



Mock Legislature

INFORMATION PACKET

MCC ANNUAL ASSEMBLY
OCTOBER 5, 2019



MOCK LEGISLATURE

1:15 p.m. - 2:15 p.m.

Senate Chamber (Third Floor) State Capitol

What is the Mock Legislature?

The **Mock Legislature** is a fantastic opportunity designed especially for middle and high school students who wish to get first-hand experience in the legislative process.

This program has been designed to be a highly interactive workshop. Students will adopt the role of a State Senator to debate actual legislation and will be expected to follow the decorum and customs of the Missouri Senate. (Adult leaders will be on hand to facilitate the process and coach students.)

A unique aspect of the MCC Mock Legislature is that **students are asked to consider and apply Catholic social teachings to these public policy issues**, just as the Church calls upon Catholic legislators to do.

The MCC hopes that students gain an appreciation for how principles of Catholic social teaching apply to a vast array of real-life situations, and that this experience will encourage students to take an active role in their government.

We hope students from your school will participate. Gather your friends and join us! *Remember — participation in the Annual Assembly and lunch are all free!!*

Instructions for Mock Legislature

The Mock Legislature will be held from 1:15 pm – 2:15 pm in the Senate Chamber (Third Floor) inside the State Capitol. The five issues to be discussed include:

- ◆ Campus Protection Officers
- ◆ Work Requirements for Participants in the Supplemental Nutrition Program (SNAP)
- ◆ Serious Mental Illness Exemption from the Death Penalty
- ◆ Narcotics Control Act
- ◆ Thanksgiving Family Protection Act

Senate Rules for Mock Legislature

1. Youth participants will play the role of the “senators”. All senators should be seated at their desks during the debate. Copies of bills and a senator district number will be on each desk.
2. All senators are expected to be courteous and respectful during the debate.
3. When not debating, students will sit on the benches/chairs in the Senate Chamber. All present in the chamber **must be quiet** during debate.
4. Microphones will not be used during debate and should not be handled at all. Senators should speak loud enough for the entire chamber to hear.
5. The presiding officer will open the session with a prayer and the pledge of allegiance.
6. If a senator wishes to speak, he/she must first be recognized. A senator is recognized by standing and holding his or her number clearly for the president to see. **Do not say anything until you are recognized by the president.**
7. To recognize a senator, the president states: **For what purpose does the senator from the #____ District rise?**

8. Senator may respond with the following options:

- a. In favor of the bill: **I rise to speak in favor of the bill.** [You are recognized.] The President will ask you to then state your reasons.
- b. In favor of the bill generally, but not certain parts: **I rise to speak in favor of the bill with exceptions.** [You are recognized.] President will then ask you to state your reasons.
- c. Against the bill: **I rise in opposition to the bill.** [You are recognized.] President will ask you to state your reasons.
- d. Asking a question or seeking clarification: **I rise to question the sponsor of the bill.** [You are recognized.] President will ask you to state your question.
- e. To enter into debate with another senator: **I wish to inquire of the senator from the # ___ District.** [President will ask if the first senator will yield to questions. If so, president will allow the senator to proceed.] If two senators have permission to be engaged in dialogue/debate, they may speak with each other spontaneously without further guidance from the president.

9. **Whenever a senator is finished speaking, the senator should sit down at the desk.**

10. **To allow as much debate time as possible, senators should keep remarks brief and to the point (2-3 minutes).** To avoid one senator monopolizing the debate, the president will recognize other senators who want to speak on the bill before again recognizing other senators who have already spoken.

11. To start debate on a bill, the president will recognize the bill sponsor who will move that the bill be taken up for consideration and adoption. The bill sponsor will then give a brief description of the bill. Senators may then rise to be recognized by the president to speak about or debate the bill.

12. The sponsor of the bill will answer any technical questions that the senators may have. Facilitators will also be available in the chamber to answer any questions the students may have about the legislative process. **If any student (a senator or someone watching the debate) has a question about process, please raise your hand and a facilitator will come as quickly as possible.**

13. If debate is clearly one-sided, the president may seek to recognize senators who are on the opposite side: **Does any senator rise to speak in (support or opposition) to this bill?**

14. The debate will end when the president determines discussion is sufficient, understanding of the bill is clear, and a vote can be taken. **We will now vote on Bill # _____. All those in favor of Bill # _____ entitled _____ please stand. (Count is taken.) All opposed, please stand. (Count is taken.) Bill (passes or fails).**

15. After the vote is taken on a bill, the bill sponsor will offer concluding remarks relevant to Church teaching/position on the issue.

