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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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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 5, 1996

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CHAPTER \_\_\_\_

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 a clerical or  
5 administrative ~~assistants~~ assistant under certain circumstances, and to require each  
6 county fire department and rescue squad to submit certain records to the Board  
7 under 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].

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

6                    [(2) The Board of Fire and Rescue Commissioners shall be composed of  
7 seven members, one of whom shall be a County Commissioner of Charles County, two of  
8 whom shall be appointed by the Commissioners of Charles County, one of whom shall be  
9 elected by the Charles County Volunteer Firemen's Association, one of whom shall be  
10 elected by the Charles County Association of Emergency Medical Services and two of  
11 whom shall be appointed by the Governor. Each member of the Board of Fire and Rescue  
12 Commissioners shall serve without compensation. Vacancies are to be filled in the same  
13 manner as the original membership was filled. The two gubernatorial members shall be  
14 comprised of one person not affiliated with the Firemen's Association or Emergency  
15 Medical Services of Charles County and one person who is knowledgeable of the  
16 operational functions of the Firemen's Association and Emergency Medical Services of  
17 Charles County.

18                    [(3) The terms of office for the members of the Board of Fire and Rescue  
19 Commissioners are as follows:

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

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

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

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

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

35 54-7.

36                    A. THE BOARD OF FIRE AND RESCUE COMMISSIONERS SHALL BE COMPOSED  
37 OF SEVEN MEMBERS, ONE OF WHOM SHALL BE A COUNTY COMMISSIONER OF  
38 CHARLES COUNTY, TWO OF WHOM SHALL BE APPOINTED BY THE COMMISSIONERS  
39 OF CHARLES COUNTY, ONE OF WHOM SHALL BE ELECTED BY THE CHARLES COUNTY  
40 VOLUNTEER FIREMEN'S ASSOCIATION, ONE OF WHOM SHALL BE ELECTED BY THE  
41 CHARLES COUNTY ASSOCIATION OF EMERGENCY MEDICAL SERVICES AND TWO OF  
42 WHOM SHALL BE APPOINTED BY THE GOVERNOR. EACH MEMBER OF THE BOARD OF  
43 FIRE AND RESCUE COMMISSIONERS SHALL SERVE WITHOUT COMPENSATION.

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1 VACANCIES ARE TO BE FILLED IN THE SAME MANNER AS THE ORIGINAL  
2 MEMBERSHIP WAS FILLED. THE TWO GUBERNATORIAL MEMBERS SHALL BE  
3 COMPRISED OF ONE PERSON NOT AFFILIATED WITH THE FIREMEN'S ASSOCIATION  
4 OR EMERGENCY MEDICAL SERVICES OF CHARLES COUNTY AND ONE PERSON WHO  
5 IS KNOWLEDGEABLE OF THE OPERATIONAL FUNCTIONS OF THE FIREMEN'S  
6 ASSOCIATION AND EMERGENCY MEDICAL SERVICES OF CHARLES COUNTY.

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

9 (1) FOR THE TWO MEMBERS WHO ARE APPOINTED BY THE GOVERNOR,  
10 FOUR-YEAR TERMS BEGINNING JULY 1, 1987, AND THEREAFTER FOR FOUR-YEAR  
11 TERMS.

12 (2) FOR THE ONE MEMBER WHO IS A MEMBER OF THE CHARLES  
13 COUNTY BOARD OF COUNTY COMMISSIONERS, A TERM OF FOUR YEARS, TO BE  
14 FILLED ON WHATEVER TIME BASIS THE COUNTY COMMISSIONERS SO CHOOSE, BUT  
15 ONLY WHILE THE COUNTY COMMISSIONER IS SERVING A TERM OF OFFICE IN THAT  
16 CAPACITY.

17 (3) FOR THE ONE MEMBER WHO IS ELECTED BY THE CHARLES COUNTY  
18 VOLUNTEER FIREMEN'S ASSOCIATION, A ONE-YEAR TERM BEGINNING JANUARY 1,  
19 1995, AND EACH JANUARY 1ST THEREAFTER.

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

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

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

28 (1) SWEAR WITNESSES AND TAKE SWORN TESTIMONY;

29 (2) HIRE A CLERICAL OR ADMINISTRATIVE ~~ASSISTANTS~~ ASSISTANT,  
30 PROVIDED THAT:

31 (A) THE ~~SALARIES~~ SALARY AND BENEFITS OF THE CLERICAL ~~AND~~  
32 OR ADMINISTRATIVE ~~ASSISTANTS~~ ASSISTANT ARE PAID OUT OF FIRE AND RESCUE  
33 TAXES; AND

34 (B) THE ~~POSITIONS~~ POSITION OF THE CLERICAL ~~AND OR~~  
35 ADMINISTRATIVE ~~ASSISTANTS~~ ASSISTANT IS SUBJECT TO THE PROVISIONS OF  
36 THE CHARLES COUNTY PERSONNEL POLICIES AND PROCEDURES MANUAL; AND

37 (3) AFTER CONSULTATION WITH THE COUNTY ATTORNEY:

38 (A) REQUIRE, AS A CONDITION OF RECEIVING TAX MONEYS, EACH  
39 COUNTY FIRE DEPARTMENT AND RESCUE SQUAD, INCLUDING A MOBILE INTENSIVE

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1 CARE UNIT, TO SUBMIT FINANCIAL RECORDS OR MINUTES OF MEETINGS TO THE  
2 BOARD;

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

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

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