

Department of Legislative Services
Maryland General Assembly
2007 Session

FISCAL AND POLICY NOTE

House Bill 726

(Washington County Delegation)

Environmental Matters

Judicial Proceedings

Washington County - Fire Police Appointments

This bill provides that the commanding officer of a “fire and ambulance company” in Washington County may designate to the county sheriff up to 20 members of that company for appointment as fire police in the county.

Fiscal Summary

State Effect: None.

Local Effect: None. Funding for an additional fire police position in each company in the county has already been agreed to by the Washington County Volunteer Firemen’s Association, contingent on the passage of this bill. Any future additional fire police positions would need to be funded by the individual fire company.

Small Business Effect: None.

Analysis

Bill Summary: The bill provides that a written certificate of designation signed by the commanding officer must accompany each request for such an appointment. The Washington County Sheriff must make such an appointment from those persons designated by the fire and ambulance company’s commanding officer.

The powers of appointees are limited to traffic control and scene safety while functioning at parades, accidents, fires, floods, other emergencies, or public events conducted by a fire or ambulance company or the sheriff’s department. These powers may be exercised

in a municipal corporation in the county, subject to the discretion, and control of the chief of the police force of the municipal corporation; or in other areas of the county.

An appointee may not use a weapon in the performance of duties associated with the appointment. The appointment authorized under this bill terminates if the member ceases to be a member of the fire or ambulance company. The sheriff may remove an appointee at any time.

If an appointee dies, resigns, is dismissed, refuses to serve, or is unable to serve, the commanding officer may name a replacement designee. An appointee is deemed an appointed official and must be treated as an appointed official for purposes of provisions of the State Personnel and Pensions Article governing Employees' and Teachers' Retirement and Pension Systems.

The bill also eliminates Washington County's inclusion under provisions relating to the appointment of deputy sheriff members of fire companies applicable only in Baltimore, Caroline, Cecil, Queen Anne's, and Washington counties.

Current Law: The sheriff of Baltimore, Caroline, Cecil, Queen Anne's, and Washington counties may appoint, as specified, deputy sheriff members of fire companies to exercise the powers of deputy sheriffs at fires and while going to or from fires. In Washington County, such a deputy sheriff has the powers necessary to perform the duties of a deputy sheriff while going to, functioning at, or returning from fires, accidents, floods, other emergencies, or other functions conducted by a fire company. Such a deputy sheriff is deemed an appointed official and must be treated as an appointed official for purposes of provisions of the State Personnel and Pensions Article governing Employees' and Teachers' Retirement and Pension Systems.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Washington County, Department of Legislative Services

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ncs/hlb

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