

HOUSE BILL 1239

Unofficial Copy
L2

2001 Regular Session
(11r1537)

ENROLLED BILL

-- Commerce and Government Matters/Budget and Taxation --

Introduced by **Charles County Delegation**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER 549

1 AN ACT concerning

2 **Charles County - Fire and Rescue Services**

3 FOR the purpose of including a dive rescue unit and mobile intensive care unit in
4 certain provisions of law that relate to fire companies and rescue squads in
5 Charles County; authorizing an increase of a certain amount in a certain
6 emergency fund; making stylistic and technical changes; allowing excess Length
7 of Service Award Program Funds to be used for recruitment and retention;
8 defining a certain term; correcting certain references to a certain tax rate to
9 reflect the assessment of real property for property tax purposes at 100% of value;
10 and generally relating to the volunteer fire companies, rescue squads, mobile
11 intensive care units, and dive rescue units of Charles County.

12 BY repealing and reenacting, with amendments,
13 The Public Local Laws of Charles County
14 Section 54-1 through 54-6, 54-8, and 54-11 to be under the amended chapter
15 "Chapter 54. Volunteer Fire Companies, Rescue Squads, Mobile Intensive
16 Care Units, and Dive Rescue Units"

1 Article 9 - Public Local Laws of Maryland
 2 (1994 Edition and June 1998 Supplement, as amended)

3 BY adding to
 4 The Public Local Laws of Charles County
 5 Section 54-1
 6 Article 9 - Public Local Laws of Maryland
 7 (1994 Edition and June 1998 Supplement, as amended)

8 BY repealing and reenacting, with amendments,
 9 The Public Local Laws of Charles County
 10 Section 54-7
 11 Article 9 - Public Local Laws of Maryland
 12 (1994 Edition and June 1998 Supplement, as amended)
 13 (As enacted by Chapter 88 of the Acts of the General Assembly of 1999)

14 BY repealing and reenacting, with amendments,
 15 The Public Local Laws of Charles County
 16 Section 54-9
 17 Article 9 - Public Local Laws of Maryland
 18 (1994 Edition and June 1998 Supplement, as amended)
 19 (As enacted by Chapters 88, 89, 90, and 106 of the Acts of the General Assembly
 20 of 1999)

21 BY repealing and reenacting, with amendments,
 22 The Public Local Laws of Charles County
 23 Section 54-10
 24 Article 9 - Public Local Laws of Maryland
 25 (1994 Edition and June 1998 Supplement, as amended)
 26 (As enacted by Chapter 466 of the Acts of the General Assembly of 1997)

27 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 28 MARYLAND, That the Laws of Maryland read as follows:

29 **Article 9 - Charles County**

30 Chapter 54. VOLUNTEER Fire Companies[;], Rescue Squads, MOBILE INTENSIVE
 31 CARE UNITS, AND DIVE RESCUE UNITS

32 54-1.

33 IN THIS CHAPTER, "RESCUE SQUAD" ~~MEANS INCLUDES~~ AN AMBULANCE
 34 COMPANY OR AN EMERGENCY MEDICAL SERVICES COMPANY.

1 [54-1.] 54-1.1.

2 A. The County Commissioners shall levy for each fiscal year a fire, [and]
 3 rescue, AND EMERGENCY MEDICAL SERVICES tax at the rate of ~~sixteen~~ 6.4 cents per
 4 \$100 of assessed value. ~~The tax shall be levied~~ on the assessed value of all taxable real
 5 ~~and~~ PROPERTY AND 16 CENTS PER \$100 OF ASSESSED VALUE ON THE ASSESSED
 6 VALUE OF ALL personal property in Charles County.

7 B. Said fire, [and] rescue, AND EMERGENCY MEDICAL SERVICES tax shall be
 8 levied and collected in the same manner as other state and county taxes are now
 9 levied and collected.

