

Annotated Code of Maryland
(1993 Replacement Volume and 1996 Supplement)

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

Article 38A – Fires and Investigations

46A.

(a) (1) There is an Emergency Assistance Trust Fund to assure adequate fire protection and rescue services for the people of this State. After consultation with the Maryland State Firemen's Association, the Governor is authorized to include an amount in the State budget each year for the purposes set forth in this section. Any portion of appropriated funds that are not obligated at the end of the fiscal year shall not revert to the General Fund and shall be carried over for use in the next fiscal year. Amounts received as repayments on loans from the Emergency Assistance Trust Fund shall be placed in the trust fund and made available to fund requests for financial assistance.

(2) The Board of Public Works may authorize use of the trust funds upon recommendation by the Department of Budget and Management in accordance with this section.

(3) (i) A volunteer fire company or rescue squad shall submit all requests for financial assistance under this section to the Maryland State Firemen's Association for approval by a board of review in accordance with the Association's bylaws.

(ii) All requests for financial assistance shall include financial statements for the 2 fiscal years immediately prior to the fiscal year in which the application is made. Each request shall also include the audit of the financial statements if an audit was conducted. The volunteer company shall certify that it has applied for financial assistance from its local government or governments and been denied, either in part or in full, funding for its request.

(iii) If the Maryland State Firemen's Association disapproves a request or does not take action within 45 days of the request, then the volunteer fire company or rescue squad requesting assistance may appeal to a panel comprised of the president of the Maryland State Firemen's Association, the State Fire Marshal, and the chairman of the Fire and Rescue Education and Training Commission. The decision of the appeals panel shall be final and not subject to further review.

(4) Upon approval of a request for the use of trust funds, the Maryland State Firemen's Association or the appeals panel, as the case may be, shall transmit its recommendation to the Department of Budget and Management along with the request for financial assistance and any other supporting information required by the Department.

(5) The Department of Budget and Management shall forward each request for financial assistance to the [Legislative Auditor] DEPARTMENT OF FISCAL SERVICES for review. The [Legislative Auditor] DEPARTMENT OF FISCAL SERVICES, upon review