



## *Metropolitan Fire Chief's Council of Maryland*

October 2, 2013

The Honorable Barry Glassman  
James Senate Office Building, Room 320  
11 Bladen Street  
Annapolis, MD 21401

Dear Senator Glassman:

Thank you for the opportunity to share my comments with you and members of the workgroup studying the laws and policies related to the distribution of money to volunteer and career fire and ems companies on behalf of the Metropolitan Fire Chief's Council of Maryland. The following recommendations reflect the consensus opinion from Fire/EMS Chief's across the State of Maryland who are appointed by elected officials within their respective jurisdictions to oversee and manage full time career and combination career-volunteer departments.

I expect additional recommendations to be made following the release of information being compiled by the Military Department regarding various opinions from the Office of the Maryland Attorney General.

**Replace - Section 8-101 Definitions (b)**

New Language - "Director" means the Maryland State Fire Marshal

Justification: Will identify the administrator of the AMOSS program

**Add Section 8-101 Definitions (f)**

Added Language - "Encumbrance or "Encumbered Funds" means: a legal obligation to reserve funds for expenditures with an identified vendor evidenced by a signed agreement or purchase order with an identified vendor.

Justification: Provides a more precise definition of the term "encumbrance"

**Replace Section 8-102 (e) (2)**

New Language - *The Treasurer shall make one payment as required under this subsection on or about August 15*

Justification: Eliminates frustration in reconciling revenue received after the "cut off" date of the fiscal year

**Replace Section 8-103 (a) (1)**

New Language - *for the fiscal year immediately preceding the fiscal year for which the money is to be allocated;*

Justification: Consistent with current practice

**Replace - Section 8-103 (b) (1)**

New Language - *Subject to paragraph (6) of this subsection, each county shall expend, encumber, or contract directly with vendors on behalf of fire, rescue, and ambulance companies, departments or stations in the county on the basis of need.*

Impact Justification: Provides clear transparency, internal control audit trail and simplifies reporting

**Replace - Section 8-104 (a) (1) (ii)**

New Language - *In each fiscal year, each county shall make expenditures for fire protection from sources other than the Fund in an amount that is at least equal to the average amount of operating expenditures for fire protection during the 3 preceding fiscal years.*

Justification: Discontinuing the requirement to include capital expenditures in the 3 year average will eliminate the "one time spikes" that often occur when building a new station or purchasing equipment through capital programs

**Replace - Section 8-104 (a) (2)**

New Language - *For each fiscal year, each county that fails to satisfy the requirements of paragraph (1) of this subsection shall at a minimum receive money under this subtitle subject to a penalty equal to the percentage by which the county fails to meet the county's standard.*

Justification: Eliminates confusion regarding the methods in which the Maryland Military Department shall enforce this statute

**Replace - Section 8-104 (b) (4)**

New Language - *Money received from the Volunteer Company Assistance Fund...*

Justification: The Volunteer Company Assistance Fund has replaced the Emergency Assistance Trust Fund

**Delete Section 8-104 (d) (4)**

Justification: Not required if counties purchase on behalf of the volunteer companies

**Add Section 8-105 (a) (1) (iv)**

Added Language - *The required annual reports, submitted by each county, will be in the format proscribed by the Director and certified by each county Director of Finance or a more senior official thereof.*

Justification: To eliminate confusion regarding the format of the annual reports required from each county

Sincerely,



William F. Goddard, III  
Chair