



General Assembly

February Session, 2008

**Raised Bill No. 5626**

LCO No. 1742

\*01742\_\_\_\_\_LAB\*

Referred to Committee on Labor and Public Employees

Introduced by:  
(LAB)

**AN ACT GRANTING WORKERS' COMPENSATION COMMISSIONERS  
POWER TO RENDER DISCRETIONARY FINDINGS.**

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

1 Section 1. Section 31-278 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2008*):

3 Each commissioner shall, for the purposes of this chapter, have  
4 power to summon and examine under oath such witnesses, and may  
5 direct the production of, and examine or cause to be produced or  
6 examined, such books, records, vouchers, memoranda, documents,  
7 letters, contracts or other papers in relation to any matter at issue as he  
8 may find proper, and shall have the same powers in reference thereto  
9 as are vested in magistrates taking depositions and shall have the  
10 power to order depositions pursuant to section 52-148. [He] Each  
11 commissioner shall have power to certify to official acts and shall have  
12 all powers necessary to enable him to perform the duties imposed  
13 upon him by the provisions of this chapter. Each commissioner shall  
14 have the discretion to render findings of bad faith and impose  
15 penalties should said commissioner determine a party has not made  
16 reasonable effort to comply with, or maliciously refused to comply

17 with, the commissioner's orders or requests. Each commissioner shall  
18 hear all claims and questions arising under this chapter in the district  
19 to which the commissioner is assigned and all such claims shall be  
20 filed in the district in which the claim arises, provided, if it is uncertain  
21 in which district a claim arises, or if a claim arises out of several  
22 injuries or occupational diseases which occurred in one or more  
23 districts, the commissioner to whom the first request for hearing is  
24 made shall hear and determine such claim to the same extent as if it  
25 arose solely within his own district. If a commissioner is disqualified  
26 or temporarily incapacitated from hearing any matter, or if the parties  
27 shall so request and the chairman of the Workers' Compensation  
28 Commission finds that it will facilitate a speedier disposition of the  
29 claim, [he] said commissioner shall designate some other  
30 commissioner to hear and decide such matter. The Superior Court, on  
31 application of a commissioner or the chairman or the Attorney  
32 General, may enforce, by appropriate decree or process, any provision  
33 of this chapter or any proper order of a commissioner or the chairman  
34 rendered pursuant to any such provision. Any compensation  
35 commissioner, after ceasing to hold office as such compensation  
36 commissioner, may settle and dispose of all matters relating to  
37 appealed cases, including correcting findings and certifying records, as  
38 well as any other unfinished matters pertaining to causes theretofore  
39 tried by him, to the same extent as if he were still such compensation  
40 commissioner.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2008</i>	31-278

**Statement of Purpose:**

To provide workers' compensation commissioners the authority to render certain findings.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*