

Legislative History for Connecticut Act

HB 1436	CPA 354)	1951
Labor: 32 ; 38 ; 46-48		
Hse: 1805 ; 1957-64 ; 1991-98		
Sen 0		
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disciplines an employee who claims compensation or has testified at a compensation hearing. This is where an employer sees fit to dispense with the services of an injured employee. That has happened many times. I know of cases where injured employees had their services terminated and they found it quit difficult to come under any provision of any act entitling them to any benefits. The only result was that they lost their jobs. Something should be done to eliminate this condition. Thank you, members of the Committee, ladies and gentlemen, for the time you have allotted to me. I trust that these bills will pass.

Rep. Yesukiewicz, Enfield: I would like to speak on Senate Bill No. 14, (Senator Ward), An Act Concerning Workmen's Compensation, particularly in reference to three or four features of the bill. One would raise from 1/2 to 2/3 of the average weekly earnings for a maximum of \$36.00 instead of \$32.00. This is somewhat similar to Mr. Shapiro's bill, H. B. No. 1436 (Mr. Shapiro), An Act Concerning Workmen's Compensation, which would raise it to \$35.00. Also, on the question of the maximum period which is now twelve years, a disable person for twelve years is apt to be disable for the rest of his life. Many people realizing that payments are limited settle for a lump sum and try to go into some small business for themselves. This bill also has a feature permitting the employee to choose his own medical services. That feature could very well be included in S. B. 14. I think the combination of the two bills would make a very good bill. I am particularly interest in S. B. No. 14.

Rep. Tanner, Woodbury: I would like to speak on H. B. No. 92 (Mr. Tanner), An Act Concerning Workmen's Compensation Benefits. I want to ask your permission to file with you a written statement - my material is at home. I just want to say that the bill provides that weekly benefits be increased from 1/2 to 2/3 of the average weekly earnings, and provides benefits to dependent widows and widowers until death or remarriage. Those are the two features of the bill. As a manufacturer and an employer, I feel that a man who is injured today cannot adequately carry on his family in any sense of the word when he receives only 1/2 of his pay - especially those who do not receive wages which qualify them for the maximum payment. I hope you will give the bill consideration and I again ask your permission to file the information with you which I don't have with me today.

Member of Committee: What about the provision for a man totally disabled? Would you pay a total disability pension until he dies?

Rep. Tanner, Woodbury: I don't think a man who is totally disabled is going to be able to support himself - a man completely disabled by an accident in industry.

Dr. Canby: I don't know. Some doctors are trained for certain things - taking care of hands. We have doctors in our state, in the Hartford area, who do a lot of work on hands that are injured. They have been specially trained for that work. We know who they are. A man with a badly mangled hand isn't in any condition to say who is going to take care of that hand. If a man has had a badly crushed leg, is he competent to say who is to take care of that leg. We know the doctors and we refer them to the proper doctor. We try to pick out the man who is competent in that sort of thing. Under the present law, they are given the best care possible. I am opposed to those two portions of these bills.

Senator Murphy: Are there further opponents?

John P. Faude, The Aetna Casualty and Surety Company and The Association of Casualty and Surety Companies: We are opposed to some features of Senate Bill No. 114 (Senator Ward), An Act Concerning Workmen's Compensation, and to some of the other bills. I will leave a prepared statement with the committee.

Memorandum in opposition to certain Workmen's Compensation bills, appointed for hearing before the Labor Committee on February 28, 1951, submitted on behalf of the Aetna Casualty and Surety Company and The Association of Casualty and Surety Companies.

H. B. 815 (Mr. Miller) Concerning Notice to Employer of Injuries, Medical or Surgical Care; How Provided, and S. B. No. 153 (Senator Ward), Concerning Notice to Employer of Injury, Medical or Surgical Care, How Provided; H. B. No. 1136 (Mr. Shapiro) An Act Concerning Workmen's Compensation; H. B. 808 (Kirker) and S. B. 1141 (Sen. Foley), An Act Concerning Workmen's Compensation Act -- relating to free choice of physician, medical reports and the function of insurance carriers with relation to treatment.

