



# Senate

General Assembly

**File No. 873**

January Session, 2013

Senate Resolution No. 32

*Senate, May 29, 2013*

The Senate Committee on Judiciary reported through SEN. COLEMAN of the 2nd Dist., Chairperson of the Committee on the part of the Senate, that the resolution ought to be adopted.

**RESOLUTION APPROVING THE STIPULATED AGREEMENT IN  
CHERIE EASTERLING, ET AL. V. STATE OF CONNECTICUT,  
DEPARTMENT OF CORRECTION.**

Resolved by the Senate:

- 1 That the provisions of the stipulated agreement in the action Cherie
- 2 Easterling, et al. v. State of Connecticut, Department of Correction,
- 3 United States District Court, District of Connecticut, Civil Action No.
- 4 3:08-CV-826 (JCH), dated May 3, 2013, requiring an expenditure from
- 5 the General Fund budget in excess of two million five hundred
- 6 thousand dollars and submitted by the Attorney General to this
- 7 Assembly for approval in accordance with section 3-125a of the general
- 8 statutes, are approved.

**JUD**      *Senate Favorable*

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:**

| <b>Agency Affected</b>  | <b>Fund-Effect</b> | <b>FY 13 \$</b>  | <b>FY 14 \$</b> | <b>FY 15 \$</b> |
|---|--------------------|------------------|-----------------|-----------------|
| Comptroller Misc. Accounts<br>(Adjudicated Claims<br>Account) | GF - Cost          | \$3.3<br>million | None            | None            |

**Municipal Impact:** None

### **Explanation**

The resolution results in a cost to the state's Adjudicated Claims account of approximately \$3.3 million in FY 13; this assumes the stipulated agreement is approved before June 30, 2013. The fiscal impact is related to an award of wage related provisions (\$2.1 million) and attorneys' fees (\$1.2 million). In addition, the agreement includes provisions which grant pension credit for up to 28 people of the class identified in the underlying suit. It is anticipated the fiscal impact to the State Employees' Retirement System (SERS) will be de minimus as the potential 28 people represent less than 1% of the total SERS active membership of 47,898.<sup>1</sup> The potential impact to the SERS will be realized in the next actuarial valuation and will be reflected in the state's SERS annual required contribution starting in FY 16.

### **The Out Years**

The annualized ongoing SERS fiscal impact identified above would continue into the future subject future actuarial valuations.

<sup>1</sup> Source: State Employees' Retirement System Actuarial Valuation as of June 30, 2012

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**OLR Bill Analysis**

**SR 32**

***RESOLUTION APPROVING THE STIPULATED AGREEMENT IN  
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**SUMMARY:**

The Office of Legislative Research does not analyze Resolutions.

**COMMITTEE ACTION**

Judiciary Committee

Senate Favorable

Yea 9      Nay 0      (05/21/2013)