



Maryland Municipal League  
*The Association of Maryland's Cities and Towns*

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Hearing 2/25

## TESTIMONY

February 25, 2020

**Committee:** House Health and Government Operations

**Bill:** HB 648 – Maryland Emergency Management Agency - Definitions and Authority

**Position:** Support with Amendments

**Reason for Position:**

The Maryland Municipal League supports HB 648, with amendments. The bill clarifies the authority of the Maryland Emergency Management Agency (MEMA), particularly as it pertains to emergencies in local jurisdictions. Some of the authorities in the bill as introduced are problematic but can be resolved through amendments.

After working with the Maryland Association of Counties and MEMA, amendments have been constructed to address the concerns of local governments. Two main points are included in the amendments. First, clarification that MEMA's preparation and coordination is not a preemption of local authority. Second, that MEMA's intervention in an emergency in a local jurisdiction will only take place after a formal request from the local government, evidence exists that the local government cannot address the issue, or the Governor determines additional resources are needed. Please see proposed text on reverse side.

MML requests one additional amendment that is technical in nature. There are some municipalities that do not technically have a mayor, but someone else who is the chief executive officer. Like §14-101(F)(3) that specifies an instance where there is no county executive, MML requests adding a (4) that is a similar statement for municipalities without a mayor.

§14-101

(F)(4) FOR A MUNICIPALITY THAT DOES NOT HAVE A MAYOR, THE BURGESS, THE CHAIRPERSON OR PRESIDENT OF THE MUNICIPAL GOVERNING BODY, OR OTHER CHIEF EXECUTIVE OFFICER OF THE MUNICIPALITY.

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On page 4 strike in their entirety lines 9 through 18 and substitute:

(2) THE STATE SHALL PREPARE FOR EMERGENCY MANAGEMENT ACTIVITIES AND OPERATIONS, AND COORDINATE ACTIVITY IN SUPPORT OF THE RESPONSE, BUT MAY NOT PRE-EMPT LOCAL AUTHORITY FOR RESPONDING TO AN EMERGENCY UNLESS:

(I) THE EMERGENCY INVOLVES MORE THAN ONE POLITICAL SUBDIVISION WITH ONE OR MORE OF THE JURISDICTIONS MAKING A REQUEST FOR STATE-LEVEL AUTHORITY TO COORDINATE OR INTERVENE; OR

(II) THE POLITICAL SUBDIVISION OR SUBDIVISIONS IN WHICH THE EMERGENCY OCCURS:

1. ISSUES A REQUEST FROM THE SENIOR ELECTED OFFICIAL OR GOVERNING BODY FOR THE STATE TO ASSUME AUTHORITY FOR THE EMERGENCY; OR
2. EVIDENCE EXISTS THAT THE POLITICAL SUBDIVISION IS OVERWHELMED BY THE EMERGENCY; OR
3. THE GOVERNOR, OR THEIR DESIGNEE DETERMINES ADDITIONAL RESOURCES ARE NECESSARY TO PROTECT THE PUBLIC INTEREST.

With these amendments MML respectfully requests a favorable report for HB 648.

**FOR MORE INFORMATION CONTACT:**

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