

Introduced 10/07/2013
Public Hearing 10/21/2013
Council Action Withdrawn 11/4/13
Executive Action _____
Effective Date _____

County Council of Howard County, Maryland

2013 Legislative Session

Legislative Day No. 12

Bill No. 47 -2013

Introduced by: The Chairperson at the request of the County Executive

AN ACT amending the Length of Service Award Program for volunteer firefighting/EMS personnel; amending the payment amount; providing for burial benefits and survivor benefits; amending certain reporting requirements; amending certain deadlines; clarifying the points received for military service; making certain technical corrections; providing for the application of this act; and generally relating to the Length of Service Award Program.

Introduced and read first time Oct. 7, 2013. Ordered posted and hearing scheduled.

By order Sheila M. Tolliver
Sheila M. Tolliver, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on Oct. 21, 2013.

By order Sheila M. Tolliver
Sheila M. Tolliver, Administrator

This Bill was read the third time on Nov 4, 2013 and Passed , Passed with amendments , Failed .
✓ Was withdrawn

By order Sheila M. Tolliver
Sheila M. Tolliver, Administrator

Sealed with the County Seal and presented to the County Executive for approval this ___ day of _____, 2013 at ___ a.m./p.m.

By order _____
Sheila M. Tolliver, Administrator

Approved/Vetoed by the County Executive _____, 2013

Ken Utman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment.

1 *Section 1. Be It Enacted by the County Council of Howard County, Maryland, that the*
2 *Howard County Code is amended as follows:*

3
4 *By amending:*

5 *Title 17, Public Protection Services*

6 *Section 17.103 "Payments to volunteer fire corporations"*

7 *Subsection (h)*

8
9 **Title 17. Public Protection Services.**

10 **Subtitle 1. Fire and Rescue Services.**

11
12 **Section 17.103. Payments to volunteer fire corporations.**

13 (h) Length of service award program for volunteer firefighting/EMS personnel.

14 (1) *Definitions.* Words and phrases used in this section shall have their usual
15 meaning, except as specifically defined in this subsection.

16 (i) *Creditable points* means points which may be credited pursuant to
17 paragraph (7), "Active Service Standards," of this subsection.

18 (ii) *EMS* means emergency medical services.

19 (iii) *Length of service awards program (LOSAP)* is a program awarding
20 monthly payments after a certain number of years of certified
21 active service to volunteers.

22 (iv) *Year of certified active service* means a period from [[July 1]]
23 JANUARY 1 to [[June 30]] DECEMBER 31 during which 50 creditable
24 points have been accumulated according to the criteria set forth in
25 this subsection and listed by the Director of Fire and Rescue
26 Services as further set forth in this subsection.

27 (v) *Volunteer/volunteers* means firefighting/EMS personnel unpaid for
28 their training or work, who MEET CURRENT MINIMUM OPERATIONAL
29 REQUIREMENTS AND donate their time and services to a volunteer
30 fire corporation listed in subsection (i) of this section or to the
31 Howard County Department of Fire and Rescue Services.

- 1 (2) *Establishment of length of service awards program (LOSAP)* means in
2 recognition of their extensive volunteer service to the citizens of Howard
3 County, the Howard County Government shall make a length of service
4 award program (LOSAP) available to volunteers.
- 5 (3) *Eligibility* means in order to qualify for a LOSAP payment a volunteer
6 shall have:
 - 7 (i) Attained the age of 50;
 - 8 (ii) Completed A TOTAL OF 25 years of certified active service IN
9 HOWARD COUNTY; and
 - 10 (iii) Submitted [[an application]] A WRITTEN REQUEST for the LOSAP
11 payment to the Director of Fire and Rescue Services OR THE
12 DIRECTOR'S DESIGNEE.
- 13 (4) *[[Benefits]]PAYMENTS:*
 - 14 (i) EFFECTIVE JULY 1, 2014, [[The]] the LOSAP payment provided for
15 herein shall be [[\\$250.00]] ONE PERCENT OF THE CURRENT STARTING
16 SALARY OF A TRAINEE IN THE DEPARTMENT OF FIRE AND RESCUE
17 SERVICES per month for life.
 - 18 (ii) The LOSAP payments shall begin the month following verification
19 of eligibility.
 - 20 (iii) In addition to the [[\\$250.00]] PAYMENT provided for in
21 subparagraph (i) of this paragraph, the sum of \$10.00 per month
22 shall be added for each full year of certified active service over 25
23 years, PROVIDED THE VOLUNTEER CONTINUES TO MEET CURRENT
24 MINIMUM OPERATIONAL REQUIREMENTS.
 - 25 (iv) General increases in the LOSAP payment shall apply to all present
26 and future recipients.
- 27 (5) *BENEFITS. IF A QUALIFIED VOLUNTEER DIES AFTER JANUARY 1, 2014:*
 - 28 (I) A BURIAL BENEFIT OF \$5,000.00 SHALL BE PAID TO:
 - 29 A. THE BENEFICIARY OR BENEFICIARIES DESIGNATED BY THE
30 VOLUNTEER TO RECEIVE SUCH BENEFIT AND SUCH DESIGNATION
31 MAY BE CHANGED FROM TIME TO TIME BY THE VOLUNTEER BY
32 FILING A NEW DESIGNATION; OR

