



HB1253 ENVIRONMENT - DRINKING WATER OUTLETS IN SCHOOL BUILDINGS - ELEVATED LEVEL OF LEAD AND GRANT PROGRAM

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ENVIRONMENT AND TRANSPORTATION COMMITTEE

SUPPORT WITH AMENDMENTS

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The Board of Education of Anne Arundel County supports with amendments **HB1253 Environment - Drinking Water Outlets in School Buildings - Elevated Level of Lead and Grant Program**. This bill redefines “elevated level of lead” to mean a lead concentration in drinking water that exceeds five parts per billion (ppb) for the purposes of required lead water testing and remedial measures in public and nonpublic schools in the State. The bill also requires the Maryland Department of the Environment, in consultation with the Maryland State Department of Education, to establish and administer a grant program to provide grants to local school systems to assist with specified remedial costs.

Although AACPS generally supports measures to maintain the health and safety of students and staff, the 75% reduction below the threshold levels established by the subject matter experts at the federal Environmental Protection Agency (EPA) would place Maryland public schools at the threshold levels far below most public schools let alone most buildings and structures nationally. Legislation passed during the 2017 Legislative Session, required that all drinking water outlets in public and nonpublic schools be tested for elevated levels of lead. Fixtures found to be above 20 ppb, the standard recommended by the EPA, must be removed from use and implement remediation measures. In accordance with the 2017 law, AACPS has been testing water outlets at schools for the presence of lead. The cost of the current testing is approximately \$450,000. As drafted, the proposed legislation would result in an additional cost of approximately \$1.5 million to \$2 million in additional unfunded operating and capital budget expenditures for AACPS.

While the proposed grant in the legislation could potentially provide some financial relief, the legislation would still remain an unfunded mandate because it does not prescribe the amount of the grant fund, does not compel the Governor to fund the grant program, and does not ensure that AACPS would receive sufficient, or any funds, from the State.

As such, AACPS proposes that the legislation be amended in two ways. First, the threshold level reduction proposed be stricken from the legislation, thus, allowing Maryland and its public schools to remain in conformance with federal EPA standards and guidelines. With this amendment, the legislation would no longer create an unfunded mandate. Secondly, AACPS is supportive of the creation of the grant program proposed in the legislation and we recommend that it be amended to specify actual funding for the program.

Accordingly, the Board of Education of Anne Arundel County respectfully requests a **FAVORABLE** committee report on HB1253 with the suggested amendments.