

Department of Legislative Services  
Maryland General Assembly  
2012 Session

FISCAL AND POLICY NOTE

House Bill 1001 (Delegate Hixson, *et al.*)  
Health and Government Operations Education, Health, and Environmental Affairs

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**Public Library - Essential Community Service - Designation**

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This bill designates public libraries as providing essential community services during an emergency as described under the Federal Emergency Management Agency (FEMA) Public Assistance Program provisions relating to federal disaster assistance and temporary relocation facilities.

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**Fiscal Summary**

**State Effect:** None. The bill emphasizes that public libraries are designated as providing essential community services and should be included in disaster training and be given priority in the restoration of power and Internet access after a federal declared disaster.

**Local Effect:** None. However, the bill may facilitate the inclusion of public libraries within existing State and local emergency procedure manuals and training programs. The bill may also facilitate public libraries being treated like other designated agencies and be given priority in the restoration of power and Internet access. The bill may also enhance the ability for public libraries, whose facilities are damaged during a federal declared disaster, to qualify for FEMA disaster assistance and temporary relocation facilities.

**Small Business Effect:** None.

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## Analysis

### **Current Law/Background:**

#### *Maryland Libraries*

During times of emergency and natural disaster, public libraries facilitate communication between government agencies and citizens in the coordination of volunteer efforts, applications for assistance, and the restoration of normal community services. This was the case after Hurricane Irene wreaked havoc on Maryland in 2011. In the immediate aftermath of the storm, the Maryland State Department of Education reports that Maryland public libraries were open to citizens who needed information, Internet access, and a place to charge their cell phones. FEMA recognized the role of public libraries as an essential community service when it recently established new regulations in Section 403 of the Stafford Act qualifying public libraries, along with police, fire protection/emergency services, medical care, education, and utilities, as essential community services.

#### *Federal Disaster Assistance*

The FEMA's Public Assistance Grant Program provides assistance to State, tribal and local governments, and certain types of private nonprofit organizations so that communities can quickly respond to and recover from major disasters or emergencies declared by the President.

Through the Public Assistance Grant Program, FEMA provides supplemental federal disaster grant assistance for debris removal; emergency protective measures; and the repair, replacement, or restoration of disaster-damaged, publicly owned facilities and the facilities of certain private nonprofit organizations. The Public Assistance Grant Program also encourages protection of these damaged facilities from future events by providing assistance for hazard mitigation measures during the recovery process.

The federal share of assistance is not less than 75% of the eligible cost for emergency measures and permanent restoration. The grantee (usually the State) determines how the nonfederal share (up to 25%) is split with the subgrantees.

#### *Temporary Relocation Facilities*

As a result of major disasters and emergencies, services provided at public and private nonprofit facilities may be disrupted to the extent that they cannot continue unless they

are temporarily relocated to another facility. Therefore, under the “temporary relocation facilities” provision, applicants may request temporary facilities to continue that service.  
*Essential Community Services*

According to federal regulations, essential community services are those services performed by governmental entities or public and private nonprofit organizations, which are necessary to save lives or to protect and preserve property or public health and safety. Eligible public facilities include those for police, fire protection/emergency services, medical care, education, libraries, utilities, and other essential community services. State or local government administrative and support facilities essential to the operation of such facilities are also eligible. Public and private nonprofits facilities eligible for temporary facilities include fire protection/emergency services, medical care, education, utilities, child care facilities, alcohol and drug rehabilitation facilities, custodial care, homeless shelters, libraries, and other facilities that provide health and safety services of a governmental nature. Ancillary facilities may also be eligible, such as administration buildings and hospital laundry facilities.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** SB 858 (Senator Raskin, *et al.*) - Education, Health, and Environmental Affairs.

**Information Source(s):** Maryland State Department of Education, Federal Emergency Management Agency, Department of Legislative Services

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