From the most selfish standpoint, a workmen's compensation insurer is vitally interested, first, in preventing industrial accidents and second, in making sure that an injured workman has the swiftest and most complete recovery possible. It is of supreme importance to such insurer, the injured workman and society that the workman be attended by the most competent doctors. Experience has proved in New York and those other states which have enacted the principle of "employee's free choice of physician" that the insurance carrier is far better able than the injured workman or his family to choose the doctor and course of treatment calculated to bring about the man's complete recovery in the shortest period of time. "Free choice" too often results in the workman selecting a doctor on the basis of friendship or acquaintance, such as the family physician, whereas the carrier is able to and does select a

for medical and surgical service, and would provide that the employer is not to be held liable for higher fees than authorized by him or the Commissioner. We feel that the present provision of Section 7457 of the General Statutes is adequate to protect the interests of the employer. This provides that all fees of attorneys, physicians or other persons for services shall be subject to the approval of the Commissioner. The doctors and surgeons are free to bill the employer for the amount they feel just.

Most of the medical people submit their bills in accordance with standards which are generally accepted in the community. If in doubt, they often consult the Commissioner. In any event, if the employer or insurance company feels that the bill is unduly high, they may request the Commissioner for his recommendations. We would be against any legislation such as that proposed which might indirectly bring about a general increase in the charges for medical services in Workmen's Compensation cases. These bills should not be adopted.

S. B. No. 444 (Senator Foley) and H. B. No. 808 (Kirker), An Act Concerning Workmen's Compensation Act.

These bills completely revise the Workmen's Compensation Act but include many of the provisions of Senate Bill No. 14, which has been commented on previously. Our reasons for opposing these two bills are the same as outlined previously.

H. B. No. 1436 (Mr. Shapiro), An Act Concerning Workmen's Compensation

Provisions in this bill would provide the worker with free choice of medical service. Many employers, including the U. S. Rubber Company, provide medical service right in the plant to take care of both the ills and injuries of the workers. This is in the interest of the worker since he may readily avail himself of this service without any delay. If H. B. No. 1436 were to be passed, the worker would be free to avail himself of the services already in the plant and could then subject the employer to uncontrolled medical expense over and above that required for maintaining the regular plant medical service. This would discourage many employers from maintaining regular plant medical service. If this service were curtailed or discontinued, it might mean regrettable delay in securing treatment for injured workers in many cases.

The bill, as proposed, would give the employer no control over the number of treatments or the number of doctors of which the employee could avail himself. Some doctors might extend the treatment beyond a reasonable limit and since it would not be

costing the employee anything, he would have little interest in discontinuing his treatment until the doctor voluntarily discharged him. Some employees might run from one doctor to another, possibly with conflict between the treatment of the various doctors. Plant nurses would be unable to redress injuries without specific written instructions and a plant hospital would have to be stocked like a drug store to take care of the many variations in medication used by the different doctors.

Another point -- plant physicians become familiar with plant operations, injuries and other disabilities which may be related to the work. This knowledge is gained through their extensive experience in the plant hospital and through on-the-spot investigation and inspections of the plant. This enables them to diagnose better and treat employees and to make recommendations for change to prevent such injuries or disabilities in the future. Where specific physical shortcomings of an employee make it inadvisable for him to continue a certain job, the plant physician is in a position to select work which is suitable for the individual. Curtailing the activities of the plant physician and distributing this work among many private physicians would eliminate these advantages.

On the other hand, Section 7426 of the present Workmen's Compensation Law provides that the Commissioner may, when he shall find a good reason exists therefor, authorize or direct a change of such physician or surgeon, or such hospital or nursing service. This provision would seem adequate to protect the interest of the worker in insuring reputable medical service. If there is any just reason for asking for a change, the employee may do so simply by communicating with the Workmen's Compensation Commissioner.

We oppose H. B. No. 1436 on the grounds that it would make the employer subject to uncontrolled medical expense, that it would work adversely against the established medical services within the plant, that it would interfere with and discourage the accident and health control programs now being carried out by industry, and finally, that it would not insure the employee of any better medical service and in many cases, without a doubt, would work against the employee's interest.

