

HARFORD COUNTY BILL NO. 20-007 (As Amended)

Brief Title (LOSAP Enhancements)

is herewith submitted to the County Council of Harford County for enrollment as being the text as finally passed.

**CERTIFIED TRUE AND CORRECT**

Mylie A. Dixon  
Council Administrator

Date 5-19-20

**ENROLLED**

[Signature]  
Council President

Date May 19 2020

**BY THE COUNCIL**

Read the third time.

Passed: LSD 20-017

Failed of Passage: \_\_\_\_\_

By Order

Mylie A. Dixon  
Council Administrator

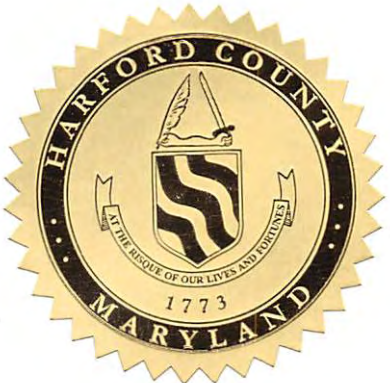
Sealed with the County Seal and presented to the County Executive for approval this 20<sup>th</sup> day of May, 2020 at 3:00 p.m.

Mylie A. Dixon  
Council Administrator

**BY THE EXECUTIVE**

[Signature]  
COUNTY EXECUTIVE

APPROVED: Date 05/20/2020



**BY THE COUNCIL**

This Bill No. 20-007 As Amended having been approved by the Executive and returned to the Council becomes law on May 20, 2020

EFFECTIVE: July 20, 2020

COUNTY COUNCIL  
OF  
HARFORD COUNTY, MARYLAND

BILL NO. 20-007

Introduced by Council President Vincenti at the request of the County Executive

and Council President Vincenti and Council Members Woods and Shrodes

Legislative Day No. 20-012 Date April 14, 2020

AN ACT to repeal and reenact, with amendments, ~~Section 28-2, Service benefits; benefits; Section 28-3, Disability and death benefits; Section 28-5, Records; certification of eligibility; appeals; and Section 28-6, Point System,~~ of Article I, Pensions, of Chapter 28, Fire, Ambulance and Rescue Organizations, of the Harford County Code, as amended; to provide for an increase to the pension of volunteers under the length of service award program (LOSAP); to provide for an increase in the percentage of benefits to a surviving spouse; to provide for distribution of certified list to volunteer members; to modify the point system to qualify for benefits; and generally relating to pensions of the volunteer fire, ambulance and rescue organizations.

By the Council, April 14, 2020

Introduced, read first time, ordered posted and public hearing scheduled

on: May 12, 2020

at: 6:30 PM

By Order: *Mylia A. Dixon* Council Administrator

**PUBLIC HEARING**

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on May 12, 2020, and concluded on May 12, 2020.

*Mylia A. Dixon*, Council Administrator

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

**BILL NO. 20-007**  
**AS AMENDED**

1 Section 1. Be It Enacted By The County Council of Harford County, Maryland that Section 28-2,  
2 Service benefits, Section 28-3, Disability and death benefits; Section 28-5, Records; certification of  
3 eligibility; appeals; and Section 28-6, Point system, of Article I, Pensions, of Chapter 28, Fire,  
4 Ambulance and Rescue Organizations, of the Harford County Code, as amended, be, and it is hereby,  
5 repealed and reenacted, with amendments, all to read as follows:

6 **Chapter 28. Fire, Ambulance and Rescue Organizations**

7 **Article I. Pensions**

8 **§ 28-2. Service benefits.**

- 9 A. Any person who has reached the age of 55 and who has completed a minimum of 25 years of  
10 certified active volunteer service with any County Volunteer Fire Department/Company or  
11 ambulance corps shall receive benefits in the amount of [~~\$300.00~~] \$325.00 per month for life or  
12 in such an amount as set in the county budget as provided in § 28-4 of this article. Payments  
13 shall begin on the first day of the month following eligibility. The program shall be  
14 administered by the Director of Administration of the county, and these payments shall be  
15 payable in the normal manner.
- 16 B. An additional payment of a minimum of \$6.00 per month or as provided in the county budget  
17 pursuant to § 28-4 of this article shall be added to the benefits described in Subsection A of this  
18 section for each full year of volunteer service in excess of 25 years, provided that a maximum  
19 benefit of [~~\$450.00~~] \$475.00 per month or such an amount as set in the county budget pursuant  
20 to § 28-4 of this article or equivalent shall be payable to any individual.
- 21 C. Any person who has reached the age of 70 years and who has completed 5 continuous years of  
22 service with a minimum of 10 years of certified active volunteer service but fails to achieve the  
23 required 25 years of service, the volunteer is entitled to a monthly benefit of the number of

