

Department of Legislative Services  
 Maryland General Assembly  
 2005 Session

FISCAL AND POLICY NOTE

House Bill 947 (Delegate Barkley)  
 Appropriations

Public School Construction - Mandated Funding

This bill requires the Governor to include in the fiscal 2007 State budget or the fiscal 2006 State capital budget at least \$250 million for public school construction. The funding may include appropriated funds or State debt, or both.

The bill takes effect June 1, 2005.

Fiscal Summary

**State Effect:** General obligation (GO) bond revenues and expenditures could increase by an estimated \$75.0 million in FY 2007 to issue a portion of the additional debt authorization that could be required to meet the \$250 million funding level for school construction. Annuity Bond Fund (ABF) expenditures could increase by an estimated \$3.9 million in FY 2008 to pay debt service on the bonds. Future year estimates reflect the projected schedule of debt issuance from increased FY 2007 debt authorization and associated debt service payments.

(\$ in millions)	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Bond Rev.	\$0	\$75.0	\$45.0	\$15.0	\$7.5
SF Expenditure	0	0	3.9	6.4	11.4
Bond Exp.	0	75.0	45.0	15.0	7.5
Net Effect	\$0	\$0	(\$3.9)	(\$6.4)	(\$11.4)

*Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect*

**Local Effect:** Local school construction revenues and expenditures would increase by an estimated \$75 million in FY 2007 and by a total of \$150 million over several years.

**Small Business Effect:** Potential meaningful. An increase in school construction funding would benefit many sectors of the construction business.

## Analysis

**Current Law:** State funding for public school construction is discretionary.

**Background:** In addition to restructuring and enhancing State primary and secondary education operating aid, the Bridge to Excellence in Public Schools Act of 2002 established a Task Force to Study Public School Facilities. The task force was charged with examining the adequacy of Maryland's public school facilities and their capacity to sustain the enhanced educational programs that the Bridge to Excellence Act supports.

At the task force's request, the Maryland State Department of Education, the Public School Construction Program (PSCP), and the local school systems collaborated to conduct an ambitious assessment of the conditions of the State's existing public schools based on 31 minimum facility standards. The assessment concluded that \$3.85 billion was needed to meet the State's school capacity needs and bring existing school facilities up to standards. The State's share of this cost was estimated at \$2.0 billion, and the task force recommended that the needs be addressed, to the greatest extent possible, over the next eight years. The Public School Facilities Act of 2004 (Chapters 306 and 307) established the achievement of the recommendation as a State goal. To accomplish the goal, \$250 million per year in school construction funding would be needed. **Exhibit 1** shows the amount of funding needed in each local school system to address the deficiencies identified by the assessment. The need for additional school construction funding was further evidenced by the \$595 million in requests for school construction funding submitted by local school systems for fiscal 2006.

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### Exhibit 1 School Facilities Assessment Results Fiscal 2004 Dollars (\$ in Thousands)

Allegany	\$71,426	Harford	\$204,666
Anne Arundel	336,458	Howard	168,727
Baltimore City	570,599	Kent	1,180
Baltimore	408,845	Montgomery	279,307
Calvert	102,911	Prince George's	778,225
Caroline	5,435	Queen Anne's	9,666
Carroll	135,297	St. Mary's	52,530
Cecil	46,873	Somerset	9,030
Charles	178,419	Talbot	18,989
Dorchester	33,816	Washington	93,827
Frederick	203,625	Wicomico	69,993
Garrett	20,142	Worcester	54,122

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In fall 2004, the Capital Debt Affordability Committee (CDAC) reviewed the affordability of issuing additional debt for public school construction. CDAC concluded that the additional debt was affordable based on the accepted criteria, but recommended that alternative funding mechanisms and new revenue streams be explored fully before the additional debt is authorized. The proposed fiscal 2006 State budget includes a total of \$157.6 million in funding for school construction, \$155.2 million in GO bonds and \$2.4 million in special funds.

**State Fiscal Effect:** The proposed fiscal 2006 State budget includes \$157.6 million for public school construction, an increase of \$57.6 million over the amount that was in the fiscal 2005 Capital Improvement Program (CIP) for fiscal 2006. It is assumed that the Governor would not increase the proposed funding for public school construction beyond this amount. The bill would then mandate the \$250 million minimum for the fiscal 2007 budget, an increase of \$150 million over the \$100 million currently in the CIP. The additional funding could be provided through the operating budget, by reprogramming within the CIP, or by issuing additional GO bonds. It is assumed that the minimum funding level would be achieved with an increase in GO bond debt authorization.

