



State of Rhode Island
Office of the General Treasurer

James A. Diossa
General Treasurer

3 April 2025

The Honorable Stephen Casey
Chair, House Committee on Municipal Government and Housing

The Honorable Members of the House Committee on Municipal Government and Housing

RE: 2025-H 5701, *An Act Relating to Towns and Cities – Cancer Benefits for Fire Fighters*

Chair Casey:

I write with regard to 2025-H 5701, which purports to invalidate any statutory or regulatory provisions that may otherwise preclude a state or municipal firefighter from claiming the benefit of a conclusive statutory presumption. Currently, firefighters diagnosed with cancer are entitled to a “conclusive presumption” that they were injured “from exposures to smoke, fumes, or carcinogenic, poisonous, toxic, or chemical substances while in the performance of active duty in the fire department.” R.I. Gen. Laws § 45-19.1-2; R.I. Gen. Laws § 45-19.1-4.

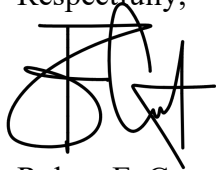
This legislation adds sweeping language that would effectively nullify – without exception – “the provisions of *any* general, special or specific law, or any charter and/or municipal ordinance to the contrary.” (emphasis added). It is at the very least unclear, for example, the extent to which this would invalidate safeguards within R.I. Gen. Laws § 45-19.1-4 itself. The same provision which creates the statutory presumption expressly excludes firefighters with pre-existing diagnoses, those that have served for less than two years, or those that are habitual smokers. But if the proposed language is enacted, such exclusions would certainly fall within “any general, special or specific law” that may otherwise prevent a firefighter from availing themselves of the conclusive presumption.

Since this legislation is likely to expand the number of firefighters qualifying for a disability, it will have an impact on municipal police units within the Municipal Employees’ Retirement System (“MERS”). Consistent with Rhode Island law, legislation concerning MERS should not be approved without the benefit of a pension impact note. *See* R.I. Gen. Laws § 45-21-42.2. (Legislation impacting the pension system “shall *not* be approved by the general assembly unless an explanatory statement or note . . . is appended to the proposed legislation which actuarially calculates . . . the projected twenty (20) year cost of the proposed legislation”) (emphasis added). This independent assessment will clarify the impact the proposed legislation will have on both the

State budget, and the sustainability of the pension system. The Chair of the House Finance Committee – with the approval of the Speaker of the House – can request a pension impact note concerning proposed legislation originating in the House of Representatives. *See* R.I. Gen. Laws § 45-21-42.2.

Please feel free to reach out by email at Robert.CravenJr@treasury.ri.gov or by phone at (401) 330-0661 with any further questions.

Respectfully,

A handwritten signature in black ink, appearing to be 'R. Craven', with a large loop at the start and a horizontal line extending to the right.

Robert E. Craven, Jr.
Director of Policy and Intergovernmental Affairs
Office of the General Treasurer