
By: Charles County Delegation

Introduced and read first time: January 30, 1997

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 Charles County - Length of Service Award Program - Benefits for Disability

3 FOR the purpose of expanding the entitlement of benefits for any active volunteers of the
4 Charles County volunteer fire companies, volunteer rescue squads, and mobile
5 intensive care units who become totally and permanently disabled at any time and
6 for any reason during the course of volunteer service; repealing the requirement
7 that benefits be provided to active volunteers for disabilities exclusively suffered
8 while engaging in volunteer services; altering the requirement that the volunteer be
9 prevented from pursuing an occupation; and generally relating to disability benefits
10 under the Charles County Length of Service Award Program.

11 BY repealing and reenacting, with amendments,
12 The Public Local Laws of Charles County
13 Section 54-9
14 Article 9 - Public Local Laws of Maryland
15 (1994 Edition and November 1995 Supplement, as amended)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That the Laws of Maryland read as follows:

18 Article 9 - Charles County

19 54-9.

20 A. Any person who has served as a member of any Charles County Volunteer
21 Fire Company or Charles County Volunteer Rescue Squad is eligible to receive the
22 benefits set forth in this Article if the person is certified in accordance with the provisions
23 of § 54-11 to have served as an active volunteer subsequent to December 31, 1973. Any
24 person who discontinued active volunteer service prior to January 1, 1974, may receive
25 credit for the service after being certified in accordance with the provisions of § 54-11.

26 B. Beginning January 1, 1974, any person who has reached the age of sixty (60)
27 years and who has completed a minimum of twenty-five (25) years of certified active
28 volunteer service with any Charles County Volunteer Fire Company or Volunteer Rescue
29 Squad, or combination thereof, shall receive benefits in the amount of one hundred
30 dollars (\$100.) per month for life. Payments shall begin on the first day of the first month
31 following eligibility. The program shall be administered by the County Commissioners of
32 Charles County, and payment shall be made directly to the volunteer entitled to such

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1 benefits. Beginning July 1, 1984, and annually thereafter, this amount shall be increased
2 or decreased by an amount equal to the annual increase or decrease as reflected by the
3 consumer price index, using the published May figure each year. This amount shall not
4 exceed a four-percent increase or decrease per year and shall be cumulative.

5 C. An additional payment of two dollars (\$2.) per month shall be added to the
6 benefits described in Subsection B of this section for each full year of volunteer service in
7 excess of twenty-five (25) years. Beginning July 1, 1984, and annually thereafter, this
8 amount shall be increased or decreased by an amount equal to the annual increase or
9 decrease as reflected by the consumer price index, using the published May figure each
10 year. This amount shall not exceed a four-percent increase or decrease per year and shall
11 be cumulative. Beginning July 1, 1990, the amount payable monthly for each year in
12 excess of twenty-five (25) years shall be equal to four percent (4%) of the amount payable
13 under Subsection B of this section.

14 D. In the event that any active volunteer becomes TOTALLY AND
15 PERMANENTLY disabled AT ANY TIME AND FOR ANY REASON during the course of
16 service as a volunteer fireman or rescue squadman [while actively engaged in providing
17 such services] and in the event that the disability prevents the volunteer from pursuing
18 [the volunteer's normal] ANY MEANINGFUL occupation and that the disability is of a
19 TOTAL AND permanent nature as certified by the State Workers' Compensation
20 Commission or other competent medical authority as designated by the County
21 Commissioners, then the volunteer is entitled to receive the benefits prescribed in
22 Subsection B of this section and any other benefits, regardless of age or length of service.
23 These benefits shall begin on the first day of the first month following the establishment
24 of the permanency of the disability.

25 E. In the event that any qualified volunteer shall die while receiving benefits,
26 then the surviving spouse is entitled to benefits equal to 75% of the volunteer's benefits.
27 This rate applies to any person who is receiving benefits on or before July 1, 1989, as well
28 as to any person who begins to receive benefits after July 1, 1989. These benefits shall
29 terminate upon death or remarriage of the spouse.

30 F. In the event that a qualified volunteer dies prior to receiving any benefits
31 under this section, the surviving spouse is entitled to benefits equal to 75% of the benefits
32 earned by the deceased volunteer. This rate applies to any person who is receiving
33 benefits on or before July 1, 1989, as well as to any person who begins to receive benefits
34 after July 1, 1989. These benefits shall terminate upon death or remarriage. A "qualified
35 volunteer" is defined as:

36 (1) One who has completed 25 years of certified service; or

37 (2) One who is receiving benefits under Subsection H of this section.

38 G. When a qualified volunteer dies, a death benefit of five thousand dollars
39 (\$5,000.) shall be paid to the volunteer's designated beneficiary.

40 H. In the event that any active volunteer fireman or squadman, herein defined as
41 one who has had at least two (2) years of qualifying service in the five (5) preceding years,
42 attains the age of seventy (70) years and fails to achieve the required twenty-five (25)
43 years of service, then the volunteer is entitled to a monthly benefit of the number of years

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1 of certified service completed multiplied by four dollars (\$4.). These benefits shall be
2 payable in the normal manner.

3 I. When an unqualified volunteer is killed in the line of duty during the course of
4 service as a volunteer fireman or squadman after July 1, 1989, a death benefit of five
5 thousand dollars (\$5,000.) shall be paid to the unqualified volunteer's designated
6 beneficiary.

7 J. When receipts of funds from § 54-1D(3) exceed the costs of the benefits
8 described in Subsections A through I of this section, the Board of Fire and Rescue
9 Commissioners may utilize the excess funds to provide additional benefits to those
10 persons eligible to receive benefits under this section.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 July 1, 1997.