



*Nothing is politically right  
that is morally wrong.*

MISSOURI SENATE  
JEFFERSON CITY

*Free and fair discussion  
is the firmest friend of truth.*

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FOR IMMEDIATE RELEASE

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## Missouri Senators to File Legislation Protecting Legislature's School Funding Decision Authority

JEFFERSON CITY – Today three Missouri senators who served on the senate committee charged with rewriting the state's aging school funding formula announced that they will file legislation to protect the right of the legislature to determine how the state's education budget is spent. Majority Floor Leader Charlie Shields, R-St. Joseph; Education Committee chairman Gary Nodler, R-Joplin; and Judiciary Committee chairman Matt Bartle, R-Lee's Summit, announced their plan to file legislation that would remove the ability of school districts to challenge in court how the legislature spends state education dollars.

Senator Shields, who sponsored the newly rewritten education foundation formula, today reacted to the threat of further litigation by certain school districts.

"School funding should rest in the hands of elected legislators and the governor, and not in the hands of an unelected judiciary," Sen. Shields said. "For the state to have to spend money which could be used on our children's education to defend ourselves from a lawsuit that is also funded by taxpayers is just wrong!"

Certain school districts who are not satisfied with the education funding plan passed by the legislature during the recently completed 2005 session and awaiting the signature of Gov. Matt Blunt have threatened to take the state to court in hopes of getting a spending plan that is more to their liking.

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“The Missouri Constitution sets up a delicate balance of power between the three branches of government and the primary function of the legislature is to appropriate money,” Sen. Bartle said. “If every funding decision of the legislature becomes subject to court review then the power of the people’s elected representatives in the Missouri House and Senate is weakened. I don’t think anyone wants to see lawyers and judges doing the job legislators were elected to do.”

Legislators are fearful that if a suit is successful it would undermine future efforts to find legislative solutions to complex public policy issues.

“The Missouri General Assembly acted in good faith to write a new foundation formula. It achieves adequacy and equity which is fiscally attainable,” Sen. Nodler said. “It is clear that this lawsuit is not about a new and fair school funding formula, but it is about piling up legal fees for school lawsuit lawyers. The indication that there are those that would go forward with the lawsuit even after the General Assembly has acted is proof of the need for a constitutional amendment.”

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