

TRANSCRIPT OF THE SENATE COMMITTEE ON COMMUNITY AFFAIRS

SENATE BILL 476 - MAY 15, 1989

Senator Malchon

Thank you, Ms. Chairman, committee. This bill would add to the requirements for employment of firefighters that they be one year previously to employment non-smokers. The figures indicate that merely half of the on duty deaths of firefighters are attributable to cardiovascular disease. We know that smoking impairs the breathing mechanism which is a further contribution to cardiovascular disease. I'm sure that we all know that most of the time firefighters sit around the firehouse playing penuckle and cooking and eating. Isn't that what the general conception is? However, every once in a while they are called out to deal with an emergency situation which is certainly one that places a great deal of physical stress upon them. There are three reasons --there are several, but three very major reasons why this is an important piece of legislature. In the first place, all firefighters need to know that their fellow firefighters are not going to be additionally subject to some sort of a cardiovascular incident when they are depending upon them in these emergency situations - in order to protect them and all firefighters. Secondly, it should substantially reduce health care insurance costs, sickleave and all of those kinds of things for the employers of firefighters. The death analysis does address the fact that some people said a constitutional

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issue was raised, and that has been already settled in a court decision citing that this does serve a public purpose and I would ask your indulgence for one more thing to remind you, basically, what the equal rights protection of the Constitution does provide for is discrimination against people where they have no choice. The matter of sex, or color or something of that sort. People do have a choice as to whether or not they want to smoke. So, this is no infringement on their basic right. I think there are several people here to speak for the bill. I don't know if we have any opposition.

Chairperson (Senator Meek)

Okay, any questions from the committee to Senator Malchon?

Senator Thurman

Yes.

Why is it just the firefighters? I mean I hate to even put it that way but why is it?.

Senator Malchon

Well if the firefighters are already in a situation where there is extra physical stress, they are in situations in many cases where they are inhaling smoke, there is a respiratory problem where if their breathing is already impaired by virtue of being a cigarette smoker, it exacerbates the problem and would further contribute to the possibility of a cardiovascular disease.

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Chairperson

Senator Thurman, did you get an answer? Alright, any other members of the committee? If not, we are going to take some testimony. Thank you, Senator Malchon. We have Bob Carver from the Professional Fighters who wants to speak in support of the bill.

Mr. Carver

I wish to waive my time.

Chairperson

Good, if you wish to waive your time that's fine. Alright, thank you sir. Alright, Senator Palmer has moved a bill. Secretary, you call the roll.

Senator Davis.

Yes.

Senator Kirkpatrick.

Senator Kiser.

Yes.

Senator Margolis.

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Senator Plummer.

Yes.

Senator Ros-Lehtinen.

Senator Thurman.

Yes.

Senator Gordon.

Senator Forman.

Yes.

Senator Meek.

No.

Thank you Ms. Chairman.

Alright by your vote you passed for 476, now Senate Bill 549.

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