

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

2017 Legislative Session

Bill No. CB-3-2017

Chapter No.

Proposed and Presented by Council Member Lehman

Introduced by Council Members Lehman, Toles, Harrison, Turner, Davis, Glaros,

Franklin, Taveras and Patterson

Date of Introduction October 17, 2017

BILL

1 AN ACT concerning

2 Volunteer Firefighters

3 For the purpose of amending the Code to provide for a medical presumption of occupational
4 disease for Volunteer Firefighters and a Blanket Life and Accident Insurance Policy, increasing
5 death benefits, and generally relating to benefits for members of the County's volunteer fire
6 departments and rescue squads.

7 BY repealing and reenacting with amendments:

8 SUBTITLE 11. FIRE SAFETY.

9 Sections 11-327, 11-328, and 11-329,

10 The Prince George's County Code

11 (2015 Edition; 2016 Supplement).

12 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
13 Maryland, that Sections 11-327, 11-328, and 11-329 of the Prince George's County Code be and
14 the same are hereby repealed and reenacted with the following amendments:

15 SUBTITLE 11. FIRE SAFETY.

16 DIVISION 6. VOLUNTEER FIRE COMPANIES.

17 Sec. 11-327. Benefits to fire companies and rescue squads.

18 (a) The Council shall levy a tax to provide for [the payment of disability benefits to any
19 member and death pensions to a widow and/or minor legitimate children of any member of
20 the volunteer fire departments and rescue squads of the County who are injured or killed in
21 the line of duty as a fireman or rescue squadsman] a Blanket Life and Accident Insurance

1 [(f)] (d) The Council may reduce any sums payable under this Section in an amount equal to the
 2 amount received by a beneficiary under the provisions of Article 101, Annotated Code of
 3 Maryland, entitled Workmen's Compensation.

4 **Sec. 11-328. Length of Service Award Program.**

5 (c) Benefits.

6 * * * * *

7 (8) When a qualified volunteer dies after July 1, 2005, a burial benefit of Five Thousand
 8 Dollars (\$5,000.00) shall be paid to the surviving spouse, and if there is no surviving spouse to
 9 the estate of the decedent. Effective July 1, 2014, and thereafter, the burial benefit shall be Ten
 10 Thousand Dollars (\$10,000.00). [Effective July 1, 2014, and thereafter, the burial benefit shall be
 11 Twenty Thousand Dollars (\$20,000.00) for a qualified volunteer whose death results from an
 12 accidental personal injury arising out of and in the course of his volunteer service.] A qualified
 13 volunteer is defined as one who has completed twenty-five (25) years of service or is qualified to
 14 receive benefits under this Section.

15 * * * * *

16 **Sec. 11-329. Death Benefits.**

17 (a) There shall be a death benefit of [~~Five Thousand Dollars (\$5,000)] Fifteen Thousand
 18 Dollars (\$15,000) payable upon the death of any member of a County volunteer fire department
 19 or rescue squad [whose death results from an accidental personal injury arising out of and in the
 20 course of his services to Prince George's County]. This payment shall be a one time, lump sum
 21 and shall be paid within ten (10) calendar days from the date of the volunteer's death. It shall be
 22 paid to the person or persons specified by the volunteer in accordance with duly authorized
 23 personnel procedures of the County.~~

24 (b) In addition, there shall be a line of duty death benefit for every year the member of a
 25 County volunteer fire department or rescue squad served over ten (10) years of Three Thousand
 26 Dollars (\$3,000) per year, and Five Thousand Dollars (\$5,000) per year for every year served
 27 over fifteen (15) years.

28 (c) The death of any active member caused by lung disease, heart disease, hypertension,
 29 leukemia, prostate cancer, colorectal cancer, throat cancer, multiple myeloma, non-Hodgkin's
 30 lymphoma, brain cancer, testicular cancer or breast cancer, shall be presumed to be service-
 31 connected and to have been suffered in the line of duty and as a result of his/her membership of

1 sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of
2 competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining
3 words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this
4 Act, since the same would have been enacted without the incorporation in this Act of any such
5 invalid or unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection,
6 or section.

7 SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)
8 calendar days after it becomes law.

Adopted this _____ day of _____, 2017.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Derrick Leon Davis
Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Rushern L. Baker, III
County Executive

KEY:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

Asterisks *** indicate intervening existing Code provisions that remain unchanged.