



Capitol Report

February 10, 2022

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Dear Neighbor,

The Supplemental Budget Bill was Third Read and passed during today's session as well as legislation on the Initiative Petition Reform. I was disappointed that the Republican members of our body did not support Governor Parsons request to raise state employees salary across the board. Instead, certain employees will be compensated at a higher rate of pay, while others will see a modest pay increase. Although this legislation does not provided adequate pay increases in my beliefs, **I did vote YES** for it as I will always favor working men and women and I will not vote against you as everyone deserves a better quality of living.

The Initiative Petition Reform also passed. **I voted NO on this resolution.** The Initiative process is in place for you, the everyday citizen and grassroots organizations to be able to have your voices heard by your government. This measure will make it harder to get qualified petitions on the ballot. It was the initiative process that got Missouri Medicaid Expansion and Medical Marijuana in our state. Both pieces of legislation are now headed to the Senate.

I am including an outline in the newsletter about both pieces of legislation for your review. As always, I will continue to work for you and your family to stand up for your values and to represent your best interest.

Yours in Service,
Rich



[You can view the proposed redistricting maps for the state and congressional districts here.](#)

Budget Supplemental

Notable expenditures

Education

This supplemental also represents a once in a generation investment in our state's education system. The \$2 billion Missouri schools will receive is just a fraction of the help we expect them to get in the long run from the American Rescue Plan Act. Getting this money out as soon as possible before we lose it is tremendously important.

Meal reimbursement is also incredibly important. Schools faced a lot of struggles at the height of those supply line issues. While that's subsided, those costs were and are still significant. Helping schools ensure kids have sustenance goes a long way to helping them achieve their educational missions.

Learning loss due to COVID is real, and it's good that it's addressed in this bill, especially since these programs will help ALL the kids in our state. We're sending learning loss funds to programs taking place in public, charter AND private schools, and that's a good thing. Private schools could use the help on this issue, and this specific instance helps get every child in the state back on track.

Fully-Funding Medicaid

We are finally funding the expanded Medicaid population. Almost a year after we were supposed to put money into the FY2022 budget to fully fund Medicaid after voters expanded Medicaid, we're doing it in the supplemental. This is a historic moment that marks a huge step forward for our state.

... But we need to continue the fight in FY2023 to cover this population. This group of Missourians should receive the benefits the people of this state decided they should have.

Voters ordered it. Courts approved the voters' decision. It's done. It will fall on us to ensure that happens in the next budget cycle.

Missouri Republicans failed the poorest workers of this state by voting to reduce wage increases from the governor's proposal.

- State employees keep Missouri functioning — no matter their role. Many of the lowest paid jobs were the same ones labeled essential, but it didn't stop Republicans from denigrating and insulting the work they do.
- This is a betrayal of Missouri's state workers in the departments that don't get to \$15/hour. We dangled a pay raise in front of these workers' faces and instead of providing them with a substantial increase, we're giving them a pittance.
- We should have invested significantly in human infrastructure. Our state has neglected state employees for too long, and the governor's desire to finally make this investment is how we retain talented, capable people that provide essential services to people across the state.
- Department heads across the state are sounding the alarm about enormous vacancy rates in their departments. By shortchanging certain departments, we directly hamper their ability to retain and recruit talented, qualified employees.

Bringing state employees up to a baseline rate or market rate allows us to stay competitive with other states and with businesses. If we want to truly run the state like a business, that means finding a way to bring the best and the brightest to work for state government. The best way to do that is to raise wages.

Initiative Petition Reform

Republican politicians think they know better than the people of Missouri. It's elitist and demeaning to Missouri citizens and illustrates that Republican politicians do not trust people to vote the way the GOP wants them to vote.

Under these resolutions, special interests will only get more powerful. Republicans argue special interests have too much say in Missouri's current initiative petition process, but these changes will make it so only organizations and groups flush with money and resources can even hope to make changes to our initiative petition process. It all but locks out average citizens of our state who want to make changes.

These resolutions substantially increase how difficult it will be to get popular policies into law. Medicaid expansion, the ban on right-to-work, medical marijuana legalization — the people of this state showed wisdom to approve these constitutional amendments. How many other much-needed changes will be killed in the cradle by crippling the initiative petition process?

