



The State of Maryland

Executive Department

EXECUTIVE ORDER 01.01.2023.20

State of Preparedness

- WHEREAS The State of Maryland faces significant hazards and threats constituting emergencies that require a coordinated, collaborative effort across State agencies to effectively protect communities ahead of any potential impact, mitigate damage, prepare, respond, and coordinate recovery;
- WHEREAS Maryland Code, Public Safety Article, § 14-102, authorizes a comprehensive emergency management system that empowers all State departments and agencies to systematically prepare for, mitigate, respond to, and recover from potential or actual emergencies through risk reduction and consequence management;
- WHEREAS The Maryland Department of Emergency Management is responsible for coordinating the efforts of State agencies with different capabilities, subject matter expertise and access to data to ensure that Maryland families, communities, and key stakeholders are provided the tools they need to prepare for, mitigate the effects of, respond to, and recover from the consequences of all threats and hazards facing Maryland;
- WHEREAS Pursuant to the Maryland Emergency Management Act, Md. Code, Public Safety Article, § 14-106 (b)(2), the Governor is vested with the power and authority to prepare and revise, as necessary, a comprehensive plan and program for the emergency operations of the State and to coordinate the preparation of plans and programs for emergency management operations;
- WHEREAS Maryland's emergency management preparedness and response activities are predicated on a tiered system that is federally supported, state managed & coordinated, and state & locally executed through county governments;

WHEREAS It is the policy of the State and the purpose of this order to coordinate, to the maximum extent possible, all emergency management functions of the State.

NOW, THEREFORE, I, WES MOORE, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

A. Definitions. In this Executive Order, the following terms have the meaning indicated.

- (1) "State Agency" means a department, agency, commission, board, council or other body of state government subject to the direction and supervision of the Governor.
- (2) "State Coordinating Functions" provide the structure for coordinating State interagency support for State preparedness, response, and recovery efforts. They are comprised of one or more Lead State agencies and one or more Support State agencies as defined in the Maryland Consequence Management Operations Plan.
- (3) "Public Emergency" as defined in the Maryland Emergency Management Act, Md. Code, Public Safety Article, § 14-301.

B. Declaring a State of Preparedness. When the Governor determines there is significant risk of a Public Emergency, the Governor by Executive Order may declare a State of Preparedness.

C. Upon declaring a State of Preparedness, the Department of Emergency Management shall, as necessary:

- (1) Establish a common operating understanding of the incident or event's level of risk as supported by information provided by State Coordinating Functions, county emergency management officials, and other credible sources;
- (2) Convene State Coordinating Function leads and county emergency management officials;
- (3) Convene a Senior Policy Group to streamline critical decisions and advise the Governor related to the risk, potential impacts, and preparedness actions of State Government; and
- (4) Coordinate resource management in accordance with established systems to provide quick response in the event an emergency develops.

D. Under a State of Preparedness, State Agencies, through each State Coordinating Function, shall at a minimum:

- (1) Provide all known or available information pertinent to the identified risk and associated hazards to the Maryland Department of Emergency Management to support its development of a common operating understanding for the potential emergency incident or event;
- (2) Make available their existing subject matter experts related to the risk, potential hazards, and potential emergency responses;
- (3) Assign personnel to an Advance Team, State Emergency Operations Center activation, or other coordinating entity identified by the Maryland Department of Emergency Management as requiring support; and
- (4) Seek to fulfill resource requests with existing State resources prior to requesting aid from the Maryland Department of Emergency Management without limiting resource fulfillment to only those assets within the direct control of the department or agency assigned the request.

E. Nothing herein shall limit, abrogate, or preempt local authority for responding to an emergency unless:

- (1) the emergency involves more than one political subdivision and one or more of the political subdivisions involved makes a request for State-level authority to coordinate or intervene;
- (2) the political subdivision or subdivisions in which the emergency occurs issues a request from the senior elected official for the State to assume authority for the emergency;
- (3) evidence exists that the political subdivision is overwhelmed by the emergency; or
- (4) the Governor or the Governor's designee determines that additional resources are necessary to protect the public interest.

F. Nothing herein shall be construed to limit or abrogate the ongoing existing responsibilities of executive branch state agencies to coordinate, prepare and plan for emergencies and imminent threats and hazards to the state in coordination with the Maryland Department of Emergency Management.

G. At all times, in the absence of a declaration, State of Preparedness, or State of Emergency, executive branch state agencies will coordinate with the Maryland Department of Emergency Management for the public peace, safety and health of the State of Maryland, by engaging in emergency preparedness, disaster risk reduction, and consequence management operations and activities of the state as defined in the Maryland Department of Emergency Management's Consequence Management Operations Plan and State of Maryland Hazard Mitigation Plan.

H. A State of Preparedness shall terminate:

- (1) within thirty days (30);
- (2) upon a State or federal declaration of a State of Emergency;
- (3) upon a Presidential Disaster Declaration; or

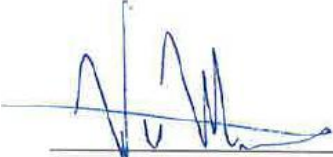
(4) upon the Governor's rescinding of the State of Preparedness.

- I. This Executive Order shall be implemented in a manner that is consistent with all applicable statutes and regulations. Nothing in this Executive Order shall operate to contravene any State or federal law or to affect the State's receipt or federal funding.
- J. If any provision of this Executive Order is held invalid, or its application to a person, event or circumstances is held invalid by any court of competent jurisdiction, all other applications or provisions of the Executive Order shall remain in effect to the greatest extent possible without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are severable.


GIVEN Under My Hand and the Great Seal of the State of Maryland, in the City of Annapolis, this 20th Day of November 2023.



ATTEST:



Wes Moore
Governor



Susan C. Lee
Secretary of State