

Views of the Press and Media Strategies of Missouri State Legislators

Statehouse Reporter with the Jefferson City News Tribune

A Professional Project

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Chapter 1: Introduction

I came to journalism after graduating college with little idea of what my future would hold. I wanted to be a writer but had no idea what that meant or how to accomplish it. I wanted to see the world and engage in the day's most important issues but didn't know how. After spending a few months living out of my car and exploring national parks and two years living at home and working at a daycare and for a political campaign, lost in books and newspapers, it gradually dawned on me that journalism would provide me the opportunity to write and pursue the issues and ideas that are most interesting to me. I had finally heard the calling.

I came to the Missouri school of Journalism with the goal of learning the craft of news reporting. I focused single-mindedly on becoming better at absorbing an event's most important aspects, understanding and digesting background information and quickly and cleanly churning out copy. I worked on the Columbia Missourian's enterprise beat and covered a wide-range of topics, from city government to the wine industry and horse racing. I also focused on taking as many courses in news reporting as possible, filling my schedule with Investigative Reporting, Computer-Assisted Reporting, Field Reporting, Advanced Reporting and more. Each day, I added news skills to my arsenal and continued to develop those I had already acquired.

Since I am interested in state and national politics and political reporting, this project was a logical next step in my academic and professional career. During the fall semester, I worked at the Jefferson City News Tribune and began to immerse

myself in the city's political culture, publishing a handful of articles on the issues I continued covering during my project. By continuing the coverage I began in the fall, I was able to jump into this project on Day One. I arranged a set of issues to cover with my editor and started plowing away on the first day of the legislative session in January. I'm by no means married to the idea of statehouse reporting and plan to pursue a variety of reporting styles, but I find it fascinating and thought it was an important endeavor to dive into. For my analysis component, I focused on the perspective of lawmakers, because they are the primary actors in a legislative setting, and their views are often overlooked in media research. By sitting with them and discussing their views of the press and strategies for working through the press, I learned a lot about the way lawmakers approach the media and attempt to advance priorities through them.

Without a doubt much of the most important policy-making in this nation happens at the state level. And statehouse bureaus have been dramatically depleted in the past decade as newsrooms have been forced to cut back, often beginning with their capitol bureaus. The skills that I developed during this project can be put to use in any of 50 state capitols across the country, not to mention the endless number of communities that are influenced by state politics every day. I chose this project over a chance to go to Washington, D.C., because state capitols are often the forgotten engines of politics and lawmaking. By working day in and day out on a legislative beat, I learned the keys of tracking legislation, managing a range of issues and reporting in the world of state politics. I will be interested in returning to a statehouse beat and taking my reporting to the next level.

Chapter 2: Weekly Field Notes

Week 1 (Jan. 10):

Hey all,

Here's my first weekly update, so let me know if you think I should do it differently.

Reporting:

I started in Jeff City on Wednesday, the session's opening day. I filled in on the Missouriian's coverage, so had to call an audible on my plans and go with a more localized angle. I topped the story with the comments from the leaders in each chamber and what they said the top of the agenda is likely to be (tax cuts and a fix to the school transfer law). I then moved into a focus on what the Boone County delegation had to say. I was fortunate to get three or four of them to talk with me and was able to add some of their plans that the Missouriian had not previously reported.

I also started on some stories for next week. I am planning on turning a story that puts Missouri's debate over Medicaid expansion into a national context and will try to talk about what other states have done, talk to folks in other states and someone who can provide a broader perspective of how this debate has evolved over the past year or so nationally. I am also working on a story about the closure of the Missouri High Risk Insurance Pool, which ceased operations on Jan 1, and efforts to transition those people into new plans. I will also be covering some hearings and a press

conference by Missourians for Alternatives to the Death Penalty.

Here is probably a good place to say that Gary has assigned me priority on covering Medicaid expansion and death penalty protocols, so you can expect much of my reporting to be related to those topics. Let me know if you have any ideas or pressing questions that must be asked about those issues.

Project:

I didn't make a lot of progress on the project front this week, but I have started to think about what legislators would be the best to approach about it. I plan on putting together a list this weekend and begin approaching some on it next week, so hopefully I can start scheduling some of those interviews and making headway there.

I hope you all have recovered from the holidays and the polar vortex and are ready for the new semester, because it is nearly upon us.

Thanks and I look forward to keeping you updated as this legislative excitement unfolds.

Week 2 (Jan. 17):

Hey team,

The first full week of work in the legislature, and I was able to start racking up the

clips and (help keep the public informed). It's not every reporter that is lucky enough to be able to report the phrases "marijuana legalization" and "execution by firing squad" in the same week, albeit not the same article.

Reporting:

I started the week out on Monday covering a press conference of some opponents to the death penalty and used that as an opportunity to go into some information and interviews about other death penalty legislation that had been introduced. On Tuesday, I wasn't having luck with a story I was trying to advance about Mo's high risk insurance pool, so I found an hearing that stood out and turned a quickie about a bill that would provide prenatal health coverage to more low-income women.

On Wednesday, I wrote about some initiative petitions that were approved for circulation that would legalize marijuana. I talked about the organization's strategy moving forward and interviewed a legislator pushing decriminalization and medical marijuana bills. On Thursday, I covered a Senate hearing on this session's new tax-cut legislation. Today I put together a story based on a tip from a death penalty lawyer I've been in communication with about how the state has adopted a secondary lethal injection method, which was first used Thursday in a less than successful execution in Ohio (this one might actually even be considered a news scoop, as far as these things go).

Next week, I will be covering an oversight committee hearing with testimony from

the Department of Corrections on death penalty protocols and pursuing any new developments on that front. I will also be a part of the News Tribune's Tuesday coverage of the Gov's State of the State Address. I will also be pursuing a Medicaid expansion story that provides national context to the specific dynamics of Missouri's debate on the issue.

I am already noticing that I am able to drop in and come out with a story from the Capitol basically any day, but I am using that ability as a crutch to avoid more substantial long-term articles. So I will need to keep working on that and try to do both or divide my time better.

Project:

I have put together a list of potential interview subject and begun to put out a few feelers but haven't scheduled anything yet. I have also developed a few additional questions that try target how much they think media attention actually helps advance their goals. I will keep trying to make progress on this front, because I know I don't want to get behind here.

Thanks and enjoy the first week of classes.

Week 3 (Feb. 2):

Hey team:

Another solid week in Jeff City, and I am finally feeling like I will be able to turn

something substantial this coming week.

Reporting:

I started the week off by turning a story based on a tip from the week before about a state senator possibly filing legislation to put a moratorium on executions and set up a commission to develop new protocols. The idea is similar to something that was introduced in the House and I have already reported, but it gives the commission a little more authority. The senator wanted to introduce it on the floor Monday but got delayed, so I was able to sit down with her in her office Monday afternoon and get something together for Tuesday morning ahead of her filing it on the floor. I also kept an eye out all day Wednesday as last-minute execution filings for a stay made their way to the Supreme Court, but we decided a follow from me wouldn't have added much. I also covered a presser from the Gov on Tuesday and asked a question about whether he sees "reforms and expansion" as tied together, which he said he does. I want to follow on this, because it seems any Medicaid reforms that come out of the Legislature will be DOA if they don't include expansion.

On Wednesday, I drove to Kansas City for the first of a series of public meetings being held by the Department of Elementary and Secondary education about the different proposals for dealing with the student transfers. I have also been following the committee hearings on this, and I am planning to put together a big piece for Sunday that looks at all of the proposals from the districts, outside groups and lawmakers and discusses emerging themes, tricky politics, etc. and pair that with

comments from the public hearings, which I intend to go to at least one or two more this week (weather permitting). The goal is a primer on all of the different proposals on the table as well as an analysis of the politics beginning to surround the issue in the Legislature and a description of the public meetings. Stay tuned.

I also was finally able to turn a story for today on the angel investment tax credits bill that I have gone to a couple of hearings and made a handful of calls about for the past two weeks. It is basically a summary of who is for it and why, and what most immediate hurdles to passage are, including opposition from a pro-life group.

Justus' bill wants panel to set execution protocol

JCNT: Pro-life group wants tax credit to exclude research on human cloning, stem cell

Project:

I also made some progress on the project front. I contacted a lot of lawmakers, but didn't get a ton of response, so the drop-bys will need to be a priority this week. I was able to schedule two interviews for this week, so I will have my first round of interviews. I have done some research on the specific legislators and have started to fine-tune the questions I will go in with.

Week 4 (Feb. 9):

Hey all,

It was a busy week, pushing to get a substantial article done.

Reporting:

On Monday, I made some calls for my accreditation story I've been working on for a couple of weeks now and started to organize my notes and my thoughts. On Tuesday, I stayed in for a snow day and continued to make progress on the writing side, but I still had another hearing and a handful of interviews to do, so there was only so much I could do. On Wednesday, I went to an 8 am House hearing that I thought would maybe have some transfer bills being discussed, but it turns out they weren't so instead I turned a story on a bill to increase school district bond indebtedness and was able to get some comments from folks for the big story. After I turned that story I headed to the Senate floor where a debate over Medicaid expansion flared after a Democrat offered an amendment. I turned that story and headed off to St. Louis for a public meeting about the school transfers stuff, unfortunately the Medicaid story did not make it into the paper b/c of newsroom confusion.

I was able to get a lot of good stuff at the public meeting in St. Louis and headed back to Columbia, On Thursday, I went down to the Capitol for a couple of hours and got the last couple of lawmaker interviews that I needed to round out the story and went back to Columbia to continue writing. I sent a draft to Gary Friday night. On Friday, after my ACE shift, I went through a couple of more revisions and had a final

draft by 10 p.m. Today it was in the paper. Take a look and let me know what you think, but I fell pretty good about it. I was trying to be specific as possible without getting weighed down in bill talk.

one common goal: educate our children

Committee eyes school districts' bond debt limit

Project:

I got one interview done and went back to take a look at what was good and what wasn't. I had to reschedule the other one for this week, but it is on the books. I talked to a couple others about it, but this week I will need to make sure to get a few scheduled for next week.

Week 5 (Feb. 16):

Hey team,

I wasn't able to get anything that substantial out the door this week, but I practiced turning tight stories out of the daily action from the Capitol and made some decent scheduling headway on the project front.

Reporting:

On Monday, I followed last week's big piece by sitting in on the 6-hour state school board work session. By the way, there are no women on the state board right now

(probably ok for the purposes of this project committee, but less ok when it comes to establishing statewide education policy). This meeting's discussion was uniquely opaque and pushed me to find the specific hard news, but I felt good about what I was able to come up with in terms of where there was agreement and where the board seemed to be heading, but it still leaves a lot of unanswered questions.

On Tuesday, I went to a hearing on a Senate resolution that would require legislative researchers assess the costs of the carrying out a death penalty sentence compared to life without parole. The discussion during the hearing was pretty brief, but I was able to get some comments from the sponsor after the hearing and pair it with some other context, but I was trying to keep it brief and just let people know that this was back on the table.

On Wednesday, I covered the Senate Education hearing on the last bill dealing with student transfers. I steered away from the specifics of the bill a little, because I wasn't really sure what to make of them and focused the article more on the what's next for the committee as they move toward a bill that they can send to the Senate floor in the next couple of weeks.

For this week, I am planning on trying to turn something about a bill that regulates payday loans and give an update of the status of efforts to regulate this industry much more drastically through the ballot process. Liberal groups that have been pushing regulation on this industry seem to think the bill is a bit of a "fig leaf." I'm

also looking at a bill that would extend a new equipment tax credit for winemakers to microbreweries and liquor distilleries. It will be interesting to see where the wine folks come down on this because the more people sharing the pie, the smaller the slices become. I'm also trying to work down some angles on an analysis type piece on Medicaid that I hope to have for a couple of Sundays from now.

Education officials eye remedies for struggling schools

What's the cost: Execution vs. life without parole

Education panel looks at new school transfer legislation, condensing nine bills into one or two

Project:

I completed interview number two with Jeremy LaFaver and felt like it went well. I have started to listen back to the two interviews and make some more extensive notes, and I feel like I have a good sense on the questions and the timing for the rest of the interviews. I also got two interviews scheduled for this week. One with Paul Wieland (R) and John Wright (D). I am keeping the different types of diversity that I'm aiming for as I go through and schedule these one at a time. I have found the drop-by to be a pretty effective method after all. The goal is to get two more scheduled this week for next week and two more scheduled next week for the following week. At that pace, I should be able to complete the eight interviews by start of the legislative spring break (fingers crossed).

Thanks and hope all is well with you.

Week 6 (Feb. 23):

Hey Team,

Sorry this is delayed. Last week turned out to be a pretty productive one. I turned out a lot of copy and got some more reps under my belt. I'm starting to feel pretty confident with my ability to manage my own schedule and produce a good amount of copy each day down here.

Reporting:

I let Monday slip away without doing that much but turned two stories each day the rest of the week. On Tuesday, I sat through an extended State School Board discussion on DESE's draft plan to deal with struggling districts. This was the first time that DESE has put something in writing, so it was nice to have something tangible to dig into. I tried my best to convey the specifics of the plan in the article and folded in some other context about the legislative action that continues to unfold. Later that day, a Republican Rep filed a bill that would expand Medicaid eligibility (or as he said "adjust" eligibility), so I was able to track him down before he went into a late committee hearing and put together something short.

On Wednesday, I covered the floor debate over a bill that would add some new regulations to payday loans. I probably didn't go deep enough into the specifics of how these loans currently work, but I was able to add in some stuff from previous

reporting I have done on this topic, and I got caught up with the petition push to highly restrict these loans.

Columbia Sen. Kurt Schaefer, also filed a bill on Wednesday that would allow the department of corrections to choose any method it wanted to carry out executions. I had a sit-down with him in his office, added in some context on the execution scheduled for this week, went down to a press avail and got the governor on the record saying nothing about lethal injection drugs and the upcoming execution and interviewed a national source to provide some broader context. I tossed it all together and had a piece I was pretty pleased with. On Thursday, I wrote a really tight brief when the Senate gave final approval to the payday loan bill. I wasn't planning on writing it, but there were more Republicans who defected than I had expected. This one has even less context on how the loans work than the first one. In the afternoon, I covered the final committee hearing that approved the school transfer bill and sent to the Senate floor. I tried to focus on the whole bill and not as much on the hot news over a provision that allows for transfers to private schools.

This week, the transfers bill may come up on the Senate floor, so I will be watching for that. The House will have a hearing on its transfer bill, so I will be going to that. Both chambers will be hearing bills on early childhood, so I will try to turn something on that. I may get a contribution limits or term limits story in, there is a hearing on death penalty bill, and I may try to spend some time on some more substantive articles as well (god willing).

[Republican lawmaker files Medicaid reform bill](#)

State board unveils plan for troubled districts

Bill adds flexibility on executions

Senate panel advances school transfer bill

Senate sends payday loan bill to House

Senate advances bill to tighten payday loan rules

Project:

I got two more interviews done, which brings me to four or half of what I am aiming for. I got one scheduled for this week. The major goal this week is to get three more scheduled between now and when they go off for spring break. That puts me to my number of eight and gets me on their schedules before things get really crazy and it give me the break to start making sense of what I have and start piecing it together.

Week 7 (March 1):

Hey team,

Sorry again for last week's update. Let me know if this still isn't up to par. Another busy week in Jefferson City, with mostly day turns, but they were based on hours of floor debate and not just short committee hearings.

Reporting:

On Monday, I mostly got my bearings straight, figuring out what I had coming this week, starting to skim through some bills and talking with a few folks about what to expect. The whole Senate took up floor debate and passed the school transfers bill this week, so most of my time was devoted to following that. I was also able to get a couple other things moving to hopefully turn around next week. On Tuesday, the Senate took up the transfers bill in the morning and debated it for a while before taking an afternoon break. During the break, I turned a short story on a hearing about some ethics bills. In the evening, they went back to transfers and spent about 7 hours that night, finishing around 11:30. I followed along and started to put a story together as the debate was happening and had to turn something in at 9:30 (I think that story only ran in print).

On Wednesday, I returned for an 8 a.m. House hearing on early childhood ed bills, but I decided to wait until next week and try and turn something a little meatier on the issue rather than just a day turn. After that it was back to the Senate floor for more transfers talk. They actually got through all of the debate on Wednesday and were able to take the first vote toward passing it around 8:30. Like on Tuesday, I gathered notes throughout the floor debate and began to piece a story together, so I could top it off quickly when the final vote came and pass it along. On Thursday, I kept at the issue as the Senate took their final roll call vote, moving the bill to the House, and the House held their first hearing on their versions of the bill. I included the comments from the roll call votes and then transitioned into the house with a preview of where their starting point bills differ from what the Senate had passed.

It was nice to spend more time covering floor action, which is a different beast than the committee hearings, because it is more time intensive and requires me to focus more on how something is changing rather than what it is about. For next week, I want to turn something on the early childhood bills that gets at how this year's approach is different than the past and try to gauge whether there really is a momentum building toward actually accomplishing something on the issue. I also want to focus some more time on the health care issues that I have had on the back burner and begin to organize a plan of attack for something bigger that I would like to do on the wine industry.

Senate passes school transfer bill; House picks it up

Senate endorses school transfer bill

Senate ethics panel ponders limits for campaign gifts, lobbyists

Project:

On the project front, I was able to get another interview done this week and have one scheduled for next week. I also made contact with a few other folks on the issue, and I really just need to schedule two more meetings to get the interview part to the finish line. While I have not yet gone through and systematically started to make sense of the interviews, I think that there is some pretty good material in there and will be able to make something interesting out of what I have gotten thus far.

Thanks and stay warm this weekend.

Week 8 (March 9):

Hey team,

A relatively calm week. Monday was a snow day for the Legislature, and I devoted Thursday to research. I also wrote a non-political feature about a visitor to the Capitol on Tuesday and spent some more time on education issues.

Reporting:

On Monday, the Legislature was not in session because of poor travel conditions. I worked on gathering string for an early childhood article. I wanted to move the early childhood article ahead of a Wednesday committee hearing, but I wasn't able to get all of the pieces together. On Tuesday, it was undergraduate research day at the Capitol, and I thought it would be interesting to feature one of the student researchers. I tracked down the one person there who was from Jefferson City, a student at MU Science and Technology. I went up and introduced myself and had him explain his research to me and asked questions for a while until I thought I understood what he had done and the broader applications of his research. I went back to the office for a little and went through my notes and figured out what more I needed to ask about. I returned to get those final questions answered and was also able to grab a picture of the researcher explaining his work to Jefferson City Senator Mike Kehoe and get Kehoe's reaction to what he learned. It was nice to be able to stretch my science writing muscles some and do a localized feature on something other than policy and politics. Still just a day turn, but I thought it turned out well. (His research was on using biostatistics to run predictive tests on hereditary traits.)

On Wednesday, it was back to the education policy beat. I went to a House hearing on its version of a transfers bill in the morning, which continued for another hour or two after lunch and then another couple hours after session ended for the day. I tried to spin the article forward as much as possible and hook to news about what provisions in the Senate version were emerging as most likely to face major hurdles in the House, and I was worried either there wasn't enough room or it wasn't deemed newsworthy enough because none of what I sent in made it into the paper or on the web. It turns out they had held it until Saturday. I also went to a Senate hearing on the early childhood bills and wrote that up with the hearing on top and then folded in some of the stuff I had previously collected to put those bills into a little bit bigger context.

Moving forward, I want to begin focusing on a bigger piece about the wine industry, probably using an effort in the Capitol to extend winemaker tax credits to microbreweries as hook to look at that issue in a deeper way and also do some on-the-ground reporting over the next month or so at some vineyards and breweries. I worked on some preliminary research for this on Thursday and avoided the Capitol all together. I've been wanting to return to the wine beat ever since I got a little taste of it my first month in school.

[Transfer bills differ on allowing private options](#)

[New funds sought for early childhood education](#)

[University students share research with lawmakers](#)

Project:

I got interview six under my belt and interview seven on the calendar. I got rejected in a few offices on interview eight, so I will need to continue the push for that this week, trying to get it done this week or schedule something during the break if possible or the first week back. I have a few people in mind, and I am confident I will be able to get it done. Then I can turn my energies to sifting through all of the material and beginning to piece an analysis article together. I think I will be able to get something pretty solid out of it.

Week 9 (March 16):

Hey team,

It was kind of a slow week on the reporting side, but I was able to make progress on a longer piece about the wine industry (although I still have a long way to go) and finished my last interview for the project. With the lawmakers on break this week, I should be able to focus on pushing a bigger thing forward and make some good progress on my analysis article.

Reporting:

It was a pretty quiet week despite the push to finish up before the break. I had to miss the one hearing of the week I really wanted to cover — on some of the more restrictive death penalty bills — because of a dentist's appointment. I continued to focus on the Senate but also spent some time following debate in the House. I also

got another story out of the rallies and gatherings of people at the Capitol. On Monday, I covered a House hearing on the Republican-sponsored expansion bill that includes a variety of conservative reforms. I focused the top of the story on concerns from legal experts that testified that feds would be reluctant to grant waivers for certain provisions of the bill. The most controversial provision of the bill would create a work requirement for people to be eligible for Medicaid, which the lawyers said was unlikely to gain support from federal officials. I expanded on some of the other things the bill does and tried to highlight how this bill fits into the broader conversation on Medicaid.

On Tuesday, I went to a couple of hearings on ethics bills but didn't write them up. I covered a rally beneath the rotunda of a group of faith leaders pushing a progressive agenda. I asked something that has long interested me about how conservative Christians differ so strongly on the social and care for the poor aspects of Jesus' message, but could obviously get only so deep into that line of thinking. I tried to keep it tight and simple and not overplay the political strength of the group without dismissing them outright.

I also began to get some data about how widely used a wine making equipment tax credit has been, so I can analyze the existing credit's history and begin to examine what effect proposed changes might have. The proposal would allow breweries and distillers a cut of the action. I've got an interview with someone from the MU center this week and hope to make contact with some wineries and vineyards that have

used the credit in the past and try to set up some visits for the coming weeks. This story probably won't turn until closer to mid-April.

Experts concerned about Medicaid work rules

Missouri Faith Voices group presses lawmakers on core issues

Project:

I hit a major achievement on the project front this week as well, completing the last of my 8 interviews. It took some doing, as I had to wait through all of the House floor debate and then a Rule Committee hearing on Thursday just so I could get Rep. Jeannie Riddle to talk to me and even then getting her to expand on her answers was like pulling teeth, but I got what I needed. The interview distribution ended up as 4 from each party, 4 urban and 4 rural, 5 men and 3 women and 2 minorities. This week, I plan on finishing transcribing the interviews and then beginning to outline and draft the analysis article.

Below I have included a backout schedule for the rest of my project. Let me know what you all think. I hope it looks reasonable. (As you will see, Scott, I included in there time for you to edit my analysis article, so I hope that works.)

May 1: Committee-approved final project report due to grad studies

April 30: Last day of work at the News Tribune

April 28: Have final version with all changes made and ready to be turned in to grad studies

April 23-27: Make any final revisions/changes per defense meeting

April 21-23: Have project defense meeting with committee

April 14-16: Provide final project report to Tom and Mark for defense meeting

April 12-14: Make any changes to project report per Scott's recommendations

April 7-9: Provide final project report to Scott for revisions

April 7-8: Send pitch of project analysis article to Pitch Weekly, Riverfront Times, Governing Magazine

April 5-8: Revise and improve introduction, chronology of activities, and evaluation of work product; compile all parts of project report and format per grad office instructions

April 3-5: Make final revisions and changes to professional analysis article

April 2-3: Get edited version and suggestions for analysis article back from Scott

March 27-April 2: Write introduction for project report; chronological description of project activities; evaluation of my work product and what I have learned; begin compiling into project report with proper formatting

March 26-27: Provide strong draft of analysis article to Scott for edits and suggestions

March 25-26: Continue to edit and revise analysis article

March 20-24: Begin writing draft of professional analysis article; make initial edits and revisions

March 16-19: Finish transcribing interview recordings and begin to outline and draft professional analysis article

Week 10 (March 23):

Hey team,

It was a quiet week in Jeff City, but I was able to make some progress on my wine story and got one article under my belt.

Reporting:

On Monday, I worked from Columbia, continuing research on Missouri's different wine regions and beginning to plot out my reporting for the story. On Tuesday, I went to Jefferson City and charted an initial round of data of who has taken advantage of the wine and grape tax credit to get a sense of the most local vineyards/wineries that have used it as well as more generally where these places are located across the state. At first, I asked the Department of Economic Development for the past five years of data for the tax credit to get a sense of what I

would be dealing with. It turns out it's not overwhelmingly large, so I went back and asked for data for the full life of the credit. On Wednesday and Thursday, I looked at this data more specifically and began to reach out to vineyards/wineries to schedule visits. I'm going to one near Jefferson City tomorrow morning and am hoping to schedule a trip to Hermann and St. James over the next couple of weeks to hit a couple of places on each swing. Arranging these visits will be a high priority this week. I also made some contacts with some brewers at the Missouri Beer Festival this weekend. (Remember, the angle I am looking at is a proposal to expand the credit to microbreweries.)

On Thursday morning, I covered an event at the Capitol where a lawyer for Jeffrey Ferguson, who is scheduled to be executed Wednesday, and some other people laid out their argument for clemency. I focused the top of the story on the clemency request that was going to be submitted the following day and the specific argument they were focusing on, which was that Ferguson has been a model inmate and accepted responsibility for his crime, rather than focusing on the pseudo-event. It's a careful line to walk on these types of stories, because there were a lot of people speaking very eloquently on his behalf, but I still need to strike the right tone and never forget the reality of his crime.

Next week, there is a Medicaid hearing and one on the wine tax credit, and I will continue to schedule my winery/vineyard visits as best I can.

[Clemency sought for changed man](#)

Project:

I made a lot of progress on transcribing the interviews and beginning to outline my analysis article. Transcribing is pretty brutal, and I still have a little more to do, but some of the themes I will focus on are starting to emerge. It is difficult to draw many conclusions from these interviews, but clearly all of the representatives admit to a significant role in the work of the press, and they obviously approach that relationship in a strategic way. Democrats seem more likely to invoke the democratic role of the press, but all of the lawmakers think the press could do a better job and focus too much on sensationalistic stories or controversy rather than the more important parts of the legislative, especially budgeting, process. There seems to be a wide divergence in the use of social media, with some lawmakers finding it indispensable tool for communicating their messages, while others find it too short to fully develop an argument with and some who find it truly dangerous. There is also some difference in the extent to which the lawmakers develop personal relationships with members of the press and try to seek out specific individuals for certain stories versus sending something to a large group. I am going to have a draft to Scott by the end of the week.

Week 11 (March 30):

Hey team,

Another week with solid progress, but I was also slowed down by a trip to Arizona with my girlfriend, where she starts work tomorrow and where I managed to get an interview for an open reporter position at the same paper.

Reporting:

I was only in Jefferson City Monday and Tuesday this week and it seems like a long time ago after driving 1,500 miles across country. On Monday and Tuesday, I worked on a Medicaid story that paired the comments from witnesses in favor of expansion at a House hearing with the strident opposition that persists among many Senate Republicans (the news desk folks accidentally listed this as an AP story, but it is mine).

On Monday morning, I also made a visit to a small vineyard outside of Hartsburg and got some really nice on the ground details from someone who took advantage of the wine and grape tax credit to get up and going. I spent a few hours with the couple who own the vineyard and got a lot of details about what they used the credit for and how it helped them during the early stages of getting it up and running. I might try and go back in a couple of weeks when the vines are a little greener and we can actually go out into the field. I also arranged a day of visits in St. James for a week from Thursday and have been in communication with a couple of other places about trying to find a place on the calendar. I'm still going to spend a couple of weeks on this story.

I will be getting back in town on Tuesday evening and plan to start back with full days of Legislature coverage as they move toward the finish line. Things are starting to move fast now, and I am doing all I can to keep up.

GOP senators vow to block Medicaid expansion

Project:

Unfortunately, I wasn't able to get a draft of the analysis article to Scott as I had hoped, but I have made progress on shaping it up. I am a little concerned that it will be a relatively boring article, because the legislator's didn't really say all that much (at least they were careful about what they did say), and it is also very inside baseball. I am trying to focus on the common threads and the areas of divergence and use the most interesting material from all of the interviews, but it is still a somewhat torturous exercise. I will get a draft to Scott by the end of tomorrow and then begin focusing on putting the larger report together.

Week 12 (April 6):

Hey team,

The end is in sight; I just need to keep pushing to the finish line.

Reporting:

I got back to Kansas City on Tuesday night and straight to Jefferson City on Wednesday (through the pouring rain). I walked straight into a heated debate on the

Senate floor about Medicaid expansion. A Republican senator has started to move toward a reform and expand position, but his colleagues were pushing back hard, but just as things were getting good, they laid the bill over. I wasn't there for the beginning of the debate and didn't have enough for an entire story, but I kept some notes in my back pocket for a story I did the next day. On Wednesday, I did cover a Senate hearing on a bill to provide grants to new businesses that had been sent over from the House. It was wrapped into a hearing that also included a big tax-credit package (which was definitely the newsier item, but it was very St. Louis-focused). I felt really out of the loop and not up to speed on a lot of the tax credit stuff, because they were referring to a specific project in St. Louis, so I focused on the startup bill that I was more interested in and included the most salient points from the tax-credit discussion to end of the article. I tried to focus on specifics of the bill and brief assessment of the panel's reception of it.

On Thursday, I followed the floor action in the morning and covered another pro-expansion rally on the Capitol steps and then caught up with the group a couple hours later after they had scoured the halls and met with lawmakers. I mostly focused on the rally at the top and some of the things they said during their speeches and then went into some of the context about the most recent action in the expansion debate at the Capitol. This was one of the few stories that has been assigned to me this session, and I didn't do as well with the visuals as I have done in similar stories in the past, but I tried to keep it tight and simple and still impart the message of what they were saying.

Tomorrow I am going to Hermann for a visit to Stone Hill Winery and Vineyards and Thursday I have a couple visits to places in Rolla scheduled. I will also get some interviews at the Capitol on the legislative/political side of the wine and grape tax credits and make some calls to some folks that haven't taken advantage of the credit, so I can start bringing this one in for a landing. There are also a couple of hearings I will be covering and continued floor action.

Senate weighs startup grants for new businesses

Clergy rally in support of Medicaid expansion, education

Project:

I did finally get a draft of my analysis article into Scott and have had a chance to work on making some revisions to that, but it still needs some more time and further work. Yesterday, I went through some old reports in the library to see where I needed to go, and I have started to put all of the different components together for a final report. I wrote an acknowledgements section and have drafted parts of the introduction and evaluation.

I am planning on having a draft to Scott by the end of the week, before I leave Thursday afternoon for an all expenses paid trip to the Arkansas Democrat-Gazette for interviews on Friday.

Week 13 (April 14):

Hey team,

Sorry this is late. It was a pretty crazy weekend, and I wanted to finish one last thing before I sent this your way.

REPORTING:

I spent a good deal of last week on reporting trips to vineyards and wineries. One Monday morning, I drove down to Hermann and had a visit at Stone Hill Winery. The wineries were not able to identify for me the specific pieces equipment that they used the tax credits for, because they would have to go to their accountants for that level of detail, so the goal has been to get a sense more broadly of the amount and types of equipment they use in the process and how the tax credits helped them start up or scale their operations. I also tried to get down some visual details, so I can have that for the writing, but I was at Stone Hill on one of the least visually interesting days they have in a year.

On Wednesday, I visited Jefferson City's only brewery and got a tour of the operation from the brewmaster there and had an interview the owner. I probed about the type of equipment they had and the investments they put into them and where they could expand capacity and how a credit might help there. On Thursday, I went to St. James near Rolla and had visits at St. James Winery, which along with Stone Hill is one of the state's biggest wineries, and also a visit at a smaller vineyard/winery. The St. James CEO was an interesting guide and had a lot to say about the industry as a whole and what type of legislation they would like to see and how the industry works together to push for those changes. Today I had an interview on campus with the director of the MU Wine and Grape Industry to get a

big overview and some details on the planned teaching winery, which requires legislative appropriations.

On this story this week, I need to get some Capitol interviews done and make a few more phone calls and then start writing. This will be for either this Sunday or the following week, depending on what the editor thinks.

At the Capitol, I covered a hearing bills to make the state board of education an elected rather than appointed board. Since the hearing ended late at night and there were no other reporters, I waited until the next day to get some additional reporting and details under the belt and put together a story for Wednesday morning. I liked how this one turned out. I also covered an expedited death penalty appeals bill that was heard at a Senate hearing on Monday night. This hearing was also poorly attended by the press, so I had it all to myself, but went ahead and turned it that night. This late in the session it is easier to find crumbs that aren't being chewed up by the big boys but feel pretty substantial.

Killer kidnappers could face death penalty sooner

House bills would elect state school board

PROJECT:

I turned in a full draft of the project report to Scott this morning and await his suggestions. I was hoping for a defense meeting on either Friday, April 25 or Monday,

April, 28. A doodle invitation will soon follow when Scott and I have had a chance to confer on the matter. Thanks for sticking with me.

Week 14 (April 20):

Hey Team,

Week 14 in the books means I am getting close to the finish line. I plan on covering the next two weeks at the Capitol before moving to Arizona for the start of a real-life job.

Reporting:

I started the week out Monday with a hearing on Medicaid expansion in the House that was cancelled. It turned into a pretty slow day after that, but I followed some Senate floor debate on ethics legislation and was ready to put something together before it was tabled. I followed this issue throughout the week as the Senate continued to struggle over a path toward consensus on a contentious issue. I want to do something on where the prospects of ethics reform stand and what the major sticking points are, regardless of what happens with specific legislation this week.

On Tuesday and Wednesday, I turned hearing stories from meetings that were sparsely covered by other media. I have been looking for bills that look interesting to me and there are still a few left that are receiving hearings. Now is also a good time to catch bills that are moving from one chamber to the next. The first hearing was on a bill to create a farm-to-school program. I went with a softer lede than usual

and think that it gets to the “so-what” of the legislation faster than other ledes. I could have done a better job on this story of providing some context about federal programs and a similar Missouri program that is run out of the extension branch of the university. The second story was on a Senate hearing of a bill coming over from the House. This is the compromise on prohibiting common core implementation and now includes a process for establishing other standards. I focused on the new approach and how senators were also coalescing around it, while highlighting a few differences with how the Senate will likely proceed.

This week there are already some hearings on my schedule for school transfers and impeachments. I also need to have my wine story for the weekend, so I will be writing and revising on that story and making some final calls. Other than that, I will be tracking the ethics bill in the Senate to see if I can pull something off on that front.

Locally grown foods touted for Missouri students

New state education standards would be developed under legislation

Project:

I have been going back and forth all week with Scott on the project report and have made some changes based on his recommendations and some improvements of my own, especially when it comes to the analysis article. I have also been ironing out some of the formatting and got an evaluation letter from Gary. I now submit for your approval my project report. I hope to have a defense meeting Monday, April 28.

Chapter 3: Work Evaluation

In the course of covering the 2014 Missouri legislative session, I learned a lot about the thrills, challenges and downsides of statehouse reporting. I covered countless hearings, hours of floor debate and a wide-range of complex and important public policies. I learned how to quickly turn stories out of the Missouri Capitol and manage ongoing articles on diverse topics. I dramatically improved my ability to track legislation through the process and identify the most newsworthy steps. But I also learned the limitations of covering a legislative beat and the unique challenges of political reporting. While I feel good about what I accomplished during this project and have learned a lot about what I am capable of, I also know there are many areas I can still improve upon.

One of the skills I began to develop during my Jefferson City work in the fall, and that I continued to grow this spring, was the ability to manage a beat without a lot of guidance and direction from my editor. Before the legislative session began, I discussed with my editor, who I had previously worked with, the topic areas for which I would be responsible. The debate over Medicaid expansion, death penalty policy and the new attention to the state's school accreditation process were all issues that were especially interesting to me and ones I felt would warrant extensive coverage. Throughout the session, I was able to follow the legislation that touched on these issues and react to breaking developments. Very few stories were assigned to me, and I feel I successfully communicated with my editor about potential stories and followed through in an effective and timely manner. I also reached beyond those

issue areas and wrote a variety of styles of articles, including a feature on a science student who was presenting his research at the Capitol and had grown up in Jefferson City, articles about protests and rallies at the Capitol, articles about legislation that was about to be filed, articles about administrative agencies acting on issues of legislative interest and two major articles that used pending legislation as a hook into much larger topics. I used legislation as a jumping off point to examine the debate over school accreditation and the growing wine and beer industries in Missouri. I believe my coverage in these longer articles was comprehensive and provided a perspective on these topics that was timely, unique and useful to readers.

While I completed two large projects that I feel very good about, I ended up being consumed by more daily turn stories than I had originally planned for. In hindsight, I also spent more time chasing the media horde than I would have liked. My two major articles were deeply reported and included many hours of interviews and reporting trips outside of the Capitol with the people most affected by legislation under consideration, but there were only two of them, and I was never able to dig deeply into the most important of my coverage areas — the debate over Medicaid expansion. My coverage kept up with daily developments and the legislative process, but it was more reactive than proactive. I wish I had done a better job of analyzing an issue beyond a single hearing or floor debate and assessing where specific legislation stood on the spectrum, from “dead on arrival” to “likely to become law” and what actual policy impacts it would have. Somewhere between an article turned in a day or two and one turned over a few months is a

more substantive look at legislative issues that includes the progress of legislation, the perspectives for and against and a assessment of where it stands and what long-term impact it might have. Trying to keep my head above water and managing the ongoing process consumed so much of my time and energy that I was not able to step back and produce as many of these articles as I would have liked. I also struggled with the he-said, she-said trap of political reporting, getting down the arguments for and against a bill but not independently verifying those claims in a systematic and effective way.

Overall, I feel like I accomplished a great deal during this project and learned as much from what I was not able to do as from what I successfully completed. A legislative beat is action-packed and full of potential stories, but it also provides so many opportunities that it is hard to sink your teeth into a single topic or issue in a truly meaningful way. I have always been interested in politics and political reporting, and this experience reinforced a desire to cover the lawmaking process and the issues that are most important to the lives of citizens. The politics at play during a legislative session are more than election games; they are the discussion a state has with itself as it addresses challenges and attempts to become a better place for its residents. There is an unwavering need for independent journalists who cover the legislative process and get down for the record what happens at hearings and on the floor of both chambers. But there is also a need for journalists who push at the powers that be and dig deep into important issues and the claims of supporters and opponents of particular legislative approaches. The experience of this project has given me the confidence to work a legislative beat and taught me the

importance of stepping back to analyze issues, always provide as much context as possible and never be afraid to question an elected official.

Chapter 4: Physical Evidence of Work

New state education standards would be developed under legislation

Zachary Matson, news@newstribune.com

Thursday, April 17, 2014

Missouri lawmakers are beginning to coalesce around legislation to do away with the controversial Common Core standards, while also establishing a process to develop new state education standards.

Rather than just barring the implementation of Common Core, the Legislature is moving toward an approach to create work groups that would develop and recommend a set of standards to the State Board of Education. The state board would have the final say on whether or not to adopt the new standards.

The Common Core standards, which seek to establish the reading and math skills that students should have at each grade level, were created by a consortium of state education officials and adopted by the Missouri state board in 2010. Opponents of the standards argue the state board rushed to adopt them without a transparent process that included input from the Legislature or the public.

The Senate Education Committee heard a House-passed bill Wednesday and unanimously voted to send to the floor a similar Senate version.

The House approved the legislation 132-19 after making significant amendments that established the process to create new state standards.

“If we don’t do Common Core, then what? Well, this bill deals with the what,” the legislation’s House sponsor Kurt Bahr, R-St. Charles, told the Senate committee.

The bill would require the state board create eight work groups by Oct. 1 tasked with developing state standards in four subject areas for kindergarten through fifth grade and sixth grade through 12th grade. The subject areas are: English language arts, math, science, and history and governments.

The work groups would have one year to develop the standards and would be required to make monthly progress reports to the speaker of the House and the Senate president pro tem. Earlier versions of legislation prohibited the implementation of Common Core, but didn’t establish the process to create new standards.

Education groups that had previously opposed the anti-Common Core bills have tempered their opposition and expressed support of the new approach.

“We have an appreciation of the process that has moved this from a bill that was aimed at blowing things up and to one that looks to put the reset on public engagement,” Otto Fajen of Missouri NEA said.

The Senate committee adopted some of the work group provisions in the House bill and endorsed its own version 10-0. Senators who had introduced their own bills to stop Common Core said they were happy to have a bill that had gained the support of teachers and educators, and would move toward standards the state could call its own.

“The intent of the bill is to begin an open and transparent process to ultimately adopt Missouri standards,” said Sen. John Lamping, R-Ladue, who sponsors one of the Senate versions of the legislation. “It was because of the lack of openness and transparency that we are where we are today.”

The work groups would include somewhere between 10 and 14 members appointed by a variety of elected officials and education associations with at least some of the members being parents with students in schools. The legislation would also require the state board hold at least three public hearings during the development of the standards.

Committee chair David Pearce, R-Warrensburg, said he thinks this process would create standards the state board was likely to approve.

“With the discussion and scrutiny (from the work groups), it would rise to a higher level and would be paid attention to,” Pearce said.

While Pearce said both chambers were “coalescing” around the new standards approach, he also said he would like to remove a provision from the House bill that puts term limits on state board members, an issue he said “muddies the water.”

Pearce said the term limits provision was not germane to the underlying bill.

A House education committee heard a stand-alone bill Wednesday morning that would establish term limits for state board members, who can serve an unlimited number of eight-year terms. Other legislation in the House seeks to create an elected state school board rather than the current governor-appointed board, which would require a constitutional amendment.

Locally grown foods touted for Missouri students

Zachary Matson, news@newstribune.com

Wednesday, April 16, 2014

More locally grown fruits, vegetables and proteins could be on the lunch tables of Missouri schools under a House bill that seeks to establish a state farm-to-school program.

The program would be headed by a Department of Agriculture employee, who would serve as a liaison between school districts and Missouri farmers. The liaison would maintain a website serving as a database to connect schools with producers and help seek funding from grants and private donors.

The bill, sponsored by House minority leader Jacob Hummel, D-St. Louis, has gained support from a bipartisan group of more than 20 lawmakers and received a favorable hearing Tuesday from the House Agriculture Policy Committee.

“We can have our kids in Missouri eating the food we grow in Missouri. I think it’s a pretty common sense piece of legislation,” Hummel said at the hearing.

Already, 29 percent of Missouri districts participate in farm-to-school programs and 15 percent are looking to start soon, Hummel told the committee. But those districts face inconsistent rules about bidding and contracting for local produce and a lack of resources to help connect with local farmers.

Hummel and other proponents sold the program as an effective way to promote healthy eating to students, teach them about farming and where their food comes from and support local farmers and agricultural businesses.

Ronda McCullick, director of food service operations at Park Hill School District near Kansas City, testified in favor of the bill and told the committee her district wanted to source more food from local producers but struggled connecting with those farmers.

“I think we have a huge opportunity in the state, and school districts want to work with farmers but they don’t have the resources or expertise to do it,” she said.

The intent of the bill is to establish a systematic way to build relationships between schools and the farmers close to them, including a website that would have a database of farmers, the products they had available and when those products would be in season.

Rep. Linda Black, D-Desloge, said she was concerned with how the state’s growing season matched up with the school year and the difficulty of creating a consistent supply of food for school districts. McCullick said that was a challenge, but that her district worked with farmers to buy and freeze fruits, store some produce throughout the year and encourage farmers to use hoop houses and other tools to grow year-round.

“We are growing it, but we don’t know how to get together with the schools,” said Renee Seba, who grows blackberries and strawberries and sells them to the Park Hill district.

Seba said the bill would help provide farmers consistent rules for contracting with schools as well as the resources to grow the infrastructure needed to supply schools by offering grants.

The bill would not create any new funding streams, but does include a fiscal note for the cost of one full-time employee to help administer the program.

Committee chair Bill Reiboldt, R-Neosho, said he will include it in the committee’s omnibus agriculture bill that he intended to send to the floor.

House bills would elect state school board

Opponents of Common Core favor legislation

Zach Matson/News Tribune

Wednesday, April 9, 2014

Opponents of the Common Core education standards and their allies in the Missouri Legislature are looking to oust the State Board of Education — at the ballot box.

A handful of House resolutions considered at a hearing Monday night seek to put members of the state school board up for election. They are currently appointed by the governor and confirmed by the Senate.

“First of all, the parents want it,” said one of the sponsors, Rep. Bryan Spencer, R-Wentzville. “Second of all, the teachers that I talk to want it. They feel the system has gone awry, and the voice of education is not being best served.”

The witnesses who testified in favor of the plan tied the issue to what they say was an underhanded and opaque process of ratifying the Common Core standards. The standards were developed and approved by a national consortium of state education officials and adopted by Missouri’s state board in 2010.

Already this session, a Senate hearing on the standards has drawn a line of testifiers out of the committee room and down a long Capitol hallway. Both opponents and supporters of the standards have made their voices heard.

After Monday’s House hearing, Mary Byrne of Springfield said the standards were adopted “sight unseen and the substance is not the best ... we got that content because the process was wrong. There is evidence that the real goal is workforce planning not the general diffusion of knowledge to protect our rights and liberties.”

But some lawmakers and education groups argue opening state school board members to popular election will politicize the critical policy-making body and could lead to “big money” individuals dabbling with board elections.

“It seems kind of hard to imagine that we would get a better outcome in terms of not having politics be a key driving force in the decisions that relate to the regulation of our schools if we leap out to having an elected board,” said Otto Fajen of the Missouri NEA.

Rep. Gina Mitten, D-St. Louis, also highlighted concerns with state board candidates having to raise money for elections and said opponents of Common Core should seek legislative remedies rather than amend the Constitution.

“An amendment ... not only dilutes constitutional authority but subjects monied, partisan politics into the process,” she said. “(Board members) already are accountable to voters.”

Twelve other states share Missouri’s model of a governor-appointed board that chooses the chief state school officer, according to the National Association of State Boards of Education. Another 20 states also have governor-appointed boards and either elected or governor-appointed education chiefs.

Eight states, including Kansas, Colorado, Texas and Nebraska have elected state school boards.

In Missouri, the state school board is responsible for accrediting school districts, creating teacher development programs, approving charter schools, and, according to the state Constitution, “... supervision of instruction in the public schools.”

There are currently seven members on the state board, all men, and one vacancy. Board President Peter Herschend, a co-founder of Silver Dollar City in Branson, has served consecutive terms on the board since 1991.

Under the proposed amendment, board members would be elected from the state’s eight congressional districts beginning in 2016 and would serve terms of four years and be limited to two terms.

“We need to be able to recall people who have been so authoritarian in their approach to public education,” Byrne said.

Sen. Brian Nieves, R-Washington, has also filed legislation that would move the state school board into elections, but neither a bill nor a resolution he supports has received a public hearing on the Senate side.

On Tuesday, Senate Education Committee Chair David Pearce, R-Warrensburg, said electing state board members was not a high priority to him and wouldn't say whether he would give Nieves' legislation a hearing this session.

"I think we have a lot of issues that have to be addressed first — transfers, Common Core," he said. "The State Board of Education is a reflection of our state, I think the confirmation process works well. I think the status quo works."

Killer kidnappers could face death penalty sooner

Bill would expedite appeal process in cases of child victims

Zachary Matson/News Tribune

Tuesday, April 8, 2014

The Senate Judiciary Committee considered legislation Monday night to expedite the appeals process for defendants sentenced to death who had also kidnapped their victims.

Sen. Dan Brown, R-Rolla, the bill's sponsor, said years ago a friend of his and her two children were killed and placed into a pond on their property, and the two men convicted of the crime were "not suffering much."

"I knew this young lady from the time she was a child," he said. "So this has weighed heavily on my mind and hopefully we can do something to help some of these victims and maybe, maybe cause it to be a deterrent."

The legislation was introduced in light of the abduction and killing of Springfield 10-year-old girl Hailey Owens in February. Senators denounced the horrific crime on the floor of the Senate and said the killings of kidnapped children were especially egregious.

The expedited appeals process included in the bill would require these abduction and murder cases be prioritized on court dockets, mandate the supreme court set an execution date within ten days of appeals being exhausted and limit the time attorneys had to file appeals and briefs and the circumstances that extensions could be granted.

Brown indicated he was open to making changes to the bill and said he was in discussions with representatives of the state's prosecuting attorneys.

Executive Director of the Missouri Office of Prosecution Services Jason Lamb told the committee he was working with Brown on the legislation and was looking for a way to prioritize all cases with child victims in trial dockets.

“If this were looked at as a situation where in any case where there is a child victim, whether we are talking about child molestation case, child abuse cases ... looking at a similarly accelerated but still constitutionally protected appeals process,” Lamb said.

The bill solicited little discussion from the committee members, but Sen. Kurt Schaefer, R-Columbia, called attention to the horrific details of the crimes of death row inmates and reiterated a point he has previously made on the Senate floor and in interviews.

“If we are going to get into this discussion about the death penalty, we are going to have the level of detail that judges and juries and prosecutors ... have to get into in excruciating details,” he said. “When a jury makes that decision, it makes that decision based on those facts not some theoretical concept of the death penalty.”

Donna Roesle of Kansas City told the committee she had gathered more than 20,000 signatures on a petition calling for the expedited execution of defendants convicted of killing abducted minor children. She said the slaying of Hailey Owens had spurred her to act.

“After (Hailey) was abducted and killed, I was upset...” she said. “And I found out there were over 22,000 people who felt the same way I do.”

She said immediately after a person was found guilty of a child abduction and murder, he should be “executed and or castrated.”

Rep. Mike Kelley, R-Lamar, has filed a bill in the House that also attempts to expedite the death penalty process by requiring the state supreme court complete its mandatory review of all death sentences within thirty days and set an execution date of within 60 days of the completion of its review.

There are 41 inmates on Missouri’s death row, but a small number of them had abducted and murdered minor victims.

Clergy rally in support of Medicaid expansion, education

'We have gathered for a moral reason'

Zachary Matson, news@newstribune.com

Friday, April 4, 2014

A group of black clergy and other faith leaders stood on the steps of the Capitol on Thursday and continued to press the Legislature to expand Medicaid.

The speakers, from churches across the state, said expanding Medicaid was a moral imperative and also called on lawmakers to focus on improving education opportunities in unaccredited school districts and to reject voter ID laws.

“We have gathered for a moral reason,” said the Rev. Jimmy Brown of St. Luke Memorial Baptist Church in St. Louis. “It is immoral in this state to resist and oppose to provide health care to all of our citizens and to reject Medicaid is a rejection of that moral right.”

As he finished his speech in front of the Capitol, Brown invoked the biblical story of David versus Goliath.

“David told Goliath, ‘you come to me with all you powers, but I come to you in the name of the Lord,’” he said. “And we come to (Jefferson City) to declare that we stand on those moral principles ... and you know the giant did fall.”

The speakers accused lawmakers who oppose Medicaid expansion of ignoring the suffering of thousands of Missouri residents in the name of politics, but expressed hope that eventually the opposition would relent.

“There is no reason on planet Earth why Medicaid expansion is not going forward except that there are those who don’t care about the least of them,” said the Rev. Linden Bowie of Zion Travelers Baptist Church in St. Louis.

The Rev. Cassandra Gould of Quinn Chapel AME Church in Jefferson City focused her speech on education, saying it was a shame that children are being taught in unaccredited schools.

“(Lawmakers) have denied access to the precious little children ... denied them quality education, denied them from becoming full citizens,” she said.

About 60 people in all gathered beneath cloudy skies to hear the speeches, before taking to the Capitol to meet with six senators.

While the group of faith leaders focused on Medicaid and education during the event, they said they have other priorities they will continue to push for. Those priorities include: blocking voter ID laws, capping rates on payday loans, raising the minimum and reducing incarceration rates of minorities. They also indicated they will be gathering signatures to get an initiative petition to allow early voting on the November ballot.

Jim Hill of Missouri Faith Voices said he thinks it is a small group of senators keeping the Legislature from expanding Medicaid, and the opposition within the Republican Party is not as strong as perceived.

The Medicaid expansion debate has heated up since lawmakers returned from their spring break. Last week, a group of five Republicans took to the Senate floor and vowed to block any expansion legislation this session. On Wednesday, Republican senators John Lamping, Ladue, and Ryan Silvey, Kansas City, argued over the merits of accepting federal money to expand Medicaid eligibility.

Silvey in recent weeks has expressed support for finding a way for the Legislature to approve Medicaid reforms that included expanded eligibility. As the debate heated up, the underlying bill of Medicaid reforms without expansion was laid over.

After meeting with Silvey's chief of staff, the Rev. Vernon Howard of Second Baptist Church in Kansas City said Silvey was "a voice for reason and fiscal efficacy and moral vision in finding a Medicaid expansion solution."

Sen. Gina Walsh, who greeted the visitors in the hall outside her office, said she supported "full-blown expansion," but doesn't think the Senate is headed her way.

"I don't think there is a momentum in that direction, but I wish there was," she said.

Senate weighs startup grants for new businesses

Zachary Matson

Thursday, April 3, 2014

A House-passed bill to establish startup grants for new businesses in Missouri received a favorable hearing from a Senate committee on Wednesday. The grants would go to young companies that have won regional, national or international startup competitions.

The bill, sponsored by Rep. [Noel Torpey](#), R-Independence, would provide up to \$2 million in state funds each to nonprofits in Kansas City, St. Louis, Springfield and Columbia, and up to \$500,000 to two nonprofits in other parts of the state.

The nonprofits, dubbed [Early Stage Business Development Corporations](#), would first have to raise \$2 million from other sources before receiving the state money — \$150,000 for the out-state nonprofits. They would then be responsible for granting awards of up to \$200,000 to promising early stage businesses that "have potential regional, national, or international sales, or potential development of new technologies."

The state funding would be subject to appropriations each year and would be capped at a total of \$9 million; the House included \$4.5 million for the program in the budget it already passed this session. Torpey's bill passed from the House 134-19.

“The sticking point for so many of us is every year we’ve got to do a budget, and we’ve got to make decisions,” Sen. [John Lamping](#), R-Ladue, said. “We’d love to have the appropriators to have the right to make that decision, and as we are so very much aware that’s not the nature of our little tax credit programs....”

A St. Louis-based nonprofit, [Arch Grants](#), already gives businesses awards similar to those envisioned in the law, and three of the program’s grant winners told the committee the stories of starting their businesses and supported the legislation.

Steven Marciniak, co-founder and CEO of [TrackBill](#), a company that provides a desktop and mobile application for users to track legislation in all 50 state governments and Congress, said he sold his blood plasma to keep the company going during its early days.

The company now has six employees in St. Louis, is planning to hire five more in the next year and has raised more than \$650,000 to support its growth.

“That’s all due to the idea ... of being able to say, ‘you know what, we believe in these companies, we’re going to grow St. Louis,’ and that can happen across the state,” Marciniak said. “There are just so many opportunities there.”

The Senate committee also heard a much larger House-passed bill that would limit the controversial low-income housing and historic preservation tax credits and renew a tax credit for land assemblage of distressed areas. But some of the senators expressed a desire to limit the programs even further.

The bill would phase in a cap on the low-income housing tax credit from \$130 million in 2015 to \$110 million by 2019. There is currently no limit on the credits. It would also cap historic preservation tax credits at \$110 million. Bill sponsor Rep. [Anne Zerr](#), R-St. Charles, told the senators she was open to compromising further on limits to the programs if that’s what it took to win approval.

“That’s where we want to start the conversation,” Zerr said. “And I think we can come to some common ground.”

The bill’s proponents pointed to the [Northside Regeneration project](#), a large redevelopment project in St. Louis that has relied heavily on access to the distressed areas tax credit. They said the project was revitalizing long-abandoned parts of the city and wouldn’t have started without the credits.

“We are talking about an area in north St. Louis that has been abandoned for 75 years,” said John Cross of Metropolitan Organizations Strengthening and Empowering Society in St. Louis. “Now we have an opportunity to transform this area and make it a place that is deserving of the people that live there.”

GOP senators vow to block Medicaid expansion

By Zachary Matson

Wednesday, March 26, 2014

More than two dozen people testified in favor of legislation to expand Missouri's Medicaid program at a House committee hearing Tuesday, and more than 2,000 witness forms from across the state were added to the stack of supporters, while none voiced opposition.

But five Republican senators stood on the Senate floor Monday and spent most of their first hour back after the week-long spring break pouring cold water over hopes the General Assembly might be moving toward expansion, vowing to block any expansion legislation that reached their desk this session.

"There is no path for Medicaid expansion in the state of Missouri this year," Sen. Brad Lager, R-Savannah, said Monday.

The committee on Tuesday heard testimony on three bills that envision expanding eligibility requirements for people to access Medicaid coverage or subsidies for federal exchange plans to 138 percent of the federal poverty line. At that level, the federal government picks up at least 90 percent of the cost to cover new beneficiaries and 100 percent for the next two years.

One of the bills, sponsored by Rep. Noel Torpey, R-Independence, also includes a variety of reforms to increase accountability of those covered and price transparency for health care services. One of those provisions would require people on Medicaid to be working or searching for work and to pay for a portion of their coverage.

"The eligibility changes and the reforms are linked together if we truly want to get something passed this year and further down the road," Torpey said.

The Missouri Chamber of Commerce, the Missouri Hospital Association, doctors, faith leaders and activist groups all supported the expansion plans, but the most powerful testimony came from a handful of Missourians who make too much money to qualify for Medicaid but not enough to qualify for support to buy health plans on the federal exchange.

"Doctors tell me to apply for disability, so I can get insurance. But who at 29 years old wants to be disabled? I don't understand: I work, I go to school... what about those people who actually work?" said Jamie Kanan of Potosi, who works two jobs, raises her five kids and goes to college part time. Kanan said she needs back surgery, because her abusive ex-husband beat her, but she cannot afford it.

“If we put trust in these (lawmakers), I hope they will put trust in us,” she said.

Jeri Landon, who is the sole wage-earner in a household with her disabled husband and adult daughter and is also a former cancer patient, said she forgoes regular screenings and fears her disease will return.

“I’m anxious about my health every day. If I get sick, who will take care of my family?” she asked the committee.

Todd Foltz of Gladstone told the lawmakers he suffers from multiple sclerosis and without insurance cannot afford the \$5,000-per-month costs for medications to treat his disease.

“I fall squarely in the Medicaid gap, and for me it’s becoming not just a gap but a crevasse, and it’s becoming not just frightening but terrifying,” he said.

Proponents argue expanding health coverage will help prevent worse diseases and higher medical bills from accruing, improve the overall health of the workforce, keep primary care physicians from leaving the state and is the moral thing to do. Heidi Miller, a primary care physician, told the committee she has hundreds of examples of patients who became sicker than necessary because they weren’t insured.

“Do you know what happens when you have a broken arm and no orthopedist to fix it? The same thing that happened 1,000 years ago or in third world countries, you either die or it heals crookedly,” Miller said. “You and your legislative partners can support my patients better than I can... none of my expertise comes to fruition if the meds are unaffordable.”

Rep. Chris Kelly introduced a bill to expand eligibility under the current system but has said he also supports the reforms in Torpey’s bill. He argued that Medicaid expansion and the federal dollars that would accompany it was good for the state budget. He pointed to the fiscal note on his bill that says expansion would increase state general revenue by nearly \$50 million this budget year and \$150 million next year.

“Here is the ironic thing, if any of us would isolate the amount of things that would come to our community... the amount of economic benefit that would accrue from this bill... (that representative) would be crowing from the rooftop,” Kelly said.

Despite the wide support, Medicaid expansion faces stiff opposition in both of the Legislature’s Republican-controlled chambers. House Speaker Tim Jones, R-Eureka, told The Associated Press there was little “appetite for (expansion) this year.”

On Monday, Sen. John Lamping, R-Ladue, said there was a better chance of repealing the Affordable Care Act at the federal level than there was of expanding Medicaid at the state level.

“This is done, it’s not happening, find something else to do, get on a plane and go convince the federal government to repeal Obamacare, because you have a better chance of getting that done,” he said.

Clemency sought for changed man

Zachary Matson/News Tribune

Friday, March 21, 2014

Lawyers for Jeffrey Ferguson, who is scheduled to be executed next Wednesday, plan to file a clemency request this morning, arguing he should be spared because he has taken responsibility for his crime and devoted his life to service within the Potosi Correctional Center.

Jennifer Herndon, one of Ferguson’s attorneys, said the clemency request would include 12 to 15 supporting affidavits from people who have known Ferguson, attesting to his work in the prison’s hospice program, as a clerk for the prison’s chaplain and on panels for the victims of violent crimes.

“We are trying to get the governor to consider clemency not because (Ferguson) has stayed out of the way and hasn’t gotten in trouble, but because Potosi is definitely a better place because Jeff is there,” Herndon said. “There isn’t one person who disagrees with this, there isn’t one person who is like ‘you say he is a good guy, but I know this and this about him,’ because it isn’t there.”

Herndon said she thinks this is the strongest argument for clemency she has been involved in and also said there was staff at the prison that told her off the record they think he deserves a reprieve.

At an event organized at the Capitol on Thursday by the anti-death penalty group Missourians for Alternatives to the Death Penalty, Herndon and others laid out the argument that Ferguson has served as a model inmate and his execution would be a significant loss to the prison community.

A childhood friend of Ferguson’s, Richard Hayes of the St. Louis-area, said Ferguson has atoned for his crime and become a new person in the more than 20 years he has served in prison.

“Jeff has made a conscience, serious and sustained effort to be the best citizen he can and has repeatedly stated how deeply sorry he is for the grief he has caused his

victim's family," Hayes said. "There is more to Jeffrey Ferguson than the short bio below his prison picture."

Ferguson was convicted of the 1989 abduction, rape and murder of 17-year-old Kelli Hall in St. Louis County. Ferguson has said he does not remember the crime, because he was drunk and on drugs the night it happened.

"For no good reason at all, I don't know why I was involved, why I did it, but I did it and there was no excuse for that... it was the worst day of my life," Ferguson said in a video clip shown at the Thursday event. "I got convicted and sentenced to death and hurt all the people I loved."

Ferguson's supporters hope his good behavior in prison and the testimony on his behalf will make for a more palatable clemency plea than those Gov. Jay Nixon has recently denied, which have focused more on inmates' mental stability and the fairness of their punishments.

Dennis Schisler, who has volunteered at prisons since the 1990s, said Thursday was the first time he has publicly spoken on behalf of an inmate. "I have deep respect for Jeff, his low-key way of caring for people and how he prays for those who were injured by criminals and the criminals who face the death penalty," he said.

Lawyers for Ferguson and other death row inmates are also pursuing a federal appeal for a stay of execution that argues the secrecy of the source of Missouri's lethal drugs makes it impossible for the condemned to know whether their execution will cause unnecessary pain, but the U.S. Eighth Circuit Court of Appeals has previously rejected those arguments.

If the execution moves forward, Ferguson will be the fifth person put to death by Missouri since it broke a nearly three-year execution hiatus in November.

Missouri Faith Voices group presses lawmakers on core issues

Zachary Matson

Wednesday, March 12, 2014

A group of faith leaders rallied beneath the Capitol Rotunda on Tuesday, calling on lawmakers to expand Medicaid, increase education funding and allow early voting in Missouri.

Pastors and other leaders of congregations across the state held the fifth annual rally at the Capitol to push their agenda and meet with legislators, but their priorities are not the same as those of the Republicans that control both chambers of the General Assembly.

Speakers tied Medicaid expansion and other issue to their deeply held moral beliefs and expressed an understanding of Christianity that focuses on serving the poor, feeding the hungry and caring for the sick.

“God is not happy, and we are not happy,” said Doyle Sager of First Baptist Church in Jefferson City. “Healing will only occur when dignity is granted to every child of God in Missouri ... Economic dignity and racial equity are not favors we are seeking, they are rights we are claiming.”

They called out lawmakers for using divisive politics to pit people against one another and serving special interests and not the people they represent.

“We are here to remind elected officials that they work for us,” Sager said. “We are supervising our employees, and some of our employees haven’t been doing so well.”

Vernon Howard, the pastor of Second Baptist Church in Kansas City, pointed to a saying that graces the walls of the Capitol. His voiced boomed across the first floor and drew shouts of “amen” from the crowd of around 150.

“We assemble in this building with a phrase within our hearts that the importance seems to have been lost to the Missouri Legislature,” he told the crowd, as many rose to their feet. “That phrase is written in Latin to remind all who serve in this building: the welfare of the people ought to always be the supreme law in this state.”

The priorities of the faith coalition face steep hurdles in the Legislature, where Republican lawmakers have stridently opposed an expansion to the state’s Medicaid rolls.

Many of the lawmakers who stand in the way of expanding Medicaid and other priorities of the faith groups share their deep reliance on faith but differ in how their understanding of that faith translates to the political arena.

Sager said the political dichotomy is a result of a difference in viewing religion “as totally private or as a social component of the Gospel.”

“Jesus taught all faith is relational,” he said. “Private piety is not the totality of the Christian message. The teachings of Jesus and his miracles were never about private advancement or private privilege, it was always about your relationship to God and your relationship to others.”

Directly tying the work of Jesus to the issue of health care in modern times, Sager said, “Jesus healed people so they could make meaningful contributions to their world.”

The coalition of faith groups, Missouri Faith Voices, attempted to place an initiative on the 2012 ballot to cap payday loan rates at 36 percent but came up one

congressional district short of gathering the requisite number of signatures to put the question to the entire electorate.

While the Secretary of State has approved similar initiatives for circulation this year, Jim Hill, the group's president, said it was "unlikely" they would push to get the issue on the ballot this year, because it was already late in the year.

"But we certainly aren't going away," Hill said.

Hill and Sager said the group would hold more rallies at the Capitol this session and continue to meet with lawmakers and introduce them to the "real people" impacted by Medicaid or the lack thereof.

Experts concerned about Medicaid work rules

By Zachary Matson/News Tribune

Tuesday, March 11, 2014

As a House committee began work on a Medicaid reform bill raising eligibility requirements to win significant federal funds, legal experts said tying eligibility to a work requirement would not pass muster with federal officials.

The bill, introduced by Rep. Noel Torpey, R-Independence, and co-sponsored by Rep. Jay Barnes, R-Jefferson City, includes a variety of reform provisions that aim to reduce health care costs and encourage Medicaid recipients participate more in their own health decisions and care.

But most of the reforms are contingent on receiving a waiver from the Department of Health and Human Services to implement a Medicaid plan that doesn't conform to federal laws. St. Louis University law professor Sydney Watson and lawyer Joel Ferber of Legal Services of Eastern Missouri said the provision requiring a beneficiary work or look for work was likely a non-starter with federal officials.

"The problem is that this language is an additional eligibility requirement," Watson told the committee. "The more productive avenue may be instead of tying workforce participation to eligibility, to seek a waiver to incentivize work." She suggested notifying beneficiaries of work training programs they qualified for.

Another provision would require recipients pay one percent of their income as a premium for the Medicaid services. Torpey said the cost-sharing requirement was critical, because "it's important to have ownership. ... It helps folks moving forward to say I pay my share, I participated."

Barnes acknowledged the work provision was a step further than other states gone in receiving waivers. But he said it was fair to ask people work or looking for work if they want to receive Medicaid coverage.

“I think its only fair that we require an able-bodied person to actually work before they qualify for Medicaid,” Barnes said. “Missourians are willing to help those who are willing to help themselves, but are not willing to help people who can work but choose not to out of laziness or whatever reason it is.”

Republicans on the panel also took the opportunity to knock the Obama administration for waiving or delaying other provisions of the Affordable Care Act.

“The nice thing about these waiver discussions is the Obama administration has made it clear if there is any way to interpret a statute any way, they will do it,” Barnes said.

Another provision of the law would require health providers, such as hospitals and private practice doctors, supply patients with a cost estimate of potential procedures if requested.

Daniel Landon of the Missouri Hospital Association asked the committee to put more of the onus on providing cost information on insurance companies, which are already required to give a patient information about cost-sharing, and know more about the actual cost to the patient.

“Is there any other facet of our economy where pricing is so opaque?” Barnes asked the bill’s sponsor.

Other provisions discussed at the hearing would allow school districts to establish health clinics for students, teachers, staff and members of the community; force the Missouri Department of Social Services subsidize private plans for Medicaid participants if it would be more cost-effective; and allow hospitals to establish urgent care facilities to divert “frequent-flyers” away from unnecessary emergency room care.

“We share your effort to encourage patients to receive the right care at the right time at the right place,” said Randy Jotte, a St. Louis emergency room physician. He discussed a program at Barnes-Jewish Hospital that used teams of doctors, social workers and others who worked to coordinate care for patients that relied on the emergency room for all types of care but said it required additional funding.

Other Republican-sponsored bills have been introduced in the Senate and House but don’t include the expanded eligibility of Torpey’s bill. In multiple votes on the Senate side, all Republicans have rejected attempts to attach expansion amendments to various pieces of legislation.

Gov. Jay Nixon has made expanding eligibility a priority this year, and has signaled he would not support Medicaid reforms if they were not tied to expanding eligibility.

Barnes, the committee chair, said he plans to hold two more hearings after the legislative spring break. He said the next hearing will focus on health care delivery models, and the final hearing will look at eligibility levels.

Transfer bills differ on allowing private options

Zachary Matson

Saturday, March 8, 2014

As the Missouri House began to take up bills seeking to address the school transfer issue that has flared in the state's unaccredited districts, some provisions included in a version the Senate passed last week have faced skepticism from representatives and testers.

A provision that would classify individual schools and allow inter-district transfers within accredited districts has drawn the most skepticism from members, but some lawmakers argue it is important to intervene in individual struggling schools before the entire district loses its accredited classification.

On Wednesday, the House Elementary and Secondary Education Committee continued to hear testimony and question the specifics of bills sponsored by Reps. Rick Stream, R-Kirkwood, and Mike Cierpiot, R-Lee's Summit.

While the two bills share many of the same provisions, they differ on their approach to allowing private options for transfer students in unaccredited districts.

Cierpiot's private option only kicks in when all of the superintendents within a reasonable bus ride of the unaccredited district said there were no more spaces available for transfers. It would also be funded with a tax credit for donations into a scholarship fund.

"I'm trying to find a way to do something that helps these children without bankrupting the sending districts," he said.

In Stream's bill, the private option is funded by the sending district and would be available alongside other out-of-district transfer options.

"Every child needs to have access to high quality as soon as possible," Stream said. "My definition of as soon as possible is today, tomorrow, certainly by next school year."

The tuition rate in Stream's bills goes farther to ease the financial burden sending districts of subsidizing transfer students. His bill would set the tuition rate at 70 percent of the receiving district's per-pupil cost. He said he did not know of any receiving districts in St. Louis that had to add teachers or classrooms because of the influx of transfer students.

The Senate bill includes a provision that allows students in unaccredited schools in accredited districts to transfer to new schools in that district. Neither of the House bills would expand the transfer option to districts that weren't unaccredited.

Missouri NEA representative Otto Fajen told the committee the individual building accreditation was a significant policy change and would present a variety of unintended challenges. "We implore you to think twice before intervening too quickly in specific schools before districts can make those choices," he said. "This is a pretty significant change."

Some House members, however, said it was important to intervene as early as possible and look at struggling schools before they overwhelmed the entire district.

"My concern is we know there are accredited districts that have high performing and struggling buildings in the same district," said Rep. Kathryn Swan, R-Cape Girardeau. "I hate to wait to pull in an assistance team to a building that is provisionally unaccredited because hopefully the district will never become unaccredited."

Stream's bill would create review teams of teachers, parents, local stakeholders and education experts from inside and outside the district that would study the problems of the district and make mandatory improvement recommendations in provisionally accredited districts.

But Democrats pushed for more funding to implement the improvement interventions in struggling districts. "There is no guaranteed funding for those programs; we lay out specific interventions but there is no funding and that means nothing for my district," said Rep. Michael Butler, D-St. Louis.

Some of the lawmakers and people who testified on the bills questioned the underlying premise of the transfer law and questioned whether moving students was really doing a better job of teaching them.

"Are we solving the problem by just shifting the students around?" asked Rep. Genise Montecillo, D-St. Louis. "My worry is we are just masking a problem not making it any better."

Mike Lodewegan, who testified on behalf of the Missouri Association of School Administrators, told lawmakers he was disappointed with how the debate over the transfer law had unfolded this session.

“This issue is a lost opportunity given the way the conversations have been going,” Lodewegan said. “We seem to be all about choice, but not about school improvement, which is disappointing.”

New funds sought for early childhood education

Pre-kindergarten efforts can carry big return on investment

Zachary Matson/News Tribune

Thursday, March 6, 2014

Proponents of early childhood education pushed lawmakers to expand state funding for pre-K programs at hearings in both chambers over the past week, and provisional and unaccredited districts could see additional pre-K money this budget cycle.

On Wednesday, the Senate Education Committee heard two bills sponsored by Sen. Joe Keaveny, D-St. Louis, which would add students in pre-K programs to the educational funding formula. One of the bills would add all students in those programs run by school districts, and the other would add just students on free and reduced lunch to the formula.

In the House last week, Reps. John Wright, D-Rochepoint, and Kathryn Swan, R-Cape Girardeau, presented their bill that adds just free and reduced lunch students to the formula.

Last year, Wright filed a bill to fund all 3- and 4-year-olds in district-run pre-K programs. The bill carried a fiscal note well in excess of \$500 million, which, he said, scared off many Republicans. Keaveny also said the price tag has made a broader bill a tougher pitch in the Senate.

But supporters agree no matter the cost to the state on the front end, the long-term savings from reduced remediation, fewer dropouts, less incarceration and more active workers and taxpayers are enormous.

“All the studies indicate the return on investment is between \$7 and \$12 dollars for each dollar spent,” Keaveny said. “We have kids who don’t know their ABCs, can’t tie their shoes... teachers are fighting an uphill battle from day one.”

Wright said his and Swan’s bill would prioritize unaccredited districts and begin funding them in the first year, provisional districts in the second year and expand funding to all districts in the state after the formula was fully funded.

The \$80 million price tag for adding free and reduced lunch pre-K students to the formula was a small price to pay for a program that could save the state hundreds of millions of dollars in the long run, Wright said.

At both hearings, a long line of supporters testified in favor of the bills, including directors of early childhood centers, the Missouri Chamber of Commerce, Missouri NEA, the American Federation of Teachers and the Department of Elementary and Secondary Education. No one testified against the bills at either hearing.

“Missouri is falling behind the power curve on workforce development and school readiness, because we don’t have a strong early childhood structure, particularly in the lower performing districts,” said Judy Dungan of the Missouri Children’s Leadership Council, a coalition of groups that advocates on children’s issues.

The early childhood education issue has been wrapped in with the debate over what to do with unaccredited districts. While an amendment to add Keaveny’s bill to the larger student transfers bill that the Senate passed last week was ruled out of order, lawmakers who may not agree on how far to go in funding pre-K programs agree unaccredited and provisionally accredited districts are a good place to start.

House Budget Chairman Rep. Rick Stream, R-Kirkwood, said Wednesday he plans to include around \$8 million in this year’s budget to let unaccredited districts in St. Louis and Kansas City and provisionally accredited districts expand pre-K opportunities. In the long run, however, he is not sure how far to go in providing similar opportunities to all districts across the state.

“The key is there should be pre-K in districts that are struggling, most other districts have private and public (pre-K options),” Stream said. “I’m not sure the state needs to be involved there.”

Other lawmakers questioned the claims that early childhood advocates make about the long-term impacts and point to studies of Head Start programs that show students who attended Head Start and those who did not were at the same learning level by third grade.

“Academically you don’t see a change with pre-K,” said Sen. Ed Emery, R-Lamar. “Are we going to be back here next year where we have pre-pre-K... and one day we just take them over on day one and the state raises (kids)?”

Senate passes school transfer bill

House panel picks up issue for first time

Zachary Matson/News Tribune

Friday, February 28, 2014

Within hours of the Senate giving final passage of its version of a bill that allows student transfers out of struggling schools and districts, a House committee took up legislation dealing with the issue for the first time this session.

The Senate approved its bill 27-5 Thursday after devoting more than 12 hours of debate over the past two days. [The bill](#) would accredit individual schools across the state and only allow a district be classified as unaccredited if 55 percent of the schools in that district were unaccredited.

It would allow students in unaccredited schools to transfer to accredited schools within their district, and in unaccredited districts, students could transfer to neighboring districts, charter schools or private, nonsectarian schools that met certain requirements.

“It’s a perfected version, but it’s not a perfect bill,” said the bill’s sponsor [David Pearce](#), R-Warrensburg. “We have a long way to go.” On the floor, senators recognized they were still big steps away from sending a bill to the governor’s desk and would have to make more compromises once the House took up the issue.

Under current law, unaccredited districts are required to pay transportation and the per-pupil cost of the receiving district for each transfer. As hundreds of students left unaccredited districts, those costs have overwhelmed budgets and forced the [Normandy School District](#) in St. Louis to request \$5 million from the Legislature to fund the rest of the school year.

The Senate’s bill addresses the tuition dilemma by allowing the local boards of receiving districts to decide whether to charge less than its per-pupil cost. If the board reduced the cost to 90 percent, the state would kick in 10 percent of the tuition rate. If the receiving board dropped the tuition to 70 percent, the assessment scores of the transfer students would not be counted against the district in its overall performance assessment.

Senate President Pro Tem [Tom Dempsey](#) said the transfer situation unfolding in the St. Louis area, and potentially Kansas City and other districts across the state, must be addressed by the Legislature this session.

“It’s been a very dramatic situation throughout the St. Louis metropolitan area, and it’s likely to get worse if we don’t address it,” he said. “Many concessions were made ... with as little upheaval to surrounding districts, to the rest of the state, and to our budget.”

On the House side, the [Elementary and Secondary Education committee](#) discussed a bill sponsored by [Rep. Rick Stream](#), R-Kirkwood. [The bill](#) includes similar provisions to what passed in the Senate but focuses more on creating opportunities for charter schools to expand to unaccredited districts and eases the tuition burden on sending districts even more than the Senate’s version. Stream’s bill places the tuition rate to

be paid by sending districts at 70 percent of the receiving district's cost and an additional 5 percent that goes to a transportation fund.

Unlike the Senate version, Stream's bill would accredit individual buildings in only provisional and unaccredited districts. While it includes a provision to create a statewide district to oversee struggling schools, Stream said he was open to stripping that provision since the concept seemed to have died in the Senate.

"The goal is to have kids stay in their local district first in an accredited building, because they must be doing something right," Stream said of prioritizing transfers within district.

The bill would establish assistance teams to analyze the problems in provisionally accredited districts and make mandatory recommendations for the district to improve. Members of the committee said they think it is important to emphasize keeping districts from sliding into unaccredited status.

"You have to understand what the problem is before you try and fix it," said [Rep. Genise Montecillo](#), D-St. Louis.

[Rep. Michael Butler](#), D-St. Louis, said he thought improvement strategies would only be effective if they were paired with an investment of additional money to pay for them. He pressed Stream, who also chairs the budget committee, to include funds this year that could be dedicated to implementing improvements in underperforming districts.

"What I don't see in this bill is funding," Butler said. "It means nothing for my district to get individual improvement measures but no investment into those measures."

Stream's bill also includes the provision that drew the most controversy in the Senate — the option to transfer to private schools with local, public funds. While the House committee didn't dig too deeply into the provision, the strongest dissents in the Senate were over its version of the new option.

"That to me is the beginning of a voucher program," said [Sen. Paul LeVota](#), D-Independence, who voted no. He said he wanted to send a message to the House that "if more of this stuff comes over, we won't accept it."

Senate endorses school transfer bill

Zachary Matson/News Tribune

Thursday, February 27, 2014

The state Senate gave initial approval Wednesday night to a bill to fix the law that allows students in unaccredited districts to transfer to new schools.

Senators cleared one of the biggest hurdles by agreeing to a compromise on how to calculate the tuition sending districts would be forced to pay for each transfer student.

The bill, as approved by the Senate, classifies all individual schools and allows students in unaccredited schools to transfer to accredited schools within their district. It also creates a threshold of 55 percent of schools becoming unaccredited before the district does. That would save Kansas City Public Schools and the Normandy School District from unaccredited status.

Sen. Maria Chappelle-Nadal, D-University City, said the bill was “one of the most important pieces of legislation in 30 years” and an exercise in faith and trust among the senators.

Under current law, unaccredited districts are required to pay transportation and the per-pupil cost of the receiving district for each transfer. As hundreds of students left unaccredited districts, those costs overwhelmed budgets and forced the Normandy School District in St. Louis to request \$5 million from the Legislature to fund the rest of the school year.

On Wednesday, the Senate approved an amendment, offered by Sen. Eric Schmitt, R-Glendale that would allow the local board receiving districts to decide whether or not to charge less than its per-pupil cost. If the board reduced the cost to 90 percent, the state would kick in 10 percent of the tuition rate. If the receiving board dropped the tuition to 70 percent, the assessment scores of the transfer students would not be counted against the district in its overall performance assessment.

“It leaves it up to a local decision to accept less than the per-pupil costs,” Schmitt said.

The provision would also incentivize the receiving district to give a tuition discount to the sending district, Schmitt said.

“I don’t feel that responsibility ought to be born by the receiving district. It’s a state law from 1993 and the state is codifying the process now.”

Sen. David Pearce, R-Warrensburg, who sponsored the bill, said he thought the tuition amendment was a good compromise to help ease the financial strain on sending districts.

“We are trying to discourage and reduce the number of transfers to begin with,” he said. “It shouldn’t be an undue burden on receiving districts, and (the amendment) gives them local control.”

Pearce said he hopes the legislation will be further negotiated with the House, signed by the governor and become law before the new school year.

The Senate also approved amendments that:

- Allow the state school board to lapse a district it expects won't make it to the end of the year financially,
- Restrict the state school board from classifying a district as unaccredited if no member of the board comes from that district's congressional district, and
- Allow future lawmakers to appropriate funds to be used for extended school days and years.

Once 55 percent of a district's schools lose accreditation, the district would be classified as unaccredited, triggering the transfer option. Affected students would first take open seats in accredited schools within the district; once those seats are full or if none existed, the students would have the option to transfer to a neighboring district, a charter school or a private, nonsectarian school with preference going to low-achieving students.

On Tuesday, the Senate rejected an attempt to strip the private school option, but approved stronger requirements to govern the private schools that could accept transfers.

Sen. Kurt Schaefer, R-Columbia, won approval of an amendment that allows the state board to lapse a district or enter into an agreement with a district the board "reasonably believed" did not have the financial resources to make it through the school year.

"It short changes those kids, when you put them in that position," Schaefer said. "We're not gonna fix these problems by taking more and more general revenue from the state... its unfair to the other districts." He said the amendment would place accountability on the state board to predict the type of financial chaos Normandy currently finds itself in.

Sen. John Lamping, R-Ladue, said he was concerned attaching lapsed districts onto neighboring districts could create a cascade of failure and ever-growing districts.

"We'll have rolling unaccreditation, rolling bankruptcy and at the end of the day we'll have huge school districts teetering on the edge of accreditation," he said. Ultimately, he predicted, the entire school funding mechanism would "break down when receiving districts say 'we are not raising our taxes any more.'"

Other provisions in the bill include: restricting promotion from fifth to sixth and eighth to ninth students who are not proficient in math and English; establishing reading programs and personalized learning plans in St. Louis, Kansas City districts; creating three regional education authorities to oversee student transfers; allowing

struggling districts to implement a policy to make home visits available to parents; among others.

The Senate gave the legislation approval on a voice vote and will need to pass a roll call vote before sending it to the House and could do so as early as today.

The House plans to hear its first bills dealing with transfers at a committee hearing today.

Senate ethics panel ponders limits for campaign gifts, lobbyists

Zachary Matson, The News Tribune

Wednesday, February 26, 2014

State senators heard two bills to limit campaign contributions and lobbyist expenditures at a hearing of the Missouri Senate Rules and Ethics Committee on Tuesday.

The bills' sponsors cited a perception from the public that special interests and wealthy donors dominate the political process in Missouri.

"The public perception of politicians in this state, it's not good, it's not good at all," Sen. Jamilah Nasheed, D-St. Louis, said. "Many of our constituents believe we are bought and paid for by special interests. ... We can dispel that myth."

Nasheed's bill would cap contributions to all candidates at \$2,600 and would bar General Assembly members and their staff and family from accepting travel and tickets for sporting events and concerts from lobbyists.

"People throughout the state are becoming more and more cynical each day. ... they are not becoming involved because they believe the special interest groups control what happens here," Nasheed said.

Senate President Pro Tem Tom Dempsey raised a concern with Nasheed's bill about how it would affect candidates running against someone who had already raised money under the current rules and whether that candidate would have an unfair advantage over someone who has to raise money under the new rules.

Dempsey also pointed to the national situation, where there are contribution limits, but "it hasn't done anything. ... to reduce the influence of money in politics or change the perceptions of the people we serve."

The second bill was sponsored by Sen. Will Kraus, R-Lee's Summit, and would limit campaign contributions on a sliding scale with limits for statewide candidates at

\$10,000, for state senators at \$2,500, and for state representatives at \$1,000. It would also enact caps for contributions between political committees.

“My constituents overwhelmingly support (campaign contribution) caps,” Kraus said.

Kraus’ bill would also bar legislators from accepting lobbyist gifts larger than \$50, require former legislators wait two years before becoming a lobbyist and restrict fundraising activity in public buildings.

“The perception out there is that we need to do an ethics bill,” Kraus said. “When people are vocal, that is when something will happen.”

No one testified for or against either of the bills, and the committee members gave little indication of where they came down on the issue or how to approach reforms.

After the hearing, Dempsey said he thinks the Senate could move an ethics bill this session but was concerned with attempting to cap campaign contributions. He said the courts have ruled that contribution caps limited free speech, and the U.S. Supreme Court had yet to rule on aggregate contribution limits.

He said the major components he would like to see in an ethics bill includes limits on lobbyist expenditures and more transparency for nonprofit organizations involved in political activity. Currently, certain nonprofit groups are not required to disclose their donors.

“People should know who is giving to committees that are supporting or opposing candidates,” he said.

The House also heard a slew of ethics bills on Tuesday, including bills with similar to provisions to what is in Nasheed’s and Kraus’ bills.

Senate sends payday loan bill to House

By Zachary Matson/News Tribune

Friday, February 21, 2014

The state Senate gave final passage to [a bill that eliminates payday loan rollovers](#) and creates the option for extended payment plans. The bill passed 20-13, with a handful of Republicans and all but one Democrat voting no.

The bill’s sponsor [Mike Cunningham](#), R-Rogersville, said the bill is the first meaningful reform and regulation of the payday loan industry since he has been in the Legislature.

“Some people thought the bill went too far, some people thought the bill didn’t go far enough, so I guess it was a good compromise,” he said. “It’s the first time we have any actual meaningful reform.”

But Democrats and some of Cunningham’s Republican colleagues did not agree, arguing the reforms does little to address concerns that the loans trap borrowers in endless cycles of debt. Eight Democrats and five Republicans voted no.

“I’m just not sure that it’s not more of a shroud for the industry than it is a solution to the concerns ... It looks to me like we are passing something even though it may not do anything,” said [Sen. Ed Emery](#), R-Lamar, who opposed the bill.

Emery said he would like to see reforms that require more transparency from the industry about the specifics on the loans, which are often complicated financial agreements being signed by people with little financial knowledge.

[Sen. Kurt Schaefer](#), R-Columbia, also opposed the bill, but said he still thinks it is possible he could support a reform package that returned from the House.

“I had some concerns about the level of reform,” Schaefer said. “We’ll see what the House does with it, I think ultimately we could end up with something that is a positive reform package.”

[Sen. Joe Keaveny](#), D-St. Louis, was the only Democrat to support the measure. The payday loan bill will now head to the House.

Senate panel advances school transfer bill

By Zachary Matson/News Tribune

Friday, February 21, 2014

A bill to address the school transfer and accreditation problems facing Missouri schools will head to the Senate floor next week for debate.

The Senate Education Committee on Thursday approved [a single bill that combines elements](#) of a handful of bills that have been heard and debated by the committee since the beginning of the session.

Among a variety of provisions, the bill will accredit individual school buildings and require transfers from unaccredited schools in unaccredited districts to first take open seats in accredited schools within that district before transferring to a neighboring district.

[Sen. Maria Chappelle-Nadal](#), D-University City, offered and won approval of an amendment that would allow students from unaccredited schools to transfer to

nonsectarian private schools paid for with local public funds. The committee approved it 7-3.

“Having multiple options available to students in struggling districts is the aim,” Chappelle-Nadal said. “I want to ensure that all children that live in the wrong zip code have options.”

[Sen. Jason Holsman](#), D-Kansas City, was the only member of the committee to vote against the consensus bill and pointed to concerns with allowing local taxpayer funds to be used for sending students to private schools. He was also troubled by the fact there was nothing in the bill that would compel private schools to accept transfer students.

“This is a big departure and break from anything we’ve done in public education before,” Holsman said.

The committee bill would also establish three regional education authorities — one in St. Louis, one in Kansas City and one for the rest of the state — that would oversee the transfer process. Directors appointed by the governor and approved by the Senate would govern the regional authorities.

A provision to create a single statewide district of struggling schools, offered by committee chair [Sen. David Pearce](#), R-Warrensburg, was widely criticized during committee hearings and at recent state school board meetings. Pearce has said this was an option he hoped was more amendable, because it includes additional local control.

Pearce has made the transfer issue a top priority in the committee and was praised Thursday by members for his work in getting a bill out of committee. After the hearing, he stressed the importance of the issue and giving the full Senate a chance to debate it at length and would like to see a final bill approved before the legislative spring break in mid-March.

“I think people are really looking to the Senate for leadership. I think the House is looking at us, the governor is, the state board of education, and they want some direction on this issue,” Pearce said.

The bill also requires the accreditation of all individual schools across the state, as well as charter schools. The state board would not be able to classify a district as unaccredited until at least 65 percent of the district’s schools are unaccredited.

Since the 1993 law that allows for students in unaccredited districts to transfer requires the unaccredited district to shoulder those costs, unaccredited districts like the Normandy school district in St. Louis County have spiraled into financial chaos. The bill creates a supplemental tuition fund in the state treasury that will pay the difference between the tuition calculation of the receiving and sending districts.

Other provisions would allow provisionally accredited and unaccredited districts to extend the length of school days or school year; require the development of personalized learning plans for students in struggling schools; require parental notification once a district became unaccredited; and, restrict students in districts other than St. Louis City and Kansas City from advancing from the fifth to sixth and eighth to ninth grades without scoring proficient on state assessments.

“It is so important to get the debate going,” Pearce said. “I’m just thrilled to get it out of the committee and start the process to see what the will of the body is.”

Senate Majority Floor Leader [Ron Richard](#), R-Joplin, and Senate President Pro Tem [Tom Dempsey](#), R-St. Charles, said Thursday they hope to begin debate on the transfers bill next week and possibly approve legislation to send to the House before the spring break, which begins after the Senate adjourns March 13.

Senate advances bill to tighten payday loan rules

Loan rollovers would be barred

Zachary Matson, news@newstribune.com

Thursday, February 20, 2014

The Missouri Senate gave first-round approval Wednesday to a measure that would end payday loan renewals and allow for extended payback plans, but some senators still don’t think it goes far enough in regulating the controversial industry.

[The bill](#), sponsored by [Sen. Mike Cunningham](#), R-Marshfield, would increase payday loan licensee fees from \$300 to \$500, require additional rules for posting the annual interest rates of the loans, and would prohibit borrowers from rolling their debt into a new loan.

The Senate has to pass a final roll call vote before the bill can be sent to the House.

The rollovers in particular and the loans broadly have been harshly criticized for targeting the poor with predatory practices, trapping them in endless cycles of debt. Supporters of the loans say they are the only short-term loans available for people that aren’t approved by banks and credit unions.

“I think it’s a huge step whenever you stop rollovers,” Cunningham said after the vote. “It’s a huge step we have taken, and we will see where it goes.”

[John Lamping](#), R-Ladue, called the measure a “small step” toward imposing stricter regulations on the payday loan industry, but also said it was a compromise within the industry and not between the industry and its chief opponents. He has introduced bills in the past to create a database of the loans, so lenders could not

give loans to borrowers with outstanding debts elsewhere but has not been successful.

“From what I gathered, (the bill) makes for an ever-so-slightly better situation than consumers currently find themselves in,” Lamping said. “Getting stuck in the financial trap will be a slower process, it will take longer for it to happen.”

During the floor debate, [Sen. Maria Chappelle-Nadal](#), D-University City, proposed an amendment to require \$1 from every loan transaction be sent to the education foundation formula, but Cunningham and others argued the extra fee would be passed on to borrowers. It was rejected by a 23-8 vote.

Nadal and other Democrats pointed to the fact that payday loan stores are often located in poor, urban areas, and the borrowers often lack basic knowledge about financial matters. They also admitted the loans are sometimes the only option for people that need to borrow money to pay bills or feed their family.

“One of the things I see is people going from one payday loan to the next and the next, it’s an endless cycle,” Nadal said. “Many of the people who are borrowing from these different entities don’t have the education that we would desire.”

The extended payment plans would allow the borrower to payback the loan over up to four months without accruing additional interest. During the payment plans, the lender could not give the borrower another loan until the first was paid off, and the borrower can enter into only one payment plan with a lender in a given year.

“I’m trying to protect your people, so they don’t pay more for these loans,” Cunningham told Nadal.

Over the past few years, opponents of the payday loan industry have moved their attacks out of the legislative arena and into the initiative petition process. In 2012, they came up one district short of gathering the sufficient number of signatures to get the issue onto the ballot. Their initiatives would cap the total amount of annual interest charged for the loans at 36 percent, a law the industry argues would force it to leave the state.

For its part, the industry fought the petition effort fiercely, creating its own petitions with conflicting and confusing language and challenging the validity of signatures in the courts.

The coalition of liberal and faith groups that pushed the petitions in 2012 have gotten similar language approved for circulation this cycle but have yet to decide if they will move forward with collecting signatures. They are also watching the legislation but do not think Cunningham’s bill achieves the regulation they would like to see.

“I don’t think that it accomplishes any significant improvements, in some ways it probably adds to the problem,” said Rev. Jim Hill of [MO Faith Voices](#), one of the groups that have organized on the issue. “I don’t think it accomplishes what we are interested in, limiting fees and interest to reasonable levels.”

Hill said the groups that gathered signatures last time are still in the process of deciding what to do this year but will likely have to come to a consensus soon. The groups are considering how the petition push will fit into their larger political priorities, which also include Medicaid expansion, and if they can make the push during a midterm election, which are traditionally more conservative electorates.

“We would have to begin pretty quickly if we were going to get on the ballot this year,” Hill said. “We have the systems in place and have a large base of volunteers committed to this... we are far better prepared to do it now and more aware of the types of challenges and opposition we will face.”

Bill adds flexibility on executions

Zachary Matson, news@newstribune.com

Thursday, February 20, 2014

[New legislation](#) could give the Missouri Department of Corrections the authority to choose any method it deemed appropriate to carry out executions — not just administration of lethal gas or chemicals.

Filed Wednesday by state [Sen. Kurt Schaefer](#), R-Columbia, the proposal comes after months of consternation over how the department has been carrying out the past few executions and a week before the next one is scheduled.

A raft of other death penalty legislation has been filed in both chambers, ranging from appointing a commission to study the process and develop a new protocol to repealing the death penalty outright or even instituting the firing squad as an option of the corrections department.

On Monday, the Oklahoma compounding pharmacy that had been supplying the department with pentobarbital agreed to not supply it for next week’s execution.

The department has provided for a backup method, which would rely on a lethal combination of midazolam and hydromorphone, according to court documents, but neither the department nor the governor have indicated what method will be used next week.

Gov. Jay Nixon insists the state is prepared to move forward with next week’s execution, but declined to say Wednesday if the department was planning to use pentobarbital or another drug or combination of drugs.

“We are prepared for the execution next week,” Nixon said Wednesday. He said the department handles the specifics of what lethal drugs to use for executions. “We have an execution protocol that is being followed by the department, and they have indicated that we are prepared to move forward.”

Michael Taylor, who is scheduled to be executed next week for the rape and murder of a 15-year-old girl in the Kansas City-area, filed a motion for a stay in federal court. The legal filing argues that any pentobarbital the state has is expired and the protocol does not allow for another combination of drugs to be used. Moreover, it argues that if the state was planning to use the midazolam combination, it would cause unconstitutional pain and suffering.

A deposition of a corrections employee in the court documents indicates that the state is in possession of the midazolam and hydromorphone combination. Ohio used the method in an execution last month that took more than 25 minutes, and Ohio and Louisiana have both halted executions for the next few months until the method can be studied further.

[Schaefer’s bill](#) would eliminate the language in Missouri’s death penalty statutes that specifically spells out the use of lethal gas or lethal injection as the two methods available for executions and replace it with any method “determined by the department of corrections.”

The department would be bound by existing state and federal case law that governs what methods of execution are appropriate, he said. If the department chose a method that required additional funding or resources, he would be willing to work with them to fill those needs.

He said opponents of the death penalty were attempting to put a stop to it by “interfering in the process of how the drug is acquired... without a public debate and transparent conversation about the death penalty.”

“They are basically using the difficulty of getting ahold of an execution drug, or the media and political pressure on the manufacturer of that drug, to basically do an end-around to change public policy,” Schaefer said.

Schaefer said he cut his teeth in the attorney general’s office prosecuting death penalty cases, and he hopes to take that expertise into the 2016 attorney general’s race, which he has already announced his candidacy for.

“Executing someone under the power of the state should never be just an administrative determination or anything that’s easy, it should be a hard decision and it shouldn’t be comfortable for anyone,” he said.

Lethal injections, lethal gas, electrocutions, hanging and firing squads are allowed under U.S. law, according to the Death Penalty Information Center, and would be available options to the corrections department under Schaefer's bill.

Richard Dieter, executive director of the [Death Penalty Information Center](#), said that Arkansas passed a similar measure to what Schaefer has proposed, but it was shot down by the Arkansas courts.

"The problem with such a law is that it delegates important decision making away from the legislature and to an unelected, unresponsive administrative function," Dieter said. "If too much gets delegated to administrative agencies, its like the agencies are making the laws and not the people."

He also said the secrecy surrounding the department's procurement of lethal drugs has caused the media and political firestorm that has ensued for the past months.

"Controversy around each execution is not new," he said. "It grows the more the state hides the ball, the more the state uses secrecy the more they invite inspection. ... When you say I have a secret, everyone wants to know."

For his part, Schaefer thinks the department is as transparent as it needs to be. "The process itself is never going to be a secret, and it shouldn't be," he said.

Senate advances bill to tighten payday loan rules

Loan rollovers would be barred

Zachary Matson, news@newstribune.com

Thursday, February 20, 2014

The Missouri Senate gave first-round approval Wednesday to a measure that would end payday loan renewals and allow for extended payback plans, but some senators still don't think it goes far enough in regulating the controversial industry.

[The bill](#), sponsored by [Sen. Mike Cunningham](#), R-Marshfield, would increase payday loan licensee fees from \$300 to \$500, require additional rules for posting the annual interest rates of the loans, and would prohibit borrowers from rolling their debt into a new loan.

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Republican lawmaker files Medicaid reform bill

Zachary Matson, news@newstribune.com

Wednesday, February 19, 2014

A Republican legislator from Independence filed a Medicaid reform bill Tuesday that would expand eligibility requirements to 100 percent of the federal poverty line and provide premium assistance for people between 100 and 138 percent to buy plans on federal exchanges.

State Rep. Noel Torpey said Tuesday evening the bill included reforms that were discussed at length during interim hearings during the fall and that it was important for Missouri to live within the reality of the Affordable Care Act and make changes to it where possible.

The federal health care law allows states to expand Medicaid to 138 percent of the poverty line and receive substantial federal funds to pay for the newly covered populations. The federal government will cover 100 percent of the cost for the next two years and 90 percent beginning in 2022. About half of the states have elected to expand Medicaid, but Missouri has continued to hotly debate the issue.

“Whether you like the Affordable Care Act or hate it, it’s the law,” Torpey said. “It’s not fair for Missourians to deal with (the law) as it is. We should make changes to it for Missourians.”

Reforms in Torpey’s bill include increasing the transparency of pricing for health services, rewarding good health behavior by eliminating some copays for people who do not abuse emergency room services, and penalizing people a percentage of their income if they continued to practice poor health behaviors.

“We want people to do preventive medicine,” he said. “We are rewarding good behavior and punishing bad behavior.”

He said it was not fair to give tax credits to people at 300 percent of the poverty line, as is provided in the federal law, but not help someone at 80 percent of the poverty line.

Gov. Jay Nixon and Democratic lawmakers have made expanding Medicaid a top priority, arguing it would cover nearly 300,000 uninsured Missourians, but House and Senate Republicans have continued to balk at expansion, instead calling for reforms to the currently eligible populations.

In the Senate, an amendment to expand eligibility to 138 percent of the poverty line was voted down 23-9 along party lines earlier this session. Sen. Rob Schaaf and Rep. Keith Frederick, who both served on the interim committees that discussed Medicaid, filed companion bills last week that would add more transparency requirements for pricing of health services among other changes, but would not change eligibility.

Torpey recognized that some of his Republican colleagues will be a tough sell on expansion, but said he thinks it’s an important discussion to have. “If there is great pushback in a particular area, we can make changes. It’s a starting point, and it’s important to have the conversation, because (the law) is not going away.”

Rep. Jay Barnes, R-Jefferson City, is a co-sponsor on the bill and has pushed his colleagues to consider expanding eligibility since last session, and Torpey hopes the number of supporters will grow as the bill makes it way through the process.

“Hopefully, when people start looking at and talking about it, they will feel more comfortable to co-sponsor — on both sides of the aisle,” Torpey said.

State board unveils plan for troubled districts

Zachary Matson, The News Tribune

Wednesday, February 19, 2014

Education officials unveiled their plan for dealing with troubled districts and schools at a state school board meeting Tuesday. The plan would establish performance contracts between provisionally accredited districts and the state board with annual targets and specific interventions and consequences.

The board also moved to take control of the finances of the unaccredited Normandy school district, which has asked the Missouri Legislature for \$5 million to help it get through the end of the school year.

“This plan reflects the best information we can put together at this time, the best recommendations we can make at this time,” Education Commissioner Chris Nicastro told the board.

The plan would retain the current accreditation classifications, but overlay a five-tier system with a sliding scale of state intervention and mandated district accountability.

For accredited districts, if any individual school scored below 70 percent on annual assessments, the district had a significant achievement gap or was trending downward on districtwide assessments; the local board would be required to submit a comprehensive improvement plan to the state. The local board would still retain oversight of implementing the plan with optional assistance from the state.

“Early intervention is critical, and we need to pay attention early on,” deputy commissioner Margie Vandeven said.

For provisionally accredited districts, a review team of Department of Elementary and Secondary Education staff would complete an audit of the district, analyzing the district’s teacher and leader effectiveness, quality of instruction and governance and financial status. A regional improvement team of local stakeholders would be formed and would include the district superintendent, board members, teachers, parents and others.

The improvement team would provide the guidance to create the district’s accountability plan, which would form the outline of a contract between the local school board and the state board. The contracts would include annual targets, showing the district was improving annual proficiency scores and could include a timeline for improvement or loss of accreditation.

“At tier three, you either win or go home, and by the time you get to tier four you are out of business ... so your last opportunity to be in control is right here,” board vice president Mike Jones said of provisionally accredited districts in contract with the state board.

Jones added that districts would not “get a chance to stay here for 20 years ... Either the change works or we become the change — I want to be very clear about that.”

When districts did become unaccredited, the department and state board would assume even greater control and could choose to retain the elected board or replace it with a special administrative board or a special administrator that reported directly to the commissioner. Students would be able to transfer to neighboring accredited districts. The department would also appoint a fiscal monitor who would “hold the checkbook” of the district and oversee its finances.

The department had yet to run a financial analysis of the potential costs of the plan, Nicastro said, and it would likely require more staff and funding for the department to carry out.

“In order to implement, it would likely require additional staff, additional resources, or new ways of allocating resources,” Nicastro said.

Board president Peter Herschend said the plan was intended to help all districts across the state and further discussion about how to address the state’s three unaccredited districts was still needed. The three unaccredited districts are Normandy and Riverview Gardens in St. Louis and Kansas City Public Schools. Eleven other districts across the state are provisionally accredited. The unaccredited and provisionally accredited districts account for about 62,000 students.

“We also need to separate in our mind the impact of transfer and the issue of how we deal with the education of kids in unaccredited schools — that is the 600-pound gorilla in the room,” Herschend said.

The state board considered a variety of plans submitted from districts and education organizations at a work session last week, with consensus building around the negotiated contracts approach. During that work session, the board also dismissed the idea of a statewide achievement district or a governor-appointed board to oversee struggling schools, which has been a part of some bills introduced in the Legislature.

Meanwhile, the state Senate has made a transfers fix a top priority this legislative session. Last week, Senate President Pro Tem Tom Dempsey, R-St. Charles, asked the state board “to keep in mind the Legislature’s prerogative to set public policy, as well as its own statutory limitations, before making a decision to change our accreditation system.”

The Senate Education Committee has held public hearings on nine bills already this session, and chair David Pearce, R-Warrensburg, has said he hopes to move one or two bills to the Senate floor for debate before the legislative spring break beginning March 17.

After the Tuesday board meeting, Herschend said it would be at least 60 days for comments and public hearings and additional work from department staff before

the board would vote on a finalized version of the plan. He also said he did not want the board to get out ahead of the Legislature as it worked through possible statutory changes.

“It’s very important the Legislature has their vote,” he said. “We should not get in front of the Legislature — it’s not our job.”

Herschend said he hopes the Legislature would be comforted by the department taking control of Normandy’s finances and feel more confident about appropriating the requested funds.

The board’s next meeting is scheduled for March 21.

Education panel looks at new school transfer legislation

Condensing 9 bills into one or two

Zachary Matson/News Tribune

Thursday, February 13, 2014

The Missouri Senate Education Committee on Wednesday heard the last of nine bills dealing with the school transfer problem facing unaccredited districts in St. Louis and Kansas City, and will now begin the work of crafting one or two pieces of legislation that can be voted out of committee and sent to the floor for debate.

After the hearing, committee chairman Sen. David Pearce, R-Warrensburg, said he has tasked his fellow senators on the committee to consider the testimony for and against their particular bills and begin working with each other on finding areas of compromise.

Pearce said he and Senate President Pro Tem Tom Dempsey, R-St. Charles, hope to give the issue time on the floor before the legislative spring break the week of March 17.

“The bottom line is we can’t be married to any one piece of legislation,” Pearce said. “We need to work together to do what’s right for students.”

The proposals on the table approach the transfer conundrum in myriad ways, ranging from creating a statewide “achievement district” of struggling schools to accrediting individual schools within unaccredited districts and allowing students to transfer within their district.

Pearce’s proposal to establish the statewide district was criticized during the hearing and panned earlier this week at a state school board work session, where

the board unanimously opposed the approach. One of the state board members called the idea an “educational leper colony.”

The bill discussed Wednesday was sponsored by Sen. Jamilah Nasheed, D-St. Louis, and would create three “turnaround” options for unaccredited schools within low-performing districts:

- A “restart” model that closes the school and reopens it with an education management organization overseeing its operations;
- A “transformation” model that replaces the principal and implements changes to governance and instructional strategies; and
- A “turnaround” model that replaces the principal and at least 50 percent of the staff, granting the new principal flexibility to implement new operational strategies.

The bill would also allow the school board of a district to terminate teachers in unaccredited schools within that district if they were underperforming. Krista Meyer of the Missouri State Teachers Association told the committee that she thought the teacher termination provision in the law was unfair, because it did not require a hearing prior to the teacher being fired.

“Too often, we have teachers... and every single year students that come out of that class are below proficiency in the areas of math, science, reading comprehension,” Nasheed said. “If that’s the case, we need to look at how that teacher is teaching ... and we need to take extreme measures.”

The law that allows the transfers out of unaccredited districts has been in place for more than 20 years, but first took effect at the beginning of this year after being upheld by the Missouri Supreme Court in June. More than 2,000 students transferred out of the Normandy and Riverview Gardens districts, and since the transfer districts are responsible for covering tuition and transportation costs, they have spiraled into financial chaos.

The state board discussed various proposals at a six-hour work session Monday, and it plans to consider a draft proposal of its own at a Feb. 18 board meeting. The Senate has made the issue a high priority this session and devoted significant time to the different bills, but it remains unclear around what solutions consensus can be formed.

At the hearing Wednesday, a former educator told the committee she was disturbed by the fact that most of the bills accepted the underlying premise of the transfer law.

“I am upset with the seemingly universal acceptance of ‘transfer out’ as a means of solving the problem,” said Carole M. Bannes of the St. Louis-area. “What happens

when every school in Missouri is no longer accredited, do we transfer to Kansas or Illinois or Arkansas?... (This bill) does not address the causes of the problem, it simply changes the entity to be accredited from the district to the school.”

Education officials eye remedies for struggling schools

Zachary Matson/News Tribune

Tuesday, February 11, 2014

While the board was clearer about proposals it could not support, it did show consensus around establishing a process by which it would negotiate contracts with troubled districts. The substance of the agreements would include specific expectations from the state and what happens if those targets weren't met within a set period of time.

In some cases, those consequences might allow neighboring districts to run schools within the troubled or establish charter schools. In other cases, the failing district might become unaccredited or shuttered outright.

The board was in agreement about dismissing proposals to establish a statewide district of underperforming schools or a centralized office or governor-appointed board to oversee and manage troubled schools across the state.

“I like the idea of the (state) having oversight, but to set up a district of failing schools doesn't ring well with me at all,” Board Member Victor Lenz said. Board Member Mike Jones called the idea of a statewide district of troubled schools akin to establishing an “educational leper colony.”

Department of Elementary and Secondary Education staff listened carefully to the board's feedback and plans to develop a draft plan to introduce at the Feb. 18 board meeting.

The specifics of how and between whom the contracts would be negotiated remained unclear, but the board and staff were eyeing plans that allowed the department to study the district and tailor deals with that specific community. The agreements would seek to provide the districts with support for improvement, while also maintaining significant leverage if they could not improve.

“While I think you can negotiate individual deals, I don't think if we are going to get there we can afford to give up any leverage,” Jones said. “You can get more with a kind word and a gun than you can with just a kind word... I think we need to keep the gun.”

Board Member Joe Driskill raised questions about whom exactly the state would be negotiating with. “Who do you negotiate with if you have a failed board, failed

administrators? Do you negotiate with the same people that caused the failure?” he asked. “It sounds really great to do locally negotiated agreements ... but we have to keep those things in mind as well.”

Board Member Charlie Shields said he thinks the contracts are about lending a helping hand while still letting the districts know expectations are high and improvements are necessary.

“We provide the opportunity to improve, saying these are the expectations, we provide the support, we will provide any level of expertise that you want,” Shields said. “But if you fail to improve, then you have to provide the students in your district other educational opportunities.”

Those other educational opportunities would include letting neighboring districts run schools in the failed district or establishing charter schools that had strict accountability targets.

Looking at individual schools

With the new MSIP-5 state assessments, the department now collects performance data for all individual schools in Missouri. Board members showed interest in looking more carefully at underperforming schools in fully-accredited districts, but did not commit to how strongly they would intervene in those schools.

“It’s a very positive move to stop the failure as early as we can,” Lenz said. “We need to start intervening in failing schools as early as possible ... inside any failed school in any districts; we need to start looking at it before it goes to the whole district.”

Board President Peter Herschend said it was a shift in how and where the department expressed its authority over troubled schools toward school campuses as opposed to the district. But he also said while dealing with the immediate problem of unaccredited districts, the board should not get hung up on a policy that would look at all schools across the state.

“I think we should have voice into a failed school within a performing district, but I would not start there, I would get there, but I wouldn’t start there,” he said.

There was also discussion between the board and department staff about whether it was possible to waive the board’s rule on determining accreditation based on multiple years of data, creating an easier route to remove the unaccredited label from districts and bypass the transfer law altogether.

“If we wanted to say these districts are no longer unaccredited, we are changing our rules on that... is there a statute that prohibits us from doing that?” Board Member Russell Still asked.

But Herschend and other members said they could not support a change to classification standards that aimed to remove unaccredited districts from that status.

“Normandy is a failed district; I am unwilling to change the classification just to get around it... In my opinion, we would be out of line,” Herschend said.

Jones said the notion of doing something like that embodied the essence of the debate about how to deal with the transfer issue.

“This is the heart of the entire conversation ... This board has done the right thing by raising performance standards, and we are now here; so if we are going to redefine our way out of the transfer law then we at least ought to have the courage and say that’s what we are doing rather than trying to make it look like we are doing something else.”

One common goal: to educate our children

With a table full of school transfer plans, state officials wrangle with fixing accreditation problems

Zachary Matson, news@newstribune.com

Sunday, February 9, 2014

There’s at least one thing everyone can agree on when it comes to finding a solution for the student transfer pickle facing Missouri’s unaccredited school districts and potentially all of the state’s schools.

“We all have a common goal: to educate our children,” said [Sen. Gina Walsh](#), D-St. Louis, at a January meeting of the Senate Education Committee.

“At the core of it all ... the children need to be educated,” said [Rep. Clem Smith](#), who represents most of the [Normandy school district](#), which is at the center of the transfer problem and could go bankrupt by the end of the school year if the Legislature doesn’t step in.

“Everybody in this room has the same thing in mind, and that’s to provide the best education to our students in the state of Missouri,” said [Sen. David Pearce](#), R-Warrensburg, as he presented a bill to the education committee.

And at public hearings across the state, parents and teachers had the same thing to say.

“We need to make sure our public schools are funded well to provide a quality education for all children of Missouri,” said Normandy school board member Terry Artis at a meeting in St. Louis.

“We have everything we need ... but we need to stop shaming,” trauma expert Beth Sarver said at another meeting in Kansas City.

But when it comes to the larger question of how to make schools the best they can be and the more immediate challenge of getting Normandy through the rest of the school year, a long list of ideas and underlying tensions face lawmakers, state education officials, and the parents, teachers and students who will be impacted most by any changes.

Ever since the state Supreme Court ruled a provision in a 1993 law that allows students in unaccredited districts to transfer to schools in neighboring districts was constitutional, state officials and lawmakers have called the status quo unsustainable and kicked in to high gear to develop solutions.

More than 2,000 students transferred out of Normandy and [Riverview Gardens](#) school districts in St. Louis County, moving to schools in Ferguson-Florissant and other neighboring districts at the beginning of the year. Since the law requires the unaccredited district to pay the transportation and tuition costs of the transfers, the Normandy and Riverview Gardens districts have fallen into a financial death spiral, just as they are most in need of resources.

While the number of transfers is expected to be lower next school year, Normandy officials say they can’t make it to the end of the year without the \$5 million supplemental budget included in [Gov. Jay Nixon’s](#) budget. Superintendent Ty McNichols, who began the job last summer, told the Senate Appropriations Committee that, without the money, seniors might not have a “prom and graduation this year.”

“The \$5 million ... it’s not to pay for teachers, it’s to pay for programs after school, so our kids have somewhere to go, so they’re not in the streets. It’s to give our kids after school clubs to participate in things like chess, so they can build on their skills — that’s what we’re talking about,” McNichols said at a hearing Monday.

But the \$5 million is a stopgap measure to keep Normandy from going bankrupt. Riverview Gardens and [Kansas City Public Schools](#), which are both unaccredited, and a handful of provisionally accredited districts across the state could soon find themselves in a similar position if education officials and the General Assembly do not act.

The [Missouri Department of Elementary and Secondary Education](#) sought the input of organizations around the state and country, analyzed a handful of plans and listened to input from the public at communities in St. Louis, Kansas City, Springfield

and Sikeston. The state school board plans to discuss the different plans at a work session Monday and give the department guidance to develop a draft plan to present at the Feb. 18 board meeting.

The department's goal, Education Commissioner Chris Nicastro said, was to develop a plan to support and "if necessary intervene" in underperforming districts. She also hopes the department's plan will lay down markers as lawmakers go about developing their own solutions.

Meanwhile, the state Senate has made the issue a legislative priority this session and devoted significant time in the education committee. They've already heard eight bills and expect at least one more this week. Pearce said he hopes to have a consensus bill from the committee for floor debate before the legislative spring break in late March.

Sen. Walsh and a bipartisan group of four other St. Louis-area senators presented their "starting point" legislation at a January hearing. The plan accredits individual schools within unaccredited districts, allowing students to transfer within their district and provides more opportunities for districts to sponsor charter schools in unaccredited districts.

"(The bill is) by no means a finished product, but we thought it was important to as best we can speak with one voice as a St. Louis delegation," said [Sen. Eric Schmitt](#), R-Glendale.

More than a dozen bills have already been filed in the Legislature that address the transfers, and DESE and the state school board are considering a slew of other proposals from education groups and school districts as well as public input.

Ideas under consideration run the gambit: accrediting all individual schools in the state, accrediting all schools in just the unaccredited districts, allowing students to transfer within their current district, creating a statewide "achievement district" that would oversee underperforming schools, establishing more charter schools for transfers, among many others.

Some of the changes DESE will implement itself, but others will require legislative action, and it remains unclear how the politics will shake out. While the Senate has made the issue a high priority, [House Speaker Tim Jones](#), R-Eureka, indicated at the beginning of the session he was not all that concerned with the transfers. Hang-ups over charter schools, capping tuition costs, how to plug funding shortfalls and allowing districts receiving transfers to set standards for class size and student-to-teacher ratios could derail any legislative fix.

Finishing the year

Raquan Smith, a senior at Normandy High School, was in the eighth grade when the Wellston school district lapsed and was forced to merge with Normandy. He had to transfer schools then, and said that was the one transfer he wanted to make.

“I felt like I already came from one home to another — I made Normandy my home, my second home — and to be told you can go somewhere else, it doesn’t mean anything to me. I feel like I’ve made Normandy my home, so I shouldn’t have to leave again to go to another one.”

Smith testified in favor of Normandy’s supplemental budget at the Senate appropriations hearing, and he told the senators the specter of closure hung over the school and its students.

“You’re doing something and something is holding you back from performing at full potential,” he said. “Dealing with SAT, ACT, trying to get college ready, having this weighing on our shoulders is hard on the seniors. To not know whether you’re gonna have a graduation or a prom kind of takes away your motivation or your ambition to even do anything.”

At the same hearing, McNichols urged the lawmakers to approve the bailout, and said the district was beginning to turn the corner toward more engaged teaching and learning and addressing the child’s entire condition.

“Our kids come with a lot of abilities, but they don’t have a lot of experiences in which to make those abstract connections to,” he said. “Our kids are committed, our kids can learn, they just don’t have a lot of background, and they don’t have a lot of external resources to offset school.”

But some of the senators expressed concern the supplemental money would set a bad precedent. [Rep. Sue Allen](#), R-Town & Country, suggested taking the money out of the formula and not general revenue as a way to show other schools that they are all in the same boat.

“The other concern is the domino effect,” said [Sen. Kurt Schaeffer](#), R-Columbia. “Are we gonna be right back here in three more years with somebody else sitting there in that seat, and it’s their district, and we have the same problem?”

If Normandy failed and its students were moved to neighboring districts such as Jennings or St. Louis City — two provisionally accredited districts — those districts would have a difficult time sustaining the influx of new students and could slide into unaccredited status.

Senate takes the lead, House waits

The bipartisan St. Louis plan accredits all individual schools within unaccredited districts and allows both unaccredited and accredited districts to sponsor charter

schools for students in unaccredited districts; it also allows unaccredited districts to extend the length of the school day and school year. Accrediting by school wouldn't help Normandy, because they have just one middle school and one high school, neither of which would be accredited.

The plan would also require students to take any available space at an accredited school within the district before transferring to a new district and would require all school districts publish a policy that determines its capacity and how many students it could accept through the transfer process, as well as establish a clearinghouse to coordinate student transfers.

Sen. Pearce's plan establishes a statewide "achievement district" overseen by a three-member board appointed by the governor with the advice and consent of the Senate. It accredits all individual schools in unaccredited and provisionally accredited districts and transfers all underperforming schools in unaccredited districts and some underperforming schools in provisionally accredited districts to the "achievement district."

Pearce gives the state district the power to manage schools assigned to it, oversee facilities, develop a community outreach plan to engage local stakeholders and make employment decisions, including requiring all staff to reapply for their job. And like the St. Louis plan, it requires students to take any available space at an accredited school within the district before transferring.

[Sen. Maria Chappelle-Nadal](#), D-University City, dominated much of the first two hearings, peppering her fellow senators and witnesses with a bevy of questions and pointing out many flaws in the different bills.

"Are we going to allow individual schools to be looked at very carefully ... or are we going to wait until the district falls off a cliff?" she asked of waiting to accredit individual schools until after the district lost accreditation.

On Wednesday, Chappelle-Nadal took to the witness table herself and presented her detailed plan. It accredits all schools across the state and doesn't allow a district to lose accreditation until 65 percent of the individual schools are unaccredited. It also limits the amount of time a special administrative board can serve to seven years, considers transient students when scoring schools and would not allow students to advance from fifth to sixth or eighth to ninth grade without scoring proficient on state assessments.

Pearce said the goal of the hearings was to "be persistent but give plenty of time for discussion and debate and to digest the different bills."

He said the goal was to move forward with one bill if possible that could combine features from the various plans and gain the support of the committee. He hoped the

full Senate would be able to give the legislation ample debate on the floor before the spring break.

“We don’t want to rush it, but we want to show that it is a top priority this session,” he said.

Appropriators will have the final say, Pearce said, but he thinks the best way to move forward is to grant Normandy the \$5 million supplemental budget out of general revenue.

The House is waiting and seeing. At the beginning of the session, Speaker Tim Jones indicated he was not as concerned with the transfers as senators said they were. House Elementary and Secondary Education Committee Chair [Rep. Steve Cookson](#), R-Poplar Bluff, said his committee was waiting to see how the Senate would address the issue and would take up bills similar to what the Senate was putting together.

DESE and state board set to act

DESE and the state school board have also sprung into action, holding numerous public meetings across the state. They have also solicited input from various education organizations in the state and a private consulting firm that studies the Kansas City district.

The [Missouri School Administrators Association](#), the [Missouri Charter Public Schools Association](#) and the [Missouri School Boards Association](#) have all kicked in their own plans and guiding principles.

At recent public hearings at Paseo Academy and the University of Missouri-St. Louis, hundreds of parents, students, teachers and other interested residents packed auditoriums, lining the walls of large theaters and gave Missouri officials pieces of their minds. Members of the state board and commissioner Nicastro sat in the front rows and listened.

The speakers expressed deep concern and resentment with how the department has handled the transfer situation and the overall accreditation process, but they also took responsibility for not becoming engaged in the schools’ challenges earlier and showed a sense of optimism about moving forward.

At times, the attacks on Nicastro and the board were emotional and direct.

“Has anyone considered the idea that maybe DESE should be unaccredited? And that maybe the state school board should be replaced by a special administrative board — just a thought I’d like to share with everybody,” Artis said at the UMSL meeting to a loud round of cheers and applause.

Speakers questioned whether the plans would privatize schools or take control away from local boards.

“The state administrators don’t intend to do a damn thing but continue the chaos. They are not educators, they are administrators and politicians,” said Lezell Smith, who taught in the Kansas City district for 35 years. “Highly degreed (officials) often are higher than the level of the problems.”

In Kansas City, they argued they earned provisional accreditation last year and should not be subject to transfers, asking the board to take its time with a decision. “We are asking the state board to take their time to look at the plans and not rush to a decision,” said Anita Russell of the [Kansas City NAACP](#).

A woman from [Trauma Matters KC](#) said just by labeling districts and schools as unaccredited or failing, the state is doing significant damage.

“It’s not that we don’t have kids that can’t learn or teachers that can’t teach ... the problem is we have trauma ... and when we shame people, we’re shutting down the brain,” Beth Sarver said.

At the UMSL meeting, Artis said the district had developed a “reformation” plan and that McNichols was the man to carry it out.

“It’s a more holistic approach to the child, the family, the community, the economic circumstances and all of those things that impact learning,” Artis said.

The easiest and simplest of the solutions discussed at the meeting could be summarized in two words and one letter: universal pre-K.

“There is no such thing as a silver bullet, but if there is, pre-K is it,” said Byron Clemens said, who is the director of an early childhood center in St. Louis.

On Friday, Reps. [Clem Smith](#) and [Courtney Allen Curtis](#), who both represent Normandy and its neighbors, spoke about the problem and the way forward.

“DESE and legislators need to be looking at Normandy’s finishing out the end of this school year,” Smith said. “It’s important. I don’t know if there’s ever been a school district to shut down with three, four months left. You’ve got seniors, juniors, making college plans.”

Smith said a lot of the underlying challenges stem from economics and a lack of good jobs. “You also had a shift in attitudes toward education ... I don’t think it’s exclusive to Normandy, but you have to be involved in your child’s education or nothing will happen.”

He said he thinks transfers can continue but that there need to be changes in where and how students are able to transfer and the way that DESE goes about scoring schools for accreditation. Smith said he was open to accrediting individual schools and increasing the role of charter schools but not in favor of a statewide district for underperforming schools.

Curtis also said it was important to focus on the urgency of the challenges facing the Normandy district and making sure the solutions in the short-term would have an immediate impact and weren't "just window dressing."

"We have to keep trying and keep innovating in how we deal with these problems," Curtis said. "It's not going to happen overnight, but it can happen over time."

News Tribune reporter Bob Watson and The Associated Press contributed to this report.

Committee eyes school districts' bond debt limit

Fast-growing districts like Blair Oaks need more capacity

Zachary Matson

Thursday, February 6, 2014

A House education committee Wednesday considered asking Missourians to allow school districts to take on more debt than currently allowed when issuing bonds.

The measure was a resolution that would put a constitutional amendment on the November ballot to increase the amount of debt school districts could take on from general obligation bond sales from 15 to 25 percent of the district's assessed value. The amendment would have to be approved by voters statewide.

The resolution's sponsor, Rep. Myron Neth, R-Liberty, said fast-growing districts run up against the current debt ceiling and aren't able to make needed investments in expanding facilities to accommodate more students.

"Liberty is one of the most impacted districts in terms of growth, and we can't keep up with growth," Neth told the committee. "We stay maxed on bonding, because we always have to build ... (The school board) has to get creative in terms of how we finance things, and we still need some extra capacity."

A handful of bankers testified in favor of the resolution, arguing that issuing general obligation bonds was the most efficient way to finance new construction. They also said that districts with especially high growth in residential areas have smaller tax bases, because residential properties are assessed at lower amounts than commercial properties.

“Districts generally try to be efficient borrowers, but the debt limitation sometimes pushes them to the less efficient methods (like revenue bonds or leasing properties),” said Jim Moody, who spoke on behalf of a Kansas City investment firm.

Superintendent Jim Jones of the Blair Oaks School District also testified in support of the bill. He said the district was fast growing and beginning to push up against the capacity of its existing facilities.

He said the district passed bonds in 2005, 2007 and since 2009 the school board has considered options for addressing the facility needs by over a 25-year horizon. Options include building new schools or adding to existing ones.

“(The amendment) provides communities with the flexibility to address educational facility need, and no one knows the needs more than the local community,” Jones said.

Jones said Blair Oaks has the bonding capacity to build half of a new school now, and they would have to wait to build the second half six years later when the bonding capacity opened up again. The cost of financing a new school that way could be triple what it costs to build all at once. “(The amendment) would provide communities with the ability to efficiently use fiscal resources.”

But some of the House members raised concerns over districts taking on more debt than they could handle and asked who was left to foot the bill if a district went bankrupt with outstanding debt obligations. Leslie Holloway of the Missouri Farm Bureau Federation said the members of her organization had voted overwhelmingly against the idea of increasing the debt limit for school districts.

“Our members are very concerned with districts that may get beyond their capacity to handle the debt that has been incurred,” she said.

When districts issue bonds, they need approval of a two-thirds majority of voters in their boundaries. The amendment under consideration would require the approval of two questions when bonds are issued: one to go above 15 percent and the other with the precise amount of debt being allowed.

Pro-life group wants tax-credit to exclude research on human cloning, stem cell

‘Angel networks’ legislation panned

Zachary Matson, news@newstribune.com

Sunday, February 2, 2014

A tax-credit bill that would benefit technology startups and their investors passed out of committee this week with strong bipartisan support, but Missouri Right to Life has raised a stir over pro-life protective language they want included in the legislation, and any new tax credits are a heavy lift in the Senate.

Susan Klein of the pro-life group testified against the measure at its first hearing of the session with the small business committee and at an economic development hearing, where the program is included in a much larger tax credits package.

The language she has asked to be included in the bill would explicitly bar the program from applying to companies that conduct research into human cloning or embryonic stem cells and has been included in previous legislation like the Missouri Works program.

“It’s better if there is even a question ... for that protective language to be there, so that our state dollars aren’t spent on unethical research,” Klein said.

But the bill’s sponsor, Rep. Noel Torpey, R-Independence, said he is confident the protections Klein is looking for are already included through appropriations bills, and he was disappointed she didn’t raise the concern prior to the public hearings.

“If they really were concerned with policy, don’t you think they would have talked to the sponsor or the chair of the committee... and she never did that,” Torpey said. “It’s not about policy, it’s about politics ... she should be ashamed.”

On Thursday, Klein rejected that politics were at play, and said the organization was prepared to stand against the bill until the protective language was included.

“Our lawyers believe that when you look at specific programs, you need to give clear direction within programs how to spend our state dollars,” Klein said.

The bill may also face challenges in the Senate. While it passed out of the House eight different times last session, it has fallen victim to a general distaste of tax credits among some state senators.

“It has always died in the past because of the constant battle regarding economic development,” said Sen. Jolie Justus, D-Kansas City, who has filed her own version of the bill in the Senate. “I think it’s going to be difficult to get a new tax credit passed until the folks who want to reform our existing programs are satisfied.”

Justus and Torpey think the program would be acceptable to the Senate but also think broader reforms are likely necessary before it could gain passage.

“At the end of the day, in the Senate they are going to have to look at tax credit reforms,” Torpey said. “I’m not sure if economic development bills are going to pass until we look at that issue as a whole.”

'Filling a gap'

The bill's proponents say the goal is to provide incentives to help "fill a gap" in business investment that is larger than what is usually provided by friends and families in the earliest days of a startup but still short of the much larger investments and loans provided by venture capital firms and banks.

Jake Halliday, who runs the business incubator at MU, said "angel network" investors make small and targeted investments in businesses with high growth potential. He said a Columbia-based group of angel investors he is a part of has invested in a cancer drug company, energy companies, agriculture and veterinary businesses and several software and new media ventures.

"There is a public purpose in stimulating more new venture creation and if these angels are taking such high risk with such high public benefit (they should receive tax credits)," Halliday said.

Currently, very few of the people who could qualify as angel investors actually do so, Halliday said, and a major advantage of the tax credit would be to bring those people off the sidelines.

"One of the impacts of incentives is that more people would be drawn in and learn the angel investment process, and more startups would benefit," he said.

He also highlighted competition from Kansas, where a similar tax credit program has been in place since 2005.

"We hear the sucking sound pretty well in Columbia," where, he said, two companies that began as spinoffs of MU research recently moved to Kansas to take advantage of that state's angel investments tax credits. "If I thought about it longer, there are probably more than two."

In Kansas, more than 200 taxpayers have claimed credits through the program each year since 2008. The total amount of credits that were subtracted from tax liabilities in those years ranged from \$3.3 million to \$4.6 million. In some cases, credits were enough to entirely wipe out what a taxpayer owed the state.

Missouri's bill would cap the total number of credits each year at \$6 million, but unused credits could roll over and be claimed the following year. Each investor could receive credits up to \$50,000 for an investment in one business and up to \$250,000 total each year. The credit would be worth half the amount of their investment. The program would sunset at the end of 2024.

Justus' bill wants panel to set execution protocol

Moratorium sought until commission established

By Zachary Matson

Tuesday, January 28, 2014

A state senator plans to introduce legislation today that would put a moratorium on executions in Missouri while a commission of lawmakers, lawyers, doctors and state officials study the state's lethal injection protocol and develop a new one.

The bill would go a step farther than a similar measure introduced on the House side by Rep. John Rizzo, D-Kansas City, which allows the commission to "make findings and recommendations as to how the administration of the procedures and protocols may be revised."

Sen. Jolie Justus, a Kansas City Democrat who, after redistricting three years ago, now represents Callaway County and five others in east-Central Missouri, said her bill would have "more teeth," because the commission would actually develop the state's new lethal injection protocol. She said the goal of the legislation is to bring the process out from under a "cloak of secrecy."

"It is completely unknown whether (the current protocol) is cruel and unusual, and the folks who are trying to sort through the method ... can't get any answers about what drugs are being used, where they are being compounded, whether it's in violation of state or federal law," she said Monday.

The new bill would be introduced less than 24 hours before Herbert Smulls is scheduled to be executed for killing St. Louis County jeweler Stephen Honickman in 1991. Smulls' attorneys have asked Gov. Jay Nixon for clemency and filed a motion with the U.S. District Court on Monday that argues the state's refusal to disclose the source of its lethal injection drugs inhibits their ability to prove the method could cause pain and suffering.

The Missouri Department of Corrections maintains that in order to acquire an adequate supply of pentobarbital — the drug listed as the state's primary lethal injection chemical — it must use a compounding pharmacy and keep its identity secret. A wave of media reports and public records suggest the corrections department is acquiring its lethal chemicals from an Oklahoma compounding pharmacy, which is not licensed in Missouri.

On Friday, the federal Eighth Circuit Court of Appeals ruled that the Missouri Department of Corrections was not required to disclose the compounding pharmacy that was supplying the state with compounded pentobarbital or the lab that was testing the potency and purity of the drug prior to its use.

The majority in that ruling held that the plaintiffs, a group of Missouri death row inmates, did not make a proper Eighth Amendment argument, because they “do not allege that the risk of harm arising from the State’s current lethal-injection protocol is substantial when compared to known and available alternatives.”

Three dissenting judges, however, wrote that the majority’s decision placed “an absurd burden on death row inmates ... (Requiring) the prisoners to identify for the (Department of Corrections) director a readily available alternative method for their own executions.”

Moreover, the dissent argued, “the challenge of proposing a readily available alternative method seems nearly impossible if the prisoners are denied discovery and, thus, unable to ascertain even basic information about the current protocol.”

On the Senate floor Monday, Justus and Sen. Rob Schaaf, R-St. Joseph, discussed the secrecy surrounding the state’s procurement of lethal injection drugs, suggesting state officials were illegally purchasing the drugs in cash and transporting them across state lines.

“To keep the identity of the pharmacy secret is outrageous,” Schaaf said. “There are so many more things wrong about this, we just don’t have time to talk about it now.”

Justus said she recognizes this is a tough issue, and that the condemned prisoners have been convicted of heinous crimes and that many victims’ families want closure, but she still thinks the state should be more open about how it is carrying out executions.

“Because there is secrecy over the process, we don’t know what’s true and what’s not true,” she said. “So I would like transparency first and foremost, so we can get answers, and then I want to make sure we have a protocol that is legal and ethical.”

Justus said the makeup of the commission in her bill would be similar to the one spelled out in Rizzo’s legislation, which includes one Democrat and one Republican from each chamber of the Legislature, a county prosecutor, a capital defense attorney, a public defender, the attorney general or his designee, two practicing physicians and one pharmacist.

The Associated Press contributed to this report.

Senators tackle state school transfer law

Zachary Matson

Thursday, January 23, 2014

A bipartisan group of St. Louis-area senators presented legislation at a public hearing in Jefferson City on Wednesday to clarify the school transfer issue that has flared in St. Louis and threatens to spread to Kansas City and other districts teetering on the edge of accreditation.

The senators said [the bill \(SB495\)](#) was a starting point and the results of months of back and forth among themselves and with interested parties, but it already began receiving pushback from district officials that said the status quo and the bill as presented would “bankrupt” unaccredited districts and Sen. [Maria Chappelle-Nadal](#) who argued it put too much emphasis on expanding charter schools rather than improving public schools.

Senate leaders made clarifying the school transfer law a priority after the Missouri Supreme Court upheld the provision in a 1993 education reform law that allows students from unaccredited school districts to transfer to neighboring districts. In St. Louis more than 2,000 students have already transferred from the Normandy and River Gardens districts.

The unaccredited districts are required to pay the tuition and transportation costs of the students that are transferring to new districts, and those districts say they cannot bear those costs while trying to improve their schools.

“This is a place the state has never been in terms of education policy,” Chappelle-Nadal said. “The amount of money that is leaving the (unaccredited) districts for the remaining students is limited to the point that there wouldn’t be any at all.”

The consensus legislation allows accredited districts to sponsor the establishment of charter schools in unaccredited districts; provides the option for districts to extend the length of the school year and day; clarifies the requirements that receiving districts have for establishing criteria to limit class size and the number of transfer students they accept; and establishes a clearinghouse that would process the transfer requests.

“This bill is our attempt to provide more options in unaccredited districts — not take away the transfer option — but provide other options for (those students) to get a quality education,” [Sen. Eric Schmitt](#) R-Glendale, said. “It’s by no means a finished product, but we thought it was important to as best we can speak with one voice as a St. Louis delegation.”

Phillip Boyd, assistant superintendent at Normandy school district, said the cost of paying for transfers was driving the district into financial chaos.

“The transfer law is crippling to the district because of all the tuition money that is flowing out,” Boyd said. “That is not a situation that has a rational outcome in terms of funding the district.”

He said he wanted a regional tuition model that would create a constant rate for transfer students, rather than having different tuition costs for each receiving district. Another idea Boyd and many of the senators thought was worth considering was accrediting individual schools within unaccredited districts to limit the number of students eligible to transfer.

Representatives from the Missouri Charter Public Schools Association and Missouri Students First testified in support of the bill, calling it a starting point that still needed work. The charter schools wanted to allow students to transfer to existing charters; Missouri Students First wanted the legislation to include a statewide achievement district and expanded scholarship opportunities.

Kansas City Public Schools Superintendent Stephen Green told the committee: “I come to you as an unaccredited school district and I have a problem with that.” He challenged the district’s status and said it was based on a two-year old designation that now put the district at risk of succumbing to the transfer provision.

If a quarter of the district’s population transferred at a tuition cost of \$15,000, Green said, the district would face a \$40 million shortfall in the first year. If tuition costs were reduced to \$11,000, he predicted a \$13 million shortfall.

“That would throw us into financial distress... there would be no choice, there would be no district,” Green said.

[Sen. Scott Sifton](#), D-Affton, said the status quo was simply unsustainable and the problems would spread to other districts across the state and changes this session were imperative.

“Looking forward I don’t think we can view this from a static perspective... this is a growing problem, there are lots of districts in provisional status,” Sifton said, still defending the concept of school transfers. “Can’t we all agree every child has the right to public education in an accredited school?”

Gov. Jay Nixon’s budget released Tuesday included \$5 million of supplemental funding to help assist in the district’s transfer and tuition costs of sending student to neighboring districts.

During his State of the State, however, Nixon devoted only one line of a speech that focused heavily on education to the school transfer issue.

“We need to fix the law that’s led to so much stress and uncertainty for families and schools, as thousands of students are transported from one district to another,” Nixon said to little reaction from the General Assembly or public galleries.

Nixon: Failing to expand Medicaid punishing Missourians

Zachary Matson, The News Tribune

Wednesday, January 22, 2014

Missouri Gov. Jay Nixon renewed his support of expanding Medicaid on Tuesday night during his State of the State address, but Republicans remain strident that reforms to the current system are necessary before expansion can be considered.

The governor's plan was greeted by the Republican-dominated General Assembly with a smattering of applause from the right side of the aisle and a standing ovation from the left and in the public galleries.

"The most significant improvement we could make to health and well-being of our state is Medicaid, and it needs to get done this year," Nixon said.

Nixon pointed to states that have accepted the federal funds provided by the Affordable Care Act to expand Medicaid eligibility to 138 percent of the federal poverty line, and said they were receiving more than \$5 million a day of Missouri tax dollars to implement their new programs.

"Each day we don't act, these states use Missourians' tax dollars to implement innovative reforms, like rewards for making healthier lifestyle choices and penalties for missing doctors' appointments," he said.

But Republicans in the Legislature continued to call for reforms to the current system before they would be willing to consider expanding the number of beneficiaries.

Sen. Gary Romine, R-Farmington, who led an interim committee on Medicaid reform during the fall and has introduced legislation that would put some of those reforms into law but not expand eligibility, said changes to the current system were necessary before legislators could "start the dialogue" on expanding eligibility.

"Our focus has got to be on the reforms," Romine said "No way I can beat the (expansion) arguments with my colleagues until we have a system we are comfortable with... It comes down to what is sustainable and what is good for our state."

Other Republicans raised the philosophical concerns of accepting federal money that is driving the nation deeper into debt.

"The problem that we've had with Medicaid expansion has been (the state) having an even stronger relationship with the (federal) government, when all they know how to do is borrow money," said Senate President Pro Tem Tom Dempsey, R-St. Charles.

“So, it’s not just tomorrow or one year from now — it’s how do the policies that we’re pursuing affect us five, 10 years and beyond?” Dempsey said.

Rep. Jay Barnes, R-Jefferson City, who led the House’s interim Medicaid committee, which never released a final report, said he would not introduce Medicaid legislation but expected other members would soon file reform bills.

Barnes was one of the few Republicans that applauded during the governor’s call for expansion to Medicaid.

“I heard him talking about Medicaid reform and dealing with eligibility,” Barnes said. “I didn’t hear anything out of the governor tonight that surprised me (on Medicaid).”

The governor included Medicaid expansion in the budget he released Tuesday evening — it assumed \$1.7 billion in federal funds and general revenue savings of more than \$77 million from moving beneficiaries who are currently served by the state into the federal program. Nixon and his budget director Linda Luebbering predicted that 297,000 new beneficiaries would be covered in the next fiscal year if Missouri expanded its program.

Luebbering said the number of new beneficiaries assumed take-up rates of 70 to 75 percent for average uninsured citizens and rates of up to 95 percent for the more severely disabled individuals with more significant health needs. The governor’s budget also included savings from additional care coordination, expansion of the state’s health homes project and expanded fraud protection efforts.

She said the newly eligible beneficiaries under expansion would be covered by care coordination models and not a fee-for-service.

Nixon used the speech to knock the rollout of the federal law — “Obamacare” he called it, receiving hoots and hollers from Republicans on the House floor — but he also said refusing to accept the federal Medicaid dollars would do nothing to improve the law’s problems.

After the speech, the Missouri Hospital Association and the Missouri Health Advocacy Alliance applauded Nixon for once again calling to expand Medicaid and argued it would bring new dollars into the state and provide more people with much-needed health care.

Legislators debate slimmed-down version of tax cut

Zachary Matson, The News Tribune

Wednesday, January 22, 2014

Missouri House Republicans moved to advance new tax-cut legislation at a public hearing Tuesday, but Democrats continued to argue the cuts will hurt education funding and do little to create jobs.

The witnesses and arguments were much the same as during a similar hearing on the Senate side last week, but the bills under consideration are unique.

Three different tax-cut bills were under discussion at the hearing, but most of the focus was on HB 1253, a close relative of last year's HB 253, which passed out of the General Assembly with wide margins but was vetoed by Gov. Jay Nixon.

After Nixon barnstormed the state raising the specter of drastic cuts to education and mental health funding, the House came up 15 votes short of overriding his veto in September.

This session, the bill's sponsor, T.J. Berry, R-Kearney, has introduced a slimmed-down version that doesn't include language that could have increased taxes on prescription drugs and textbooks or raise the possibility of taxpayers retroactively claiming deductions from past filings.

"In response to the governor's veto, this bill has taken into consideration some of his objections," Berry said. "It's very clear what the intent is... we want to keep high-paying jobs in Missouri."

Berry's bill reduces business income tax rates by 50 percent in 10 percent increments every year the state collects more revenue than it did in fiscal year 2012. It also reduces the corporate income tax from its current 6.25 percent to 3.125 percent over five years and allows a business with an average payroll at or above 150 percent of the average county wage to get the 50 percent reduction beginning in 2014.

"Taxes affect every company, and I don't know that picking winners and losers will work, because I don't know what startup will be the next Cerner, but giving everyone the same shot — that is the way to go," Berry said.

The bill would reduce the state's general revenue by anywhere between \$71 million and \$347 million for each fiscal year that it was in place, according to the fiscal note.

Democrats continued the same line of argument that effectively sustained Nixon's veto in the fall: this tax cut will hurt schools. Democrats and education officials argue that a reduction in state revenues will inevitably impact the amount of funding schools get from the state, but Rep. Paul Curtman, R-Pacific, said the Legislature can set education funding at or above current levels despite the tax cuts.

Mike Lodewegen, of the Missouri Association of School Administrators, said property taxes have increased to cover funding needs that were not being covered

by the state and that the education foundation formula was still hundreds of millions shy of its goals.

“The state has violated its own laws and borrowed money from its own communities to fund (the schools),” he said.

Lodewegen said additional education funding means investment in technology, early childhood education, higher teacher salaries, the hiring of additional counselors and buying new buses and “whether or not Missouri will invest in its greatest asset: its students.”

Business groups that favor the tax cuts argue they are necessary for Missouri to remain competitive with neighboring states that have recently reduced their tax burdens.

“Generally we are a pretty low tax state, but when you have something that fires a shot over your bow like Kansas’ (recent tax) cuts, it’s difficult to get legislators to understand just how significant of a cut that really was,” said Ray McCarty, president of the Associated Industries of Missouri.

“The fear is as those new businesses form, they will flock to places like Kansas,” McCarty said. “In Kansas City, you can move across the street and save 6 to 7 percent.”

Rep. Jeremy LaFaver, D-Kansas City, raised the concern that the taxes were slanted toward the state’s highest earners and helped business owners but not workers.

“There’s no tax cut for citizens,” he said. “Just citizens that own businesses, but not the person who works there.”

Missouri revises execution protocol

Controversial mixture of sedative, painkiller used in Ohio added as a backup method

Zachary Matson, news@newstribune.com

Sunday, January 19, 2014

The Missouri Department of Corrections has recently included a secondary lethal injection method in its execution protocol, according to court documents. The change comes as media accounts and legal filings raise concerns over the state’s current method of using pentobarbital from a compounding pharmacy.

The secondary method — a combination of the sedative midazolam and the painkiller hydromorphone — was called into question Thursday after Ohio became

the first state to use the combination in an execution. That execution took longer than usual and caused unusual gasping from the condemned man, [according to The Associated Press](#) and other media accounts.

Lawyers for the state of Missouri disclosed the newest in a series of revised protocols to lawyers of death row inmates Jan. 15, but documents indicating a second method had been adopted were disclosed Jan. 11.

The department's primary method remains an injection of pentobarbital, which the state has used for its past two executions and has been acquiring from an unnamed compounding pharmacy.

But the new protocol also states that "if the department director determines that a sufficient quantity of pentobarbital is not available or if at any time the available pentobarbital is deemed unusable," medical personnel would prepare the midazolam and hydromorphone combination.

The department's revised protocols were provided in the course of discovery to a group of lawyers who represent Missouri death row inmates in ongoing litigation over the state's lethal injection procedures. St. Louis attorney John William Simon, one of those lawyers, said the timing of the disclosures "fits the ongoing pattern of delay and deception" by the state.

Officials with the Department of Corrections did not respond to questions Friday about when and why a secondary method was included in the protocol.

The pentobarbital method ran into challenges Friday when attorneys for [Herbert Smulls](#), the next man with a scheduled execution in Missouri, [filed a complaint](#) suggesting the department may be improperly storing expired doses of the drug.

The complaint was filed Friday with the Oklahoma State Board of Pharmacy and claims an unidentified Oklahoma compounding pharmacy supplied Missouri the drugs and gave them erroneous instructions to keep the drug at room temperature, according to an AP report. The report also said a corrections department official testified Wednesday in a deposition that he was storing the pentobarbital in his office until Smulls' scheduled execution on Jan. 29.

Missouri moved to the pentobarbital method in October after a plan to use the common anesthetic propofol fell through over concerns from the medical community. At that time, the department also moved to make the identity of the supplier of lethal injection chemicals closed to the public.

St. Louis Public Radio and the Beacon reported at the end of December that public records they pieced together suggested the compounding pharmacy that provided the state drugs for a recent execution is located in Oklahoma and not licensed in Missouri.

In Ohio, the family of the man put to death Thursday intends to file suit against the state, and public records show the execution took the longest amount of time of any of 53 executions in Ohio since 1999, the AP reported Friday. Ohio had been using the pentobarbital method but moved to the new one after it began having difficulty acquiring pentobarbital.

Legislators have already taken up the death penalty issue this session. John Rizzo, D-Kansas City, [filed legislation that would put a moratorium on executions](#) until an 11-member commission could study the way Missouri carries out executions and release a report by November. The Government Oversight and Accountability Committee plans to hear testimony Tuesday about lethal injection methods from the corrections department.

On Thursday, Rep. Rick Brattin, R-Harrisonville, introduced legislation that would include [execution by firing squad](#) as one of the options the corrections department could use to carry out executions. The legislation is co-sponsored by Rep. Paul Fitzwater, R-Potosi, who chairs the Special Standing Committee on Corrections.

GOP legislators present new tax-cut legislation

Zachary Matson

Friday, January 17, 2014

Missouri Senate Republicans took the first steps toward advancing new tax-cut legislation at public hearings Thursday morning, where supportive business groups cited competition from neighboring states and education and mental health leaders renewed concerns about potential funding cuts.

Senators Will Kraus, R-Lee's Summit, and Eric Schmitt, R-Glendale, each presented bills they've introduced, which would cut personal income tax rates, business tax rates and the taxes paid by small corporations and partnerships. Schmitt separates the personal and business reductions into two bills, whereas Kraus combines them.

"Last year, there was a breakthrough on tax policy..." Schmitt said of a similar bill that passed the General Assembly last year but was vetoed by Gov. Jay Nixon. "The veto override was not sustained, so we are here for the sequel."

Representatives from business groups like the Missouri Chamber of Commerce and the Associated Industries testified in support of the bill, while the Missouri National Education Association and a lobbyist for the Community Mental Health Centers stood in opposition.

And while the particular pieces of legislation are new this session, the arguments remain much the same.

Proponents of the cuts point to competition from surrounding states, where six of Missouri's eight neighbors have passed recent tax cuts, and argue that Missouri needs to do the same to attract businesses, create jobs and grow the economy.

"There is a fiscal note for us doing nothing... in terms of the money, jobs and talent that will go elsewhere," Schmitt said.

Opponents, on the other hand, argue the cuts would significantly reduce the state's total revenues, forcing the governor and Legislature to cut back on state funding for education, mental health services and infrastructure.

"We all want lower taxes, but we also want good schools, and we want roads," said Sen. Paul LeVota, D-Independence. "The point (of the governor's veto) was we shouldn't demolish revenue and hurt our other responsibilities."

The individual rate deductions would be gradually phased-in and take Missouri's top tax bracket from 6 to 4 percent. The business cuts would phase in a 50 percent reduction over five years.

The income rate reductions would take effect each year only if the net general revenue collected was \$100 million greater than the highest amount of revenue collected in any of the previous three years. The triggers, Kraus said, would mean the cuts only happen if the state is bringing in more money.

"So the cut is paid for with the growth of government, so there are no cuts off of core budgets," Kraus said. "We're just returning taxpayer dollars to them from the growth of government."

Legislative researchers predict Kraus' bill would reduce general revenue by between \$163 million and \$268 million in fiscal year 2017 and the total revenue reduction once fully implemented would approach \$1 billion, according to the fiscal note. Schmitt's business income reduction would reduce revenues by more than \$31 million in fiscal year 2015, \$62 million in 2016 and \$92 million in 2017.

Both supporters and opponents of the cuts cited recent tax measures passed in Kansas and the "border war" along the state line in Kansas City. While supporters said businesses in Kansas City are jumping the border in pursuit of friendlier tax policies, opponents said Kansas has seen lower revenues than expected and begun cutting education funding.

Chuck Pierce of the Missouri Society of Certified Public Accountants said he would advise clients of his that if they ran a small business that filed their business income as part of their personal, they would be better off living in Kansas no matter what side of the border they did business in.

He said a contractor working in Kansas City would have a substantial advantage if he lived on the Kansas side: “He needs a garage and a place to park his truck, and he would be way better off in Kansas.”

But Jim Moody, who spoke on behalf of community mental health centers, refuted the praise for Kansas.

“The idea that Kansas is having this unmitigated growth... they are not growing they are retracting, which may be the policy goal.” He said the state is collecting more than \$500 million less in revenues this year than it did in 2012.

Otto Fajen, with the Missouri NEA, said some political leaders have set the goal of fully funding the state’s education foundation formula, but the tax cuts would drastically dampen the chances of that happening.

“Our big concern about these bills is that they purport to make a big change in the revenue structure, and in the long haul will make it difficult to get (to the funding goals) and be able to sustain it,” Fajen said.

He also took the chance to knock the state of education in some of Missouri’s neighbors. “Kansas and Oklahoma are national leaders — in cuts to education spending,” he said. “The tax cuts worked, it cut taxes, but in terms of investing in public education that may be a difficult lift.”

Some of the Senate Republicans, however, were unfazed by the idea of the government having less money to spend.

“There are some of us who contend that bigger government is not better, and less costly government is a good thing,” said Sen. Ed Emery, R-Lamar.

Petitions, legislation seek to ease state pot laws

Zachary Matson

Thursday, January 16, 2014

Supporters of marijuana legalization plan to push a statewide ballot initiative this spring, while Rep. Rory Ellinger, D-University City, continues to nudge his colleagues toward decriminalizing the drug and legalizing its medicinal use.

Thirteen initiative petitions to legalize marijuana were approved for circulation by the secretary of state Wednesday, but supporters say they will choose one and gather signatures to get on the 2014 ballot if polling suggests the idea has broad support.

Columbia attorney Dan Viets, who filed the petitions on behalf of Show-Me Cannabis Regulation, said the organization plans to poll likely 2014 voters over the next month to see which version of the petition is most popular. If one of them approaches 60 percent support across the state, they would begin the process of gathering signatures, otherwise they will wait until 2016.

The major differences between the petitions concern the number of plants residents would be able to grow themselves, and whether people who had been convicted of previous marijuana crimes could have their records expunged or be released from prison.

“If polling is strong enough, we believe we can raise the money to gather the signatures,” Viets said.

To get the measure on the Nov. 4 ballot, proponents will need to collect signatures from registered voters equal to 8 percent of the number of votes cast in the last gubernatorial election in six of the state’s eight congressional districts no later than 5 p.m. May 4.

The goal of the proposal is to “tax and regulate marijuana like alcohol,” said Viets, who predicts legalization would “save the state many millions of dollars and generate many millions of dollars (in revenues).”

Ellinger was skeptical that full legalization could gain support among public officials or pass in a conservative state like Missouri, but he thinks voters, especially younger ones, are more in favor of the idea.

“I think that the voters are way ahead of the politicians on this issue, and in the secrecy of the ballot box, they very well might pass complete legalization,” he said.

The effort is similar to recent measures that passed statewide in Washington and Colorado. On Jan. 1, Colorado became the first state in the nation with a legal marijuana industry.

Colorado allows individuals to grow their own marijuana plants, but Washington’s law does not. Viets said his organization would like to include the provision.

“We are committed to permitting some limited personal cultivation,” he said.

The ballot measure would also allow people convicted of marijuana crimes in the past to get their records expunged and be released from prison, if serving time for those crimes.

“This seems like an obvious thing,” Viets said. “If people shouldn’t be arrested in the future, why should we continue punishing people for crimes in the past?”

Show-Me Cannabis has one full-time staffer and a board of seven members and raised money from individuals across the state but had just more than \$1,500 cash on hand at the end of 2013, according to campaign records.

It has also received significant funding from The American Victory Coalition, a 501 (c) (4) based in Portland, Ore., which according to its website is “a coalition of civil libertarians seeking to improve Americans quality of life by promoting freedom and true equality for all citizens.”

At the Capitol

While Viets and his organization attempt to gather enough signatures to get legalization on the ballot, Rep. Ellinger will once again continue an effort to get the General Assembly to consider much more limited decriminalization of the drug.

Ellinger introduced a decriminalization bill last session and it got as far as a public hearing in May but never made it out of committee. This session, Ellinger filed the same measure and has also filed a bill, based on legislation from Illinois that would legalize medical marijuana in Missouri.

He said marijuana use should not bar people from going to school or getting a job.

“There are many areas that are closed to people that have even a minor marijuana conviction on their record,” Ellinger said. “Is it right they get this punishment for life? No it’s very, very unfair.”

Ellinger said the drug is no more dangerous and less addictive than alcohol and tobacco, which are both regulated, taxed and used widely.

Like alcohol and tobacco, he said, marijuana likely presents health and safety risks, but that using those products “are adult decisions that should be made by adults.”

The medical marijuana bill would tightly regulate who could qualify for prescriptions and where the drug would be acquired.

“My bill is extremely strict... in that you must have a doctor’s prescription, you cannot smoke it, you take it like a pill,” Ellinger said. “This is strictly for medical purposes, just like you are taking a drug for any other kind of disease.”

Bill would expand prenatal care for Missouri's poor

Zachary Matson

Wednesday, January 15, 2014

Missouri lawmakers Tuesday renewed efforts to establish a program that would extend prenatal health coverage to more low-income women.

The Show-Me Healthy Babies program, sponsored by Rep. Jeff Grisamore, R-Lee's Summit, would expand the state's Children Health Insurance Program to cover services for the unborn children of pregnant women up to 300 percent of the federal poverty line.

A similar measure passed out of the House late last session as part of a larger package, but it failed to receive a hearing with the Senate Government Accountability and Fiscal Oversight Committee.

"We know from research that with prenatal care health outcomes and quality of life are going to increase for mother and baby and reduce costs to the state," Grisamore said.

The House Children, Families and Persons with Disabilities Committee held public hearings on two versions of legislation for the new program — one as the House passed it last session and another with amended language from the Senate.

"Because of the importance and priority of this legislation, we wanted to have two vehicles moving," Grisamore said.

Rep. Genise Monticello, D-St. Louis, raised the only concern from committee members. She wanted to extend the time period that mothers could be identified as needing treatment for postpartum depression from 60 days to a year and provide coverage as long as treatment was necessary. She said the services for mothers after birth were "crucial."

Coverage would not include "services that are solely for the benefit of the pregnant mother... unrelated to maintaining or promoting a healthy pregnancy, and that provide no benefit to the unborn child."

In 2002, President George W. Bush and the Department of Health and Human Services approved new rules that allowed states to include coverage for unborn children in their CHIP programs, which receive federal matching grants for about 75 percent of the costs. At least 15 states have expanded their programs under the rule.

"This is something that we probably should have been at the leading edge of... but I definitely hope we can get it done this year," Grisamore said.

Representatives of Missouri Right to Life, the Missouri Catholic Conference and the March of Dimes registered their support of the legislation for the record but did not expand on why they supported the measure. No one on the committee or from the public opposed it.

“This is a good way to make sure unborn children from early in pregnancy get coverage,” said Samuel Lee, director of Campaign for Life Missouri, who testified in favor of the bill.

“From a pro-life perspective, the mother gets all of the prenatal services she needs, so that does not have to be a reason to get an abortion,” Lee said. “There is no disagreement, no matter your ideological persuasion, to carry a child to term, the mother needs prenatal care.”

The fiscal note estimates the program would cost about \$2.9 million in fiscal year 2014 and more than \$3.5 million in 2016 and 2017. The new program would apply to about 1,800 pregnant women between 185 and 300 percent of the federal poverty line.

Pregnant women at or below 185 percent of the poverty line are already covered by Missouri’s Medicaid program, which includes medical services other than just those related to pregnancy. The fiscal note based its conclusion on the costs of treating these women at \$579.11 per month per individual.

The committee also considered a bill that would remove references to the phrases “mentally retarded” and “mental retardation” from statutes and replace them with “intellectually disabled” and “intellectual disability,” but there was still uncertainty about whether the semantics change would impact federal funding.

Opponents of death penalty press reforms

Hearing on execution protocol slated next week

Zachary Matson/News Tribune

Tuesday, January 14, 2014

Death penalty opponents and lawmakers Monday began pressuring the General Assembly to consider changes to the state’s execution process.

Missourians for Alternatives to the Death Penalty held a press conference Monday at the Capitol where defense attorneys, family members of a homicide victim and a man who had been held on death row for a prison yard murder he was later exonerated of told stories of their experiences with the ultimate punishment.

While the organization discussed problems with the death penalty and called for repeal, lawmakers had already begun working on legislation that would appoint a commission to investigate the state’s lethal injection protocol and place a temporary moratorium on future executions.

Kansas City defense attorney Elizabeth Unger Carlyle, who has represented 15 people sentenced to death since the 1990s, said she thinks the death penalty is beyond repair and quoted Justice Harry Blackmun's famous renunciation: "I will no longer tinker with the machinery of death."

"I think that the system is broken, and there is no reason to try and fix it," Carlyle said. "We have been tinkering with the machinery of death for way too long, and we need to just stop and junk it."

Rep. Paul Wieland, R-Imperial, attended the event and said he opposes the death penalty on both moral and fiscal grounds, citing the additional costs to the state of imposing a death sentence as well as his support for the "sanctity of life."

Wieland filed a bill to repeal the death penalty last session and said Monday he was planning to gather co-sponsors to introduce a similar bill next week. The bill from last session had more than 20 co-sponsors, including a handful of other Republicans.

"It's gonna be a gradual thing, but sometime in the next 10 years there will be real movement on this issue," Wieland said. "It's not ripe for repeal now, but I think there will be traction in the next 10 years."

In the near term, Wieland said he thinks there would be more support for examining how the Department of Corrections has acquired lethal injection drugs and carried out recent executions. He said recent media reports have included "enough evidence that warrants an investigation" into the execution protocol.

Rep. John Rizzo, D-Kansas City, plans to file a bill by noon today that would place a moratorium on executions and create a commission to study the issue and release a report by November.

The commission would consist of 11 people in total, including one member of each party from both the Senate and House, the attorney general or his designee, a defense attorney, public defender, county prosecutor, two practicing physicians and a licensed pharmacist.

"There seems to be a multitude of questions that I think should be answered (about recent executions)," Rizzo said Monday. "It's not about whether or not you are for the death penalty, this is about good government. At the very least we can definitely ask the questions and get some answers."

Rep. Jay Barnes, R-Jefferson City, announced Monday that the House Committee on Government Oversight and Accountability, which he chairs, will hold a hearing on the state's execution protocol next week.

The committee will examine the standards that the Department of Corrections has for determining whether the condemned has fully exhausted all of their

constitutional appeals. The committee will also seek information on the department's process of choosing and obtaining pentobarbital, the drug it has used for the past two executions.

St. Louis Public Radio and the Beacon published a report at the end of December indicating that the Corrections Department may have obtained its supply of pentobarbital from a compounding pharmacy in Oklahoma, which isn't licensed in Missouri and doesn't fall under federal or state regulations.

State Auditor Tom Schweich announced Thursday his office had begun an audit of the Corrections Department. In a radio interview with MissouriNet, deputy auditor Harry Otto said the audit would examine "whether or not the department (of corrections) has followed its own policies and procedures with respect to the execution protocol."

'It's not gonna help'

Reggie Griffin last year became the fourth person in Missouri to be exonerated of a crime he received a death sentence for, and he appeared at the death penalty event Monday.

"People in this room today, they probably think that something like this don't happen, but it do happen, and it did happen to me," he said. "I stayed on death row for about six or seven years before that was overturned, but I still was under that, because I knew that any time I could've been the next one in line."

Griffin was exonerated of the crime in October and had been released from prison in December 2012, but he said transitioning to society has been difficult after more than 30 years of incarceration.

"Even though I was home, I still felt like I was under a tremendous amount of pressure being charged with the type of case I was charged with," Griffin said. "I got out into the community, and I started seeking employment, I started trying to rebuild my life one step at a time, one day at a time."

Val Brown's daughter Angela was murdered by her boyfriend Deandre Buchanon in 2000. Brown said she did not want Buchanon to be executed, because it would let him off too easy and do little to relieve her suffering.

"He took something precious, something precious more than life itself for me," Brown said. "I wanted him dead so much, I could've took his life that's how mad and bitter I was."

But eventually she was able to sit across from Buchanon and forgive him, she said, and if he had been executed, she would never have had that chance.

“Getting rid of somebody — yeah it’s easy — but it’s not gonna help,” she said. “Because the memories of her (Angela) are still there.... Getting rid of him won’t bring her back.”

Missouri legislature opens; tax cuts, school transfers, Medicaid on agenda

Wednesday, January 8, 2014 | 6:37 p.m.

BY [Zachary Matson](#)

JEFFERSON CITY — It was mostly formalities and ceremony on the first day of Missouri’s 2014 legislative session, but issues such as school transfers, tax cuts, Medicaid expansion, and a budget that has already caused sparring with Gov. Jay Nixon top the agenda and will soon consume lawmakers.

Both chambers gaveled into order shortly after noon Wednesday before leaders spelled out their priorities for the session. In the House, Speaker Tim Jones, R-Eureka, addressed his colleagues and focused on tax cuts for businesses and individuals and a push for “right-to-work” legislation that would restrict businesses and unions from requiring workers to pay union dues even if they don’t join a union.

Most Democrats and some Senate Republicans oppose right-to-work, and Nixon would likely veto any bill that reaches his desk.

Senate Pro Tem Tom Dempsey, R-St. Charles, also emphasized tax cuts but said during a news conference after the Senate took care of its opening business that clarifying the state’s school transfer law will top the Senate’s agenda this year. The law allows students in unaccredited districts to transfer to neighboring districts at the cost of the unaccredited district. The problem has flared in St. Louis, where about 2,000 students have already transferred schools, and will likely make its way to Kansas City in the coming year.

“If we are able to only pass one important piece of legislation besides the budget, it needs to be a bill that will fix this problem,” Dempsey said.

The districts taking in new students say they don’t have the resources to absorb higher student populations, and the unaccredited districts say they cannot afford the cost of paying for transfers.

Jones said he would consider any measure that addressed the issue but seemed less concerned about students transferring from the unaccredited districts.

“It is a large bipartisan coalition that is very excited that for the first time in nearly 40 years, kids have an opportunity to escape the failing districts that they have been assigned to,” he said at a news conference following the House’s session.

Medicaid expansion, ethics reform

Columbia Reps. Chris Kelly and Stephen Webber, who both served on a committee in the fall that discussed reforms to Medicaid, plan to introduce a bill that would expand Missouri's current program to include all residents between 18 and 65 years of age at or below 138 percent of the federal poverty line. Under the federal Affordable Care Act, states that expand Medicaid to that level would receive substantial federal funds to pay for the newly covered.

Nixon has also identified Medicaid expansion as a top priority — it was his New Year's resolution for the state — and the Missouri Chamber of Commerce and the Associated Industries of Missouri have argued it would help reduce health care costs for businesses and bring additional money into the state.

But Republicans during the fall committee hearings and at the Capitol on Wednesday [have shown little appetite for expanding Medicaid](#) and have instead talked about reforms affecting those already covered by the system and limiting damages in medical malpractice lawsuits. Medicaid expansion legislation made little headway last session, and Webber said he's not sure the political dynamics have changed much on the issue because there is so much resistance to the federal law.

Rep. Caleb Rowden, R-Columbia, said he was open to expansion as long as it was part of a larger reform package. He credited Rep. [Jay Barnes, R-Jefferson City, who has crafted legislation](#) that would expand Medicaid by subsidizing private insurance plans and expanding the managed care system, which pays private companies to develop provider networks and administer health plans.

“In the right context, I’m not against it (expanding Medicaid),” Rowden said.

Rowden plans to introduce an ethics bill that would limit the amount of individual lobbyist gifts and the total amount of gifts each quarter that legislators can accept. There are currently no limits on lobbyist gifts, but they must be reported. His bill would also include a two-year “cooling off” period before legislators could become lobbyists themselves.

The bill would not include reforms to campaign finance; other ethics legislation also limits campaign contributions, which are currently unlimited for state election.

“I tried to put together a bill I think actually has a chance of becoming law,” he said.

On tax cuts, Rowden said Republicans are likely to move bills that are more narrowly tailored than last session’s HB 253, which was vetoed by the governor who raised concerns about drastic cuts to education and mental-health spending. They will likely focus on tax cuts for small businesses and not include both business and individual taxes in the same legislation, he said.

Rep. John Wright, D-Rochester, said he was crafting a bill that would address how certain municipal entities — such as school and fire districts — issue bonds to raise money. The legislation would expand the competitive bid process for local governments that are looking for financial advisers and underwriting companies to assist in issuing bonds. He pointed to a [November auditor's report](#) that said competitive bids could save the state millions of dollars.

“I want to make sure each municipal entity has access to the financial advice it needs in order to get the best pricing available,” Wright said.

Wright said he also plans to introduce legislation that would add 3- and 4-year-olds who qualify for free and reduced-price lunches to the state foundation formula so that districts could pay for more early-childhood programs and fill gaps in the "patchwork" of private, state and federal programs that already serve some, but not all, children. His proposal would cap the number of students that could be included to help maintain costs.

Wright said he expects to have Republican co-sponsors and the support of Republicans deeply involved in education issues.

“The research has been there for some time, and the politics have now about caught up with the research,” Wright said, citing studies that say investments in early childhood education have some of the biggest long-term payoffs of any social spending. “But it takes a long time.”

The specter of November elections — when half of the Senate and all of the House seats are up for grabs — will hang over the legislature’s activities, and some leaders will be positioning themselves for statewide races in 2016. Sen. Kurt Schaefer, R-Columbia, has already announced he will run for attorney general, and Jones, the House speaker, is widely expected to seek statewide office himself.

With candidacy filings running from Feb. 25 to March 25, the pace of legislation will likely be slowed so lawmakers can defer controversial votes until they know what the election landscape looks like. Three senators and 10 House members cannot seek re-election to their current seats because they are term-limited, and three open seats in the House leave Republicans one member short of the two-thirds required to override the governor’s vetoes.

Chapter 5: Professional Analysis

Views of the Press and Media Strategies of Missouri State Legislators

Rep. Paul Wieland, R-Imperial, remembers a friendly piece of advice an older politician once gave him.

“He said: ‘Get your name in the paper and in the press as much as you can — all press is good press. Until the last 30 days before an election, then you want it all to be good.’”

When Wieland, who was elected in 1994 to a term in the Missouri House and was again elected in 2010, got the advice some 20 years ago, he laughed and said: “Well, I don’t think that’s really right.”

“But the longer I’ve seen it, I’ve seen people that have been able to get their names in the media for some ridiculous things, and sure enough you see them continue to go along in the careers... that name ID is very important,” Wieland said.

While name recognition is crucial to advancing any political career, and earned media is a heck of a lot cheaper than TV and radio commercials, Wieland said that when it comes to the nitty-gritty of getting legislation across the finish line in the General Assembly, media attention only goes so far. Wieland is running for the state Senate in his exurban St. Louis district, which stretches south away from the city.

“In order to pass a bill, you’ve got a lot of little things that need to happen, and (media attention) is one of the little things, but in itself I don’t think it can really make or break you,” he said. “I think it’s a factor... but it can’t make or break you.”

In eight interviews at the Capitol during the first half of the 2014 legislative session, lawmakers explained their views of the press and strategies of working through journalists to advance legislative priorities. While the answers were mostly restrained as they chose their words carefully, lawmakers discussed how they approached their relationships with the press and focused first and foremost on the responsibility of the media to inform the public. There are 163 members in the Missouri House of Representatives.

A large body of media research explores the role the press plays in setting the public agenda. Media outlets such as newspapers and TV stations choose what to publish or what to air, and those choices influence how the public perceives certain events. The media, in other words, have a lot of power when it comes to setting the public agenda. Lawmakers and other elected leaders often are forced to respond to those coverage choices.

Much less research focuses on how politicians attempt to set the public agenda and advance their legislative priorities. Moreover, what strategies do they use to work through the press to advance those priorities? Lawmakers constantly attempt to “set the agenda,” whether it’s the legislative agenda or the media agenda, and by introducing legislation, pushing messages out on social media or contacting members of the press with potential story tips, they are working to advance their goals.

Lawmakers suggested a significant role of the Capitol press corps, emphasizing the role of communicating the workings of the Legislature to the general public, but they also questioned whether its work was as good as it could

and should be. But even their criticisms of the press were an attempt to set the media's agenda. By focusing on their criticisms of the media, lawmakers can more easily dismiss the media's larger role in the Legislature.

They lobbed criticisms that the media focus on controversy and give some stories a disproportionate sense of importance. The lawmakers that were most dismissive of the Capitol press corps were most likely to eschew it altogether and push messages directly to their constituents through blogs, social media and by sending legislative columns to local media outlets. At one point during their interviews, however, all of the lawmakers acknowledged the challenges of covering the Capitol with limited resources and time.

Democrats were more likely to invoke the democratic role of the press in society, saying the media at their best serve as a "fourth estate" and work as a check on elected officials. Republicans were more likely to say they don't rely on the press to communicate messages to their constituents and instead focus on directly reaching the people they represent by phone, email or in person.

Ultimately, the legislators — representing both parties as well as urban and rural parts of the state — differed widely in how they reach out to journalists for attention, in the ways they use social media and in the extent of their criticism of the media.

Consensus on at least one thing

All of the lawmakers interviewed made a point of saying they always return calls from members of the media — at least once. They also said the press could do a

better job and should stop focusing so much on the hottest and most controversial issues.

“I think they look at the issues that are going to draw the most readers, not necessarily the ones that are going to have the most impact, and that’s how you sell newspapers,” Rep. David Wood, R-Versailles, said. Wood represents a rural district with more than a half dozen small, local papers in his district. He maintains he is not interested in other elected positions and focuses most of his legislative attention on education issues.

Lawmakers believe that in the focus on controversial items (examples mentioned included gun-law nullification and abortion bills) and the drive to boost or at least staunch the decline of readers and viewers, the process-driven stories of a multi-billion dollar budget and mundane lawmaking often get lost. Of course, the media has long struggled with the tension between providing their readers stories that will get the most reads (or clicks) and the stories of the most substance. And politicians and legislators of all stripes have long criticized the media, which makes for an easy dismissal of particular stories when they are less than flattering. Even the critiques can be a strategic attempt to advance priorities.

“So because the public doesn’t always understand the process, when you guys or the media reports certain things, they think we really worked and spent a lot of time on it,” Wood said, adding that this is true even regarding bills that won’t even receive a hearing, let alone make it to the governor’s desk.

While they did not agree on the reasons or the extent of their shortcomings, most of the lawmakers said the media fall short of the media’s own stated

aspirations. Rep. John Wright, D-Rocheport, gave the press a score of six on a 10-point scale. Wieland gave it a C. Rep. Karla May, D-St. Louis, said the press is “meek” and “timid.”

Wright said he thinks the press focuses on stories with narrative appeal, but “a lot of times the real important public policy is buried in the numbers or in the footnotes.” He cited a committee hearing where a more than \$200 million proposal for education funding was approved, but the majority of articles on the hearing focused on an \$8 line-item for tinfoil hats — to keep the black helicopters away.

Rep. Sue Allen, R-Town & Country, was more critical of the press, especially the St. Louis Post-Dispatch, which she said has a liberal bias in its editorials and the way its news stories are written. Allen represents a suburban St. Louis district and serves as an appropriations chair, helping piece together the state’s mental health budget. Of all the lawmakers, her criticisms were the harshest and her online presence was the strongest by way of actively pushing her own accounts of events that are widely covered in the press.

“As far as complete and accurate and unbiased, it doesn’t happen,” she said plainly.

Differences among lawmakers

Three major differences among the representatives emerged during the interviews: how specifically they target certain journalists with messages, their use of social media to bypass traditional news media filters and the extent and nature of their press criticisms.

Some of the legislators said they have developed relationships with members of the press and strategically target certain journalists with potential stories they know would be of particular interest to those reporters. Other lawmakers approach the press as more of a single entity and send out releases to any and all on their lists.

Rep. Jeremy LaFaver, D-Kansas City, for example, said he tries to find out the issues that journalists are most interested in and tailor messages for those journalists. “The thing that is important is understanding what journalists — I mean they are like anyone else — they’ve got things they are more interested in than others.”

LaFaver said making a phone call to one journalist can be a far more effective tool than sending a press release to a dozen. Representing the most affluent parts of Kansas City, he focuses on communicating with the reporters from the Kansas City Star but mentioned relationships with reporters from other parts of the state.

“There are those that I have developed good personal relationships with,” he said. “So I try to engage with them frequently, and to be effective at it, you’ve got to be a reliable, timely and trustworthy source of information.

“And so that’s what I try to do for those folks, and then in return, from time to time, I pitch them a story I think is important for their viewers or readers to hear about, and occasionally they agree.”

LaFaver posts on a personal website articles published in traditional media outlets that relate to issues and legislation that are priorities to him. On that same web page, he also posts press releases from his office.

Not all of the lawmakers said they actively cultivate those types of relationships with journalists, and most said they are more likely to reach out to a larger swath of the press with a release than to make a personal phone call. Moreover, LaFaver is one the minority party's most active speakers on the House floor, receiving more media coverage because he has more to say on the record.

One press release Wieland sent out in 2013 detailed a "roundtable discussion" business leaders from his district had at the Capitol with the speaker of the House. The release included a quote from Wieland and a list of the visitors. While the larger state outlets did not pick up the release, there was a short mention of the meeting in a small, local paper in his district. Another release provided details about visits a committee he chairs was making around the state.

The lawmakers generally agreed that a press release hardly ever means actual media attention, because the press is focusing on the topic not the release itself.

"Sometimes you target specific people; most of the time they target you," Wood said. "If it's a good idea and it draws some interest, normally the press finds you."

Most lawmakers also send out weekly Capitol Reports, which include updates of legislation the lawmaker supports, a summary of the week's events at the Capitol and a reiteration of where the lawmakers falls on any given issue. People register to have these reports sent to them, and the reports are usually focused more as a way for lawmakers to inform constituents directly about their legislative priorities, rather than a tool to garner media attention.

When it comes to social media such as Facebook and Twitter, some of the lawmakers aren't afraid to let it rip while others choose their words more carefully but still enjoy non-traditional media outlets through which they can directly reach constituents and supporters.

Allen said she takes a "better safe than sorry" approach, especially with Twitter, although she does have her legislative assistant post to blogs and Facebook.

"I think there are many errors in messaging done through the social media, and once it's out there, it's not coming back," she said. "So I would rather be controlled with the messages that go out, rather than just any message going out there. I kinda like less is better, keep it simple. K-I-S. But keep it accurate."

While Twitter might require short bursts that will never come back, Facebook is a platform that allows politicians to engage with constituents and build networks of supporters.

"You can get direct feedback from Facebook as well," Wood said. "When I post an article in the newspaper, if someone doesn't pick up the phone and call or actually write me an email, I don't even know that they've read it. But in Facebook you can ask a question and almost immediately you have either comments, likes, you know how many people saw it. It's quick feedback."

Wood doesn't use Twitter, because "for me personally, I need to be concentrating on what I'm doing and not worrying about what I need to tweet out to somebody."

Wright thinks social media platforms are too limiting for his thoughts and for complex and expansive issues.

“Twitter and Facebook I’m just starting to learn more about. I have sort of a natural reflex against sound-bite-form information, because I think problems are a little bit more complex and deserve a full story or something as opposed to a quip.”

As of April 15, Wright had only tweeted 15 times since his first tweet on May 18, 2012. When he does tweet, Wright sends out links to articles, pictures of visitors to the Capitol (such as Missouri football head coach Gary Pinkel) and notices of events he will be at or hearings on legislation he supports. Wright represents a mostly rural district in the middle of the state, which likely has far fewer Twitter users in it than the district that encompasses central Columbia or those near Kansas City and St. Louis. Wright has made expanding early childhood education a priority of his and has expressed a desire to advance to a statewide office or Senate seat before long.

On the other end of the spectrum, LaFaver is a prolific tweeter. He’s posted more than 2,000 tweets since creating a Twitter account in 2009, when he worked as a lobbyist rather than a lawmaker. He often expresses his thoughts on Twitter from the floor or during a committee hearing. Wieland said he vets his tweets with texts to a group of friends before he hits the publish button.

“In my spare time I am running for re-election (unopposed) like my friend Rep. Jay Barnes & many others you threatened...#washedup,” he recently tweeted at a conservative pundit from St. Louis. He also uses his Twitter account to pass along articles and to comment on the daily action in the Capitol.

The lawmakers' criticisms of the press ranged widely. Some criticized what they viewed as biased reporting, but Rep. Jeannie Riddle, R-Fulton, called the media an excellent "partner."

Allen and May offered the harshest criticisms. Allen said she thinks the press is often biased, especially her hometown paper, the St. Louis Post-Dispatch. On the other hand, May said the press is timid in its reporting and afraid to go after the most important stories because they might lose access.

She pointed to recent coverage of the Medicaid expansion debate in Missouri as a prime example, arguing the media were not doing enough to explore the reasons behind Republican opposition to accepting federal money to expand health coverage to more Missourians.

"If I had a district of a thousand people, and half of those people wanted to expand Medicaid or 60 percent wanted to but I am voting not to, then who am I representing?" she said. "If I know it's going to close hospitals that are germane to the area in which I live... that type of story."

Allen, on the other hand, said she thinks the St. Louis Post-Dispatch has a liberal bias, in its editorial pages and in the news stories that it chooses and how it writes them. She also said she think its readers know what they are getting.

"The St. Louis Post-Dispatch is often very adept at leaving out key components of issues and putting a bias on what goes on (in the Capitol) versus what (appears) in print," Allen said. "... It's a more liberal bias, and I don't know why it exists. I know the Post readership goes down all the time."

She continued: “People know the Post, I believe. We only get it because my husband likes the sports page in the morning.”

Allen uses a blog, which her legislative assistant posts on, to push her message of what occurs at the Capitol. One week in April, the blog had three posts, including one titled “House approves tax cut for Missouri families and businesses.” The post’s lead said the Missouri House had approved tax-cut legislation that “would reduce the tax burden for Missouri families and businesses.” The second paragraph was a direct quote from Allen on the benefits of the legislation. Following paragraphs included details of the tax cut and more quotes from Allen.

Another post from that week referred and linked directly to a Post-Dispatch article on changes to Medicaid being considered by the Legislature, which would include restoring or adding coverage to some groups for some benefits. The post suggests a biased portrayal in the article: “Despite the verbiage used in the (Post-Dispatch) story, the Missouri House did not expand Medicaid. We included enhanced services for the existing Medicaid population using existing resources.” The blog post goes on to say the article “gives a fair explanation of the reforms.”

The article, written by Post-Dispatch Capitol reporter Virginia Young, says that “agreements are percolating on what might be called Medicaid Expansion Lite” and details a list of new services that were included in this year’s budget such as dental health for Medicaid recipients and a bill that would cover pregnancy-related services for low-income mothers.

The Legislature has been debating whether to accept federal money to expand Medicaid eligibility. Thus far, Republicans have resisted the idea and have instead opted for reforms to the Medicaid system and the addition of some services.

Some lawmakers also will use the press to help associate their name with a particular issue or cause, even if that association will do little to influence legislative outcomes. For example, Wright, whose district encompasses portions of western Columbia and stretches to Rocheport, had an op-ed published in March in the Post-Dispatch. Titled “Our million-dollar Legislature,” the article railed against the practice of lobbyists providing sports tickets and free meals to lawmakers.

Wright wrote in the op-ed, “I become increasingly frustrated to know that influential groups are using steak dinners and sports tickets to try to divert our limited public resources toward private gain” and called for “a comprehensive new ethics law that places strict limitations on lobbyist gifts.” While Wright’s district is far from St. Louis and a single op-ed is unlikely to sway the complicated politics surrounding ethics reform legislation, the article helps establish an association between Wright and ethics reform. Wright has suggested in other interviews he might be interested in seeking statewide office one day, when an association with an issue like ethics reform could come in handy.

Riddle, who like Wieland has announced a run for Senate this fall, thinks the media in mid-Missouri are doing a great job, especially when it comes to raising awareness about the conditions at Fulton State Hospital. She plays a powerful procedural role in the House as chair of the rules committee but rarely engages the press directly. On improving Fulton Hospital, however, she has led a public push to

advance a financing plan to build a new facility. The state hospital is one of the nation's oldest active mental hospitals and houses patients in buildings more than a century old.

The Jefferson City News Tribune and local TV stations have covered the unsafe conditions extensively, including visits and interviews inside the facility. The Legislature this session has considered options for financing a major upgrade. Jefferson City-based political weekly The Missouri Times ran a long article prior to the session beginning, which included details from a visit to the facility and quotes from Riddle.

Riddle was a part of a press conference this session with House Speaker Tim Jones, R-Eureka, and House Budget Chair Rick Stream, R-Kirkwood. At the event, the three lawmakers presented the Republican plan to finance the construction of a new hospital and highlighted Riddle's support of improvements to the hospital, which is in her district. Local mid-Missouri outlets, including the News Tribune, MissouriNet and the Fulton Sun, covered the announcements and quoted Riddle in their articles.

"I am very appreciative of the role that the media and journalism has played in relating the problems that the employees face at Fulton State Hospital, and obviously the clients face them as well," she said. "They have been wonderful to come to the facility and do their best to film and take pictures and interviews where they could."

The lawmakers offered a window into how they think about their relationships with members of the press. While they criticized the media for giving too much attention to too few stories, especially the most controversial topics,

lawmakers also conceded that the Capitol press corps has a lot of terrain to cover and not a lot of time or resources to do so.

They appreciate the platform the press has for reaching a large audience and attempt to use that platform to garner attention for the issues that are most important to them. They differed in their specific strategies for dealing with the press and their attitudes to the press generally, but no matter the state of statehouse news bureaus, lawmakers will continue to push to get their message out and their name in the paper.

Appendix

Professional Project Proposal

Agenda-Setting Strategies of Missouri State Legislators Statehouse Reporter with the Jefferson City News Tribune

By: Zachary Matson

1. Introduction

This spring I plan to work covering the legislative session in Jefferson City and interviewing legislators about the agenda-setting process for my Master's Professional Project. I will work as a capitol correspondent for the Jefferson City News Tribune under managing editor Gary Castor. I will be focusing my coverage on Medicaid expansion, other health care and environmental issues, the death penalty and other daily and enterprise projects that strike my fancy.

I came to journalism after graduating college with little idea about what my future would hold. I wanted to be a writer but had no idea what that meant or how to accomplish it. After tooling around for a few months in national parks across the West, I returned home to suburban Kansas City and began an indulgent diet in the 21st century's expansive offering of news from across the world. I remember tracking live developments from the early days of the Arab Spring from a laptop in my basement. Meanwhile, I was spending my days working at a nonprofit daycare, when it dawned on me that journalism would provide me the opportunity to write, experience daily news in person, and engage in the nation's and the world's most pressing issues. I had finally heard the calling.

As someone who is interested in state politics and state capitol reporting, this project is a logical next step in my academic and professional career. This semester I have been working in Jefferson City and have begun to immerse myself in the city's political culture, publishing a handful of articles on the issues that I plan to continue

covering. I have been honing my skills as a reporter and assistant city editor at the *Missourian* as well as in the classroom, focusing on traditional newspaper reporting on public policy. Courses such as investigative and computer-assisted reporting have provided me with the skills, tools and ideas that I plan to use in my work during this project. Extensive research and a relentless pursuit of relevant data are indispensable skills that will serve me in the project and for many years to come.

