Expedited Bill No. 12-17

Concerning: Fire and Rescue Services – Length of Service Awards Program for Volunteers - Amendments

Revised: May 17, 2017 Draft No. 2

Introduced: May 2, 2017

Enacted: June 13, 2017

Executive: June 26, 2017

Effective: July 1, 2017/January 1, 2018

Sunset Date: None

Ch. 16 , Laws of Mont. Co. 2017

**County Council**

**For Montgomery County, Maryland**

Lead Sponsor: Council President at the request of the County Executive

**AN EXPEDITED ACT** to:

1. increase the amount of the length of service benefit to certain local fire and rescue department volunteers;
2. require benefits to be paid through direct deposit;
3. modify the requirements to earn credit for stand-by duty; and
4. generally amend the length of service award program for volunteers.

By amending

Montgomery County Code

Chapter 21, Fire and Rescue Services

Section 21-21

**Boldface** *Heading or defined term.*

Underlining *Added to existing law by original bill.*

**[**Single boldface brackets**]** *Deleted from existing law by original bill.*

Double underlining *Added by amendment.*

**[[**Double boldface brackets**]]** *Deleted from existing law or the bill by amendment.*

\* \* \* *Existing law unaffected by bill.*

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

**Sec. 1. Section 21-21 is amended as follows:**

**21-21. Length of service award program for volunteers.**

\* \* \*

(c) *Length of service benefits.*

(1) Volunteers Who Qualified Before 1985. Effective January 1, 1985, any volunteer who qualified for a monthly award payment before January 1, 1985, must receive monthly award payments equal to 150 percent of the pre-1985 monthly award payment.

(2) Volunteers Who Qualify in 1985 or Later - 25 Years of Service.

(A) Effective January 1, 1985, a volunteer qualifies for a 25-year award payment when the volunteer:

(i) is at least age 55, if the volunteer completed 25 years as an active volunteer before 1996, or

(ii) is any age, if the volunteer completed 25 years as an active volunteer on or after January 1, 2004.

(B) A volunteer who qualifies under this paragraph must receive an award payment of:

(i) $233 **[**$230**]** per month for life; and

(ii) $11.70 **[**$11.50**]** per month for life for each year of service as an active volunteer over 25 years (up to $117 **[**$115**]** per month). The maximum total benefit is $350 **[**$345**]** per month.

(3) Volunteers Who Qualify in 1985 or Later - 15 years of Service.

(A) Effective January 1, 1985, a volunteer qualifies for a 15-year award payment when the volunteer:

(i) has served 15 years as an active volunteer after January 1, 1955; and

(ii) is at least age 60.

(B) A volunteer who qualifies under this paragraph must receive an award payment of $9.32 **[**$9.20**]** per month for life for each year of service as an active volunteer.

(4) Volunteers Who Qualify in 1985 or Later - 10 Years of Service.

(A) Effective January 1, 1985, a volunteer qualifies for a 10-year award payment when the volunteer:

(i) has served 10 years as an active volunteer; and

(ii) is at least age 65.

(B) A volunteer who qualifies under this paragraph must receive an award payment of $9.32 **[**$9.20**]** per month for life for each year of service as an active volunteer.

**[[**(C)**]]** (5) All years of service, including past years of service, must be included.

**[[**(5)**]]** (6) A volunteer must receive a 3.5% increase, for a maximum total benefit of no more than $362.00 per month, to his or her LOSAP benefit payment if he or she:

(A) received LOSAP benefit payments as of December 31, 2015; and

(B) qualified for the higher nominal fee, as described in Article 12 of the fire and rescue volunteers collective bargaining agreement, for calendar year 2015 by:

(i) being on the Integrated Emergency Command Structure (IECS) certified list;

(ii) receiving 30 LOSAP points for department or station responses; and

(iii) receiving 20 LOSAP points for sleep-in or stand-by service.

\* \* \*

(i) *Administration.*

(1) The County Executive or the Executive’s designee must administer this Section under Executive Regulations adopted under method (3).

(2) The County must pay benefits under this section from the first day of the first month after the volunteer, surviving spouse or domestic partner, or volunteer's estate qualifies for the benefit, except that benefits must not be paid for any period before the application for the benefit is filed.

\* \* \*

**[[**(3)**]]** (5) All LOSAP payments must be made by direct deposit.

\* \* \*

(k) *Point System.*

\* \* \*

(3) **[**Sleep-in or**]** Stand-by - 20 points maximum*.* **[**Sleep-in service earns 1 point for each full night. Stand-by service earns 1 point for each period of on-duty activity of the fire department or rescue squad that lasts for at least 4 hours and does not fall under another category in this subsection.**]** Integrated Emergency Command Structure (IECS) certified personnel may earn stand-by LOSAP points for performing on-duty activity at the rate of:

(A) one quarter point for every hour of stand-by service a volunteer is assigned to a unit available for response; and

(B) one point for every 4 hours of stand-by service the volunteer is available for response in the station, but not assigned to a specific unit.

Stand-by service must be recorded in the data system provided by the County. A volunteer must not earn more than 3 points for stand-by service during any 24-hour period.

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

The Council declares that this legislation is necessary for the immediate protection of the public interest. The amendments in Section 1, except for the amendments to subsection (k), take effect on July 1, 2017. The amendments to subsection (k) in Section 1 take effect on January 1, 2018.

*Approved:*

/s/ 6/15/17

Roger Berliner, President, County Council Date

*Approved:*

/s/ 6/26/17

Isiah Leggett, County Executive Date

*This is a correct copy of Council action.*

/s/ 6/27/17

Linda M. Lauer, Clerk of the Council Date