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House action: Adopted
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CHAPTER _____

1 AN ACT concerning

2 ~~Maryland Emergency Management Agency—Qualifications of Director—~~
3 ~~Study of Feasibility of Consolidation of Agencies that Provide Emergency~~
4 ~~the Organizational Structure of Operational Fire and Rescue Services~~

5 FOR the purpose of requiring that the Director of the Maryland Emergency
6 Management Agency be an individual with expertise in emergency
7 management, including demonstrated expertise in and knowledge of fire and
8 rescue services in Maryland; establishing a study group on the feasibility of
9 creating a Department of Fire, Rescue, and Emergency Management Services;
10 providing for the membership, appointment of members, duties, staffing, and
11 reporting requirement of the study group; and generally relating to fire, rescue,
12 and emergency management services in the State the Department of Legislative
13 Services to conduct a certain study of the laws of other states to determine the
14 organizational structure of operational fire and rescue services in other states;
15 requiring the Department to submit a certain report to the Governor and the
16 General Assembly on or before a certain date; and generally relating to the
17 Study of the Organizational Structure of Operational Fire and Rescue Services.

18 ~~BY repealing and reenacting, with amendments,~~
19 ~~Article 16A—Maryland Emergency Management Agency~~
20 ~~Section 4~~
21 ~~Annotated Code of Maryland~~

1 (~~2001 Replacement Volume~~)

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

4 (a) The Department of Legislative Services shall conduct a study of the laws of
5 other states to determine the organizational structure of operational fire and rescue
6 services in other states.

7 (b) In conducting the study, the Department shall examine:

8 (1) the structure in other states for providing operational fire and rescue
9 services, including whether those services are provided on a local or statewide level;

10 (2) the sources of funding in other states for operational fire and rescue
11 services provided on a local or statewide level; and

12 (3) the existence in other states of any department, advisory council,
13 commission, or other organizational unit that:

14 (i) coordinates or oversees the delivery of operational fire and
15 rescue services in those states; or

16 (ii) advises and provides guidance on issues that affect operational
17 fire and rescue services on a statewide level.

18 (c) The Department shall report its findings and recommendations to the
19 Governor and, in accordance with § 2-1246 of the State Government Article, the
20 General Assembly on or before December 1, 2002.

21 **~~Article 16A – Maryland Emergency Management Agency~~**

22 ~~4.~~

23 (a) ~~(1) There is a Maryland Emergency Management Agency in the Military~~
24 ~~Department.~~

25 ~~(2) (i) The Adjutant General shall, with the approval of the Governor,~~
26 ~~appoint a Director of the Maryland Emergency Management Agency who shall be the~~
27 ~~executive head of the Agency.~~

28 ~~(ii) The Director:~~

29 ~~1. [is] IS in the executive service in the State Personnel~~
30 ~~Management System and shall hold office at the pleasure of the Adjutant General[.];~~

31 ~~[(iii)] 2. [The Director shall] SHALL receive such salary as is~~
32 ~~provided in the budget; AND~~

- 1 (i) ~~The Maryland State Firemen's Association;~~
- 2 (ii) ~~The Maryland—District of Columbia Firefighters Association;~~
- 3 (iii) ~~The Maryland Fire Chiefs Council of the State of Maryland;~~
- 4 (iv) ~~The Maryland Fire and Rescue Institute;~~
- 5 (v) ~~The Maryland Association of Counties; and~~
- 6 (vi) ~~The Maryland Municipal League;~~
- 7 (4) ~~The Secretary of Transportation or his designee;~~
- 8 (5) ~~The Director of the Maryland Emergency Management Agency or his~~
9 ~~designee;~~
- 10 (6) ~~The Executive Director of the Maryland Institute for Emergency~~
11 ~~Medical Services Systems or his designee;~~
- 12 (7) ~~The State Fire Marshal or his designee; and~~
- 13 (8) ~~A representative of the Office of the Governor selected by the~~
14 ~~Governor and recommended to the Speaker of the House and the President of the~~
15 ~~Senate.~~
- 16 (e) ~~The Speaker and the President shall jointly appoint the chairman of the~~
17 ~~study group.~~
- 18 (d) ~~The study group shall:~~
- 19 (1) ~~Consider and review the feasibility of creating a Department of Fire,~~
20 ~~Rescue, and Emergency Management Services that would be independent of the~~
21 ~~Military Department and the Department of State Police, with the objective of~~
22 ~~creating a consolidated State agency charged with the oversight, coordination, and~~
23 ~~facilitation of, and the enhancement of effective communication by and among~~
24 ~~providers of, emergency management services in the State of Maryland, including law~~
25 ~~enforcement and fire and rescue services;~~
- 26 (2) ~~Identify the currently existing agencies and units of State~~
27 ~~government that provide fire, rescue, and emergency management services;~~
- 28 (3) ~~Study funding and budgetary matters with respect to the various~~
29 ~~State and local agencies and units that provide fire, rescue, and emergency services in~~
30 ~~the State; and~~
- 31 (4) ~~Consider any other appropriate issue related to the consolidation,~~
32 ~~coordination, and oversight of fire, rescue, and emergency management services in~~
33 ~~Maryland.~~

1 (e) ~~The study group shall be staffed by the Department of Legislative Services,~~
2 ~~and the Emergency Management Agency and all other agencies and units of State~~
3 ~~government shall cooperate with the Department with respect to information~~
4 ~~requests and other appropriate assistance the Department finds necessary to make or~~
5 ~~request.~~

6 (f) ~~The study group shall submit a final report on its activities, including its~~
7 ~~findings and recommendations, to the Governor and, in accordance with § 2-1246 of~~
8 ~~the State Government Article, the General Assembly on or before December 1, 2003.~~

9 SECTION ~~3-2.~~ AND BE IT FURTHER ENACTED, That this Act shall take
10 effect July 1, 2002.