

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 52

Short Title: Firemen/Rescue Squad Benefits.

(Public)

Sponsors: Representatives McCombs; Redwine, Buchanan, McComas, J. Brown, Allred, Nichols, and Preston.

Referred to: Pensions and Retirement.

January 30, 1995

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE MONTHLY BENEFITS FROM THE NORTH CAROLINA FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND.

The General Assembly of North Carolina enacts:

Section 1. G.S. 58-86-55 reads as rewritten:

"§ 58-86-55. Monthly pensions upon retirement.

Any member who has served 20 years as an 'eligible fireman' or 'eligible rescue squad worker' in the State of North Carolina, as provided in G.S. 58-86-25 and G.S. 58-86-30, and who has attained the age of 55 years is entitled to be paid a monthly pension from this fund. The monthly pension shall be in the amount of one hundred ~~ten~~ twenty-five dollars ~~(\$110.00)~~ (\$125.00) per month. Any retired fireman receiving a pension of one hundred ten dollars (\$110.00) per month shall, effective July 1, ~~1994~~ 1995, receive a pension of one hundred ~~ten~~ twenty-five dollars ~~(\$110.00)~~ (\$125.00) per month.

Members shall pay five dollars (\$5.00) per month as required by G.S. 58-86-35 and G.S. 58-86-40 for a period of no longer than 20 years. No 'eligible rescue squad member' shall receive a pension prior to July 1, 1983. No person shall be entitled to a pension hereunder until his official duties as a fireman or rescue squad worker for which he is paid compensation shall have been terminated and he shall have retired as such according to standards or rules fixed by the board of trustees.

1 Any member who is totally and permanently disabled while in the discharge of his
2 official duties as a result of bodily injuries sustained or as a result of extreme exercise or
3 extreme activity experienced in the course and scope of his official duties and who leaves
4 the fire or rescue squad service because of this disability shall be entitled to be paid from
5 the fund a monthly benefit in an amount of one hundred ~~ten~~ twenty-five dollars (~~\$110.00~~)
6 (\$125.00) per month beginning the first month after his fifty-fifth birthday. All
7 applications for disability are subject to the approval of the board who may appoint
8 physicians to examine and evaluate the disabled member prior to approval of his
9 application, and annually thereafter. Any disabled member shall not be required to make
10 the monthly payment of five dollars (\$5.00) as required by G.S. 58-86-35 and G.S. 58-
11 86-40.

12 Any member who is totally and permanently disabled for any cause, other than line of
13 duty, who leaves the fire or rescue squad service because of this disability and who has at
14 least 10 years of service with the pension fund, may be permitted to continue making a
15 monthly contribution of five dollars (\$5.00) to the fund until he has paid into the fund the
16 sum of one thousand two hundred dollars (\$1,200). The member shall upon attaining the
17 age of fifty-five years be entitled to receive a pension as provided by this section. All
18 applications for disability are subject to the approval of the board who may appoint
19 physicians to examine and evaluate the disabled member prior to approval of his
20 application annually thereafter.

21 Any member who, because his residence is annexed by a city under Part 2 or Part 3 of
22 Article 4 of Chapter 160A of the General Statutes, or whose department is closed because
23 of an annexation by a city under Part 2 or Part 3 of Article 4 of Chapter 160A of the
24 General Statutes, and because of such annexation is unable to perform as a fireman of any
25 status, and if the member has at least 10 years of service with the pension fund, may be
26 permitted to continue making a monthly contribution of five dollars (\$5.00) to the fund
27 until he has paid into the fund the sum of one thousand two hundred dollars (\$1,200).
28 The member upon attaining the age of 55 years and completion of such contributions
29 shall be entitled to receive a pension as provided by this section. Any application to
30 make monthly contributions under this section shall be subject to a finding of eligibility
31 by the Board of Trustees upon application of the member.

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

35 Sec. 2. This act becomes effective July 1, 1995.