

# MEMORANDUM

Agenda Item No. 11(A)(11)

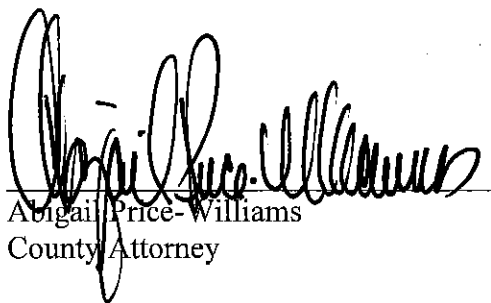
**TO:** Honorable Chairman Esteban L. Bovo, Jr.  
and Members, Board of County Commissioners

**DATE:** July 24, 2018

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Resolution urging the Florida Legislature to enact legislation that would (1) include cancer as a presumptive condition for firefighters for purposes of state disability and death benefits, and/or (2) require fire service employers of full-time firefighters to offer cancer insurance coverage and related benefits to its firefighter employees

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Jose "Pepe" Diaz.



Abigail Price-Williams  
County Attorney

APW/smm

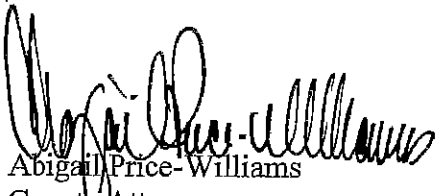


# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Esteban L. Bovo, Jr.  
and Members, Board of County Commissioners

**DATE:** July 24, 2018

**FROM:**   
Abigail Price-Williams  
County Attorney

**SUBJECT:** Agenda Item No. 11(A)(11)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_ ) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor

Agenda Item No. 11(A)(11)

Veto \_\_\_\_\_

7-24-18

Override \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

RESOLUTION URGING THE FLORIDA LEGISLATURE TO ENACT LEGISLATION THAT WOULD (1) INCLUDE CANCER AS A PRESUMPTIVE CONDITION FOR FIREFIGHTERS FOR PURPOSES OF STATE DISABILITY AND DEATH BENEFITS, AND/OR (2) REQUIRE FIRE SERVICE EMPLOYERS OF FULL-TIME FIREFIGHTERS TO OFFER CANCER INSURANCE COVERAGE AND RELATED BENEFITS TO ITS FIREFIGHTER EMPLOYEES

**WHEREAS**, firefighters are called upon to perform work that is life-saving in its importance but is dangerous, exhausting, physically demanding, and emotionally draining; and

**WHEREAS**, fighting fires often means exposure to plastics, flame retardants and a variety of toxic chemicals that can cause cancer; and

**WHEREAS**, while protective gear and breathing apparatuses have improved over the years, firefighters still inhale soot and toxins and absorb them through their skin; and

**WHEREAS**, a 2010 multi-year study of cancer among U.S. firefighters by the National Institute for Occupation Safety and Health found that firefighters have increased risk of cancer generally and that increased risk was primarily driven by certain types of cancer, particularly oral, gastrointestinal, respiratory, and urinary cancers; and

**WHEREAS**, additionally, researchers in a 2006 study by the University of Cincinnati, after reviewing 32 studies related to firefighters' cancer risk, concluded that firefighters had a higher risk of non-Hodgkin's lymphoma, prostate, and testicular cancer; and

**WHEREAS**, during the 2017 session of the Florida Legislature, identical Senate and House bills, Senate Bill (SB) 158 by Senator Jack Latvala (R–Clearwater) and House Bill (HB) 143 by Representative Heather Fitzenhagen (R–Fort Myers), were filed for consideration which would have included cancer as a presumptive condition for firefighters for purposes of state disability and death benefits; and

**WHEREAS**, currently, Florida is one of only 13 states that has not passed some form of firefighter cancer presumption law; and

**WHEREAS**, on April 4, 2017, this Board adopted Resolution No. R-401-17 urging the Florida Legislature to enact SB 158, HB 143, or similar legislation; and

**WHEREAS**, both SB 158 and HB 143, however, died in committee; and

**WHEREAS**, during the 2018 session of the Florida Legislature, identical Senate and House bills, SB 900 by Senator Anitere Flores (R–Miami) and HB 695 by Representatives Chris Latvala (R–Clearwater) and Heather Fitzenhagen (R–Fort Myers), were filed for consideration which would have required fire service employers of full-time firefighters to offer cancer insurance coverage and related benefits to its firefighter employees upon certain conditions of employment being satisfied; and

**WHEREAS**, SB 900 and HB 695 also died in committee; and

**WHEREAS**, it is anticipated that legislation similar to the above will be filed for consideration during the 2019 session of the Florida Legislature; and

**WHEREAS**, given the tremendous sacrifices firefighters make to protect the public, their health and welfare should be protected during their career and after they retire; and

WHEREAS, as such, this Board would again like to express its support for such legislation,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

**Section 1.** Urges the Florida Legislature to enact legislation that would (1) include cancer as a presumptive condition for firefighters for purposes of state disability and death benefits, and/or (2) require fire service employers of full-time firefighters to offer cancer insurance coverage and related benefits to its firefighter employees.

**Section 2.** Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker, Senator Anitere Flores, Representatives Chris Latvala and Heather Fitzenhagen, and the Chair and remaining Members of the Miami-Dade State Legislative Delegation.

**Section 3.** Directs the County's state lobbyists to advocate for the legislation set forth in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2019 State Legislative Package when it is presented to the Board.

The Prime Sponsor of the foregoing resolution is Commissioner Jose "Pepe" Diaz. It was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Esteban L. Bovo, Jr., Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Daniella Levine Cava	Jose "Pepe" Diaz
Sally A. Heyman	Eileen Higgins
Barbara J. Jordan	Joe A. Martinez
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 24<sup>th</sup> day of July, 2018. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

MSM

Michael J. Mastrucci