

Senator Gary Nodler

32nd District

2010 Capitol Report

Dear Friends,

The 2010 legislative session marks my final session in the Missouri Senate. The past eight years have been challenging at times, but I am proud of the work that has been accomplished for the 32nd District during my time as your state senator.

This Capitol Report outlines some of the accomplishments of the past eight years. Whether addressing crime, educational opportunities, fiscal responsibility, or economic development, the priorities of the 32nd District have always been my utmost concern.

I want to thank you for giving me the opportunity to serve you. It has been an honor.



Eight Years of Success...

- 2003: Bettering Regional Education..... Page 3**
- 2004: Penalties for Drunk Drivers..... Page 4**
- 2007: Improvements to Higher Education... Page 5**
- 2009: Federal Dollars Spent Wisely..... Page 7**

Contact Information:

—Mail—

201 West Capitol Ave., Rm 423
Jefferson City, Missouri 65101

—Phone—

(573) 751-2306 or (866) 246-0032

—Website—

www.senate.mo.gov/nodler

Committee Appointments

Much of the legislative and policy work completed each year begins in Senate committees. These committees hear testimony from the public and serve as the first forum to discuss legislation. Here are the committees Sen. Nodler has served on during his time in the Senate.

2003

Standing Committees:

- **Appropriations:** Served as vice-chairman and chairman
- **Education:** Served as chairman
- **Rules, Joint Rules, Resolutions and Ethics:** Served as vice-chairman
- **Government Accountability and Fiscal Oversight:** Served as vice-chairman
- **Economic Development, Tourism and Local Government**
- **Transportation**
- **Financial and Governmental Organizations and Elections**
- **Ways and Means**
- **Pensions, Veterans' Affairs and General Laws**

2004

2005

2006

2007

2008

2009

2010

Joint Committees:

- **Joint Committee on Legislative Research:** Served as vice-chairman and chairman
- **Joint Committee on Capital Improvements and Leases Oversight:** Served as co-chairman and vice-chairman
- **Joint Committee on Education**
- **Joint Committee on Transportation Oversight**
- **Joint Committee on Government Accountability**
- **Joint Committee on Life Sciences**
- **Joint Committee on MO HealthNet**

Interim Committees:

- **Senate Interim Committee on the Cost of a College Education:** Served as chairman
- **Joint Interim Committee on Investments in Higher Education and Savings Programs**

Select Committees:

- **Senate Select Committee on MO HealthNet Provider Rate Equalization:** Served as chairman

Additional Committees:

- **Commission on the Future of Higher Education**
- **Subcommittee on Competition and Privatization:** Served as chairman
- **Missouri Investment Trust Board of Trustees**
- **State Records Commission**
- **Second State Capitol Commission**
- **Missouri State Capitol Commission**
- **Small Business Regulatory Fairness Board**
- **Midwestern Higher Education Commission**

Leadership Positions:

- **Assistant Majority Floor Leader**

Legislation Passed in 2003

Paying Tribute

Senate Bill 598, a bill Sen. Nodler co-sponsored, established the Cpl. Bobbie J. Harper Memorial Highway on U.S. Highway 71 in McDonald County. **Senate Bill 697** renamed a portion of Interstate 44 in Jasper and Newton counties the George Washington Carver Memorial Highway. Senator Nodler sponsored the bill because the stretch of highway is located in Southwest Missouri near the birthplace of George Washington Carver. Senator Nodler also co-sponsored **Senate Bill 289**, which designated a portion of U.S. Highway 71 as Trooper Charles P. Corbin Memorial Highway.

Reducing the Cost of Government

In order to work to reduce costs to state government and increase quality of services to citizens, Sen. Nodler sponsored and helped pass **Senate Concurrent Resolution 13**. The measure created a subcommittee on privatization, which includes lawmakers and private citizens working to find ways to utilize private resources within certain aspects of state government.

2003

Improving Regional Higher Education



Senator Gary Nodler was sworn in to serve the people of the 32nd District in the Missouri Senate in January 2003.

