



ALLSTATE FIRE SYSTEMS

an encore fire protection company

Testimony by David K. Thompson, Executive Vice President of Allstate Fire Systems, LLC

Before the Judiciary Committee on March 17, 2014

HB 5570 – An Act Concerning the Applicability of Statutes of Limitations to Actions Brought By The State Or a Political Subdivision of the State

Good morning, my name is David K. Thompson and I am the Vice President of Allstate Fire Systems, LLC. We are a leading fire protection subcontractor in this State founded in 1994 and located since in Hartford, CT.

We would like to submit our overwhelming support for HB 5570. Due to the ruling in the State of Connecticut vs. Lombardo Brothers Mason Contractors, et. al and the common law doctrine of Nullum Tempus, we, as contractors and specifically subcontractors, are left with zero protection from being held responsible for damages to state funded projects for the duration of the life of the project. That includes damage from age as well as normal wear & tear over the course of time. That is not only unreasonable but unfair in theory.

This bill offers a solution to this problem by including a 10 year statute of limitations which is fair and reasonable. During that period the state can initiate claims against the contractor or other industry professional. This removes the unreasonable responsibility on contractors of being held liable indefinitely for their work on a construction project.

The other facet of this original decision is the unfair and, quite frankly, nearly impossible task of maintaining all documents on all projects for eternity. Both the logistics and the financial ramifications of this burden would be far more reaching than any subcontractor could endure long term. These added costs and burdens simply create higher prices that ultimately reach the common taxpayer which, in turn, adds a burden to all individuals as well as our economy as a whole.

This bill begins the correction of both the completely unfair and unreasonable nature of the original decision and the added burden of costs and liability issues of not only the contractors but the State of Connecticut taxpayers.

In conclusion, Allstate Fire Systems urges the members of the Judiciary Committee to **support HB 5570** in order to add some stability to our business practices by implementing the 10 year statute of limitations to the state funded projects included in the Lombardo decision.