

D52
Maryland Department of Emergency Management

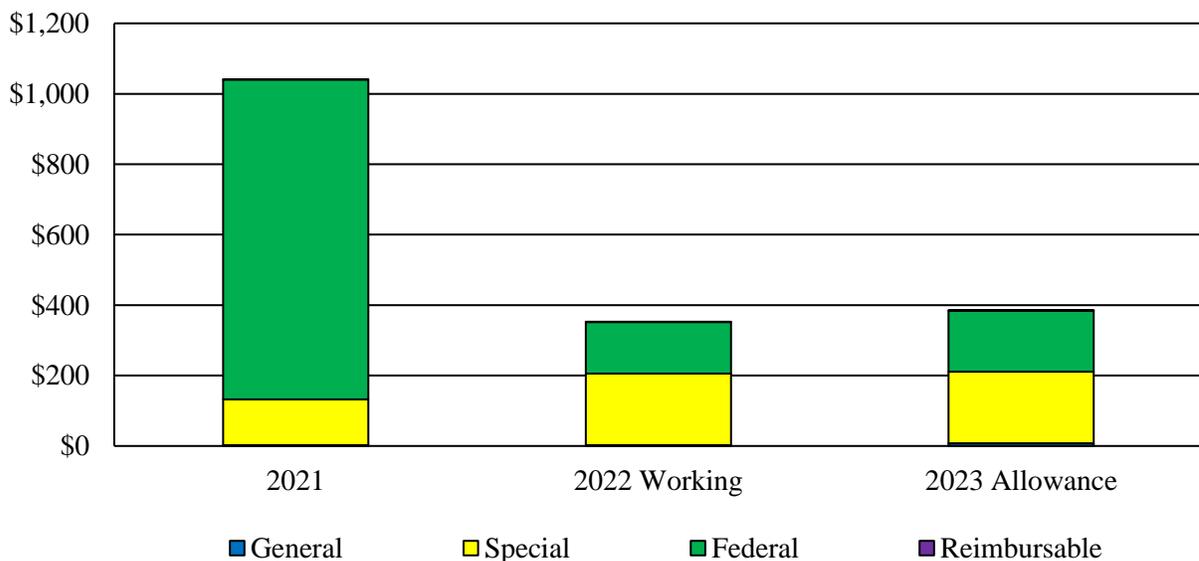
Program Description

By combining the Maryland Emergency Management Agency (MEMA) from the Military Department and the Maryland 9-1-1 Board from the Department of Public Safety and Correctional Services, Chapter 287 of 2021 established the new Maryland Department of Emergency Management (MDEM) as an agency on October 1, 2021. MDEM is responsible for coordinating federal, State, local, and private resources throughout the State during times of disasters and emergencies. MDEM also administers several grant programs supporting local and volunteer emergency service organizations. The Maryland 9-1-1 Board develops policy and provides financial support for the State’s 9-1-1 emergency system through the 9-1-1 Trust Fund.

MDEM’s goals are to maintain or improve investment in emergency management functions throughout the State, to assist jurisdictions in enhancing their resiliency to disasters and emergencies, to ensure the emergency manager workforce is prepared to maintain operational readiness, and to provide training and educational opportunities to local jurisdictions.

Operating Budget Summary

**Fiscal 2023 Budget Increases \$32.1 Million, or 9.1%, to \$384.9 Million
(\$ in Millions)**



Note: The fiscal 2022 working appropriation and fiscal 2023 allowance do not reflect funding for statewide personnel actions budgeted in the Department of Budget and Management, which include cost-of-living adjustments, increments, bonuses, and may include annual salary review adjustments.

For further information contact: Madelyn C. Miller

Phone: (410) 946-5530

- Disaster Relief Grant funding provided through the Public Assistance program grows by \$27.8 million in fiscal 2023 to \$137.6 million. These federal funds are only a portion of the total funding anticipated from the Federal Emergency Management Agency (FEMA) to respond to the COVID-19 pandemic. While this is a 25.3% increase over the working appropriation, it is only 15.8% of the federal funding that was appropriated by MDEM through this program in fiscal 2021.

Fiscal 2022

Federal Stimulus Funds

MDEM received \$583,442 in Coronavirus Aid, Relief, and Economic Security (CARES) Act funds and \$522,893 in American Rescue Plan Act (ARPA) funds. Both the CARES Act and ARPA funds were used for the Emergency Management Performance Grant (EMPG) program. This program provides grant funding to strengthen national preparedness and resilience. An additional \$367,596 in ARPA funds are in the fiscal 2023 allowance for this purpose.

