



House of Representatives

General Assembly

File No. 793

January Session, 2009

Substitute House Joint Resolution No. 67

House of Representatives, April 21, 2009

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 VACATING THE DECISION OF THE CLAIMS COMMISSIONER TO DENY THE CLAIMS AGAINST THE STATE OF NORA HENRY, DOROTHY SPELLMAN AND JUAN VASQUEZ AND AUTHORIZING THE CLAIMANTS TO SUE THE STATE.

Resolved by this Assembly:

1 Section 1. That the decision of the Claims Commissioner, file
2 number 20261 of said commissioner, ordering the denial of the claim
3 against the state in excess of seven thousand five hundred dollars of
4 Nora Henry, is vacated and the claimant is authorized to institute and
5 prosecute to final judgment an action against the state to recover
6 damages as compensation for injury to person or damage to property,
7 or both, allegedly suffered by the claimant as set forth in said claim.
8 Such action shall be brought not later than one year from the date of
9 the final adoption by the General Assembly of this resolution.

10 Sec. 2. That the decision of the Claims Commissioner, file number
11 20260 of said commissioner, ordering the denial of the claim against
12 the state in excess of seven thousand five hundred dollars of Dorothy

13 Spellman, is vacated and the claimant is authorized to institute and
14 prosecute to final judgment an action against the state to recover
15 damages as compensation for injury to person or damage to property,
16 or both, allegedly suffered by the claimant as set forth in said claim.
17 Such action shall be brought not later than one year from the date of
18 the final adoption by the General Assembly of this resolution.

19 Sec. 3. That the decision of the Claims Commissioner, file number
20 20259 of said commissioner, ordering the denial of the claim against
21 the state in excess of seven thousand five hundred dollars of Juan
22 Vasquez, is vacated and the claimant is authorized to institute and
23 prosecute to final judgment an action against the state to recover
24 damages as compensation for injury to person or damage to property,
25 or both, allegedly suffered by the claimant as set forth in said claim.
26 Such action shall be brought not later than one year from the date of
27 the final adoption by the General Assembly of this resolution.

JUD *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 10 \$	FY 11 \$
Various State Agencies	GF - Potential Cost	285,310	None

Note: GF=General Fund

Municipal Impact: None

Explanation

The resolution would allow the claimants to sue the state to recover damages, in the amount of \$285,310. The state could incur minimal costs related to legal expenses. Any workload increase to the Office of the Attorney General under the resolution could be accommodated within budgeted resources. Payment on the claim itself, were it to occur, would be made from the Comptroller's Adjudicated Claim account.

The Out Years

There is no out year fiscal impact.

OLR Bill Analysis

sHJ 67

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SUMMARY:

The Office of Legislative Research does not analyze Resolutions.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 36 Nay 0 (04/03/2009)