

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 320

Short Title: Firemen's Pension Fund Change.

(Public)

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Sponsors: Representatives Kahl; Albertson, Barbee, Culp, DeVane, Gottovi, Greenwood, Hensley, Hurley, Jeffus, Jordan, Kerr, McLawhorn, Mercer, Privette, Redwine, Stamey, Wainwright, and Wood.

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Referred to: Pensions and Retirement.

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March 25, 1991

A BILL TO BE ENTITLED

1 AN ACT TO ALLOW ADDITIONAL RETROACTIVE MEMBERSHIP IN THE  
2 NORTH CAROLINA FIREMEN'S AND RESCUE SQUAD WORKERS'  
3 PENSION FUND.  
4

5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 58-86-45 reads as rewritten:

7 "**§ 58-86-45. Additional retroactive membership.**

8 (a) Any fireman or rescue squad worker who is now eligible and is a member of  
9 a fire department or rescue squad chartered by the State of North Carolina and who has  
10 not previously elected to become a member may make application through the board of  
11 trustees for membership in the fund on or before March 31, ~~1987-~~1992. The person shall  
12 make a lump sum payment of five dollars (\$5.00) per month retroactively to the time he  
13 first became eligible to become a member, plus interest at an annual rate of eight  
14 percent (8%), for each year of his retroactive payments. Upon making the lump sum  
15 payment, the person shall be given credit for all prior service in the same manner as if  
16 he had made application for membership at the time he first became eligible. Any  
17 member who made application for membership subsequent to the time he was first  
18 eligible and did not receive credit for prior service may receive credit for this prior  
19 service upon lump sum payment of five dollars (\$5.00) per month retroactively to the  
20 time he first became eligible, plus interest at an annual rate of eight percent (8%), for  
21 each year of his retroactive payments. Upon making this lump sum payment, the date of  
22 membership shall be the same as if he had made application for membership at the time

1 he was first eligible. Any fireman or rescue squad worker who has applied for prior  
2 service under this subsection shall have until October 1, ~~1989~~, 1992, to pay for this prior  
3 service and, if this payment is not made by October 1, ~~1989~~, 1992, he shall not receive  
4 credit for this service.

5 (b) Effective April 1, ~~1987~~, 1992, any fireman or rescue squad worker who has  
6 not reached his thirty-fifth birthday who is eligible and who has not previously elected  
7 to become a member may make application through the board of trustees for  
8 membership in the fund at any time. The person shall make a lump sum payment of five  
9 dollars (\$5.00) per month retroactively to the time he first became eligible to become a  
10 member, plus interest at an annual rate to be set by the board of trustees, for each year  
11 of his retroactive payments. Upon making this lump sum payment, the person shall be  
12 given credit for all prior service in the same manner as if he had made application for  
13 membership at the time he first became eligible. Any member who has not reached his  
14 thirty-fifth birthday who made application for membership subsequent to the time he  
15 was first eligible and did not receive credit for prior service may receive credit for such  
16 prior service upon lump sum payment of five dollars (\$5.00) per month retroactively to  
17 the time he first became eligible, plus interest at an annual rate to be set by the board of  
18 trustees, for each year of his retroactive payments. Upon making this lump sum  
19 payment, the date of membership shall be the same as if he had made application for  
20 membership at the time he was first eligible. Any fireman or rescue squad worker who  
21 applies for prior service under this subsection shall have six months from the date of his  
22 application to pay for this prior service and if the payment is not made within that time  
23 he shall not receive credit for the prior service."

24 Sec. 2. This act becomes effective July 1, 1991.