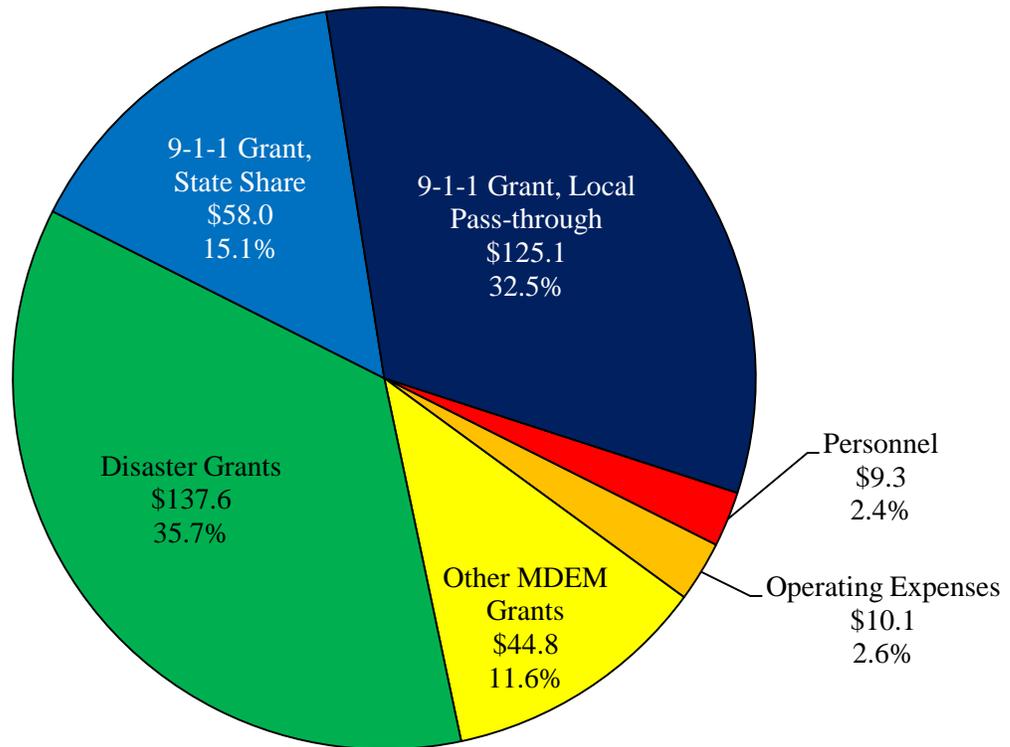
Fiscal 2023 Overview of Agency Spending

The fiscal 2023 allowance for MDEM is \$384.9 million. As shown in **Exhibit 1**, most of the budget goes toward grants and distributions to local jurisdictions, at about 95%, or \$365.5 million. The total money available for grants and distributions is split almost evenly between the former MEMA and the 9-1-1 Board, with the former MEMA providing \$182.4 million. About 75% of those funds are federal Disaster Relief Grant funds from FEMA, which are provided in response to the COVID-19 pandemic. State, county, local, and nonprofit entities may apply to MDEM for funding to offset their costs associated with the pandemic response.

Approximately \$183.2 million available for grants and distributions is special funds allocated by the 9-1-1 Board. This consists of \$58.0 million in grants to local jurisdictions from the State portion of the 9-1-1 telephone surcharge to enhance and improve their 9-1-1 systems. The fiscal 2023 local pass-through provides \$125.1 million for local jurisdictions to use in support of 9-1-1 systems operating costs.

Regular and contractual personnel expenses for MDEM and for the Maryland 9-1-1 Board total \$9.3 million, or 2.3% of the budget. Operating expenses for the office, which are \$10.1 million, or 2.5%, would make up an even smaller portion but for a \$4.0 million general fund contract for Maryland Mesonet, a new atmospheric monitoring system.

Exhibit 1
Overview of Agency Spending
Fiscal 2023 Allowance
(\$ in Millions)



MDEM: Maryland Department of Emergency Management

Source: Governor’s Proposed Fiscal 2023 Budget

Proposed Budget Change

As shown in **Exhibit 2**, the fiscal 2023 allowance increases by \$32.1 million, or 9.1%, from the fiscal 2022 working appropriation. This increase is primarily caused by additional general and federal funds for grant programs and the contract for Maryland Mesonet. Increases are offset by decreased 700 megahertz radio system operating costs and software license expenditures and the loss of 2 contractual positions.

