

SENATE BILL 736

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E4

1998 Regular Session  
8r2677  
CF HB 316

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By: **Senator Madden**

Introduced and read first time: February 23, 1998

Assigned to: Rules

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A BILL ENTITLED

1 AN ACT concerning

2 **Fire Departments - Privatization - Referendum Required**

3 FOR the purpose of requiring a county or municipal corporation to submit to a  
4 referendum of the voters of the county or municipal corporation any enactment  
5 to privatize fire, emergency medical, paramedic, or rescue services; requiring  
6 the governing body and the appropriate election board or municipal election  
7 official to do those things necessary to carry out the referendum; and generally  
8 relating to the privatization of fire, emergency medical, paramedic, or rescue  
9 services.

10 BY adding to

11 Article 38A - Fires and Investigations  
12 Section 68  
13 Annotated Code of Maryland  
14 (1997 Replacement Volume and 1997 Supplement)

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

17 **Article 38A - Fires and Investigations**

18 68.

19 (A) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A COUNTY OR  
20 MUNICIPAL CORPORATION MAY NOT PRIVATIZE FIRE, EMERGENCY MEDICAL,  
21 PARAMEDIC, OR RESCUE SERVICE UNLESS AN ENACTMENT PRIVATIZING THE  
22 SERVICES HAS BEEN SUBMITTED TO THE VOTERS OF THE COUNTY OR MUNICIPAL  
23 CORPORATION AT A REFERENDUM HELD AT A GENERAL OR SPECIAL ELECTION.

24 (B) (1) THE COST OF THE REFERENDUM, IF ANY, SHALL BE PAID BY THE  
25 GOVERNING BODY OF THE COUNTY OR MUNICIPAL CORPORATION.

26 (2) THE GOVERNING BODY AND THE APPROPRIATE BOARD OF  
27 SUPERVISORS OF ELECTIONS OR MUNICIPAL ELECTION OFFICIAL SHALL DO THOSE  
28 THINGS NECESSARY AND PROPER TO PROVIDE FOR AND HOLD THE REFERENDUM.

1           (3)     IF A MAJORITY OF THE VOTES CAST ON THE QUESTION ARE "FOR  
2 THE REFERRED LAW", THE ENACTMENT MAY BECOME EFFECTIVE ON THE DATE  
3 SPECIFIED IN THE ENACTMENT, BUT IF A MAJORITY OF THE VOTES CAST ON THE  
4 QUESTION ARE "AGAINST THE REFERRED LAW", THE PROVISIONS OF THE  
5 ENACTMENT ARE OF NO EFFECT AND NULL AND VOID.

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