
By: **Charles County Delegation**
Introduced and read first time: February 9, 2001
Assigned to: Commerce and Government Matters

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 14, 2001

CHAPTER _____

1 AN ACT concerning

2 **Charles County - Fire and Rescue Services**

3 FOR the purpose of including a dive rescue unit and mobile intensive care unit in
4 certain provisions of law that relate to fire companies and rescue squads in
5 Charles County; authorizing an increase of a certain amount in a certain
6 emergency fund; making stylistic and technical changes; allowing excess Length
7 of Service Award Program Funds to be used for recruitment and retention;
8 defining a certain term; and generally relating to the volunteer fire companies,
9 rescue squads, mobile intensive care units, and dive rescue units of Charles
10 County.

11 BY repealing and reenacting, with amendments,
12 The Public Local Laws of Charles County
13 Section 54-1 through 54-6, 54-8, and 54-11 to be under the amended chapter
14 "Chapter 54. Volunteer Fire Companies, Rescue Squads, Mobile Intensive
15 Care Units, and Dive Rescue Units"
16 Article 9 - Public Local Laws of Maryland
17 (1994 Edition and June 1998 Supplement, as amended)

18 BY adding to
19 The Public Local Laws of Charles County
20 Section 54-1
21 Article 9 - Public Local Laws of Maryland
22 (1994 Edition and June 1998 Supplement, as amended)

23 BY repealing and reenacting, with amendments,
24 The Public Local Laws of Charles County

1 Section 54-7
 2 Article 9 - Public Local Laws of Maryland
 3 (1994 Edition and June 1998 Supplement, as amended)
 4 (As enacted by Chapter 88 of the Acts of the General Assembly of 1999)

5 BY repealing and reenacting, with amendments,
 6 The Public Local Laws of Charles County
 7 Section 54-9
 8 Article 9 - Public Local Laws of Maryland
 9 (1994 Edition and June 1998 Supplement, as amended)
 10 (As enacted by Chapters 88, 89, 90, and 106 of the Acts of the General Assembly
 11 of 1999)

12 BY repealing and reenacting, with amendments,
 13 The Public Local Laws of Charles County
 14 Section 54-10
 15 Article 9 - Public Local Laws of Maryland
 16 (1994 Edition and June 1998 Supplement, as amended)
 17 (As enacted by Chapter 466 of the Acts of the General Assembly of 1997)

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

20 **Article 9 - Charles County**

21 Chapter 54. VOLUNTEER Fire Companies[;], Rescue Squads, MOBILE INTENSIVE
 22 CARE UNITS, AND DIVE RESCUE UNITS

23 54-1.

24 IN THIS CHAPTER, "RESCUE SQUAD" ~~MEANS~~ INCLUDES AN AMBULANCE
 25 COMPANY OR AN EMERGENCY MEDICAL SERVICES COMPANY.

26 [54-1.] 54-1.1.

27 A. The County Commissioners shall levy for each fiscal year a fire, [and]
 28 rescue, AND EMERGENCY MEDICAL SERVICES tax at the rate of sixteen cents per \$100
 29 of assessed value. The tax shall be levied on the assessed value of all taxable real and
 30 personal property in Charles County.

31 B. Said fire, [and] rescue, AND EMERGENCY MEDICAL SERVICES tax shall be
 32 levied and collected in the same manner as other state and county taxes are now
 33 levied and collected.

34 C. The proceeds collected from the county fire, [and] rescue, AND
 35 EMERGENCY MEDICAL SERVICES tax shall thereafter be paid by the County
 36 Commissioners twice a year, as determined by the Board of Fire and Rescue

1 Commissioners, to all the VOLUNTEER Fire Departments, [and] rescue squads,
2 including mobile intensive care units, AND DIVE RESCUE UNITS, in Charles County.
3 The proceeds shall be distributed as directed by the Board of Fire and Rescue
4 Commissioners.

