



House of Representatives

File No. 837

General Assembly

January Session, 2013

(Reprint of File No. 746)

Substitute House Joint Resolution No. 45
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
May 20, 2013

**RESOLUTION CONCERNING THE DISPOSITION OF CERTAIN
CLAIMS AGAINST THE STATE PURSUANT TO CHAPTER 53 OF THE
GENERAL STATUTES.**

Resolved by this Assembly:

1 Section 1. That the decision of the Claims Commissioner, file
2 number 21875 of said commissioner, ordering the denial of the claim
3 against the state in excess of seven thousand five hundred dollars of
4 James Alevras, is confirmed.

5 Sec. 2. That the decision of the Claims Commissioner, file number
6 22643 of said commissioner, ordering the dismissal of the claim against
7 the state in excess of seven thousand five hundred dollars of Anthony
8 Carter, is confirmed.

9 Sec. 3. That the decision of the Claims Commissioner, file number
10 22132 of said commissioner, ordering the denial of the claim against
11 the state in excess of seven thousand five hundred dollars of James
12 Darrow, is confirmed.

13 Sec. 4. That the decision of the Claims Commissioner, file numbers

14 22111 and 22112 of said commissioner, ordering the denial of the
15 claims against the state in excess of seven thousand five hundred
16 dollars of Leroy Gardner, is confirmed.

17 Sec. 5. That the decision of the Claims Commissioner, file number
18 22505 of said commissioner, ordering the denial of the claim against
19 the state in excess of seven thousand five hundred dollars of Donald
20 Glover, is confirmed.

21 Sec. 6. That the decision of the Claims Commissioner, file number
22 22570 of said commissioner, ordering the dismissal of the claim against
23 the state in excess of seven thousand five hundred dollars of
24 Alexander Langer, is confirmed.

25 Sec. 7. That the decision of the Claims Commissioner, file numbers
26 22504, 22607 and 22717 of said commissioner, ordering the dismissal of
27 the claims against the state in excess of seven thousand five hundred
28 dollars of Cecelia Lebby, is confirmed.

29 Sec. 8. That the decision of the Claims Commissioner, file number
30 21823 of said commissioner, ordering the denial of the claim against
31 the state in excess of seven thousand five hundred dollars of Vincent
32 Palangio, is confirmed.

33 Sec. 9. That the decision of the Claims Commissioner, file number
34 22557 of said commissioner, ordering the dismissal of the claim against
35 the state in excess of seven thousand five hundred dollars of George
36 Toth, is confirmed.

37 Sec. 10. That the decision of the Claims Commissioner, file number
38 22165 of said commissioner, ordering the denial of the claim against
39 the state in excess of seven thousand five hundred dollars of John
40 Vivo, III, is confirmed.

41 Sec. 11. That the decision of the Claims Commissioner, file number
42 22428 of said commissioner, ordering the dismissal of the claim against
43 the state in excess of seven thousand five hundred dollars of Charles

44 Young, is confirmed.

45 Sec. 12. That the decision of the Claims Commissioner, file number
46 22830 of said commissioner, ordering the dismissal of the claim against
47 the state in excess of seven thousand five hundred dollars of Lori
48 Calvert, is vacated and the claimant is authorized to institute and
49 prosecute to final judgment an action against the state to recover
50 damages as compensation for injury to person or damage to property,
51 or both, allegedly suffered by the claimant as set forth in said claim.
52 Such action shall be brought not later than one year from the date of
53 the final adoption by the General Assembly of this resolution.

54 Sec. 13. That the decision of the Claims Commissioner, file number
55 22932 of said commissioner, ordering the dismissal of the claim against
56 the state in excess of seven thousand five hundred dollars of Millicent
57 A. Corbett, is vacated and the claimant is authorized to institute and
58 prosecute to final judgment an action against the state to recover
59 damages as compensation for injury to person or damage to property,
60 or both, allegedly suffered by the claimant as set forth in said claim.
61 Such action shall be brought not later than one year from the date of
62 the final adoption by the General Assembly of this resolution.

63 Sec. 14. That the decision of the Claims Commissioner, file number
64 22227 of said commissioner, ordering the denial of the claim against
65 the state in excess of seven thousand five hundred dollars of Michael
66 Mussington, is vacated and the claimant is authorized to institute and
67 prosecute to final judgment an action against the state to recover
68 damages as compensation for injury to person or damage to property,
69 or both, allegedly suffered by the claimant as set forth in said claim.
70 Such action shall be brought not later than one year from the date of
71 the final adoption by the General Assembly of this resolution.