Exhibit 2
Proposed Budget
Maryland Department of Emergency Management
(\$ in Thousands)

How Much It Grows:	<u>General</u>	<u>Special</u>	<u>Federal</u>	<u>Reimb.</u>	<u>Total</u>
	Fund	Fund	Fund	Fund	
Fiscal 2021 Actual	\$2,587	\$129,606	\$908,356	\$270	\$1,040,819
Fiscal 2022 Working Appropriation	2,358	203,160	146,348	935	352,801
Fiscal 2023 Allowance	<u>7,450</u>	<u>203,134</u>	<u>173,776</u>	<u>541</u>	<u>384,901</u>
Fiscal 2022-2023 Amount Change	\$5,093	-\$26	\$27,427	-\$394	\$32,100
Fiscal 2022-2023 Percent Change	216.0%		18.7%	-42.1%	9.1%
Where It Goes:					<u>Change</u>
Personnel Expenses					
Turnover expectancy for regular positions.....					\$139
New accountant position.....					58
Regular earnings					52
Employees’ retirement system					19
Employee and retiree health insurance					13
Social Security and other fringe benefit adjustments.....					8
Other Changes					
Additional federal Disaster Relief Grant funding in response to the COVID-19 pandemic					27,154
Maryland Mesonet atmospheric monitoring system					4,000
Department of Information Technology services allocation.....					717
General funds for the Maryland State Firemen’s Association Widows and Orphans Grant.....					250
Turnover expectancy for contractual full-time equivalents					139
Consulting services for the Maryland Food System Resiliency Council.....					100
Statewide cost allocation.....					64
Other					25
Loss of two contractual full-time equivalents.....					-120
Software licenses.....					-181
700 megahertz radio system operating costs.....					-388
Total					\$32,100

Note: The fiscal 2022 working appropriation and fiscal 2023 allowance do not reflect funding for statewide personnel actions budgeted in the Department of Budget and Management, which include cost-of-living adjustments, increments, bonuses, and may include annual salary review adjustments.

Public Assistance Disaster Grants

The fiscal 2023 allowance contains an additional \$27.8 million in federal funds for Public Assistance Disaster Grants for local jurisdictions. A significant portion of the State’s COVID-19 response flows through MDEM, as authorized by the federal Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act). Further discussion of these grants can be found in the Key Observations section of this analysis.

Maryland Mesonet

The Maryland Statewide Mesonet will be a network of automated weather observing infrastructure that will provide real-time monitoring information of weather conditions in the State. The department reports that the goal of the Maryland Mesonet is to develop and operate a world-class atmospheric monitoring system to deliver reliable, timely information to residents and enhance critical public safety decision making. It will be funded with a \$4.0 million general fund contract. **The department should comment on the State’s need for the Maryland Mesonet, when it could be expected to be deployed, and further identify a spending plan for the funds.**

Maryland State Firemen’s Association Widows’ and Orphans’ Fund

MDEM provides multiple grants to the Maryland State Firemen’s Association (MSFA), which total over \$1.0 million in fiscal 2023. This includes \$400,000 for MSFA administration costs, split equally between special and general funds. Public Safety Article § 7-203 allows MSFA to provide a death benefit to the spouse or dependent child of a volunteer fire company or rescue squad member who is killed in the line of duty. The statute allows the board of MSFA to determine the benefit amount but specifies that the grant may not be less than \$2,000. The grant is paid until the surviving spouse remarries or the dependent child becomes an adult in accordance with the timeline set by the MSFA board. This benefit, known as the Widows’ and Orphans’ Fund, grows by \$250,000 in general funds in fiscal 2023. This additional funding will be used to meet current commitments and replenish reserves. **MDEM should comment on whether the increased funding for the grant will be one-time or ongoing.**

Maryland Food System Resiliency Council

The fiscal 2023 allowance contains \$100,000 in general funds for consulting services to be procured for the Maryland Food System Resiliency Council (FSRC). FSRC was established by Chapter 724 of 2021. It will meet for at least two years, and the legislation set the following goals:

- to address the food insecurity crisis in the State resulting from the COVID-19 pandemic and resulting economic crisis;
- to develop equity and sustainability policy recommendations to increase the long-term resiliency of the food system;

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- to expand the impact of existing food council organizations; and
- to develop a strategic plan to increase the production and procurement of Maryland certified food.