5 D. The Board of Fire and Rescue Commissioners shall review and make
6 recommendations concerning the financing of the VOLUNTEER fire departments,
7 [and] rescue squads, including mobile intensive care units, AND DIVE RESCUE UNITS,
8 in Charles County. Distribution of the proceeds of the fire, [and] rescue, AND
9 EMERGENCY MEDICAL SERVICES tax shall be to the various VOLUNTEER fire
10 departments, [and] rescue squads[;], mobile intensive care units, AND DIVE RESCUE
11 UNITS in accordance with a formula agreed on by the Board of Fire and Rescue
12 Commissioners and the Executive Committee of the Charles County Volunteer
13 Firemen's Association and the executive committee of the Charles County Association
14 of Emergency Medical Services. If an agreement cannot be reached, the formula
15 employed in the previous year's distribution shall continue in use until an agreement
16 is reached. Each sixteen cents received from the fire, [and] rescue, AND EMERGENCY
17 MEDICAL SERVICES tax shall be allocated and distributed as follows:

18 (1) Ten cents to the various fire departments AND DIVE RESCUE UNITS of
19 Charles County.

20 (2) Five cents to the various rescue squads and mobile intensive care
21 units of Charles County.

22 (3) One cent to be used to provide funds to pay for the funded length of
23 service award described in § 54-8 of this chapter.

24 E. The funds received by the respective Fire Departments and rescue squads,
25 including mobile intensive care units AND DIVE RESCUE UNITS, from this fire, [and]
26 rescue, AND EMERGENCY MEDICAL SERVICES tax shall be used for the purpose of
27 purchasing, repairing, replacing, operating and maintaining their fire-fighting,
28 [and] rescue, AND EMERGENCY MEDICAL SERVICES equipment and apparatus and
29 the housing of the same and for fire prevention and training. The amount and type of
30 equipment and apparatus of said Fire Departments, [and] rescue squads, MOBILE
31 INTENSIVE CARE UNITS, AND DIVE RESCUE UNITS shall conform to the standards
32 prescribed by the Charles County Volunteer Firemen's Association and by the Charles
33 County Association of Emergency Medical Services, respectively. No resolution,
34 regulation or bylaw shall be passed by said Fire Departments [or], rescue squads,
35 MOBILE INTENSIVE CARE UNITS, AND DIVE RESCUE UNITS limiting or restricting the
36 territory within the area covered by this fire, [and] rescue, AND EMERGENCY
37 MEDICAL SERVICES tax within which it will respond to emergency calls.

38 F. In addition to the fire, [and] rescue, AND EMERGENCY MEDICAL
39 SERVICES tax benefits, the County Commissioners of Charles County are authorized
40 to pay out of the general funds of the county additional funds to the various Fire
41 Departments, [and] rescue squads, MOBILE INTENSIVE CARE UNITS, AND DIVE
42 RESCUE UNITS as they deem necessary. The Board of Fire and Rescue Commissioners
43 shall consider these payments in determining the amounts due the various Fire

1 Departments, [and] rescue squads, MOBILE INTENSIVE CARE UNITS, AND DIVE
2 RESCUE UNITS under the formula distribution plan and in determining whether
3 excess proceeds exist.

4 54-2.

5 Excess proceeds, herein defined as proceeds from the fire, [and] rescue, AND
6 EMERGENCY MEDICAL SERVICES tax in excess of those necessary to satisfy the
7 requirements of the preceding subsections, shall, upon recommendation of the Board
8 of Fire and Rescue Commissioners, be used by the County Commissioners to reduce
9 the indebtedness of the various VOLUNTEER Fire Departments, [and] rescue squads,
10 MOBILE INTENSIVE CARE UNITS, AND DIVE RESCUE UNITS to assist in the formation
11 of new Fire Departments [or], rescue squads, MOBILE INTENSIVE CARE UNITS, AND
12 DIVE RESCUE UNITS in accordance with the needs and growth of the county, to allot
13 funds to the various Fire Department, [an] rescue squads, MOBILE INTENSIVE CARE
14 UNITS, AND DIVE RESCUE UNITS to pay for career fire, [and] rescue, OR EMERGENCY
15 MEDICAL SERVICES personnel, to support/aid the Southern Maryland Regional
16 Training Center, to hire necessary clerical assistance, to accumulate an emergency
17 fund up to a maximum of [one] TWO hundred thousand dollars [(\$100,000.)]
18 \$200,000, to provide assistance to new VOLUNTEER FIRE departments, [and] RESCUE
19 squads, MOBILE INTENSIVE CARE UNITS, OR DIVE RESCUE UNITS or TO existing
20 departments, [and] squads, COMPANIES, OR UNITS suffering major losses through no
21 fault of their own and/or to pay any part of such excess proceeds to the general fund
22 of Charles County as the Board of Fire and Rescue Commissioners deems surplus to
23 the needs of the various Fire Departments [and], rescue squads, MOBILE INTENSIVE
24 CARE UNITS, AND DIVE RESCUE UNITS.