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B. IF THERE IS NO DESIGNATED BENEFICIARY, THE BURIAL BENEFIT SHALL BE PROVIDED IN ACCORDANCE WITH SECTION 1.448(C) OF THE HOWARD COUNTY CODE.

(II) A SURVIVOR BENEFIT EQUIVALENT TO THE TOTAL OF SIX (6) MONTHS LOSAP PAYMENT SHALL BE PAID TO:

A. THE BENEFICIARY OR BENEFICIARIES DESIGNATED BY THE VOLUNTEER TO RECEIVE SUCH BENEFIT AND SUCH DESIGNATION MAY BE CHANGED FROM TIME TO TIME BY THE VOLUNTEER BY FILING A NEW DESIGNATION; OR

B. IF THERE IS NO DESIGNATED BENEFICIARY, THE BURIAL BENEFIT SHALL BE PROVIDED IN ACCORDANCE WITH SECTION 1.448(C) OF THE HOWARD COUNTY CODE.

[[(5)]](6) *Funding* means LOSAP payments shall be paid from the fire and rescue [[district]] tax FUND [proceeds for eligible recipients who volunteered in that district]].

[[(6)]](7) *Administration:*

(i) The President and Chief of each Volunteer Fire Corporation and the designee for volunteers of the Howard County Department of Fire and Rescue Services shall submit to the Director of Fire and Rescue Services OR THE DIRECTOR'S DESIGNEE, each month, a list of those volunteers who have qualified for points during the previous month, A SUMMARY OF THE POINTS EARNED IN EACH CATEGORY DURING THE PREVIOUS MONTH and [[a summary of the]] THE TOTAL points earned IN EACH CATEGORY YEAR TO DATE [[during that month]]. The list [[shall be on forms furnished by the Director of Fire and Rescue Services and]] shall be certified as AN accurate REPORT OF THE POINTS EARNED BY EACH VOLUNTEER ON THE LIST by the President and Chief of the Volunteer Fire Corporation and by the designee for volunteers of the Howard County Department of Fire and Rescue Services.

(ii) From the information furnished by the Volunteer Fire Corporations insofar as their volunteers are concerned, and from accumulated

1 information insofar as volunteers of the Howard County
2 Department of Fire and Rescue Services are concerned, the
3 Director of Fire and Rescue Services shall ~~[[compile]]~~ PROVIDE TO
4 THE PRESIDENT AND CHIEF OF EACH VOLUNTEER CORPORATION a
5 ~~[[list]]~~ YEARLY REPORT indicating the number of points credited to
6 each individual during the previous year no later than ~~[[August~~
7 ~~15]]~~ JANUARY 31 of each year ~~[[, the Director of Fire and Rescue~~
8 Services shall post the list at each fire station for 30 days]].

- 9 (iii) A volunteer may appeal the number of points credited to him/her
10 by filing a written appeal with the Director of Fire and Rescue
11 Services by MARCH 31 ~~[[September 15 immediately following the~~
12 posting of the list]]. The appeal shall contain sufficient detail to
13 permit the Director of Fire and Rescue Services to rule on the
14 matter. The Director of Fire and Rescue Services shall issue a
15 written decision within 60 days of receiving the appeal. A
16 volunteer may appeal the decision of the Director of Fire and
17 Rescue Services to the Board of Appeals in accordance with its
18 rules and procedures.