10 C. The proceeds collected from the county fire, [and] rescue, AND
 11 EMERGENCY MEDICAL SERVICES tax shall thereafter be paid by the County
 12 Commissioners twice a year, as determined by the Board of Fire and Rescue
 13 Commissioners, to all the VOLUNTEER Fire Departments, [and] rescue squads,
 14 including mobile intensive care units, AND DIVE RESCUE UNITS, in Charles County.
 15 The proceeds shall be distributed as directed by the Board of Fire and Rescue
 16 Commissioners.

17 D. The Board of Fire and Rescue Commissioners shall review and make
 18 recommendations concerning the financing of the VOLUNTEER fire departments,
 19 [and] rescue squads, including mobile intensive care units, AND DIVE RESCUE UNITS,
 20 in Charles County. Distribution of the proceeds of the fire, [and] rescue, AND
 21 EMERGENCY MEDICAL SERVICES tax shall be to the various VOLUNTEER fire
 22 departments, [and] rescue squads[;], mobile intensive care units, AND DIVE RESCUE
 23 UNITS in accordance with a formula agreed on by the Board of Fire and Rescue
 24 Commissioners and the Executive Committee of the Charles County Volunteer
 25 Firemen's Association and the executive committee of the Charles County Association
 26 of Emergency Medical Services. If an agreement cannot be reached, the formula
 27 employed in the previous year's distribution shall continue in use until an agreement
 28 is reached. ~~Each sixteen cents~~ THE REVENUE received from the fire, [and] rescue,
 29 AND EMERGENCY MEDICAL SERVICES tax shall be allocated and distributed as
 30 follows:

31 (1) ~~Ten cents~~ 62.5% to the various fire departments AND DIVE RESCUE
 32 UNITS of Charles County.

33 (2) ~~Five cents~~ 31.25% to the various rescue squads and mobile intensive
 34 care units of Charles County.

35 (3) ~~One cent~~ 6.25% to be used to provide funds to pay for the funded
 36 length of service award described in § 54-8 of this chapter.

37 E. The funds received by the respective Fire Departments and rescue squads,
 38 including mobile intensive care units AND DIVE RESCUE UNITS, from this fire, [and]
 39 rescue, AND EMERGENCY MEDICAL SERVICES tax shall be used for the purpose of
 40 purchasing, repairing, replacing, operating and maintaining their fire-fighting,
 41 [and] rescue, AND EMERGENCY MEDICAL SERVICES equipment and apparatus and
 42 the housing of the same and for fire prevention and training. The amount and type of

1 equipment and apparatus of said Fire Departments, [and] rescue squads, MOBILE
2 INTENSIVE CARE UNITS, AND DIVE RESCUE UNITS shall conform to the standards
3 prescribed by the Charles County Volunteer Firemen's Association and by the Charles
4 County Association of Emergency Medical Services, respectively. No resolution,
5 regulation or bylaw shall be passed by said Fire Departments [or], rescue squads,
6 MOBILE INTENSIVE CARE UNITS, AND DIVE RESCUE UNITS limiting or restricting the
7 territory within the area covered by this fire, [and] rescue, AND EMERGENCY
8 MEDICAL SERVICES tax within which it will respond to emergency calls.

9 F. In addition to the fire, [and] rescue, AND EMERGENCY MEDICAL
10 SERVICES tax benefits, the County Commissioners of Charles County are authorized
11 to pay out of the general funds of the county additional funds to the various Fire
12 Departments, [and] rescue squads, MOBILE INTENSIVE CARE UNITS, AND DIVE
13 RESCUE UNITS as they deem necessary. The Board of Fire and Rescue Commissioners
14 shall consider these payments in determining the amounts due the various Fire
15 Departments, [and] rescue squads, MOBILE INTENSIVE CARE UNITS, AND DIVE
16 RESCUE UNITS under the formula distribution plan and in determining whether
17 excess proceeds exist.

18 54-2.

