

# Bill seeks to take funding from blind

## Nixon's new bill would reduce funding for blind programs to go toward Higher Education

BY PHILIP ZAHND  
Staff Reporter

Two months after Missouri Gov. Jay Nixon proposed a \$106 million budget cut to the Department of Higher Education, legislators in Jefferson City are working to maintain current state funding to public colleges and universities in Missouri.

House Bill 2011, which appropriates money for the Department of Social Services, was discussed in the House of Representatives Tuesday. It is one of the latest strategies to reallocate money to Higher Education, which was reduced to a \$66 million, or 7.8 percent, cut after Nixon announced his expectation to receive \$40 million from a national settlement with mortgage lenders.

The bill, authored by budget chairman Rep. Ryan Silvey, R-38, calls for a major reduction of funds for Supplemental Aid to the Blind, which pays the medical insurance for blind Missouri residents who make too much money to qualify for Medicare or Medicaid.

Senior Isaac Robinson, an intern for Silvey, said the \$28 million program serves about 2,800 individuals, at an average of \$10,000 per recipient a year. While the \$28 million would go toward reducing the Higher Education budget cut, \$6 million would be put back into the program. If passed, the other 12 budget bills would collectively eliminate the remainder of the proposed budget cuts to Higher Education, Robinson said.

HB 2012 would not cut the Blind Pension program, which pays \$707 a month to blind residents 18 years or older who do not own real or personal property, such as a car or recreational items, worth more than \$2,000 if single and \$4,000 if married.

Among the bill's opposition leaders, Gov. Nixon said he disagrees with the idea

of using money from the blind to compensate for Higher Education.

"More than 2,000 needy blind Missourians depend on this program for access to vital health care services," Nixon said during a March 13 press release. "Without it, they would be forced to make impossible choices between life-saving prescriptions and groceries, between doctors' visits and the electric bill."

Rep. Zach Wyatt, R-2, said those receiving the supplemental money are already financially stable and not in great need of the program. He said blindness is the only disability in Missouri with a supplemental funding program.

"We don't have a cerebral palsy fund or we don't have a fund for Alzheimer's," he said. "Is it fair that we're putting a lot of money towards blind [people] and not towards people who have cerebral palsy or people that might have other ailments?"

University President Troy Paino said he isn't familiar enough with the bill to comment about its legitimacy, but said he has been involved as a public advocate for Higher Education.

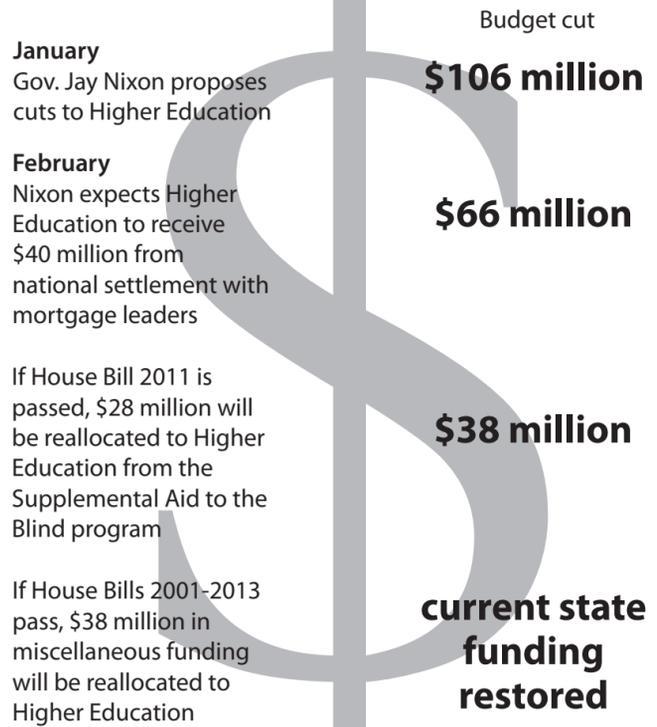
Paino said critics have accused Silvey of depending on "funny money" that is not completely guaranteed. He said an example of this is relying on projected Missouri lottery revenues to partially fund primary and secondary education.

"Here in Higher Ed we think it should be a priority in the state and I want as much funding as we can possibly get from the state," he said. "But where that money should come from — the details of the budget — I think I'll stay out of."

However, Paino said he has publicly expressed opinions about how the state could generate more revenue. He said one of the areas that should be explored in trying to restore Higher Education's budget is Missouri's cigarette tax, which is the lowest in the United States by a significant margin.

He said the cigarette tax could be modestly raised to eliminate about half of the \$66 million deficit, while still remaining the lowest cigarette tax in the

## Expected Cuts to Missouri Higher Education



\*according to the office of Rep. Ryan Silvey, R-38

nation.

"It's so glaring," he said. "We're so below number 49, and we're talking about states that are tobacco states that have a higher cigarette tax."

Paino said politicians are not discussing this opportunity enough.

"It's political dynamite. No one wants to be labeled as the person who voted for a tax increase," he said.

The 13 budget bills will be voted on in the House today. If passed, they will go to the Senate appropriations committee for further business.



Blaise Hart-Schmidt/Index

# Birth control sparks concerns

## Kirkville religious groups weigh in on national birth control debate

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Outrage concerning the birth control mandate might change the tone of an annual pro-life lobby day in Jefferson City, Mo. next Tuesday.

