

SENATE BILL 73

P1

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HB 1474/09 – HGO

(PRE-FILED)

By: **Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Military)**

Requested: October 1, 2009

Introduced and read first time: January 13, 2010

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: January 19, 2010

CHAPTER _____

1 AN ACT concerning

2 **Maryland Emergency Management Agency – Director**

3 FOR the purpose of altering certain provisions of law so as to require the Governor to
4 appoint directly the Director of the Maryland Emergency Management Agency
5 (MEMA); requiring the Director of MEMA to be responsible to the Governor for
6 carrying out the State emergency management program, to develop certain
7 mutual aid agreements without a certain approval, and to employ personnel in
8 a certain manner that is not subject to a certain authority; and generally
9 relating to the Director of the Maryland Emergency Management Agency.

10 BY repealing and reenacting, with amendments,

11 Article – Public Safety

12 Section 14–104 and 14–112(c)(1)

13 Annotated Code of Maryland

14 (2003 Volume and 2009 Supplement)

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

17 **Article – Public Safety**

18 14–104.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (a) The [Adjutant General] **GOVERNOR** shall appoint the director of MEMA
2 [with the approval of the Governor].

3 (b) The Director serves at the pleasure of the [Adjutant General]
4 **GOVERNOR**.

5 (c) (1) The Director is in the executive service of the State Personnel
6 Management System and is entitled to the salary provided in the State budget.

7 (2) The Director's employment is not subject to the conditions and
8 limitations of the State Personnel and Pensions Article.

9 (d) (1) The Director is the executive head of MEMA.

10 (2) The Director is responsible to the Governor [and the Adjutant
11 General] for carrying out the State emergency management program.

12 (3) If the Governor has formally declared the threat or occurrence of
13 an emergency, the Director shall coordinate the activities of all organizations for
14 emergency management operations in the State.

15 (4) [With the approval of the Adjutant General and] **THE DIRECTOR**,
16 in collaboration with other public and private agencies in the State, [the Director]
17 shall develop or cause to be developed mutual aid agreements for reciprocal emergency
18 aid and assistance in case of emergency of an extreme nature that affects two or more
19 political subdivisions.

20 (5) The Director shall maintain liaison and cooperate with emergency
21 management agencies and organizations of other states and the federal government.

22 (e) [Subject to the authority of the Adjutant General, the] **THE** Director may
23 employ personnel in accordance with the State budget and subject to the conditions
24 and limitations of the State Personnel and Pensions Article.

25 (f) The Director may make expenditures within the appropriations in the
26 State budget or from other money made available to the Director for purposes of
27 emergency management as necessary to carry out this subtitle.

28 14-112.

29 (c) (1) In carrying out this subtitle, the Governor, [Adjutant General,]
30 **DIRECTOR**, and executive officers or governing bodies of the political subdivisions
31 shall use the services, equipment, supplies, and facilities of existing agencies and units
32 of the State and the political subdivisions to the maximum extent practicable.

33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
34 July 1, 2010.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.