



# Legislative Update

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## SENATE APPROVES TAX CREDIT VOUCHER BILL

The Senate took up and approved HCS/HB 349 (Christofanelli) on May 6 by a vote of 20-13. The bill passed with no changes and surprisingly little debate. Rumors were circulating throughout the day regarding whether the bill would be taken up and whether the Speaker's session-long leveraging of Senate priority bills had caused any opponents to change their vote. The Speaker's tactic was ultimately successful, as several Senators who had previously opposed the bill changed and voted in favor.

The Association appreciates the support of those Senators who voted in opposition to the bill: Senators Arthur, Beck, Crawford, Eslinger, Hough, May, Mosley, Razer, Rizzo, Roberts, Schupp, Washington and Williams.

Since the bill passed the Senate without change, the bill is now finally passed and will be printed in final form and delivered to the Governor for his approval or veto. The Association opposes HCS/HB 349 and will need the support of members to ask the Governor to veto this harmful legislation.

The bill creates a type of voucher known as a scholarship tax credit. This approach was created to get around constitutional restrictions that prevent a legislature from appropriating funds to private and religious schools. The bill would initially reduce state general revenue funds by up to \$50 million per year by allowing a tax credit for donations to pay expenses for home school, private school or charter schools for certain students. HB 349 would reduce state funds that could have been used for public education and other vital services and would divert those funds to private and home schools that are not held to the same standards as public schools.

The overall program cap starts at \$50 million per year and could grow over time to \$75 million. The program is limited to students in the more populous (charter) counties and in cities over 30,000 population. The bill will be delayed until the year after pupil transportation funding reaches 40% of allowable cost, which means the program could start in the 2022-23 school year if the appropriation for next year meets that 40% target. The bill also provides five years of phantom student state aid payments to districts for students who leave the district to participate in the program.

## BUDGET APPROVED ON THE FINAL DAY

The conference committee reports (CCRs) for House Bills 2-12 (Smith) were approved by both the House and Senate on May 7. These are the operating budget bills for next fiscal year.

The Association urged the conferees to support the Senate position in HCS/HB 2 on several key items, but conferees agreed to the House position on several key provisions. The CCR for HB 2

(Smith) retains the House position of \$2M for a non-profit entity in St. Louis school district. This line appears to be available for the pro-charter Opportunity Trust. The Association opposes this change in the CCR version.

The CCR on HB 2 also takes the House position to provide up to \$5M in state funding for charter school maintenance. However, the CCR also retains the Senate position to increase funding for career and technical education center improvements to \$2M.

The CCR on HB 2 also retains House language to require half of the Governor's Emergency Education Relief (GEER) funds to be used for voucher-like "microgrants". The Association opposes this change.

### **SENATE COMMITTEE ADVANCES INITIATIVE PETITION CHANGES**

The Senate Committee on Governmental Accountability and Fiscal Oversight approved HJR 20 (Henderson) on May 5. The joint resolution will revise the initiative petition process, including increasing signature requirements and increasing the approval requirement for all proposed constitutional changes to a two-thirds supermajority. The measure can now be taken up by the full Senate for approval. The Association HJR 20.

### **HOUSE OMNIBUS BILL ADVANCES TO FLOOR CALENDAR**

The House Rules - Legislative Oversight Committee approved HCS/SS/SCS/SB 152 (Hoskins) on May 3. The HCS is an omnibus bill containing language from 26 education bills and additional language not filed as a bill. The bill has been referred to House Fiscal Review Committee and could soon be taken up for debated by the House once approved by that committee. The Association supports several provisions in the HCS, including the portions relating to competency-based education, early learning quality assurance, gifted education, working after retirement, career-technical education, suspension of higher education tuition caps, high needs funding, suicide prevention, inclement weather makeup days, and accommodations for breast-feeding mothers. The Association also has concerns on some provisions, particularly the school accountability board language from SB 400 and new language not filed as a bill that would allow high school credit for certain non-school activities.

