



House Bill 1482

Human Services - Homelessness - Emergency Cold Weather Planning

MACo Position: **OPPOSE**

To: Appropriations Committee

Date: March 8, 2016

From: Robin Clark Eilenberg, Esq.

The Maryland Association of Counties (MACo) **OPPOSES** HB 1482. The bill would mandate emergency cold weather councils in each county and require the councils to submit their plans to the Maryland Department of Human Resources.

Protecting and preserving the well-being of our most vulnerable residents is a priority for all jurisdictions. Local emergency management agencies and their partners across county government already conduct activities that cover the areas described in this legislation. While well-intentioned, this legislation is redundant and potentially counterproductive to achieving its aim.

Under this legislation, cold weather councils must follow a single rigid structure and may only include representatives from the following agencies: the local agency administering homeless services, the continuum of care, the local department of social services, the local office of emergency management, the local health department, and the county governing body. The local administering agency must initiate the cold weather plan if the wind chill temperature is at or below 32° F in its county.

In current practice, counties establish plans with membership and requirements that meet their communities' needs. This varies based on government structure, available resources, and other localized factors. Collaborative cold weather planning occurs every year, independent of state mandates. The members of the cold weather council envisioned by the legislation are only some of the partners who contribute to county-level, statewide, and regional planning for these emergencies. In this way, HB 1482 could exclude productive efforts underway now.

Local populations of homeless individuals are only one of the vulnerable populations considered in cold weather planning. Likewise, temperature variables are only one trigger for plans that also address winter storms, extreme heat, and other situations endangering life safety, and may be activated depending on local and regional weather patterns, and aggravating emergency circumstances, such as power outages. Counties should retain the authority to develop their own optimal plans.

The state notifications in HB 1482 are also redundant. State agencies including the Maryland Emergency Management Agency (MEMA) and the Department of Human Resources already routinely engage their parallel local partners in ways that exceed the required communications and collaboration described in the legislation. With regard to a local extreme weather emergency, local emergency managers are a primary resource for condition updates for all local partners, and provide a link to MEMA. During a statewide or regional emergency, local agencies are in regular communication with their parallel state-level agency representatives at the State Emergency Operations Center. This system works well.

Current local cold weather emergency planning is comprehensive and effective, including sheltering of the homeless and other provisions. This legislation has the potential to stifle and confound existing emergency management partnerships, protocols, and chains-of-command. For these reasons, MACo requests an **UNFAVORABLE** report on HB 1482.