WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1982

ENROLLED

Com. Sub. for
HOUSE BILL No. 1159

(By Mr. Farley)

Passed March 12, 1982
InEffect Ninety Days From Passage
ENROLLED
COMMITTEE SUBSTITUTE
FOR
H. B. 1159
(By Mr. Farley)

[Passed March 12, 1982; in effect ninety days from passage.]

AN ACT to amend and reenact sections twenty, twenty-three-a, twenty-four, twenty-five, twenty-six and twenty-seven, article twenty-two, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended; and to amend and reenact section fourteen-d, article three, chapter thirty-three of said code, all relating to correcting grammatical and technical errors; eliminating obsolete code provisions concerning sums paid to members of municipal policemen's and firemen's pension and relief fund eligible for disability pension benefits prior to the first day of July, one thousand nine hundred eighty-one; providing for eligibility for retirement pension benefits for members of municipal policemen's and firemen's pension and relief funds whose service was interrupted, prior to the first day of July, one thousand nine hundred eighty-one, by duty with the United States armed forces; specifying six percent interest as interest to be paid whenever return of contributions occurs and is to be made to a nondependent beneficiary or the estate; allowing service credit for members of armed reserve units, national guard units and air national guard units when their units are called into active duty for one year or more; and requiring the state auditor to authorize the distribution of revenues from the municipal pensions and protection fund.
Be it enacted by the Legislature of West Virginia:

That sections twenty, twenty-three-a, twenty-four, twenty-five, twenty-six and twenty-seven, article twenty-two, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted; and that section fourteen-d, article three, chapter thirty-three of said code be amended and reenacted, all to read as follows:

CHAPTER 8. MUNICIPAL CORPORATIONS.

ARTICLE 22. RETIREMENT BENEFITS GENERALLY; POLICEMEN'S PENSION AND RELIEF FUND; FIREMEN'S PENSION AND RELIEF FUND; PENSION PLANS FOR EMPLOYEES OF WATERWORKS SYSTEM, SEWERAGE SYSTEM OR COMBINED WATERWORKS AND SEWERAGE SYSTEM.


The board of trustees for each pension and relief fund shall have regularly scheduled actuarial valuation reports prepared by a qualified actuary. All of the following standards must be met:

(a) An actuarial valuation report shall be prepared at least once every three years commencing with the later of (1) the first day of July, one thousand nine hundred eighty-three, or (2) three years following the most recently prepared actuarial valuation report: Provided, That this most recently prepared actuarial valuation report meets all of the standards of this section.

(b) The actuarial valuation report shall consist of, but is not limited to, the following disclosures: (1) the financial objective of the fund and how the objective is to be attained, (2) the progress being made toward realization of the financial objective, (3) recent changes in the nature of the fund, benefits provided, or actuarial assumptions or methods, (4) the frequency of actuarial valuation reports and the date of the most recent actuarial valuation report, (5) the method used to value fund assets, (6) the extent to which the qualified actuary relies on the data provided and whether the data was certified by the fund's auditor or examined by the qualified actuary for reasonableness, (7) a
description and explanation of the actuarial assumptions and methods, and (8) any other information the qualified actuary feels is necessary or would be useful in fully and fairly disclosing the actuarial condition of the fund.

(c) After the thirtieth day of June, one thousand nine hundred eighty-three, and thereafter, the financial objective of each municipality shall not be less than to contribute to the fund annually an amount which, together with the contributions from the members and the allocable portion of the state premium tax fund for municipal pension and relief funds established under section fourteen-d, article three, chapter thirty-three of this code and other income sources as authorized by law, will be sufficient to meet the normal cost of the fund and amortize any actuarial deficiency over a period of not more than forty years: Provided, That for those funds in existence on the first day of July, one thousand nine hundred eighty-one, its actuarial deficiency, if any, shall not be amortized over a period longer than that which remains under its current schedule. For purposes of determining this minimum financial objective, (1) the value of the fund’s assets shall be determined on the basis of any reasonable actuarial method of valuation which takes into account fair market value, and (2) all costs, deficiencies, rate of interest, and other factors under the fund shall be determined on the basis of actuarial assumptions and methods which, in aggregate, are reasonable (taking into account the experience of the fund and reasonable expectations) and which, in combination, offer the qualified actuary’s best estimate of anticipated experience under the fund. If as a result of this legislation a municipality’s financial commitment to the fund is materially increased, the municipality may elect to phase in this increase over the five fiscal years commencing the first day of July, one thousand nine hundred eighty-three.

