

# WVEA

Standing Together for Public Schools

## WEST VIRGINIA EDUCATION ASSOCIATION

AN NEA AFFILIATE

# LEGISLATIVE UPDATE

Update #2 – January 24, 2020

## Resolutions introduced to amend the state constitution

A number of resolutions have been introduced to make amendments to the state constitution. These resolutions must be passed by a 2/3 majority in each House and then placed on the ballot to be approved by a majority of the state's voters before they can become law.

**SJR 6** and **HJR 102** are the same. Called the '**Supervision of Free Schools Modification Amendment**,' this continues the WVBE's general supervision of public schools but would require rules promulgated by the State Board to be submitted to the Legislature for its review and approval, amendment, or rejection in whole or in part.

This would take significant authority away from the WVBE and makes our schools even more subject to political whims.

While the concept has struggled in the past to gain traction, HJR 102 passed the House Judiciary Committee this session on a voice vote and was presented to the full House.

The required 2/3 vote would require several Democrats to support the amendment. With the 2/3 vote not currently attainable, the House has placed HJR 102 on its inactive calendar.

**SJR 8** and **SJR 9** are part of the Legislature's continuing efforts to give away more tax revenue. Both have been introduced in the Senate and referred to the Judiciary Committee.

**SJR 8** is titled '**Manufacturing Growth Amendment**.' This is the vehicle to reduce the tax on manufacturing inventory and equipment. The amendment calls for the tax on all new equipment purchased after July 2021 to go untaxed. Current taxable inventory would be gradually reduced and eliminated completely after 4 years.

WVEA is opposed to such an amendment and we have a fact sheet/talking points on our website explaining how such an amendment could impact our schools.

The amendment, as it is introduced, would replace \$100 million of lost revenue to county governments and schools. However, that money will simply come at the expense of other programs and is not enough to replace all the money lost from the previous inventory; not to mention the new money that will never be received from the equipment purchased after July 2021.

**SJR 9** is titled '**Amendment Authorizing Legislature to Eliminate or Lower Ad Valorem Tax on Motor Vehicles and Any Other Tangible Personal Property**.' Currently the rates for motor vehicles and other personal property are spelled out in code. This amendment would give the legislature the authority to eliminate or lower those rates without voter approval each time.

Remember, before a constitutional amendment can be put before the voters it must be approved by 2/3 of the members in both the House and the Senate. The legislative leadership needs bipartisan support to pass these joint resolutions.

We will update you as these resolutions begin to move. Urge your legislators to vote against all these resolutions.

## Many education-related bills on the move

It has been a very busy week at the Capitol with many education-related bills on the move. Several bills have

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already passed out of the Senate and are now on their way to the House, while many others are moving through the committees.

**SB 16 – “The Right to Unite Act.”** This bill would prevent anyone from being able to obtain membership lists or donor information from a 501c3. It passed the Senate on Monday by a vote of 34-0. It will now go to the House. This is similar to a bill passed last year by the Senate.

**SB 42 – Faith-based electives.** This bill would permit county boards of education to include faith-based electives in classroom drug prevention programs. The State Board would have to develop a rule on how that would work. It passed out of the Senate by a vote of 34-0 on Monday. It will also now go to the House.

**SB 192 – WVSSAC audit.** After being laid over one day, this bill was rejected by the Senate on Thursday by a vote of 16-17 with one person absent. Senate Democrats were joined by Senators Clements, Hamilton, Mann and Sypolt in defeating the bill. It would have required the Legislative Auditor to do performance audits of the WV Secondary School Activities Commission.

**SB 230 – Suicide prevention.** A similar bill to this was passed several years ago; however, after the elimination of the Center for Professional Development the training was no longer required. SB 230 requires a school administrator to provide information and opportunities to discuss suicide prevention awareness to all middle and high school students. It also requires that the State Board provide routine education to all professional educators and service personnel in direct contact with students on the warning signs and resources to assist in suicide prevention. The bill passed out of the Senate Children and Families Committee on Thursday and will now go to the Senate Education Committee.

**SB 241 – Transportation.** This bill requires the State Board to propose a plan which makes student transportation costs a stand-alone item. The bill allows the board to look at Step 2 in the school aid formula to provide funding for rural counties to hire more bus drivers. It is expected that this bill will help at least 8 counties hire more bus drivers. The bill passed out of the Senate Education Committee on Thursday and was sent to the Senate Floor.

**SB 297 – Consumer science courses.** This bill would require the WVBE to create a family and consumer sciences course that may be integrated into the curriculum of secondary schools. The bill originally called for a “home economics” course but the language was changed during second reading on the floor. The amended bill passed out of the Senate by a vote of 33-0 on Thursday. The bill will now be sent to the House.

**SB 303 – “Students’ Right-to-Know Act.”** This bill would require the State Board to compile information on things such as the most in-demand jobs in the state, the average cost of all major colleges and vocational schools in the state, the average monthly student loan rate for those who have attended colleges and vocational schools in the state and more. It would require that this information be distributed to every public high school in the state for distribution to students by school guidance counselors no later than October 15 of each year. The bill was on second reading on Friday in the Senate. No amendments were offered and it is expected to pass the Senate next week.

**HB 2425 – ESP workday.** This bill defines the work day for service personnel as eight hours with a 30 minute duty free lunch. The bill also strikes the language prohibiting anyone employed in an aide position from being transferred or subject to a reduction in force in order to create a vacancy for the employment of a licensed practical nurse. The bill was discussed in the House Education Committee during two different meetings on Thursday. In the end, the bill was laid over for discussion on a future date.

**HB 2433 – School calendar.** This bill would change the school calendar so the year could begin no earlier than Labor Day and end before Memorial Day. After over an hour of debate, the bill passed out of the House Education Committee on Wednesday and was sent to the House floor.

**HB 2464 – Feminine hygiene products.** This bill would require the State Board or any county board of education to provide feminine hygiene products to students in all grades. It would allow businesses and members of the public

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to donate these items including things like deodorant, toothpaste, soap and more. It would also allow the school boards to solicit for these donations, as all of these items would be provided by donation only. The bill passed out of the House Education Committee on Thursday and will now go to the House Finance Committee.

**HB 2775 – Personal finance course.** This bill would require each high school student to complete a half credit course in personal finance in place of the existing economics requirements. The county board of education would be in charge of developing the curriculum for this course. This bill was laid over in the House Education Committee so that they could get more information.

**HB 4089 – Cursive writing.** This bill says that the State Board shall require cursive writing be taught in grades 3-5. This bill passed out of the House Education Committee and was sent to the House floor on Wednesday. It was on first reading on Friday and is expected to continue moving toward passage in the House next week.

**HB 4143 – Promise+.** This bill creates the Business Promise+ Scholarship. Businesses in the state can fund scholarship awards to Promise-eligible students in lieu of the Promise Scholarship. Students can receive an amount of up to \$15,000 annually. This new scholarship will be managed by the Higher Education Policy Commission and they are in charge of establishing any criteria for the award. This bill passed out of the House Education Committee on Wednesday and was sent to the House Finance Committee.