

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**

**2006 Legislative Session**

Bill No. CB-20-2006

Chapter No. 14

Proposed and Presented by The Chairman (by request – County Executive)

Introduced by Council Members Dernoga, Peters, Knotts, Dean, Harrington, Campos & Bland

Co-Sponsors \_\_\_\_\_

Date of Introduction June 6, 2006

**BILL**

1 AN ACT concerning

2 Length of Service Award Program

3 For the purpose of increasing certain benefits under the Length of Service Award Program for  
4 volunteers and surviving spouses and providing that the Office of Human Resources  
5 Management shall administer the Length of Service Award Program.

6 BY repealing and reenacting with amendments:

7 SUBTITLE 11. FIRE SAFETY.

8 Section 11-328,

9 The Prince George's County Code

10 (2003 Edition, 2005 Supplement.)

11 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,  
12 Maryland, that Section 11-328 of the Prince George's County Code be and the same is hereby  
13 repealed and reenacted with the following amendments:

14 SUBTITLE 11. FIRE SAFETY.

15 DIVISION 6. VOLUNTEER FIRE COMPANIES.

16 **Sec. 11-328. Length of Service Award Program.**

17 (a) There is hereby established a Length of Service Award program for active volunteer  
18 members of the Prince George's County Fire/[Rescue Service] Emergency Medical Services  
19 Department.

20 (b) Eligibility. Beginning July 1, [1987] 2005, any person who has reached the age of [60]  
21 55 and who has completed a minimum of 25 years of certified active volunteer service with any

1 Prince George's County volunteer fire company or volunteer rescue squad or combination  
 2 thereof shall be eligible to participate in the Length of Service Award Program. The  
 3 requirements for eligibility are:

4 (1) The member must meet the active membership test under the procedures  
 5 established herein.

6 (2) Classification as an "active" member by an individual department bylaws is not  
 7 sufficient to be eligible.

8 (3) Volunteer members of the fire department of the City of Takoma Park shall not be  
 9 eligible to participate in the program.

10 (c) Benefits.

11 (1) Effective July 1, [1987] 2005, and thereafter, any volunteer who has completed  
 12 twenty-five (25) years of certified active service within the Prince George's County  
 13 Fire/Emergency Medical Services Department upon reaching age [60] 55 shall receive a payment  
 14 of One Hundred Twenty-five Dollars (\$125.00) per month for fiscal year 1988; One Hundred  
 15 Fifty Dollars (\$150.00) per month for fiscal year 1989; One Hundred Seventy-five Dollars  
 16 (\$175.00) per month for fiscal year 1990; and Two Hundred Dollars (\$200.00) per month for  
 17 fiscal year 1991 through fiscal year 2000; and Two Hundred Twenty-five Dollars (\$225.00) per  
 18 month for fiscal year 2001 and for each fiscal year thereafter.

19 (2) A payment of Four Dollars (\$4.00) per month shall be added to the benefits  
 20 described above, for each full year of Certified service in excess of 25 years. Payments shall  
 21 begin on the first day of the month following eligibility. The provisions of this Section shall  
 22 apply to all members currently receiving benefits upon certification of additional years.

23 (3) In the event that an active volunteer fireman or rescue squadsman (for purposes of  
 24 this Subsection only herein defined as one who has a minimum of ten years active certified  
 25 service with five years immediately preceding) attains the age of seventy (70), he shall be  
 26 entitled to a payment of Four Dollars (\$4.00) per month for each year of certified service.  
 27 Payments shall begin on the first day following eligibility.

28 (4) Once a member is receiving benefits under Subsections (c)(1) or (2), that member  
 29 may annually accrue additional benefits by certified active service.

30 (5) In the event that:

31 (A) Any active volunteer is found by the Maryland Workers' Compensation

Commission to be permanently disabled in the course of his employment as a volunteer fireman or rescue squadsman, as defined by the State Workers' Compensation Law; and

(B) Such disability is found by a competent medical authority, designated by the County Executive of Prince George's County, to prevent the volunteer from pursuing his or her normal occupation; then

(C) Such volunteer shall receive the benefits prescribed in Subsection (c)(1), as though he had 25 years of service and had attained the age of [60] 55 years.

These benefits shall begin on the first day of the month following the establishment of entitlement by the medical authority established by the County Executive, and shall be retroactive to the date of injury where such date is clearly established or in the absence thereof, the date of determination of entitlement by the Workers' Compensation Commission. Claims for disability must be filed within one year after the date of injury.

(6) Once a member has received benefits under Subsection (c)(5) he may not accrue additional benefits for subsequent service.

(7) (A) In the event that any qualified volunteer shall die while receiving benefits, then his or her surviving spouse is entitled to benefits equal to fifty percent (50%) of the volunteer's benefits. These benefits shall terminate upon death or remarriage of the spouse.

(B) In the event that a qualified volunteer dies prior to receiving any benefits under this Section, his or her surviving spouse is entitled to benefits equal to fifty percent (50%) of the benefits earned by the deceased volunteer. These benefits shall terminate upon death or remarriage of the spouse. A qualified volunteer is defined as one who has completed 25 years of certified service, or is qualified to receive benefits under this Act.

(C) Any surviving spouse receiving benefits pursuant to Subsection (c)(1) on June 30, 1987, shall be entitled to One Hundred Dollars (\$100.00) per month effective January 1, 1992. Effective July 1, 2000, any surviving spouse receiving benefits pursuant to Subsection (c)(1) on July 1, 2000, shall be entitled to One Hundred Twenty-five Dollars (\$125.00) per month.

(8) When a qualified volunteer dies after July 1, [1987] 2005, a burial benefit of [Three Thousand Dollars (\$3,000.00)] Five Thousand Dollars (\$5,000.00) shall be paid to the surviving spouse, and if there is no surviving spouse to the estate of the decedent. A qualified volunteer is defined as one who has completed twenty-five (25) years of service or is qualified to

receive benefits under this Section.

\* \* \* \* \*

(e) Administration.

(1) The program shall be administered by the Office of [Personnel and Labor Relations] Human Resources Management in accordance with standards and procedures established by the Prince George's County Fire Commission, the Office of [Personnel and Labor Relations] Human Resources Management, and the Prince George's County Office of Finance.

(2) The Prince George's County Fire Commission and/or the Prince George's County Office of Finance and the Prince George's County Office of Audits and Investigations shall have the authority to audit records of volunteer participation in addition to any other audits required by law. The County Executive shall make available to the Fire Commission any temporary secretarial or clerical assistance as may become necessary to carry out the provisions of this Act.

\* \* \* \* \*

SECTION 2. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45) calendar days after it becomes law and shall be retroactively effective to July 1, 2005.

Adopted this 11th day of July, 2006.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: \_\_\_\_\_  
Thomas E. Dernoga  
Chairman

ATTEST:

\_\_\_\_\_  
Redis C. Floyd  
Clerk of the Council

APPROVED:

DATE: \_\_\_\_\_ BY: \_\_\_\_\_  
Jack B. Johnson  
County Executive

KEY:  
Underscoring indicates language added to existing law.  
[Brackets] indicate language deleted from existing law.  
Asterisks \*\*\* indicate intervening existing Code provisions that remain unchanged.