

Legislative History for Connecticut Act

HB 8506	PA 464	• Jay scan	1969
Labor - 224-225, 242			3
Senate - 2468-2469			2
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JOINT
STANDING
COMMITTEE
HEARINGS

LABOR

1969

FRIDAY

MARCH 28, 1969

F. Burns: your calender today but this particular Bill, the language has been included in the Bill that is being heard today. I urge your Committee to give a favorable report to H. B. 8506 (Rep. Badolato of the 30th) AN ACT CONCERNING WORKMEN'S COMPENSATION FOR VOLUNTEER FIREMEN. I will ask Mr. Reynolds to be very brief in his remarks but it is very important that he do tell you something about the workings of the Volunteer Firemen's Compensation Act. Thank you.

Chr. Badolato: Thank you.

H. Reynolds: My name is Howard Reynolds of Mansfield. I am representing the Connecticut Association of Fire Chiefs. Our organization wishes to go on record in favor of this Bill in its entirety and I would just like to mention a couple of Sections of it. On the first page, fourth line from the bottom, where it says, shall be subject to the jurisdiction of the Workmen's Compensation Commission, and also on Page 2, where we say for the purpose of this Section, there shall be no pro rating of compensation benefits because of other employment by a volunteer fireman. These two Sections have caused us a little difficulty in some of our cases and have necessitated individual firemen to have to seek legal counsel to collect the benefits that were provided in the 1967 Session under Chapter 568.

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I am not going into the details as to the technicalities of these because I think they are very well covered in a memorandum of the decision by Commissioner Fox on a case that occurred in the Town of Cromwell and I have a copy of his decision which I will file with the Clerk, which I think fully explains the reason for these two changes.

Another Section of this, Section D, is a new Section which would provide coverage for the volunteer fireman who might be stricken with a heart attack or hypertension in the performance of fire duty. At the present time, he is being covered only for accidents that occur while on fire duty. Fire duty is defined by Statute which covers drills plus the actual fire fighting. It doesn't make much difference to his widow how he died, whether it was from a heart attack caused by extra strenuous work at the fire or whether he died from an accident. Her problems are just as large. We don't feel that this would cause any real hardship on the insurance carrier. Our records indicate that we have five or six volunteers during the year sign who do die from heart attacks as a result of fire duty. You'll notice that the Bill as written does provide that he must have a physical examination upon his entry into the fire department which would support the case that he was healthy at that time.

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H. Reynolds: The last Section of this, Section 2, is merely an editing change in the present Act. The previous Session of the General Assembly provided coverage so that if a volunteer in one town offers his services to a company in another town which is actually engaged in fire fighting and he was injured, there would be coverage for him under the coverage provided by his own town. However, the word 'volunteer' says another volunteer company and would ask that that be stricken out because with our mutual aid agreement, it doesn't make any difference whether the man is working with another volunteer company or with a paid-company and under the present Act the way it is written, he would only be covered if he was working with another volunteer company and not with a paid-department.

We feel that the passage of this Act will certainly add to the benefits that a man or a volunteer would receive if he was stricken while on fire duty and we feel that these men should be taken care of and their families should be taken care of for the community service which they are performing. Thank you.

Chr. Badolato: Thank you.

A. Flanagan: Mr. Chairman, Members of the Committee. Andrew Flanagan representing the Connecticut Fire Chiefs Technical Advisory Committee who wholeheartedly endorse H. B. 8506 (Rep. Badolato of the 30th) AN ACT CONCERNING WORKMEN'S COMPENSATION FOR VOLUNTEER FIREMEN.

You have heard the previous speakers, Mr. Burns and Mr. Reynolds. I would like to call your attention particularly to (1) under (a) of Section 1, in regards to State or municipal employees who are participating as volunteer firemen. This particular Act has caused some apprehension in municipalities and in the State government and also in the volunteer fire service.

I might say, that at a recent meeting with the Attorney General's Office and speaking with the Attorney General in charge of Workmen's Compensation, his recommendation in order to protect the State against paying claims that could occur in fire duty outside of regular State employment, that this particular Section be changed and the State and municipalities be eliminated from it. Therefore, the Bill you have before you today carries the endorsement of all fire service regulations, recommendations from the State Attorney General's Office and we respectfully request the Committee on Labor endorse and appreciate your submission of a favorable report of the Bill as it now stands. Thank you very much.

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S. Peruscio: was a general raise for State employees and the Workmen's Compensation Commissioners were neglected. It has been four years since the Commissioners have been given a raise and, as I say, I think for the responsibility and the professional way they carry themselves, at least, from the lay-man's point of view, that they should be entitled to an increase in their salaries. Thank you.

Chr. Miller: Thank you.

Peter Horn: Mr. Chairman. My name is Peter Horn. I am speaking for the Connecticut Council of Police Unions. We represent some 2300 unionized policemen in Connecticut and I would like to put the Council on record as supporting:

S. B. 344 (Senator Dowd of the 25th) AN ACT CONCERNING MEDICAL REPORTS IN WORKMEN'S COMPENSATION CASES.

S. B. 542 (Senator Lyddy of the 22nd) AN ACT CONCERNING THE DEFINITION "ARISING OUT OF AND IN THE COURSE OF HIS EMPLOYMENT" IN THE WORKMEN'S COMPENSATION ACT.