**BILL NO. 20-007**  
**AS AMENDED**

1 years of certified service completed multiplied by [12] \$13 or the amount as set in the County  
2 Budget as provided in § 28-4 of this article. These benefits shall be payable in the normal  
3 manner.

4 D. The burden shall be upon the eligible volunteer to make a claim for benefits, and no benefits  
5 shall be paid for which a claim is not made within 12 months of eligibility for said payment.

6 E. In the event that a member receiving benefits under this section dies, his or her surviving  
7 spouse is entitled to benefits equal to ~~50%~~ 75% of the benefits the member was eligible to  
8 receive at the time of death. These benefits shall begin on the first day of the first month after  
9 the death of the member and shall terminate upon the death or remarriage of the spouse.

10 **§28-3 Disability and death benefits.**

11 A. A "qualified volunteer" is herein defined for the purposes of this section as one who has  
12 completed 25 years of certified service.

13 B. In the event that any active volunteer becomes disabled during the course of service described  
14 in the Annotated Code of Maryland, Labor and Employment Article, Title 9, and such disability  
15 prevents the volunteer from pursuing his normal occupation and the disability is of a permanent  
16 nature as determined and certified by the State Workers' Compensation Commission, the  
17 volunteer is entitled to receive the benefits prescribed in § 28-2A and any such benefits as he  
18 may be entitled to, regardless of his age or length of service. These benefits shall begin on the  
19 first day of the first month following the establishment of the determination of the permanent  
20 disability and shall remain in effect as long as the permanent disability exists. This subsection  
21 shall not be applicable to any volunteer not insured either by the county or any other  
22 Department/Company or corps workers' compensation insurance carrier.

**BILL NO. 20-007  
AS AMENDED**

1 C. In the event that any volunteer shall die while receiving disability benefits, his surviving spouse  
2 is entitled to benefits equal to [50] 75% of the volunteer's benefits. These benefits shall  
3 terminate upon death or remarriage of the spouse.

4 D. In the event that a qualified volunteer dies prior to or while receiving any benefits under this  
5 section, his surviving spouse is entitled to benefits equal to [50] 75% of the benefits the  
6 deceased was eligible to receive at the time of death. These benefits shall commence upon the  
7 first day of the first month after the death of the volunteer and shall terminate upon the death or  
8 remarriage of his spouse.

9 E. In the event that any volunteer dies as a result of performing the services described in the  
10 Annotated Code of Maryland, Labor and Employment Article, Title 9, his spouse shall be  
11 entitled to benefits under § 28-2A or B, whichever are the greater. These benefits shall  
12 commence on the first day of the first month after the death and shall terminate upon death or  
13 remarriage of the spouse.

14 F. In the event that a qualified volunteer fireman dies, a burial benefit of \$5,000 shall be payable  
15 to the spouse, beneficiary or the estate of the volunteer. Claims for death benefits shall be  
16 documented by a death certificate and/or such other evidence as required.

17 **§ 28-5 Records; certification of eligibility; appeals.**

18 A. It is the responsibility of each participating Volunteer Fire Department/Company or ambulance  
19 corps to maintain detailed and accurate records for each volunteer member on forms prescribed  
20 by the Department of the Treasury.

21 B. By October 1 of each year, a designee of each Volunteer Fire Department/Company or  
22 ambulance corps shall furnish the Department of the Treasury with a statement of all volunteers

**BILL NO. 20-007**  
**AS AMENDED**

1 of the department or corps who have qualified for credit for the previous years. Each statement  
2 shall contain all members' ages and previous credits earned and other information as may be  
3 required by the Association and the Department of the Treasury of the county.