25 54-3.

26 A. The Charles County Volunteer Firemen's Association, at least once each
27 calendar year, shall conduct an inspection by a duly appointed committee of the
28 Association to ascertain whether each FIRE department's equipment and apparatus,
29 INCLUDING DIVE RESCUE UNITS, complies with the standards of the Association, and
30 the Association, on or before the 15th of October of each year, shall submit a report, in
31 writing, to the County Commissioners and the Board of Fire and Rescue
32 Commissioners stating whether each department, COMPANY, OR UNIT does or does
33 not meet the standards of the Association. Each noncompliance with the standards
34 shall be documented by the Charles County Volunteer Firemen's Association.

35 B. The Charles County Association of Emergency Medical Services shall, at
36 least twice each calendar year, conduct an inspection by a duly appointed committee
37 of the Association to ascertain whether each rescue squad's equipment and apparatus,
38 including mobile intensive care units, complies with the standards of the Association.
39 The Association shall, on or before the first day of June and December of each year,
40 submit a report in writing, to the County Commissioners and the Board of Fire and
41 Rescue Commissioners stating whether each [squad] UNIT meets or fails to meet the
42 standards of the Association.

1 54-4.

2 In the event that any one (1) of the Fire Departments, rescue squads, [or]
3 mobile intensive care units, OR DIVE RESCUE UNITS in Charles County fails to comply
4 with the standards of its respective Association, then the BOARD OF FIRE AND
5 RESCUE COMMISSIONERS MAY WITHHOLD THE FUNDS PROPORTIONATE TO THE
6 NONCOMPLIANCE OF THE STANDARDS [funds proportionate to the noncompliance of
7 the standards may be withheld by the Board of Fire and Rescue Commissioners] until
8 said department, squad, [or] mobile intensive care unit, OR DIVE RESCUE UNIT has
9 complied with the standards of said Association or has presented an acceptable plan
10 for attaining compliance with the standards of said Association to the Board of Fire
11 and Rescue Commissioners. In the event that said department, squad [or], mobile
12 intensive care unit, OR DIVE RESCUE UNIT does not comply with the standards, then
13 the proportionate funds allocated to that department, squad or mobile intensive care
14 unit shall be distributed, as necessary, among the companies assuming coverage of
15 that area.

16 54-5.

17 In the event that any one (1) of the Fire Departments, [or] rescue squads,
18 MOBILE INTENSIVE CARE UNIT, OR DIVE RESCUE UNITS in Charles County ceases to
19 be an active fire-fighting, [or] rescue, OR EMERGENCY MEDICAL SERVICES
20 organization or if the funds provided for herein are not used for the purposes set forth
21 in §§ 54-1 and 54-2 of this Article, the County Commissioners shall cease paying to
22 that department, squad [or], mobile intensive care unit, OR DIVE RESCUE UNIT such
23 funds, and the same shall be held and distributed, as necessary, on the
24 recommendations of the Board of Fire and Rescue Commissioners, to those
25 departments, squads [or], mobile intensive care units, OR DIVE RESCUE UNITS
26 assuming coverage of that area; provided, further, that the beneficial assets of said
27 Fire Departments, rescue squads, or mobile intensive care [unit] UNITS, OR DIVE
28 RESCUE UNITS shall become the property of Charles County and that the County
29 Commissioners may, at their discretion, assume some or all of the liabilities of such
30 organizations. The County Commissioners may, on the recommendation of the Board
31 of Fire and Rescue Commissioners, give such assets and liabilities to those Fire
32 Departments, [or] rescue squads, MOBILE INTENSIVE CARE UNITS, OR DIVE RESCUE
33 UNITS assuming coverage of the area or to any other FIRE department, [or] RESCUE
34 squad, MOBILE INTENSIVE CARE UNIT, OR DIVE RESCUE UNIT active in Charles
35 County.

36 54-6.

37 A. (1) No FIRE department, [or] RESCUE squad, MOBILE INTENSIVE CARE
38 UNIT, OR DIVE RESCUE UNIT receiving benefits under §§ 54-1 and 54-2 of this Article
39 shall obligate itself or expend funds for any capital expenditure, including the
40 purchase of land, the purchase, erection or modification of any building or structure
41 or the acquisition of apparatus, without first obtaining approval of the Executive
42 Committee of the Charles County Volunteer Firemen's Association or the Charles
43 County Association of Emergency Medical Services and the Board of Fire and Rescue
44 Commissioners.