S. B. 600 (Senator Jackson of the 5th) AN ACT CONCERNING WORKMEN'S COMPENSATION - AVERAGE WAGE.

S. B. 1302 (Senator Miller of the 13th) AN ACT TO MAKE THE SERVICES OF PODIATRISTS AVAILABLE UNDER THE WORKMEN'S COMPENSATION LAWS.

H. B. 6311 (Rep. Badolato of the 30th) AN ACT CONCERNING WORKMEN'S COMPENSATION.

H. B. 7947 (Rep. McLoughlin of the 132nd) AN ACT CONCERNING PAYMENT OF ADMINISTRATION COSTS OF THE WORKMEN'S COMPENSATION ACT.

H. B. 8506 (Rep. Badolato of the 30th) AN ACT CONCERNING WORKMEN'S COMPENSATION FOR VOLUNTEER FIREMEN.

H. B. 6019 (Rep. McLoughlin of the 132nd) AN ACT CONCERNING A DISABILITY PENSION FOR WORKMEN'S COMPENSATION COMMISSIONERS.

H. B. 7886 (Rep. McLoughlin of the 132nd) AN ACT CONCERNING DEATH BENEFITS FOR WORKMEN'S COMPENSATION COMMISSIONERS.

I would also like to put the Council on record as being opposed to:

S. B. 118 (Senator Barry of the 4th) AN ACT CONCERNING WORKMEN'S COMPENSATION.

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signify by saying, "Aye". Opposed? The bill is passed.

THE CLERK:

CAL. NO. 952. File No. 1041. Favorable report of the Joint Committee on Labor. Substitute for Senate Bill No. 744. An Act concerning the Work Week for Places of Amusements.

SENATOR DINIELLI:

I move acceptance of the Joint Committee's favorable report and passage of this bill.

Mr. President, this bill provides for the re-instatement of the amusement parks license under Section 29-129. In the Section 31-76b which would allow employees of seasonal occupation to work 48 hours instead of 40 hours. It's a good bill and I urge passage.

THE CHAIR:

Will you remark further on the bill? If not as many who are in favor signify by saying, "aye". Opposed? Bill is passed.

THE CLERK:

CAL. NO. 1036. File No. 962. Favorable report of the Joint Committee on Labor. House Bill No. 8506. An Act concerning Workmen's Compensation for Volunteer Firement

SENATOR MILLER:

I move for acceptance of the Joint Committee's favorable report and passage of the bill.

Mr. President, on everyone's desk is a statement explaining the bill from Frank Burns. It's a good bill and should pass.

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THE CHAIR:

Further remarks on the bill? If not, as many who are in favor signify by saying, "a ye". Opposed? Bill is passed.

THE CLERK:

CAL. NO. 1061. File No. 995. Favorable report of the Joint Committee on Labor. Substitute for House Bill No. 8663. An Act concerning Employers' Records.

SENATOR MILLER:

Mr. President, I move acceptance of the Joint Committee's favorable report and passage of the bill.

Under the present statutes, employers records must be kept in the place of employment. This bill would permit employment records of coin-operated services of vending machine business to be kept at a place other than the place of employment.

THE CHAIR:

Would you remark further on this bill? If not as many who are in favor signify by saying, "a ye". Opposed? Bill is passed.

THE CLERK:

CAL. NO. 1066. File No. 1191. Favorable report of the Joint Committee on Judiciary and Governmental Functions. Senate Bill No. 1324. An Act concerning Construction of the New London County Courthouse in Preston.

SENATOR PALMER:

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

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THE CLERK:

Calendar 942, Substitute for House Bill 7089, File 961.

An Act concerning Immunity from Liability for Emergency Medical Assistance or First Aid.

MR. AJELLO (118th):

May Calendar 942, Substitute for H.B. 7089 be recommitted to the Committee on Labor?

THE SPEAKER:

The question is on recommitment, would you comment?

Hearing no objection so ordered.

THE CLERK:

Calendar 943, House Bill 8506. An Act concerning Workmen's Compensation for Volunteer Firemen. File 962.

MR. PIAZZA (115th):

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

THE SPEAKER:

Question is on acceptance and passage, will you remark?

MR. PIAZZA (115th):

The 1967 Session of the General Assembly made a substantial contribution of the volunteer fire service when it enacted legislation that provided areas to the volunteer to be protected by the workmen's compensation law, however, after two years of experience, we find that some additional changes are necessary Section 1, Item D, coverage of volunteers who die or who are

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temporarily or permanently disabled as result of hypertension or heart disease while on duty providing they previous had a physical. Section 2, this is an additonal change, the intent of the original Act was to cover the volunteers who might be .. either paid or volunteer. However, the (inaudible) is restricted to coverage of volunteers who are assisting other fire companies only. This is corrected in the section by removing the word volunteer on line 4. This is a godd bill and I urge its passage.

THE SPEAKER:

Will you remark further on the bill? If not all those in favor indicate by saying aye. Those opposed. The bill is passed.

THE CLERK:

Calendar 944, Substitute for House Bill 6113. An Act concerning Support of Humane Institutional Patients. File 963.

MR. CIARLONE (106th):

I move acceptance of the Joint Committee's Favorable report and passage of the bill.

THE SPEAKER:

Question is on acceptance and passage, will you remark?

MR. CIARLONE (106ht)

This bill would result in more collections by the State. It eliminates that children of a parent only be equally and not jointly and said liable for care of their parents. I urge its adoption.