

Weekly Report
Week of 3-22

By: Sen. Matt Bartle
(573) 751-1464

The Declaration of Independence sets forth the proposition that “Governments are instituted among Men, deriving their just powers from the consent of the governed.” There is a covenant between the people and their elected officials that the laws under which we live will be just and that the people will be informed as to what is legal and what is not.

Recently I became aware of an interesting story involving a sort of “ghost law.” This stemmed from a situation where a bill was passed by the legislature that repealed a certain section of law. When this bill itself became law, the sections that were repealed were accordingly removed from the statute books. Later, a suit was brought and the Missouri Supreme Court ruled that the bill was actually unconstitutional based on a technicality involving its title. This meant that the old law, once thought to be repealed, was still actually good law. The problem was that this “good law” now no longer appears in Missouri’s statute books and the State’s Revisor of Statutes was not deemed to have the authority to put it back. This rather convoluted situation had the effect of making it difficult for a citizen trying to figure out the current status of the law to actually know just what the law really was since it was no longer printed.

The Senate moved this week to restore faith with the citizens of Missouri and to restore the “ghost law” that isn’t written but is still the true law of the state. The principle that citizens should be governed only with their consent is an important one and citizens certainly can’t give full consent if they can’t even read the laws under which they are supposed to live. This bill is on the fast track to be passed and should be enacted back into law, the kind that people can actually read in black and white, by late this summer.

If you have comments or questions about this week’s column or any other matter involving state government, please do not hesitate to contact me. You can reach my office by e-mail at matt_bartle@senate.state.mo.us. Also, you can read any of the bills I file on my website at: <http://www.senate.state.mo.us/04info/members/mem08.htm>). Thank you again for making it possible for me to serve in the Missouri Senate.