

**S.F. No. 0089**

**Presumptive disability for firefighters.**

Sponsored By: Senator(s) Landen and Representative(s) Walters

AN ACT relating to labor and employment; providing for a rebuttable presumption of disabilities for firefighters; listing subject diseases; providing eligibility for specified benefits to which the presumption applies; outlining criteria for presumptions; providing rulemaking authority; specifying applicability; and providing for an effective date.

1/13/2017 Bill Number Assigned  
1/16/2017 S Received for Introduction  
1/16/2017 S Introduced and Referred to S10 - Labor  
1/27/2017 S10 - Labor:Recommend Amend and Do Pass 5-0-0-0-0

**ROLL CALL**

**Ayes:** Senator(s) Baldwin, Boner, Bouchard, Peterson, Scott  
**Ayes** 5    **Nays** 0    **Excused** 0    **Absent** 0    **Conflicts** 0

1/27/2017 S Placed on General File

**SF0089SS001/ADOPTED**

That Substitute No. 1 for SF0089 DO Pass. SCOTT, CHAIRMAN

1/30/2017 S COW:Passed

**SF0089S2001/ADOPTED**

**[TO SUBSTITUTE BILL No. 1]**

Page 3-line 8 Delete ";" insert ".".  
Page 3-lines 10 through 15 Delete.  
Page 10-line 6 Delete "27-15-101(a)(ii)(E) and". LANDEN

1/31/2017 S 2nd Reading:Passed  
2/1/2017 S 3rd Reading:Laid Back

**SF0089S3001/FAILED**

**[TO SUBSTITUTE BILL No. 1]**

Page 4-line 16 Delete "A" insert "As provided in this section, a".  
Page 4-line 20 Delete "unless the" insert "for a period of one hundred twenty (120) days following application for a benefit or compensation described in subsection (b) of this section and indefinitely unless the contrary is proven within one hundred twenty (120) days following application for the benefit or compensation, pursuant to W.S. 27-15-103."  
Page 4-line 21 Delete.  
Page 5-line 5 After "purposes of" insert "qualifying to receive".  
Page 6-line 12 Delete "." insert ";"  
Page 6-after line 12 Insert:  
          "(iv) Has properly submitted an application for a benefit or compensation identified in subsection (b) of this section."  
Page 7-line 9 Delete and insert "a benefit or compensation identified in subsection (b) of this section."  
Page 7-line 19 Delete "to which".  
Page 7-line 20 Delete "entitled" insert "qualified"; delete "claim" insert "application".

Page 8-line 12 Delete "chapter" insert "section".  
Page 8-line 15 Delete "occurred" insert "is an occupational disease  
and was contracted".  
Page 8-line 19 Delete "A person" insert "The Wyoming workers'  
compensation medical commission or other persons".  
Page 9-line 2 After "disease." Insert "Any rebuttal brought under  
this section shall be proven not more than one  
hundred twenty (120) days after an application for  
benefits or compensation is submitted. No rebuttal  
proven more than one hundred twenty (120) days after  
an application for benefits or compensation is  
submitted shall act to remove the presumption  
provided by this act.". MEIER

2/2/2017 S 3rd Reading:Passed 28-2-0-0-0

**ROLL CALL**

**Ayes:** Senator(s) Agar, Anderson, Anselmi-Dalton, Baldwin, Barnard, Bebout,  
Boner, Bouchard, Burns, Christensen, Coe, Dockstader, Driskill, Ellis,  
Emerich, Hastert, Kinskey, Landen, Meier, Moniz, Nethercott, Pappas, Perkins,  
Peterson, Rothfuss, Scott, Von Flatern, Wasserburger

**Nays:** Senator(s) Case, Hicks

**Ayes** 28 **Nays** 2 **Excused** 0 **Absent** 0 **Conflicts** 0

2/3/2017 H Received for Introduction  
2/9/2017 H Introduced and Referred to H10 - Labor  
2/16/2017 H10 - Labor:Recommend Amend and Do Pass 9-0-0-0-0

**ROLL CALL**

**Ayes:** Representative(s) Barlow, Clem, Dayton, Gierau, Hallinan, Halverson,  
Lone, MacGuire, Sweeney

**Ayes** 9 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

2/16/2017 H Placed on General File

**SF0089HS001/ADOPTED (TO ENGROSSED COPY)**

Page 5-lines 18 through 20 Delete entirely and insert:

"(i) Is employed for not less than the minimum period of  
employment and seeks the presumption within:

(A) Ten (10) years after cessation of employment for a  
listed disease as defined by W.S. 27-15-101(a) (ii) (A);

(B) Five (5) years after cessation of employment for a  
listed disease as defined by W.S. 27-15-101(a) (ii) (B) or (C);

(C) A period to be determined by the Wyoming worker's  
compensation medical commission for a listed disease as defined by W.S.  
27-15-101(a) (ii) (D).".

Page 6-line 11 Delete "smoking"; after "tobacco" insert "use".