(d) For purposes of this section the term “qualified actuary” means only an actuary who is a member of the Society of Actuaries or the American Academy of Actuaries. The qualified actuary shall be designated a fiduciary and shall discharge his duties with respect to a fund solely in
the interest of the members and member's beneficiaries of that fund. In order for the standards of this section to be met, the qualified actuary shall certify that the actuarial valuation report is complete and accurate and that in his opinion the technique and assumptions used are reasonable and meet the requirements of this section of this article.

(e) The cost of the preparation of the actuarial valuation report shall be paid by the fund.

§8-22-23a. Eligibility for total and temporary disability pensions and total and permanent disability pensions.

(a) All members applying for total and temporary or total and permanent disability benefits after the thirtieth day of June, one thousand nine hundred eighty-one, shall be examined by at least two physicians under the direction of the staff at Marshall University, West Virginia University, Morgantown or West Virginia University, Charleston: Provided, That if such member's medical condition cannot be agreed upon by two such physicians, a third physician shall examine such member. Such medical examination shall include the review of such member's medical history. The expense of the member's transportation to such medical examination and the expense of the medical examination shall be paid by the board of trustees, such medical expense shall not exceed the reasonable and customary charges for such services.

(b) Effective for members becoming eligible for total and temporary disability benefits after the thirtieth day of June, one thousand nine hundred eighty-one, initially or previously under this subsection allowance for initial or additional total and temporary disability payments, the amount thereof to be determined as specified in section twenty-four of this article, shall be paid to such member during such disability for a period not exceeding twenty-six weeks if after a medical examination in accordance with subsection (a) of this section of this article, two examining physicians report in writing to the board of trustees that (1) such member has become so totally, physically or mentally disabled, from any reason, as to render such member totally, physically or mentally, incapacitated for employment as a police officer or firefighter and (2) it has not
been determined if such disability is permanent or it has been
determined that such disability may be alleviated or eliminated
if such member follows a reasonable medical treatment plan
or reasonable medical advice: Provided, That in any event a
member is not eligible for total and temporary disability pay-
ments following the fourth consecutive twenty-six week period
of total and temporary disability unless such subsequent dis-
ability results from a cause unrelated to the cause of the four
previous periods of total and temporary disability. During
such two-year period of such total and temporary disability,
such department is required to restore such member to his
former position in such department at any time he is deter-
mined to no longer be disabled: Provided, That the depart-
ment may refill, on a temporary basis, the position vacated by
such member after the first twenty-six weeks of his temporary
disability.

(c) Effective for members becoming eligible for total and
permanent disability benefits initially under this subsection or
becoming eligible for total and temporary disability benefits
under subsection (b) of this section after the thirtieth day of
June, one thousand nine hundred eighty-one, allowance for
total and permanent disability payments, the amount thereof
to be determined as specified in section twenty-four of this
article, shall be paid to such member after a medical exami-
nation in accordance with subsection (a) of this section, two
examining physicians report in writing to the board of trustees
that such member has become so totally, physically or ment-
ally, and permanently disabled, as a proximate result of service
rendered in the performance of his duties in such department,
as to render such member totally, physically or mentally, and
permanently incapacitated for employment as a police officer
or firefighter or, if such member has been a member of either
of such departments for a period of not less than five consecu-
tive years preceding such disability, such member has become
so totally, physically or mentally, and permanently disabled,
from any reason other than service rendered in the perform-
ance of his duties in such department, as to render such
member totally, physically or mentally, and permanently in-
capacitated for employment as a police officer or firefighter.
The phrase “totally, physically or mentally, and permanently
disabled” shall not be construed to include a medical condition which may be corrected if such member follows a reasonable medical treatment plan or reasonable medical advice.

(d) Effective for members becoming eligible for total and temporary disability benefits after the thirtieth day of June, one thousand nine hundred eighty-one, under the provisions of subsection (b) of this section, any payments for total and temporary disability for a period during such disability not exceeding twenty-six weeks shall cease at the end of such twenty-six week period under the following conditions:

(1) Such member fails to be examined as provided in subsection (a) of this section or (2) such member is examined or reexamined as provided in subsection (a) and two examining physicians report to the board of trustees that such member’s medical condition does not meet the requirements of subsection (b) or (c) of this section. Effective for members becoming eligible for total and temporary disability benefits after the thirtieth day of June, one thousand nine hundred eighty-one, under subsection (b) of this section, subsequent to such member’s receipt of total and temporary disability payments for a period of two years, such payments shall cease at the end of such two-year period under the following conditions:

(1) Such member fails to be examined as provided in subsection (a) of this section or (2) such member is examined or reexamined as provided in subsection (a) and two examining physicians report to the board of trustees that such member’s medical condition does not meet the requirements of subsection (c) of this section.


