

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill Number: HB 289

51st Legislature, 1st Session, 2013

Tracking Number: .191822.1

Short Title: Local Proceeds for School District Employees

Sponsor(s): Representative Jim Trujillo and Others

Analyst: Sarah Amador-Guzman

Date: February 19, 2013

Bill Summary:

HB 289 amends the *Public School Capital Improvements Act* (SB-9) to allow a maximum of 5.0 percent of local proceeds to be used for salaries of school district employees who oversee district administration of projects funded by the local mill levy.

Fiscal Impact:

HB 289 does not contain an appropriation. However, according to the Public School Facilities Authority (PSFA) bill analysis, this bill would result in a reduction of funds going toward maintenance, an already underfunded endeavor as illustrated by the table in “Background,” below.

Substantive Issues:

According to the PSFA bill analysis, school districts have reduced maintenance and custodial staffing levels due to budget constraints, thereby jeopardizing school infrastructures. If SB-9 funding is used to pay for salaries, the:

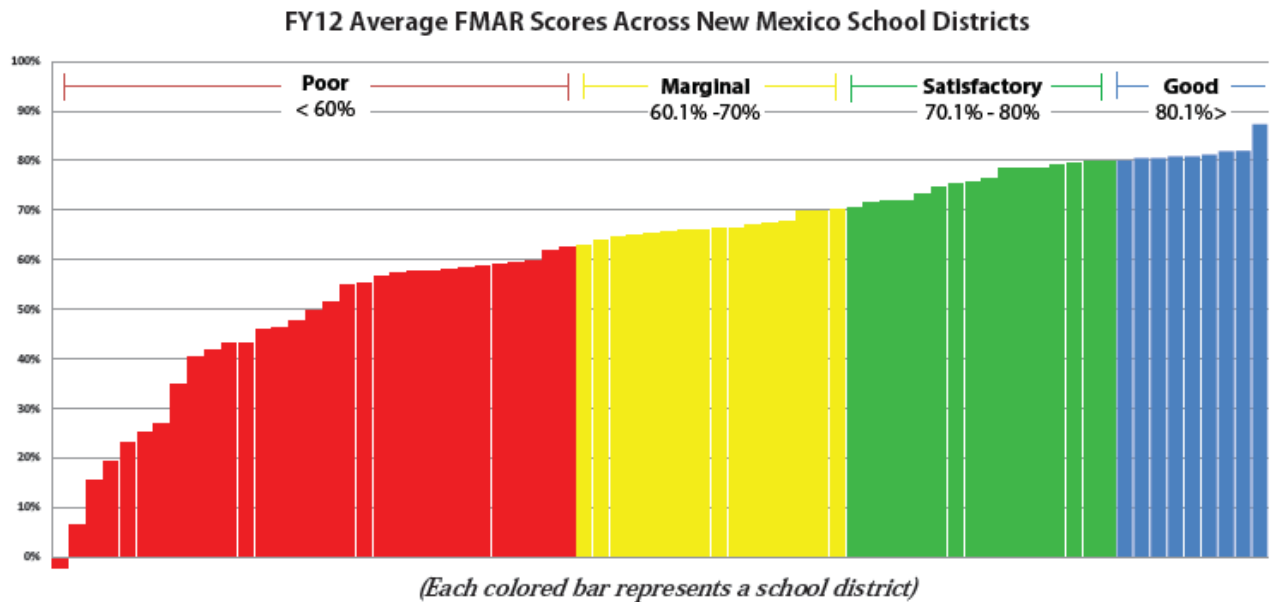
- ability for schools to hire licensed contractors will be diminished;
- necessary parts and supplies needed to maintain facilities will also be reduced; and
- reductions would have an adverse and direct impact on the educational environment, putting educators, students, and other occupants of these school facilities at risk.

Background:

The PSFA reports that:

- PSFA’s Facility Maintenance Assessment Report (FMAR) scores each school building based on:
 - on-site observations of the school; and
 - a review of the school’s preventive maintenance plan and maintenance management practices.
- the FMAR statewide average score is currently 60.9 percent, the minimum score for a *Marginal* rating;

- only 25 districts rank in the *Satisfactory* and *Good* performance range;
- the FMAR analysis, illustrated in the table below, shows a serious need to improve public school maintenance to retain the investments made by the state and districts; and
- the PSFA estimates that a 10 percent increase in the FMAR statewide on maintenance effectiveness, over time, can reduce spending by about \$27.0 million annually.



FMAR CLASSIFICATIONS:

OUTSTANDING (90.1%-100%): A highly focused and goal-driven supported maintenance culture. Facility conditions are exceptionally good.

GOOD (80.1%-90%): Facility conditions are found to be of high quality, performing well, but not excellent or outstanding in quality.

SATISFACTORY (70.1%-80%): Sufficient maintenance program that is adequate or acceptable.

MARGINAL (60.1%-70%): Activities are close to the lower limit of acceptability, exceeding minimum requirement and need for improvement.

POOR (60% and below): Need for immediate improvement as systems, safety, and the environment are at risk for failure.

Committee Referrals:

HEC/HJC

Related Bills:

HB 291 *School Deferred-Maintenance Issues*
 CS/SB 147 *Education Technology Definitions*