1 (2) The Board of Fire and Rescue Commissioners shall review each such
2 proposal and, in the event that the proposed expenditure exceeds the funds allocated
3 in the formula distribution plan, shall ensure that the organization requesting such
4 approval is aware of the excess and possesses adequate funds or means to raise such
5 funds without having a detrimental effect on its fire-fighting, [or] rescue, OR
6 EMERGENCY MEDICAL SERVICE capability or jeopardizing the organization's
7 financial stability.

8 B. On or before October 1 of each year, each fire department, rescue squad
9 [and], mobile intensive care unit, AND DIVE RESCUE UNIT, to which money is paid by
10 the County Commissioners shall submit to the Board of Fire and Rescue
11 Commissioners and to the County Commissioners a statement prepared by a certified
12 public accountant of all cash receipts and disbursements, regardless of source, for the
13 previous fiscal year and other pertinent information as required by the Board of Fire
14 and Rescue Commissioners.

15 54-7.

16 A. The Board of Fire and Rescue Commissioners shall be composed of seven
17 members, one of whom shall be a County Commissioner of Charles County, two of
18 whom shall be appointed by the Commissioners of Charles County, one of whom shall
19 be elected by the Charles County Volunteer Firemen's Association, one of whom shall
20 be elected by the Charles County Association of Emergency Medical Services and two
21 of whom shall be appointed by the Governor. Each member of the Board of Fire and
22 Rescue Commissioners shall serve without compensation. Vacancies are to be filled in
23 the same manner as the original membership was filled. The two gubernatorial
24 members shall be comprised of one person not affiliated with the Firemen's
25 Association or Emergency Medical Services of Charles County and one person who is
26 knowledgeable of the operational functions of the Firemen's Association and
27 Emergency Medical Services of Charles County.

28 B. The terms of office for the members of the Board of Fire and Rescue
29 Commissioners are as follows:

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

32 (2) For the one member who is a member of the Charles County Board of
33 County Commissioners, a term of four years, to be filled on whatever time basis the
34 County Commissioners so choose, but only while the County Commissioner is serving
35 a term of office in that capacity.

36 (3) For the one member who is elected by the Charles County Volunteer
37 Firemen's Association, a one-year term beginning January 1, 1995, and each January
38 1st thereafter.

39 (4) For the one member who is elected by the Charles County Association
40 of Emergency Medical Services, a one-year term beginning January 1, 1995, and each
41 January 1st thereafter.

1 (5) For the two members who are appointed by the Charles County
2 Commissioners, four-year terms beginning on July 1, 1995 and for four-year terms
3 thereafter.

4 C. In addition to any other powers that are granted under this chapter, the
5 Board of Fire and Rescue Commissioners may:

6 (1) Swear witnesses and take sworn testimony;

7 (2) Hire a Program Coordinator, a clerical or administrative assistant, or
8 both, provided that the salary and benefits of the Program Coordinator and clerical or
9 administrative assistant are paid out of fire, [and] rescue, AND EMERGENCY
10 MEDICAL SERVICES taxes; and

11 (3) After consultation with the County Attorney:

12 (a) Require, as a condition of receiving tax moneys, each County
13 Fire Department, RESCUE SQUAD, MOBILE INTENSIVE CARE UNIT, OR DIVE RESCUE
14 UNIT [and Rescue Squad, including a mobile intensive care unit,] to submit financial
15 records or minutes of meetings to the Board;

16 (b) Remove from office, or bar from office, in any County Fire
17 Department, [or] Rescue Squad [including a], mobile intensive care unit, OR DIVE
18 RESCUE UNIT any individual who refuses to submit any record as required under this
19 chapter or otherwise deliberately violates the provisions of this chapter; and

20 (c) Provide for an appeal process for any individual charged with a
21 violation under this section.

22 54-8.

23 There is hereby established a length of service award program for qualified
24 active volunteer members of the Charles County Volunteer Fire Companies,
25 Volunteer Rescue Squads [and], VOLUNTEER mobile intensive care units, AND
26 VOLUNTEER DIVE RESCUE UNITS. For the purposes of §§ 54-8 through 54-11, "active
27 volunteer member" means a person who accumulated a minimum of fifty (50) points
28 per calendar year in accordance with the point system set forth in Section 54-11.