The council has 33 members and four subcommittees. The full committee meets monthly, while subcommittees meet weekly or biweekly. FSRC submitted its first interim report to the Maryland General Assembly on November 1, 2021, and a second is due November 1, 2022. MDEM did not author the interim report but was identified in legislation to co-chair FSRC with the Montgomery County Food Council, and to staff FSRC. The report includes what FSRC considers “shovel-ready” policy and program recommendations in response to the four goals. Some of the recommendations would require funding to implement.

MDEM should comment on the adequacy of these funds to support the needs of FSRC and whether this funding will be one-time or ongoing.

Personnel Data

	<u>FY 21</u> <u>Actual</u>	<u>FY 22</u> <u>Working</u>	<u>FY 23</u> <u>Allowance</u>	<u>FY 22-23</u> <u>Change</u>
Regular Positions	69.00	72.00	73.00	1.00
Contractual FTEs	<u>19.00</u>	<u>36.00</u>	<u>34.00</u>	<u>-2.00</u>
Total Personnel	88.00	108.00	107.00	-1.00

Vacancy Data: Regular Positions

Turnover and Necessary Vacancies, Excluding New Positions	3.90	5.41%
Positions and Percentage Vacant as of 12/31/21	3.00	4.17%
Vacancies Below Turnover	(0.90)	

- The fiscal 2023 allowance includes the addition of a new accountant position within MDEM following the separation of MEMA from the Military Department and the removal of 2.0 contractual full-time equivalents (FTE). Both FTEs are administrators – project leads who travel locally and long distance to teach projects within the State – funded with reimbursable funds.
- Positions within the Maryland 9-1-1 Board do not change from fiscal 2022 to 2023.

Key Observations

1. Tracking and Reporting of COVID-19 Public Assistance Funding

A significant portion of the State’s COVID-19 response flows through MDEM, as authorized by the federal Stafford Act. Under the Stafford Act, MDEM is the recipient of the FEMA Public Assistance funds on behalf of the State. State, local, and nonprofit entities may then apply to MDEM for funding to offset their costs associated with the pandemic response. FEMA would then reimburse MDEM for the costs that it incurred in the process, including up to 7% of administrative expenses. Applicants are currently eligible for a 100% cost share with the federal government for COVID-19-related expenditures dating back to January 2020 – rather than the standard 75% cost share as originally planned – through April 1, 2022.

Between fiscal 2021 and 2022, about \$968.8 million was added to MDEM’s budget from Budget Amendment 024-21, Supplemental Budgets No. 2 and No. 5 from the 2021 session, and Budget Amendment 141-21. Of that \$968.8 million, \$758.4 million, or about 78.3%, has been funds awarded to State government. The fiscal 2023 allowance includes an additional \$137.6 million in MDEM’s budget.

MDEM should comment on the amount of public assistance funding that has been obligated but not yet reimbursed from FEMA, an estimation on how much the State can claim, how much reimbursement the State anticipates receiving beyond those funds discussed above, and an estimation of when any potential additional funds would be added to the State budget.

2. Task Force on Preventing and Countering Domestic Terrorism Report

In response to the rising threat of domestic terrorism in Maryland and across the country, fiscal 2022 budget bill language required that MDEM convene the Task Force on Preventing and Countering Domestic Terrorism. The task force was instructed to make recommendations to the department on how federal Homeland Security Grant Program (HSGP) funding received to combat domestic terrorism should be expended, the extent to which that spending aligns with the findings of the task force, and any other recommended actions to counter domestic terrorism. The language also withheld \$100,000 in federal funds from MDEM for a response to be submitted to the budget committees.

The *ad hoc* task force met on October 26, 2021. The federal fiscal year 2021 total HSGP award was \$11.6 million and includes two federal emergency preparedness grants – \$7.3 million from the State Homeland Security Program (SHSP) and \$4.3 million from the Urban Areas Security Initiative (UASI). In its report to the budget committees, the task force identified 16 sample capabilities that HSGP funds are used to support the acquisition and sustainment of, either fully or partially. The report did not note the amounts of HSGP funds that were used to support any of the identified sample categories.