NOTE: Because of the lack of time to train participants to carry out these functions, facilitators will be assigned to perform the tasks of president pro-tem, bill sponsor, and floor leader.

Campus Protection Officers (HB 575)

Summary: This bill authorizes colleges and universities to designate faculty or staff members as campus protection officers. A campus protection officer will be authorized to carry concealed firearms on campus after submitting proof that he or she has a valid concealed carry endorsement or permit.

Background: All 50 states and the District of Columbia allow the concealed carry of firearms. Thirty-four states require permits and have “may issue” or “shall issue” permit laws. Fifteen states have constitutional carry laws but will issue permits upon request. Missouri has a constitutional carry law and shall issue permits to residents and non-residents.

Ten states now have provisions allowing the carrying of concealed weapons on public post-secondary campuses. These states are Arkansas, Colorado, Georgia, Idaho, Kansas, Mississippi, Oregon, Texas, Utah and Wisconsin.

Reasons to Support Concealed Carry on Campuses

- Responsible citizens should have the right to arm themselves against criminals with guns. Violent criminals will always have guns. Rather than being victims, concealed handgun carriers have a sense of safety and security, especially when going outside at night or in dangerous places.
- Most adults who carry concealed handguns are law-abiding citizens and do not misuse their firearms. Several studies have found that concealed carry permit holders are less likely to kill someone than the general public.
- Concealed handguns protect people who cannot always rely on police forces for protection. The average police response time to an emergency call is 11 minutes, with some responses taking much longer. Many individuals can be harmed in that amount of time.

Reasons to Oppose Concealed Carry on Campuses

- Carrying a concealed handgun increases the chances of a confrontation escalating and turning lethal. A study in the American Journal of Public Health found that someone carrying a gun for self-defense was 4.5 times more likely to be shot during an assault than an assault victim without a gun.
- Concealed carry application requirements and background checks do not prevent dangerous people from acquiring weapons. Between 2007 and 2014, 14 law enforcement officers and 622 other people were killed nationally (not in self-defense) by private individuals legally allowed to carry concealed handguns.
- Public safety should be left to professionally qualified police officers, not private citizens with little or no expert training. Police officers are usually required to have training before they get their weapons and a certain number of training hours throughout the year. Missouri does not require any training to carry a concealed weapon.

Work Requirements for Participants in the Supplemental Nutrition Assistance Program (SNAP) (SB 4)

Summary: This act requires individuals participating in the government Supplemental Nutrition Assistance Program (SNAP) to comply with 20 hours of work requirements per week as described in federal statute. SNAP is a program that provides food stamps to low income individuals and families to help them buy food. Any participant who refuses or fails without good cause to comply with the work requirements shall be ineligible to participate in the program for the duration of the disqualification period as follows: 1) for the first offense of noncompliance with the work requirement the individual shall be disqualified for three months; 2) for the second offense of noncompliance, the individual shall be disqualified for six months; and, 3) for the third offense of noncompliance, the individuals shall be disqualified permanently.

If the disqualified individual is the head of a household, the whole household shall be ineligible to participate in SNAP. If the head of the household leaves, the household may re-establish eligibility.

Background: The Department of Social Services (DSS) and the Family Support Division (FSD) estimate that there are approximately 45,000 Heads of Households (age 16-59) who would be subject to work requirements if this legislation passes. These households include 51,700 children. The average household received \$256.82 in SNAP benefits per month; the average individual received \$119.59 in SNAP benefits per month. FSD assumes that there will be a 35% compliance rate.

Reasons to Support Work Requirements to Receive SNAP

- It fosters a sense of responsibility for the person receiving food benefits, i.e. the person is “earning” the benefits they’re receiving.
- By working, the person is setting a good example for their family, i.e. ‘work is a good thing.’
- Someone who is working, even 20 hours a week, might be able to move up in their industry and earn enough to be self-sufficient and be able to get off food stamps entirely.

