



Legislative Update

By Otto Fajen
MNEA Legislative Director
Otto.fajen@mnea.org

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www.mnea.org

REMAINING CAPITOL ACTION DAYS CANCELLED!

All remaining MNEA Capitol Action Days scheduled for this legislative session have been cancelled.

This step is a necessary part of the Association's response to the COVID-19 outbreak and also reflects the effect the COVID-19 outbreak is having on legislative activity. Like the legislature and other organizations, the Association is following CDC and other governmental guidance to limit large gatherings. The legislature has also responded to COVID-19 by scaling back legislative activity, restricting access to legislative galleries and chambers and taking early and extended spring break. There is also a considerable likelihood that legislative activity will be largely curtailed even after the scheduled break.

Stay tuned for more updates regarding any additional changes to legislative schedule or Capitol access.

HOUSE JOINS SENATE ON SPRING BREAK, LEGISLATURE MAY BE OUT MUCH LONGER

The week of March 23 to 27 is the regularly scheduled spring break for the legislature this session. The Senate cancelled all session activity this week and will remain out at least during next week. The House convened on March 18 to approve two budget-related bills and adjourned on March 19 before leaving for spring break.

House leaders mentioned that the House may not return to regularly scheduled session for the week of March 30 to April 3. The House is only scheduled for a technical session on March 30 after the break. Legislative schedules will likely continue to be significantly affected by issues related to the COVID-19 pandemic.

Like schools that have recently closed, the legislature may be out for a much longer time, perhaps even for the remainder of the session. House leaders will give House members a minimum of 48 hours' notice regarding changes to legislative schedules.

DESE GUIDANCE REGARDING CORONAVIRUS ISSUES

The Department issued an administrative memo to school leaders regarding coronavirus and related issues on March 13. The memo reflects the Department's guidance at that time regarding school funding, MSIP, school closure, pupil assessment, virtual instruction and food and nutrition services. State and federal policy regarding these issues is likely to continue to adapt to the many changes occurring in schools and in society due to the COVID-19 outbreak.

The full memo may be viewed at this link:

<https://dese.mo.gov/sites/default/files/am/documents/COM-20-001.pdf>

HOUSE BUDGET ACTION

The House approved HCS/HB 2014 (Smith) on March 18. HB 2014 is the supplemental appropriations bill for the current fiscal year ending June 30, 2020. The House approved several amendments to HB 2014. The net effect of those amendments was to bring the supplemental budget line items and amounts back to those specifically requested by the Governor. Among these appropriations is authority for up to \$33M in additional federal funds based on possible new federal funding related to COVID-19 needs under consideration by Congress. The House rejected amendments offered by Representatives Quade, Carpenter and Lavender to create greater spending authority regarding COVID-19 needs from federal funds.

The House Budget Committee completed mark-up of the HCS versions of the House bills for next year's budget, HBs 2001-2013, in a lengthy session that began on March 15 and extended into the early hours of March 16. However, the House has yet to take up next year's budget bills for floor debate. Given the uncertainty of when and if the legislature returns during regular session, a special session may even be needed to complete budget action before the end of the fiscal year on June 30. Budget leaders are also wary of a possible revenue shortfall towards the end of the fiscal year and may make further budget adjustments if that occurs.

The committee did not make significant changes to either HB 2002 or HB 2003. The committee defeated an amendment offered by Rep. Ross to eliminate funding for departmental lobbyists. The committee also defeated an amendment offered by Rep. Lavender to eliminate the \$5M added by the HCS to fund deferred maintenance in charter schools.

HEALTH CARE PROVIDER TAX

The House also approved HB 2456 (Smith) on March 18. The bill extends the sunset on the Health Care Provider Tax, also known as the Federal Reimbursement Allowance (FRA). This state tax is levied on hospitals and other health care service providers and is used to draw federal Medicaid matching funds. Providers are then reimbursed through appropriations from federal funds. The Health Care Provider Tax is a significant source of revenue for the state budget and helps draw down about \$2.6 billion in federal funds annually. The net effect of the FRA is over \$1B in total revenue to the state.

PUBLIC MEETINGS DURING A DISEASE OUTBREAK EMERGENCY

The House postponed the expected debate on HCS/HB 2725 (Mary Elizabeth Coleman) on March 18. The bill may still be taken up later this session.

The House Judiciary Committee heard HB 2725 (Mary Elizabeth Coleman) on March 16. The original bill contained several changes to Missouri's Sunshine Law regarding access to public meetings and public records.

The committee debated and then approved a substantially revised version of the bill. The HCS authorizes public governing bodies to hold restricted public meetings during the period of a state emergency declared by the Governor or legislature due to an infectious disease outbreak if the meeting meets certain public access requirements.

The restricted meetings would not be considered closed meetings, but physical access to the meeting could be restricted if other conditions are met. Credentialed members of the press would be the only members of the public allowed to physically attend the meeting, provided that the meeting was also live streamed, if possible, or video recorded and the recording made available to the public online within 48 hours.

These restricted public meetings must also allow members of the public to submit written testimony that will be made available to the committee at the meeting, included in the official record and made available to the public within 48 hours following the meeting.

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

Phil Murray, President
DeeAnn Aull, Executive Director
Otto Fajen, Legislative Director
Sandy Smith, Administrative Assistant