Our constitution should remain dynamic to ensure Missouri can keep up with the rest of the country. Republican politicians have often dragged their feet on substantial policy changes to protect and provide for Missourians, while other states react quickly and immediately see benefits. Missourians have a right to take action so our state can remain competitive.

One day, Republicans will be in the minority and their only avenue to pass conservative policy will be via initiative petition. If they kill the IP, they will regret it when that day comes

This resolution would not meet its own standards. It only passed out of the House with 60.1 percent of the vote.



Supreme Court strikes down two laws restricting referenda

The Missouri Supreme Court on Feb. 8 struck down two state laws Secretary of State Jay Ashcroft used to block Missouri voters from having the final say on legislation enacted in 2019 to criminalize most abortions after just eight weeks of pregnancy. The court's 5-2 decision sided with a lower court's holding that the statutes interfere with the state constitutional right to referendum.

On the last day of the 2019 legislative session, the Republican-controlled Missouri General Assembly enacted House Bill 126, which sought tighter restrictions on abortion. Opponents of the bill quickly filed a referendum petition, which forces a statewide vote on legislation passed by lawmakers and signed by the governor. The petition's backers faced a 90-day deadline to collect the roughly 100,000 signatures from registered voters needed to put HB 126 on the ballot.

Ashcroft, a Republican, initially delayed the effort by declaring the petition violated constitutional procedures. After the Missouri Court of Appeals Western District ruled Ashcroft overstepped his authority and ordered him to certify the petition, he then engaged in further delay by taking the full 51 days state law gave him to complete the job. By the time he finally did so, petition backers had just two weeks to collect the necessary signatures by the deadline, a likely impossible task by that point.

To prevent Ashcroft from pulling a similar move in the future, petition supporters then challenged the constitutionality of the law allowing the secretary of state to delay the certification process and a related statute prohibiting petitions from being circulated prior to that time. Although the referendum on HB 126 didn't move forward, a federal court subsequently blocked the law from taking effect.

Writing for the majority, Judge Mary Russell noted that while the legislature can enact laws that assist with the implementation of the referendum, laws that interfere with it are unconstitutional.

"The Missouri Constitution guarantees the right of referendum to *all* Missouri citizens, not just those capable of raising the necessary funds to complete a signature-collection effort within the tightest of timeframes," Russell wrote.

In the dissenting opinion, Judge W. Brent Powell said he would have upheld the statutes since the plaintiffs didn't prove the laws interfere with the right to referendum in all possible circumstances. The majority countered that the fact they interfere at all is constitutionally impermissible. The case is *No Bans on Choice, et al., v. Ashcroft*.





Architects from Kansas City visited with me this week concerning possible changes in licensure changes in Missouri.



Supreme Court hears challenge to gun nullification law

The Missouri Supreme Court heard arguments Feb. 7 in a case challenging a 2021 law that purports to declare federal gun laws unenforceable in Missouri and punishes local police departments for assisting federal authorities in criminal investigations. The arguments primarily focused on procedural questions, with little discussion of the case's merits.

The Republican-controlled General Assembly enacted the law in question, House Bill 85, last May. The following month, St. Louis city, St. Louis County and Jackson County filed a lawsuit claiming HB 85 violates the U.S. Constitution's Supremacy Clause, which prohibits individual states from invalidating federal laws. In a highly unusual move, an attorney for the U.S. Department of Justice appeared before the state high court to argue in support of striking down the new law, saying it has chilled cooperation between state and federal law enforcement officials in criminal investigations.

In addition to purporting to nullify federal gun laws, HB 85 authorizes federal gun offenders to sue Missouri police departments for a minimum \$50,000 per occurrence, plus attorney

fees, for assisting federal authorities. The bill also subjects any local government agency to similar fines merely for hiring a former federal agent who previously enforced gun laws, regardless of whether that person is hired in a law enforcement capacity. The new law is dubiously referred to as the “Second Amendment Preservation Act.” The court will issue its ruling at a later date.



Supreme Court orders disclosure of medical marijuana info

The Missouri Supreme Court unanimously ruled the state Department of Health and Senior Services must disclose information submitted by successful applicants for medical marijuana licenses in an administrative challenge brought by an applicant who was denied a license.

