



House of Representatives

File No. 766

General Assembly

January Session, 2003

(Reprint of File No. 682)

Substitute House Bill No. 5178
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
May 23, 2003

**AN ACT EXTENDING HEALTH INSURANCE COVERAGE TO
REMARRIED SURVIVING SPOUSES OF POLICE OFFICERS AND
FIREFIGHTERS AND CONCERNING EQUIPMENT FOR FIRE POLICE
OFFICERS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 5-259 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

4 (a) The Comptroller, with the approval of the Attorney General and
5 of the Insurance Commissioner, shall arrange and procure a group
6 hospitalization and medical and surgical insurance plan or plans for
7 (1) state employees, (2) members of the General Assembly who elect
8 coverage under such plan or plans, (3) participants in an alternate
9 retirement program who meet the service requirements of section
10 5-162 or subsection (a) of section 5-166, (4) anyone receiving benefits
11 under section 5-144 or from any state-sponsored retirement system,
12 except the teachers' retirement system and the municipal employees
13 retirement system, (5) judges of probate and Probate Court employees,

14 (6) the surviving spouse [, until remarriage,] and any dependent
15 children until they reach the age of eighteen, of a state police officer, a
16 member of an organized local police department, a firefighter or a
17 constable who performs criminal law enforcement duties who dies
18 before, on or after the effective date of this section as the result of
19 injuries received while acting within the scope of such officer's or
20 firefighter's or constable's employment and not as the result of illness
21 or natural causes, and whose surviving spouse and dependent
22 children are not otherwise eligible for a group hospitalization and
23 medical and surgical insurance plan, (7) employees of the Capital City
24 Economic Development Authority established by section 32-601, and
25 (8) the surviving spouse and dependent children of any employee of a
26 municipality who dies on or after October 1, 2000, as the result of
27 injuries received while acting within the scope of such employee's
28 employment and not as the result of illness or natural causes, and
29 whose surviving spouse and dependent children are not otherwise
30 eligible for a group hospitalization and medical and surgical insurance
31 plan. For purposes of this subdivision, "employee" means any regular
32 employee or elective officer receiving pay from a municipality, [and]
33 "municipality" means any town, city, borough, school district, taxing
34 district, fire district, district department of health, probate district,
35 housing authority, regional work force development board established
36 under section 31-3k, flood commission or authority established by
37 special act or regional planning agency. For purposes of subdivision
38 (6) of this subsection, "firefighter" means any person who is regularly
39 employed and paid by any municipality for the purpose of performing
40 firefighting duties for a municipality on average of not less than thirty-
41 five hours per week. The minimum benefits to be provided by such
42 plan or plans shall be substantially equal in value to the benefits
43 [which] that each such employee or member of the General Assembly
44 could secure in such plan or plans on an individual basis on the
45 preceding first day of July. The state shall pay for each such employee
46 and each member of the General Assembly covered by such plan or
47 plans the portion of the premium charged for such member's or
48 employee's individual coverage and seventy per cent of the additional

49 cost of the form of coverage and such amount shall be credited to the
50 total premiums owed by such employee or member of the General
51 Assembly for the form of such member's or employee's coverage under
52 such plan or plans. On and after January 1, 1989, the state shall pay for
53 anyone receiving benefits from any such state-sponsored retirement
54 system one hundred per cent of the portion of the premium charged
55 for such member's or employee's individual coverage and one
56 hundred per cent of any additional cost for the form of coverage. The
57 balance of any premiums payable by an individual employee or by a
58 member of the General Assembly for the form of coverage shall be
59 deducted from the payroll by the State Comptroller. The total
60 premiums payable shall be remitted by the Comptroller to the
61 insurance company or companies or nonprofit organization or
62 organizations providing the coverage. The amount of the state's
63 contribution per employee for a health maintenance organization
64 option shall be equal, in terms of dollars and cents, to the largest
65 amount of the contribution per employee paid for any other option
66 [which] that is available to all eligible state employees included in the
67 health benefits plan, but shall not be required to exceed the amount of
68 the health maintenance organization premium.

69 Sec. 2. Section 7-313a of the general statutes is repealed and the
70 following is substituted in lieu thereof (*Effective October 1, 2003*):

71 The authorities having the supervision of the fire department of any
72 town, city, borough or district may appoint such number of persons,
73 within available appropriations, as they deem necessary to be fire
74 police officers of such municipality or district, who shall have the
75 powers and perform the duties in such municipality or district as
76 designated and authorized by the fire chief of such municipality or
77 district, and such fire police officers may exercise such powers and
78 duties in any adjoining municipality or district while on duty with the
79 fire department or with a cooperating fire department, where the
80 department is engaged in mutual assistance. Such powers and duties
81 shall include traffic control and regulation and may be exercised by
82 such fire police during any fire drill or fire call or at any other time

83 when such fire police are serving with the fire department, with any
 84 other fire department in an adjoining municipality or district or with
 85 any fire department rendering mutual assistance. Each such fire police
 86 officer [shall,] while in the performance of [his or her duties as such,
 87 wear his or her] fire police duties shall wear the badge of office in plain
 88 view of any observer. Each such fire police officer, while directing
 89 traffic [,] in performance of the duties of fire police, (1) shall wear a
 90 white helmet with the words "Fire Police" in red letters on the front
 91 thereof or regulation fire-police dress uniform cap [, provided any
 92 such fire police officer, wearing such cap] and after dark or in
 93 inclement weather, [shall also wear] a traffic safety vest, orange or lime
 94 green raincoat or any reflectorized orange or lime green outer clothing,
 95 [and in each case shall] that meets national, state and local traffic safety
 96 standards, (2) carry a flashlight, which shall have a red or orange wand
 97 and be capable of projecting a clear light for the purpose of
 98 illumination at nighttime, and (3) utilize hand held or portable traffic
 99 control devices appropriate for the time of day, weather and traffic
 100 flow. Such helmet, cap, vest, raincoat or outer clothing, badge, traffic
 101 control equipment and flashlight [shall] may be supplied by the
 102 appointing municipality or district.

