



General Assembly

February Session, 2022

Amendment

LCO No. 6291



Offered by:
SEN. KUSHNER, 24th Dist.

To: Subst. Senate Bill No. 313

File No. 367

Cal. No. 266

"AN ACT CONCERNING ADOPTION OF THE RECOMMENDATIONS OF THE TASK FORCE TO STUDY CANCER RELIEF BENEFITS FOR FIREFIGHTERS."

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- 1 Change the effective date of section 1 to "Effective July 1, 2023"
- 2 In line 2, strike "International"
- 3 Strike lines 3 and 4 in their entirety and insert the following in lieu
4 thereof:
- 5 "2018 Lavender Ribbon Report Best Practices for Preventing
6 FireFighter Cancer."
- 7 After line 8, insert the following:
- 8 "(c) Municipalities with a population of less than fifty thousand shall
9 not be required to provide two sets of turn out gear to volunteer
10 firefighters, provided that each volunteer firehouse in such municipality

11 is equipped with all advanced cleaning washer and extractor
12 capabilities as specified in NFPA 1851."

13 Strike section 2 in its entirety and renumber the remaining sections
14 and internal references accordingly

15 Strike section 4 in its entirety and insert the following in lieu thereof:

16 "Sec. 4. Section 7-313i of the general statutes is repealed and the
17 following is substituted in lieu thereof (*Effective from passage*):

18 (a) There is established a firefighters cancer relief subcommittee of
19 the Connecticut State Firefighters Association that shall consist of one
20 member from the Connecticut State Firefighters Association, one
21 member from the Connecticut Fire Chiefs Association, one member
22 from the Uniformed Professional Firefighters of the International
23 Association of Firefighters, one member from the Connecticut Fire
24 Marshals Association, and one member from the Connecticut
25 Conference of Municipalities. Such subcommittee shall review claims
26 for wage replacement benefits submitted to the firefighters cancer relief
27 program established pursuant to section 7-313j and provide wage
28 replacement benefits, in accordance with the provisions of subsection
29 (b) of section 3-123, to any firefighter who the subcommittee determines
30 is eligible for such wage replacement benefits pursuant to the provisions
31 of section 7-313j. The subcommittee may determine the weekly wage
32 replacement benefits provided to a firefighter in accordance with the
33 provisions of this chapter and chapter 568.

34 (b) A firefighter who is approved for wage replacement benefits by
35 the subcommittee pursuant to subsection (a) of this section shall be
36 eligible for such benefits on and after July 1, 2019, and for a period
37 determined by the subcommittee, provided such period shall not exceed
38 twenty-four months. The maximum weekly wage replacement benefit
39 under this section shall be determined by the subcommittee, provided
40 such maximum weekly wage replacement benefit shall not exceed one
41 hundred per cent, raised to the next even dollar, of the average weekly
42 earnings of all workers in the state for the year in which the condition

43 of cancer was diagnosed. The average weekly earnings of all workers in
44 the state shall be determined by the Labor Commissioner on or before
45 the fifteenth day of August of each year, to be effective the following
46 October first, and shall be the average of all workers' weekly earnings
47 for the year ending the previous June thirtieth and shall be so
48 determined in accordance with the standards for the determination of
49 average weekly earnings of all workers established by the United States
50 Department of Labor, Bureau of Labor Statistics.

51 (c) A firefighter may receive wage replacement benefits under this
52 section concurrently with any employer-provided employment
53 benefits, provided the total compensation of such firefighter during
54 such period of receiving benefits under this section shall not exceed such
55 firefighter's pay rate at the time such firefighter was diagnosed with a
56 condition of cancer described in section 7-313j.

57 (d) No firefighter shall receive compensation under this section
58 concurrently with the provisions of chapter 567 or 568 or any other
59 municipal, state or federal program that provides wage replacement
60 benefits.

61 (e) No approval of wage replacement benefits for a firefighter by the
62 subcommittee pursuant to subsection (a) of this section shall be used as
63 evidence, proof or an acknowledgment of liability or causation in any
64 proceeding under chapter 568.

65 (f) No approval of wage replacement benefits for a firefighter by the
66 subcommittee pursuant to subsection (a) of this section shall create a
67 presumption that the firefighter's cancer was work related for purposes
68 of chapter 568. Nothing in this section shall be construed to diminish or
69 affect in any manner a firefighter's rights and benefits or any rights and
70 defenses that an employer may have under chapter 568.

71 ~~[(f)]~~ (g) Notwithstanding any other provision of the general statutes,
72 any employer who provides accident and health insurance or life
73 insurance coverage for a firefighter or makes payments or contributions
74 at the regular hourly or weekly rate for the firefighter to an employee

75 welfare plan, shall provide to the firefighter equivalent insurance
76 coverage or welfare plan payments or contributions while the firefighter
77 is eligible to receive or is receiving wage replacement compensation
78 under this section. As used in this section, "employee welfare plan"
79 means any plan established or maintained for such firefighter or such
80 firefighter's family or dependents, or for both, for medical, surgical or
81 hospital care benefits.

82 [(g)] (h) The State Treasurer shall remit wage replacement benefits
83 that are approved by the subcommittee from the firefighters cancer
84 relief account established pursuant to section 7-313h not later than thirty
85 days after such benefits have been approved."

86 Strike sections 5 and 7 to 10, inclusive, in their entirety and renumber
87 the remaining sections and internal references accordingly

88 After the last section, add the following and renumber sections and
89 internal references accordingly:

90 "Sec. 501. (NEW) (*Effective July 1, 2023*) (a) Each municipality within
91 the state shall annually contribute, not later than December fifteenth of
92 each year, (1) ten dollars per career firefighter within such
93 municipality's district, and (2) five dollars per volunteer firefighter
94 within such municipality's district to the firefighters cancer relief
95 account established pursuant to section 7-313h of the general statutes.

96 (b) Municipality contributions shall be based on the current number
97 of career and volunteer firefighters within the municipality at the time
98 of contribution.

99 (c) Municipalities shall only contribute funds for firefighters that: (1)
100 Have submitted to annual physical examinations subsequent to entry
101 into such service that have failed to reveal any evidence of such cancer
102 or a propensity for such cancer; (2) have not used any cigarettes, as
103 defined in section 12-285 of the general statutes, or any other tobacco
104 products, as defined in section 12-330a of the general statutes, within
105 fifteen years; (3) have worked for not less than five years as (A) an

106 interior structural firefighter at a paid municipal, state or volunteer fire
107 department, or (B) a local fire marshal, deputy fire marshal, fire
108 investigator, fire inspector or such other class of inspector or
109 investigator for whom the State Fire Marshal and the Codes and
110 Standards Committee, acting jointly, have adopted minimum standards
111 of qualification pursuant to section 29-298 of the general statutes."

This act shall take effect as follows and shall amend the following sections:		
Sec. 4	<i>from passage</i>	7-313i
Sec. 501	<i>July 1, 2023</i>	New section