
By: **Delegates Weir and Guns**

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Assigned to: Rules and Executive Nominations

Re-referred to: Environmental Matters, February 23, 1998

Committee Report: Favorable

House action: Adopted

Read second time: March 17, 1998

CHAPTER _____

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

1 Annotated Code of Maryland
2 (1996 Replacement Volume and 1997 Supplement)
3 (As enacted by Section 1 of this Act)

4 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
5 MARYLAND, That Section(s) 18-204(a) and (b), respectively, of Article 41 - Governor
6 - Executive and Administrative Departments of the Annotated Code of Maryland be
7 transferred to be Section(s) 4(d)(1) and (2), respectively, of Article 16A - Maryland
8 Emergency Management Agency of the Annotated Code of Maryland.

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

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

12 4.

13 (a) (1) There is a Maryland Emergency Management Agency in the Military
14 Department.

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

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

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

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

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

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

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

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

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

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

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