
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

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 27, 1998

CHAPTER _____

1 AN ACT concerning

2 **Volunteer Firefighters and Rescue Squad Personnel - Disablement ~~Pension~~**
3 **Benefit**

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

12 BY repealing
13 Article 38A - Fires and Investigations
14 Section 42
15 Annotated Code of Maryland
16 (1997 Replacement Volume and 1997 Supplement)

17 BY adding to
18 Article 38A - Fires and Investigations
19 Section 42
20 Annotated Code of Maryland
21 (1997 Replacement Volume and 1997 Supplement)

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

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

4 [42.

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

25 42.

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

28 (B) A PERSON WHO IS A VOLUNTEER FIREFIGHTER OR INDIVIDUAL SERVING
29 ON A VOLUNTEER RESCUE SQUAD IS ELIGIBLE TO RECEIVE A ~~PENSION~~ BENEFIT
30 FROM THE BOARD IF:

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

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

34 (II) WHILE PERFORMING ANY OTHER DUTIES NECESSARY TO THE
35 OPERATION OR MAINTENANCE OF THE FIRE COMPANY; ~~OR~~

36 (III) WHILE ACTIVELY PARTICIPATING IN THE AMBULANCE,
37 ADVANCED LIFE SUPPORT, OR RESCUE WORK OF A VOLUNTEER FIRE, AMBULANCE,
38 OR RESCUE COMPANY OR VOLUNTEER ADVANCED LIFE SUPPORT UNIT IN THE
39 STATE; ~~AND~~ OR

1 (IV) WHILE PROVIDING EMERGENCY OR RESCUE ASSISTANCE,
2 WHETHER ACTING ALONE OR AT THE DIRECTION OF OR WITH A FIRE, AMBULANCE,
3 OR RESCUE COMPANY OR ADVANCED LIFE SUPPORT UNIT; AND

4 (2) THE PERSON IS SUPPORTED BY THE RECOMMENDATION OF THE
5 FIRE COMPANY OR VOLUNTEER RESCUE SQUAD OF WHICH THE PERSON IS A
6 MEMBER.

7 (C) A ~~PENSION BENEFIT~~ UNDER THIS SECTION SHALL BE PAID FROM THE
8 TREASURY OF THE MARYLAND STATE FIREMEN'S ASSOCIATION IN AN AMOUNT AND
9 IN A MANNER THAT THE BOARD DETERMINES FOR AS LONG AS THE ~~PENSIONER~~
10 ~~BENEFICIARY IS DISABLED OR WITHOUT OTHER MEANS OF COMFORTABLE SUPPORT.~~

11 (D) A ~~PENSION BENEFIT~~ UNDER THIS SECTION SHALL BE PAID TO A
12 ~~PENSIONER BENEFICIARY~~ REGARDLESS OF:

13 (1) THE DISTRICT IN WHICH THE ~~PENSIONER BENEFICIARY~~ WAS
14 DISABLED; OR

15 (2) WHETHER THE ~~PENSIONER BENEFICIARY~~ WAS DISABLED ~~WHILE~~
16 ~~ACTING ALONE OR AT THE DIRECTION OF OR WITH A FIRE, AMBULANCE, OR RESCUE~~
17 ~~COMPANY OR ADVANCED LIFE SUPPORT UNIT~~ IN:

18 (I) THIS STATE;

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

21 (III) THE DISTRICT OF COLUMBIA.

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

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