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BILL: House Bill 1
TITLE: Built to Learn Act of 2020
DATE: January 23, 2020
POSITION: SUPPORT WITH AMENDMENTS
COMMITTEE: Appropriations Committee
CONTACT: John R. Woolums, Esq.

The Maryland Association of Boards of Education (MABE) supports House Bill 1 because it would launch a major and much needed school construction funding initiative. For MABE and Maryland's 24 local school boards, the mission to provide all of Maryland's students with high performing school facilities conducive to learning is a top priority. The Maryland Constitution requires that the State provide a "thorough and efficient" system of public education; and MABE believes that this includes the duty to equitably provide safe, high quality school facilities in which all students can learn.

The Built to Learn Act represents a much needed supplemental program to the annual capital budget for school construction, renovation and aging schools projects. MABE fully supports the passage of House Bill 1 in order to launch this bold initiative to generate \$2.2 billion in school construction funding, through bonds issued by the Maryland Stadium Authority (MSA). MABE believes that this legislation will build on the success of the Baltimore City 21st Century Schools Program and support the continued implementation of the Prince George's County Public Private Partnership (P3) Program.

Local boards of education appreciate that House Bill 1 would phase in contributions from the Education Trust Fund (ETF) to finance the debt service payments on the new MSA bonds. This represents a significant improvement over last year's bill and reflects that the primary purpose of the ETF lockbox is to support the implementation of the Kirwan Commission's recommendations to significantly expand and reform prekindergarten, educator qualifications and compensation, career and technical education, special education, and community schools.

This legislation addresses another important and longstanding concern of many local school systems. State and local governments share public school construction costs according to a formula based on a local jurisdiction's taxable wealth and other factors. The State's share of eligible project costs varies from 50% to 100%. However, because architectural, engineering, site development and other costs are ineligible for state funding, local jurisdictions actually pay a larger share of project costs than these percentages indicate. MABE strongly supports the provisions of this bill that would make such costs eligible for state funding for smaller jurisdictions.

MABE is requesting an amendment to clarify and ensure the ability of local school systems to access the funds generated by MSA's the new bonding authority without the obligation to grant MSA control over school facility design and project management. MABE greatly appreciates that this committee and the House of Delegates adopted this amendment in 2019. Securing this assurance is once again a high priority for MABE in 2020. Therefore, MABE requests an amendment to establish local control of design and project management as the default, with the option provided to utilize those services through the MSA.

House Bill 1 includes provisions which raise concerns for local boards regarding the critically important local role of school boards and local government funding authorities to identify priority projects for construction and major renovation. The substantial role of local funding in financing school facilities projects, and the governance role of each local board of education, warrant continued deference to locally adopted priorities. Therefore, MABE is requesting an amendment to remove the State imposed criteria outlined in the bill.

Another provision of serious concern would sunset the much valued Aging Schools Program. MABE, in the alternative, respectfully requests that funding for this program be increased. Local boards support sustaining and increasing funding for the Aging Schools Program because it provides state funding to local school systems for improvements and repairs of older public school buildings and has contributed to the completion of many important school facility projects that would not have otherwise qualified for state funding. Eligible expenditures under the program include asbestos and lead paint abatement; fire protection systems and equipment; painting; plumbing; roofing; heating, ventilation, and air conditioning systems; and other renovation projects.

Maryland has an outstanding public school construction program that has achieved a remarkable degree of equity and excellence across the diverse landscape of Maryland's 24 local school systems. And yet, continuous improvement must be promoted and pursued in order to incorporate new best practices and optimize what are always limited, and therefore inadequate, state and local resources.

In this light, on behalf of all 24 local boards of education, MABE reiterates our support for bill, and encourages consideration of modifications to more clearly preserve local governance roles in the school construction process and to more clearly make the benefits of this bold initiative available to all 24 school systems and jurisdictions. With amendments, MABE believes that House Bill 1 will successfully advance the State's goal of ensuring high quality learning environments for the nearly 1 million students across the state through an innovative and expedited funding initiative.

For these reasons, MABE requests a favorable report on House Bill 1, with the amendments described above.