

MEMORANDUM

TO: County Council

FROM: Robert H. Drummer, Legislative Attorney
Michael Faden, Senior Legislative Attorney



SUBJECT: **Introduction:** Expedited Bill 8-08, Personnel – Disability Retirement – Group G

Expedited Bill 8-08, Personnel – Disability Retirement – Group G, sponsored by the Council President at the request of the County Executive, is scheduled to be introduced on April 8. A public hearing is tentatively scheduled for April 29 at 1:30 p.m.

Bill 8-08 would implement the change in the disability retirement law negotiated by the Executive and the Montgomery County Career Firefighters Association, International Association of Fire Fighters Local 1664 Fire Rescue Association in the new Agreement effective July 1, 2008 through June 30, 2011. The Bill would make a Group G member who incurs esophageal, lymphatic, testicular, brain, lung, bladder, or kidney cancer, multiple myeloma, melanoma, or any blood borne pathogen eligible for service-connected disability retirement benefits under certain conditions.

This packet contains:

Expedited Bill 8-08
Legislative Request Report
Memo from County Executive

Circle #

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Expedited Bill No. 8-08
Concerning: Personnel — Disability Retirement — Group G
Revised: 4/2/08 Draft No. 1
Introduced: April 8, 2008
Expires: October 8, 2009
Enacted: _____
Executive: _____
Effective: July 1, 2008
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the Request of the County Executive

AN EXPEDITED ACT to:

- (1) provide that a Group G member who incurs certain diseases is entitled to receive service-connected disability retirement benefits; and
- (2) generally amend the law regarding disability retirement.

By amending

Montgomery County Code
Chapter 33, Personnel and Human Resources
Section 33-43

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

1 **Sec. 1. Section 33-43(f) is amended as follows:**

2 **33-43 Disability retirement**

3 * * *

4 (f) Service-connected disability retirement.

5 * * *

6 (3) A Group G member who has an occupational disease that is
7 compensable under Section 9-503 of the Maryland Workers'
8 Compensation Act or who incurs esophageal, lymphatic,
9 testicular, brain, lung, bladder, or kidney cancer, multiple
10 myeloma, melanoma, or any blood borne pathogen, is entitled
11 to receive service-connected disability benefits if:

12 (A) the employee became a member of Group G on or after
13 July 1, 1999, and did not use, or get terminated for using,
14 tobacco products for any purpose either on-duty or off-
15 duty while employed by the County as a Group G
16 member; or

17 (B) the employee became a member of Group G before July
18 1, 1999 and:

19 (i) did not use tobacco products more than 3 times for
20 any purpose while on-duty after June 30, 2000;

21 (ii) if a tobacco user, completed a tobacco-cessation
22 program approved by the County; and

23 (iii) completed a cardiovascular fitness assessment and
24 evaluation program established by the County (or
25 by the County and the certified representative, for
26 members of the Firefighter/Rescuer Bargaining
27 Unit) and [make] made a good faith effort to

28 follow the health and fitness recommendations that
29 resulted from the cardiovascular assessment.

30 * * *

31 **Sec. 2. Expedited Effective Date.**

32 The Council declares that this legislation is necessary for the immediate
33 protection of the public interest. This Act takes effect on July 1, 2008.

34 *Approved:*

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Michael J. Knapp, President, County Council

Date

37 *Approved:*

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Isiah Leggett, County Executive

Date

40 *This is a correct copy of Council action.*

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Linda M. Lauer, Clerk of the Council

Date

LEGISLATIVE REQUEST REPORT

Expedited Bill 8-08, Personnel – Disability Retirement – Group G

- DESCRIPTION:** The requested legislation provides that a Group G member who incurs certain enumerated diseases is eligible to receive service-connected disability retirement benefits.
- PROBLEM:** The proposed legislation accomplishes the change contained in the Memorandum of Agreement between the Montgomery County Government and the Montgomery County Career Firefighters Association, International Association of Fire Fighters Local 1664 Fire Rescue Association for a new term agreement effective July 1, 2008 through June 30, 2011.
- GOALS AND OBJECTIVES:** To statutorily implement the terms of the new term agreement negotiated with the IAFF.
- COORDINATION:** Office of Human Resources
- FISCAL IMPACT:** Office of Management and Budget
- ECONOMIC IMPACT:** Can be found on page 8-17 of the County Executive's FY 09 Recommended Operating Budget.
- EVALUATION:** n/a



OFFICE OF THE COUNTY EXECUTIVE
ROCKVILLE, MARYLAND 20850

Isiah Leggett
County Executive

MEMORANDUM

March 27, 2008

TO: Michael J. Knapp, President
Montgomery County Council

FROM: Isiah Leggett, County Executive

SUBJECT: Expedited Bill to Amend the County Disability Retirement Law

Recently I transmitted for the Council's review the Memorandum of Agreement between the Montgomery County Government and the Montgomery County Career Firefighters Association, International Association of Fire Fighters Local 1664 Fire Rescue Association for a new term agreement effective July 1, 2008 through June 30, 2011. The attached expedited bill which flows from that agreement provides that a Group G member who incurs certain enumerated diseases is entitled to receive service-connected disability retirement benefits. The fiscal impact of this bill can be found on page 8-17 of the County Executive's FY 09 Recommended Operating Budget.

Attachments

IL:sw