19 ~~[[7]]~~(8) *Active service standards:*

- 20 (i) To receive credit for a year of active service, a volunteer must have
21 accumulated at least 50 creditable points during the year.
- 22 (ii) Points shall be credited for the period from ~~[[July 1]]~~ JANUARY 1
23 through ~~[[June 30]]~~ DECEMBER 31 and shall not be transferrable
24 from one year to the next.
- 25 (iii) Volunteers who also serve as career OR CONTINGENT
26 firefighting/EMS personnel of the Howard County Department of
27 Fire and Rescue Services shall not be credited with points for
28 activities performed during County-assigned work periods.
- 29 (iv) Points shall be credited as follows:
30 a. *Training course.* Twenty-five points maximum per year:

1. Five points per course for courses under 20 hours' duration, including one-day courses, seminars, cardio-pulmonary resuscitation and similar training courses.
 2. Ten points per course for courses of 20 to 45 hours' duration, including [[short courses,]] regional fire schools and similar courses.
 3. Fifteen points per course for courses of over 45 hours' duration, including University of Maryland fire-related courses, emergency medical care courses, fire science courses of any accredited college or university and similar courses.
- b. *Drills.* Twenty points maximum per year. One point for each minimum two-hour drill.
 - c. *Sleep-in or standby.* Thirty points maximum per year.
 1. One point for each full night sleep-in.
 2. One point for each standby which is an on-duty activity which consumes at least four hours and does not fall into any other category.
 - d. *Elected or appointed position.* Fifty points maximum per year. Points will be awarded on a monthly basis for the time served. Points may not be concurrently credited for this category and under subparagraph e. below for attending meetings within Howard County. Points will be awarded in only one of the categories below. However, individuals serving in more than one category may be awarded 12 additional points (one point per month) for each other office/committee position held.

Office	Maximum Annual	Points per Month
Chief, president, treasurer, secretary	50	4.16
All other elected corporate, County or State association offices	25	2.08
Fire and rescue services board representative	25	2.08
Committees	25	2.08

- 1 e. *Attendance at meetings.* Twenty points maximum per year.
2 One point per meeting.
- 3 f. *Responses.* Forty points maximum per year. One-half point
4 for each response, regardless of its nature.
- 5 g. *Military service.* A MAXIMUM OF FOUR YEARS CREDITABLE
6 SERVICE MAY BE ACQUIRED FOR MILITARY SERVICE AS
7 PROVIDED IN THIS ITEM. Fifty points per year shall be
8 credited if volunteer service is interrupted by full-time
9 extended obligatory military service [[or by a single
10 voluntary enlistment which does not exceed four years in
11 the armed forces of the United States]], PROVIDED THE
12 VOLUNTEER:
13 I. IS AN ACTIVE MEMBER IN GOOD STANDING;
14 II. HAS AT LEAST ONE YEAR OF PRIOR VOLUNTEER
15 SERVICE;
16 III. PROVIDES OFFICIAL MILITARY ORDERS; AND
17 IV. IS DISCHARGED OR RELEASED FROM MILITARY SERVICE
18 UNDER HONORABLE CONDITIONS.
- 19 h. *Permanent disability.* Fifty points per year shall be
20 credited to any volunteer who is FOUND TO BE
21 permanently AND TOTALLY disabled BY AN

1 ADMINISTRATIVE BODY OR COURT OF COMPETENT
2 JURISDICTION AUTHORIZED TO MAKE SUCH A
3 DETERMINATION in the line of duty as a volunteer.

4 **[[**(8) *Retroactivity and establishment of prior service:*

- 5 (i) Pensions in existence on the effective date of this section shall
6 continue in force.
7 (ii) A list posted in each fire station on or about March 1, 1982,
8 established the number of years of active service of each volunteer
9 as of December 31, 1981.]]

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11 *Section 2. And Be It Further Enacted by the County Council of Howard County,*
12 *Maryland, that LOSAP payments shall be computed through June 30, 2014 in*
13 *accordance with Section 17.103 as it was in effect on October 7, 2013.*

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15 *Section 3. And Be It Further Enacted by the County Council of Howard County,*
16 *Maryland, that this Act shall become effective 61 days after its enactment.*