Page 10-line 1 Delete entirely and insert:

"**Section 3.** This act is effective immediately upon completion of all  
acts necessary for a bill to become law as provided by Article 4, Section 8  
of the Wyoming Constitution.". BARLOW, CHAIRMAN

**SF0089HW001/ADOPTED (TO ENGROSSED COPY)**

Page 8-line 13 Delete "clear and convincing" insert "preponderance  
of the". NICHOLAS

**SF0089HW002/FAILED (TO ENGROSSED COPY)**

Page 2-line 20 Delete "may".  
Page 2-line 21 Delete "be" insert "is more likely than not"; after  
"by" insert "workplace".  
Page 2-line 22 Delete "or suspected". NICHOLAS

2/23/2017 H COW:Passed

**SF0089H2001/ADOPTED (TO ENGROSSED COPY)**

Page 5-lines 18 through 20 In the standing committee amendment  
(SF0089HS001/AE) to these lines, in  
subparagraph (i)(B) created by that amendment,  
delete "Five (5) years" insert "One (1) year".  
HALLINAN

**SF0089H2002/FAILED (TO ENGROSSED COPY)**

Page 2-line 20 Delete "may".  
Page 2-line 21 Delete "be caused by" insert "is more likely than not  
caused in the performance of active duty through".  
NICHOLAS

**ROLL CALL**

**Ayes:** Representative(s) Baker, Clausen, Crank, Edwards, Eklund, Greear,  
Jennings, Kirkbride, Larsen, Lindholm, Lone, MacGuire, Madden, Nicholas,  
Obermueller, Pownall

**Nays:** Representative(s) Allen, Barlow, Biteman, Blackburn, Blake, Bovee,  
Brown, Burkhardt, Byrd, Clem, Connolly, Court, Dayton, Eyre, Flitner, Freeman,  
Furphy, Gierau, Gray, Haley, Hallinan, Halverson, Harshman, Henderson, Hunt,  
Kinner, Laursen, Loucks, McKim, Miller, Northrup, Olsen, Paxton, Pelkey,  
Piiparinen, Salazar, Schwartz, Sommers, Steinmetz, Sweeney, Walters, Wilson,  
Winters, Zwonitzer

**Ayes** 16    **Nays** 44    **Excused** 0    **Absent** 0    **Conflicts** 0

2/24/2017 H 2nd Reading:Bill Laid Back Motion Failed 40-20-0-0-0

**ROLL CALL**

**Ayes:** Representative(s) Allen, Biteman, Blackburn, Blake, Bovee, Brown,  
Burkhardt, Byrd, Clem, Connolly, Court, Dayton, Eklund, Eyre, Freeman, Furphy,  
Gierau, Gray, Haley, Halverson, Harshman, Henderson, Hunt, Kinner, Kirkbride,  
Larsen, Laursen, McKim, Miller, Paxton, Pelkey, Piiparinen, Salazar,  
Schwartz, Sommers, Steinmetz, Sweeney, Walters, Winters, Zwonitzer

**Nays:** Representative(s) Baker, Barlow, Clausen, Crank, Edwards, Flitner,  
Greear, Hallinan, Jennings, Lindholm, Lone, Loucks, MacGuire, Madden,  
Nicholas, Northrup, Obermueller, Olsen, Pownall, Wilson

**Ayes** 40    **Nays** 20    **Excused** 0    **Absent** 0    **Conflicts** 0

2/24/2017 H 2nd Reading:Passed

**SF0089H3001/ADOPTED (TO ENGROSSED COPY)**

Page 6-line 13 Delete "ten".  
Page 6-line 14 Delete "(10)" insert "five (5)".  
Page 6-line 16 Delete "ten".  
Page 6-line 17 Delete the first "(10)" insert "five (5)". LINDHOLM

2/27/2017 H 3rd Reading:Passed 53-7-0-0-0

**ROLL CALL**

**Ayes:** Representative(s) Allen, Barlow, Biteman, Blackburn, Blake, Bovee,

Brown, Burkhardt, Byrd, Clausen, Clem, Connolly, Court, Crank, Dayton, Eklund, Eyre, Flitner, Freeman, Furphy, Gierau, Gray, Haley, Hallinan, Halverson, Harshman, Henderson, Hunt, Kinner, Kirkbride, Larsen, Lindholm, Loucks, MacGuire, McKim, Miller, Nicholas, Northrup, Obermueller, Olsen, Paxton, Pelkey, Piiparinen, Pownall, Salazar, Schwartz, Sommers, Steinmetz, Sweeney, Walters, Wilson, Winters, Zwonitzer

**Nays:** Representative(s) Baker, Edwards, Greear, Jennings, Laursen, Lone, Madden

**Ayes** 53      **Nays** 7      **Excused** 0      **Absent** 0      **Conflicts** 0

2/27/2017      S Received for Concurrence

2/28/2017      S Concur:Passed 29-1-0-0-0

#### ROLL CALL

**Ayes:** Senator(s) Agar, Anderson, Anselmi-Dalton, Baldwin, Barnard, Bebout, Boner, Bouchard, Burns, Christensen, Coe, Dockstader, Driskill, Ellis, Emerich, Hastert, Hicks, Kinskey, Landen, Meier, Moniz, Nethercott, Pappas, Perkins, Peterson, Rothfuss, Scott, Von Flatern, Wasserburger

**Nays:** Senator Case

**Ayes** 29      **Nays** 1      **Excused** 0      **Absent** 0      **Conflicts** 0

2/28/2017      Assigned Number SEA No. 0065

2/28/2017      S President Signed SEA No. 0065

3/1/2017      H Speaker Signed SEA No. 0065

3/6/2017      Governor Signed SEA No. 0065

3/6/2017      Assigned Chapter Number

Chapter No. 139      Session Laws of Wyoming 2017