

**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-AB133)**

Received: 06/21/99

Received By: nelsorp1

Wanted: As time permits

Identical to LRB:

For: Assembly Republican Caucus

By/Representing: Anderson

This file may be shown to any legislator: NO

Drafter: nelsorp1

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Subject: Courts - miscellaneous

Extra Copies:

**Pre Topic:**

ARC:.....Anderson - Am. #85,

**Topic:**

Exemption from presumption relating to employment-related cancer diseases for municipal firefighters who smoke after January 1, 2001

**Instructions:**

See Attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	nelsorp1 06/21/99	ygeller 06/21/99	jfrantze 06/21/99	_____	lrb_docadmin 06/21/99		

FE Sent For:

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/1	nelsorp1	1 6/21 JLG	6/21	J/C			

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<END>

# To Be Drafted

Agency **DHFS**

Amendment# **85**

ARC Analyst **Nicole Anderson**

LRB#

Tax Cut

### Summary

This amendment creates an exemption from current presumption laws relating to employment-related cancer diseases for municipal firefighters who smoke or use tobacco products. The amendment, if passed, would become effective after January 1, 2001.

Current law (under chapter 891) creates a presumption for firefighters relating to employment-connected cancer diseases. The presumption only applies to cancers affecting the skin, breasts, central nervous system or lymphatic, digestive, hematological, urinary, skeletal, oral or reproductive organs. Current law does not exempt firefighters who smoke or use tobacco products.

This amendment creates the following change to the statutes:

891.455 (4) of the statutes is created to read:

891.455(4) The presumption for cancers caused by smoking under sub. (2) shall not apply to any municipal fire fighter who smokes cigarettes, as defined in s.139.30(1), or who uses any tobacco products, as defined in s. 139.75(12), after January 1, 2001.

### Fiscal Impact

According to the Legislative Fiscal Bureau, the motion may have the effect of delaying premium increases this biennium, although an amount cannot be specified.

### Statement of Intent

Health & Family Services. Create exemption from the presumption of employment-connected cancers for municipal firefighters who smoke or use tobacco products.



**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBb0813/1dn

RPN.....

Jg

Although request

, I broadened the language

The draft removes the presumption<sup>d</sup> for cancers caused by smoking if the fire fighter smokes cigarettes or uses a tobacco product<sup>only</sup>. Would it be better to also include cancers caused by the use of a tobacco product, ~~or are there no such cancers?~~

Robert P. Nelson  
Senior Legislative Attorney  
Phone: (608) 267-7511

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**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBb0813/1dn  
RPN:jlg:jf

June 21, 1999

Although the request removed the presumption only for cancers caused by smoking if the fire fighter smokes cigarettes or uses a tobacco product, I broadened the language to also include cancers caused by the use of a tobacco product.

Robert P. Nelson  
Senior Legislative Attorney  
Phone: (608) 267-7511



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb0813/1  
RPN:jl:gjf

ARC:.....Anderson - Am. #85, Exemption from presumption relating to employment-related cancer diseases for municipal firefighters who smoke after January 1, 2001

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

**CAUCUS AMENDMENT**

**TO ASSEMBLY SUBSTITUTE AMENDMENT 1,**

**TO 1999 ASSEMBLY BILL 133**

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 1431, line 11: after that line insert:

3 “SECTION 3312m. 891.455 (4) of the statutes is created to read:

4 891.455 (4) The presumption under sub. (2) for cancers caused by smoking or  
5 tobacco product use shall not apply to any municipal fire fighter who smokes  
6 cigarettes, as defined in s. 139.30 (1), or who uses a tobacco product, as defined in s.  
7 139.75 (12), after January 1, 2001.”.

8 (END)