Edward Bower, Sargent Company, New Haven: I wish to register opposition to the provisions referring to the free choice of medical services by the employee and the elimination of the waiver. On the question of 66 2/3% as compared with 50% which Connecticut has, I would like to point out one thing: Two states have the maximum of \$16.00 weekly; two states \$21.00; four states \$20.00; two \$23.00; four \$24.00; thirteen \$25.00; one \$26.00; two \$28.00; seven \$30.00; one \$34.00; four, same as Connecticut; five, higher - and they are all farming

states, not manufacturing states.

Member of Committee: What state pays \$16.00?

Mr. Bower: Idaho.

Member of Committee: Would you like to put Connecticut in a class with Idaho?

Mr. Bower: I don't know what you mean by that question.

Member of Committee: Do you think \$32.00 is adequate?

Mr. Bower: In some other states, he would get less. I am talking about the 50% or 66 2/3%.

Senator Murphy: Are there further opponents? The Chairman of the House now has a few remarks to make.

Chr. Cohen: We have some seventeen additional bills to hear this afternoon. We would appreciate it if those who speak for or against them would limit their remarks so that we can get along with the hearing.

Joseph M. Rourke, Sec.-Treas. of Connecticut Federation of Labor, A.F. of L. The opponents took four times as long as the proponents.

Chr. Cohen: I think we spent about an hour on each side.

Senator Murphy. We will now proceed to hear from proponents of Senate Bill No. 148.

S. B. No. 148 (Senator Ward) AN ACT CONCERNING PENALTIES FOR CERTAIN ACTIONS UNDER THE WORKMEN'S COMPENSATION ACT.

Senator Murphy: Any opponents?

Frederick Waterhouse, Manufacturers' Association of Connecticut: I would like to register in opposition.

Senator Murphy: If there are no further opponents, we will now proceed to S. B. No. 149.

S. B. No. 149 (Senator Murphy) AN ACT AMENDING SECTION 7427 OF THE GENERAL STATUTES, REVISION OF 1949, CONCERNING WORKMEN'S COMPENSATION: SEVEN DAY WAITING PERIOD WHEN COMPENSATION BEGINS.

Margaret Driscoll, Bridgeport, C. I. O. We are in favor of this bill.

Joseph M. Rourke, Connecticut Federation of Labor, A.F. of L. We are in favor.

H-10

CONNECTICUT
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PROCEEDINGS
1951

VOL. 4
PART 5
1715-2061

Will you please ask them to stand so I can count them?

THE SPEAKER:

Will the members kindly remain standing until counted?

Those who oppose the passage of this bill will kindly stand and remain standing until counted.

The Clerk will announce the result of the vote.

THE CLERK:

Whole number voting 170. Necessary for passage 104; those voting Yea 76; those voting nay 131.

THE SPEAKER:

The bill is lost.

THE CLERK:

Favorable report of the Committee on Labor on Substitute for House Bill No. 1436. "An Act amending the Workmen's Compensation Act." Calendar 1359 File 938.

MR. COHEN (ELLINGTON):

May that be passed, retaining its place on the calendar?

THE SPEAKER:

Are there objections? This may be passed.

(Relief Stenographer Mrs. Kathryn Burgess reported the actions of the House at this time, 1:45 P.M. to Recess at 2:04 o'clock.)

RECESS:

On motion of Mr. Shapiro of Farmington the House at 2:04 o'clock P.M. recessed until 3:0'clock P.M.

AFTER RECESS:

The House was called to order at 3:30 o'clock P.M. by the Speaker.

THE SPEAKER:

The House will be in order. I realize the Minority and Assistant Minority Leaders are not here. Does anyone know where they are? We are a half hour late in getting started. I think

will say "aye"; opposed, "no". The bill is passed.

MR. MILLER (MERIDEN):

Mr. Speaker, I now move that we take up Calendar 1359, File 938. (Sub) H. B. 1436 see pp. 1991

MR. COHEN (ELLINGTON):

May that be passed, retaining its place on the Calendar, please?

MR. MILLER (MERIDEN):

Mr. Speaker, we have gone through all this calendar. This bill has been on the Calendar since Monday. It is a Workmen's Compensation bill for 750,000 workers of the State of Connecticut. I move that it be taken up now, sir.