The report includes 14 recommendations and themes that the task force generated after reviewing the various sample capabilities currently in utilization. Some of the task force’s recommendations and themes correspond with capabilities currently supported by HSGP funds; for example, one capability is described as “various academic initiatives/research partners/white papers to guide police decisions,” while one recommendation or theme is described as “greater engagement of the academic community to identify trends and best practices in strategy.”

MDEM did not report specifically the extent to which current spending does or does not align with the recommendations, but the task force did recommend continuing the task force or creating a coordinating group to examine the strategic issues and align current efforts.

MDEM should describe in greater detail how the federal fiscal year 2021 HSGP award for the State was expended across different programs and for what purposes. MDEM should comment on whether it has data to measure the extent to which domestic terrorism is a threat in Maryland and for measuring the ways in which the agency makes progress in deterring and preventing domestic terrorism.

3. Improving Emergency Management Performance Measures

As stated in the fiscal 2023 Managing for Results (MFR) submission, MDEM has four goals that its objectives and performance measures are aligned with. They are to:

- act as good stewards of funding and resources on behalf of Maryland taxpayers;
- prioritize risk reduction to enhance Maryland’s statewide resilience;
- maintain, train, and grow the State-level consequence management emergency manager workforce; and
- prioritize technical assistance and training and exercise to the local jurisdictions.

Current MFR Data Does Not Offer Insights into the Use of Grant Funds, Could Offer Additional Insight into Grants Management

To make progress toward the department’s first goal, MDEM attempts to maintain or increase investment in emergency management functions throughout the State. Specifically, the amount of federal grant funds awarded to Maryland jurisdictions through five grant programs is measured. These five grant programs are include the SHSP, EMPG, Pre-Disaster Mitigation (PDM) funds, UASI, and Flood Mitigation Assistance (FMA) funds.

The HSGP includes both the SHSP and UASI. On its website, FEMA describes the SHSP as a program that “provides funding to support the implementation of risk-driven, capabilities-based State Homeland Security Strategies to address capability targets,” and UASI as a program which “provides

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funding to enhance regional preparedness and capabilities in designated high-threat, high-density areas.” Funding for the SHSP grew 60% from federal fiscal 2017 through 2022, while funding for UASI grew 20% in the same period.

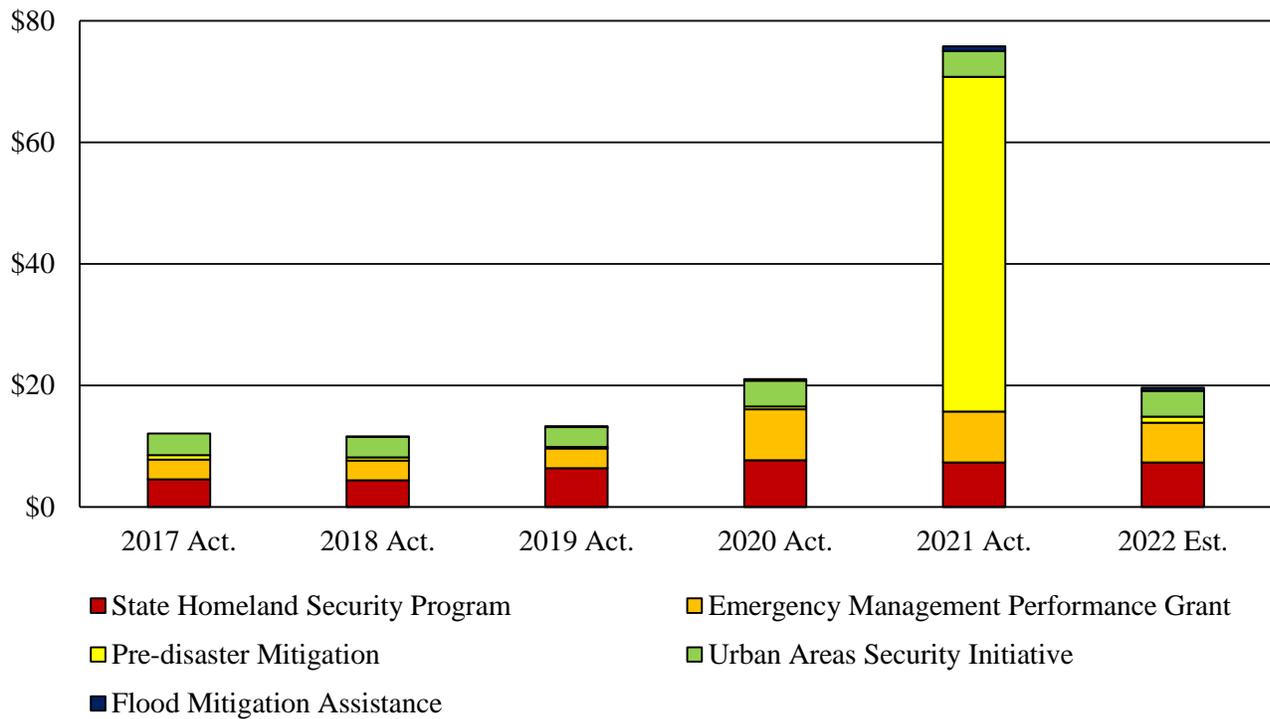
On its website, FEMA describes EMPG as a grant which “provides state, local, tribal and territorial emergency management agencies with the resource required for implementation of the National Preparedness System.” Funding for EMPG grew 102% from federal fiscal 2017 through 2022.

