

# TOWNSHIP OF UPPER DEERFIELD

## RESOLUTION 18-134

### URGING THE LEGISLATURE TO AMEND S-716, S-477 and S-1766

**WHEREAS:** While it is commendable that legislation is being considered to provide additional compensation to Firefighters with cancer, S-716 as currently written, without responsible amendments, will prove to be very expensive to municipalities and taxpayers, and

**WHEREAS:** While it is also commendable that the statute of limitations is being extended for claims involving sexual abuse, S-477 as currently written would eliminate the statute of limitations entirely leaving officials and volunteers with the near impossible task of defending a claim that is decades old.

**WHEREAS:** Under current law family members can already collect substantial compensation for actual losses such as medical bills, lost income as well as loss of companionship.

**WHEREAS:** Without appropriate amendments, the combined impact of these bills would devastate local government insurance budgets at a time when the local taxpayers are being squeezed because of changes in the Federal Tax code.

**NOW THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Upper Deerfield that:

- S-716 be amended to provide that the cancer presumption be limited to types of cancer that scientific evidence establishes that Firefighters develop at a higher rate than the general public, and
- S-716 be amended to end the presumption at age 65 when the firefighter becomes eligible for Medicare. Alternatively, S-716 should be amended to remove volunteers and establish a special program for them along the lines recently adopted by New York, Connecticut, Michigan, Colorado and Georgia, and
- S-716 also be amended so that the standard to rebut the presumption remains at the current “preponderance of the evidence”, and
- S-477 be amended to increase statute of limitation on claims involving sexual molestation against public entities to 7 years, subject to no limitation against the molester, and
- S-1766 be amended to remove public entities from “emotional distress” compensation for wrongful death claims subject to Title 59, and

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to the Governor, the legislative delegation in the third district, the Governor, the Senate President and the Speaker of the Assembly.

Moved By: Bruce T. Peterson

Seconded By: John L. Daddario

***VOTING***

James P. Crilley  
John L. Daddario  
John T. O'Neill, Sr.  
Bruce T. Peterson  
Scott Smith

<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
			X
X			
X			
X			
X			

**CERTIFICATION**

I hereby certify that the foregoing is a true copy of Resolution adopted by the Township Committee of the Township of Upper Deerfield, in the County of Cumberland, at a meeting thereof held June 21, 2018.

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Roy J. Spoltore, Township Clerk