(a) The monthly sum to be paid to each member eligible for disability under the provisions of section twenty-three-a of this article, shall be equal to sixty percent of the monthly salary or compensation being received by such member, at the time he is so disabled, or the sum of two hundred dollars per month, whichever shall be greater: Provided, That the limitation provided in subsection (b) of this section is not exceeded.

(b) Effective for any member who becomes eligible for disability benefits on or after the first day of July, one thousand
nine hundred eighty-one, under the provisions of section twenty-three-a of this article, as a proximate result of service rendered in the performance of his duties within such depart-
ments, his monthly disability payment as provided in subsection (a) of this section shall not, when aggregated with the monthly amount of state workmen's compensation, result in such disabled member receiving a total monthly income from such sources in excess of one hundred percent of the basic comp-
pensation which is paid to members holding the same position which such member held within such department at the time of his disability. Lump sum payments of state workmen's compensation benefits shall not be considered for purposes of this subsection unless such lump sum payments represent commuted values of monthly state workmen's compensation benefits.


(a) Any member of a paid police or fire department who is entitled to a retirement pension hereunder, and who has been in the honorable service of such department for twenty years, may, upon written application to the board of trustees, be retired from all service in such department without medical examination or disability; and on such retirement the board of trustees shall authorize the payment of annual retirement pension benefits commencing upon his retirement or upon his attaining the age of fifty years, whichever is later, payable in twelve monthly installments for each year of the remainder of his life, in an amount equal to sixty percent of such member's average annual salary or compensation received during the three twelve-consecutive-month periods, not necessarily con-
secutive, each of such three periods beginning with the same calendar month of different years and all such three periods falling within the member's final five years of employment with such department, in which such member received his highest salary or compensation while a member of the de-
partment, or an amount of two hundred dollars per month, whichever shall be greater.

(b) Any member of any such department who is entitled to a retirement pension under the provisions of subsection (a) of this section and who has been in the honorable service of
such department for more than twenty years at the time of his retirement, as herein provided, shall, in addition to the sixty percent authorized in said subsection (a), receive one additional percent, to be added to the sixty percent, per each year served in excess of said twenty years, up to a maximum of ten additional percent.

(c) Any member of any such department whose service has been interrupted by duty with the armed forces of the United States as provided in section twenty-seven of this article prior to the first day of July, one thousand nine hundred eighty-one, shall be eligible for retirement pension benefits immediately upon retirement, regardless of his age, if he shall otherwise be eligible for such retirement pension benefits.

(d) Any member of a paid police or fire department shall be retired at the age of sixty-five years in the manner provided in this subsection. When a member of the paid police or fire department shall have reached the age of sixty-five years, the said board of trustees shall notify the mayor of this fact, within thirty days of such member's sixty-fifth birthday; and the mayor shall cause such sixty-five-year-old member of the paid police or fire department to be retired within a period of not more than thirty additional days. Upon retirement under the provisions of this subsection (d), such member shall receive retirement pension benefits payable in twelve monthly installments for each year of the remainder of his life, in an amount equal to sixty percent of such member's average annual salary or compensation received during the three twelve-consecutive-month periods, not necessarily consecutive, each of such three periods beginning with the same calendar month of different years and all such three periods falling within the member's final five years of employment with such department, in which such member received his highest salary or compensation while a member of the department, or an amount of two hundred dollars per month, whichever shall be greater, and if such member has been employed in said department for more than twenty years, the provisions of subsection (b) of this section shall apply.

