

No. 158, S.]

[Published August 5, 1961.

**CHAPTER 341**

**AN ACT** to create 328.45 of the statutes, relating to the presumption of the cause of certain diseases.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

328.45 of the statutes is created to read:

**328.45 PRESUMPTION OF EMPLOYMENT CONNECTED DISEASE.** In any proceedings involving the application by a municipal fireman or his beneficiary for disability or death benefits under s. 66.191 or any pension or retirement system applicable to firemen, where at the time of death or filing of application for disability benefits the deceased or disabled fireman had served a total of 5 years as a fireman and a qualifying medical examination given prior to the time of his joining the department showed no evidence of heart or respiratory defect or disease, and where the disability or death is found to be caused by heart or respiratory defect or disease, such finding shall be presumptive evidence that such defect or disease was caused by such employment.

Approved August 1, 1961.

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