

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE DRH50507-LL-128 (2/27)

Short Title: Extend Fire and Rescue Death Benefits. (Public)

Sponsors: Representative Holliman.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE LINE-OF-DUTY DEATH BENEFITS AND WORKERS' COMPENSATION TO FIRE AND RESCUE INSTRUCTORS WHO ARE OTHERWISE ELIGIBLE FOR THESE BENEFITS BUT WHO ARE NOT CURRENTLY COVERED WHILE CONDUCTING FIRE AND RESCUE TRAINING OUTSIDE THEIR OWN DEPARTMENTS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 58-87-10(a) reads as rewritten:

"(a) Definition. – As used in this section, the term "eligible unit" means a volunteer fire department or volunteer rescue/EMS unit that is not part of a unit of local government and is exempt from State income tax under ~~G.S. 105-130.11~~G.S. 105-130.11, and includes members of any eligible unit who are otherwise eligible for benefits but are conducting fire and rescue training to another eligible unit."

SECTION 2. G.S. 143-166.2(d) reads as rewritten:

"(d) The term "law-enforcement officer", "officer", or "fireman" shall mean a sheriff and all law-enforcement officers employed full-time, permanent part-time, or temporarily by a sheriff, the State of North Carolina or any county or municipality thereof, whether paid or unpaid; and all full-time custodial employees and probation and parole officers of the North Carolina Department of Correction; and all full time institutional and full-time, permanent part-time, and temporary detention employees of the Department of Juvenile Justice and Delinquency Prevention and full-time, permanent part-time, and temporary detention officers employed by any sheriff, county or municipality, whether paid or unpaid. The term "firemen" shall mean both "eligible fireman"; or "fireman" as defined in G.S. 58-86-25 and all full-time, permanent part-time and temporary employees of the North Carolina Division of Forest Resources, Department of Environment and Natural Resources, during the time they are actively

1 engaged in fire-fighting activities; and shall mean all full-time employees of the North
2 Carolina Department of Insurance during the time they are actively engaged in
3 fire-fighting activities, during the time they are training fire fighters or rescue squad
4 workers, and during the time they are engaged in activities as members of the State
5 Emergency Response Team, when the Team has been ~~activated~~, activated, and all
6 otherwise eligible persons acting in the capacity of a fire or rescue instructor. The term
7 "rescue squad worker" shall mean a person who is dedicated to the purpose of
8 alleviating human suffering and assisting anyone who is in difficulty or who is injured
9 or becomes suddenly ill by providing the proper and efficient care or emergency
10 medical services. In addition, this person must belong to an organized rescue squad
11 which is eligible for membership in the North Carolina Association of Rescue Squads,
12 Inc., and the person must have attended a minimum of 36 hours of training and
13 meetings in the last calendar year. Each rescue squad belonging to the North Carolina
14 Association of Rescue Squads, Inc., must file a roster of those members meeting the
15 above requirements with the State Treasurer on or about January 1 of each year, and this
16 roster must be certified to by the secretary of said association. In addition, the term
17 "rescue squad worker" shall mean a member of an ambulance service certified by the
18 Department of Health and Human Services pursuant to Article 7 of Chapter 131E of the
19 General Statutes. The Department of Health and Human Services shall furnish a list of
20 ambulance service members to the State Treasurer on or about January 1 of each year.
21 The term "Civil Air Patrol members" shall mean those senior members of the North
22 Carolina Wing-Civil Air Patrol 18 years of age or older and currently certified pursuant
23 to G.S. 143B-491(a). The term "fireman" shall also mean county fire marshals when
24 engaged in the performance of their county duties. The term "rescue squad worker"
25 shall also mean county emergency services coordinators when engaged in the
26 performance of their county duties."

27 **SECTION 3.** This act is effective when it becomes law and applies to death
28 benefits awarded on or after that date under Article 12A of Chapter 143 of the General
29 Statutes.