During his first year in the Missouri Senate, Sen. Nodler sponsored legislation changing the name of Missouri Southern State College to Missouri Southern State University-Joplin in order to give the school much-deserved recognition for its quality work.

Senator Nodler continued this work in 2005 when he succeeded in going even further and dropping the regional designation. The name of the university is now Missouri Southern State University.

The measure passed in 2003 also allowed the Coordinating Board for Higher Education to promote cooperative agreements between Missouri colleges and universities. Cooperative agreements allow institutions of higher learning to offer programs, including graduate degrees, on the campuses of other colleges.

In 2006, the first-ever recipients of master's degrees in teaching graduated as part of the Missouri Southern Cooperative Graduate Program. Since the program's inception, there has been an increase in the number of master's degrees offered at Missouri Southern.

2004

Fairness in Missouri Testing

In 2004, Sen. Nodler responded to the call to improve the Missouri Assessment Program, or MAP test. The test was originally developed in 1997 to evaluate student performance. Because MAP tests defined "proficiency" as achieving above the students' grade level, nearly half of Missouri school districts in 2003 failed to make the grade according to the requirements set by the federal No Child Left Behind Act.

Having state standards set above those required by the federal government put Missouri students in an unfair position. By striving to meet or exceed the high expectations of the state, students found their year-to-year progress minimized, even though their actual performance levels were substantially above federal benchmarks.

Senator Nodler successfully sponsored **SB 1080**, requiring Missouri education standards align with those of the federal government. Education professionals worked to come up with a different academic performance evaluation that doesn't penalize Missouri schools for having a high definition of success.

Saving Missouri Armories

In the fall of 2003, the Missouri National Guard announced its cost-saving plan to close armories in Neosho, Pierce City and Salem.

Believing that each of the armories is important to their corresponding town, Sen. Nodler successfully sponsored **SB 942**, which transferred ownership of the armories to the city governments.

Helping Small Businesses

Senator Nodler co-sponsored **SB 718**, a measure that was included in HB 978, which created the Small Business Regulatory Fairness Board. This board was designed to help small business owners keep up with the volume of rules that confront them.

Since its creation in 2004, the board has worked to provide a venue by which Missouri small business owners can have regulatory concerns heard and remedied outside of court.

2
0
0
5

More Efficient and Accessible Healthcare

Senator Nodler co-sponsored **SB 539**, a bill that requires an annual verification process of Medicaid recipients to ensure that individuals do not scam the system. To further reorganize the system, the bill also created a commission of lawmakers to study and review the Medicaid program in-depth and recommend innovative ways to redesign a new state Medicaid system.

The Medicaid Reform Commission's work led to the Missouri Health Improvement Act of 2007 (Senate Bill 577), which created a completely new model for state-funded healthcare allowing for the care of Missouri's most vulnerable while better managing the program's operations.



Senator Nodler on the floor of the Senate during his third year of service.

Strengthening Penalties for Drunk Drivers

In the summer of 2004, 7-year-old Jessica Mann and her grandfather, James Dodson, were checking the mailbox outside of Mr. Dodson's home when a drunk driver struck and killed them. The driver had a blood-alcohol level of .202—more than twice the legal limit.

To send the message that drunk driving is inexcusable, lawmakers in 2005 approved **SB 37**, sponsored by Sen. Nodler. The legislation increased the penalties for drunk driving that result in involuntary manslaughter. Under the law, violators must serve at least 85 percent of their sentence before they can be eligible for parole. The legal consequences for repeat driving-while-intoxicated offenses were also stiffened.

Improving Public Education

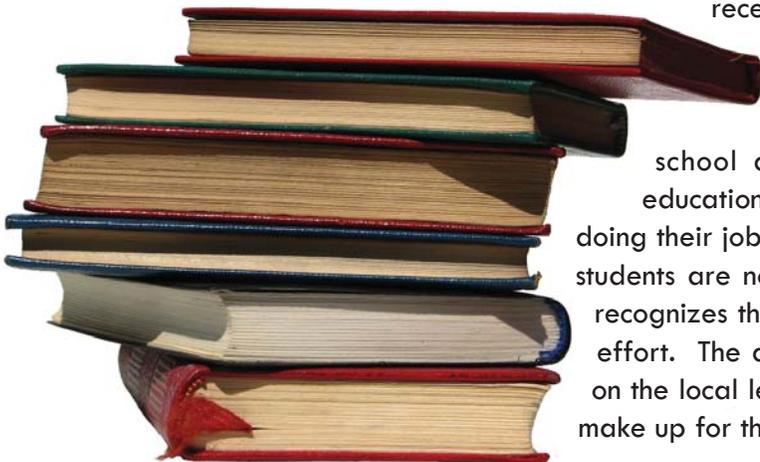
During his time as chairman of the Senate Education Committee, Sen. Nodler helped pass several important education measures. In 2006, he sponsored a measure that became law, including language complementing the new school funding formula created in 2005. Under **Senate Bill 894**, the financial penalties imposed on schools that experience a slight drop in summer school enrollment were lessened. Now, the decrease in summer school attendance has to be rather significant before a school district loses any state funding.

The bill also created a law to hold local school districts accountable for the quality of education they provide. Under the legislation, low-levy school districts have to examine their performance and tell the Department of Elementary and Secondary Education (DESE) whether the students in the district are

receiving an adequate education. Low-levy

school districts are districts with levies set below the performance levy determined by the state's foundation formula. If a low-levy

school district certifies itself as a provider of adequate education, then the state and local communities are doing their jobs. If a low-levy school district reports that its students are not receiving an adequate education, the bill recognizes that this condition stems from inadequate local effort. The district then has to look at what can be done on the local level and perhaps consider raising the levy to make up for the deficiency.



2
0
0
6

In 2007, the Legislature passed **Senate Bill 389**, sponsored by Sen. Nodler. Provisions in this important higher education measure included:

- Increasing scholarship opportunities. The Access Missouri Financial Assistance Program was developed by combining two existing scholarship programs to create a need-based scholarship opportunity for community college, public university and private university students.
- Limits on tuition increases. As of the 2008-2009 school year, if a university increases their tuition at a rate greater than inflation, as defined by the Consumer Price Index, the Coordinating Board can fine the institution up to 5 percent of its state appropriation.
- Accountability for public universities. The Joint Committee on Education, which meets twice a year to review the performance of schools in Missouri, and the Coordinating Board of Higher Education have extended authority to hold Missouri schools accountable.

Senate Bill 389 also sold a portion of the out-of-state assets of the Missouri Higher Education Loan Authority (MOHELA). This led to the passage of **House Bill 16**, a supplemental measure which appropriated the nearly \$260 million that went to fund education projects statewide.

In the 32nd District, these projects included:

- \$18.97 million for a health sciences building at Missouri Southern State University featuring added class and clinic space for Allied Health program graduates.
- \$2 million for the Missouri Alternative and Renewable Energy Training Center at Crowder College.
- \$200,000 for a Missouri Power Resource Center, a collaborative effort among Missouri Southern State University, Missouri Technology Corporation, University of Missouri-Columbia, Missouri University of Science and Technology, Missouri State University and an advanced technology corporation.
- \$173,000 for a dental hygiene distance learning program collaboratively run with Missouri Southern State University.

Also in 2007...

Tax Credits and Exemptions

Senate Bill 30, sponsored by Sen. Nodler, created several tax cuts and exemptions for businesses in Missouri, encouraging economic growth throughout the state. The legislation expanded tax exemptions for common carriers to cover those who only conduct business within the state. Before the legislation was signed into law, these tax benefits were available only to interstate carriers. Senate Bill 30 also gave tax credits for homes inherited by a person whose spouse was a public safety officer killed in the line of duty. In addition, state and local sales tax exemptions for expenditures on utilities, chemicals, machinery and equipment now apply to television or radio broadcasting and mineral recovery operations. Other sales tax exemptions in SB 30 benefit businesses such as a major telecommunications company's customer care center located in Joplin—a \$19.3 million investment—which held its ground-breaking in April 2007.