Reasons to Oppose Work Requirements to Receive SNAP

- SNAP provides an average of \$1.33 per person per meal. Because the whole family loses food stamps if the head of the household is disqualified, it means that all members of the family, including children, have less to eat.
- This will create more bureaucracy in government. Records will have to be kept of who is working—the Department of Social Services has not demonstrated that they have the staffing or capacity to screen, assess and assign SNAP participants properly. DSS is moving toward a call center, rather than face-to-face contact, with clients. Wait time for a call is 20-30 minutes.
- People who have limited income often have trouble with transportation and affordable childcare, which makes getting and keeping a job difficult.
- Research shows that adults who received food stamps as impoverished young children, compared to those who did not, are more likely to graduate from high school and less likely to suffer long-term health problems (obesity, heart disease, etc.).

Serious Mental Illness (SMI) Exemption (HB 2509)

Summary: This bill establishes a court hearing to prove if a person charged with first degree murder is suffering from a serious mental illness (SMI) as specified in the bill, at the time he/she committed the crime. If so, the person would be exempt from the death penalty. Disorders that will qualify as SMI would be schizophrenia, schizoaffective disorder, bipolar disorder with psychotic features, major depressive disorder with psychotic features, delusional disorders, traumatic brain injury or post-traumatic stress disorder (PTSD). To be eligible for this exemption, a person would have to have a documented history of mental illness and be suffering from psychosis **at the time of the crime**. A finding of SMI would not prevent a person from being found guilty of the crime; it would only prevent him/her from receiving the death penalty.

Background: In several rulings, the U.S. Supreme Court has exempted certain individuals from the death penalty because it violated the ban against cruel and unusual punishment. In *Atkins v Virginia* (2002), the court banned executing individuals who have developmental disabilities, and in *Roper v Simmons* (2005), the court banned the execution of juveniles. The high court issued these rulings after a series of states had outlawed the practices. Now the emphasis is on banning those with serious mental illness (SMI). Currently, seven other states have proposed SMI exclusion bills.

Persons with SMI are not currently protected from receiving the death penalty. Categories such as “Not Guilty by Reason of Insanity”, “Incompetency to Stand Trial”, “Competency to be Executed” and “Mitigating Factors” do not afford automatic protection from death penalty to persons with SMI.

Reasons to Support a SMI Exemption

- It is the right thing to do. Defendants with diagnosed mental illness may not understand the consequences of their actions. SMI impairs learning, communication and logical reasoning. Persons diagnosed with SMI often cannot control their impulses, understand the actions of others, or often understand the finality of a death sentence.
- Saves Missouri taxpayers money. By not allowing the death penalty for persons with SMI, this could save thousands of dollars per case in death penalty appeals, which could then be used for higher priority needs, such as training for law enforcement’s treatment of people with mental illness and victims’ compensation.
- Would be narrowly applied. This exclusion would apply only to individuals with SMI. Mental Health America estimates that only 20 percent of inmates currently on death row in the United States have a SMI. Even with this exemption, a person could still be found guilty of the crime and receive a tough sentence, i.e. life without parole.
- A national poll taken in 2016 shows that 66% of people favor SMI exemption.

Reasons to Oppose a SMI Exemption

- It is unnecessary as current law already protects people with SMI from the death penalty. For example, most states have a “mitigation” claim of mental illness to prevent a person from being executed. Defense lawyers just need to convince the jury that the person has SMI.
- If the exemption is passed, people may pretend to have mental illness to get the exemption.
- If passed, the state would be forced to have a hearing to determine if a person is qualified for the exemption. It would become a battle of the experts and end up being a costly waste of time.

Narcotics Control Act (HB 188)

Summary: This bill establishes the “Narcotics Control Act.” The Department of Health and Senior Services will establish a program for monitoring the acts of prescribing and dispensing of addictive opioids and other potentially harmful drugs. Each pharmacist covered by the bill must electronically enter the prescription information into a database along with the patient information of each drug dispensed. The information must be entered within 24 hours of dispensation, and by 2020 the information must be entered in “real-time.”

The information sent to the database is confidential and the department must maintain procedures to ensure the privacy and confidentiality of the information. The department must review the information sent by dispensers and if there is reasonable cause to believe that a violation of the law has occurred, law enforcement must be notified. The information cannot be used to prevent an individual from owning a firearm. The information will be removed from the program after a maximum of three years.

