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BILL: Senate Bill 994
TITLE: School Overcrowding Reduction Act of 2017
DATE: March 8, 2017
POSITION: OPPOSE
COMMITTEE: Budget and Tax
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Senate Bill 994 requires renaming the Maryland Stadium Authority to be the Maryland Construction Authority; authorizing governmental units to request specified assistance from the Authority regarding public school facility construction projects; establishing a design-construct-operate-maintain-finance arrangement as an alternative financing method; providing that specified construction costs that exceed a specified amount per student are ineligible for State funding unless granted a waiver by the IAC.

PSSAM **opposes** Senate Bill 994, which is lengthy, cumbersome and warrants extensive conversations. PSSAM understands the intent of this proposed legislation, but believes that Senate Bill 994 is ill-timed. A review and enhancement of the Maryland Public School Construction Program is warranted. However, PSSAM believes that changes should be implemented only following thorough research and broad discussions with the stakeholders who have an interest in public school facilities, including educators, parents and community members, administrators, facility planners, maintenance and operations officials, and others. Changes must ensure continuing accountability for the welfare of students and for the large State funding allocations involved, and must take account of the long-term quality and operation of facilities. Such discussions have not occurred in relation to the actions proposed in SB 994.

We believe the better course of action is to delay any major changes as proposed in Senate Bill 994 until the 21st Century School Facilities Commission (“Knott” Commission) completes their comprehensive and extensive work on these issues. The “Knott” Commission is reviewing existing educational specifications for school construction projects and evaluating whether those specifications are applicable to the needs of 21st century schools. The Commission will review the February 2004 Report of the Task Force to Study Public School Facilities, and how those findings have been implemented. Commission members are investigating construction industry best practices and their applicability to public and charter school construction. They will formulate long-term plans, as well as maintenance plans for school systems with flat or declining enrollment. In addition, the Commission will evaluate innovative financing mechanisms, such as public-private partnerships and other alternatives to traditional financing. In addition, the Commission is evaluating efficiencies and cost-saving in construction and maintenance. Finally, the Commission is studying the relationship between State agencies and local governments on school construction projects, as well as the role of State agencies and the statutory structure of the Interagency Committee on School Construction. Most recently, on January 13, 2017 the “Knott” Commission met to discuss the major themes emerging from their 2016 discussions and major themes to pursue following the 2017 legislative session.

For the reasons stated above, PSSAM **opposes** Senate Bill 994. However, we look forward to working with the sponsor and others to implement legislation following the work of the 21st Century School Facilities Commission.