

Legislative History for Connecticut Act

|   |            |            |
|---|------------|------------|
| HB 5190   | PA 892     | 1967       |
| House 3932-3933   | <b>FAY</b> | (2)        |
| Senate 2261-2262  |            | (2)        |
| Labor 215, 240-241                                      |            | (3)        |
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Transcripts from the Joint Standing Committee Public Hearing(s) and/or Senate and House of Representatives Proceedings

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H-92

CONNECTICUT  
GENERAL ASSEMBLY  
HOUSE

PROCEEDINGS  
1967

VOL. 12  
PART 9

3813 • 4447

Page 120

Thursday, June 1, 1967

reason to suspect of having criminally caused the death in which he is holding an inquest. This bill deletes this power and removes the power from the office of the coroner. It was felt by the committee that this is a good bill, a good amendment, especially today in the field of criminal law with the laws rapidly changing with reference to the rights of individuals as they find themselves in state courts, with reference to their powers and their rights as far as having counsel, as far as being advised of their rights and so forth. The present power vested in the coroner is not only to arrest and hold incommunicado, but to hold without bail, under the statute as it exists now. It's felt that this is a questionable power at best, and it was felt that there are some constitutional questions involved in the statute as it exists. Therefore I urge the passage of this bill, as I feel it is a good bill.

THE SPEAKER:

All those in favor? Opposed? The bill is passed.

THE CLERK:

Calendar 1061, Substitute for H.B. 5190, An Act concerning Benefit Payments to Volunteer Firemen.

MR. ESPOSITO (168th):

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

THE SPEAKER:

The question is on acceptance and passage. Will you remark?

MR. ESPOSITO (168th):

Page 121

Thursday, June 1, 1967

Simply what this bill does, is it broadens the coverages and puts the volunteer firemen under the State Workmen's Compensation Act.

THE SPEAKER:

All those in favor? Opposed? The bill is passed.

MR. CROMBIE (44th);

May calendar 1062 be passed retaining?

THE SPEAKER:

Is there any objection to this request? So ordered.

THE CLERK:

Calendar 1063, Substitute for H.B. 5414, An Act concerning a System of Personnel Administration for State Employees.

MR. DUDA (58th):

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

THE SPEAKER:

The question is on acceptance and passage. Will you remark?

MR. DUDA (58th):

The Clerk has an amendment. The amendment has been in xerox form on all of the members desks since early this morning. If there is no objection, I move waiving of the reading.

THE SPEAKER:

Is there any objection to the reading being waived?

MR. LENGE (13th):

May we pause for just a second?

THE SPEAKER:

S-67

CONNECTICUT  
GENERAL ASSEMBLY  
SENATE

PROCEEDINGS  
1967

VOL 12

PART 5

215-3530

June 6, 1967

60

any fault of their own. It is a good bill, Mr. President. These adjustments are good adjustments. It's a pleasure to rise in support of this bill.

THE CHAIR:

The question is on passage of the bill as amended. Will you remark further? If not, all those in favor, signify by saying Aye. AYE. Opposed? The bill as amended by House Amendments Schedule "A" and "B" is passed.

THE CLERK:

Calendar 1358, file 1191, substitute HB 5190, An Act concerning Benefit Payments to Volunteer Firemen. Favorable report of the Joint Committee on Labor.

SENATOR MILLER:

I move for acceptance of the joint committee's favorable report and passage of the bill. This bill merely puts the volunteer firemen under the workmen's compensation act. They would be covered under the provisions of the workmen's compensation act. It's a good bill and should pass.

THE CHAIR:

Will you remark further? Senator Hull.

SENATOR HULL:

This bill is a very important one, Mr. President, which will affects thousands of volunteer firemen. Where I come from and I'm sure throughout the state, they are really the backbone of fire protection. Too long they have risked life and limb at the chance that they might be economically disabled the rest of their

June 6, 1967

61

lives because the payments provided under the current statute in case of injury or death were woefully inadequate. This is a very good bill for our unsung heroes, and I urge its passage.

THE CHAIR:

Any further remarks? If not, all those in favor of the passage of this bill, indicate by saying Aye. AYE. Opposed?

The bill is passed.

THE PRESIDENT PRO TEMPORE IN THE CHAIR

THE CHAIR:

Senator Marcus.