MR. COHEN (ELLINGTON):

Mr. Speaker, I want it to remain on the calendar, retaining its place. As Chairman of the Committee on Labor Control there are reasons why that bill cannot be taken up now.

THE SPEAKER:

The question is on the motion to retain this bill on the Calendar.

MR. MILLER (MERIDEN):

I did not receive any reason from him, so until I do I now move that when the vote is taken, it be taken by roll call. I will withdraw my motion if we get a satisfactory reason.

MR. COHEN (ELLINGTON):

Mr. Speaker, speaking on the motion for a roll call, I think if the Gentleman from Meriden had a little bit more decorum, and a little bit more respect for the members of the Committee on Labor he would not at this time bring up this motion. It happens that there are responsible people representing the labor groups and representing members of the labor committee who have had conferences on this bill for several weeks. We are all trying to obtain

proper legislation which will be for the benefit of all the workers of the State of Connecticut. The Gentleman from Meriden has been very adamant about it and has decided he will take matters into his own hands. I do not feel there should be a roll call vote at this time.

MR. MILLER (MERIDEN):

On the motion of roll call and in reply to the Gentleman from Ellington, we had our labor hearings on workmen's compensation some five or four months ago. The Gentleman from Ellington together with the Leader from Farmington got up on the floor of this house and said they were friends of labor and were going to take care of labor. Governor Lodge, at the CIO convention, said he would improve the Unemployment Compensation law and the Workmen's Compensation Law that we have here. We are for action. We had a committee of conference yesterday and by the way, these friends of labor said if you take your unemployment compensation law and sell the people down the river on pensions, and on the second benefit year we'll give you the workmen's compensation bill. That's what these friends of labor on the other side said and Governor Lodge, at the CIO convention said we will improve your unemployment compensation act and we will raise your benefits to \$28 a week. They are --

GENTLEMAN FROM ELLINGTON: (Interposing)

Mr. Speaker, point of order. I think the Gentleman is out of order on this motion.

THE SPEAKER:

The Chair rules that he is out of order. He is not talking on the motion. The motion I believe before the assembly is on roll call vote.

MR. SHAPIRO (FARMINGTON):

May I inquire as to exactly what this motion on the roll

call is for? Is this on a motion to take this matter from the Calendar and act on it or is it on a motion to retain its place on the Calendar.

THE SPEAKER:

It is a motion to retain its place on the Calendar.

MR. MILLER (MERIDEN):

Point of order, Mr. Speaker.

MR. SHAPIRO (FARMINGTON):

Just a minute please. I have the floor, Mr. Speaker, and I would like to continue my talk. The Gentleman has been verbose and insists on talking while I have the floor. I would inquire, Mr. Speaker, as to what the question is before the House.

MR. MILLER (MERIDEN):

Point of order, Mr. Speaker.

(MR. SPRAGUE, THE SPEAKER, RESUMED THE CHAIR)

MR. SPEAKER:

I would like to clarify the situation here since I was called out of the Chair.

MR. MILLER (MERIDEN):

I made the original motion to be taken from the Calendar seeing as everything else on the Calendar is finished but the Workmen's Compensation bill which they are trying to use to sell labor down the river in the State of Connecticut.

THE SPEAKER:

We do not want any speeches on this now.

MR. KIRKER (NORWICH):

As a point of information I would ask the Gentleman from Ellington who has just stated here on the motion for robl call vote he stated they were in conferences with members of the labor unions and I think it is only fair to this side of the House and to the Gentleman from Meriden that if labor leaders are in conference to

bring this bill out that he be told, that perhaps the Gentleman from Meriden should be told that perhaps we can bring it out.

I believe the Gentleman from Meriden is right. We should take this off the Calendar and vote it by roll call vote.

MR. COHEN (ELLINGTON):

Answering the Gentleman from Norwich, I want him to know we have been sincere on the Labor Committee, but the people representing the unions, management and all others interested in this legislation have been very busy trying to iron out our problems. That is the reason and the Gentleman from Meriden has taken it upon his own hands and if he keeps it up I think what he is going to do is set back the labor groups in this House and all the labor legislation we have got before us.

