

MAINE STATE LEGISLATURE

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Office of
The Governor

NO. 1 FY 24/25
DATE October 4, 2024

**An Order Establishing the
The Governor's Commission on School Construction**

WHEREAS, every child in Maine should be able to attend a safe, modern, efficient, and accessible public school, regardless of where they live;

WHEREAS, the Mills Administration, in partnership with the Legislature, has made record investments in the construction and renovation of Maine schools, providing \$580 million since 2019 to finance the renovation or construction of new schools and to provide debt service for school construction loans;

WHEREAS, even with these investments, the need for construction and renovation of public school facilities across the State far outpaces available funding;

WHEREAS, the current funding model for school construction is inequitable and often disadvantages communities based on local taxpayers' ability to finance projects;

WHEREAS, many of Maine's public school facilities require improvements to enhance safety and community access while reducing energy costs through investments in energy efficiency, clean energy, and modern technologies;

WHEREAS, these problems require a well-informed, feasible plan for addressing the current and future needs of public school facilities;

WHEREAS, Maine's approach to school construction financing, including all laws and regulations, deserves a comprehensive review;

WHEREAS, the Maine Department of Education identified the need for an analysis identifying the most fiscally responsible and equitable method of funding public school construction;

WHEREAS, State officials and legislators would benefit from policy recommendations to support the current and future needs of Maine students, school staff, and communities more effectively and equitably;

WHEREAS, a comprehensive evaluation of school construction financing has not occurred since 1997:

NOW THEREFORE, I, Janet T. Mills, Governor of the State of Maine, pursuant to authority conferred by Me. Const. Art. V, Pt. 1, §§ 1 & 12, do hereby Order the following:

I. Commission Established; Purpose

- A. The Governor's Commission on School Construction ("Commission") is hereby established.
- B. The purpose of the Commission is to conduct a comprehensive review of school construction needs throughout the State and provide a report with recommendations that:

- 1. Identify school construction and renovation needs by collecting stakeholder input and reviewing any available reports, data and other relevant materials;

- 2. Provide analysis summarizing how other states fund public school facilities, including but not limited to other state funding mechanisms, revenue sources and other financing mechanisms;

- 3. Outline necessary changes in current state law, rules and policies controlling school construction including, but not limited to, new construction, renovations, leased space, maintenance and capital improvement plans and financing options in order to determine where changes are needed and provide any recommended revisions in current state law, rules and policy in order to implement the recommended revisions. In conducting the review and analysis, the commission shall examine whether to establish a school building finance authority, its potential role and responsibilities, and whether such a financing authority would benefit the State, school administrative units and municipalities.

- C. In conducting its duties, the Commission shall solicit broad input representing local school construction needs and financing abilities, and invite comment from school administrative units, municipal leaders, state legislators, experts in school construction, including architects, engineers, energy and building decarbonization professionals and building contractors, particularly those with experience supporting clean energy projects in schools; as well as the general public.

II. Membership and Chairs

- A. The Commission shall consist of the following members:

- 1. The Commissioner of Education or the Commissioner's designee;
 - 2. The Commissioner of Administrative and Financial Services or the Commissioner's designee;
 - 3. The Chair of the State Board of Education or the Chair's designee;
 - 4. The Director of the State Bureau of General Services or the Director's designee;

5. Three members who are current or former school superintendents, selected by the Commissioner of Education;
6. A representative of the Maine School Boards Association;
7. A representative of the Maine Association of School Business Officials;
8. A representative from the construction industry in Maine;
9. A representative from the Maine Municipal Bond Bank; and
10. A representative of the Maine Municipal Association.

B. The Governor shall designate one additional member with relevant expertise to serve as Chair of the Commission.

III. Funding and Staffing

A. The Department of Education shall provide necessary staffing services to the Commission and may seek staffing and financial support from other state agencies and private entities to accomplish the goals and work of the commission;

B. The Chair and members of the Commission shall serve without compensation.

IV. Proceedings and Records

A. The Chair will preside at, set the agenda for, and schedule Commission meetings. The Commission shall meet as often as it deems necessary to complete its work. To the extent practical the Commission should conduct its work in a manner that is open and accessible to the public. Records, proceedings and deliberations of the Commission are not subject to the requirements of 1 M.R.S. c. 13, in accordance with sections 402(2)(F), (3)(J) and § 403(6) of that Chapter. The Commission may conduct its work through subcommittees.

B. The Commission shall issue a report of its findings to the Governor and the Legislature's Joint Standing Committee on Education and Cultural Affairs and the Joint Standing Committee on Appropriations and Financial Affairs no later than April 15, 2025.

Date: 10/4/24



Janet T. Mills
Governor