
By: **Delegates Weir and Guns**

Introduced and read first time: February 18, 1998

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Local Emergency Preparedness Plans**

3 FOR the purpose of requiring each county and Baltimore City to prepare a certain
4 Emergency Preparedness Plan for responding to emergencies that involve
5 certain hazardous materials or controlled hazardous substances and to submit
6 the Plan to the Director of the Maryland Emergency Management Agency by a
7 certain date; requiring each county and Baltimore City to review a certain
8 Emergency Preparedness Plan and to submit any changes to the Plan to the
9 Director of the Maryland Emergency Management Agency for a certain purpose;
10 and generally relating to certain local emergency preparedness plans.

11 BY transferring
12 Article 41 - Governor - Executive and Administrative Departments
13 Section 18-204(a) and (b)
14 Annotated Code of Maryland
15 (1997 Replacement Volume and 1997 Supplement)
16 to be
17 Article 16A - Maryland Emergency Management Agency
18 Section 4(d)(1) and (2)
19 Annotated Code of Maryland
20 (1996 Replacement Volume and 1997 Supplement)

21 BY repealing and reenacting, with amendments,
22 Article 16A - Maryland Emergency Management Agency
23 Section 4
24 Annotated Code of Maryland
25 (1996 Replacement Volume and 1997 Supplement)
26 (As enacted by Section 1 of this Act)

27 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
28 MARYLAND, That Section(s) 18-204(a) and (b), respectively, of Article 41 - Governor
29 - Executive and Administrative Departments of the Annotated Code of Maryland be

1 transferred to be Section(s) 4(d)(1) and (2), respectively, of Article 16A - Maryland
2 Emergency Management Agency of the Annotated Code of Maryland.

3 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
4 read as follows:

5 **Article 16A - Maryland Emergency Management Agency**

6 4.

7 (a) (1) There is a Maryland Emergency Management Agency in the Military
8 Department.

9 (2) (i) The Adjutant General shall, with the approval of the Governor,
10 appoint a Director of the Maryland Emergency Management Agency who shall be the
11 executive head of the Agency.

12 (ii) The Director is in the executive service in the State Personnel
13 Management System and shall hold office at the pleasure of the Adjutant General.

14 (iii) The Director shall receive such salary as is provided in the
15 budget.

16 (b) (1) Subject to the authority of the Adjutant General, the Director may
17 employ professional, technical, clerical, stenographic, and other personnel within the
18 appropriations and (except as to the position of Director) subject to the conditions and
19 limitations of the State Personnel and Pensions Article.

20 (2) The Director may make expenditures within the appropriations or
21 from other funds made available to the Director for purposes of emergency
22 management, as may be necessary to carry out the purposes of this subtitle.

23 (c) The Director is responsible to the Governor and the Adjutant General for
24 carrying out the State emergency management program. On those occasions when the
25 Governor shall have formally declared the threat or existence of a State emergency,
26 the Director shall coordinate the activities of all organizations for emergency
27 management operations within the State. The Director shall maintain liaison with
28 and cooperate with emergency management agencies and organizations of other
29 states and of the federal government.

30 (d) (1) Each county and Baltimore City shall:

31 (I) [prepare] PREPARE an Emergency Preparedness Plan for
32 responding to an emergency that involves hazardous materials or controlled
33 hazardous substances as defined in the Environment Article; AND

34 (II) REVIEW ITS EMERGENCY PREPAREDNESS PLAN ANNUALLY
35 AND SUBMIT ANY CHANGES IN THE PLAN TO THE DIRECTOR SO THAT THE DIRECTOR
36 MAY MAINTAIN CURRENT AND ACCURATE INFORMATION CONCERNING THE PLAN.

1 (2) Each county and Baltimore City shall submit the Emergency
2 Preparedness Plan required under this section to the [Secretary of Public Safety and
3 Correctional Services] DIRECTOR by [July 1, 1987] OCTOBER 1, 1998.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 July 1, 1998.