

GENERAL ASSEMBLY OF NORTH CAROLINA
1995 SESSION

CHAPTER 421
SENATE BILL 499

AN ACT TO ALLOW THE PAYMENT OF ADDITIONAL BENEFITS TO RESCUE
AND EMERGENCY MEDICAL SERVICES WORKERS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 58-88-5 reads as rewritten:

"§ 58-88-5. Rescue Squad Workers' Relief Fund; trustees; disbursement of funds.

(a) The 'Rescue Squad Workers' Relief Fund' is created. It consists of the revenue credited to the Fund under G.S. 20-183.7(c) and shall be used for the purposes set forth in this Article.

(b) The Executive Committee of the Association shall be the Board of Trustees of the Fund. The Board shall consist of the Commander, Vice-Commander, Secretary-Treasurer, and two past Commanders of the Association. The Commander shall be the Chairman of the Board. The Commander, Vice-Commander, and Secretary-Treasurer shall appoint the two past Commanders of the Association, who shall serve at the pleasure of the appointing officers.

(c) The Commissioner of Insurance has exclusive control of the Fund and shall disburse revenue in the Fund to the Association only for the following purposes:

- (1) To safeguard any rescue or EMS worker in active service from financial loss, occasioned by sickness contracted or injury received while in the performance of his or her duties as a rescue or EMS worker.
- (2) To provide a reasonable support for those persons actually dependent upon the services of any rescue or EMS worker who may lose his or her life in the service of his or her town, county, city, or the State, either by accident or from disease contracted or injury received by reason of such service. The amount is to be determined according to the earning capacity of the deceased.
- (3) To award scholarships to children of members, deceased members or retired members in good standing, for the purpose of attending a two year or four year college or university, and for the purpose of attending a two year course of study at a community college or an accredited trade or technical school, any of which is located in the State of North Carolina. Continuation of the payment of educational benefits for children of active members shall be conditioned on the continuance of active membership in the rescue or EMS service by the parent or parents.

- (4) To pay death benefits to those persons who were actually dependent upon any member killed in the line of duty.
- (4a) To pay additional benefits approved by the Board of Trustees of the Fund to rescue and EMS workers who are eligible pursuant to G.S. 58-88-10 and who are members of the Association.
- (5) Notwithstanding any other provision of law, no expenditures shall be made pursuant to subdivisions (1), (2), (3), ~~and (4)-(4)~~, and (4a) of this subsection unless the Board has certified that ~~such~~the expenditures will not render the Fund actuarially unsound for the purpose of providing the benefits set forth in subdivisions (1), (2), (3), ~~and (4)-(4)~~, and (4a). If, for any reason, funds made available for subdivisions (1), (2), (3), ~~and (4)-(4)~~, and (4a) are insufficient to pay in full any benefit, the benefits pursuant to subdivisions (1), (2), (3), ~~and (4)-(4)~~, and (4a) shall be reduced pro rata for as long as the amount of insufficient funds exists. No claims shall accrue with respect to any amount by which a benefit under subdivisions (1), (2), (3), ~~and (4)-(4)~~, and (4a) has been reduced."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 12th day of July, 1995.

Dennis A. Wicker
President of the Senate

Harold J. Brubaker
Speaker of the House of Representatives