

SENATE BILL 721

M3, E4

0lr1679
CF 0lr3711

By: **Senators Hester, Elfreth, and Lam**

Introduced and read first time: February 3, 2020

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: March 6, 2020

CHAPTER _____

AN ACT concerning

Emergency Management – Chief Resilience Officer – Appointment and Duties

FOR the purpose of requiring the Director of the Maryland Emergency Management Agency to appoint a Chief Resilience Officer; providing that the Chief Resilience Officer serves at the pleasure of the Director; providing for the salary of the Chief Resilience Officer and the categorization of the Chief Resilience Officer in the State Personnel Management System; establishing the duties and responsibilities of the Chief Resilience Officer; requiring the Chief Resilience Officer to prioritize certain efforts and ensure the collaboration of certain State agencies and programs in addressing certain priorities in certain years; requiring the Adaptation and Resiliency Workgroup of the Maryland Commission on Climate Change to provide certain support and assistance to the Chief Resilience Officer and to take certain actions with respect to the Workgroup's membership under certain circumstances; requiring the Department of the Environment to provide certain assistance to the Chief Resilience Officer; requiring the University of Maryland Center for Environmental Science to provide certain assistance to the Chief Resilience Officer; requiring the Chief Resilience Officer to make a certain annual report to the Governor, the State Treasurer, and the General Assembly on or before a certain date; and generally relating to the Chief Resilience Officer.

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 14–101
Annotated Code of Maryland
(2018 Replacement Volume and 2019 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



BY adding to

Article – Public Safety

Section 14–104.1

Annotated Code of Maryland

(2018 Replacement Volume and 2019 Supplement)

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

Article – Public Safety

14–101.

(a) In this subtitle the following words have the meanings indicated.

(b) “Director” means the Director of MEMA.

(c) “Emergency” means the threat or occurrence of:

(1) a hurricane, tornado, storm, flood, high water, wind–driven water, tidal wave, earthquake, landslide, mudslide, snowstorm, drought, fire, explosion, and any other disaster in any part of the State that requires State assistance to supplement local efforts in order to save lives and protect public health and safety; or

(2) an enemy attack, act of terrorism, or public health catastrophe.

(d) (1) “Emergency management” means the preparation for and carrying out of functions in an emergency in order to save lives and to minimize and repair injury and damage that result from emergencies beyond the capabilities of local authorities.

(2) “Emergency management” does not include the preparation for and carrying out of functions in an emergency for which military forces are primarily responsible.

(e) “Local organization for emergency management” means an organization established by a political subdivision or other local authority under § 14–109 of this subtitle.

(f) “MEMA” means the Maryland Emergency Management Agency.

(g) “Political subdivision” means a county or municipal corporation of the State.

14–104.1.

(A) THE DIRECTOR SHALL APPOINT A CHIEF RESILIENCE OFFICER.

(B) THE CHIEF RESILIENCE OFFICER SERVES AT THE PLEASURE OF THE

DIRECTOR.

(C) THE CHIEF RESILIENCE OFFICER IS IN THE EXECUTIVE SERVICE OF THE STATE PERSONNEL MANAGEMENT SYSTEM AND IS ENTITLED TO THE SALARY PROVIDED IN THE STATE BUDGET.

(D) (1) THE CHIEF RESILIENCE OFFICER IS RESPONSIBLE FOR COORDINATING STATE AND LOCAL EFFORTS TO BUILD RESILIENCE TO RISKS IDENTIFIED IN THE MARYLAND HAZARD MITIGATION PLAN.

(2) DUTIES OF THE CHIEF RESILIENCE OFFICER SHALL INCLUDE:

(I) OVERSEEING THE DEVELOPMENT OF A STATE RESILIENCE STRATEGY TO BUILD RESILIENCE TO RISKS IDENTIFIED IN THE MARYLAND HAZARD MITIGATION PLAN;

(II) COORDINATING ACROSS STATE AND LOCAL AGENCIES TO PREPARE AND IMPLEMENT RESILIENCE STRATEGIES;

(III) IDENTIFYING, SECURING, AND ASSISTING IN ACCESSING FEDERAL, STATE, AND LOCAL FUNDING STREAMS AND TECHNICAL ASSISTANCE THAT CAN BE USED TO SUPPORT STATE AND LOCAL RESILIENCE EFFORTS; AND

(IV) WORKING WITH BUSINESS LEADERS FROM INDUSTRIES VULNERABLE TO THE RISKS IDENTIFIED IN THE MARYLAND HAZARD MITIGATION PLAN TO IDENTIFY BEST PRACTICES FOR PREPARING FOR AND RESPONDING TO THOSE RISKS.

(3) (I) THIS PARAGRAPH APPLIES IN CALENDAR YEARS 2020 THROUGH 2024, INCLUSIVE, OR UNTIL THERE IS A SUBSTANTIAL CHANGE TO THE RISK ASSESSMENT PORTION OF THE MARYLAND HAZARD MITIGATION PLAN.