(e) It shall be the duty of each member of a paid police or fire department at the time a fund is hereafter established
to furnish the necessary proof of his date of birth to the said
board of trustees as specified in section twenty-three of this
article, within a reasonable length of time, said length of time
to be determined by the said board of trustees; and then the
board of trustees and the mayor shall proceed to act in the
manner provided in subsection (d) of this section and shall
cause all members of the paid police or fire department who
are over the age of sixty-five years to be retired in not less
than sixty days from the date the fund is established. Upon
retirement under the provisions of this subsection (e), such
member, whether he has been employed in said department for
twenty years or not, shall receive retirement pension benefits
payable in twelve monthly installments for each year of the
remainder of his life, in an amount equal to sixty percent of
such member's average annual salary or compensation received
during the three twelve-consecutive-month periods, not neces-
sarily consecutive, each of such three periods beginning with
the same calendar month of different years and all such three
periods falling within the member's final five years of em-
ployment with such department, in which such member re-
ceived his highest salary or compensation while a member of
the department, or an amount of two hundred dollars per
month, whichever shall be greater, and if such member has
been employed in said department for more than twenty years,
the provisions of subsection (b) of this section shall apply.


(a) In case:

(1) Any member of a paid police or fire department who
has been in continuous service for more than five years dies
from any cause other than as specified in subsection (b) of
this section before retirement on a disability pension under
the provisions of, prior to the first day of July, one thou-
sand nine hundred eighty-one, section twenty-four of this
article or, after the thirtieth day of June, one thousand
nine hundred eighty-one, section twenty-three-a and twenty-
four of this article or a retirement pension under the pro-
visions of subsection (a) or both subsections (a) and (b), sec-
tion twenty-five of this article, leaving in either case sur-
viving a dependent spouse, or any dependent child or chil-
dren under the age of eighteen years, or dependent father
or mother or both, or any dependent brothers or sisters or
both under the age of eighteen years; or

(2) Any former member of any such department who is on a
disability pension prior to the first day of July, one thou-
sand nine hundred eighty-one, under section twenty-four of
this article, or after the thirtieth day of June, one thousand
nine hundred eighty-one, under sections twenty-three-a and
twenty-four of this article, or is receiving or is entitled to
receive retirement pension benefits under the provisions of
subsection (a) or both subsections (a) and (b), section
twenty-five of this article, shall die from any cause other
than as specified in subsection (b) of this section leaving in
either case surviving a dependent spouse to whom the marriage
took place prior to the date of such member's retirement on a
disability pension or a retirement pension, or any dependent
child or children under the age of eighteen years who were
born prior to or within ten months after the date of such mem-
ber's retirement on a disability pension or a retirement pension,
or dependent father or mother or both, or any dependent
brothers or sisters or both under the age of eighteen years; then
in any of the cases set forth above in (1) and (2) the board
of trustees of such pension and relief fund shall, immediately
following the death of such member, pay to or for each of such
entitled surviving dependents the following pension benefits
viz.: To such dependent spouse, until death or remarriage, a
sum per month equal to thirty percent of such member's average
monthly salary or compensation received during the three

month of different years and all such three periods falling
twelve-consecutive-month periods, not necessarily consecutive,
each of such three periods beginning with the same calendar
month of different years and all such three periods falling
within the member’s final five years of employment with such
department, in which such member received his highest salary
or compensation while a member of the department, herein-
after for convenience referred to in this section as “monthly
average,” or an amount of one hundred dollars per month,
whichever shall be greater; to each such dependent child a sum
per month equal to ten percent of such monthly average, or
the sum of thirty dollars per month for each such child, which-
ever shall be greater, until such child shall attain the age of
eighteen years or marry, whichever first occurs; to each such dependent orphaned child a sum per month equal to fifteen percent of such monthly average, or the sum of forty-five dollars per month for each such child, whichever shall be greater, until such child shall attain the age of eighteen years or marry, whichever first occurs; to each such dependent father or mother a sum per month for each equal to ten percent of such monthly average, or the sum of thirty dollars per month for each such father and mother, whichever shall be greater; to each such dependent brother or sister the sum of five dollars per month until such individual shall attain the age of eighteen years or marry, whichever first occurs but in no event shall the aggregate amount paid to such brothers and sisters exceed thirty dollars per month; but if at any time, because of the number of dependents, all such dependents cannot be paid in full as herein provided, then each dependent shall receive his pro rata share of such payments: Provided, That in no case shall the payments to the surviving spouse and children be cut below sixty-five percent of the total amount to be paid to all dependents.

(b) The dependent spouse, child or children, or dependent father or mother, or dependent brothers or sisters, of any such member who shall die by reason of service rendered in the performance of such member’s duties shall, regardless of the length of such member’s service and irrespective of whether such member was or was not entitled to receive or was or was not receiving disability pension or temporary disability payments at the time of his death, receive the death benefits provided for in subsection (a) of this section, and if such member had less than three years’ service at the time of his death, the monthly average shall be computed on the basis of the actual number of years of service.