29 54-9.

30 A. Any person who has served as a member of any Charles County Volunteer
31 Fire Company [or Charles County], Volunteer Rescue Squad, VOLUNTEER MOBILE
32 INTENSIVE CARE UNIT, OR VOLUNTEER DIVE RESCUE UNIT is eligible to receive the
33 benefits set forth in this Article if the person is certified in accordance with the
34 provision of § 54-11 to have served as an active volunteer subsequent to December 31,
35 1973. Any person who discontinued active volunteer service prior to January 1, 1974,
36 may receive credit for the service after being certified in accordance with the
37 provisions of § 54-11.

1 B. Beginning January 1, 1974, any person who has reached the age of sixty
2 (60) years and who has completed a minimum of twenty-five (25) years of certified
3 active volunteer service with any Charles County Volunteer Fire Company, [or]
4 Volunteer Rescue Squad, VOLUNTEER MOBILE INTENSIVE CARE UNIT, OR
5 VOLUNTEER DIVE RESCUE UNIT, or combination thereof, shall receive benefits in the
6 amount of one hundred dollars (\$100.) per month for life. Payments shall begin on the
7 first day of the first month following eligibility. The program shall be administered by
8 the County Commissioners of Charles County, and payment shall be made directly to
9 the volunteer entitled to such benefits. Beginning July 1, 1984, and annually
10 thereafter, this amount shall be increased or decreased by an amount equal to the
11 annual increase or decrease as reflected by the consumer price index, using the
12 published May figure each year. This amount shall not exceed a four-percent increase
13 or decrease per year and shall be cumulative.

14 C. (1) An additional payment of two dollars (\$2.) per month shall be added
15 to the benefits described in Subsection B of this section for each full year of volunteer
16 service in excess of twenty-five (25) years. Beginning July 1, 1984, and annually
17 thereafter, this amount shall be increased or decreased by an amount equal to the
18 annual increase or decrease as reflected by the consumer price index, using the
19 published May figure each year. This amount shall not exceed a four-percent (4%)
20 increase or decrease per year and shall be cumulative. Beginning July 1, 1990, the
21 amount payable monthly for each year in excess of twenty-five (25) years shall be
22 equal to four percent (4%) of the amount payable under subsection B of this section.

23 (2) In lieu of a cost of living increase for fiscal year 2000, on July 1, 1999,
24 an increase of one dollar (\$1) shall be applied to the value of one (1) year's qualifying
25 service. Subsequent to June 30, 2000, a cost of living increase shall be calculated as
26 provided in subsection B of this section.

27 D. In the event that any active volunteer becomes disabled during the course
28 of service as a volunteer [fireman or rescue squadman] while actively engaged in
29 providing such services FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES PERSON
30 and in the event that the disability prevents the volunteer from pursuing the
31 volunteer's normal occupation and that the disability is of a permanent nature as
32 certified by the State Workers' Compensation Commission or other competent
33 medical authority as designated by the County Commissioners, then the volunteer is
34 entitled to receive the benefits prescribed in Subsection B of this section and any
35 other benefits, regardless of age or length of service. These benefits shall begin on the
36 first day of the first month following the establishment of the permanency of the
37 disability.

38 E. In the event that a qualified volunteer who has completed a minimum of
39 25 years of certified active volunteer service with any Charles County Volunteer Fire
40 Company, [or] Volunteer Rescue Squad, VOLUNTEER MOBILE INTENSIVE CARE UNIT,
41 OR VOLUNTEER DIVE RESCUE UNIT or combination thereof, shall become
42 permanently and totally disabled, for any reason, and such disability is certified by
43 the State Workers' Compensation Commission, or its successor agency, or other
44 competent medical authority designated by the County Commissioners, then that
45 volunteer shall be entitled to receive benefits earned as provided under Subsections B

1 and C of this section, regardless of age. These benefits shall begin in the month
2 following certification of disability.

3 F. In the event that any qualified volunteer shall die while receiving benefits,
4 then the surviving spouse is entitled to benefits equal to 75% of the volunteer's
5 benefits. This rate applies to any person who is receiving benefits on or before July 1,
6 1989, as well as to any person who begins to receive benefits after July 1, 1989. These
7 benefits shall terminate upon death or remarriage of the spouse.