On its website, FEMA says that the PDM grant program was “designed to implement a sustained predisaster natural hazard mitigation program to reduce overall risk to the population and structures from future hazard events, while also reducing reliance on Federal funding in future disasters.” PDM is now considered a legacy program that was replaced by the Building Resilient Infrastructure Communities (BRIC) program in federal fiscal 2020. BRIC funds grew notably during the pandemic, from \$0.5 million in federal fiscal 2020 to \$55.0 million in federal fiscal 2021. However, funds in this category only rose 42% comparing federal fiscal 2017 and 2022.

On its website, FEMA says that the FMA is a “competitive grant program that provides funding to states, local communities, and federally recognized tribes and territories. Funds can be used for projects that reduce or eliminate the risk of repetitive flood damage to buildings insured by the National Flood Insurance Program.”

The gross dollar values for the programs described are shown in **Exhibit 3**. Tracking the amount of federal funding provided to MDEM may speak to the agency’s persuasiveness, but it does not reveal anything about how the dollars were used or the department’s ability to measure whether the resources are having an impact in the State. For example, there is not a breakdown of the percentage of funds spent on personnel, training, or enhancing emergency systems.

Exhibit 3
Federal Emergency Preparedness Grant Support Provided to Local Jurisdictions
Federal Fiscal 2017-2022 Est.
(\$ in Millions)



Source: Maryland Department of Emergency Management

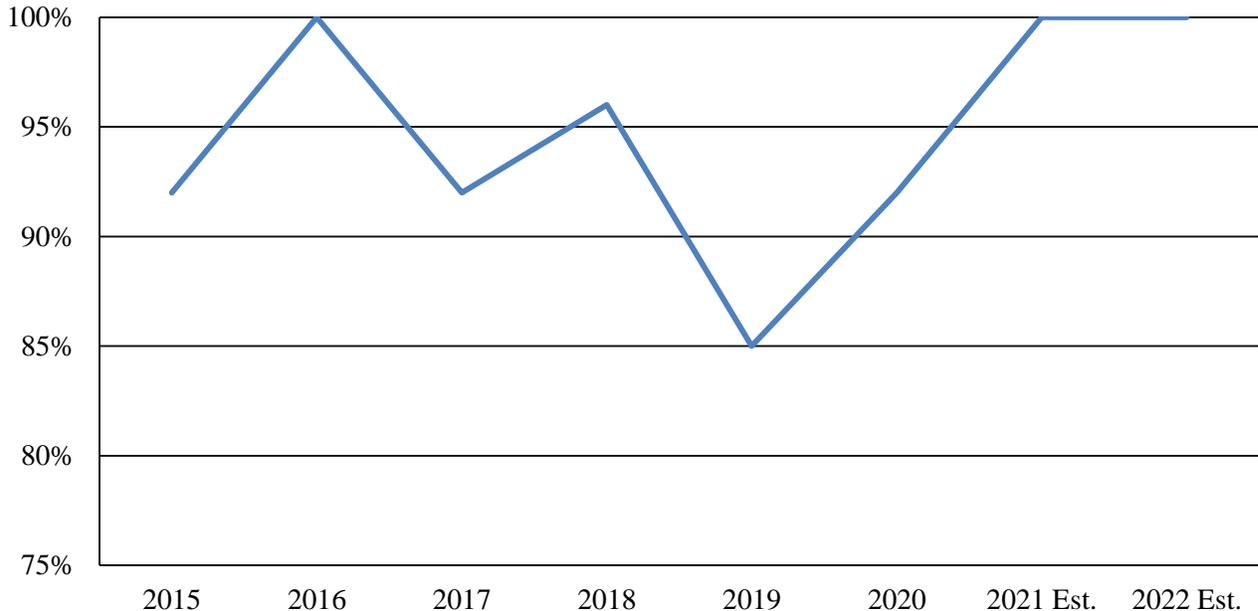
Successful grant management for these grants is tracked by determining the percent of subrecipients who meet MDEM closeout deadlines for FEMA grants and the percent of FEMA grants for which MDEM met the FEMA grant closeout deadline. Both targets have been 100% from federal fiscal 2017 through 2022. While this is one measure of grant management, others, such as a ratio of grant monitors to grants, would allow the department to gauge how efficiently it is managing its caseloads.

