

**BILL:** Senate Bill 719  
**TITLE:** Environment - Stormwater Remediation Fees - Municipalities  
**POSITION:** OPPOSE  
**DATE:** March 1, 2016  
**COMMITTEE:** Education, Health and Environmental Affairs Committee  
**CONTACT:** John R. Woolums, Esq.

The Maryland Association of Boards of Education (MABE), representing all of the State's local boards of education, opposes Senate Bill 719.

MABE opposes this legislation to authorize municipalities to charge stormwater management fees to property owned by the state, a unit of state government, a county, or an institution of higher education. By these terms, Maryland's public school systems would be mandated to pay stormwater management fees to municipalities for school properties within the boundaries of a municipality. Under current law, the state and units of the state government, which includes public school systems, and certain other tax-exempt governmental organizations, are appropriately exempted from being charged stormwater management fees by municipalities. There is already a provision in Section 4-202.1 of the Environment Article which authorizes a county to collect stormwater management fees where the state, or unit of the state, can agree with a county to the collection of an annual stormwater remediation fee that is based on the share of stormwater management services. In this way the current law establishes a process for counties and state entities to address stormwater management costs.

Maryland's 24 local boards of education are entirely fiscally dependent on local, state, and federal funding. Unlike almost all of the other more than 14,000 local boards across the country, Maryland's boards are not authorized to collect taxes, instead relying on formula and grant allocations from other government entities. Therefore, legislation or regulations imposing new costs for local school systems pose a distinct challenge to Maryland's local boards of education. MABE opposes Senate Bill 719 because it presents just such an unfunded cost.

Each year the General Assembly considers enacting legislation which would mandate that local school systems adopt new programs, procedures, or reporting requirements. Such proposals are generally referred to as "unfunded mandates" to reflect the fact that any new costs arising from the legislation would be borne with existing resources.

Again, MABE opposes this legislation's proposal to authorize municipalities to collect stormwater management fees from the state and units of the state, including local school systems.

For these reasons, MABE requests an unfavorable report on Senate Bill 719.