Background: Missouri is among the 20 worst states for drug overdose deaths, and it is the only state left without a statewide Prescription Drug Monitoring Program (PDMP). Counties in Missouri have formed their own PDMP to accommodate for a lack of a statewide system. St. Louis County is the PDMP administrator and other counties in the state can subscribe to their system.

Reasons to Support a PDMP

- Opioid abuse is a major public health epidemic that demands attention. A PDMP is the simplest and most widely accepted tool to help physicians make good patient care decisions.
- A PDMP allows physicians to know the medication history of their patient. This prevents “doctor shopping” by patients who are trying to prevent doctors from knowing their drug use. This is especially important because Missouri borders so many states and doctor shopping allows tourists and others to get narcotics and return home undetected.
- A PDMP is secure. This information is protected by the same HIPAA rules that govern all other protected health information. Additionally, all information in the PDMP will be removed after three years.

Reasons to Oppose a PDMP

- Prescribers are at risk of prosecution. Depending on how the rules of the PDMP are established, prescribers could be held accountable for overlapping prescriptions.
- Prescribers will find a PDMP too difficult to use and quit prescribing pain medications for their patients in need.
- This establishes a statewide database of drug users. It is overseen by an agency of the government. There is no need for the government to have access to this information. Also, electronic information can be breached.

Thanksgiving Family Protection Act (HB 37)

Summary: This bill establishes the Thanksgiving Family Protection Act that requires retailers to be closed on Thanksgiving Day during the hours of 12:00 a.m. to 11:59 p.m. This would not apply to restaurants and retailers whose primary business is the sale of motor fuel or pharmaceuticals.

Background: “Black Friday” is the day following Thanksgiving Day in the United States, often regarded as the beginning of the Christmas shopping season and one of the busiest shopping days of the year. In recent years, most major retailers have opened extremely early on Black Friday and offered promotional sales.

For many years, it was common for retailers to open at 6:00 a.m., but in the late 2000’s many started opening at 5:00 a.m. or even 4:00 a.m. and eventually at midnight. In 2012, Walmart and several other retailers announced that they would open most of their stores at 8:00 p.m. on Thanksgiving. This move prompted calls for a walk-out among some workers.

Historical note: In 1863, as a way to unite the country, Abraham Lincoln officially declared the last Thursday in November as a day of “thanksgiving and praise”. For 75 years, U.S. presidents followed that tradition. In 1939 and 1940, U.S. President Franklin Roosevelt, at the urging of retailers, changed Thanksgiving to a week earlier to allow shoppers an extra week of Christmas shopping during the Great Depression. There was an uproar throughout the country and great confusion as some schools, stores, businesses followed the new holiday while others followed the old. In the end, retailers found that spending for Christmas was about the same as in previous years, only the distribution of shopping times was different. To end confusion on dates, in 1941 Congress passed an act officially setting Thanksgiving as the fourth Thursday in November.

Reasons to Support Stores Being Closed on Thanksgiving Day

- Thanksgiving Day is truly an American holiday that celebrates the Pilgrim/Native American Feast of 1621. It is a unique part of our heritage. It should not become just another commercial day for retailers. Shoppers will have plenty of other days to go to the stores.
- Thanksgiving Day is nationally recognized as a special day to spend time with family and friends and reflect on our blessings. Requiring retail workers to come to work on that day deprives them of quality time with family/friends.
- With the increase of online shopping, retailers don’t need to “physically” have their stores open on Thanksgiving Day—people can buy products from stores anytime at their convenience.

Reasons to Opposed Stores Being Closed on Thanksgiving Day

- Busy families may have few days that they can actually shop together in the stores for Christmas. Being open on Thanksgiving Day gives them the unique opportunity to do some family shopping together.
- Many other workers (nurses, policemen, restaurant workers) work on Thanksgiving Day already—why should retail workers be any different? Many employees may receive holiday pay for their work, so they are compensated for the time away from their families.
- What makes Thanksgiving so special? Many retail stores (Lowe’s, Menards, Walmart, K-Mart) are currently open on special holidays, like Easter. No one is forcing shoppers to shop on Thanksgiving. Stores are just providing a service to their customers.