

## AN ACT concerning

Fire Companies and Rescue Squads - Agreements with  
Federal Government

FOR the purpose of ~~deleting the requirement that permitting~~ agreements for mutual aid between fire companies or rescue squads and the federal government ~~must provide~~ under certain circumstances; providing for a the waiver, indemnification, and reimbursement of certain claims; and clarifying language and stipulating that Workmen's Compensation be the primary remedy for certain injuries.

BY repealing and reenacting, with amendments,

Article 38A - Fires and Investigations  
Section 38  
Annotated Code of Maryland  
(1971 Replacement Volume and 1977 Supplement)

## Preamble

~~WHEREAS, Section 37 of Article 38A (title "Fires and Investigations") of the Annotated Code of Maryland provides that fire companies and rescue squads of Maryland may enter into mutual aid agreements with other jurisdictions to extinguish fires and save lives, provided that the agreements contain provisions that (1) "waive any and all claims against the other parties thereto which may arise out of their activities outside their respective jurisdictions under such agreement" and (2) "indemnify and save harmless the other parties to such agreement from all claims by third parties for property damage or personal injury which may arise out of the activities of the other parties to such agreement outside their respective jurisdictions under such agreement"; and~~

~~WHEREAS, Section 38 of Article 38A provides that these mutual aid agreements may be made between Maryland fire companies and rescue squads and the federal government; and~~

~~WHEREAS, Federal regulations recently proposed provide for procedures for reimbursement for the costs of firefighting on federal property; and~~

~~WHEREAS, An amendment to Section 38 of Article 38A is necessary, in light of the proposed regulations, to enable a fire company or rescue squad which has entered into a mutual aid agreement with the federal government to submit a claim for the recovery of the costs of firefighting; and~~

~~WHEREAS, In order to accomplish the objective of the preceding paragraph, it is the intent of this Act to provide that mutual aid agreements between fire companies and rescue squads and the federal government need only to contain a~~