This act shall take effect as follows:	
Section 1	<i>from passage</i>
Sec. 2	<i>October 1, 2003</i>

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Type	FY 04 \$	FY 05 \$
Comptroller Misc. Accounts (Fringe Benefits)	GF - Cost	Potential Indeterminate	Potential Indeterminate
Fire Prevention & Control, Com.; Public Safety, Dept.	GF - None	None	None

Note: GF=General Fund

Municipal Impact:

Municipalities	Effect	FY 04 \$	FY 05 \$
Various Municipalities	See Below	See Below	See Below

Explanation

The bill eliminates the remarriage provision, which requires that state health benefits end upon the remarriage of a surviving spouse. The bill also adds the surviving spouses of qualified firefighters and specifies that eligibility for state health insurance coverage is based upon not being eligible for any other health insurance plan. There may be a cost to the state for providing benefits that would now be discontinued upon remarriage and for including firefighters. The potential cost cannot be estimated because the number of surviving spouses impacted by the bill is unknown at this time.

House Amendment "A" requires the use of certain equipment and outer clothing by fire police officers during the execution of various duties and relaxes the current law requirement that towns or fire districts provide these items. Passage of the amendment would result in potential costs to those municipalities that do not currently possess

the items specified in the amendment.¹ However, as provided in the bill, towns are not required to be the source of funding for these items. Those municipalities that would be impacted have not been identified at this time.

¹ The clothing and equipment specifically described in the bill includes white helmets, traffic safety vests, orange or lime green raincoats & outer clothing, orange wands, portable traffic control devices, appropriate badges and flashlights.

OLR Bill Analysis

sHB 5178 (as amended by House "A")*

AN ACT EXTENDING HEALTH INSURANCE COVERAGE TO REMARRIED SURVIVING SPOUSES OF POLICE OFFICERS AND FIREFIGHTERS**SUMMARY:**

Under current law, state health insurance coverage is provided for surviving spouses and dependent children, under age 18, of local police officers who die from injuries received in the course of their employment, and the coverage ends if the spouse remarries.

This bill:

1. requires coverage after remarriage;
2. adds spouses and children of paid firefighters and state police to the group entitled to such coverage;
3. specifies that the coverage is provided following work-related deaths occurring before, on, or after the bill's effective date; and
4. specifies that the surviving spouse and dependent children must not be otherwise eligible for another health insurance plan.

Also under current law, the surviving spouse and dependent children of any municipal worker who dies on or after October 1, 2000, as a result of injuries received while on the job, gets state health insurance coverage. This provision covers paid firefighters, but the bill places them in the group where coverage is not tied to a specific death date.

The bill also requires fire police to use hand-held or portable traffic control devices while directing traffic in the performance of their duties. It removes the mandate that municipalities and fire districts supply the fire police with identifying badges, safety helmets, caps, vests, raincoats or other outer clothing, and flashlights and instead permits them to supply the fire police with these items. It makes

several other changes regarding the clothing fire police must wear while performing their duties. Fire police are designated by municipalities or fire districts to control traffic around the site of a fire.

*House Amendment "A" adds the provisions regarding the equipment and clothing for municipal fire police when they perform their duties.

EFFECTIVE DATE: Upon passage

SURVIVOR HEALTH INSURANCE

Plan Coverage Provisions

Under existing law and the bill, the state comptroller is required to provide this insurance, which must include group hospitalization, medical, and surgical plan coverage. The comptroller has the statutory authority to procure health insurance coverage for all state employees.

Firefighter Defined

The bill defines "firefighter" as any person regularly employed and paid by any municipality to perform firefighting duties for on average at least 35 hours a week.

FIRE POLICE PROVISIONS

Requirements

The bill requires municipal or district fire police to use hand-held or portable traffic control devices while directing traffic in the performance of their duties. The bill specifies that the traffic control device must be appropriate for the time of day, weather, and traffic flow.

It also requires that, after dark or in inclement weather, all fire police wear a traffic safety vest, orange or lime green raincoat, or any reflectorized orange or lime green outer clothing and that these items must meet national, state, and local traffic safety standards. Under current law, only fire police wearing a regulation fire-police dress uniform cap must wear the vest, raincoat, or reflectorized outer clothing after dark or in bad weather (those wearing a white helmet with the words "fire police" on the front are not required to wear the

additional clothes).

Lastly, the bill allows the flashlight that fire police must carry to have either a red or orange wand for directing traffic. Current law allows only a red wand.

Provision of Equipment

Under current law, the town or fire district must provide the fire police with badges, helmets, caps, vests, raincoats or outer clothing, and flashlights. The bill instead allows towns or districts to supply these items, but does not require it. The bill also adds the hand-held or portable traffic control device to the list of things a town or district may provide.

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable Substitute Change of Reference

Yea 12 Nay 0

Appropriations Committee

Joint Favorable Report

Yea 50 Nay 0