

the cancer was caused by a worker related...a work related exposure if they fit the three categories that the amendment lays out.

SENATOR MAURSTAD: Thank you, Senator Will. Mr. President, I would just indicate that I believe that there could be far greater ramifications to this amendment than maybe what we all have available to us at this particular time. I'm not downplaying whatsoever the impact to the individuals that might be involved and, you know, I need to qualify this from the perspective that I've been very supportive of our paid fire department back home and so I'm not indicating that I'm necessarily against this particular proposal. I would just raise the timing issue. I would raise that this could have a serious impact at the local level and, in fact, could be one of those nasty unfunded mandates we've been talking about and are going to be studying this summer. Given the other legislation that we've passed during this session I would say that maybe this would be something that we ought to take a wait and see attitude about and let it go through the bill channels as it normally would. I think it's a little more substantive than maybe what we ought to be addressing on...by amendment on Select File. Thank you, Mr. President.

SPEAKER WITHEM: Senator Will, you're recognized to close.

SENATOR WILL: Thank you, Mr. Speaker, members of the body, and certainly, Senator Maurstad, I understand some of the concerns that you have. I would indicate that, number one, this was introduced as a bill, was LB 361 that I introduced last session, had a hearing in front of the Retirement Systems Committee. The committee discussed the bill, in fact, amended it, as Senator Wickersham and I both explained, to make it actually more difficult for firefighters to recover with respect to proving that the carcinogen that they were exposed to was there. All this amendment does is say if you're a firefighter, if you were in good physical condition when you entered the fire service, the fire department, and you were exposed to a carcinogen and...in the course of your employment and that that carcinogen is recognized as of a type that would cause the specific type of cancer that you, the firefighter, have, then that constitutes prima facie evidence that that was the cause of your cancer for purposes of the Firefighters Pension Act. So, with that, I would think that this is the least we could do as, again, it