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**Written Testimony Submitted to the
Maryland Senate Education, Energy and the Environment Committee
From the American Federation of Teachers– Maryland
SB 880 – Baltimore Regional Water Governance Taskforce
March 15, 2023
Favorable-with-amendments**

Good afternoon Chair Feldman and members of the Senate Education, Energy, and the Environment Committee. AFT-Maryland is the state federation for a number of city, county, and state-wide labor unions in Maryland, including City Union of Baltimore, AFT Local 800, and the Baltimore County Federation of Public Employees, AFT Local 4883, both of whom represent city and county workers employed in the water and wastewater departments for their respective jurisdictions. We have also recently been in coalition with a number of civil and environmental rights organizations– including Food and Water Watch, with whom we partnered with in the effort in 2018 to pass the city charter amendment Question E, protecting against water utility privatization. We appreciate the committee’s willingness to consider amendments to SB 880, as we believe this bill to have major implications for the city and county’s employees and residents that are worth considering.

Because this taskforce will study an issue that impacts the work of thousands of our members, and because these members have a specialized knowledge about the strengths and inefficiencies of the current system, we ask that seats on this taskforce be reserved for a representative for those employees. Additionally, as water is a vital resource required to sustain life, the work of the taskforce needs to be transparent and receptive to voices from the impacted community. Finally, we are concerned that a study to look closely at changing the governance structure of the city’s water and wastewater utility may not take issues of racial equity into account, and therefore ask that the legislature ask this committee to produce a racial equity impact assessment and economic equity impact assessment for each form of alternative governance structure to be studied. We have appended a line-by-line copy of these amendments to the end of our written testimony for the committee to consider.

The amendments drafted by the coalition ask for specific voices from labor and from the community be placed on the taskforce, alongside ample opportunities for resident feedback on the work of that taskforce. We ask that the Education, Energy, and the Environment Committee adopt a favorable-with-amendments report to SB 880. Thank you.

Proposed Coalition Amendments to SB 880

Amendment 1. Adjusting the membership of the taskforce

Page 3, line 1

After "Governor"

add

"INCLUDING: 1. ONE REPRESENTATIVE FROM A LOCAL COMMUNITY ORGANIZATION REPRESENTING LOW-INCOME WATER RATEPAYERS IN THE CITY, AND 2. ONE LOW-INCOME WATER RATEPAYER IN THE CITY."

Page 3, line 2

After "Mayor of Baltimore City"

add

“, INCLUDING AT LEAST ONE MEMBER FROM CITY UNION OF BALTIMORE, AFT LOCAL 800, REPRESENTING EMPLOYEES WORKING IN THE CITY’S WATER/WASTEWATER FACILITIES

Page 3, line 4

After "County"

add

“, INCLUDING AT LEAST ONE MEMBER FROM THE BALTIMORE COUNTY FEDERATION OF PUBLIC EMPLOYEES, AFT LOCAL 4883, REPRESENTING COUNTY EMPLOYEES WORKING IN THE COUNTY’S WATER DEPARTMENT”

Page 3, line 12

Strike "or"

and add

"4. UTILITY SERVICE AFFORDABILITY, INCLUDING PERSONAL KNOWLEDGE; 5. RACIAL EQUITY IMPACT ASSESSMENTS; 6. COLLECTIVE BARGAINING AGREEMENTS; 7. SEWAGE BACKUPS, INCLUDING PERSONAL KNOWLEDGE; 8. STORMWATER; 9. INTEGRATED PLANNING; 10. CLIMATE RESILIENCY; 11. SOURCE WATER PROTECTION; OR 12. PUBLIC HEALTH; AND"

Page 3, line 13

After "(ii)"

add

"EITHER 1. RECEIVE WATER AND WASTEWATER SERVICE FROM THE WATER AND WASTEWATER UTILITY, OR 2."

Amendment 2. Including racial equity and economic equity impact assessments

Page 5, line 5

Strike “and”

and add

“(5) CONDUCT A RACIAL EQUITY IMPACT ASSESSMENT AND AN ECONOMIC EQUITY IMPACT ASSESSMENT FOR EACH ALTERNATIVE GOVERNANCE STRUCTURE; AND”

Page 5, line 6

Strike “(5)”

and add

“(6)”

Amendment 3: Directing the Task Force to limit their study to public sector solutions that will (1) exclude private for-profit ownership, operation or management of the systems as prohibited by the Baltimore City Charter, (2) protect democratic decision-making and the rights of workers and residents, and (3) not undermine or conflict with local water affordability laws and charter protections approved by voters.

