

Act Number	Session	Bill Number	Total Number of Committee Pages	Total Number of House Pages	Total Number of Senate Pages
PA 71-350		6895	1	2	1
<u>Committee Pages:</u> <ul style="list-style-type: none"> <i>Labor & Public Employees 196-197</i> 				<u>House Pages:</u> <ul style="list-style-type: none"> 2590 	<u>Senate Pages:</u> <ul style="list-style-type: none"> 2212

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
1971**

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Wednesday, May 12, 1971 89.

abuse as this education is really going to be the key to the knowledge of our youngsters, and knowledge is really what our children need if they are to understand and avoid the disastrous consequences of any drug abuse. Thank you, Mr. Speaker.

MR. SPEAKER:

Will you remark further on the Bill.

MURIEL T. YACAVONE:

Mr. Speaker, speaking in favor of this Bill. The State's board has been reluctant to make this education...drug education...k through 12 a mandatory program, but I think they finally have been convinced, and this Legislature can make this program mandatory. It's...there are many more important programs to be legislated. This is just one, but a very basic one. It should go a long way. It is not the only solution, and I don't think we should consider it to be one solution to drug education. I urge passage of this Bill.

MR. SPEAKER:

Will you remark further on the Bill. If not, the question is on acceptance of the Joint Committee's favorable report and passage of the Bill. All those in favor will indicate by saying "aye". All those opposed. The Bill is passed.

THE CLERK:

Back to Page 10, the top of the page, Calendar No. 726, H.B. No. 6895, an Act concerning reimbursement of the workmen's Compensation Second Injury Fund from recoveries from third parties.

HERBERT V. CAMP, JR.:

Mr. Speaker, move acceptance of the Committee's Joint

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THE CHAIR:

Shall we pass this, Senator, whatever you wish? There being no objection the Senate will stand in recess until approximately 6 O'Clock.

THE SENATE AT 5:13 P.M., RECESSED

AFTER RECESS

The senate was called to order, after recess, at 9:25 P.M., the President in the Chair.

SENATOR CALDWELL:

Mr. President, going to the Calendar, in addition to the matters which I indicated to take up earlier, this afternoon, may we take up the following: on page 3, Cal. 621; on page 7, Cal. 707 and 714; on page 8, Cal. 731; on page 9, Cal. 736 and 737; on page 10, may we place on the Foot Cal. 743, may we take up Cal. 749 and 750; on page 12, may we take up Cal. 764 and 767 and on page 16, may we take up Cal. 792. If any of these matters are single starred may we take them up under suspension of the rules?

THE CHAIR:

There being no objection, the rules will be suspended concerning any single starred items.

SENATOR CALDWELL:

If I haven't previously mentioned it may all other double starred items be passed retaining their place. At this time, Mr. President, I'd like to move for the acceptance of the committee's favorable report and the passage of the following Calendar Numbers: 707, 714, 736, 749, 750, 767 and 38.

1484, 6494, 1226, 6862, 6895, 1562

THE CHAIR:

Senator, would you move for suspension of the rules, for that purpose?

