

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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1

HOUSE BILL 43

Short Title: Increase Fire and Rescue Pension.

(Public)

Sponsors: Representatives Dedmon; Alexander, Allen, Arnold, Baddour, Baker, Barefoot, Bonner, Boyd-McIntyre, Bridgeman, Buchanan, Cansler, Capps, Church, Cole, Cox, Crawford, Culpepper, Davis, Edwards, Fox, Gardner, Gibson, Gillespie, Goodwin, Haire, Hensley, Hill, Horn, Jarrell, Jeffus, Kinney, Kiser, Luebke, McCombs, McCrary, McLawhorn, Moore, Morris, Oldham, Owens, Rogers, Russell, Saunders, Setzer, Sherrill, Smith, Thomas, Tolson, Tucker, Wainwright, Warner, Warren, Warwick, and Yongue.

Referred to: Finance.

February 8, 1999

A BILL TO BE ENTITLED

1 AN ACT TO INCREASE THE MONTHLY PENSION FOR MEMBERS OF THE
2 FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND.
3

4 The General Assembly of North Carolina enacts:

5 Section 1. G.S. 58-86-55 reads as rewritten:
6 **"§ 58-86-55. Monthly pensions upon retirement.**

7 Any member who has served 20 years as an "eligible fireman" or "eligible rescue
8 squad worker" in the State of North Carolina, as provided in G.S. 58-86-25 and G.S. 58-
9 86-30, and who has attained the age of 55 years is entitled to be paid a monthly pension
10 from this fund. The monthly pension shall be in the amount of ~~one hundred forty-six dollars~~
11 ~~(\$146.00)~~ two hundred dollars (\$200.00) per month. Any retired fireman receiving a
12 pension shall, effective ~~July 1, 1998,~~ July 1, 1999, receive a pension of ~~one hundred forty-~~
13 ~~six dollars (\$146.00)~~ two hundred dollars (\$200.00) per month.

1 Members shall pay ten dollars (\$10.00) per month as required by G.S. 58-86-35 and
2 G.S. 58-86-40 for a period of no longer than 20 years. No "eligible rescue squad
3 member" shall receive a pension prior to July 1, 1983. No member shall be entitled to a
4 pension hereunder until the member's official duties as a fireman or rescue squad worker
5 for which the member is paid compensation shall have been terminated and the member
6 shall have retired as such according to standards or rules fixed by the board of trustees.

7 A member who is totally and permanently disabled while in the discharge of the
8 member's official duties as a result of bodily injuries sustained or as a result of extreme
9 exercise or extreme activity experienced in the course and scope of those official duties
10 and who leaves the fire or rescue squad service because of this disability shall be entitled
11 to be paid from the fund a monthly benefit in an amount of ~~one hundred forty-six dollars~~
12 ~~(\$146.00)~~ two hundred dollars (\$200.00) per month beginning the first month after the
13 member's fifty-fifth birthday. All applications for disability are subject to the approval of
14 the board who may appoint physicians to examine and evaluate the disabled member
15 prior to approval of the application, and annually thereafter. Any disabled member shall
16 not be required to make the monthly payment of ten dollars (\$10.00) as required by G.S.
17 58-86-35 and G.S. 58-86-40.

18 A member who is totally and permanently disabled for any cause, other than line of
19 duty, who leaves the fire or rescue squad service because of this disability and who has at
20 least 10 years of service with the pension fund, may be permitted to continue making a
21 monthly contribution of ten dollars (\$10.00) to the fund until the member has made
22 contributions for a total of 240 months. The member shall upon attaining the age of 55
23 years be entitled to receive a pension as provided by this section. All applications for
24 disability are subject to the approval of the board who may appoint physicians to examine
25 and evaluate the disabled member prior to approval of the application and annually
26 thereafter.

27 A member who, because his residence is annexed by a city under Part 2 or Part 3 of
28 Article 4 of Chapter 160A of the General Statutes, or whose department is closed because
29 of an annexation by a city under Part 2 or Part 3 of Article 4 of Chapter 160A of the
30 General Statutes, and because of such annexation is unable to perform as a fireman of any
31 status, and if the member has at least 10 years of service with the pension fund, may be
32 permitted to continue making a monthly contribution of ten dollars (\$10.00) to the fund
33 until the member has made contributions for a total of 240 months. The member upon
34 attaining the age of 55 years and completion of such contributions shall be entitled to
35 receive a pension as provided by this section. Any application to make monthly
36 contributions under this section shall be subject to a finding of eligibility by the Board of
37 Trustees upon application of the member.

38 The pensions provided shall be in addition to all other pensions or benefits under any
39 other statutes of the State of North Carolina or the United States, notwithstanding any
40 exclusionary provisions of other pensions or retirement systems provided by law."

41 Section 2. This act becomes effective July 1, 1999.