I am not quite married to the idea of statehouse reporting, but I find it fascinating, and there is no doubt that much of the most important policy-making in this nation happens at the state level. The skills that I will continue to develop during this project can be put to use in any of 50 state capitals across the country, not to mention the endless number of communities that are influenced by state politics every day. Washington can wait. The other great part of statehouse reporting is that I get to explore a wide range of issues — from tax policy to timber policy.

I have been interested in politics since I was young and even flirted with the idea of going into the more partisan side of the business but successfully resisted the urge. While I came to MU thinking I wanted to work in Washington, I have come to appreciate more thoroughly the importance of state capitol reporting and have soured some on the romanticized notion of Washington reporting. In the early years of my career, I am interested in getting rounded experiences and working on a variety of story types and styles, including straight political reporting. Of course, Washington will always be a draw. This project will help improve my capitol reporting skills and will help me understand better if this type of reporting is the direction I want to head in the coming years.

2. Professional Skills:

I will be working as a statehouse newspaper correspondent for the *Jefferson City News Tribune*, covering the 2014 legislative session. I will have the freedom to pursue topics of my choosing, both long-term projects and daily coverage of floor debate, hearings and other news. My work this semester as a *Jefferson City* correspondent for the *Missourian*, as well as previous reporting and classwork last

year, has been focused toward this type of professional transition. The assignment will begin the first week of January and extend through April. I will work Monday through Thursday, with hours depending on the legislature's daily schedule.

I will be taking general assignments as well as pitching my own ideas and will be working under Gary Castor, the News Tribune's managing editor. There will be an expectation that I am consistently producing copy while also devoting time to longer, more developed enterprise articles. Daily coverage of hearings and floor debate and tracking of specific legislation will be a significant part of my work but far from its sole aim. I will also take the time to work on projects that are related to the issues I am covering but take a broader approach than daily statehouse reporting. My articles will be published in the News Tribune and its sister publications in small towns throughout Missouri. These articles and weekly progress memos should fulfill the requirement for "abundant physical evidence." I will send the committee weekly memos that include comments on my reporting for the week, the status of longer-term enterprise projects as well as an update on what I accomplished for the analysis component of the project. I will use these memos to engage my committee members with questions that I come across and use their expertise to constantly improve my general skills and specific articles.

3. Analysis

Clear Statement —

The study will examine the strategies that state legislators employ to advance policy goals through the agenda-setting process. Through interviews with lawmakers, the study will explore how legislators use the press to focus attention on their policy priorities and move toward legislative success. How do legislators view the agenda-setting process? How do legislators work through the press to achieve their policy goals? How well do legislators believe the media agenda reflects the public agenda and ultimately the policy agenda? What methods do legislators use to work with and work around the press to communicate their priorities?

This topic and the questions I intend to explore are important to the field because they get at the strategic behavior of important actors in policy-making. By

probing the specific strategies of legislators, reporters can better understand how our legislators operate, and even when legislators are trying to use, manipulate or mislead reporters to serve strategic ends. It also will point to ways that journalists can work better within a capitol environment and how to appreciate the perspective of the legislator.

Discussion of Theory —

Agenda-setting is a major field in communications that explains much about how the media works. It is also one of the most effective theories to use to analyze the interaction between the public and policy agendas and the role that the press plays in mediating the two. McCombs and Shaw were among the first scholars to outline the agenda-setting process and have served as the theory's deans for decades.¹ The theory has evolved over time, but it has always focused on the interactions between journalists and politicians. Studies have focused on the agenda of candidate characteristics as reported by the media and learned by voters.² Some scholars have focused on the more substantive role of the agenda-setting process in translating the public's agenda into actual policy (Oakley, Bratton and Haynie, Fellowes, et al., Tan and Weaver). Other studies have focused on the factors that indicate whether a legislator is likely to use strategic "media tactics."³ Yet another approach has focused on the roles of reporters and their biases and perspectives (Cooper and Johnson, McCombs and Funk, Gormley). One gap in the literature that I intend to help fill is a general lack of investigation of how legislators view the agenda-setting process and how they go about trying to strategically move their policy goals through that process.⁴

¹ Maxwell E. McCombs and Donald L. Shaw, "The Evolution of Agenda Setting Research: Twenty-five years in the Marketplace of Ideas," *Journal of Communication* 43 no. 2 (Spring 1993): 58-67.

² McCombs and Shaw, pg. 62

³ Christopher A. Cooper, "Media Tactics in the State Legislature," *State Politics and Policy Quarterly* 2 no. 4 (Winter 2002): 353-371.

⁴ McCombs and Shaw, pg. 63

Agenda-setting studies of state legislators date back many decades. In “Newspaper Agendas and Political Elites,” William Thomas Gormley found a strong relationship between state senators’ agendas and the agendas of newspapers in North Carolina.⁵ He made a point of noting that “in interpreting this correlation, it is important to note that the strong positive relationship could mean that the newspapers set the senators’ agenda, or that the senators set the newspapers’ agenda, or both.”⁶ The bottom-line finding was that, when defined in terms of specific issues, agendas do not align, but when viewed by broader issue areas, the agendas of newspapers and legislators are more reflective of one another. Gormley also points to the competing interests that legislators must take into account when deciding which issues are important and to which they will focus their attention. Although senators are exposed “to the issue priorities of newspapers, they also are exposed to the issue priorities of the governor, administrators, lobbyists and constituents.” Likewise, newspapers reporters are buffeted by a variety of internal and external pressures and strains. In issue selection, Gormley found that “newspapers appear to emphasize certain intriguing but ephemeral controversies more than the senators do.”⁷ For the legislators, “it seems that when the State Legislature fails to cope with genuine problems (e.g. an inequitable tax structure), the senators find it convenient to downplay the issue or the importance of it” and prefer to highlight “tangible legislative accomplishments.”⁸

Within and across different state legislatures there are varying political cultures and norms and different levels of legislative professionalism. Tan and Weaver found political culture to be a major factor in the strength of the relationship between newspaper and policy agendas.⁹ In states with “moralistic” political cultures, where politics are viewed as a virtue and participation a citizen’s responsibility, state legislators are more active in pushing for new policies. In states

⁵ William Thomas Gormley, “Newspaper Agendas and Political Elites,” *Journalism Quarterly* 52 no. 2 (Summer 1975): 304-308.

⁶ Gormley, pg. 306

⁷ Gormley, pg. 306

⁸ Gormley, pg. 308

⁹ Tan and Weaver, pg. 470

with “individualistic” political cultures, where politics are viewed more negatively and government is viewed as a marketplace and a place for professionals, legislators are less likely to initiate policy change unless forced to by public opinion.¹⁰ In “moralistic” states, legislators are much more likely to pursue journalists and pay attention to their work than in “individualistic” states.¹¹ Tan and Weaver found that there was a “moderate and positive relationship between the newspaper agenda and the public agenda” in five states between 1984 and 1997. They discovered that an even stronger relationship existed between the newspaper agenda and the policy agenda in fifteen states between 1989 and 2006.¹²

Literature Review —

While state government reportage appears widely in the journalism and political science professional and scholarly literature, it more often than not plays second fiddle to studies of Congress, the federal bureaucracy and national politics. In fact, much of the literature on statehouse reporting is characterized by such laments. Moreover, statehouse reporters have shrunk in numbers drastically over the years as newsrooms have retrenched across the board. But academics have extensively explored the relative roles of the media, lawmakers and public opinion in shaping the public and policy agendas at the state level.

I. Agenda Setting in the Statehouse

Tan and Weaver look at the classic formulation as including three parts: “The agenda-setting process is composed of the media agenda, the public agenda, and the policy agenda,” and the complex interactions between the different agendas and the people who set them and attempt to shape them.¹³ Furthermore, the process

¹⁰ Daniel J. Elazar *American Federalism: A View from the States*. (1984) New York: Harper and Row.

¹¹ Yue Tan and David Weaver, “Local Media, Public Opinion and State Legislative Policies: Agenda Setting at the State Level,” *The International Journal of Politics* 14, no. 4 (May 2009): 454-476.

¹² Tan and Weaver, 474.

¹³ Tan and Weaver, pg. 471

involves “collective political behavior with both visible and invisible participants,” which makes it difficult to isolate the role that a specific legislator plays in that overall process. Other sources that influence newspapers’ agenda include the news being covered by competitors, especially wire services and elite newspapers; major speeches by significant political figures (i.e. the State of the Union, States of the State, etc.); press releases; and press conferences.¹⁴ Other scholars argue that policy agendas are driven by economics and state politics. One analysis of state-level policy agendas concluded that “issues considered by state legislatures are largely a function of state economics and the ballot choices citizens make in state elections.”¹⁵

There are two types of agenda setting that I intend to examine, and the literature has treated both as independent of and entirely fundamental to each other. Both the media and the legislators attempt to set the legislative and the public agendas. The political science literature deals primarily with legislative agendas broadly, the extent to which they reflect the public agenda and the success that actual legislators have in translating their agenda items into legislation and law. Similarly, communications scholars have examined the impact the media’s agenda has on legislative agendas and actual legislation, as well as how well it reflects and at times alters public attitudes. Other scholars have studied media tactics in legislatures, the political biases of reporters, the role of minorities’ and women’s legislative agendas and the effects of media attention on policy-making. Bratton and Haynie find that women are more successful than minorities at advancing their policy goals. Cooper argues that statehouse reporters generally reflect the political leanings of the state they work in.

Not all studies on agenda-setting and state policymaking deal directly with legislative actions; some studies examine the long-term effects that media agenda

¹⁴ Maxwell McCombs and Marcus Funk, “Shaping the Agenda of Local Daily Newspapers: A Methodology Merging the Agenda Setting and Community Structure Perspectives,” *Mass Communication and Society* 14, no. 6 (2011): 905-919.

¹⁵ Matthew Fellowes, Virginia Gray and David Lowery, “What’s on the Table? The Content of State Policy Agendas,” *Party Politics* 12, no.1 (2006): 35-55.

setting can have on state policy development through non-legislative processes.¹⁶ M.R. Oakley studied the case of abortion policy change in the states, detailing how policy changes were facilitated by increased media attention, but also court decisions and the actions of neighboring states. Oakley finds that “legislatures do respond to increased media attention in the case of fetal killing policies.... Additionally, state legislators respond to unpopular state court decisions by changing their policies.”¹⁷ Oakley’s study also highlights that state legislators do not operate in a vacuum. State legislatures are only one branch of state governments. There are also governors and state agencies and thousands of state workers. Vibrant and diverse communities with their own civil discourse and culture surround state capitols and create a diversity of topics for journalists to cover. Newspapers that are covering state legislators are often also covering a swath of other issues that are affected by the agenda-setting strategies of many other actors and institutions.

II. Statehouse Reporters

The role and health of statehouse reporting also has been widely discussed and debated in the media industry’s trade journals. The American Journalism Review regularly runs long articles on the state of state government reporting and counts the number of state capitol reporters nationwide. Columbia Journalism Review writers and other commentators have bemoaned the decline of state government coverage since the 1960s. The AJR reported as few as 350 professional reporters (including the wires), prowling, or at least scuffling through, the halls of America’s 50 statehouses. The 2009 report counted seven full-time newspaper reporters covering the Missouri Capitol, a net decrease from previous years. Those reporters are also augmented by broadcasters, wire reporters and part-time and student reporters. Fewer reporters are asked to take on more and more responsibilities, including editing, shooting photographs and helping with coverage

¹⁶ M.R. Oakley, “Agenda Setting and State Policy Diffusion: The Effects of Media Attention, State Court Decisions, and Policy Learning on Fetal Killing Policy,” *Social Science Quarterly* 90 no. 1 (March 2009): 164-178.

¹⁷ Oakley, pg. 176

of other beats. With each additional report of the declining fortunes of statehouse bureaus, however, there are increasingly bright glimmers of hope that there will be new models that step in and begin to fill the huge holes in coverage. But these models are still a long reach away from fulfilling the role newspapers once did; the economics remain highly uncertain and volatile, and partisan outlets and moneyed interests are taking advantage of the void to push private political agendas.

Other scholars have examined the political biases of statehouse reporters and how those compare to journalists who cover national politics.¹⁸ Cooper and Johnson concluded after an extensive survey of statehouse reporters that they are more likely to reflect the political beliefs of the communities that they work in than national reporters. According to the study, "...while reporter ideology leans to the left, it is conditioned by the context in which the reporter works. Liberal reporters serve in liberal states, and reporters who are more conservative serve in conservative states."¹⁹

A serious and somber report is released on the declining statehouse coverage across the country like clockwork. In 1998, the American Journalism Review published a report that examined the state of state government reporting in capitols across the country. The report mentioned bureaus closing, staffs shrinking and free office space in Georgia sitting vacant. The report counted about 500 reporters and more than 100 wire reporters across statehouses.²⁰ It released a similar report in 2009 that pointed to accelerated problems and fewer reporters covering the capitols. While the articles bemoan the state of coverage in the states, they also cite major issues that top capitol agendas. As power has continued to devolve to the states over the past decades, the importance of quality coverage of these issues has only increased. The 1998 report attributes the weakening statehouse coverage to tightening budgets and a weak economy but also to a general attitude shift among

¹⁸ Christopher Cooper and Martin Johnson, "Representative Reporters? Examining Journalists' Ideology in Context," *social Science Quarterly* 90, no. 2 (June 2009): 387-406.

¹⁹ Cooper and Johnson, pg. 403

²⁰ Charles Layton and Mary Walton, "Missing the Story at the Statehouse," *The American Journalism Review* (July/August 1998): 42-57.

editors that readers were not interested in heavy, hard government news. They were told by advertiser-driven market research and focus groups that audiences wanted softer, “happy news.”²¹ The editors began emphasizing the stories they thought matched the descriptions from the market research and began reducing the amount and prominence of government coverage, especially state government reporting. In a 2000 article, “Doing Well and Doing Good,”²² Thomas Patterson argues news outlets’ need to attract and monetize readers and their role to inform the public are “mutually reinforcing.” The article points to survey data that indicates news audiences are more interested in hard news than soft news and that heavier news consumers are even more interested in hard news. Moreover, soft news reduces the positive externalities journalism has for democracy. According to the article: “News that highlights incidents and developments that have little to do with public affairs and that are selected for their capacity to shock or entertain can distort people’s perception of reality [and]... also diminishes the quality of public information and discourse.”²³

With fewer statehouse reporters, each is required to cover the general material of a larger portion of the government and has less time to bore down on specific issues or problems. With fewer reporters there are fewer checks and balances on legislators and other elected officials and the complex of state government agencies. All of this has been happening at a time when lobbyists have been multiplying in state capitals. Nearly every interest group that exists has lobbyists on its payroll, and these groups have recognized the shift to states for the bulk of legislating due to Washington gridlock. But the picture of statehouse coverage in the late 1990s looks downright rosy compared to today. The 2009 report came in the midst of a massive recession and precipitous decline in the fortunes of newsrooms across the nation, and it is reflected in further drops in the

²¹ Layton and Walton, pg. 45

²² Thomas Patterson, “Doing Well and Doing Good: How Soft News and Critical Journalism Are Shrinking the News Audience and Weakening Democracy—And What News Outlets Can Do About It,” published by The Joan Shorenstein Center on the Press, Politics and Public Policy, Harvard University (2000): 1-28.

²³ Patterson, ph. 3

number of reporters at statehouses — barely 350.²⁴ Americans are not getting the amount and quality of statehouse coverage they need to be informed about their state governments. The 2009 article reported that there were 355 full-time newspaper reporters in the nation’s state capitols — down 52 percent in six years. The reports says of statehouse bureaus that “triage and narrowed priorities are the orders of the day.”²⁵ One editor told the report’s author that the reason her paper has protected its two statehouse positions “is because what happens there is so important. It is the basis for how much we’re being taxed. It’s the basis for whether you can use a cell phone when you drive. State government news affects everybody every day.”²⁶ New organizations — with myriad of business models — have begun to enter the space, but their staying power and role in the overall market remains uncertain. Of course, like in other aspects of the industry, statehouse coverage will have to stay up on the newest technological advances and be as fast as other outlets to remain relevant.

III. The Role of the Lawmaker

In order to study the perspectives of state legislators and how they use and interact with journalists to further their strategic interests I will use a theoretical framework that revolves around the theory of agenda setting. Agenda setting is the ability of the news media to shape the issues that are put on the public agenda. This is especially important in the context of lawmaking, because the topics that are being discussed in the mainstream (or not being discussed for that matter) has an enormous impact on what kind of policy outcomes are ultimately achieved. I also would like to take this one step further and examine how legislators approach the agenda-setting role of the media and how they try to use that role to achieve political or policy goals. Tan and Weaver operationalize the media agenda by examining the most popular newspaper in the handful of states they examined. They

²⁴ Jennifer Dorroh, “Statehouse Exodus,” *The American Journalism Review* (April/May 2009): 20-30.

²⁵ Dorroh, pg. 24

²⁶ Dorroh, pg 26

define the policy agenda as the number of bills introduced in the legislature and determines the public agenda by examining survey data that asks respondents about the most important issue facing the state.²⁷

Some scholars, and increasingly more, have examined the role of minority and women legislators in altering the legislative agenda, as well as how well they reflect the agendas of those particular groups. The role of female and black legislators is critical to understanding the full dynamics of a legislative agenda and how particular legislators go about trying to influence the agenda. Past research suggests female legislators are as successful as male legislators.²⁸ It remains unclear, however, whether these legislators pursue agenda items that are favored by minorities and women because they are minorities and women themselves, or whether it is because their constituents are minorities. The study points to the fact that many black legislators from predominantly white districts do not pursue those policies to the extent that black legislators from minority-majority districts do.²⁹ The study's major finding, however, was that female legislators were quite successful at pushing their agenda items, much more so than minorities. The study attributes this success to the fact that women's issues affect a large portion of the country and were often the types of issues to which male legislators were sympathetic, creating the ability to build consensus.³⁰

Bratton and Haynie's results are somewhat tempered by the fact that the study took place before the decline of statehouse reporting and the rise of social media as a tool that legislators can use to circumvent traditional agenda setters. Other scholars argue that state legislators do use the media to achieve strategic ends, arguing that these relationships vary from person to person and across a variety of different institutional and political situations, but the agenda-setting role of the traditional media is still an important factor in state-level lawmaking.

²⁷ Tan and Weaver, pg. 454

²⁸ Kathleen Bratton and Kerry Haynie, "Agenda Setting and Legislative Success in State Legislatures: The Effects of Gender and Race," *The Journal of Politics* 61, no. 3 (August 1999): 658-679.

²⁹ Bratton and Haynie, pg. 660

³⁰ Bratton and Haynie, pg. 662

Legislators use the media not only to reach their constituents but also to send messages to other legislators, certain policy elites or state agencies. These strategies are used in both in the context of re-election and in policy-making. “In short, a legislator does not make a unilateral decision to receive positive media coverage. The final news product is developed through a ‘negotiation of newsworthiness’ in which both legislator and journalist bargain with each other to achieve their desired outcomes.... Astute legislators work hard to cultivate a close relationship with journalists. Legislators do not gain coverage merely because they want to — media coverage is earned through work and skill.”³¹

Method —

For my professional analysis, I will conduct a series of semi-structured interviews with Missouri state legislators to gain further insight into their agenda-setting strategies and how they interact with the press to accomplish their strategic goals, specifically oriented toward policymaking. The interviews will probe how they view agenda-setting generally and more specifically the interaction between the policy agenda and the media agenda. It will explore the strategies they employ to intervene in the dynamics of agenda setting to help move forward their policy goals.

The interviewing method presents a variety of strengths and weaknesses but will ultimately prove the most effective way of examining the question that I am interested in. In *Interviewing as Qualitative Research*, I.E. Seidman warns the researcher to be aware of selecting a diverse and representative group to interview.³² He also states that “interviewing is both a research methodology and a social relationship that must be nurtured, sustained, and then ended gracefully.”³³ It will be critical to respect my sources and build rapport so that I can get the most candid and honest answers possible. I will do this by acting deliberately and in good

³¹ Christopher Cooper, “Media Tactics in the State Legislature,” *State Politics and Policy Quarterly* 2, no. 4 (2002): 355

³² I.E. Seidman, *Interviewing as Qualitative Research: A Guide for Researchers in Education and the Social Sciences*, (1991) Teachers College Press: New York.

³³ *Ibid*, pg. 72.

faith, as a sign that I respect their perspective and the effort and the time they are giving to my research.

I will interview eight members of the Missouri House of Representatives. Four will be with Democrats and four will be with Republicans; I also will aim for a similar split between members from rural and urban areas of the state. I will aim for at least three women. Furthermore, I will strive for ethnic and age diversity to provide a variety of legislator perspectives. I will schedule 30- to 40-minute interviews with the subjects throughout the months of January, February and the beginning of March. Prior to sitting down for the interviews, I will conduct background research on the specific legislators. The research will include a survey of news articles that cite or quote the legislator; an analysis of the legislator's Facebook and Twitter accounts and other use of social media; and a look at legislator websites and newsletters. This research will provide me with a deeper understanding of how that legislator interacts with the media as well as specific examples that can be used during the interview. I will record the interviews, take notes by hand during the interviews and then follow up with more extensive typed notes after revisiting the recording following the interview.

I plan to use a semi-structured interview style because it provides me with a consistent foundation of questions and themes to address without tying me down to a rigid survey. General topics I will discuss with the subject will include:

- Views of the process by which the public agenda, media agenda and policy-making process interact.
- Views of the role of the press in covering the statehouse.
- Strategies they use in interacting with the press.
- Views of their ability to use the press to advance their policy goals.
- Other ways, outside the press, that they attempt to "set the agenda."
- Strategies they use to increase the likelihood that their policy goals are as high on the policy agenda as possible.

Throughout the interviews, I will need to remain consistent with the way I approach the different questions and topics that I want to explore. Otherwise the results will be less relevant outside of this particular study. Seidman makes the point that it is

important to have a plan of how to approach consistently each interview, because in order for it to be a useful measurement and information-gathering tool, it must be precisely calculated.³⁴ I will develop an interview schema or roadmap and run through a series of practice interviews prior to the scheduled interviews with legislators. I will then use these practice runs to better refine the interview plan as well as develop a sense of pace and timing. I will need to be confident that I am comfortable with and prepared for all of these factors before beginning my interviews. My daily work as a capitol correspondent for the News Tribune may complicate the interview process, because I will also be approaching these legislators as sources for other articles. And it may be possible that these interviews actually yield information that is useful for other articles. I will be explicit with the legislators that they are on the record, that I am working toward publication in Missouri outlets, and that this is part of an academic pursuit to better understand their views of the agenda-setting process. While interviewing the legislators, I will keep in mind differences between urban and rural media landscapes and try to ask specifically how these differences play into the behavior of the different legislators' strategies for advancing their priorities.

Specific questions I will use in my interviews include:

- What do you think is the role of the press in covering the legislature?
- How successful do you think the press is at conveying to the public what is happening in the legislature?
- How do you approach local news outlets as opposed to statewide and wire outlets? Do you experience differences in the coverage of local news outlets and statewide outlets and your ability to use these different outlets to advance your priorities?
- How well do you think the press reflects the policy priorities of the public?
- How do you work through the press to focus attention on your policy priorities?
- How do you use the press to communicate your policy goals?

³⁴ Siedman, pg. 34

- What methods, other than press coverage, do you use for communicating your policy goals with constituents?
- To what extent do you use social media tools such as Facebook and Twitter to reach constituents and advance policy goals?
- How useful do you find these tools and email newsletters and other means of bypassing the traditional press in advancing legislative priorities?

Possible publications — Possible routes for publication of this professional analysis could be Missouri alternative weeklies such as the Riverfront Times in St. Louis and Pitch Weekly in Kansas City. In order to succeed at pitching the article to these publications, I will need to find local legislators in those areas. The Nieman Reports Storyboard blog is another possible outlet for publication. To make publication a feasible option, I will study past articles published in Pitch and The Riverfront Time and try to tailor an article that will appeal to their styles. Governing Magazine is another possible outlet for publications. It publishes articles and stories geared to state and local officials and focuses on the politics and policy of lawmaking at the state level.

Bibliography:

- Bratton, Kathleen A. and Kerry L. Haynie. "Agenda Setting and Legislative Success in State Legislatures: The Effects of Gender and Race." *The Journal of Politics* 61 no. 3 (August 1999): 658-679.
- Cooper, Christopher A. "Media Tactics in the State Legislature." *State Politics and Policy Quarterly* 2 no. 4 (2002) 353-71.
- Cooper, Christopher A. and Martin Johnson. "Representative Reporters? Examining Journalists' Ideology In Context." *Social Science Quarterly* 90 no. 2 (June 2009): 387-406.
- Dorroh, Jennifer. "Statehouse Exodus." *American Journalism Review* (April/May 2009): 20-29.
- Fellowes, Matthew, Virginia Gray and David Lowery. "What's on the Table? The Content of State Policy Agendas." *Party Politics* 12 no. 1 (January 2006): 35-55.
- Gormley Jr., William Thomas. "Newspaper Agenda and Political Elites." *Journalism Quarterly* 52 no. 2 (Summer 1975): 304-308.
- Layton, Charles and Mary Walton. "Missing the Story at the Statehouse." *American Journalism Review* (July/August 1998): 42-57.
- Patterson, Thomas E. "Doing Well and Doing Good: How Soft News and Critical Journalism Are Shrinking the News Audience and Weakening Democracy— And What News Outlets Can Do About It." Published by The Joan Shorenstein Center on the Press, Politics and Public Policy at the John F. Kennedy School of Government at Harvard University (2000): 1-28.
- Maestas, Cherie. "Professional Legislatures and Ambitious Politicians: Policy Responsiveness of State Institutions." *Legislative Studies Quarterly* 25 no. 4 (2000): 663-90.
- McCombs, Maxwell E. and Donald L. Shaw, "The Evolution of Agenda Setting Research: Twenty-five years in the Marketplace of Ideas," *Journal of Communication* 43 no. 2 (Spring 1993): 58-67.
- McCombs, Maxwell and Marcus Funk. "Shaping the Agenda of Local Daily Newspapers: A Methodology Merging the Agenda Setting and Community Perspectives." *Mass Communication and Society* 14 no. 6 (2011): 905-919.
- Oakley, M.R. "Agenda Setting and State Policy Diffusion: The Effects of Media Attention, State Court Decisions, and Policy Learning on Fetal Killing Policy."

Social Science Quarterly 90 no. 1 (March 2009): 164-178.

Pingree, Raymond J., Andrea M. Quenette, John M. Tchernev and Ted Dickinson.
“Effects of Media Criticism on Gatekeeping Trust and Implication for Agenda Setting.” *Journal of Communication* 63 (2013): 351-372.

Seidman, I.E, *Interviewing as Qualitative Research: A Guide for Researchers in Education and the Social Sciences*, (1991) Teachers College Press: New York.

Simon, Paul. “Improving Statehouse Coverage.” *Columbia Journalism Review* (September/October 1973): 51-53.

Tan, Yue and David H. Weaver. “Local Media, Public Opinion, and State Legislative Policies: Agenda Setting at the State Level.” *The International Journal of Press/Politics* 14 no. 4 (October 2009): 454-476.