SENATOR MARCUS:

Mr. President, I rise on a point of personal privilege. May I introduce to the circle Mr. Zem who is the Director of American Motors Conservation program. He would like to borrow the podium from you for a moment to present a plaque to Senator Gunther.

MR. ZEM:

Thank you. I'm here representing a program of conservation awards which was begun in 1953 by American Motors to represent their belief that the basis of the nation's industrial wealth is not only the character and industry of our people but the resources with which the country is blessed. It behooves industry to make some recognition of the people who help us to preserve and conserve and wisely use those resources.

Each year this program gives ten awards to professionals in the conservation field, that is, people who make their living in that work, and ten awards/<sup>to people</sup> whose work is not connected directly

JOINT  
STANDING  
COMMITTEE  
HEARINGS

LABOR  
1-319

1967  
INDEX

## LABOR COMMITTEE

FRIDAY

APRIL 7, 1967

Senator A. P. Miller, Presiding

Members: Senators: Miller, Barbato, Hull, Piccolo, Rudolf, Tracy

Representatives: Badolato, Becker, Bonetti, D'Onofrio, Esposito, Hughes, King, LaRosa, Lionetti, McGovern, Murray, Pawlak, Piazza, Rand, Rock, Ruoppolo, Simons, Stevens, Thornton

Chr. Miller: We will now open the hearing on these Workmen's Compensation bills. Are there any Legislators who wish to speak?

Senator Ives: Senator Miller, I represent 32nd District. I am appearing in favor of H. B. 5190 (Reps. Testo and Frate) AN ACT CONCERNING BENEFIT PAYMENTS TO VOLUNTEER FIREMEN. This Act would put the volunteer fire companies under our Workmen's Compensation Fund. While this is new to Connecticut, it is in operation in some other states and I think New York is the nearest one. One of the problems they had to work out was how to determine an average wage and if you'll notice at the end of Section I, they have worked this out using the average weekly wage to be determined by the Commissioner of Labor.

I think it's a progressive step forward and we have precedent in that the Auxiliary State Policemen and our Civil Defense people can be covered under Workmen's "Comp" and they are non-salaried people. Thank you very much.

Chr. Miller: Thank you.

Rep. Pac: Mr. Chairman and Members of the Committee, I'm from New Britain. I would like to address myself to H. B. 2508 (Reps. Morris and Pac) AN ACT CONCERNING WORKMEN'S COMPENSATION FOR PERMANENT BACK INJURIES. This bill would amend the present statutes by adding a provision for the complete and permanent loss of the use of the back. It would provide 780 weeks. Now, the loss of the use of the back is no less disabling an injury than the more dramatic loss of arms or legs. So I feel it's a good bill.

I would also like to go on record in favor of H. B. 2517 (Reps. Morris and Pac) AN ACT CONCERNING PAYMENT OF WORKMEN'S COMPENSATION BEGINNING FROM THE DAY OF INJURY. Now, this bill would provide for the payment of Workmen's Compensation beginning from the date of injury. As the law stands now, if the incapacity continues for more than three days but less than seven days, compensation begins on the third day. If the incapacity continues for more than seven days, the compensation begins with the first day. We do away with this fine distinction and instead begin compensation from the first day for all injuries.

I would like to also go on record in favor of H. B. 4045 (Rep. Carrozzella) AN ACT CONCERNING A DISABILITY PENSION FOR WORKMEN'S COMPENSATION COMMISSIONERS. Now, they have a pension plan but

FRIDAY

LABOR COMMITTEE

APRIL 7, 1967

Attorney Morton Cole: That building could go up in a minute because it's built in an old-fashioned way with a lot of woods and the records are down below. So, I suggest to the Committee that you draft a bill that would allow the Compensation Commissioners to take such steps forward including the -- well, I don't know whether the expenditure of whatever money or whatever it is, the hiring of essential help because at the present time while, as a result of my bill, we probably have saved employing four or five employees over the past twenty years, we're confronted with that danger.

