



# LegislativeUpdate

Michigan Association of Superintendents & Administrators | December 7, 2018



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**House Action**

## Committee Roundup

**House Tax Policy**

SB 1170 sponsored by Sen. Dave Hildenbrand (R-Lowell) creates a separate tax on flow-through entities, such as partnerships, S-Corporations, and LLCs taxed as partnerships, which would allow the owners to continue to deduct state income taxes on the flow-through business income at the federal level. The bill was amended last week on the Senate Floor to preserve School Aid, and was reported out of the House Tax Policy committee without any further changes. Originally the bill blew a \$180 million hole in the School Aid Fund, but we were able to work with the sponsor and others to fix that issue.

HB 6549 and HB 6550 sponsored by Rep. Bronna Kahle (R-Clinton) exempts aviation equipment from sales tax. These bills would collectively reduce sales and use tax revenue by approximately \$4 million on an annual basis. This legislation was reintroduced after the Governor vetoed the bills earlier this year. The bills were reported from the House Tax Policy committee on Tuesday, and out of the House Wednesday with a 60-49 vote.

### **House Education Reform**

The following bills were reported from the House Education Reform committee on Thursday and are on second reading in the House.

Both the House and Senate versions of the union release time bills were reported from committee:

- SB 795 sponsored by Sen. Marty Knollenberg (R-Troy) & HB 5368 sponsored by Rep. Pam Hornberger (R-Chesterfield) prohibit the accrual of service credit under MPSERS for employees who are on leave or release time for professional service organizations.
- SB 796 sponsored by Sen. Marty Knollenberg (R-Troy) & HB 6474 sponsored by Rep. Steve Johnson (R-Wayland) prohibit paid released time for individuals to conduct union business even if the public employer is reimbursed for it.

HB 6537 Public Employment Claims Kelly (R-Saginaw) amends the Public Employees Health Benefit Act to revise the types of claims data that must be

provided to public employers, including school districts. MASA does not have a position at this time.

Testimony only was taken on the following bills:

- HB 5777 sponsored by Rep. Tommy Brann (R-Byron Twp.) requires that schools include a program of instruction in free enterprise and entrepreneurship in their 8th grade curriculum beginning in the 2019-2020 school year.
- HB 5905 sponsored by Rep. Diana Farrington (R-Utica) and HB 5906 sponsored by Rep. Patrick Green (D-Warren) requires the Michigan Department of Education (MDE) to develop or adopt and make available to schools a one-semester financial literacy course for 11th and 12th grade students.

### **Floor Action**

A number of bills from the Teacher Prep Package passed out of the House:

- HB 5598 sponsored by Rep. Daniela Garcia (R-Holland) all Educator Preparation Programs must require at least 30 hours per year of continuing education for instructors in preparation programs in order for a teacher preparation institution to be accredited.
- HB 5602 sponsored by Rep. Tim Kelly (R-Saginaw) requires MDE to create a 100-member Master Teacher Corps comprised of classroom teachers from the state that are nominated by their districts.
- HB 5603 sponsored by Rep. Tim Kelly (R-Saginaw) requires individuals to complete at least 12 early elementary credits and at least 9 later elementary credits in the teaching of reading in order to receive a provisional teaching certificate.
- HB 5604 sponsored by Rep. Pamela Hornberger (R-Chesterfield) requires students in teacher preparation programs to have experiences working in rural and urban settings and with students with disabilities, English language learners, among others.

- HB 5605 sponsored by Rep. Jim Lilly (R-Park Twp.) requires teacher preparation institutions to provide a student teaching experience that uses a district assessment tool and classroom management, as well as a number of other specifics including instruction on social and emotional learning practices.

## Public Innovative Districts

Under HBs 6314 & 6315, school boards and individual schools would apply to operate as an innovative school, and if approved would be required to develop an instructional program that includes procedures for diagnosing student needs, resource-based learning opportunities, techniques for evaluating student outcomes and provisions for remedial instruction.

MASA has worked against these bills for a number of reasons outlined in several updates and we appreciate your advocacy. The bills passed very narrowly with all of the Democrats voting no, and most of the Republicans voting yes. The Republicans that broke with party lines are: Rep. Martin Howrylak (R-Troy), Rep. Bronna Kahle (R-Adrian), Rep. Dave Maturen, (R-Vicksburg), Rep. Aaron Miller (R- Sturgis), Rep. Dave Pagel (R-Berrien Springs), Rep. Brett Roberts (R-Eaton Township), and Rep. Joe Bellino (R-Monroe) voted no on HB 6314 but yes on HB 6315.

## Senate Action

## Committee Roundup

### Senate Education

SB 1209 sponsored by Sen. Phil Pavlov (R-St. Clair) subjects the calculation and allocation of medical benefit plan payments for public service employees to bargaining. The bill was reported out of committee on Tuesday. On Thursday,

the bill failed by a 15-20 vote, with 10 Republicans siding with all 10 Democrats present in opposition. As the vote was completed, the bill was brought up for reconsideration, shelved and Republicans went into recess and called a caucus. It is uncertain if the bill will be brought up again.

### **Senate Finance**

SB 304 sponsored by Sen. Joe Hune (R-Whitmore Lake) initially introduced to cut the \$2 per pack cigarette tax in half, was instead completely rewritten to remove the sunset on language that caps the tax on cigars at 50 cents each. The bill was reported from the committee Wednesday and out of the Senate Thursday by a 25-11 vote. The bill was referred in the House to the Tax Policy committee. The original bill was a substantial hit to the School Aid Fund, but the revisions make it a revenue neutral proposal.

### **Senate Judiciary**

HB 5851 sponsored by Rep. Beau LaFave (R-Iron Mountain) adds language to the Revised School Code to require schools to report annually on attempted acts of school violence. School districts will provide reports to the Michigan Department of State Police. The state police will generate an annual report with this information and provide the report to the School Safety Commission.

HB 5852 sponsored by Rep. Joe Bellino (R-Monroe) adds a requirement for the Michigan Commission on Law Enforcement Standards to include active shooter training in the standards. The Michigan Commission on Law Enforcement Standards (MCOLES) will promulgate rules to develop the minimum standards for active shooter training.

HB 5942 sponsored by Rep. Beau LaFave (R-Iron Mountain) provides for criminal penalties for threatening a school with a firearm or other deadly or dangerous weapon.

HB 5943 sponsored by Rep. Scott VanSingel (R-Newaygo) provides for sentencing guidelines; for threatening a school with a firearm or other deadly or dangerous weapon.

## **Senate Michigan Competitiveness**

SB 1225 sponsored by Sen Mike Shirkey (R-Clarklake) would prevent retirees hired in a custodial, food, or transportation services position from being subject to a provision requiring the forfeiture of his or her retirement allowance and retirement health care benefits. On Thursday the bill was reported from committee and passed the Senate by a 27-9 vote. The bill was referred to the House Education Reform committee.

SB 1260 sponsored by Sen. Arlan Meekhof (R-West Olive) requires all unions in the state to hold a decertification election that would mean the dissolution of the union every two years beginning in 2022. It also contains \$500,000 for the Department of Licensing and Regulatory Affairs to administer the change. The bill was introduced Tuesday and reported from Senate Michigan Competitiveness committee Wednesday.

