



Senate Bill 551

School Construction Incentive Act of 2021

MACo Position: **SUPPORT**
WITH AMENDMENTS

To: Budget and Taxation Committee

Date: February 10, 2021

From: Drew Jabin

The Maryland Association of Counties (MACo) **SUPPORTS SB 551 WITH AMENDMENTS**. This bill would create a framework of incentives for cost-efficient school buildings. The bill creates incentives for long term operational efficiency, but hinges this structure on measures and systems that have not yet been developed through any stakeholder-driven process, and are premature.

The incentives SB 551 envisions are very sensible: expanding the “shared costs” recognized as part of the split State/county funding responsibility, and potentially increasing the State share for projects that exhibit best practices. These concepts represent a productive starting point to promote broader pursuit of desired facility innovations.

The bill, however, leaps to specific conclusions regarding the desirability of specific measurements and standards that are not yet a matter of consensus.

In recent years, both the “Knott” Commission (21st Century School Facilities Commission) and its successor (Workgroup on the Assessment and Funding of School Facilities) have brought multiple stakeholders together to contemplate matters such as a uniform facility index. No consensus on the details of such a calculation has yet been reached, and thus legislation attaching potentially dramatic incentives to this scorecard is inherently premature. Measurements and policies that fairly and reasonably balance the complex and sometimes contradictory matters of “urgency” and “prudent actions” should be an element of consensus rather than conjecture.

Further, the “total cost of ownership” model, spelled out in detail in SB 551, may in practice amount to a reshaping of the next generation of school facilities. If a certain type of school building – potentially far different than those meeting our schoolchildren’s needs today – become the favored style, SB 551 could have consequences far beyond the current pilot and opt-in programs. Not every community is ideally suited for converted commercial spaces, vertical designs, or other new-look school visions that may score well on the not-yet-determined metrics.

School systems, with their design professionals, already have incentives to promote efficiencies, and to engage in ongoing school maintenance. Some of these are enshrined in State law, some are functions of fiscal constraints, and others arise from sensible management practices. SB 551 rejects this productive framework for a set of dictates – one statewide maintenance management system, one statewide condition index, one statewide cost analysis standard developed without even any consultation with the local education agencies or county governments.

SB 551 envisions incentives for efficient schools, but presupposes many details that lack input and stakeholder buy-in. MACo recognizes the goals of efficient schools and sensible maintenance – but asserts that a less prescriptive bill could help advance those larger goals without attaching them to as-yet-unknown specifics. For these reasons, MACo **SUPPORTS SB 551 WITH AMENDMENTS** to defer to more stakeholder-driven standards and processes.