MDEM should comment on the significant increase in funding received by the State from federal emergency management grants in recent years and how the agency has utilized or monitored the use of those funds to improve security and disaster preparedness in Maryland.

Current MFR Data Could Benefit from Additional Measures of Resiliency and Emergency Preparedness

MDEM’s second goal is to prioritize risk reduction to enhance the State’s resilience. To this end, the department engages in outreach and technical assistance to ensure that all jurisdictions have a FEMA-accepted hazard mitigation plan, as shown in **Exhibit 4**. Data for this objective was first published in MFR data for 2015. In 2016 through 2019, the percent of jurisdictions with acceptable plans fell below 100%. From 2019 to 2021, the percent of jurisdictions with FEMA-accepted plans increased from 85% to 100%.

Exhibit 4
Jurisdictions with Current, FEMA-accepted Hazard Mitigation Plans
Calendar 2015-2022 Est.



Source: Maryland Department of Emergency Management

The measure above speaks to the preparedness of local jurisdictions and the role that MDEM has played in increasing their preparedness. Presenting this data with information about recent hazards in the State, though, could allow the department to demonstrate risk reduction over time. **The department should comment on its success with respect to improving the hazard mitigation plans of jurisdictions and on any potential barriers to maintaining a 100% rate in future years.**

Current MFR Data Could Benefit from Data Specific to the Maryland 9-1-1 Board

The Maryland 9-1-1 Board may appear to be a small program based on personnel size with only 6.0 positions making up about 5.6% of all MDEM personnel. However, the program is responsible for administering almost 45% of the department’s overall budget, or \$183.1 million in special funds. Despite this, the fiscal 2023 MFR data reported by MDEM does not contain any information about the goals or performance of the Maryland 9-1-1 Board.

MFR data has previously been submitted for the Maryland 9-1-1 Board, as recently as with the submission of the fiscal 2016 allowance. At that time, the MFR included one outcome measure: the percent of 9-1-1 centers who have the technology and are receiving and responding to text-to-9-1-1 emergency messages. Future MFR submissions could report on the ratio of grant monitors to grants from the State portion of the 9-1-1 telephone surcharge, the funds awarded to each jurisdiction, the portion of funds used for operating expenses of 9-1-1 centers, and the percent of 9-1-1 centers that are capable of handling text and video communications. Additionally, information typically published in the *Maryland 9-1-1 Board Report to the General Assembly* could be provided, such as the total number of 9-1-1 calls from each jurisdiction using Public Safety Answering Points statistics.

The Department of Legislative Services (DLS) recommends the addition of committee narrative to require MDEM to develop more detailed Maryland 9-1-1 Board objectives and performance measures for the MFR section of the fiscal 2024 budget books and for subsequent fiscal years.

Operating Budget Recommended Actions

1. Adopt the following narrative:

Improving Emergency Management Performance Measures: The budget committees are concerned that the current Managing for Results (MFR) data reported by the newly established Maryland Department of Emergency Management (MDEM) does not include measures for the Maryland 9-1-1 Board and does not offer adequate insight into the agency’s objectives and performance. As such, the budget committees direct MDEM to develop more detailed agency objectives and performance measures for the MFR section of the fiscal 2024 budget books and for subsequent fiscal years. The budget committees also direct MDEM to submit a draft of the department’s MFR submission not later than October 31, 2022. At a minimum, these measures should include:

- all measurements submitted with the fiscal 2023 allowance;
- the ratio of grant monitors to grants from the federal emergency grant support provided to local jurisdictions;
- the ratio of grant monitors to grants from the State portion of the 9-1-1 telephone surcharge;
- the funds awarded to each jurisdiction from the State portion of the 9-1-1 telephone surcharge; and
- the total number of 9-1-1 calls from each jurisdiction using Public Safety Answering Points statistics.

