



House of Representatives

General Assembly

File No. 119

February Session, 2008

House Bill No. 5646

House of Representatives, March 20, 2008

The Committee on Public Safety and Security reported through REP. DARGAN of the 115th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

***AN ACT CONCERNING VOLUNTEER SERVICE BY PAID
EMERGENCY PERSONNEL OR PAID FIREFIGHTERS.***

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

1 Section 1. Section 7-323s of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) The State Fire Administrator, within available appropriations,
4 shall develop model guidelines, on or before January 1, 2007, to be
5 used by municipalities with paid municipal emergency personnel and
6 municipalities with volunteer emergency personnel in entering into
7 agreements authorizing volunteer emergency personnel to serve
8 during personal time.

9 (b) A municipality with paid municipal emergency personnel and a
10 municipality with volunteer emergency personnel may enter into an
11 agreement authorizing paid emergency personnel to serve during
12 personal time as active members of a volunteer fire department in the
13 municipality in which they reside. In developing such agreements,

14 such municipalities shall consider the model guidelines developed by
15 the State Fire Administrator pursuant to subsection (a) of this section.

16 (c) The municipalities that are parties to an agreement entered into
17 under subsection (b) of this section may request the Labor
18 Commissioner, within available appropriations, to provide assistance
19 in resolving such issues arising out of the agreement as the
20 commissioner deems appropriate.

21 Sec. 2. (NEW) (*Effective from passage*) On and after the effective date
22 of this section, no municipality shall enter into a contract that prohibits
23 paid firefighters or paid emergency personnel of such municipality
24 from serving as active members of a volunteer fire department in the
25 municipality in which such firefighters or emergency personnel reside
26 during personal time.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	7-323s
Sec. 2	<i>from passage</i>	New section

PS *Joint Favorable*

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 chamber thereof for any purpose:

OFA Fiscal Note

State Impact: None

Municipal Impact:

Municipalities	Effect	FY 09 \$	FY 10 \$
Various Municipalities	STATE MANDATE - Cost	See Below	See Below

Explanation

The bill prohibits municipalities from entering into any contract prohibiting paid firefighters or paid emergency personnel from serving as active members of a volunteer fire department, during personal time, in the municipality where they live.

This bill will increase costs to certain municipalities if a paid firefighter or emergency services member sustains an injury while serving as a volunteer firefighter. Career fire departments will incur increased personnel costs (e.g., overtime costs) to cover the shifts of the injured worker.

Under current law, unchanged by this bill, volunteer firefighters are considered employees of the town for which they volunteer for workers' compensation purposes.

OLR Bill Analysis**HB 5646*****AN ACT CONCERNING VOLUNTEER SERVICE BY PAID
EMERGENCY PERSONNEL OR PAID FIREFIGHTERS.*****SUMMARY:**

This bill allows municipalities with paid emergency personnel and municipalities with volunteer emergency personnel to enter into agreements authorizing paid personnel to serve during personal time as active members of a volunteer fire department in the municipality where they live.

In developing the agreements, municipalities must consider the model guidelines, which the state fire administrator must develop under existing law. The bill allows municipalities to ask the labor commissioner to help resolve any issues arising from the agreements. He must do this within available appropriations and as he deems appropriate.

The bill prohibits municipalities from entering into any contract prohibiting paid firefighters or paid emergency personnel from serving as active members of a volunteer fire department, during personal time, in the municipality where they live.

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable

Yea 19 Nay 0 (03/04/2008)