Page 5, line 10

After “Task Force shall”

Add

“(1) CONSIDER ONLY ALTERNATIVE GOVERNANCE MODELS THAT ADHERE TO RATEPAYER AND LABOR PROTECTIONS ESTABLISHED BY LOCAL JURISDICTIONS, INCLUDING: (i) BALTIMORE CITY BALLOT QUESTION E OF 2018, WHICH WAS APPROVED BY VOTERS, TO AMEND THE CITY CHARTER TO PROHIBIT PRIVATE, FOR-PROFIT OWNERSHIP, OPERATION OR MANAGEMENT OF THE WATER SUPPLY AND WASTEWATER SYSTEM; (ii) THE WATER ACCOUNTABILITY AND EQUITY ACT OF BALTIMORE CITY, WHICH ESTABLISHED: A LOW-INCOME WATER AFFORDABILITY PROGRAM; WATER SHUTOFF PROTECTIONS FOR VULNERABLE HOUSEHOLDS; A DISPUTE RESOLUTION PROCESS; RIGHTS OF TENANTS TO RECEIVE THEIR BILLS, ACCESS ASSISTANCE, AND DISPUTE RESOLUTION; AND AN OFFICE OF CUSTOMER ADVOCACY AND APPEALS; (iii) COLLECTIVE BARGAINING AGREEMENTS, WORKER PENSIONS, AND BENEFITS FOR WORKERS IN THE CITY AND THE COUNTY; AND (iv) BALTIMORE CITY’S SEWAGE ONSITE SUPPORT PROGRAM AND EXPEDITED REIMBURSEMENT PROGRAM; ”

Page 5, line 10

Before “consult with”
add
“(2)”

Amendment 4: Requiring public input.

Page 5, line 11
After “Service”
strike “:”
and add

“; AND (3) PROVIDE OPPORTUNITIES FOR PUBLIC INPUT BY: (1) PUBLISHING A DRAFT OF ITS FINDINGS AND RECOMMENDATIONS FOR PUBLIC REVIEW ON THE WEBSITES OF THE CITY AND COUNTY; (2) HOLDING PUBLIC HEARINGS: (I) PRIOR TO THE DEVELOPMENT OF A DRAFT REPORT; (II) AFTER THE ISSUANCE OF A DRAFT REPORT; (III) WITH HEARINGS HELD ONLINE AND IN PERSON AT DIFFERENT TIMES OF DAY AND LOCATED AT: 1. THE SEVEN EARLY VOTING SITES WITHIN THE CITY; 2. FIVE LOCATIONS IN THE COUNTY AT SITES WITHIN THE WATER SYSTEM SERVICE AREA THAT ARE CONVENIENT FOR PUBLIC TRANSPORTATION; AND 3. ONE LOCATION IN EACH OF THE FOUR OTHER JURISDICTIONS OF THE AFFECTED COUNTIES. (3) PROVIDING A PUBLIC COMMENT PERIOD OF AT LEAST 90 DAYS ON THE DRAFT REPORT PRIOR TO FINALIZING THE FINDINGS AND RECOMMENDATIONS; (4) ASSESSING THE PUBLIC INPUT IN THE FINAL REPORT BY (I) SUMMARIZING THE PUBLIC HEARINGS, PUBLIC COMMENTS, AND OTHER FEEDBACK; (II) ADDRESSING HOW THAT INFORMATION WAS INCORPORATED INTO THE FINAL REPORT AND RECOMMENDATIONS; AND (III) EXPLAINING THE REASONS WHY ANY PUBLIC FEEDBACK WAS NOT INCORPORATED INTO THE FINAL REPORT AND RECOMMENDATIONS; (5) ADVERTISING ALL TASK FORCE MEETINGS ON THE WEBSITES OF ALL AFFECTED JURISDICTIONS AND THE MARYLAND DEPARTMENT OF ENVIRONMENT, AND ON AT LEAST ONE SOCIAL MEDIA ACCOUNT; AND (6) HOLDING ALL MEETINGS OPEN TO THE PUBLIC ONLINE AND IN-PERSON, PURSUANT TO THE MARYLAND OPEN MEETINGS ACT.”

Amendment 5: Expanding the timeline to allow sufficient time to conduct the review and solicit public feedback.

Page 5, line 12
After “On or before”
add

“JUNE 30, 2025, THE TASK FORCE SHALL REPORT ITS DRAFT FINDINGS AND RECOMMENDATIONS TO THE MAYOR OF BALTIMORE CITY, THE COUNTY EXECUTIVE OF BALTIMORE COUNTY, THE GOVERNOR, AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.”

Page 5, line 12

Strike (i)

Add

“(j)”

Page 5, line 12

After “On or before”

strike “~~January 30, 2024~~” and

add

“June 30, 2027”

Page 5, line 12

After “Task Force shall report its”

add

“final”

Page 5, line 21

After “remain effect through June 30,”

strike “~~2024~~” and

add

“2027”

Page 5, line 20

After “at the end of June 30,”

strike “~~2024~~” and

add

“2027”