The constitutional amendment Missouri voters ratified in 2018 legalizing medical marijuana also granted the health department regulatory authority over the industry, and the agency has faced

fierce criticism over how it has performed the task. Accusations that an inconsistent scoring process allowed the department to grant licenses to favored recipients while denying them to similarly situated applicants resulted in hundreds of appeals to the Administrative Hearing Commissions, which handles administrative disputes involving state agencies.

One unsuccessful applicant, Kings Garden Midwest, sought other applicants' information as part of its appeal, but the department argued it couldn't be compelled to disclose it because of a constitutional provision requiring such information to be kept confidential. However, the Supreme Court, in an opinion written by Judge George Draper III, said the constitution expressly allows such information to be disclosed during the license denial appeals process.

"Because applications are not judged solely on their own merits but are ranked competitively against other applications, the only way to determine whether Department denied King's Garden's application in an arbitrary or capricious manner is to compare its applications against information from those of successful applicants," Draper wrote. "Without all of the information that formed the basis of Department's decision, no meaningful review is possible."

Because of the court's decision, the department must disclose the information in other pending appeals. The case is *State ex rel. Department of Health and Senior Services v. Slusher*.

COMMUNITY NEWS AND HAPPENINGS



The Pandemic aint over!



Please continue to be safe during the pandemic. I made a Public Service Announcement recently and it can be viewed by clicking on my photo.



Get **free** COVID test kits at
COVIDtests.gov

- ▶ There are no shipping costs.
- ▶ You don't have to give a credit card or bank account number.
- ▶ You only need to give your name and address.

