

HOUSE CS FOR SENATE BILL NO. 131(L&C)
IN THE LEGISLATURE OF THE STATE OF ALASKA
THIRTY-SECOND LEGISLATURE - SECOND SESSION

BY THE HOUSE LABOR AND COMMERCE COMMITTEE

Offered:
Referred:

Sponsor(s): SENATORS HOLLAND, Gray-Jackson

REPRESENTATIVE Tuck

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the presumption of compensability for a disability resulting from**
2 **certain cancers in firefighters."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 *** Section 1.** AS 23.30.121(b) is amended to read:

5 (b) For a firefighter covered under AS 23.30.243,

6 (1) there is a presumption that a claim for compensation for disability
7 as a result of the following diseases is within the provisions of this chapter:

8 (A) respiratory disease;

9 (B) cardiovascular events that are experienced within 72 hours
10 after exposure to smoke, fumes, or toxic substances; and

11 (C) the following cancers:

12 (i) primary brain cancer;

13 (ii) **skin cancer** [MALIGNANT MELANOMA];

14 (iii) leukemia;

1 (iv) non-Hodgkin's lymphoma;

2 (v) bladder cancer;

3 (vi) ureter cancer;

4 (vii) kidney cancer; [AND]

5 (viii) prostate cancer;

6 **(ix) breast cancer;**

7 **(x) cervical cancer;**

8 **(xi) testicular cancer;**

9 **(xii) mesothelioma;**

10 **(xiii) multiple myeloma;**

11 **(xiv) colon cancer; and**

12 **(xv) thyroid cancer;**

13 (2) notwithstanding AS 23.30.100(a), following termination of service,
14 the presumption established in (1) of this subsection extends to the firefighter for a
15 period of three calendar months for each year of requisite service but may not extend
16 more than 60 calendar months following the last date of employment;

17 (3) the presumption established in (1) of this subsection applies only to
18 an active or former firefighter who has a disease described in (1) of this subsection
19 that develops or manifests itself after the firefighter has served in the state for at least
20 seven years and who

21 (A) was given a qualifying medical examination upon
22 becoming a firefighter that did not show evidence of the disease;

23 (B) was given an annual medical exam during each of the first
24 seven years of employment that did not show evidence of the disease; and

25 (C) with regard to diseases described in (1)(C) of this
26 subsection, demonstrates that, while in the course of employment as a
27 firefighter, the firefighter was exposed to a known carcinogen, as defined by
28 the International Agency for Research on Cancer or the National Toxicology
29 Program, and the carcinogen is associated with a disabling cancer.

30 * **Sec. 2.** AS 23.30.121(f) is amended to read:

31 (f) In this section, "firefighter" **means**

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(A) a person employed by a state or municipal fire department or who is a member of a volunteer fire department registered with the state fire marshal; or

(B) a person registered for purposes of workers' compensation with the state fire marshal as a member of a volunteer fire department [HAS THE MEANING GIVEN IN AS 09.65.295].

* **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to read:

APPLICABILITY. AS 23.30.121(b) and (f), as amended by this Act, apply to claims made on or after the effective date of this Act.