

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

The Committee on **Financial Institutions and Pensions** recommends **HB 2031** be amended on page 3, in line 5, by striking "(a)"; in line 9, by striking all after "from"; by striking all in lines 10 through 43;

On page 4, by striking all in lines 1 through 15; in line 16, by striking all before the period and inserting "a heart disease, contraction of a bloodborne pathogen as provided in this subsection or disease of the lung or respiratory tract or cancer, including, but not limited to, cancer of the brain, skin, digestive system, hematological system or genitourinary system as provided in this subsection, except that in the event that the member ceases to be a contributing member by reason of a service-connected disability for a period of six months or more and then again becomes a contributing member, the provision relating to death or disability resulting from a heart disease, contraction of a bloodborne pathogen as provided in this subsection, disease of the lung or respiratory tract or cancer as provided in this subsection shall not apply until such member has again become a contributing member for a period of not less than two years or unless clear and precise evidence is presented that the heart disease, contraction of a bloodborne pathogen as provided in this subsection, disease of the lung or respiratory tract or cancer as provided in this subsection was in fact occasioned by an act of duty as a policeman or fireman. If the retirement system receives evidence to the contrary of such presumption, the burden of proof shall be on the member or other party to present evidence that such death or disability was service-connected. The provisions of this section relating to the presumption that the death or disability resulting from cancer was service-connected shall only apply if the condition that

caused the death or disability is a type of cancer that may, in general, result from exposure to heat, radiation or a known carcinogen. For purposes of this subsection, "bloodborne pathogen" includes any disease that is present in human blood and is designated as infectious or contagious by the secretary of health and environment through rules and regulations adopted pursuant to K.S.A. 65-128, and amendments thereto"; and the bill be passed as amended.

_____ Chairperson