

1 S.152

2 Introduced by Senators Illuzzi and White

3 Referred to Committee on Economic Development, Housing and General

4 Affairs

5 Date: January 3, 2012

6 Subject: Labor; workers' compensation; line of duty

7 Statement of purpose: This bill proposes to expand the definition of "line of  
8 duty" for purposes of the workers' compensation statutes.

9 An act relating to the definition of line of duty in the workers'  
10 compensation statutes

11 It is hereby enacted by the General Assembly of the State of Vermont:

12 ~~Sec. 1. 21 V.S.A. § 601 is amended to read:~~

13 ~~§ 601. DEFINITIONS~~

14 ~~Unless the context otherwise requires, words and phrases used in this~~  
15 ~~chapter shall be construed as follows:~~

16 ~~\* \* \*~~

17 ~~(11) "Personal injury by accident arising out of and in the course of~~  
18 ~~employment" includes an injury caused by the willful act of a third person~~  
19 ~~directed against an employee because of that employment.~~

20 ~~\* \* \*~~

1 ~~(C) "Line of duty," as applied to firefighters and rescue and~~

2 ambulance workers means one or more of the following:

3 (i) Service in the worker's town or district, in answer to a call of  
4 the department, including going to and returning from a fire or emergency or  
5 participating in a fire or emergency drill, parade, test, or trial of any  
6 firefighting or emergency equipment.

7 (ii) Similar service in another town or district to which the  
8 department has been called for firefighting or emergency purposes.

9 (iii) Service under orders of any department officer in any other  
10 emergency to which the department is called in the town or district where the  
11 department is established.

12 (iv) Activities authorized by the department for the purpose of  
13 raising funds for the department.

14 (v) Activities relating to the construction, repair, maintenance, or  
15 inspection of the firehouse or fire equipment.

16 (vi) Fire prevention activities, including inspection of property for  
17 fire hazards.

18 (vii) Department meetings.

19 \* \* \*

*Sec. 1. 21 V.S.A. § 601 is amended to read:*

*§ 601. DEFINITIONS*

*Unless the context otherwise requires, words and phrases used in this chapter shall be construed as follows.*

~~\*\*\*~~

~~(12) "Public employment" means the following:~~

~~\*\*\*~~

~~(K) other municipal workers, including volunteer firefighters and rescue and ambulance squads while acting in the line of duty in any capacity under the direction and control of the fire department or rescue and ambulance squads, after the governing officials of such municipal body so vote;~~

~~(L) members of any regularly organized private volunteer fire department while acting in the line of duty in any capacity under the direction and control of the fire department after election by the organization to have its members covered by this chapter;~~

~~(M) members of any regularly organized private volunteer rescue or ambulance squad while acting in the line of duty in any capacity under the direction and control of the rescue or ambulance squad after election by the organization to have its members covered by this chapter;~~

~~\*\*\*~~

*Sec. 1. 21 V.S.A. § 601 is amended to read:*

*§ 601. DEFINITIONS*

*Unless the context otherwise requires, words and phrases used in this chapter shall be construed as follows:*

~~\*\*\*~~

~~(12) "Public employment" means the following:~~

~~\*\*\*~~

~~(K) other municipal workers, including volunteer firefighters and rescue and ambulance squads while acting in the line of duty, after the governing officials of such municipal body so vote; in any capacity under the direction and control of the fire department or rescue and ambulance squads.~~

~~(L) members of any regularly organized private volunteer fire department while acting in the line of duty after election by the organization to have its members covered by this chapter; in any capacity under the direction and control of the fire department.~~

~~(M) members of any regularly organized private volunteer rescue or ambulance squad while acting in the line of duty after election by the organization to have its members covered by this chapter; in any capacity under the direction and control of the rescue or ambulance squad.~~

BILL AS INTRODUCED AND AS PASSED BY SENATE  
2012

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