4 C. Upon receipt of this statement, the Department of the Treasury shall review the list of each  
5 department or corps. The Department of the Treasury shall submit a final statement from each  
6 department or corps to the Association. After the Association approves the certified list, it shall  
7 forward a copy of each approved list to the Fire Department/Company or ambulance corps  
8 concerned by November 1 of each year. These lists shall be certified for accuracy by the  
9 Department/Company or corps and SHALL BE SENT ELECTRONICALLY TO THE  
10 VOLUNTEER MEMBERS AND be posted in a conspicuous place within each Fire  
11 Department/Company or ambulance corps building for a period of not less than 30 calendar  
12 days. The posting date and the date of expiration of the 30 calendar days for a right of appeal  
13 shall be noted on all approved lists.

14 D. A person whose name does not appear on the certified list or who is denied credit for services,  
15 has the right of appeal within 30 calendar days of the posting.

16 E. The request for an appeal hearing shall be in writing and addressed to the Association, which  
17 shall make a final decision. The hearing shall be conducted by the Association within 15  
18 calendar days after the posting expires but not less than 5 calendar days after notifying the  
19 appellant of the date. The Association shall immediately notify the Department of the Treasury  
20 in writing of the outcome of the hearing.

21 F. It shall be the responsibility of the Association to submit a statement under oath of any benefits  
22 to be paid under § 28-3B including prompt notification of termination.

**BILL NO. 20-007  
AS AMENDED**

1 § 28-6 Point system.

2 In order to qualify for the benefits pursuant to this Article, points shall be credited to each volunteer in  
3 accordance with the following standards:

4 A. A VOLUNTEER MEMBER MUST BE A MINIMUM OF 16 YEARS OF AGE TO BE  
5 ENROLLED IN THE LENGTH OF SERVICE AWARD PROGRAM.

6 [A.] B. One point shall be credited for every 3 hours of attendance in a recognized training course,  
7 provided that not more than 25 points may be credited for all training courses attended per year.

8 [B.] C. One point shall be credited for each [company or county drill] COMPANY DRILL, COUNTY  
9 DRILL, OR TRAINING attended in its entirety, provided that not more than 20 points may be  
10 credited for all drills attended per year.

11 [C.] D. One point shall be credited for each official company or county meeting pertaining to the  
12 county fire services or rescue services attended, provided that not more than 25 points may be  
13 credited for all meetings attended per year.

14 [D.] E. One point shall be credited for each call to which a volunteer responds, provided that not more  
15 than 40 points may be credited for all calls responded to per year.

16 [E.] F. NO MORE THAN [twenty-five] 25 points shall be credited for completion of a one-year term  
17 as an appointed or elected officer OR COMMITTEE CHAIR in any of the fire or rescue service  
18 organizations of the county, provided that not more than one office shall be counted in any  
19 calendar [year.] YEAR; WITH 2 POINTS BEING CREDITED MONTHLY FOR THE FIRST  
20 11 MONTHS AND 3 POINTS BEING CREDITED FOR COMPLETION OF THE 12<sup>TH</sup>  
21 MONTH.

22 [F.] G. One point shall be credited for every 3 hours of acceptable collateral duties, such as, but not

**BILL NO. 20-007  
AS AMENDED**

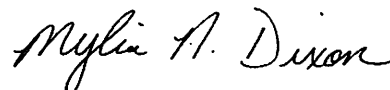
1 limited to, apparatus and building maintenance, official standby and fire prevention or  
2 fundraising details, provided that not more than [25] 40 points may be credited for all collateral  
3 duties performed per year.

4 [G.] H. A volunteer member who serves or has served full-time military service in the Armed Forces  
5 of the United States shall receive credit at the rate of 5 points for each month served, provided  
6 that not more than 50 points can be credited for the calendar year. A maximum of 4 years of  
7 creditable service may be acquired in this manner.

8 Section 2. And Be It Further Enacted that this Act shall take effect 60 calendar days from the date  
9 it becomes law.

EFFECTIVE: July 20, 2020

*The Council Administrator does hereby certify that seven (7) copies of this Bill are immediately available for distribution to the public and the press.*



\_\_\_\_\_  
Council Administrator