MR. MILLER (MERIDEN):

In answer to the Gentleman from Norwich, I was talking to the Chairman of the Labor Committee about it yesterday and today and he told me maybe in the morning, maybe in the afternoon, the door was closed and the Labor Commissioner also told me you also can't have your cake and eat it too either take that other unemployment compensation bill or do not take anything which takes stuff away from everybody.

THE SPEAKER:

All right. Now there was a motion made to take this off the calendar, is that correct?

MR. MILLER: (Meriden)

Yes.

THE SPEAKER:

Then there was a motion made by the Gentleman from Ellington for a roll call vote?

MR. MILLER (MERIDEN):

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THE SPEAKER:

To retain its place. The motion is to retain its place on the Calendar, is that correct?

MR. COHEN (ELLINGTON):

That is correct.

THE SPEAKER:

Now was the motion made for the roll call vote on the question of having this bill retain its place?

MR. COHEN (ELLINGTON):

No.

MR. LABELLE (MANCHESTER):

He is correct, Mr. Speaker.

THE SPEAKER:

All those in favor of the roll call vote on this question may rise.

MR. LABELLE (MANCHESTER):

Just a moment, Mr. Speaker, please.

MR. BOWERS (MANCHESTER):

Mr. Speaker I do not believe there is any bill before this House to call a roll call vote on.

MR. KIRKER (NORWICH):

As I understood it, the motion before the House is to remove the bill which is ready for action from the Calendar.

THE SPEAKER:

That is not correct, sir.

MR. KIRKER (NORWICH):

The Gentleman from Meriden asked to have it, sir, for action, removed from the Calendar.

THE SPEAKER:

The matter is starred. It is on the Calendar. The question is on retaining its place.

MR. LABELLE (MANCHESTER):

It is starred for action.

MR. KIRKER (NORWICH):

Can't we take action on it now?

THE SPEAKER:

That is the question before the House. Gentleman from Manchester, do you have a comment to make?

MR. LABELLE (MANCHESTER):

I am afraid not. I thought we might act on the matter. The matter is on the calendar and it's where it has been for the past two days. I think the motion for the roll call vote to retain its place on the Calendar is proper.

MR. COHEN (ELLINGTON):

Why the Gentleman from Manchester knows this is not an unusual procedure. I can remember when hundreds of bills were put at the foot of the Calendar; at least all I am asking is that the bill retain its place on the Calendar until such legislation can be worked out.

MR. MINOR (PLYMOUTH):

The first motion was made -- I heard it made by the Gentleman from Meriden -- that this matter be taken from the Calendar and acted upon. The motion to retain it on the Calendar was made secondly by the Gentleman from Ellington. The Gentleman from Meriden made the first motion.

THE SPEAKER:

If that is correct then I have only one ruling I can make and that is the question is on the motion to take this matter up.

MR. COHEN (ELLINGTON):

I have no objection, Mr. Speaker, if you want to act on that motion. I hope it is defeated.

THE SPEAKER:

(Sub) H.B. 1436
Question is on a motion to act upon Calendar 1359. Those in favor will say "aye"; those opposed, "no". The motion is lost.

MR. MILLER (MERIDEN):

Mr. Speaker, I also made in my motion that when the vote is taken it be by roll call, Mr. Speaker. You were not in the Chair at the time and I also made that as part of the motion and the stenographer who is taking the notes can prove that, sir.

MR. COHEN (ELLINGTON):

I think the Gentleman is in error. I think he made it on my motion to retain its place on the Calendar.

MR. MILLER (MERIDEN):

Before anybody got up on this floor the Gentleman from Ellington tried to interrupt while I was talking and I did make the motion that when the vote is taken it be by roll call.

MR. SHAPIRO (FARMINGTON):

Mr. Speaker, I think you have made the ruling.

MR. MILLER (MERIDEN):

I request the record be check with the Stenographer.

THE SPEAKER:

I have declared myself. I think the matter is now passed. If you wish to make onanother motion on this matter subsequently, I will be glad to entertain it in any form in which you wish to put it and I would like to make the comment now that this House is going to finish its work not later than 11:45. Business has to come down from the Senate. Yet we have a tremendous amount before us, plus supper and would like to hope that you will go along with me and let's finish the work we have here and if you wish to renew your motion whether it is on roll call vote or not It will be entertained at that time.