19 Excess proceeds, herein defined as proceeds from the fire, [and] rescue, AND
20 EMERGENCY MEDICAL SERVICES tax in excess of those necessary to satisfy the
21 requirements of the preceding subsections, shall, upon recommendation of the Board
22 of Fire and Rescue Commissioners, be used by the County Commissioners to reduce
23 the indebtedness of the various VOLUNTEER Fire Departments, [and] rescue squads,
24 MOBILE INTENSIVE CARE UNITS, AND DIVE RESCUE UNITS to assist in the formation
25 of new Fire Departments [or], rescue squads, MOBILE INTENSIVE CARE UNITS, AND
26 DIVE RESCUE UNITS in accordance with the needs and growth of the county, to allot
27 funds to the various Fire Department, [an] rescue squads, MOBILE INTENSIVE CARE
28 UNITS, AND DIVE RESCUE UNITS to pay for career fire, [and] rescue, OR EMERGENCY
29 MEDICAL SERVICES personnel, to support/aid the Southern Maryland Regional
30 Training Center, to hire necessary clerical assistance, to accumulate an emergency
31 fund up to a maximum of [one] TWO hundred thousand dollars [(\$100,000.)]
32 \$200,000, to provide assistance to new VOLUNTEER FIRE departments, [and] RESCUE
33 squads, MOBILE INTENSIVE CARE UNITS, OR DIVE RESCUE UNITS or TO existing
34 departments, [and] squads, COMPANIES, OR UNITS suffering major losses through no
35 fault of their own and/or to pay any part of such excess proceeds to the general fund
36 of Charles County as the Board of Fire and Rescue Commissioners deems surplus to
37 the needs of the various Fire Departments [and], rescue squads, MOBILE INTENSIVE
38 CARE UNITS, AND DIVE RESCUE UNITS.

39 54-3.

40 A. The Charles County Volunteer Firemen's Association, at least once each
41 calendar year, shall conduct an inspection by a duly appointed committee of the
42 Association to ascertain whether each FIRE department's equipment and apparatus,
43 INCLUDING DIVE RESCUE UNITS, complies with the standards of the Association, and
44 the Association, on or before the 15th of October of each year, shall submit a report, in

1 writing, to the County Commissioners and the Board of Fire and Rescue
2 Commissioners stating whether each department, COMPANY, OR UNIT does or does
3 not meet the standards of the Association. Each noncompliance with the standards
4 shall be documented by the Charles County Volunteer Firemen's Association.

5 B. The Charles County Association of Emergency Medical Services shall, at
6 least twice each calendar year, conduct an inspection by a duly appointed committee
7 of the Association to ascertain whether each rescue squad's equipment and apparatus,
8 including mobile intensive care units, complies with the standards of the Association.
9 The Association shall, on or before the first day of June and December of each year,
10 submit a report in writing, to the County Commissioners and the Board of Fire and
11 Rescue Commissioners stating whether each [squad] UNIT meets or fails to meet the
12 standards of the Association.

13 54-4.

14 In the event that any one (1) of the Fire Departments, rescue squads, [or]
15 mobile intensive care units, OR DIVE RESCUE UNITS in Charles County fails to comply
16 with the standards of its respective Association, then the BOARD OF FIRE AND
17 RESCUE COMMISSIONERS MAY WITHHOLD THE FUNDS PROPORTIONATE TO THE
18 NONCOMPLIANCE OF THE STANDARDS [funds proportionate to the noncompliance of
19 the standards may be withheld by the Board of Fire and Rescue Commissioners] until
20 said department, squad, [or] mobile intensive care unit, OR DIVE RESCUE UNIT has
21 complied with the standards of said Association or has presented an acceptable plan
22 for attaining compliance with the standards of said Association to the Board of Fire
23 and Rescue Commissioners. In the event that said department, squad [or], mobile
24 intensive care unit, OR DIVE RESCUE UNIT does not comply with the standards, then
25 the proportionate funds allocated to that department, squad or mobile intensive care
26 unit shall be distributed, as necessary, among the companies assuming coverage of
27 that area.

28 54-5.

