

**Department of Legislative Services**  
Maryland General Assembly  
2012 Session

**FISCAL AND POLICY NOTE**

Senate Bill 721 (Senator Zirkin)  
Budget and Taxation

---

**Task Force on Climate Control in Public Schools in Baltimore County**

---

This bill establishes a Task Force on Climate Control in Public Schools in Baltimore County. It specifies the membership of the task force, includes the topics to be addressed by the task force, and requires the Office of the County Executive to provide staff for the task force. By July 1, 2013, the task force must report its findings and recommendations to the county's House and Senate delegations, the Baltimore County Board of Education, the Board of Public Works (BPW), the Interagency Committee on School Construction (IAC), and the Baltimore County Executive.

The bill takes effect July 1, 2012, and terminates December 31, 2013.

---

**Fiscal Summary**

**State Effect:** None. Participation on the task force by a representative of IAC has no effect on State finances.

**Local Effect:** None. Baltimore County can staff the task force with existing budgeted resources.

**Small Business Effect:** None.

---

**Analysis**

**Current Law:** The State pays at least 50% of eligible costs of school construction and renovation projects, based on a funding formula that takes into account numerous factors including each local school system's wealth and ability to pay. The State pays 50% of eligible school construction costs in Baltimore County; systemic renovations, including

the installation of central air conditioning, are eligible for State funding, but window air-conditioning units are not because they are not considered a permanent fixture.

Subject to the final approval of BPW, IAC manages State review and approval of local school construction projects. Each year, local systems develop and submit to IAC a facilities master plan that includes an analysis of future school facility needs based on the current condition of school buildings and projected enrollment. The master plan must be approved by the local school board. Subsequently, each local school system submits a capital improvement plan to IAC that includes projects for which it seeks planning approval, projects for which it seeks funding approval, and projects that the local system has forward funded. In addition to approval from the local school board, the capital improvement plan must be approved by the county's governing body. Typically, the submission letter to IAC contains signatures of both the school board president and either the county council president or chair of the board of county commissioners.

Based on its assessment of the relative merit of all the project proposals it receives, and subject to the projected level of school construction funds available, IAC determines which projects to recommend to BPW for State funding. By December 31 of each year, IAC recommends to BPW projects comprising 75% of the preliminary school construction allocation projected to be available. Local school districts may then appeal the IAC recommendations directly to BPW. By March 1 of each year, IAC recommends to BPW and the General Assembly projects comprising 90% of the allocation for school construction submitted in the Governor's capital budget. Following the legislative session, IAC recommends projects comprising the remaining school construction funds included in the enacted capital budget for BPW approval.

Chapter 572 of 2011 raised the State's sales and use tax on alcoholic beverages from 6% to 9% and allocated \$47.5 million of the proceeds from the increased tax as a one-time supplementary appropriation to the Public School Construction Program for fiscal 2012. Baltimore County received \$7.0 million for school construction projects from the supplementary appropriation. Chapter 572 gave preference for project approval to projects that (1) benefit older buildings or schools with high proportions of low-income students; (2) can be completed within one year; (3) eliminate or reduce the use of relocatable classrooms; (4) reduce energy consumption; or (5) have already received planning or funding approval from IAC but are not fully funded.

**Background:** Of the 24 local school systems in the State, 17 have air conditioning in all of their schools. Baltimore County reports that 66 of its schools (38%) do not have air conditioning. In June 2011, Comptroller Peter Franchot requested that Baltimore County dedicate all \$7.0 million from its share of the supplementary appropriation to installing air conditioning in schools that do not have it. However, none of the projects submitted by Baltimore County to BPW for approval under the supplementary appropriation

involved the installation of air conditioning. County officials explained that many of the county's schools are more than 50 years old and that replacing windows and roofs on those buildings is a higher priority. The county estimates that it would cost significantly more – possibly several hundred million dollars – to install air conditioning in the schools that do not have it.

**Additional Comments:** IAC advises that including a representative of IAC on the task force may present a conflict of interest. The task force is charged with, among other responsibilities, prioritizing proposed projects for funding from IAC.

---

### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Baltimore County, Comptroller's Office, *Baltimore Sun, Daily Record*, Public School Construction Program, Department of Legislative Services

**Fiscal Note History:** First Reader - March 12, 2012  
ncs/rhh

---

Analysis by: Michael C. Rubenstein

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510