MR. MILLER (MERIDEN):

I know we have a lot of work but why can't we take some of it? This bill has been on here for sometime, sir, about three days.

THE SPEAKER:

This bill will be taken up before the evening is over.

MR. LABELLE (MANCHESTER):

Would you give us the courtesy of making it the order of the day after the evening recess? Say about 7:30?

THE SPEAKER:

With respect to that motion --

MR. LABELLE (MANCHESTER):

Could it be the order of the day for 8:00 o'clock?

THE SPEAKER:

On the bill itself. Is their objection?

MR. COHEN (ELLINGTON):

No objection.

THE SPEAKER:

It will be the order of the day for 8:00 o'clock tonight.

THE CLERK:

Unfavorable report of the Committee on Roads, Rivers and Bridges Senate Bill No. 800 "An Act concerning elimination of grade-crossing in Moosup."

MR. HITCHCOCK (WOODBIDGE):

Mr. Speaker, I move you the acceptance of the committee's unfavorable report and rejection of the bill.

THE SPEAKER:

Question is on acceptance of the committee's unfavorable report and rejection of the bill. Will you remark?

MR. HITCHCOCK (WOODBIDGE):

Mr. Speaker this is the road bill up in Plainfield that would eliminate so they say two railroad crossings. There is no road

those opposed, "no". The bill is adopted.

THE CLERK:

Business on the Calendar. Order of the Day. Favorable report of the Committee on Labor on Substitute for House Bill No. 1436, "An Act amending the Workmen's Compensation Act." Calendar 1359 File 938.

MR. COHEN (ELLINGTON):

I move acceptance of the committee's report and passage of the bill.

THE SPEAKER:

Question is on acceptance of the committee's report and passage of the bill. Will you remark?

MR. COHEN (ELLINGTON):

This bill has to do with benefits under the workmen's compensation laws in the State of Connecticut. Changes from the present law in the present bill provide as follows: Section 1 line 29 a provision which states a judgment in favor of an employee does not terminate the employer's obligation for further compensation. Section 2 increases the payments to widows as a result of death of a husband from the present six years to ten years. Section 2 line 16 provides for weekly indemnity of 1/2 the average weekly earnings but not more than \$36 nor less than \$12 from the present law which is \$32 and \$9. Section 2 line 63 under the present law \$450 is paid to the estate for burial. Under this law the bill is amended to provide for the payment of \$1,000 under total disability the new law provides for payment for 15 years 1/2 of the average weekly earnings. Now Ladies and Gentlemen, I want you to know that the Labor Committee and your Chairman and all the members have worked very diligently, very hard, to try to get progressive legislation on the books of the State of Connecticut providing for better conditions under both Workmen's Compensation and

Unemployment compensation. I want you to know the reason I had the bill on the Calendar without passing this bill up until now we have been trying very diligently to pass both an unemployment compensation bill and a workmen's compensation bill together with our minimum wage bill which has become law. We knew that these three items would be a very far advance as far as labor legislation in the State of Connecticut is concerned. However, up until the present time the Unemployment Compensation bill is in the Senate where it may not come out. I think it would be a most unfortunate thing. I think the labor leaders who are concerned with this legislation would make a very serious mistake in trying to take care of a few people under the amendments which we had in the bill which were taken out in the Senate to provide --

MR. GRIFFITH (EAST HARTFORD):

Point of order. I do not think the Gentleman is talking on the bill.

THE SPEAKER:

The Gentleman is discussing the bill. I will rule that he is in order.

