



October 27, 2023

Capitol Report

Hi All,

One of the most rewarding parts of my job is doing important work of supporting education in the Northland. I had the privilege of celebrating 12th District resident, Hailey Hankins, for winning a Regional Teacher of the Year award. I also took part in UMKC's Insider Academy where I heard from student leaders, alumni, and Chancellor C. Mauli Agrawal on the developments going on at their great institution. Next Thursday I will take part in a [HBCU Showcase](#) at Park Hill South, a great opportunity to connect our scholars with resources for the next stage in their academic and professional careers. As the interim comes to a close and we enter the 2024 session, I will continue my commitment to empowering the educators, students, and parents of Missouri.

Sincerely,




Jamie J. Johnson

State Representative - District 12

201 West Capitol Avenue
Room 103-BA
Jefferson City MO 65101
573-751-9760

Jamie.Johnson@house.mo.gov

This Week in Jefferson City

Records show House Speaker had violations on travel expense reports

Republican House Speaker Dean Plocher sought and received taxpayer reimbursement for about \$4,509 in travel expenses that his campaign committee also paid for, the Missouri Independent reported on Oct. 23. The potentially illegal double-dipping took place on at least nine different occasions over five years, according to the online news site. The Independent discovered the double-dipping by comparing the expense reports of Plocher's official House office, which it obtained through an open records request, against the contribution and expenditure reports his campaign committee, Plocher for Missouri. Those reports are filed with the Missouri Ethics Commission and posted online. Citing legal experts, the Independent reported the submitting of false reports could be prosecuted as stealing from the state, a Class A misdemeanor, or as Class B misdemeanor of making a false declaration. Plocher's actions also could be considered as converting campaign funds for personal use, which is prohibited by state law and punishable by a civil fine. Although state law allows elected officials to use campaign funds for official expenses, they cannot also seek reimbursement of those costs from taxpayers. In Plocher's case, his campaign paid for his travel – including a trip to Hawaii this summer to attend a conference – while the House personally reimbursed him for those same costs. In every instance he sought taxpayer reimbursement, Plocher signed a document swearing the payments he sought to recover were made with “personal funds, for which I have not been reimbursed,” the Independent reported. After the Independent filed its request for Plocher's office expense reports – but days before the Independent published its story – Plocher began repaying House for the questioned reimbursements. In a statement to the Independent, Plocher said he is “in the process of completing a full review of all expenditures and will correct any additional administrative errors in the spirit of full transparency.”

U.S. Supreme Court keeps controversial gun law blocked

The U.S. Supreme Court on Oct. 20 rejected a request to reinstate a Missouri law that purports to declare many federal gun laws unenforceable in the state. A federal district judge had ruled the law violates the U.S. Constitution's Supremacy Clause, which holds that federal laws trump contrary state laws. Missouri Attorney General Andrew Bailey, a Republican, had asked the high court to allow the law to remain in effect while the 8th U.S. Circuit Court of Appeals considers his appeal of the district judge's ruling. The Supreme Court rejected Bailey's request in a brief order with only arch-conservative Justice Clarence Thomas noting a dissent, which he did not explain. The Republican-led General Assembly enacted the law in 2021 over Democratic objections. In addition to purporting to nullify federal gun laws, the

measure also authorizes those arrested or convicted of a federal gun crime to sue local police departments for civil fines of \$50,000 per occurrence for assisting federal agents in their cases and prohibits local governments from hiring – in any capacity – former federal officers who previously enforced gun laws. Ruling in a legal challenge brought by the U.S. Department of Justice, U.S. District Judge Brian Wimes of the Western District of Missouri said the state law clearly interferes with federal officials' ability to enforce federal firearms regulations, in violation of the Supremacy Clause, and is "invalid, null, void, and of no effect." The Supreme Court's refusal to weigh in means Missouri's law will remain unenforceable while litigation in the case continues. The case is United States v. State of Missouri.

Three appellate judges picked as finalists for Supreme Court

The Missouri Appellate Judicial Commission on Oct. 24 announced the three finalists to fill the latest vacancy on the state Supreme Court, with the two finalists who weren't appointed to a previous vacancy on the court in September getting a second shot at the job. As with the previous finalists, all are sitting members of the state Court of Appeals. Again making the cut are Judge Michael Gardner of the Court of Appeals Eastern District in St. Louis and Judge Ginger Gooch of the appellate court's Springfield-based Southern District. Rounding out the list is Judge John Torbitzky of the Eastern District. Gardner was in private practice for nine years before being elected as a Cape Girardeau County circuit judge in 2014. Gov. Mike Parson, a Republican, appointed him to the Court of Appeals in February 2020. Gooch has only about a year of judicial experience, with Parson putting her on the Court of Appeals just last November. She was previously in private practice and had been a partner with the Husch-Blackwell law firm. Torbitzky has served a little over two years as a judge after Parson appointed him to the appellate bench in August 2021. He spent about seven years in private practice prior to his appointment. Parson must appoint one of the finalists by no later than Dec. 23 or forfeit the decision to the Appellate Judicial Commission. The state constitution tasks the commission with vetting applicants for appellate vacancies, a process that limits the governor's role in choosing judges. The current vacancy was created Oct. 1 when Judge Patricia Breckenridge retired after 16 years on the Supreme Court and more than 41 years as a judge. Parson appointed Judge Kelly Broniec, previously of the Eastern District, to the high court in September to replace Judge George Draper III, who retired in August.

Court blocks order limiting efforts to combat disinformation

The U.S. Supreme Court on Oct. 20 stayed enforcement of a lower court's order limiting President Joe Biden's administration ability to encourage social media companies to remove false or misleading posts from their platforms. Former Missouri Attorney General Eric Schmitt joined with Louisiana Attorney General Jeff Landry in filing the case in 2022. The two Republicans had argued the Biden administration's actions to combat online disinformation amounted to censorship and unlawful intimidation of the companies, none of which are party

to the lawsuit. In July, the Louisiana district judge handling the case broadly prohibited the administration from communicating with the companies. The 5th U.S. Circuit Court of Appeals later said most of the judge's order barred the administration from engaging in legal conduct and scaled back the restrictions. In its order, the Supreme Court stayed the modified injunction and agreed to take up the case. In a dissent joined by two other conservative members of the court, Justice Samuel Alito said the government failed to show that it will suffer "irreparable harm" if the injunction remains in place while the court considers the case, Vivek H. Murthy, et al., v. Missouri, et al.

Town Hall on the 2024 Legislative Session!



Upcoming Events

October 28, 2023

Parkville Farmer's Market

Parkville Farmer's Market

S East St, Parkville, MO 64152

7am-12pm

October 28, 2023

Downtown Parkville Trick or Treat

Historic Downtown

12 Main St. Parkville, MO 64152

12-4pm

October 29, 2023

Boo Bash At Creekside

15325 Old Town Drive Parkville, MO 64152

6-8pm

Feel free to contact my office with your questions or requests.

573-751-9760