72 Sec. 15. That the decision of the Claims Commissioner, file number
73 21935 of said commissioner, ordering the denial of the claim against
74 the state in excess of seven thousand five hundred dollars of Christian
75 Perez, is vacated and the claimant is authorized to institute and

76 prosecute to final judgment an action against the state to recover
77 damages as compensation for injury to person or damage to property,
78 or both, allegedly suffered by the claimant as set forth in said claim.
79 Such action shall be brought not later than one year from the date of
80 the final adoption by the General Assembly of this resolution.

81 Sec. 16. That the decision of the Claims Commissioner, file numbers
82 21794 and 21795 of said commissioner, ordering the denial of the
83 claims against the state in excess of seven thousand five hundred
84 dollars of Aureo Ruiz and Dawn Ruiz, is vacated and the claimants are
85 authorized to institute and prosecute to final judgment actions against
86 the state to recover damages as compensation for injury to person or
87 damage to property, or both, allegedly suffered by the claimants as set
88 forth in said claims. Such actions shall be brought not later than one
89 year from the date of the final adoption by the General Assembly of
90 this resolution.

91 Sec. 17. That, notwithstanding substitute house joint resolution
92 number 40 of the 2012 regular session of the General Assembly, the
93 Claims Commissioner be granted an extension for a period of one year
94 from the date of the final adoption of this resolution by this Assembly
95 to dispose of the claim against the state of William Pettaway, file
96 number 21512 of said commissioner.

97 Sec. 18. That the Claims Commissioner be granted an extension for a
98 period of one year from the date of the final adoption of this resolution
99 by this Assembly to dispose of the claim against the state of Sylvester
100 Lee Tucker, file number 20172 of said commissioner.

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 14 \$	FY 15 \$
Comptroller - Adjudicated Claims Account	GF - Cost	See Below	See Below

Municipal Impact: None

Explanation

Sections 1 - 11 of the resolution would result in no fiscal impact to the state. The resolution accepts the recommendation of the Claims Commissioner that no awards be granted on various claims against the state in excess of \$39 billion and that permission to sue in all cases be denied.

Section 12 allows the claimant, Lori Calvert, to sue the state to recover damages as compensation for personal injury and/or property damage allegedly suffered totaling \$15,000 or more as set forth in said claims. Payout on the claim, were it to occur, would be made from the Comptroller's Adjudicated Claims account. The total cost to the state cannot be determined as the outcome of this future lawsuit is unknown.¹

Section 13 allows the claimant, Millicent A. Corbett, to sue the state to recover damages as compensation for personal injury and/or property damage allegedly suffered totaling \$50,000 or more as set forth in said claims. Payout on the claim, were it to occur, would be

¹ Notwithstanding the claimant's failure to file within the time limitations specified by statute.

made from the Comptroller's Adjudicated Claims account. The total cost to the state cannot be determined as the outcome of this future lawsuit is unknown.¹

Section 14 allows the claimant, Michael Mussington, to sue the state to recover damages as compensation for personal injury and/or property damage allegedly suffered totaling \$5,000 or more as set forth in said claims. Payout on the claim, were it to occur, would be made from the Comptroller's Adjudicated Claims account. The total cost to the state cannot be determined as the outcome of this future lawsuit is unknown.¹

Section 15 allows the claimant, Christian Perez, to sue the state to recover damages as compensation for personal injury and/or property damage allegedly suffered totaling \$100,000 or more as set forth in said claims. Payout on the claim, were it to occur, would be made from the Comptroller's Adjudicated Claims account. The total cost to the state cannot be determined as the outcome of this future lawsuit is unknown.¹

Section 16 allows the claimant, Aureo Ruiz and Dawn Ruiz, to sue the state to recover damages as compensation for personal injury and/or property damage allegedly suffered totaling \$30,000 or more as set forth in said claims. Payout on the claim, were it to occur, would be made from the Comptroller's Adjudicated Claims account. The total cost to the state cannot be determined as the outcome of this future lawsuit is unknown.¹

Section 17 results in no fiscal impact to the state as it grants a one year extension to the Claims Commissioner to dispose of the claim against the state of William Pettaway.

Section 18 results in no fiscal impact to the state as it grants a one year extension to the Claims Commissioner to dispose of the claim against the state of Sylvester Lee Tucker.

House "A" added 5 additional claims (Sections 12 - 16) and 2 claim

extensions (Sections 17 - 18). The House "A" fiscal impact is described above.

The Out Years

Due to the timing of the lawsuit settlements, the fiscal impact identified above could occur in the out years, but would not continue further into the future since payment of the claims should resolve the matter.

OLR Bill Analysis

sHJ 45 (as amended by House "A")

***RESOLUTION CONFIRMING THE DECISION OF THE CLAIMS
COMMISSIONER TO DENY OR DISMISS CERTAIN CLAIMS
AGAINST THE STATE.***

SUMMARY:

The Office of Legislative Research does not analyze Resolutions.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 44 Nay 0 (04/19/2013)