### **HOUSE COMMITTEE CREATES ANOTHER OMNIBUS EDUCATION BILL**

The House Elementary and Secondary Education Committee approved HCS/SB 323 (May) on May 4. The HCS adds language similar to several other bills as outlined below.

SB 323 itself is a largely symbolic piece of legislation stating that public schools may offer elective courses in the Hebrew and Christian scriptures. Existing state law already provides that books of a religious nature may be used in public schools as part of instruction in elective courses in literature and history, if such books are used in a manner consistent with the Establishment Clause of the First Amendment to the United States Constitution.

The HCS version also includes the following provisions:

HB 64 (Pike) to revise the per pupil figure used to calculate state funding for high needs students.

HB 108 (Bangert) to require students to receive instruction in cursive handwriting.

HB 228 (Basye) to allow parents to record special education or Section 504 meetings with prior notice.

HB 368 (Gregory) regarding reading instruction and interventions.

HB 387 (Bailey) regarding policies on seclusion and restraint.

HB 465 (Pike) to include stress management content in professional development for suicide prevention.

HB 872 (Pike) to allow half-day programs to have proportional requirements for inclement weather makeup days.

HB 896 (Rusty Black) to require DESE to create a statewide plan for career and technical education programs.

SB 400 (Onder) to create a panel to review school accountability under MSIP. The Association is concerned that this panel lacks appropriate public school participation for such an important public school issue.

The bill also creates a new provision to allow students to earn graduation credit for participating in extended learning opportunities outside the regular school day. This new language is awkwardly worded and would create many issues for schools and students.

## **RESIDENTIAL PROPERTY TAX CAPS**

The House and Senate have placed HB 271 (Wiemann) in conference. The bill now contains many provisions pertaining to local governments. The Senate adopted 27 amendments to the bill. Included among the 27 amendments offered was an amendment offered by Sen. Luetkemeyer that would cap growth in residential real estate assessment to the greater of CPI growth or five percent. This language would only apply if a constitutional amendment were approved to allow such a cap. Currently the Missouri constitution requires property to be fairly assessed at its true value in money, without arbitrary restrictions of this kind. The Association opposes the amendment and will urge its removal from the bill.

## **STATEWIDE MISSIONS IN HIGHER EDUCATION**

The Senate Committee on Rules, Joint Rules, Resolutions and Ethics will meet on May 4 to hear HCR 29 (Riggs). The resolution would approve the statewide mission designation in STEM for Harris-Stowe State University. The Association supports the resolution.

## **SENATE EDUCATION COMMITTEE**

The committee heard the following bills on May 4:

HB 257 (Evans) to require drivers on a public highway to stop for certified Head Start buses. The committee met on May 7 and voted to approve the bill.

SB 116 (Bernskoetter) to allow the Gasconade R-II school district, which crosses county boundaries, to use the county that yields the highest dollar value modifier under the school foundation formula. The committee met on May 7 and voted to approve the bill.

SB 585 (Eslinger) to revise funding allocations for institutions of higher education by making a part of the allocation based on workforce readiness of students. As drafted, the bill would create incentives for institutions to emphasize programs leading to high-paying careers. This change could adversely affect programs leading to lower-paying careers, including teaching, social work and law enforcement.

In addition to hearing bills, the committee voted to approve SCS/HCS/HB 320 (Fitzwater). The bill requires computer science courses or imbedded instruction in elementary and secondary schools. The bill also includes the language of HB 478 (Christofanelli) to rename the state's 529 education savings program to be the Missouri Education Program and include all eligible educational institutions allowed under federal law.

The SCS adds language drawn from the following provisions:

SB (Razer) to allow student athletes to benefit financially from use of their name, image and likeness, SBs 33 and 34 (Arthur) regarding competency-based education and an alternative diploma option, SB 95 (Onder) regarding full-time virtual school programs, and SB 400 (Onder) to create a panel to review school accountability under MSIP.

The Association supports the portions relating to competency-based education but opposes the changes regarding full-time virtual school enrollment and the school accountability panel.

**Legislative Update 2021**

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