



Legislative Update

by Otto Fajen
MNEA Legislative Director
otto.fajen@mnea.org

Number 4
January 31, 2019
www.mnea.org

CHARTER SCHOOL EXPANSION

The House Elementary and Secondary Education Committee is expected to hear HB 581 (Roerber) next week. The bill would allow charter schools to be sponsored by outside entities (other than the local school board) and operate in districts around the state. Guided by the revised MNEA Position Paper on charter schools, the Association believes that charter schools should be sponsored by and accountable to the local community through the elected school board and approved only after an impact study is conducted by the district to consider the proposal. Existing charter schools should move to district sponsorship when their charters come up for renewal. Charter schools should be subject to the same standards of accountability, transparency and respect for the rights of students, parents and staff as are applicable to traditional public schools. HB 581 does not enact these reforms, and the Association opposes the bill.

BUDGET COMMITTEES

The Senate Appropriations Committee and the House Subcommittee on Appropriations - Education continued hearings this week. Both committees heard testimony from four-year and two-year higher education institutions on January 29.

Meanwhile, current year revenues remain well below last year's estimate. State general revenue receipts are currently about 10% below last year's revenues, while the consensus revenue estimate for current year revenues, upon which the current year budget is based, is for a 1.7% increase in state general revenues.

TAXING REMOTE SALES/INCOME TAX CUTS

The Senate Ways and Means Committee heard two similar bills, SB 46 (Koenig) and SB 50 (Eigel) on January 29. Both bills would establish a mechanism to collect state and local sales taxes for remote and online sales from out of state sellers. However, both bills also substantially reduce the state income tax. Fiscal notes estimate that both bills could increase local sales tax revenues and dedicated state sales tax funds. However, the Association is concerned by the fact that the fiscal notes show that both bills would significantly reduce state general revenues and hamper the state's ability to invest in public education and other vital programs.

The House Ways and Means committee heard a similar bill, HB 548 (Eggleston), on January 30. The bill would establish a mechanism to collect state sales taxes for remote and online sales from out of state sellers, but would not collect any local sales taxes on remote sales. The bill also reduces the state income tax. The fiscal notes estimate the bill would increase dedicated state sales tax funds. The

Association is concerned by the fact that the bill would reduce state general revenues by about \$100 million per year.

TAX CREDIT VOUCHERS

The Senate Ways and Means Committee heard SB 160 (Koenig) on January 29. The bill is a tax credit voucher proposal similar to SB 612 (Koenig) from last session. The bill creates a 100% tax credit, up to a total of \$50 million per year, for contributions to largely unaccountable third party "scholarship organizations" that would hand out scholarships that allow a student to attend a private or home school or pay tuition to a different school district or a charter school. To be eligible, a student must live in a county with a charter form of government (Jackson, Jefferson, St. Charles or St. Louis County) or in a city with a population over 30,000. The Association continues to oppose diversion of public funds to unaccountable third-party bureaucracies or to private and home schools that are not subject to public school standards.

STATE BOARD OF EDUCATION APPOINTMENT

The Senate approved the reappointment of Peter Herschend, Republican, as a member of the State Board of Education on January 31. The Senate Gubernatorial Appointments Committee heard his appointment on January 30. Mr. Herschend has served on the State Board of Education for 26 years. His reappointment in 2018 was blocked by filibuster when the appointment was considered during Veto Session, and his appointment was withdrawn at that time and then resubmitted by the Governor after the Veto Session.

Mr. Herschend was questioned more intensively in committee than other appointees, and the committee approved Mr. Herschend's appointment separately from the other appointments, who were all approved as a slate. Despite being singled out in this manner, Herschend's appointment was approved with little discussion.

HOUSE ELECTIONS AND ELECTED OFFICIALS COMMITTEE

The committee heard two bills on January 30:

1) HB 363 (Roeber) to place additional limitations on use of public funds and resources by local officials in support of candidates or ballot measures. The bill would prohibit board members, administrators and employees of school districts and other local governments from using public funds or public property to support or opposes a ballot measure or candidate. The bill also prevents board members, administrators and staff from speaking publicly or issuing press releases concerning a ballot issue in their official capacity and on paid work time. The Association is concerned that the latter provision may effectively prevent school officials and employees from providing the essential information that district voters need to know to make informed decisions on ballot issues.

2) HB 361 (Roeber) to change school board terms to four years and change the school board election date to November general elections in even numbered years. While the change would likely increase the voter turnout on school board elections, the bill would likely diminish voters' ability to focus on school board elections in the midst of the partisan general election contests. The Association is also concerned that the bill will increase the proportion of the board being replaced at each election and require a majority of each school board to be elected at the same time at every other election date.