(c) If a member dies without leaving a dependent spouse, child or children, or dependent father or mother, or dependent brothers or sisters, his contributions to the fund plus six percent interest shall be refunded to his named beneficiary or, if no beneficiary has been named, to his estate to the extent that such contributions plus interest exceed any disability
or retirement benefits that he may have received before his death.

(d) The provisions of this section shall not be construed as creating or establishing any contractual or vested rights in favor of any individual who may be or become qualified as a beneficiary of the death benefits herein authorized to be made, all the provisions hereof and benefits provided for hereunder being expressly subject to such subsequent legislative enactments as may provide for any change, modification or elimination of the beneficiaries or benefits specified herein.


(a) In determining the years of service of a member in a paid police or fire department for the purpose of ascertaining certain disability pension benefits, all retirement pension benefits and certain death benefits, the following provisions shall be applicable:

(1) Absence from the service because of sickness or injury for a period of two years or less shall not be construed as time out of service; and

(2) Any member of any paid police or fire department covered by the provisions of sections sixteen through twenty-eight of this article who has been required to or shall at any future time be required to enter the armed forces of the United States by conscription, by reason of being a member of some reserve unit of the armed forces or a member of the West Virginia national guard or air national guard, whose reserve unit or guard unit is called into active duty for one year or more, or who enlists in one of the armed forces of the United States during hostilities, and who upon receipt of an honorable discharge from such armed forces presents himself for resumption of duty to his appointing municipal official within six months from his date of discharge, and is accepted by the pension board's board of medical examiners as being mentally and physically capable of performing his required duties as a member of such paid police or fire department, shall be given credit for continuous service in said paid police or fire
department, and his rights shall be governed as herein pro-
vided. No member of a paid police or fire department shall
be required to pay the monthly assessment as now required
by law, during his period of service in the armed forces of
the United States.

(b) As to any former member of a paid police or fire
department receiving disability pension benefits or retire-
ment pension benefits from a policemen's or firemen's pen-
sion and relief fund, on the effective date of this article, the
following provisions shall govern and control the amount of
such pension benefits:

(1) A former member who on June thirtieth, one thousand
nine hundred sixty-two, was receiving disability pension bene-
fits or retirement pension benefits from a policemen's or
firemen's pension and relief fund, shall continue to receive
pension benefits but on and after July one, one thousand nine
hundred seventy-one, such pension benefits shall be in the
amount of two hundred dollars per month; and

(2) A former member who became entitled to disability
pension benefits or retirement pension benefits on or after
July one, one thousand nine hundred sixty-two, shall con-
tinue to receive pension benefits but on and after July one,
one thousand nine hundred seventy-one, shall receive the
disability pension benefits or retirement pension benefits
provided for in section twenty-four or section twenty-five of
this article, as the case may be.

(c) As to any dependent spouse, child or children, or de-
pendent father or mother, or dependent brothers or sisters,
of any former member of a paid police or fire department,
receiving any death benefits from a policemen's pension and
relief fund or firemen's pension and relief fund, on the ef-
fective date of this article, the following provisions shall
govern and control the amount of such death benefits:

(1) A dependent spouse, child or children, or dependent
father or mother, or dependent brothers or sisters, of any form-
er member, who on June thirty, one thousand nine hundred
sixty-two, was receiving any death benefits from a police-
men's pension and relief fund or firemen's pension and
relief fund, shall continue to receive death benefits but on
and after July one, one thousand nine hundred seventy-one, 
such death benefits shall be in the following amounts: To a 
dependent spouse, until death or remarriage, the sum of one 
hundred dollars per month; to each dependent child the 
sum of thirty dollars per month, until such child shall attain 
the age of eighteen years or marry, whichever first occurs; 
to each dependent orphaned child the sum of forty-five 
dollars per month, until such child shall attain the age of 
eighteen years or marry, whichever first occurs; to each 
dependent father and mother the sum of thirty dollars per 
month for each; to each dependent brother or sister the 
sum of five dollars per month, until such individual shall 
attain the age of eighteen years or marry, whichever first 
occurs, but in no event shall the aggregate amount paid to 
such brothers and sisters exceed thirty dollars per month; 
but if at any time, because of the number of dependents, all 
such dependents cannot be paid in full as herein provided, 
then each dependent shall receive his pro rata share of such 
payments: Provided, That in no case shall the payments to 
the surviving spouse and children be cut below sixty-five 
percent of the total amount to be paid to all dependents;

(2) A dependent spouse, child or children, or dependent 
father or mother, or dependent brothers or sisters, of any 
former member, who became eligible for death benefits on or 
after July one, one thousand nine hundred sixty-two, shall 
continue to receive death benefits but on and after July one, 
one thousand nine hundred seventy-one, shall receive the 
death benefits provided for in section twenty-six of this 
article.

