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**By: Charles County Delegation**

Introduced and read first time: January 31, 1996

Assigned to: Commerce and Government Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Charles County - Board of Fire and Rescue Commissioners - Authority**

3 FOR the purpose of authorizing the Board of Fire and Rescue Commissioners of Charles  
4 County to swear witnesses and take sworn testimony, to hire clerical or  
5 administrative assistants under certain circumstances, and to require each county  
6 fire department and rescue squad to submit certain records to the Board under  
7 certain circumstances; making stylistic changes; and generally relating to the  
8 authority of the Board of Fire and Rescue Commissioners of Charles County.

9 BY repealing and reenacting, with amendments,  
10 The Public Local Laws of Charles County  
11 Section 54-1 C.  
12 Article 9 - Public Local Laws of Maryland  
13 (1994 Edition and November 1995 Supplement, as amended)

14 BY adding to  
15 The Public Local Laws of Charles County  
16 Section 54-7  
17 Article 9 - Public Local Laws of Maryland  
18 (1994 Edition and November 1995 Supplement, as amended)

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

21 **Article 9 - Charles County**

22 54-1.

23 C. Disposition of funds[; Board of Fire and Rescue Commissioners].

24 [(1)] The proceeds collected from the county fire and rescue tax shall  
25 thereafter be paid by the County Commissioners twice a year, as determined by the Board  
26 of Fire and Rescue Commissioners, to all the Fire Departments and rescue squads,  
27 including mobile intensive care units, in Charles County. The proceeds shall be  
28 distributed as directed by the Board of Fire and Rescue Commissioners.

29 [(2)] The Board of Fire and Rescue Commissioners shall be composed of  
30 seven members, one of whom shall be a County Commissioner of Charles County, two of

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1 whom shall be appointed by the Commissioners of Charles County, one of whom shall be  
2 elected by the Charles County Volunteer Firemen's Association, one of whom shall be  
3 elected by the Charles County Association of Emergency Medical Services and two of  
4 whom shall be appointed by the Governor. Each member of the Board of Fire and Rescue  
5 Commissioners shall serve without compensation. Vacancies are to be filled in the same  
6 manner as the original membership was filled. The two gubernatorial members shall be  
7 comprised of one person not affiliated with the Firemen's Association or Emergency  
8 Medical Services of Charles County and one person who is knowledgeable of the  
9 operational functions of the Firemen's Association and Emergency Medical Services of  
10 Charles County.

11 (3) The terms of office for the members of the Board of Fire and Rescue  
12 Commissioners are as follows:

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

15 (b) For the one member who is a member of the Charles County  
16 Board of County Commissioners, a term of four years, to be filled on whatever time basis  
17 the County Commissioners so choose, but only while the County Commissioner is serving  
18 a term of office in that capacity.

19 (c) For the one member who is elected by the Charles County  
20 Volunteer Firemen's Association, a one-year term beginning January 1, 1995, and each  
21 January 1st thereafter.

22 (d) For the one member who is elected by the Charles County  
23 Association of Emergency Medical Services, a one-year term beginning January 1, 1995,  
24 and each January 1st thereafter.

25 (e) For the two members who are appointed by the Charles County  
26 Commissioners, four-year terms beginning on July 1, 1995 and for four-year terms  
27 thereafter.]

28 54-7.

29 A. THE BOARD OF FIRE AND RESCUE COMMISSIONERS SHALL BE COMPOSED  
30 OF SEVEN MEMBERS, ONE OF WHOM SHALL BE A COUNTY COMMISSIONER OF  
31 CHARLES COUNTY, TWO OF WHOM SHALL BE APPOINTED BY THE COMMISSIONERS  
32 OF CHARLES COUNTY, ONE OF WHOM SHALL BE ELECTED BY THE CHARLES COUNTY  
33 VOLUNTEER FIREMEN'S ASSOCIATION, ONE OF WHOM SHALL BE ELECTED BY THE  
34 CHARLES COUNTY ASSOCIATION OF EMERGENCY MEDICAL SERVICES AND TWO OF  
35 WHOM SHALL BE APPOINTED BY THE GOVERNOR. EACH MEMBER OF THE BOARD OF  
36 FIRE AND RESCUE COMMISSIONERS SHALL SERVE WITHOUT COMPENSATION.  
37 VACANCIES ARE TO BE FILLED IN THE SAME MANNER AS THE ORIGINAL  
38 MEMBERSHIP WAS FILLED. THE TWO GUBERNATORIAL MEMBERS SHALL BE  
39 COMPRISED OF ONE PERSON NOT AFFILIATED WITH THE FIREMEN'S ASSOCIATION  
40 OR EMERGENCY MEDICAL SERVICES OF CHARLES COUNTY AND ONE PERSON WHO  
41 IS KNOWLEDGEABLE OF THE OPERATIONAL FUNCTIONS OF THE FIREMEN'S  
42 ASSOCIATION AND EMERGENCY MEDICAL SERVICES OF CHARLES COUNTY.

