

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003

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HOUSE BILL 543

Short Title: Broaden Coverage/Fire and Rescue Pension. (Public)

Sponsors: Representatives McGee; Cole, Frye, Gulley, Justus, LaRoque, McHenry, Moore, Pate, Sauls, Wainwright, Walker, K. Williams, and Womble.

Referred to: Pensions and Retirement.

March 18, 2003

A BILL TO BE ENTITLED

AN ACT TO INCLUDE DEPUTY FIRE MARSHALS, ASSISTANT FIRE MARSHALS, AND COUNTY FIREFIGHTERS AS ELIGIBLE MEMBERS OF THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 58-86-25 reads as rewritten:

**"§ 58-86-25. "Eligible firemen" defined; determination and certification of volunteers meeting qualifications.**

"Eligible firemen" shall mean all firemen of the State of North Carolina or any political subdivision thereof, including those performing such functions in the protection of life and property through fire fighting within a county or city governmental unit and so certified to the Commissioner of Insurance by the governing body thereof, and who belong to a bona fide fire department which, as determined by the Commissioner, is classified as not less than class "9" or class "A" and "AA" departments in accordance with rating methods, schedules, classifications, underwriting rules, bylaws or regulations effective or applied with respect to the establishment of rates or premiums used or charged pursuant to Article 36 or 40 of this Chapter or by such other reasonable methods as the Commissioner may determine, and which operates fire apparatus and equipment of the value of five thousand dollars (\$5,000) or more, and said fire department holds drills and meetings not less than four hours monthly and said firemen attend at least 36 hours of all drills and meetings in each calendar year. "Eligible firemen" shall also mean an employee of a county whose sole duty is to act as ~~fire marshal~~ marshal, deputy fire marshal, assistant fire marshal, or firefighter of the county, provided that the employee is a member of a fire department and that the board of county commissioners of that county certifies the ~~fire marshal's~~ employee's attendance at no less than 36 hours of all drills and meetings in each calendar year. "Eligible firemen" shall also mean those persons meeting the other qualifications of this section, not exceeding 25 volunteer firemen plus one additional volunteer fireman per

1 100 population in the area served by their respective departments. Each department  
2 shall annually determine and report the names of those firemen meeting the eligibility  
3 qualifications of this section to its respective governing body, which upon determination  
4 of the validity and accuracy of the qualification shall promptly certify the list to the  
5 North Carolina State Firemen's Association. The Firemen's Association shall provide a  
6 list of those persons meeting the eligibility requirements of this section to the State  
7 Treasurer by July 1 of each year. For the purposes of the preceding sentence, the  
8 governing body of a fire department operated: by a county is the county board of  
9 commissioners; by a city is the city council; by a sanitary district is the sanitary district  
10 board; by a corporation, whether profit or nonprofit, is the corporation's board of  
11 directors; and by any other entity is that group designated by the board."  
12 **SECTION 2.** This act becomes effective July 1, 2003.