I've been a lawyer for forty-one years. I'm 64. Supposing a client of mine came in in five years from today and there was a fire, let's say during that time. I keep my records, all my comp records but what's the Commission going to do, if they have to re-open a case? You must realize that under the Compensation Act, a case is never closed unless it's settled, as I say by stipulation or something but continues during the lifetime of that employee. I've had insurance companies that destroyed their records and we've had to furnish them with photostats of our files in order to bring the case up to date. So, I say this is something, my own suggestion, based upon my discussions with Commissioner Noonan and Commissioner Zielinski to ask the Committee to bring out a bill. You can figure it out yourselves. Thank you very much.

Chr. Miller: Thank you.

Frank Burns, Hartford: Mr. Chairman, Members of the Committee, I'm Legislative Chairman of the Connecticut State Firemen's Association, representing 27,000 paid and volunteer firemen in over 500 fire companies in the State of Connecticut. I appear before you today in support of H. B. 5190 which provides benefit payments to volunteer firemen under the Workmen's Compensation Laws. Gentlemen, I will attempt to be brief in my presentation in deference to the time element of your Committee. I have seven or eight speakers who were to follow me but we have called them off and we will ask you to hear one more of our people who represents the state fire service.

The volunteer fireman today is under a State Statute called The Volunteer Firemen's Compensation Act. This Act, in itself, has been good through the years to the volunteer firemen, a group of people dedicated to the communities that they live in in the protection of life and property but through the years, we have found that through this Volunteer Firemen's Compensation Act, a volunteer fireman has not been properly covered for injuries he may sustain in the performance of his volunteer duties.

Therefore, we ask your Honorable Committee to seriously consider placing these men under the Workmen's Compensation Laws. Thank you.

Howard Reynolds, Mansfield: Mr. Chairman, I represent the Connecticut Association of Fire Chiefs. We also wish to go on record as being in favor of this Act. The present law, giving benefits to volunteer

FRIDAY

LABOR COMMITTEE

APRIL 7, 1967

Howard Reynolds: firemen is entirely inadequate in that it only provides \$50.00 a week for a limited period. After this time, he could become a welfare case if he has a permanent disability. It provides a limited amount of medical expense and a very limited schedule of injuries. We have all kinds of people in the ranks of the volunteer fire service from day laborers to brain surgeons and should any of these people become permanently disabled, the present law would leave them without means of support and they would become a welfare case. The purpose of this Act, of course, to put the volunteer fire service under the Workmen's Compensation Act is simply to pick up the loopholes in the present law and, rather than trying to re-write the present law, to cover all of the things that might happen to our members, it seems that the best and most equitable way to do it would be to cover them under Workmen's Compensation which has already been well established in the State of Connecticut. Our Association urges your serious consideration of this bill.

Chr. Miller: Thank you.

Howard MacInnis: Senator Miller, Members of the Committee, I'll be very brief, I assure you. I'm Assistant Chief of Police in the Town of West Hartford, Chairman of the Legislative Committee with the State Police Association and, incidentally, our Association represents over 6,000 policemen in the State of Connecticut, state and local police, both. Our Association would like to go on record in favor of S. B. 1052 (Sen. Hickey) AN ACT CONCERNING DEFINITIONS and also H. B. 4162 (Rep. Earle) AN ACT CONCERNING DEFINITIONS WITHIN THE WORKMEN'S COMPENSATION ACT. Incidentally, both of these bills are identical and we hope that your Honorable Committee will select one of them, whichever one you feel is best for the policemen in the State of Connecticut and give us a favorable report. Thank you.

Chr. Miller: Thank you.

Chief Bonari, North Haven: Senator Miller, Members of the Committee. I am also Legislative Chairman for the Connecticut Chiefs of Police Association. We, too, want to register our approval of H. B. 4162 and S. B. 1052. We feel that it's conceivable to realize that an officer should be protected with this type of legislation since his sworn duty is not only for just a few hours of a day but for 24 hours of the day. This bill merely asks for policemen to be covered while going to and from work. We ask your favorable consideration of this bill. Thank you.

Theodore Astaire, Hamden: Mr. Chairman, I'm a retired state employee. I'll speak on S. B. 458. This bill is an act concerning disability compensation and death benefits for state employees. The purpose of the bill is to correct an apparent legislative oversight that worked, and continues to work, an injustice upon state employees who are injured when going to or coming from their police or investigative duties. Sir, I don't know whether it should be an amendment form, at this time, or an insertion. The third line from the bottom and I shall read what we would like to have put in: "the actual performance of such pol"