8 G. In the event that a qualified volunteer dies prior to receiving any benefits
9 under this section, the surviving spouse is entitled to benefits equal to 75% of the
10 benefits earned by the deceased volunteer. This rate applies to any person who is
11 receiving benefits on or before July 1, 1989, as well as to any person who begins to
12 receive benefits after July 1, 1989. These benefits shall terminate upon death or
13 remarriage. A "qualified volunteer" is defined as:

14 (1) One who has completed 25 years of certified service; or

15 (2) One who is receiving benefits under Subsection I of this section.

16 H. When a qualified volunteer dies, a death benefit of five thousand dollars
17 (\$5,000.) shall be paid to the volunteer's designated beneficiary.

18 I. In the event that any active volunteer [fireman or squadman], herein
19 defined as one who has had at least two (2) years of qualifying service in the five (5)
20 preceding years, attains the age of seventy (70) years and fails to achieve the required
21 twenty-five (25) years of service, then the volunteer is entitled to a monthly benefit of
22 the number of years of certified service completed multiplied by four dollars (\$4.).
23 These benefits shall be payable in the normal manner.

24 J. When an unqualified volunteer is killed in the line of duty during the
25 course of service as a member of a fire, emergency medical service, or specialized
26 rescue unit or dies having completed at least one (1) year of length of service award
27 program qualifying service and is carried on current membership rosters and does not
28 qualify for death benefits as provided in Subsection H of this section, a death benefit
29 of five thousand dollars (\$5,000.) shall be paid to the unqualified volunteer's
30 designated beneficiary.

31 K. When receipts of funds from § 54-1 D(3) exceed the costs of the benefits
32 described IN Subsections A through J of this section, the Board of Fire and Rescue
33 Commissioners may utilize the excess funds to provide additional benefits to those
34 persons eligible to receive benefits under this section.

35 L. Beginning in July 1999, a member who is at least fifty-five (55) years old
36 and has completed a minimum of twenty-five (25) years of qualifying service, may
37 elect to receive an early length of service program award benefit equal to 75% of the
38 benefit that person would have received at the age of sixty (60) years. That member's
39 credit for additional years of service shall equal 75% of the benefit awarded to a
40 member who begins benefits at the age of sixty (60) years. The election of early length
41 of service award program benefits shall be a final choice of benefits by the member.

1 54-10.

2 A. (1) Commencing July 1, 1984, and annually thereafter, a [copy] COST of
3 living review shall be made by the County Commissioners to adjust the benefits
4 provided under § 54-9 B, C, D, E, F, G, H, [and] I, J, AND L of this Article. The
5 adjustment shall increase or decrease the benefits according to an amount equal to
6 the annual increase or decrease as reflected by the current May consumer price index,
7 but shall not exceed a four-percent increase or decrease per year and shall be
8 cumulative. Revised or reviewed benefits shall commence on October 1 of the year.

9 (2) Any benefit adjustment made under this section shall be applied only
10 prospectively.

11 B. It is the responsibility of each participating volunteer fire company, [or
12 rescue squad] VOLUNTEER RESCUE SQUAD, VOLUNTEER MOBILE INTENSIVE CARE
13 UNIT, OR VOLUNTEER DIVE RESCUE UNIT to maintain detailed and accurate records
14 of each volunteer member on forms prescribed by the Executive Committee of the
15 Charles County Volunteer Firemen's Association, Inc., and approved by the Board of
16 Fire and Rescue Commissioners.

17 C. (1) [Beginning January 15, 1975] EACH JANUARY 15, and each January
18 15 thereafter, the Board of Directors of each volunteer fire company, [or rescue
19 squad] VOLUNTEER RESCUE SQUAD, VOLUNTEER mobile intensive care unit, OR
20 VOLUNTEER DIVE RESCUE UNIT shall furnish to the Executive Committee of the
21 Charles County Volunteer Firemen's Association, Inc., a statement under oath
22 certifying all volunteers of the DEPARTMENT, company [or], squad, OR UNIT who
23 have qualified for credit for the previous year. Each statement shall contain all
24 members' ages, [and] previous credits earned, and other information as may be
25 required by the Executive Committee.

26 (2) Upon receipt of this statement, the Executive Committee of the
27 Charles County Volunteer Firemen's Association, Inc., shall review the list of each
28 company OR UNIT and furnish a copy thereof to the Board of Fire and Rescue
29 Commissioners, together with a certification as to the accuracy of each list, by March
30 15 of each year. After the Board of Fire and Rescue Commissioners approves the
31 certified list, it shall forward a copy of each approved list to the [fire company or
32 rescue squad] DEPARTMENT, COMPANY, SQUAD, OR UNIT concerned by April 15 of
33 each year. These lists shall be posted in a conspicuous place within each [fire
34 company or rescue squad] DEPARTMENT, SQUAD, COMPANY, OR UNIT building for a
35 period of not less than thirty (30) days.