Anyone who asks for more information than that is a scam

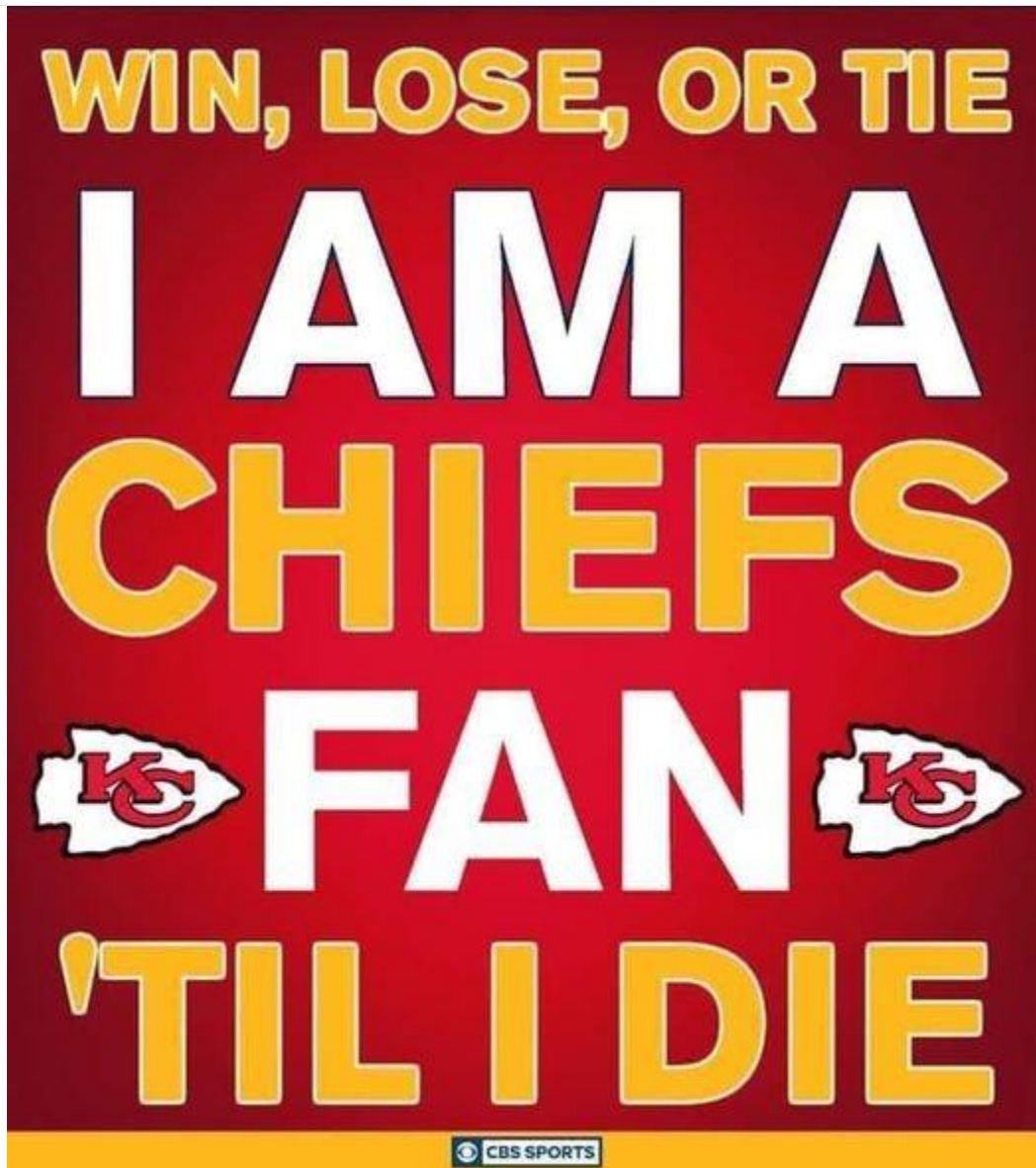


Report them to the FTC at
ReportFraud.ftc.gov or your attorney
general at **ConsumerResources.org**.



Order your FREE COVID-19 Home Test Here.
<https://special.usps.com/testkits>





The reward has been raised to
\$30,000 for Dominic



**GREATER KANSAS CITY CRIME STOPPERS
816-474-TIPS HOTLINE**

**PRESS RELEASE
FOR IMMEDIATE RELEASE**

FROM: Det. Kevin Boehm, Crime Stoppers Coordinator

SUBJECT: Reward Increase – 9 Year Old Dominic Young Homicide

KANSAS CITY, MO --- The Kansas City, Missouri Police Department and the Greater KC Crime Stoppers TIPS Hotline continue to seek information in the January 20, 2018 homicide of 9 year old Dominic Young Jr. at 71 Highway and Emanuel Cleaver II Blvd.

Dominic Young Jr. was apparently hit by a stray gunshot while occupying a vehicle driven by his father and died as a result of his injuries. Dominic, his father and brother

were en route to Grandview at the time. The vehicle driven by Dominic's father was hit by gunshots from other vehicles apparently engaged in a gunfight according to statements.

KCPD found a possible crime scene near the intersection where the father said the shooting happened. When the father arrived home in Grandview, Dominic was not responsive. Grandview police initially responded to the father's home and found the boy in critical condition. He was later pronounced dead at a hospital.

A number of community leaders and organizations including State Representative Richard Brown, Mayor Pro Tem Kevin McManus, former City Councilmen Scott Taylor, Scott Wagner, John Sharp; the City of KCMO and Concord Fortress of Hope Church (Pastor Ron Lindsay) have come forward to increase the existing reward in the case up to \$30,000.00. Those leaders are available for comment in regard to the case.

Anyone with information is urged to contact Crime Stoppers Greater Kansas City TIPS Hotline at 816-474-TIPS (8477), TIPS may also be submitted electronically at www.KCcrimestoppers.com, or by downloading our NEW mobile app, P3TIPS, on Google Play or the Apple iOS stores for FREE. Information leading to an arrest and/or filing of charges could be eligible for up to \$30,000.00 in reward money. ALL INFORMATION IS ANONYMOUS.



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Tips Hotline

816-474-8477

Web Tips

www.KCcrimestoppers.com

Free Mobile App

www.P3Tips.com

* A program of the KC Metropolitan Crime Commission

My office in Jefferson City is available to assist you with questions you may have about state government or legislative issues. Please call, email or write anytime. If you are unable to reach me, my assistant, Donna Gentsch is ready to help you. If you are in Jefferson City, come by my Capitol office in room 134, and introduce yourself. The door is always open and I encourage you to visit.

[Please forward this email to your friends and family who want to know how what is happening in Jefferson City will impact them here at home.](#)



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