

State of Maine
STATE BOARD OF EDUCATION

Testimony of Fern Desjardins, Chair of the State Board of Education

Neither For Nor Against L.D. 1087, An Act to Increase the State's Share of Major Capital School Construction Costs.

Before the Joint Standing Committee on Education and Cultural Affairs

Sponsored by: Representative Boyer

Date: May 6, 2025

Senator Rafferty, Representative Murphy, and Esteemed Members of the Joint Standing Committee on Education and Cultural Affairs:

My name is Fern Desjardins, and I serve as Chair of the Maine State Board of Education. I am submitting this testimony on behalf of the State Board Neither For Nor Against L.D. 1087, An Act to Increase the State's Share of Major Capital School Construction Costs.

Per an executive order signed by Governor Mills, there is a Governor's Commission on School Construction in place to review school construction needs throughout the State of Maine, existing programs that address school facilities needs, and potential new approaches for increasing equity and overall impact. The last comprehensive review of school construction in Maine was reported out to former Governor Angus King, the Joint Standing Committee on Education and Cultural Affairs, and the Joint Standing Committee on Appropriations and Financial Affairs on February 1, 1998. The report and recommendations implemented served construction and renovation needs well for a number of years. For example, it was the catalyst for school renovations and small capital improvement projects. The recommendation was made for a State Revolving Renovation Fund. It was established and it made renovations possible in many school administrative units over the years.

In the last few legislative sessions, this committee has reviewed a number of bills on school construction and renovations. You've heard testimonies on the school construction and renovation needs that exist in schools throughout the State of Maine, inadequate funding to address those needs, and suggestions that the time had come for another study regarding the financing of school construction and renovations. I am one who testified on such bills in the 131st Legislative Session. That study is in progress with the current Governor's Commission on School Construction. We are a Commission of 13 members, representing state agencies, boards, superintendents, associations, the construction industry, and the Maine Municipal Bond Bank. In addition, there are six staff members from the Governor's Office and Department of Education supporting the Commission. Our work continues in researching and considering various revenue sources to finance school construction and renovation needs.

In a special meeting with superintendents on January 10, 2025, the Commission heard from superintendents who were having difficulty in passing local referendums for school construction. They were not asking for complete funding of their projects, "but some small

amount to help get the referendum passed.” I can assume they would be supportive of L.D. 1087.

L.D. 1087, like other school construction bills that have come to your Committee, is about making schools safer and healthier. It suggests an amendment to the State’s share of the total cost of a school construction project, making it the greater of (a) 25% of the total cost of the school construction project, or (b) a percentage equal to the state share percentage of the school administrative unit’s total cost of education as determined in the essential programs and services funding formula. Could requiring districts to contribute funds towards their construction projects, as opposed to the all-or-nothing funding model in place, increase capacity for more projects and actually enhance the equity component in school construction?

To get an idea of the impact of passing this bill as presented, I did a non-scientifically based review of 13 SAU’s. Two would have received 25% of the total cost of their construction project. The range of funding for the other 11 SAU’s would have been a low of 41% to a high of 83%. In considering that wide range, one can question why a school system that can raise 60% as its local share of the EPS formula for their school budget would need to get 100% of a school construction project funded by the state.

L.D. 1087 makes us pause to consider school construction for both the high and low state receivers. What would make it a more equitable distribution or fair state share percentage amount for school construction? Perhaps L.D. 1087 does not provide the best amendment on what the State’s share of the total cost of a school construction project should be. Perhaps other alternatives should be considered. The Education and Cultural Affairs Committee would best serve SAU’s by deferring changes to 20-A MRSA §15907-A until the report from the Governor’s Commission on School Construction becomes available. “The report is expected to include recommendations for changes in law or regulation to ensure Maine is effectively and equitably supporting the current and future needs of Maine students, school staff, and communities.”*

The State Board is Neither For Nor Against L.D. 1087 as we look forward to receiving recommendations from the Governor’s Commission on School Construction.

Thank you for this opportunity to comment, and I would be happy to answer questions the committee may have.

* <https://www.maine.gov/governor/mills/news/governor-mills-signs-executive-order-establishing-commission-review-school-construction-and>