

FOR the purpose of requiring the Department of Budget and Management to forward certain requests for financial assistance from a volunteer fire company or rescue squad to the Department of Fiscal Services instead of the Legislative Auditor for review; authorizing the Department of Fiscal Services, after a certain review, to advise the Department of Budget and Management if the request for financial assistance appears justified; and generally relating to governmental review of requests for financial assistance from a volunteer fire company or rescue squad.

BY repealing and reenacting, with amendments,

Article 38A - Fires and Investigations

Section 46A

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