
By: **Delegates Conway, Rudolph, Eckardt, McClenahan, D. Hughes, W. Baker, Malone, Stull, Dewberry, Slade, V. Mitchell, O'Donnell, Edwards, Guns, Walkup, Schisler, and Bozman**

Introduced and read first time: February 13, 1998

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Volunteer Firefighters and Rescue Squad Personnel - Disablement Pension**

3 FOR the purpose of requiring that the Board of Trustees of the Maryland State
4 Firemen's Association pay a certain pension to a person who is a volunteer
5 firefighter or individual serving on a volunteer rescue squad who is disabled
6 under certain circumstances, regardless of the district in which the person was
7 disabled or whether the person was disabled while acting alone or at the
8 direction of or with a fire company or rescue squad in this State or certain
9 neighboring states; and generally relating to pensions for volunteer firefighters
10 and individuals who serve on volunteer rescue squads.

11 BY repealing
12 Article 38A - Fires and Investigations
13 Section 42
14 Annotated Code of Maryland
15 (1997 Replacement Volume and 1997 Supplement)

16 BY adding to
17 Article 38A - Fires and Investigations
18 Section 42
19 Annotated Code of Maryland
20 (1997 Replacement Volume and 1997 Supplement)

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

23 **Article 38A - Fires and Investigations**

24 [42.

25 Whenever any volunteer fireman or volunteer rescue squadman in good
26 standing of an incorporated volunteer fire company or volunteer rescue squad in the

1 State of Maryland, is temporarily or permanently disabled as a direct result from
2 active participation in fighting a fire or while going to or from a fire, performing any
3 other duties necessary to the operation or maintenance of the fire company, or
4 actively participating in the ambulance or rescue squad work of an incorporated
5 volunteer fire company or volunteer rescue squad in the State, the fireman or rescue
6 squadman shall lay his case before the board of trustees of the Maryland State
7 Firemen's Association, supported in all cases by the recommendation of the fire
8 company or volunteer rescue squad of which he is a member, and the board of trustees
9 shall proceed to consider it. If the facts are found as stated, the name of the fireman
10 or rescue squadman shall be placed on a list to be kept by the secretary of the
11 Maryland State Firemen's Association, to be known as "Disabled Firemen's and
12 Rescue Squadmen's List", and every person placed on the list shall be entitled to
13 receive a pension from the Maryland State Firemen's Association in a sum, the
14 amount of which shall be decided upon by the board of trustees of the Maryland State
15 Firemen's Association and to be paid out of its treasury at whatever times, in
16 whatever installments and in whatever amounts as the board of trustees of the
17 Maryland State Firemen's Association may decide, during the period he is disabled or
18 so long as the pensioner is without other means of comfortable support.]

19 42.

20 (A) IN THIS SECTION, "BOARD" MEANS THE BOARD OF TRUSTEES OF THE
21 MARYLAND STATE FIREMEN'S ASSOCIATION.

22 (B) A PERSON WHO IS A VOLUNTEER FIREFIGHTER OR INDIVIDUAL SERVING
23 ON A VOLUNTEER RESCUE SQUAD IS ELIGIBLE TO RECEIVE A PENSION FROM THE
24 BOARD IF:

25 (1) THE PERSON IS TEMPORARILY OR PERMANENTLY DISABLED:

26 (I) AS A DIRECT RESULT OF ACTIVELY PARTICIPATING IN
27 FIGHTING A FIRE OR WHILE GOING TO OR FROM A FIRE;

28 (II) WHILE PERFORMING ANY OTHER DUTIES NECESSARY TO THE
29 OPERATION OR MAINTENANCE OF THE FIRE COMPANY; OR

30 (III) WHILE ACTIVELY PARTICIPATING IN THE AMBULANCE,
31 ADVANCED LIFE SUPPORT, OR RESCUE WORK OF A VOLUNTEER FIRE, AMBULANCE,
32 OR RESCUE COMPANY OR VOLUNTEER ADVANCED LIFE SUPPORT UNIT IN THE
33 STATE; AND

34 (2) THE PERSON IS SUPPORTED BY THE RECOMMENDATION OF THE
35 FIRE COMPANY OR VOLUNTEER RESCUE SQUAD OF WHICH THE PERSON IS A
36 MEMBER.

37 (C) A PENSION UNDER THIS SECTION SHALL BE PAID FROM THE TREASURY
38 OF THE MARYLAND STATE FIREMEN'S ASSOCIATION IN AN AMOUNT AND IN A
39 MANNER THAT THE BOARD DETERMINES FOR AS LONG AS THE PENSIONER IS
40 DISABLED OR WITHOUT OTHER MEANS OF COMFORTABLE SUPPORT.

1 (D) A PENSION UNDER THIS SECTION SHALL BE PAID TO A PENSIONER
2 REGARDLESS OF:

3 (1) THE DISTRICT IN WHICH THE PENSIONER WAS DISABLED;

4 (2) WHETHER THE PENSIONER WAS DISABLED WHILE ACTING ALONE
5 OR AT THE DIRECTION OF OR WITH A FIRE, AMBULANCE, OR RESCUE COMPANY OR
6 ADVANCED LIFE SUPPORT UNIT IN:

7 (I) THIS STATE;

8 (II) ONE OF THE FOLLOWING ADJACENT STATES - DELAWARE,
9 PENNSYLVANIA, WEST VIRGINIA, VIRGINIA; OR

10 (III) THE DISTRICT OF COLUMBIA.

11 (E) THE SECRETARY OF THE BOARD SHALL PLACE AND KEEP THE NAME OF
12 EACH PENSIONER UNDER THIS SECTION ON A DISABLED FIREMEN'S AND RESCUE
13 SQUADMEN'S LIST.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 1998.