Based on past experience with debt authorization for public school construction, the full authorized amount would not be spent immediately. Instead, the additional fiscal 2007 GO bonds would be issued over five years, as approved school construction projects progress. Total school construction funding would increase by \$150 million, but the additional debt would not be fully encumbered within a single fiscal year.

The additional debt service payments would begin in fiscal 2008 at an estimated \$3.9 million and would increase each year through fiscal 2014, when the additional payments would peak for nine years at \$16.3 million. Increases in debt service payments would continue through fiscal 2026. **Exhibit 2** shows projections of the bill's impact on State debt and debt service. To the extent that CIP reprogramming or funding through the operating budget occurs, the additional debt service costs would be less.

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**Exhibit 2**  
**Fiscal Impact of Additional Public School Construction Funding**  
**Fiscal 2006 to 2026**  
**(\$ in Millions)**

<b><u>Fiscal Year</u></b>	<b><u>Debt Authorized</u></b>	<b><u>Debt Issued</u></b>	<b><u>Debt Service</u></b>	<b><u>Debt Outstanding</u></b>
2007	\$150.0	\$75.0	\$0.0	\$75.0
2008	0.0	45.0	3.9	120.0
2009	0.0	15.0	6.4	135.0
2010	0.0	7.5	11.4	138.3
2011	0.0	7.5	14.3	139.0
2012	0.0	0.0	15.5	131.0
2013	0.0	0.0	15.9	122.1
2014	0.0	0.0	16.3	112.3
2015	0.0	0.0	16.3	102.0
2016	0.0	0.0	16.3	91.2
2017	0.0	0.0	16.3	79.8
2018	0.0	0.0	16.3	67.8
2019	0.0	0.0	16.3	55.1
2020	0.0	0.0	16.3	41.7
2021	0.0	0.0	16.3	27.6
2022	0.0	0.0	16.3	12.8
2023	0.0	0.0	8.2	5.3
2024	0.0	0.0	3.3	2.3
2025	0.0	0.0	1.6	0.8
2026	<u>0.0</u>	<u>0.0</u>	<u>0.8</u>	0.0
<b>Total</b>	<b>\$150.0</b>	<b>\$150.0</b>	<b>\$228.4</b>	

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State debt service is paid by the ABF, which is currently supported with State property tax revenues. Based on current projections of ABF revenues and the proposed CIP, the increase in debt service expenditures resulting from the bill would not exceed the projected ABF balance.

From fiscal 2000 to 2002, funding for school construction exceeded \$250 million annually and State agencies approved and processed school construction projects with existing resources. It is assumed, therefore, that a one-year increase in public school construction funding could be managed with the existing budgeted resources of PSCP

and other State agencies involved in the school construction process. If higher levels of State school construction funding continue for a number of years, additional personnel would be needed to maintain the current level of services supporting school construction activities.

**Local Fiscal Effect:** Local school revenues from State school construction funding would increase, as would local expenditures to pay the local school construction costs for projects that are requested by the local jurisdictions and approved by the State. Local school construction expenses include costs in which the State does not participate and a required local match of State funding for costs that are shared.

Costs that are not eligible for a State match account for approximately 15% of total project expenses and include site acquisition and architectural and engineering costs. Required local matches of State funding range from 3% to 50% of eligible costs, based on a formula that uses wealth and needs to calculate State and local shares. The State share of eligible project costs for fiscal 2006 to 2008 is shown in **Exhibit 3**. The estimated local share of the \$3.85 billion need identified by the Task Force to Study Public School Facilities is \$1.85 billion.

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**Exhibit 3**  
**State Share of Eligible School Construction Costs**  
**Fiscal 2006 to 2008**

Allegany	90%	Harford	65%
Anne Arundel	50%	Howard	58%
Baltimore City	97%	Kent	50%
Baltimore	50%	Montgomery	50%
Calvert	69%	Prince George's*	75%/69%
Caroline	89%	Queen Anne's	70%
Carroll	65%	St. Mary's	72%
Cecil	70%	Somerset	97%
Charles	70%	Talbot	50%
Dorchester	77%	Washington	65%
Frederick	72%	Wicomico	81%
Garrett	70%	Worcester	50%

\* The State will provide 75% of eligible school construction costs for the first \$35 million per year it provides to Prince George's County and 69% of the eligible costs for any funding above \$35 million.

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Local jurisdictions are only required to provide local matches for projects that they have requested, so the bill does not mandate any additional local spending.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Maryland Department of Planning, Department of General Services, Public School Construction Program, Department of Legislative Services

**Fiscal Note History:** First Reader - March 15, 2005  
ncs/rhh

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