(d) A former member who is receiving disability pension 
benefits on the thirtieth day of June, one thousand nine 
hundred eighty-one, shall continue to receive disability pen-
sion benefits provided for in section twenty-four of this article.

CHAPTER 33. INSURANCE.

ARTICLE 3. LICENSING, FEES AND TAXATION OF INSURERS.

§33-3-14d. Additional fire and casualty insurance premium tax; 
allocation of proceeds; effective date.

(a) For the purpose of providing additional revenue for
municipal policemen’s and firemen’s pension and relief funds and additional revenue for volunteer and part volunteer fire companies and departments, there is hereby levied and imposed, on and after the first day of January, one thousand nine hundred eighty-two, an additional premium tax equal to one percent of gross direct premiums collected, less premiums returned to policyholders because of cancellation of policies, for fire insurance and casualty insurance policies. Except as otherwise provided in this section, all provisions of this article relating to the levy, imposition and collection of the regular premium tax are applicable to the levy, imposition and collection of the additional tax.

All moneys collected from this additional tax shall be received by the commissioner and paid by him into a special account in the state treasury, designated the municipal pensions and protection fund. The net proceeds of this tax after appropriation thereof by the Legislature, shall be distributed in accordance with the provisions of subsection (c) of this section.

(b) Before the first day of August, one thousand nine hundred eighty-three, and before the first day of August of each calendar year thereafter, the treasurer of each municipality in which a municipal policemen’s or firemen’s pension and relief fund has been established shall report to the state auditor the average monthly number of members who worked at least one hundred hours per month of municipal policemen’s or firemen’s pension systems during the preceding fiscal year. Before the first day of August, one thousand nine hundred eighty-three, and before the first day of August of each calendar year thereafter, the state fire marshal shall report to the state auditor the names and addresses of all volunteer and part volunteer fire companies and departments within the state which meet the eligibility requirements established in section eight-a, article fifteen, chapter eight of this code.

Before the first day of September, one thousand nine hundred eighty-three, and before the first day of September of each calendar year thereafter, the state auditor shall allo-
cate and authorize for distribution the revenues in the mu-
icipal pensions and protection fund which were collected
during the preceding calendar year to municipal policemen's
and firemen's pension and relief funds and to volunteer and
part volunteer fire companies and departments. Seventy-five
percent of the aforementioned revenues allocated shall be
allocated to municipal policemen's and firemen's pension and
relief funds and twenty-five percent of such allocated reve-
ues shall be allocated to volunteer and part volunteer fire
companies and departments.

(c) (1) Each municipal pension and relief fund shall have
allocated and authorized for distribution a pro rata share of
the revenues allocated to municipal policemen's and fire-
men's pension and relief funds based upon the corresponding
municipality's average monthly number of members who
worked at least one hundred hours per month during the pre-
ceding fiscal year. All moneys received by municipal pension
and relief funds under this section may be expended only
for the purposes described in sections sixteen through twenty-
eight, article twenty-two, chapter eight of this code.

(2) Each volunteer fire company or department shall
receive an equal share of the revenues allocated for
volunteer and part volunteer fire companies and departments.

(3) In addition to the share allocated and distributed in
accordance with subdivision (1) of this subsection, each
municipal fire department composed of full-time paid members
and volunteers and part volunteer fire companies and de-
partments shall receive a share equal to the share distributed
to volunteer fire companies under subdivision (2) of this
subsection reduced by an amount equal to such share multiplied
by the ratio of the number of full-time paid fire department
members who are also members of a municipal firemen's
pension system to the total number of members of such fire de-
partment.

(d) The allocation and distribution of revenues provided
for in this section are subject to the provisions of section
twenty, article twenty-two and sections eight-a and eight-b,
article fifteen, chapter eight of this code.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within _______________ this the __________ day of __________, 1982.

Governor