MR. COHEN (ELLINGTON) (Continuing)

I feel very badly because of the work that we have been putting in for some five months in trying to provide for this legislation and get it on our books and we have not as yet been able to come to an agreement. I did not want to report this bill at this time but I am reporting it because we made an agreement that it would come up after dinner. It is a good bill. It should pass the Senate the way it is. If any amendments are tacked on to it I am afraid that this legislation will run into difficulties because I feel that where we have been through this work for some five months that the Labor Committee should be given the courtesy and the opportunity to be able to report these bills as they are. I feel

these cross-purposes that have come up as a result of these two bills is an unfortunate thing for labor -- not for me, or the committee, because we have tried to do a good job. We have amended the bill. The bill was amended in the Senate to take out several abuses that we have had and we have put in provisions to prevent these abuses for the benefit of all the workers, not for four or five thousand of them. I hope, Ladies and Gentlemen, you will bear with us and come out with this bill and take my word for it that it is the best that we can do. We hate to see this tripped up by the wasted cause of a few people. I feel this is a most unfortunate thing. I hope, Ladies and Gentlemen, the bill passes.

MR. COHEN (ELLINGTON):

I want to say first, I do not think the Gentleman from Ellington move the acceptance of the committee's favorable report and the passage of the bill and I would like to either have him do it or do it myself.

MR. COHEN (ELLINGTON):

If I did not, I so move.

THE SPEAKER:

Question is on acceptance of the Committee's report and passage of the bill. Any further remarks?

MR. MILLER (MERIDEN):

Just because I happened to be elected from the City of Meriden doesn't mean that I am strictly a Democrat and not a labor man. This is not so. I was elected by the workers in Meriden, Connecticut and there are a lot of Republicans who voted for me besides Democrats because this is the first off-year election that we have had a Democrat in this House in a long, long, time. Now on this Workmen's Compensation bill I was going to ask for a roll call vote, but I am not going to. I am not going to because the agreement was made that this bill would come up at 8:00 o'clock. I

hope that the Republicans on the Labor Committee will also cooperate a little bit on the Unemployment Compensation bill because this is going to offer an amendment here to give people that are totally disabled payments for the rest of their lives on a total disability case and the section that I was going to amend and it describes in the law what total incapacity is. It says the following described injuries of any person shall be construed as causing total incapacity and compensation shall be paid accordingly. Total and permanent loss of sight in both eyes or the retention of 1/10 or less of normal vision without glasses; the loss of both feet or above the ankle; the loss of both hands at or above the wrist; the loss of one foot at or above the ankle, and one hand at or above the wrist. Any injury resulting in permanent or complete paralysis of the legs or arms or of one leg or one arm. Any injury resulting in incurable mental illness but an employee who shall have suffered the loss or loss of use of one of the members of his body or part of one of the members of his body or the retention of vision in one eye to 1/10 of loss of normal vision, that class shall not receive compensation for a later injury in case of compensation allowed for such injury when considered by itself and not in conjunction with the previous incapacity. Now Mr. Speaker I agreed not to put in this amendment and the Gentleman from Ellington didn't tell you that the committee was unanimous in putting in this amendment that you get paid for the rest of your life when you are totally disabled. The Gentleman from Ellington talked about the Unemployment compensation bill. I would like to tell the Gentleman from Ellington that I think with respect to the Unemployment Compensation bill here in this House and I think it is reposing somewhere in this House, I think it was sent down here from the Senate and I think it should be taken from wherever it is. We had

a committee of conference on it yesterday. He can correct me if I am wrong, but I think that this is so. So Mr. Speaker, I would like to withdraw my motion for a roll call vote.

THE SPEAKER:

I am sure this is very much appreciated, sir. Any further remarks?

MR. LABELLE (MANCHESTER):

This is a good bill but like all labor legislation which the Democratic Party is in favor of we always don't quite get what we want. I think that this has been a good step forward. I think that the benefits have increased from \$32 to \$36 was a good maximum extension. The maximum benefits are still limited to 50 per cent of the weekly wage and I think that this is a poor piece of legislation. It is much better, in my opinion, to raise the percentage and leave the maximum or not raise the maximum. It is better to raise the percentage because it affects more workers. The people in the middle income bracket are not affected by this maximum extension from \$32 to \$36. If the percentage of weekly wage benefits were changed from 50 per cent to 66 2/3 per cent it would help the people in the middle income brackets. I am sorry we can't have that in the bill but we have to take what we can get. Another thing that I think ought to be in the bill is the extension of total disability for the duration of a disability or for life. It is now raised from 12 to 15 years by this bill. I say this is a step upward. It is too bad it can't be all the way. I think Connecticut's compensation law is gradually coming along and it is going to be in the next few years perhaps one of the foremost laws in the United States. As it stands now it is in the average group and this amendment, if they are adopted, shall certainly enhance its position amongst the other states. I hope the bill will pass.