29 In the event that any one (1) of the Fire Departments, [or] rescue squads,
30 MOBILE INTENSIVE CARE UNIT, OR DIVE RESCUE UNITS in Charles County ceases to
31 be an active fire-fighting, [or] rescue, OR EMERGENCY MEDICAL SERVICES
32 organization or if the funds provided for herein are not used for the purposes set forth
33 in §§ 54-1 and 54-2 of this Article, the County Commissioners shall cease paying to
34 that department, squad [or], mobile intensive care unit, OR DIVE RESCUE UNIT such
35 funds, and the same shall be held and distributed, as necessary, on the
36 recommendations of the Board of Fire and Rescue Commissioners, to those
37 departments, squads [or], mobile intensive care units, OR DIVE RESCUE UNITS
38 assuming coverage of that area; provided, further, that the beneficial assets of said
39 Fire Departments, rescue squads, or mobile intensive care [unit] UNITS, OR DIVE
40 RESCUE UNITS shall become the property of Charles County and that the County
41 Commissioners may, at their discretion, assume some or all of the liabilities of such
42 organizations. The County Commissioners may, on the recommendation of the Board
43 of Fire and Rescue Commissioners, give such assets and liabilities to those Fire
44 Departments, [or] rescue squads, MOBILE INTENSIVE CARE UNITS, OR DIVE RESCUE

1 UNITS assuming coverage of the area or to any other FIRE department, [or] RESCUE
2 squad, MOBILE INTENSIVE CARE UNIT, OR DIVE RESCUE UNIT active in Charles
3 County.

4 54-6.

5 A. (1) No FIRE department, [or] RESCUE squad, MOBILE INTENSIVE CARE
6 UNIT, OR DIVE RESCUE UNIT receiving benefits under §§ 54-1 and 54-2 of this Article
7 shall obligate itself or expend funds for any capital expenditure, including the
8 purchase of land, the purchase, erection or modification of any building or structure
9 or the acquisition of apparatus, without first obtaining approval of the Executive
10 Committee of the Charles County Volunteer Firemen's Association or the Charles
11 County Association of Emergency Medical Services and the Board of Fire and Rescue
12 Commissioners.

13 (2) The Board of Fire and Rescue Commissioners shall review each such
14 proposal and, in the event that the proposed expenditure exceeds the funds allocated
15 in the formula distribution plan, shall ensure that the organization requesting such
16 approval is aware of the excess and possesses adequate funds or means to raise such
17 funds without having a detrimental effect on its fire-fighting, [or] rescue, OR
18 EMERGENCY MEDICAL SERVICE capability or jeopardizing the organization's
19 financial stability.

20 B. On or before October 1 of each year, each fire department, rescue squad
21 [and], mobile intensive care unit, AND DIVE RESCUE UNIT, to which money is paid by
22 the County Commissioners shall submit to the Board of Fire and Rescue
23 Commissioners and to the County Commissioners a statement prepared by a certified
24 public accountant of all cash receipts and disbursements, regardless of source, for the
25 previous fiscal year and other pertinent information as required by the Board of Fire
26 and Rescue Commissioners.

27 54-7.

28 A. The Board of Fire and Rescue Commissioners shall be composed of seven
29 members, one of whom shall be a County Commissioner of Charles County, two of
30 whom shall be appointed by the Commissioners of Charles County, one of whom shall
31 be elected by the Charles County Volunteer Firemen's Association, one of whom shall
32 be elected by the Charles County Association of Emergency Medical Services and two
33 of whom shall be appointed by the Governor. Each member of the Board of Fire and
34 Rescue Commissioners shall serve without compensation. Vacancies are to be filled in
35 the same manner as the original membership was filled. The two gubernatorial
36 members shall be comprised of one person not affiliated with the Firemen's
37 Association or Emergency Medical Services of Charles County and one person who is
38 knowledgeable of the operational functions of the Firemen's Association and
39 Emergency Medical Services of Charles County.

40 B. The terms of office for the members of the Board of Fire and Rescue
41 Commissioners are as follows:

1 (1) For the two members who are appointed by the Governor, four-year
2 terms beginning July 1, 1987, and thereafter for four-year terms.

3 (2) For the one member who is a member of the Charles County Board of
4 County Commissioners, a term of four years, to be filled on whatever time basis the
5 County Commissioners so choose, but only while the County Commissioner is serving
6 a term of office in that capacity.

7 (3) For the one member who is elected by the Charles County Volunteer
8 Firemen's Association, a one-year term beginning January 1, 1995, and each January
9 1st thereafter.

10 (4) For the one member who is elected by the Charles County Association
11 of Emergency Medical Services, a one-year term beginning January 1, 1995, and each
12 January 1st thereafter.

13 (5) For the two members who are appointed by the Charles County
14 Commissioners, four-year terms beginning on July 1, 1995 and for four-year terms
15 thereafter.

16 C. In addition to any other powers that are granted under this chapter, the
17 Board of Fire and Rescue Commissioners may:

18 (1) Swear witnesses and take sworn testimony;

19 (2) Hire a Program Coordinator, a clerical or administrative assistant, or
20 both, provided that the salary and benefits of the Program Coordinator and clerical or
21 administrative assistant are paid out of fire, [and] rescue, AND EMERGENCY
22 MEDICAL SERVICES taxes; and

23 (3) After consultation with the County Attorney:

24 (a) Require, as a condition of receiving tax moneys, each County
25 Fire Department, RESCUE SQUAD, MOBILE INTENSIVE CARE UNIT, OR DIVE RESCUE
26 UNIT [and Rescue Squad, including a mobile intensive care unit,] to submit financial
27 records or minutes of meetings to the Board;

28 (b) Remove from office, or bar from office, in any County Fire
29 Department, [or] Rescue Squad [including a], mobile intensive care unit, OR DIVE
30 RESCUE UNIT any individual who refuses to submit any record as required under this
31 chapter or otherwise deliberately violates the provisions of this chapter; and

32 (c) Provide for an appeal process for any individual charged with a
33 violation under this section.

34 54-8.

35 There is hereby established a length of service award program for qualified
36 active volunteer members of the Charles County Volunteer Fire Companies,
37 Volunteer Rescue Squads [and], VOLUNTEER mobile intensive care units, AND

1 VOLUNTEER DIVE RESCUE UNITS. For the purposes of §§ 54-8 through 54-11, "active
2 volunteer member" means a person who accumulated a minimum of fifty (50) points
3 per calendar year in accordance with the point system set forth in Section 54-11.

4 54-9.

5 A. Any person who has served as a member of any Charles County Volunteer
6 Fire Company [or Charles County], Volunteer Rescue Squad, VOLUNTEER MOBILE
7 INTENSIVE CARE UNIT, OR VOLUNTEER DIVE RESCUE UNIT is eligible to receive the
8 benefits set forth in this Article if the person is certified in accordance with the
9 provision of § 54-11 to have served as an active volunteer subsequent to December 31,
10 1973. Any person who discontinued active volunteer service prior to January 1, 1974,
11 may receive credit for the service after being certified in accordance with the
12 provisions of § 54-11.

13 B. Beginning January 1, 1974, any person who has reached the age of sixty
14 (60) years and who has completed a minimum of twenty-five (25) years of certified
15 active volunteer service with any Charles County Volunteer Fire Company, [or]
16 Volunteer Rescue Squad, VOLUNTEER MOBILE INTENSIVE CARE UNIT, OR
17 VOLUNTEER DIVE RESCUE UNIT, or combination thereof, shall receive benefits in the
18 amount of one hundred dollars (\$100.) per month for life. Payments shall begin on the
19 first day of the first month following eligibility. The program shall be administered by
20 the County Commissioners of Charles County, and payment shall be made directly to
21 the volunteer entitled to such benefits. Beginning July 1, 1984, and annually
22 thereafter, this amount shall be increased or decreased by an amount equal to the
23 annual increase or decrease as reflected by the consumer price index, using the
24 published May figure each year. This amount shall not exceed a four-percent increase
25 or decrease per year and shall be cumulative.

26 C. (1) An additional payment of two dollars (\$2.) per month shall be added
27 to the benefits described in Subsection B of this section for each full year of volunteer
28 service in excess of twenty-five (25) years. Beginning July 1, 1984, and annually
29 thereafter, this amount shall be increased or decreased by an amount equal to the
30 annual increase or decrease as reflected by the consumer price index, using the
31 published May figure each year. This amount shall not exceed a four-percent (4%)
32 increase or decrease per year and shall be cumulative. Beginning July 1, 1990, the
33 amount payable monthly for each year in excess of twenty-five (25) years shall be
34 equal to four percent (4%) of the amount payable under subsection B of this section.

35 (2) In lieu of a cost of living increase for fiscal year 2000, on July 1, 1999,
36 an increase of one dollar (\$1) shall be applied to the value of one (1) year's qualifying
37 service. Subsequent to June 30, 2000, a cost of living increase shall be calculated as
38 provided in subsection B of this section.

39 D. In the event that any active volunteer becomes disabled during the course
40 of service as a volunteer [fireman or rescue squadman] while actively engaged in
41 providing such services FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES PERSON
42 and in the event that the disability prevents the volunteer from pursuing the
43 volunteer's normal occupation and that the disability is of a permanent nature as

1 certified by the State Workers' Compensation Commission or other competent
2 medical authority as designated by the County Commissioners, then the volunteer is
3 entitled to receive the benefits prescribed in Subsection B of this section and any
4 other benefits, regardless of age or length of service. These benefits shall begin on the
5 first day of the first month following the establishment of the permanency of the
6 disability.

7 E. In the event that a qualified volunteer who has completed a minimum of
8 25 years of certified active volunteer service with any Charles County Volunteer Fire
9 Company, [or] Volunteer Rescue Squad, VOLUNTEER MOBILE INTENSIVE CARE UNIT,
10 OR VOLUNTEER DIVE RESCUE UNIT or combination thereof, shall become
11 permanently and totally disabled, for any reason, and such disability is certified by
12 the State Workers' Compensation Commission, or its successor agency, or other
13 competent medical authority designated by the County Commissioners, then that
14 volunteer shall be entitled to receive benefits earned as provided under Subsections B
15 and C of this section, regardless of age. These benefits shall begin in the month
16 following certification of disability.

17 F. In the event that any qualified volunteer shall die while receiving benefits,
18 then the surviving spouse is entitled to benefits equal to 75% of the volunteer's
19 benefits. This rate applies to any person who is receiving benefits on or before July 1,
20 1989, as well as to any person who begins to receive benefits after July 1, 1989. These
21 benefits shall terminate upon death or remarriage of the spouse.

22 G. In the event that a qualified volunteer dies prior to receiving any benefits
23 under this section, the surviving spouse is entitled to benefits equal to 75% of the
24 benefits earned by the deceased volunteer. This rate applies to any person who is
25 receiving benefits on or before July 1, 1989, as well as to any person who begins to
26 receive benefits after July 1, 1989. These benefits shall terminate upon death or
27 remarriage. A "qualified volunteer" is defined as:

- 28 (1) One who has completed 25 years of certified service; or
29 (2) One who is receiving benefits under Subsection I of this section.

30 H. When a qualified volunteer dies, a death benefit of five thousand dollars
31 (\$5,000.) shall be paid to the volunteer's designated beneficiary.

32 I. In the event that any active volunteer [fireman or squadman], herein
33 defined as one who has had at least two (2) years of qualifying service in the five (5)
34 preceding years, attains the age of seventy (70) years and fails to achieve the required
35 twenty-five (25) years of service, then the volunteer is entitled to a monthly benefit of
36 the number of years of certified service completed multiplied by four dollars (\$4.).
37 These benefits shall be payable in the normal manner.

38 J. When an unqualified volunteer is killed in the line of duty during the
39 course of service as a member of a fire, emergency medical service, or specialized
40 rescue unit or dies having completed at least one (1) year of length of service award
41 program qualifying service and is carried on current membership rosters and does not
42 qualify for death benefits as provided in Subsection H of this section, a death benefit

1 of five thousand dollars (\$5,000.) shall be paid to the unqualified volunteer's
2 designated beneficiary.

3 K. When receipts of funds from § 54-1 D(3) exceed the costs of the benefits
4 described IN Subsections A through J of this section, the Board of Fire and Rescue
5 Commissioners may utilize the excess funds to provide additional benefits to those
6 persons eligible to receive benefits under this section.

7 L. Beginning in July 1999, a member who is at least fifty-five (55) years old
8 and has completed a minimum of twenty-five (25) years of qualifying service, may
9 elect to receive an early length of service program award benefit equal to 75% of the
10 benefit that person would have received at the age of sixty (60) years. That member's
11 credit for additional years of service shall equal 75% of the benefit awarded to a
12 member who begins benefits at the age of sixty (60) years. The election of early length
13 of service award program benefits shall be a final choice of benefits by the member.

14 54-10.

15 A. (1) Commencing July 1, 1984, and annually thereafter, a [copy] COST of
16 living review shall be made by the County Commissioners to adjust the benefits
17 provided under § 54-9 B, C, D, E, F, G, H, [and] I, J, AND L of this Article. The
18 adjustment shall increase or decrease the benefits according to an amount equal to
19 the annual increase or decrease as reflected by the current May consumer price index,
20 but shall not exceed a four-percent increase or decrease per year and shall be
21 cumulative. Revised or reviewed benefits shall commence on October 1 of the year.

22 (2) Any benefit adjustment made under this section shall be applied only
23 prospectively.

24 B. It is the responsibility of each participating volunteer fire company, [or
25 rescue squad] VOLUNTEER RESCUE SQUAD, VOLUNTEER MOBILE INTENSIVE CARE
26 UNIT, OR VOLUNTEER DIVE RESCUE UNIT to maintain detailed and accurate records
27 of each volunteer member on forms prescribed by the Executive Committee of the
28 Charles County Volunteer Firemen's Association, Inc., and approved by the Board of
29 Fire and Rescue Commissioners.

30 C. (1) [Beginning January 15, 1975] EACH JANUARY 15, and each January
31 15 thereafter, the Board of Directors of each volunteer fire company, [or rescue
32 squad] VOLUNTEER RESCUE SQUAD, VOLUNTEER mobile intensive care unit, OR
33 VOLUNTEER DIVE RESCUE UNIT shall furnish to the Executive Committee of the
34 Charles County Volunteer Firemen's Association, Inc., a statement under oath
35 certifying all volunteers of the DEPARTMENT, company [or], squad, OR UNIT who
36 have qualified for credit for the previous year. Each statement shall contain all
37 members' ages, [and] previous credits earned, and other information as may be
38 required by the Executive Committee.

39 (2) Upon receipt of this statement, the Executive Committee of the
40 Charles County Volunteer Firemen's Association, Inc., shall review the list of each
41 company OR UNIT and furnish a copy thereof to the Board of Fire and Rescue
42 Commissioners, together with a certification as to the accuracy of each list, by March

1 15 of each year. After the Board of Fire and Rescue Commissioners approves the
2 certified list, it shall forward a copy of each approved list to the [fire company or
3 rescue squad] DEPARTMENT, COMPANY, SQUAD, OR UNIT concerned by April 15 of
4 each year. These lists shall be posted in a conspicuous place within each [fire
5 company or rescue squad] DEPARTMENT, SQUAD, COMPANY, OR UNIT building for a
6 period of not less than thirty (30) days.

7 (3) (a) A person whose name does not appear on the certified list
8 or who is denied credit for services prior to January 1, 1974, has the right to appeal at
9 any time after the posting of these lists.

10 (b) The appeal shall be in writing and addressed to the Board of
11 Fire and Rescue Commissioners, which shall make a final decision. The person
12 appealing may request a hearing in lieu of the written appeal. The hearing shall be
13 conducted by the Board of Fire and Rescue Commissioners within sixty (60) days of
14 the request and not less than ten (10) days after notifying the appellant of the date.

15 54-11.

16 A. In order to qualify for the benefits, points shall be credited to each
17 volunteer in accordance with the following:

18 (1) One (1) point shall be credited for each hour of attendance in a
19 recognized training course, provided that not more than twenty-five (25) points may
20 be credited for all training courses attended per year.

21 (2) One (1) point shall be credited for each company or county drill
22 attended in its entirety, provided that not more than twenty-five (25) points may be
23 credited for all drills attended per year.

24 (3) One (1) point shall be credited for each official company or county
25 meeting pertaining to Charles County fire [services or rescue], RESCUE, OR
26 EMERGENCY MEDICAL SERVICES [services] attended, provided that not more than
27 twenty-five (25) points may be credited for all meetings attended per year.

28 (4) One (1) point shall be credited for each call to which a volunteer
29 responds, provided that not more than forty (40) points may be credited for all calls
30 responded to per year.

31 (5) Twenty-five (25) points shall be credited for completion of a one-year
32 term as an appointed or elected officer in any of the fire, [or] rescue [service], OR
33 EMERGENCY MEDICAL SERVICES organizations of Charles County, provided that not
34 more than one (1) office shall be counted in any calendar year.

35 (6) One (1) point shall be credited for each hour of acceptable collateral
36 duties, such as but not limited to apparatus and building maintenance,
37 administrative duties, official standby and fire prevention, provided that not more
38 than twenty-five (25) points may be credited for all collateral duties performed per
39 year.

1 (7) Until July 1, 1984, a volunteer member who serves or has served
2 full-time military service in the Armed Forces of the United States shall receive
3 credit at the rate of five (5) points for each month served, provided that not more than
4 fifty (50) points can be credited for each calendar year. A maximum of four (4) years of
5 creditable service may be acquired in this manner. After July 1, 1984, credit shall be
6 given only to active volunteer members who enlist or are conscripted into the Armed
7 Forces of the United States. New volunteer members with previous military service
8 shall not receive credit for such service.

9 B. In order to provide credit for service prior to January 1, 1974, each unit
10 shall review its past and present membership rosters to determine the number of
11 years of credit to which each member or past member is entitled. In making this
12 analysis, the standards for active service shall be used as guidelines. Approval [for]
13 OF service shall be certified by the Board of Directors of each department or squad. If
14 a volunteer member has service in more than one (1) unit, that person shall receive
15 credit for the service in each organization, provided that not more than one (1) year's
16 credit may be granted for each calendar year of volunteer service.

17 C. In the event that sufficient records are unavailable to prove service prior to
18 January 1, 1974, the certification may be made by a unit after thorough investigation
19 and on the best information, knowledge and belief of the Board of Directors of the
20 individual's department or squad.

21 D. In the event that funding as provided by § 54-1 D of this chapter is not
22 sufficient, the Board of Fire and Rescue Commissioners shall provide additional funds
23 taken from the funds allocated to the various Fire Departments, [and] rescue squads,
24 MOBILE INTENSIVE CARE UNITS, AND DIVE RESCUE UNITS in amounts proportionate
25 to their receipts from the fire, [and] rescue, AND EMERGENCY MEDICAL SERVICES
26 tax. If the funds provided for length of service award are in excess of the
27 requirements, the Board of Fire and Rescue Commissioners may allocate these funds
28 TO AID IN THE RECRUITMENT OR RETENTION OF VOLUNTEERS OR for any use
29 authorized under §§ 54-1 and 54-2 of this chapter.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
31 effect October 1, 2001.