1 B. THE TERMS OF OFFICE FOR THE MEMBERS OF THE BOARD OF FIRE AND  
2 RESCUE COMMISSIONERS ARE AS FOLLOWS:

3 (1) FOR THE TWO MEMBERS WHO ARE APPOINTED BY THE GOVERNOR,  
4 FOUR-YEAR TERMS BEGINNING JULY 1, 1987, AND THEREAFTER FOR FOUR-YEAR  
5 TERMS.

6 (2) FOR THE ONE MEMBER WHO IS A MEMBER OF THE CHARLES  
7 COUNTY BOARD OF COUNTY COMMISSIONERS, A TERM OF FOUR YEARS, TO BE  
8 FILLED ON WHATEVER TIME BASIS THE COUNTY COMMISSIONERS SO CHOOSE, BUT  
9 ONLY WHILE THE COUNTY COMMISSIONER IS SERVING A TERM OF OFFICE IN THAT  
10 CAPACITY.

11 (3) FOR THE ONE MEMBER WHO IS ELECTED BY THE CHARLES COUNTY  
12 VOLUNTEER FIREMEN'S ASSOCIATION, A ONE-YEAR TERM BEGINNING JANUARY 1,  
13 1995, AND EACH JANUARY 1ST THEREAFTER.

14 (4) FOR THE ONE MEMBER WHO IS ELECTED BY THE CHARLES COUNTY  
15 ASSOCIATION OF EMERGENCY MEDICAL SERVICES, A ONE-YEAR TERM BEGINNING  
16 JANUARY 1, 1995, AND EACH JANUARY 1ST THEREAFTER.

17 (5) FOR THE TWO MEMBERS WHO ARE APPOINTED BY THE CHARLES  
18 COUNTY COMMISSIONERS, FOUR-YEAR TERMS BEGINNING ON JULY 1, 1995 AND FOR  
19 FOUR-YEAR TERMS THEREAFTER.

20 C. IN ADDITION TO ANY OTHER POWERS THAT ARE GRANTED UNDER THIS  
21 CHAPTER, THE BOARD OF FIRE AND RESCUE COMMISSIONERS MAY:

22 (1) SWEAR WITNESSES AND TAKE SWORN TESTIMONY;

23 (2) HIRE CLERICAL OR ADMINISTRATIVE ASSISTANTS, PROVIDED THAT:

24 (A) THE SALARIES AND BENEFITS OF THE CLERICAL AND  
25 ADMINISTRATIVE ASSISTANTS ARE PAID OUT OF FIRE AND RESCUE TAXES; AND

26 (B) THE POSITIONS OF THE CLERICAL AND ADMINISTRATIVE  
27 ASSISTANTS ARE SUBJECT TO THE PROVISIONS OF THE CHARLES COUNTY  
28 PERSONNEL POLICIES AND PROCEDURES MANUAL; AND

29 (3) AFTER CONSULTATION WITH THE COUNTY ATTORNEY:

30 (A) REQUIRE, AS A CONDITION OF RECEIVING TAX MONEYS, EACH  
31 COUNTY FIRE DEPARTMENT AND RESCUE SQUAD, INCLUDING A MOBILE INTENSIVE  
32 CARE UNIT, TO SUBMIT FINANCIAL RECORDS OR MINUTES OF MEETINGS TO THE  
33 BOARD;

34 (B) REMOVE FROM OFFICE, OR BAR FROM OFFICE, IN ANY  
35 COUNTY FIRE DEPARTMENT OR RESCUE SQUAD, INCLUDING A MOBILE INTENSIVE  
36 CARE UNIT, ANY INDIVIDUAL WHO REFUSES TO SUBMIT ANY RECORD AS REQUIRED  
37 UNDER THIS SECTION OR OTHERWISE DELIBERATELY VIOLATES THE PROVISIONS  
38 OF THIS SECTION; AND

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1 (C) PROVIDE FOR AN APPEAL PROCESS FOR ANY INDIVIDUAL  
2 CHARGED WITH A VIOLATION UNDER THIS SECTION.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
4 October 1, 1996.