

Prince George's County Council

Agenda Item Summary

Meeting Date: 7/1/2008
Reference No.: CB-017-2008
Draft No.: 2
Proposer(s): County Executive
Sponsor(s): Olson, Exum, Bland, Dean
Item Title: An Act concerning Prince George's County Fire Service Pension Plan for the purpose of approving by legislative act an amendment to the Fire Service Pension Plan regarding the addition of line of duty death benefits

Drafter: Joseph R. Hamlin, Office of Law
Resource Personnel: Donald E. Bridgeman, Director

LEGISLATIVE HISTORY:

Date Presented:	4/29/2008	Executive Action:	7/8/2008 S
Committee Referral:	4/29/2008 - PSFM	Effective Date:	8/22/2008

Committee Action: 5/19/2008 - FAV(A)

Date Introduced: 6/3/2008
Public Hearing: 7/1/2008 - 10:00 AM

Council Action (1) 7/1/2008 - ENACTED
Council Votes: MB:A, WC:A, SHD:A, TD:A, CE:A, AH:A, TK:-, EO:A, IT:A
Pass/Fail: P
Remarks:

AFFECTED CODE SECTIONS:

COMMITTEE REPORTS:

PUBLIC SAFETY & FISCAL MANAGEMENT

Date 5/19/2008

Committee vote: Favorable as amended, 3-0, (In favor: Councilmembers Knotts, Campos and Turner.)

This will amend the Fire Service Pension Plan by adding a "line of duty" death benefit to surviving spouses. The death benefit is payable to the surviving spouse of a participant who dies in the line of duty. This legislation is required to comply with Section 16-231(a) of the County Code which provides that any amendment to a pension plan that will require the County to finance or make contributions must be approved by legislative act of the County Council.

The current Fire Service Pension Plan already provides participants with at least fifteen years of service with a pre-retirement death benefit, payable whether the death is in the line of duty or not. Also, participants with more than 20 years of service who remain employed and die while still employed will receive the benefit of a 100% Contingent Annuitant Benefit regardless of whether or not the death is in the line of duty. The current death benefits remain in the Fire Service Pension Plan but are coordinated with the new benefit, which will allow the surviving spouse to receive the greater benefit if the death of the participants is in the "line of duty."

The County Executive stated that the County owes a debt of gratitude to all uniformed employees in public safety classes of work including those in the Fire/EMS Department who pay the ultimate sacrifice of giving their lives in the line of duty.

The Office of Law has reviewed this bill and finds it to be in proper legislative form with no legal impediments to its enactment.

The legislation was amended by adding the effective date of July 1 in Attachment A, Section 6.3.

There will be no negative fiscal impact on the County with the enactment of CB-17-2008.

BACKGROUND INFORMATION/FISCAL IMPACT:

(Includes reason for proposal, as well as any unique statutory requirements)

This legislation adds a line of duty death benefit to surviving spouses in the Fire Service Pension Plan.

This is a new benefit for participants in the Fire Service Pension Plan. Under the current Fire Service Pension Plan, participants with at least fifteen years of service already have a pre-retirement death benefit, payable whether the death is in the line of duty or not. Further, participants with more than twenty years of service who remain employed and who then die get the benefit of a 100% Contingent Annuitant benefit already, without regard to whether or not the death is in the line of duty. The current death benefits remain in the Fire Service Pension Plan but are coordinated with the new benefit, so a surviving spouse gets the greater benefit if the death of the participant occurs in the line of duty.

This legislation is required pursuant to Section 16-231(a) of the Prince George's County Code which provides, in part, that such pension plans may not be amended to bind the County to finance or make contributions to such pension plans, unless such amendments are approved by legislative act of the County Council.

CODE INDEX TOPICS:

INCLUSION FILES:
