



# Good News

May/June 2016 Vol. 35 Issue 3

*Bringing the Light of Christ to Missouri*

## General Assembly 2016 Wrap Up

### Team of Dedicated Legislators Ensured Passage of A+ Scholarship Reform

BY MIKE HOEY

State Representative Justin Alferman (R-Hermann) didn't just work hard to earn good grades during his senior year of high school at St. Francis Borgia High School in Washington, Missouri; he worked hard to pay for his tuition. He also wanted to earn an A+ scholarship to pay for community college expenses when he graduated. But those scholarships were limited to public school graduates. This year Justin was part of a team of legislators who spearheaded passage of legislation to remedy this injustice.

As approved by the Missouri General Assembly, SB 638, sponsored by State Senator Jeanie Riddle (R-Fulton), includes a variety of education provisions, but most importantly it ends the discrimination in the A+ program. If signed by Governor Nixon, the program will allow Catholic and other nonpublic high schools to become A+ schools.

The A+ designation allows students to earn A+ scholarships so that upon graduation they can afford to attend a community college or other post-secondary technical or vocational institution. To earn the scholarship, however, students must perform at least 50 hours of mentoring or tutoring, demonstrate good citizenship and end their high school career with at least a 2.5 grade point average.

For over a decade, the Missouri Catholic Conference (MCC) has urged state legislators to revise the A+ program. This year the same objections surfaced. Some legislators said it would be too expensive; others said we need to focus on our public schools. State Representative Jay Barnes (R-Jefferson City) had heard these arguments before, ever since being elected to represent most of Cole county. As a graduate of Helias in Jefferson City, he knew that Catholic school parents were taxpayers, too.

During floor debate on the A+ program, Barnes asked opponents if it would be okay to exclude some segment of the public schools, say those in St. Louis. Opponents had no response and the fundamental unfairness of A+ was exposed. Others pointed out that the state budget could easily afford to include the nonpublic school graduates. In the end, the House added the A+ program expansion to two Senate bills, then sent those bills back to the Senate for that body's consideration.

Keeping House amendments on Senate bills is never easy. The upper chamber does not like to have their bills amended, and the A+ amendment added a controversial provision to a relatively non-controversial bill that sought to spur more civics education



in schools. Senator Riddle supported the A+ provision but knew other Senators would oppose it. At this critical point, Majority Floor Leader Mike Kehoe (R-Jefferson City) put his stamp of approval on the A+ amendment and urged his colleagues to accept it.

The final showdown came during Conference Committee negotiations between the two chambers, Senator Bob Onder (R-St. Charles) spoke out strongly for the A+ amendment and the conferees then agreed to keep the provision. The Senate eventually passed SB 638 unanimously 32-0 (see Senate vote #1). The House agreed to the bill in its final form on a vote of 136 to 10 (see House vote #1). As the House handler of SB 638, Representative Kathryn Swan (R-Cape Girardeau) was also instrumental in ensuring the passage of this bill.

If SB 638 becomes state law, Catholic and other nonpublic high schools will be able to apply to the Missouri Department of Elementary and Secondary Education (DESE) to become A+ schools. A+ schools must agree to require rigorous coursework of students, and have partnerships with local business and civic leaders that include plans to provide counseling and mentoring for students entering the workforce.

## Pro-life Victories Came from Work in the Trenches

Pro-life victories don't always come packaged as a piece of legislation. Sometimes battles are won in the trenches. In Jefferson City, lawmakers and lobbyists alike know that much of the legislative process occurs in the basement of the Capitol during the House and Senate budget committee hearings. This year, Senator Kurt Schaefer (R-Columbia) persuaded his fellow lawmakers to defund Planned Parenthood.

Schaefer and his colleagues defunded Planned Parenthood by declining federal family planning funds that require the participation of Planned Parenthood. Instead, Schaefer replaced these federal funds with money from state general revenue, which has no such restrictions. Thus HB 2011, the bill appropriating money to the Missouri Department of Social Services, includes \$10.7 million for family planning "provided that none of the funds appropriated herein may be expended to directly or indirectly subsidize abortion services...and none...may be paid or granted to an organization that provides abortion services."

By declining the federal dollars and replacing them with state dollars, the General Assembly effectively cut off the abortion giant from receiving funds through the appropriation process. While the MCC expects this creative legislating effort to be challenged in court, the die has been cast and Missouri has defunded Planned Parenthood!

A major pro-life victory also occurred with increased funding for alternatives to abortion, another example of work being done in the trenches through the budget process. Money was allotted to provide assistance to pregnancy resource centers and maternity homes that help mothers in crisis pregnancies carry their child to term.

In 2007, Missouri began the Alternatives to Abortion (ATA) program. This program is designed to assist women in carrying their unborn children to term instead of having an abortion, and to assist them in caring for their child or placing their child for adoption. Services through the ATA program are available during pregnancy and for one year following.

There are currently eight contractors and approximately 28 subcontractors that provide assistance to pregnant women through the ATA program. ATA subcontractors assist pregnant women with case management services, prenatal and parenting skills classes, transportation assistance (bus passes and gas) and supplies, such as diapers, car seats, formula, etc. In FY2015, the ATA program served approximately 1383 women, with 566 babies born. Nearly 80% of these babies were born with normal birth weights.

This year the General Assembly increased funding for the ATA program to \$6.4 million, up from just over \$2 million last year. The increased amounts came from federal funds derived from the TANF (welfare) program, which was restructured during last year's legislative session to authorize additional funds for the ATA program. This increased funding will help those working in the trenches to provide greater services to pregnant women in need.



## Legislative Session Saw Progress on Several Criminal Justice Reform Measures

Across the country, the attitude towards criminal justice is changing. "Get tough" on crime policies are no longer in vogue. Policy makers are realizing the tremendous toll that these policies have taken on government budgets, communities and individual lives. Instead there is a growing movement to eliminate some of the harsh sentencing and corrections policies of the past. With this backdrop, Missouri enacted some important reform measures this session.

### Juvenile Sentencing for First Degree Murder:

Some issues take longer to reach a compromise. Such was the story of juvenile sentencing for first degree murder. In 2012, the U.S. Supreme Court ruled in *Miller v Alabama* that mandatory life without parole sentences for juveniles who commit first degree murder are unconstitutional. The ruling voided Missouri's statute and left the state without a workable framework to address these juveniles. For years the prosecutors and defense attorneys were at a stalemate on a solution.

When Sen. Bob Dixon (R-Springfield) introduced SB 590 this session, it contained a punitive approach to sentencing these juveniles favored by prosecutors. The bill included options for a sentence of life without parole or a 50-year sentence. The MCC, along with other groups, opposed SB 590, arguing that a 50-year sentence was essentially a death sentence. The bill violated the intent of *Miller* and failed to recognize the potential for youth to be rehabilitated.

Meanwhile in the House, Rep. Robert Cornejo (R-St. Peters) introduced HB 1995 which eliminated life without parole as an option, with youth being sentenced to 25-40 years. The MCC favored the options in HB 1995. Both bills inched forward this session as negotiations took place between prosecutors and defense attorneys.

By the last week of the session, key differences still existed between the parties, but Rep. Cornejo and Sen. Dixon worked together to reach a compromise: a sentence range of 30-40 years, life with parole or life without parole. If the prosecutor seeks life without parole the bill dictates that certain requirements must be met and outlines when a juvenile offender may submit a request to the parole board.

When the revised SB 590 was subsequently voted on by the House and Senate, it passed with almost unanimous support. Neither side is completely happy with the compromise, but it is a workable framework.

### Ban the Box:

For several years Sen. Jamilah Nasheed (D-St. Louis) and Rep. Michael Butler (D-St. Louis) had sponsored legislation that would remove the criminal history check box on job applications. Known as "ban the box," this effort levels the playing field for ex-offenders by delaying criminal background questions until further along in the hiring process. "Ban the box" laws are in place in 21 other states and numerous municipalities. Several corporations, such as Target, Walmart, Home Depot and Starbucks have adopted "ban the box" policies.

Numerous groups, including the MCC, supported the passage of "ban the box" legislation and formed a coalition to promote the measure this session. Unfortunately, the legislation was not getting much traction in either the House or Senate.

Senator Nasheed approached Governor Nixon about issuing an executive order to enact "ban the box". Behind the scenes, the MCC and other groups wrote letters to Governor Nixon urging him to take action.

On April 11, Governor Nixon issued Executive Order 16-04 that will "ban the box" in state employment by placing criminal history questions later in the hiring process.

### Expungement Bill:

An expungement bill, SB 588, was also passed.

Sponsored by Sen. Bob Dixon (R-Springfield), this bill embodied compromise and negotiation from the start. The idea for an expanded expungement bill grew out of Missouri's overhaul of the criminal code several years ago. A Missouri Bar Committee, comprised of both prosecutors and defense attorneys, worked together to expand the process of closing criminal records from public view while still keeping the public safe.

SB 588 expands the number of crimes that are eligible for expungement, shortens the wait time for a person convicted of an offense to seek an expungement, and lessens the likelihood that a person's application will be denied if criteria are met. While records for expunged crimes will no longer be open to public view, law enforcement will still have access in case a future crime was committed.

The bill passed the Senate 23-9 (see Senate vote #2) and passed the House 143-12 (see House vote #2).

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### Earned Income Tax Credit Proposal Falls Short

For years the federal earned income tax credit (EITC) has proven to be a Godsend to working families. This year, the MO General Assembly sought to create a state EITC to supplement the tax relief provided by the federal EITC. The bill, HB 1605, was sponsored by State Rep. Mike Kelley (R-Lamar). It passed the House by a wide margin—115-35 (see House vote #3).

As passed by the House, HB 1605 also included a tax credit offered by Rep. Kathryn Swan (R-Cape Girardeau) that offered a state income tax credit to people who contribute to charitable agencies that assist school children (both public and private) with their unmet needs relating to health, hunger and hygiene. The MCC strongly supported HB 1605, however, the bill never made it out of a Senate committee once it had been approved by the House.

### Final Bill Progress Report

The MCC followed many other bills besides those mentioned in *Good News*. To find the final action of the other bills followed by the MCC, visit our website at [mocatholic.org](http://mocatholic.org).