

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003

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HOUSE BILL 543  
Corrected Copy 3/19/03

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

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

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Referred to: Pensions and Retirement.

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March 18, 2003

A BILL TO BE ENTITLED

1 AN ACT TO INCLUDE DEPUTY FIRE MARSHALS, ASSISTANT FIRE  
2 MARSHALS, AND COUNTY FIREFIGHTERS AS ELIGIBLE MEMBERS OF  
3 THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND.  
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5 The General Assembly of North Carolina enacts:

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

7 **"§ 58-86-25. "Eligible firemen" defined; determination and certification of**  
8 **volunteers meeting qualifications.**

9 "Eligible firemen" shall mean all firemen of the State of North Carolina or any  
10 political subdivision thereof, including those performing such functions in the  
11 protection of life and property through fire fighting within a county or city  
12 governmental unit and so certified to the Commissioner of Insurance by the governing  
13 body thereof, and who belong to a bona fide fire department which, as determined by  
14 the Commissioner, is classified as not less than class "9" or class "A" and "AA"  
15 departments in accordance with rating methods, schedules, classifications, underwriting  
16 rules, bylaws or regulations effective or applied with respect to the establishment of  
17 rates or premiums used or charged pursuant to Article 36 or 40 of this Chapter or by  
18 such other reasonable methods as the Commissioner may determine, and which operates  
19 fire apparatus and equipment of the value of five thousand dollars (\$5,000) or more, and  
20 said fire department holds drills and meetings not less than four hours monthly and said  
21 firemen attend at least 36 hours of all drills and meetings in each calendar year.  
22 "Eligible firemen" shall also mean an employee of a county whose sole duty is to act as  
23 ~~fire marshal~~ marshal, deputy fire marshal, assistant fire marshal, or firefighter of the  
24 county, provided that the employee is a member of a fire department and that the board  
25 of county commissioners of that county certifies the ~~fire marshal's~~ employee's  
26 attendance at no less than 36 hours of all drills and meetings in each calendar year.  
27 "Eligible firemen" shall also mean those persons meeting the other qualifications of this  
28 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.