
By: Charles County Delegation

Introduced and read first time: January 30, 1997

Assigned to: Commerce and Government Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 4, 1997

CHAPTER ____

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~~ qualified
4 volunteers of the Charles County volunteer fire companies, volunteer rescue squads,
5 and mobile intensive care units who have completed a specified minimum amount of
6 service, who become totally and permanently disabled ~~at any time and~~ for any
7 reason ~~during the course of volunteer service; repealing the requirement that~~
8 ~~benefits be provided to active volunteers for disabilities exclusively suffered while~~
9 ~~engaging in volunteer services; altering the requirement that the volunteer be~~
10 ~~prevented from pursuing an occupation, and whose disability is certified in a certain~~
11 manner; requiring a certain review by the County Commissioners; and generally
12 relating to disability benefits under the Charles County Length of Service Award
13 Program.

14 BY repealing and reenacting, with amendments,

15 The Public Local Laws of Charles County

16 Section 54-9 and 54-10A.(1)

17 Article 9 - Public Local Laws of Maryland

18 (1994 Edition and November 1995 Supplement, as amended)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article 9 - Charles County**

22 54-9.

23 A. Any person who has served as a member of any Charles County Volunteer

24 Fire Company or Charles County Volunteer Rescue Squad is eligible to receive the

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1 benefits set forth in this Article if the person is certified in accordance with the provisions
 2 of § 54-11 to have served as an active volunteer subsequent to December 31, 1973. Any
 3 person who discontinued active volunteer service prior to January 1, 1974, may receive
 4 credit for the service after being certified in accordance with the provisions of § 54-11.

5 B. Beginning January 1, 1974, any person who has reached the age of sixty (60)
 6 years and who has completed a minimum of twenty-five (25) years of certified active
 7 volunteer service with any Charles County Volunteer Fire Company or Volunteer Rescue
 8 Squad, or combination thereof, shall receive benefits in the amount of one hundred
 9 dollars (\$100.) per month for life. Payments shall begin on the first day of the first month
 10 following eligibility. The program shall be administered by the County Commissioners of
 11 Charles County, and payment shall be made directly to the volunteer entitled to such
 12 benefits. Beginning July 1, 1984, and annually thereafter, this amount shall be increased
 13 or decreased by an amount equal to the annual increase or decrease as reflected by the
 14 consumer price index, using the published May figure each year. This amount shall not
 15 exceed a four-percent increase or decrease per year and shall be cumulative.

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

25 D. In the event that any active volunteer becomes ~~TOTALLY AND~~
 26 ~~PERMANENTLY~~ disabled ~~AT ANY TIME AND FOR ANY REASON~~ during the course of
 27 service as a volunteer fireman or rescue squadman {while actively engaged in providing
 28 such services} and in the event that the disability prevents the volunteer from pursuing
 29 {the volunteer's normal} ~~ANY MEANINGFUL~~ occupation and that the disability is of a
 30 ~~TOTAL AND~~ permanent nature as certified by the State Workers' Compensation
 31 Commission or other competent medical authority as designated by the County
 32 Commissioners, then the volunteer is entitled to receive the benefits prescribed in
 33 Subsection B of this section and any other benefits, regardless of age or length of service.
 34 These benefits shall begin on the first day of the first month following the establishment
 35 of the permanency of the disability.

36 E. IN THE EVENT THAT A QUALIFIED VOLUNTEER WHO HAS COMPLETED A
 37 MINIMUM OF 25 YEARS OF CERTIFIED ACTIVE VOLUNTEER SERVICE WITH ANY
 38 CHARLES COUNTY VOLUNTEER FIRE COMPANY OR VOLUNTEER RESCUE SQUAD, OR
 39 COMBINATION THEREOF, SHALL BECOME PERMANENTLY AND TOTALLY DISABLED,
 40 FOR ANY REASON, AND SUCH DISABILITY IS CERTIFIED BY THE STATE WORKERS'
 41 COMPENSATION COMMISSION, OR ITS SUCCESSOR AGENCY, OR OTHER COMPETENT
 42 MEDICAL AUTHORITY DESIGNATED BY THE COUNTY COMMISSIONERS, THEN THAT
 43 VOLUNTEER SHALL BE ENTITLED TO RECEIVE BENEFITS EARNED AS PROVIDED
 44 UNDER SUBSECTIONS B AND C OF THIS SECTION, REGARDLESS OF AGE. THESE
 45 BENEFITS SHALL BEGIN IN THE MONTH FOLLOWING CERTIFICATION OF DISABILITY.

1 ~~F. E.~~ In the event that any qualified volunteer shall die while receiving
 2 benefits, then the surviving spouse is entitled to benefits equal to 75% of the volunteer's
 3 benefits. This rate applies to any person who is receiving benefits on or before July 1,
 4 1989, as well as to any person who begins to receive benefits after July 1, 1989. These
 5 benefits shall terminate upon death or remarriage of the spouse.

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

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

13 (2) One who is receiving benefits under Subsection ~~H I~~ of this section.

14 ~~G. H.~~ When a qualified volunteer dies, a death benefit of five thousand dollars
 15 (\$5,000.) shall be paid to the volunteer's designated beneficiary.

16 ~~H. I.~~ In the event that any active volunteer fireman or squadman, herein
 17 defined as one who has had at least two (2) years of qualifying service in the five (5)
 18 preceding years, attains the age of seventy (70) years and fails to achieve the required
 19 twenty-five (25) years of service, then the volunteer is entitled to a monthly benefit of the
 20 number of years of certified service completed multiplied by four dollars (\$4.). These
 21 benefits shall be payable in the normal manner.

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

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

30 54-10.

31 A. (1) Commencing July 1, 1984, and annually thereafter, a cost of living review
 32 shall be made by the County Commissioners to adjust the benefits provided under §
 33 54-9B, C, D, E, F, [and] G, H, and I of this Article. The adjustment shall increase or
 34 decrease the benefits according to an amount equal to the annual increase or decrease as
 35 reflected by the current May consumer price index, but shall not exceed a four-percent
 36 increase or decrease per year and shall be cumulative. Revised or reviewed benefits shall
 37 commence on October 1 of the year.

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

