



THE PRINCE GEORGE'S COUNTY GOVERNMENT

OFFICE OF THE COUNTY EXECUTIVE

BILL: House Bill 1290 – Public School Construction – Funding and Administration

SPONSOR: Delegates McIntosh

HEARING DATE: 3/1/2022

COMMITTEE: Appropriations

CONTACT: Intergovernmental Affairs Office, 301-780-8411

POSITION: SUPPORT WITH AMENDMENTS

The Office of the Prince George's County Executive supports **House Bill 1290 with amendments** which would make changes to the school construction program. Under the program the State establishes the percentage of school construction projects that will be paid by the State and the percentage paid by local jurisdictions, on a wealth-equalized basis. The legislation proposes the following changes to the program, by:

1. Modifying an appeal process.
2. Limiting decreases in the State share to 5% when regulations are updated.
3. Providing increases in the State share based on the Concentration of Poverty Level, maintenance assessment ratings, or for net-zero schools.
4. Limiting enrollment deductions for adjacent schools.
5. Stipulating what is to be included in school building inspections.
6. Requiring the Integrated Master Facility Asset Library to include preventive maintenance schedules accessible by the Local Education Agencies.
7. Deferring use of facility assessments in school construction funding decisions until the Integrated Master Facility Asset Library is established and regulations adopted after May 1, 2026 and limiting how facility assessment data can be used prior to then.
8. Expanding the uses of a revolving loan fund to also pay the State share of school construction costs.
9. Mandating \$40 million appropriations in each of FY 2025 and 2026 to the Healthy School Facility Fund.
10. Providing a 5% increase in the State share of funding for projects estimated total cost of ownership that is at least 15% less than the baseline cost of ownership. It also requires repayment of that 5% if the actual cost of ownership is not at least 15% lower.

11. Expressing intent to establish a workgroup, and that State appropriations for school construction be at least \$400 million per year.
12. Requiring the State-Local cost share be updated for FY 2025 and 2026, a determination of minimum equipment for food preparation, and verification of survey data.

Prince George's County proposes 3 amendments to House Bill 1290. First, the bill proposes a \$50.0 million appropriation to the School Construction Revolving Loan Fund. However, since the fiscal 2023 budget is before the General Assembly at the 2022 session this mandated appropriation has no force and effect. The County recommends that the mandated appropriations begin in fiscal 2024. Second, references to increases percentages should be changed to be percentage point increases. For example, Prince George's County receives a 70% State share for school construction projects. A 10% increase would be 7%, making the State share 77%. If the intention is to provide a 10-percentage point increase, then the County would receive an 80% State share. Third, the Committee should consider whether a baseline cost of ownership is feasible to establish given that the size, configuration, and age of each public-school building is so different.

For the reasons stated above, the Office of the Prince George's County Executive **SUPPORTS House Bill 1290 with amendments.**