SCHOOL START DATE

The House Agriculture Policy Committee heard two bills regarding school start date on January 30. HB 161 (Knight) and HB 401 (Basye) would each mandate that school districts start school no earlier than ten calendar days prior to the first Monday in September. The Association believes that school calendars should be locally determined and opposes the bills.

COLLEGE COMPLETION SCHOLARSHIPS

The House Workforce Development Committee heard HB 225 (Swan) on January 28. The Senate Education Committee heard SB 16 (Romine), a similar bill, on January 29. The bills each create a new scholarship program to encourage adults to go back and complete college. The bills refer to the new scholarship as the Fast-Track Workforce Incentive Grant. Recipients must be at least 25 years of age with income under \$80,000 per year. Scholarships last up to four semesters or until they get a bachelor's degree. The Association supports this effort to increase educational attainment for Missourians.

ETHICS IN GOVERNMENT

The House Rules - Legislative Oversight Committee approved HB 445 (Dogan) on January 28. The bill will now be placed on the House calendar for debate by the full House. The original bill would ban local official lobbyist gifts to elected and appointed local officials, including lobbyist gifts to school board members and superintendents. MNEA believes this policy helps make local governments, including school districts, more open and accountable to the public interest and supports the original bill.

Rep. Dogan proposed two amendments in committee that would have significantly expand the bill to incorporate similar lobbyist gift bans, revolving door policies, campaign contribution limits and open records law changes for local officials. However, the committee approved the bill without considering or adopting the amendments.

HOUSE ETHICS PROCEDURES

The House approved HCS/HR 137 (Eggleston) on January 29. The resolution revises the rules of procedure that govern the investigation of complaints of ethical misconduct by a member of the House and are adopted pursuant to House Rule 37. Among the changes made by the resolution are inclusion of new provisions regarding confidentiality requirements for the committee members and defining and specifying expulsion of the member as a possible recommended sanction by the committee.

WORKING AFTER RETIREMENT

The House Pensions Committee heard HB 77 (Black) on January 29. HB 77 would undo the effect of a change passed last session, SB 892, as it relates to community college teachers. SB 892 applies when a PSRS retiree is doing work in a school (or other PSRS employer) in a position that does not require a DESE certificate. For that work, there is no limit on hours, but the retiree can earn no more than \$15,000 during the school year (60% of the \$25,000 state minimum teachers' salary).

An unintended effect of SB 892 was to also change the working after retirement (WAR) limit for community college teachers who are PSRS retirees. Community colleges are PSRS employers, but community college teachers are not required by law to have a DESE certificate, so the new law also applies to their teaching work. SB 17 would reverse this change, leaving PSRS retirees employed as community college teachers once again under the same 550 hour limit per school year that still applies when PSRS retirees teach in school districts. The Association supports the bill to correct this unintended change.

TAX DEDUCTION FOR EDUCATORS

The House Elementary and Secondary Education Committee heard two similar bills, HB 299 (Neely) and HB 364 (Kelley), on January 29. Both bills give a full deduction for up \$500 of unreimbursed expenses of a full-time teacher toward professional development or classroom supplies and equipment. The Association supports both bills.

HOUSE SPECIAL COMMITTEE ON STUDENT ACCOUNTABILITY

In addition to the standing committees, House Speaker Haahr has appointed a number of "Special Committees", including the Special Committee on Student Accountability. This committee will have regular meetings on Tuesdays and has the following members:

Bryan Spencer, chair
Herman Morse, vice-chair
Ingrid Burnett
Vic Allred
Ann Kelley
Mike Moon
Jay Mosley
Brad Pollitt
Matt Sain
Brenda Shields

REGISTER NOW TO ATTEND YOUR MNEA LEGISLATIVE FORUM!

Missouri NEA's regional legislative events will continue in 2019. These free events will be legislative discussion panels. As in previous years, these events provide a chance for members to build relationships with area legislators and support their understanding of MNEA priorities and education issues. Plan to attend and invite fellow members, administrators and school board members who would enjoy and benefit from a discussion regarding support for public education!

LEGISLATIVE FORUM SCHEDULE:

Kansas City Regional Legislative Forum
St. Louis Legislative Forum

January 31
March 7

PLEASE REGISTER NOW for your regional MNEA Legislative Forum at

<https://www.mnea.org/Missouri/PoliticalAction/5.aspx>

Be sure to click through the "RSVP now" link for your event and then "Send RSVP" to register. For additional information contact Sandy Smith (sandy.smith@mnea.org).

Legislative Update 2019

Missouri National Education Association
1810 East Elm Street
Jefferson City, MO 65101-4174
(573) 634-3202 or (800) 392-0236
www.mnea.org

Charles E. Smith, President
DeeAnn Aull, Executive Director
Otto Fajen, Legislative Director
Sandy Smith, Administrative Assistant