

BILL: Senate Bill 302
TITLE: Legionnaires' Disease Prevention Act
DATE: February 2, 2022
POSITION: OPPOSE
COMMITTEE: Education, Health, and Environmental Affairs
CONTACT: John R. Woolums, Esq.

The Maryland Association of Boards of Education (MABE) opposes Senate Bill 302, which would impose a prescriptive facility maintenance requirement and significant unfunded mandate on local school systems toward the laudable goal of reducing the risk of Legionnaires' disease.

For Maryland's 24 local school boards, the mission to provide all of Maryland's students with high performing school facilities conducive to learning is a top priority. Therefore, MABE certainly supports sustained and enhanced funding for programs and projects to improve the health and safety of school facilities. However, MABE opposes any legislation or school construction program regulations or actions which would limit local authority over school facility design, construction, procurement, maintenance, or operations.

The COVID-19 pandemic has presented unforeseen challenges in the operation of school facilities including new staff-intensive standards for cleaning, new standards for indoor air quality requiring HVAC upgrades, and social distancing standards impacting facility capacity, and technology upgrades required for distance learning. MABE greatly appreciates the legislature's and Governor's actions to fund programs supporting healthy school facilities. For example, throughout the pandemic, school systems have been working diligently to accomplish the full implementation of legislation mandating the remediation of lead in school drinking water – a program supported by the Healthy School Fund.

Under Senate Bill 302, owners of public buildings, including schools, would be required to test for certain water contaminants in every building and for the entire lifecycle of those buildings. Without additional State funding, local governments would be called on, though not required, to fund the necessary personnel and programmatic costs associated with implementing this legislation within each of the 24 local school systems.

At a time when school systems and local governments are striving to build successful partnerships to launch the Blueprint for Maryland's Future, including substantial school facilities needs arising from the expansion of Prekindergarten, MABE respectfully requests that the legislature not adopt any new unfunded mandates impacting school facilities.

For these reasons, MABE requests an unfavorable report on Senate Bill 302.