MR. SHAPIRO (FARMINGTON):

I should like to state briefly, that I feel that while the bill as the Gentleman from Manchester has indicated did not go all the way, it is a step in the direction of progress. The bill does make decided advancements in the benefits under workmen's compensation law. I think it is significant to know that Connecticut was the first State to adopt legislation of that type and I think Connecticut is constantly making strides and advancement each session of the General Assembly. I feel that as far as this committee has gone is something for which the committee ought to be commended for. I feel that perhaps in the next session of the General Assembly there will be an opportunity to consider the merits of advancing further benefits and if the members at that time feel that further advancements ought to be made they will be in a position for that body to make. I think all here tonight can feel that this committee has made decided advancement in the law and we would be going a long way to pass the bill. I hope, Mr. Speaker, that the bill will pass.

MR. GRIFFITH (EAST HARTFORD):

I too very reluctantly vote for the passage of this bill. I say reluctantly because we have made a step forward in granting a \$36 maximum and a \$12 minimum. But Governor Lodge and the Republican platform and also the Democratic platform promised to raise the compensation for all the people of Connecticut. But I say to you that this bill which hasn't raised the percentage of the average worker of Connecticut. This bill does nothing at all for them. I still hope they can amend it to take care of the other 70 per cent of the workers in Connecticut, and I hope for the passage of this bill.

MR. KIRKER (NORWICH):

I should like to compliment the Committee on Labor as far as

they have gone. The only thing is they didn't go far enough. They are talking about labor and what they did for labor in this House. I think most of us know that very little labor legislation has come from this House, this year, that has been of benefit to the people of our State and especially the working man and woman of our State. I think it is only fair to state this bill is a step in the right direction but the step could have been greater. And I think most of us on this side know it could have been greater but we still have the Manufacturers' Association that is also in on the lap of the labor committee of this House. The Connecticut Manufacturers' Association as far as labor is concerned has done all in their power not to push it along, but to stop it. The same goes as far as our State employees are concerned. I want to warn both parties here and now, both the Republican side and the Democratic side, if this House adjourns tonight before our State Employees are taken care of with their forty-hour bill and a substantial wage increase given to them we certainly have a lot of facing to do, not only to the employees of this State but to the people. And coming back to the bill, Mr. Speaker, they said on the other side that they went all out for labor but they haven't proven that they went all out for labor. We on this side can say we have. I hope for the passage of the bill even though it is only a small advancement. I suppose it is better than none.

MR. COHEN (ELLINGTON):

I think it is most unfortunate that the Gentleman from the other side of the House had to inject personalities into the deliberations of the Labor Committee. I know that everybody knows that we have been sincere that we have taken a great step. We have drafted a great bill and taken a great step forward in this legislation in achieving all of these things Ladies and Gentlemen.

Medical bills are paid, hospital bills are all paid. They didn't tell you that and if all these other things are include in the benefits it would seem to me and I have said this before, I have said it to labor leaders and to the people of our State, it would seem to me no matter how sincere I was or the other members of the Committee that if we give them everything in the book they would say we were still no good. I feel badly about that because we have tried to give legislation for the workers here and I will hope that this bill will pass.

THE SPEAKER:

Question is on acceptance of the committee's report and passage of the bill. Any further remarks? Those in favor will say "aye"; those opposed, "no". The bill is adopted.

THE CLERK:

Favorable report of the Committee on Appropriations on Senate Bill No. 840 "An Act making Appropriations from Special Funds Other Than the Highway Fund for the Expenses of the State which are to be Paid from Such Funds."

MR. TANNER (WOODBURY):

I move acceptance of the committee's report and passage of the bill.

THE SPEAKER:

Question is on acceptance of the committee's report and passage of the bill. Will you remark?

MR. TANNER (WOODBURY):

This is the special fund appropriation which is approved in this House and has been corrected in some instances in the Senate. I move you sir the acceptance of the bill.

THE SPEAKER:

Any further remarks? Those in favor will say "aye"; those