

Senate Bill 242 would prohibit a program adopted by the State Board of Education that would require county expenditures in excess of \$1 million from taking effect until the State provided funds to reimburse the county board, unless the General Assembly waived the requirement. The bill was amended to further restrict the State Board by prohibiting new programs adopted by the State Board that would require county expenditures in excess of \$2.5 million unless legislation specifically authorized the program. And finally, the bill prohibits new programs that require State expenditures in excess of \$1 million unless legislation specifically authorizes the program.

County government officials and local school systems often have expressed concern regarding unfunded education mandates. Because of my experience in local government, I have been particularly sensitive to the needs of and burdens on local government. Indeed, I have worked very hard with the Maryland Association of Counties to help address such problems, especially in the area of mandates. However, I believe Senate Bill 242 is an overreaction to the general concern over State mandates and to the rigorous accountability system under the Maryland School Performance Program, in particular.

Not every new program should be perceived as a new mandate, but rather the establishment of priorities to meet the needs of Maryland's student population. Such prioritizing creates coherent educational policy and ensures that State aid, which amounted to more than \$2 billion in Fiscal Year 1994, is used effectively.

Senate Bill 242 would greatly restrict the State Board's ability to set educational policy. Not only would it restrict the development of programs that would have a fiscal impact on local government; it would prohibit new programs that have only a State fiscal impact. To require every new State program requiring an expenditure over \$1 million to be specifically authorized by legislation would be untenable.

The General Assembly's check on the State Board is clear and effective. All proposed regulations are reviewed by the Administrative, Executive, and Legislative Review (AELR) Committee. A fiscal impact statement accompanies each regulation. The State Board works closely with the AELR Committee to resolve questions that arise with regard to form and content of proposed regulations. Recently, the State Board has worked collaboratively with the AELR Committee on such issues as high school graduation requirements and public school standards for reconstitution.

In summary, I believe this legislation is an unnecessary and overly burdensome attempt to address an issue (mandates) that is already being addressed on all levels of government. For these reasons, I have vetoed Senate Bill 242.

Sincerely,
William Donald Schaefer
Governor

Senate Bill No. 242

AN ACT concerning

Education – Funding – Reimbursement of County Boards of Education