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BILL: House Bill 656
TITLE: Environment – Municipal Stormwater Charges –
Property Subject to Charges
POSITION: OPPOSE
HEARING DATE: February 15, 2017
COMMITTEE: Environment and Transportation 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 House Bill 656.

The bill would allow a municipality to charge a local school system fees for stormwater mitigation, and do so in a manner that would allow fees to be charged to school systems for mitigation costs which are not the responsibility of the municipality. Therefore, MABE joins with county governments and other affected governmental entities in opposing this legislation.

In 2012, legislation was enacted to require a county or municipality subject to a National Pollutant Discharge Elimination System Phase I municipal separate storm sewer system permit to adopt and implement local laws to establish stormwater remediation fees and a local watershed protection and restoration funds. MABE monitored the passage of this legislation; as well as the legislation enacted in 2015 to substantially amend the 2012 law. In 2015, the legislature and Governor agreed to repeal the requirement to collect a stormwater remediation fee and instead authorize local governments to establish and collect a fee.

Throughout these legislative developments, and in prior years when similar regulatory or legislative proposals were considered, MABE has consistently raised objections to the levying of burdensome stormwater fees on local school systems; school systems which are fiscally dependent on local government and state government funding authorities, and without other revenue generating capacity. It is in this context that MABE and the local boards of education we represent oppose the imposition of municipal stormwater mitigation fees as proposed in this legislation.

For these reasons, MABE opposes House Bill 656 and requests an unfavorable report.