Information Request	Author	Due Date
Emergency management performance MFR	MDEM	October 31, 2022 With submission of the fiscal 2024 allowance

Appendix 1
2021 Joint Chairmen’s Report Responses from Agency

The 2021 *Joint Chairmen’s Report* (JCR) requested that MDEM prepare two reports. Electronic copies of the full JCR responses can be found on the DLS Library website.

- ***Report on Fiscal 2022 Amoss Fund Disbursement and Maintenance of Effort Requirements:*** The Amoss Fund is distributed by MDEM to the counties and Baltimore City to purchase fire and rescue equipment and for capital building improvements. Fiscal 2023 expenditures are expected to be equal with those from fiscal 2022. Two jurisdictions, Baltimore City and Montgomery County, failed to meet the fiscal 2020 maintenance of effort (MOE) standard. However, no penalty was imposed because of the two-year requirement in Section 8-104 of the Public Safety Article; the jurisdiction must fail to meet MOE for two consecutive years and have a waiver from the General Assembly or the Board of Public Works not be granted to receive a penalty.
- ***Task Force on Preventing and Countering Domestic Terrorism Report:*** The *ad hoc* Task Force on Preventing and Countering Domestic Terrorism met on October 26, 2021. Further discussion of the Task Force on Preventing and Countering Domestic Terrorism can be found in the Key Observations section of the analysis.

Appendix 2
Object/Fund Difference Report
Maryland Department of Emergency Management

<u>Object/Fund</u>	<u>FY 21</u> <u>Actual</u>	<u>FY 22</u> <u>Working</u> <u>Appropriation</u>	<u>FY 23</u> <u>Allowance</u>	<u>FY 22 - FY 23</u> <u>Amount Change</u>	<u>Percent</u> <u>Change</u>
Positions					
01 Regular	69.00	72.00	73.00	1.00	1.4%
02 Contractual	19.00	36.00	34.00	-2.00	-5.6%
Total Positions	88.00	108.00	107.00	-1.00	-0.9%
Objects					
01 Salaries and Wages	\$ 6,011,122	\$ 6,393,421	\$ 6,682,204	\$ 288,783	4.5%
02 Technical and Special Fees	1,363,303	2,591,394	2,610,653	19,259	0.7%
03 Communication	462,806	554,666	208,234	-346,432	-62.5%
04 Travel	55,920	91,192	105,792	14,600	16.0%
06 Fuel and Utilities	40,308	42,669	42,669	0	0%
07 Motor Vehicles	41,152	120,371	120,371	0	0%
08 Contractual Services	19,281,472	1,104,538	5,759,249	4,654,711	421.4%
09 Supplies and Materials	36,136	30,727	31,686	959	3.1%
10 Equipment – Replacement	148,967	55,448	55,448	0	0%
11 Equipment – Additional	111,578	0	0	0	0.0%
12 Grants, Subsidies, and Contributions	1,009,474,711	338,010,277	365,478,410	27,468,133	8.1%
13 Fixed Charges	33,393	6,525	6,525	0	0%
14 Land and Structures	3,757,679	3,800,000	3,800,000	0	0%
Total Objects	\$ 1,040,818,547	\$ 352,801,228	\$ 384,901,241	\$ 32,100,013	9.1%
Funds					
01 General Fund	\$ 2,586,896	\$ 2,357,689	\$ 7,450,422	\$ 5,092,733	216.0%
03 Special Fund	129,605,533	203,160,424	203,133,993	-26,431	0%
05 Federal Fund	908,355,786	146,348,214	173,775,662	27,427,448	18.7%
09 Reimbursable Fund	270,332	934,901	541,164	-393,737	-42.1%
Total Funds	\$ 1,040,818,547	\$ 352,801,228	\$ 384,901,241	\$ 32,100,013	9.1%

Note: The fiscal 2022 working appropriation and fiscal 2023 allowance do not reflect funding for statewide personnel actions budgeted in the Department of Budget and Management, which include cost-of-living adjustments, bonuses, and may include annual salary review adjustments.