



Senate Bill 302

Legionnaires' Disease Prevention Act

MACo Position: **OPPOSE**

To: Education, Health, & Environmental Affairs
Committee

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From: Brianna January and
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The Maryland Association of Counties (MACo) **OPPOSES** SB 302. This bill would impose a costly and specific mandate on county governments as part of routine facility maintenance. Ultimately, this bill poses potentially staggering personnel and capital costs for counties.

No jurisdiction wants unsafe water-based systems – the specific means and dictates of SB 302 are at the heart of county concerns. County governments appropriately manage their own facilities and strive to provide the safest public facilities for the staff they employ and the public they serve. They have managed public facilities and the health and safety within them successfully – and in many cases, have been far ahead of the State's requirements.

SB 302 would pose a costly, unfunded mandate for local governments. Under the bill, counties would be required to test for certain water contaminants in every public building (old and new construction) that local governments own and operate, and for the entire lifecycle of those buildings. This would include all county courts, county jails, public libraries, and other county buildings accessible to the public. Counties would necessarily provide additional financial support to local boards of education, which each own and operate dozens of K-12 school facilities. Not only would this be a daunting operational mandate, but it would also be a costly one.

To meet the testing and maintenance requirements of SB 302, counties lacking sufficient technical staff would likely be forced to procure third party contracts, resulting in additional operational costs at a time when counties are already competing for reliable and skilled staff during the "Great Resignation."

Furthermore, the remediation of affected infrastructure would be extremely costly, without any State support. Counties would bear the full burden of removal, repair, and replacement of affected parts and systems, under a regime created by this rigid state policy. In short, counties would be forced to shift funding from other critical services including health care and public safety, at a time when both are critical to the safety and wellbeing of Marylanders.

While counties appropriately bear the burden of building safety and welcome partnering with the State on these important goals, SB 302 prescribes a specific and expensive approach. For these reasons, MACo **OPPOSES** SB 302 and urges an **UNFAVORABLE** report.