

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 965\*

Short Title: Fire Marshals in Pension Fund.

(Public)

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Sponsors: Representatives Cole; Alexander, Barefoot, Cox, Dedmon, Fox, Hurley, Melton, Mosley, and Sherrill.

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Referred to: Insurance.

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April 12, 1999

A BILL TO BE ENTITLED

AN ACT TO INCLUDE FULL-TIME COUNTY FIRE MARSHALS IN 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 Articles 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

1 all drills and meetings in each calendar year. "Eligible firemen" shall also mean an  
2 employee of a county whose sole duty is to act as fire marshal of the county, provided the  
3 board of county commissioners of that county certifies the fire marshal's attendance at no  
4 less than 36 hours of all drills and meetings in each calendar year. "Eligible  
5 firemen" shall also mean those persons meeting the other qualifications of this section, not  
6 exceeding 25 volunteer firemen plus one additional volunteer fireman per 100 population  
7 in the area served by their respective departments. Each department shall annually  
8 determine and report the names of those firemen meeting the eligibility qualifications to  
9 its respective governing body, which upon determination of the validity and accuracy of  
10 the qualification shall promptly certify the list to the board. For the purposes of the  
11 preceding sentence, the governing body of a fire department operated: by a county is the  
12 county board of commissioners; by a city is the city council; by a sanitary district is the  
13 sanitary district board; by a corporation, whether profit or nonprofit, is the corporation's  
14 board of directors; and by any other entity is that group designated by the board."

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