36 (3) (a) A person whose name does not appear on the certified list
37 or who is denied credit for services prior to January 1, 1974, has the right to appeal at
38 any time after the posting of these lists.

39 (b) The appeal shall be in writing and addressed to the Board of
40 Fire and Rescue Commissioners, which shall make a final decision. The person
41 appealing may request a hearing in lieu of the written appeal. The hearing shall be

1 conducted by the Board of Fire and Rescue Commissioners within sixty (60) days of
2 the request and not less than ten (10) days after notifying the appellant of the date.

3 54-11.

4 A. In order to qualify for the benefits, points shall be credited to each
5 volunteer in accordance with the following:

6 (1) One (1) point shall be credited for each hour of attendance in a
7 recognized training course, provided that not more than twenty-five (25) points may
8 be credited for all training courses attended per year.

9 (2) One (1) point shall be credited for each company or county drill
10 attended in its entirety, provided that not more than twenty-five (25) points may be
11 credited for all drills attended per year.

12 (3) One (1) point shall be credited for each official company or county
13 meeting pertaining to Charles County fire [services or rescue], RESCUE, OR
14 EMERGENCY MEDICAL SERVICES [services] attended, provided that not more than
15 twenty-five (25) points may be credited for all meetings attended per year.

16 (4) One (1) point shall be credited for each call to which a volunteer
17 responds, provided that not more than forty (40) points may be credited for all calls
18 responded to per year.

19 (5) Twenty-five (25) points shall be credited for completion of a one-year
20 term as an appointed or elected officer in any of the fire, [or] rescue [service], OR
21 EMERGENCY MEDICAL SERVICES organizations of Charles County, provided that not
22 more than one (1) office shall be counted in any calendar year.

23 (6) One (1) point shall be credited for each hour of acceptable collateral
24 duties, such as but not limited to apparatus and building maintenance,
25 administrative duties, official standby and fire prevention, provided that not more
26 than twenty-five (25) points may be credited for all collateral duties performed per
27 year.

28 (7) Until July 1, 1984, a volunteer member who serves or has served
29 full-time military service in the Armed Forces of the United States shall receive
30 credit at the rate of five (5) points for each month served, provided that not more than
31 fifty (50) points can be credited for each calendar year. A maximum of four (4) years of
32 creditable service may be acquired in this manner. After July 1, 1984, credit shall be
33 given only to active volunteer members who enlist or are conscripted into the Armed
34 Forces of the United States. New volunteer members with previous military service
35 shall not receive credit for such service.

36 B. In order to provide credit for service prior to January 1, 1974, each unit
37 shall review its past and present membership rosters to determine the number of
38 years of credit to which each member or past member is entitled. In making this
39 analysis, the standards for active service shall be used as guidelines. Approval [for]
40 OF service shall be certified by the Board of Directors of each department or squad. If

1 a volunteer member has service in more than one (1) unit, that person shall receive
2 credit for the service in each organization, provided that not more than one (1) year's
3 credit may be granted for each calendar year of volunteer service.

4 C. In the event that sufficient records are unavailable to prove service prior to
5 January 1, 1974, the certification may be made by a unit after thorough investigation
6 and on the best information, knowledge and belief of the Board of Directors of the
7 individual's department or squad.

8 D. In the event that funding as provided by § 54-1 D of this chapter is not
9 sufficient, the Board of Fire and Rescue Commissioners shall provide additional funds
10 taken from the funds allocated to the various Fire Departments, [and] rescue squads,
11 MOBILE INTENSIVE CARE UNITS, AND DIVE RESCUE UNITS in amounts proportionate
12 to their receipts from the fire, [and] rescue, AND EMERGENCY MEDICAL SERVICES
13 tax. If the funds provided for length of service award are in excess of the
14 requirements, the Board of Fire and Rescue Commissioners may allocate these funds
15 TO AID IN THE RECRUITMENT OR RETENTION OF VOLUNTEERS OR for any use
16 authorized under §§ 54-1 and 54-2 of this chapter.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
18 effect October 1, 2001.