

**CS FOR HOUSE BILL NO. 538 (HES)**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**SEVENTEENTH LEGISLATURE - SECOND SESSION**

**BY THE HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE**

**Offered: 4/6/92**

**Referred: Labor & Commerce, Judiciary**

**Sponsor(s): REPRESENTATIVES ELLIS, Donley, Finkelstein, Koponen, Gruenberg, B.Davis, Moyer, Bruckman**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to workers' compensation benefits for fire fighters; and providing for an  
2 effective date."

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

4 \* Section 1. FINDINGS. The legislature finds that fire fighters are

5 (1) required to work in conditions that result in exposure to smoke, fumes, and chemicals  
6 that are carcinogenic, poisonous, or toxic;

7 (2) continually exposed to a vast and expanding field of hazardous substances;

8 (3) constantly entering uncontrolled environments to save lives and reduce property  
9 damage;

10 (4) frequently not aware of the potential toxic and carcinogenic substances that they may  
11 be exposed to;

12 (5) often exposed simultaneously to multiple carcinogens, unlike other workers;

13 (6) experiencing a rise in occupational heart disease, circulatory or respiratory problems,  
14 and cancer related to the rapid proliferation of thousands of toxic substances;

1           (7) being exposed to agents that can result in the development of heart disease,  
2 circulatory or respiratory problems, or cancer very slowly over a period of five to 40 years;  
3           (8) experiencing heart disease, circulatory or respiratory problems, and cancer that arise  
4 out of and in the course of employment.

5   \* Sec. 2. AS 23.30.120 is amended by adding a new subsection to read:

6           (d) In a proceeding under this chapter, there is a rebuttable presumption that heart  
7 disease, circulatory disease, respiratory disease, or cancer suffered by a fire fighter is an injury  
8 that arises out of and in the course of employment if (1) the heart disease, circulatory disease,  
9 respiratory disease, or cancer occurs during employment as a fire fighter; (2) the fire fighter has  
10 been continuously employed as a fire fighter for five or more years immediately preceding the  
11 onset of the disease; or (3) the disease occurs within 20 years immediately following the  
12 termination of employment as a fire fighter, and the fire fighter was employed for five years or  
13 longer as a fire fighter. In this subsection "cancer" means cancer of a type caused by exposure  
14 to heat, radiation, or a known carcinogen, as defined by the International Agency for Research  
15 on Cancer; and "fire fighter" includes a volunteer fire fighter.

16   \* Sec. 3. This Act takes effect July 1, 1992.