembly of
10 this resolution.

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:

Agency Affected	Fund-Effect	FY 05 \$	FY 06 \$
Comptroller - Adjudicated Claims Account	GF - Potential Cost	Approximately 150,000	0
Attorney General	GF - None	None	None

Note: GF=General Fund

Municipal Impact: None

Explanation

The resolution grants the claimant permission to sue the state. The claimant seeks to recover \$150,000 in damages allegedly resulting from negligence by the University of Connecticut. Any settlement or judgment payment would be made from the Adjudicated Claims account.¹ It is anticipated that the Attorney General would represent the University of Connecticut in this matter. Consequently, there would be no additional cost to the state for legal representation.

¹ The Adjudicated Claims account is a non-appropriated, General Fund account within the State Comptroller’s agency for administrative purposes. Payments from this account would reduce a surplus or increase a deficit in the General Fund.

OLR Bill Analysis

sHJ-41

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SUMMARY:

The Office of Legislative Research does not analyze Resolutions.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 26 Nay 12