

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001**

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**HOUSE BILL 1657**

Short Title: Durham Firemen's Retirement.

(Local)

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Sponsors: Representatives Michaux; and Luebke.

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Referred to: Pensions and Retirement.

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June 13, 2002

A BILL TO BE ENTITLED

1 AN ACT TO AMEND THE PROVISIONS OF THE DURHAM FIREMEN'S  
2 SUPPLEMENTAL RETIREMENT SYSTEM.

3 The General Assembly of North Carolina enacts:

4 **SECTION 1.** Subsection (a) of Section 2 of Chapter 576 of the 1951 Session  
5 Laws reads as rewritten:

6 "(a) Two members of said board of trustees shall be chosen as follows: One  
7 member from the uniformed membership of the Durham Fire Department and one  
8 member from the uniformed membership of the Durham Fire Department or may be  
9 chosen from the roster of retired uniformed members of the Durham Fire Department  
10 and shall be elected by a majority vote of the uniformed members of the Fire  
11 Department of the City of Durham; one of said members shall hold office for a period of  
12 one year, and the other member so appointed shall hold office for a period of two years;  
13 thereafter, each of said two members chosen ~~from~~ by the uniformed members of the  
14 Durham Fire Department shall be appointed for a term of office consisting of a period  
15 of two years each."

16 **SECTION 2.** Subsection (f) of Section 2 of Chapter 576 of the 1951 Session  
17 Laws reads as rewritten:

18 "(f) Compensation of Trustees. The members of the Board of Trustees of the  
19 Durham Firemen's Supplemental Retirement System shall serve without compensation,  
20 except the Treasurer of the Board, but they shall be reimbursed for all necessary  
21 expenses incurred through service upon said board. The Treasurer of the Board will be  
22 compensated at a reasonable amount determined by the Board of Trustees of the  
23 Durham Firemen's Supplemental Retirement System."

24 **SECTION 3.** Subsection (q) of Section 2 of Chapter 576 of the 1951 Session  
25 Laws is repealed.

26 **SECTION 4.** Chapter 576 of the 1951 Session Laws is amended by adding a  
27 new section to read:  
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1        "Sec. 4.4. All eligible retirees shall submit application to the Durham Firemen's  
2 Supplemental Retirement System for them to receive supplemental benefits no later  
3 than the 10<sup>th</sup> of the month of his or her retirement date from the North Carolina Local  
4 Governmental Employees' Retirement System. Should he or she fail to file application  
5 on time, he or she will lose his or her monthly retirement compensation until the month  
6 in which the application is filed properly. Any retiree who has not complied with this  
7 procedure will be given three months from date of the ratification of this amendment to  
8 file application and, if this is not complied with, he or she will not receive retroactive  
9 retirement compensation. Their date of retirement with the supplemental system will  
10 start only with the 10<sup>th</sup> of the month in which they file application."

11                **SECTION 5.** Section 1 of Chapter 577 of the 1951 Session Laws reads as  
12 rewritten:

13        **"Section 1.** G.S. 118-7 is here amended by adding at the end of said Section a  
14 proviso which shall read as follows:

15        'Provided, that the board of trustees duly appointed under ~~§118-6, General Statutes~~  
16 ~~of North Carolina, G.S. 58-84-30~~ shall be required to pay over to the Board of Trustees  
17 of the Durham Firemen's Supplemental Retirement System on ~~July 1<sup>st</sup>~~ September 1 of  
18 each year all sums entrusted to said trustees in excess of twenty thousand dollars  
19 (\$20,000).'"

20                **SECTION 6.** This act applies only to the City of Durham.

21                **SECTION 7.** This act is effective when it becomes law.