Missouri Right To Life, a pro-life organization with ties across the state, will be participating in the religious freedom rally at the Capitol, said Patty Skain, Missouri Right to Life executive director. Several religious organizations, including the Missouri Catholic Conference and the Missouri Baptist Convention, will host the rally.

The rally is in opposition to the government birth control mandate and in support of Missouri bill SB 749, which will prohibit the government from forcing religious institutions to provide insurance that covers contraception, Skain said.

She said although Missouri Right To Life has no policy about religious freedoms, the organization thinks it is wrong to force any person to participate in or aid in abortion. Skain said her organization chose to become involved in this rally because some types of contraceptives are considered forms of abortion by some pro-life activists.

Randy Hagerty, Political science department chair, said the issue of birth control and religious freedom is fueling debates throughout the country. He said it is an important issue because it creates tension between the fundamental values of religious freedom and a right to health.

This issue will continue to be an important part of the presidential election campaigns, Hagerty said, as well

as an important part of other upcoming elections.

The biggest opposition to the mandate has been the Roman Catholic Church, Hagerty said.

Newman Center Director Chris Korte said although the Catholic Church opposes using contraceptives, the current birth control controversy is about the constitutionality of the mandate, not the morality of birth control. He said the mandate is a misuse of government and presidential power.

"It's crossing the line of what government is there to do," Korte said. "It should be there to protect people's rights and instead it's imposing — it's mandating — that citizens do things against their consciences."

Korte said the Catholic Church opposes the use of contraceptives because the methods interfere with the fertilization process, which they believe kills a living person. The Catholic Church also teaches birth control methods interfere with the natural functioning of the body, which they consider sacred, and that contraceptives impose on the sanctity of sexual relations.

The Catholic Church's view about birth control prevents it from morally providing or paying for birth control methods. The mandate would force Catholic institutions to pay for something they think is immoral, Korte said.

Senior Leslie Bosslet is a member of the Newman Center and said she thinks the mandate is unconstitutional because it violates Americans' First Amendment rights to practice religion freely.

Bosslet said there is no guaranteed right to have free or cheap birth control. She said women should be able to get medicine they need, but institutions also should have the right to follow their beliefs.

Read full story on [trumanindex.com](http://trumanindex.com).

## Current judicial commission\* confidentiality rules

Action	Made Available to Public?
Complaint filed	<b>NO</b>
Formal hearing held	<b>NO</b>
Informal reprimand	<b>NO</b>
Formal charges filed	<b>NO</b>
Formal recommendation for discipline / retirement	<b>YES</b>
At the request of the judge under investigation	<b>YES</b>

\*Commission on Retirement, Removal and Discipline of Judges

# Wyatt attempts to increase transparency

## Rep. Zachary Wyatt files a resolution to restructure disciplinary commission

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As part of an ongoing effort to increase transparency in state government, Rep. Zachary Wyatt has filed a resolution to restructure the disciplinary commission for the Missouri judiciary.

House Joint Resolution 82 would restructure the Commission on Retirement, Removal and Discipline to include one more non-member of the Missouri Bar, which Wyatt said will increase Missourians' representation on the Commission. The resolution would amend the Missouri Constitution to include three non-members of the bar, one bar member and two appellate judges from the eastern and western districts, respectively.

The Commission currently includes two members of the Missouri Bar. Missouri Bar President Lynn Vogel said in a statement Wednesday that the bar is opposed to the resolution because it would remove one attorney.

"We believe those with legal training are uniquely qualified to review issues involving judicial misconduct because they have a better understanding of evidence and procedural matters," Vogel said in the statement.

Wyatt said he hopes to work with the bar to come to an agreement.

Although the resolution currently states one of the Commission's judges must be from the Supreme Court, Wyatt said he plans to amend the resolution to have both judges be from the Missouri Court of Appeals. The current article of the constitution includes one appellate judge and one circuit court judge, which

Wyatt said should change because circuit court judges generally have a heavier caseload than appellate judges.

Wyatt said the resolution is part of his effort to make government more transparent. A recent project called State Integrity Investigation awarded Missouri a C- on the state's Corruption Risk Report Card, ranking it 15th in the nation. Missouri received an F in the public access to information category, compared to a nationwide average of about a D, and a C- in terms of judicial accountability, which is slightly above the national average of about a D+.

The Commission on Retirement, Removal and Discipline currently does not release information to the public regarding complaints, hearings or informal discipline actions against judges, with some exceptions, according to Supreme Court Rule 12.21. The Commission only releases information to the public when it files a formal recommendation with the Supreme Court.

Wyatt said rather than writing more legislation, he plans to request that the Commission amend its own rules to allow for more public access to information regarding complaints and investigations of judges.

"With the system of checks and balances, you don't want to put too many regulations [on the judiciary]," Wyatt said. "You want them to be able to make some of their own rules."

However, he said if he cannot work with the Commission to change some of its confidentiality rules, he will address the issue with legislation.

"Without transparency, the elitists in government structures think they can get away with anything," Wyatt said.

The House has not yet scheduled a hearing for HJR 82, but if the resolution passes, the issue will be on the ballot during November.