**JOINT
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- B. McGovern: compensation. Under the proposed amendment, the liability of a Second Injury Fund would be conditioned upon a timely presentation of a claim to the Fund by the insurance carrier and also, if there were a dispute as to the liability of the Fund in the particular case, the insurance carrier would keep up payments until the dispute was settled and then, he would be reimbursed by the Fund for any expenditures over the 104 week limit. Thank you.
- Chr. Smith: Is there anyone else in favor of H. B. 6894 (Rep. Carrozzella of the 81st) AN ACT CONCERNING WORKMEN'S COMPENSATION. PART "E" OF SECTION 31-349?
- N. Zolot: Mr. Chairman. Norman Zolot speaking for the Connecticut State Labor Council, AFL-CIO. We would favor certain portions of this bill but not all the bill and since I am straddling on the pro and con, may I just cover both phases at one sitting. We agree that the carrier should not be permitted to discontinue payments without notifying the Second Injury Fund of its intention to do so. We do not agree, however, with the delimitation as to the injuries to be covered by the Second Injury Fund. The proposal is, that the Second Injury Fund recognize as pre-existing injuries only specifics that means loss of bodily function - arms, legs and back, but that isn't the group principally involved. What we are really talking about are the people with multiple sclerosis, the people who are paralyzed in other parts of their body, the people who have cerebral palsy, who are employable but many of whom cannot seek employment because of the prejudices of our present day society against their employment. The Second Injury Fund was deliberately designed to cover everybody, not just those who had specific injuries. The proposal, in our judgment, represents a substantial retreat and is a loss to those who are handicapped. We think that phase of it should not be accepted.
- Chr. Smith: Is there anyone else in favor of H. B. 6894 (Rep. Carrozzella of the 81st) AN ACT CONCERNING WORKMEN'S COMPENSATION. PART "E" OF SECTION 31-349? Hearing none, we will move on to H. B. 6895 (Rep. Carrozzella of the 81st)(Sen. Jackson of the 5th) AN ACT CONCERNING WORKMEN'S COMPENSATION SECTION 31-310. Those in favor.
- B. McGovern: Bernard McGovern, Attorney General's Office. Once, again drawing upon my past experience representing the Second Injury Fund, for three years I was the Fund's Counsel. We never once received notification from an employer of a third party liability suit. This bill would make it incumbent upon the employer or the carrier not only to notify the Second Injury

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- B. McGovern: Fund but to protect the rights of the Fund to reimbursement against the third party. Certainly, this recovery of these sums would be a saving to the Fund and ultimately to the carrier and the tax-payer. Thank you.
- Chr. Smith: Is there anyone else in favor of H. B. 6895 (Rep. Carrozzella of the 81st, Sen. Jackson of the 5th) AN ACT CONCERNING WORKMEN'S COMPENSATION SECTION 31-310?
- N. Zolot: Yes, sir. Norman Zolot speaking on behalf of the Connecticut State Labor Council, AFL-CIO. This was the kind of clarification which I think the act should have under Senator Power's proposal. I have not heard of this situation until the bill was presented for review. I would make a further suggestion that not only should the employer or the insurance carrier be responsible for giving the Second Injury Fund notice but since the injured employee has the right to initiate the suit, that a similar burden should be put upon the employee if he brings a third party action.
- Chr. Smith: Anyone else in favor of H. B. 6895 (Rep. Carrozzella of the 81st, Sen. Jackson of the 5th) AN ACT CONCERNING WORKMEN'S COMPENSATION SECTION 31-310? Those opposed. Hearing none, we will move on to H. B. 7126 (Rep. Badolato of the 30th) AN ACT CONCERNING COST-OF-LIVING ADJUSTMENTS AND DEPENDENCY ALLOWANCES TO BENEFICIARIES ENTITLED TO RECEIVE DEATH BENEFITS UNDER WORKMEN'S COMPENSATION. Those in favor. Those opposed.
- L. Lemaire: Leon Lemaire, Connecticut Business and Industry Association. Previous comments apply here. We oppose any increase in the cost-of-living adjustments.
- Chr. Smith: No reason why I suppose you have to file the information.
- L. Lemaire: Sorry, I gave detailed testimony on an earlier bill which is exactly the same as this one.
- Chr. Smith: Same thing, alright, thank you. Is there any further opposition to H. B. 7126 (Rep. Badolato of the 30th) AN ACT CONCERNING COST-OF-LIVING ADJUSTMENTS AND DEPENDENCY ALLOWANCES TO BENEFICIARIES ENTITLED TO RECEIVE DEATH BENEFITS UNDER WORKMEN'S COMPENSATION? Hearing none, we will move on to H. B. 7128 (Rep. Badolato of the 30th) AN ACT CONCERNING COST-OF-LIVING ADJUSTMENTS TO BENEFICIARIES ENTITLED TO WORKMEN'S COMPENSATION DEATH BENEFITS. Those in favor. Those opposed.
- L. Lemaire: Leon Lemaire, Connecticut Business and Industry Association. Same comment.