(II) IN CARRYING OUT THE DUTIES OF THIS SUBSECTION, THE CHIEF RESILIENCE OFFICER SHALL PRIORITIZE EFFORTS AND STRATEGIES AIMED AT BUILDING RESILIENCE TO COASTAL HAZARDS AND FLOODING DUE TO CLIMATE CHANGE.

(III) THE CHIEF RESILIENCE OFFICER SHALL ENSURE THE COLLABORATION OF RELEVANT STATE AGENCIES AND PROGRAMS IN ADDRESSING THE PRIORITIES DESCRIBED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH.

(E) THE ADAPTATION AND RESILIENCY WORKGROUP OF THE MARYLAND COMMISSION ON CLIMATE CHANGE SHALL:

(1) SUPPORT THE CHIEF RESILIENCE OFFICER WITH COORDINATING RESILIENCE EFFORTS ACROSS STATE AGENCIES;

(2) ASSIST THE CHIEF RESILIENCE OFFICER TO PRODUCE AN UPDATED ADAPTATION AND RESILIENCE STRATEGY FOR THE STATE; AND

(3) REVIEW AND ALTER THE MEMBERSHIP OF THE WORKGROUP AT THE REQUEST OF THE CHIEF RESILIENCE OFFICER.

(F) THE DEPARTMENT OF THE ENVIRONMENT SHALL ASSIST THE CHIEF RESILIENCE OFFICER IN REVIEWING THE STATE'S FLOOD INSURANCE RATE MAPS AND DEVELOPING RECOMMENDATIONS ON THE NECESSITY OF UPDATING THE MAPS.

(G) THE UNIVERSITY OF MARYLAND CENTER FOR ENVIRONMENTAL SCIENCE SHALL ASSIST THE CHIEF RESILIENCE OFFICER IN:

(1) ESTABLISHING A RESILIENCE BASELINE FOR THE STATE AND DEVELOPING A SET OF GOALS AND INDICATORS FOR THE PURPOSE OF MONITORING EFFORTS TO INCREASE RESILIENCE; AND

(2) PRODUCING AN ECONOMIC ANALYSIS AND POLICY BENCHMARK REPORT ON THE STATE'S RESILIENCE EFFORTS, INCLUDING:

(I) THE ECONOMIC IMPACT OF ANY PROJECTIONS RELATED TO THE OCCURRENCE OF EXTREME WEATHER EVENTS IN THE STATE;

(II) THE RESOURCES NECESSARY TO ADEQUATELY PREPARE FOR AND REDUCE THE ADVERSE IMPACTS ASSOCIATED WITH EXTREME WEATHER EVENTS AND OTHER NATURAL DISASTERS AND TO INCREASE RESILIENCE TO THE FUTURE OCCURRENCE OF EXTREME WEATHER EVENTS AND NATURAL DISASTERS;

(III) POTENTIAL STATE, FEDERAL, AND PRIVATE FINANCIAL RESOURCES AVAILABLE FOR INCREASING RESILIENCE THROUGHOUT THE STATE, INCLUDING BY EXAMINING HOW OTHER STATES FINANCE RESILIENCE EFFORTS; AND

(IV) A COMPARISON OF MARYLAND'S POLICIES AND ECONOMIC INVESTMENTS AIMED AT BUILDING RESILIENCE WITH THE POLICIES AND INVESTMENTS OF OTHER VULNERABLE STATES, INCLUDING FLORIDA, MASSACHUSETTS, NEW YORK, NORTH CAROLINA, AND VIRGINIA.

(H) (1) ON OR BEFORE JANUARY 1, 2022, AND EACH JANUARY 1

THEREAFTER, THE CHIEF RESILIENCE OFFICER SHALL REPORT TO THE GOVERNOR, THE STATE TREASURER, AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE CURRENT STATUS AND EFFICACY OF STATE AND LOCAL RESILIENCE EFFORTS.

(2) THE REPORT SHALL INCLUDE:

(I) A SUMMARY OF THE CHIEF RESILIENCE OFFICER’S ACTIVITIES DURING THE IMMEDIATELY PRECEDING CALENDAR YEAR;

(II) RECOMMENDATIONS BASED ON THE INFORMATION GATHERED UNDER SUBSECTIONS (F) AND (G) OF THIS SECTION; AND

(III) RECOMMENDATIONS REGARDING WHETHER THE STATE SHOULD CREATE A RESILIENCY PROGRAM IN THE GOVERNOR’S OFFICE OF HOMELAND SECURITY AND, IF SO:

1. WHAT ACTIVITIES THE PROGRAM SHOULD UNDERTAKE;

2. HOW THE PROGRAM SHOULD COORDINATE WITH STATE AGENCIES AND OTHER ENTITIES ENGAGED IN DISASTER MITIGATION AND RESILIENCY WORK; AND

3. HOW THE PROGRAM COULD BE FUNDED.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2020.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.