Consumer Protection

Senator Nodler worked on a provision in HB 780 giving the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects the ability to punish those misrepresenting themselves in these professions. The measure gives the board the ability to fine people practicing any of these professions without licensing. If a complaint to the board is substantiated, it can result in a fine of up to \$5,000 for each day of the violation with a maximum penalty of \$25,000. By instituting penalties for misrepresenting oneself as a licensed architect, engineer, land surveyor or landscape architect, consumers are now more confident that they are receiving quality services.



Senator Nodler on the dais in the Senate Chamber.

Ethan's Law — Preventing Another Tragedy

On July 17, 2007, 6-year-old Ethan Cory drowned at a private water park in rural Joplin. The tragic death shook the community and as a result, Sen. Nodler handled **House Bill 1341** in the Senate, which works to prevent future tragedies.

After their son's death, John and Lauren Cory worked with local lawmakers to require tougher rules for privately owned water parks. The park their son drowned in did not have liability insurance, and thus did not have any sort of oversight because it was outside of a municipality and was privately owned.

The legislation requires water parks to carry insurance. Owners who do not insure their parks can be charged with a Class A misdemeanor and be subject to a fine of \$250 per day of violation. Insurance companies underwriting these liability policies require parks to follow regulated safety precautions.

House Bill 1341 contained an emergency clause, meaning the bill went into effect as soon as the governor signed it in June 2008.

Responsible Spending

In 2008, Sen. Nodler served his first year as chairman of the Senate Appropriations Committee. The budget crafted that year contained:

- 7.8 percent increase for higher education.
- 2.4 percent increase for elementary and secondary education.
- 10.1 percent increase for transportation.
- 7.4 percent increase for the Department of Corrections, including \$3.7 million to provide a pay increase to certain corrections staff.
- 3.7 percent increase for the Department of Social Services.

Quality Assurance for Mental Health

Senator Nodler sponsored Senate Bill 1081 to standardize and support quality assurance and safety for facilities and programs serving the disabled in our state.

The first provision of SB 1081 adds mental health workers to the Family Care Safety Registry, making it possible for families to get background information on these workers before placing a developmentally disabled family member in their care.

Another provision in the bill requires direct care staff from the Division of Developmental Disabilities to report suspected abuse in the same manner as physicians, nurses, and psychologists who are already required to report.

The Missouri Department of Mental Health maintains a list called the Disqualification Registry, and SB 1081 requires any employee of a group home or residential facility for the developmentally disabled that has been placed on this list to be terminated.

Another important part of SB 1081 standardizes the regulations and training for all group homes and residential facilities for the developmentally disabled.

Accountability with Federal Dollars in Missouri

The federal government passed the American Recovery and Reinvestment Act of 2009, a bill that provided federal funding to the state. Along with the core spending plan, Sen. Nodler helped to craft **House Bills 21 and 22**, which contained appropriations for stimulus dollars and capital improvement projects in the state. He worked to ensure these bills used stabilization and stimulus dollars in a sustainable way.

Senator Nodler also sponsored a bipartisan effort to ensure responsible use of federal dollars in Missouri. **Senate Bill 313** was the first bill of 2009 that was passed by both the House and Senate and signed by the governor. The legislation works by ensuring that any temporary funding

Missouri received from the federal stimulus plan went into one of two special funds. The “Federal Budget Stabilization Fund” was created to take in money the state received to supplement on-going programs. All other funds received under the act were deposited into the “Federal Stimulus Fund.”

Senate Bill 313 created the two funds to ensure that the revenue dollars being taken in didn’t merely get absorbed into the state’s general funds—providing an exact record of what was received and what is subsequently spent. Knowing that this federal funding wouldn’t last, Sen. Nodler worked to make sure Missouri did not become dependent on the temporary funding source.

Fighting Insurance Fraud

House Bill 62 included a provision drafted by Sen. Nodler to make sure those manufacturing and using fake car insurance cards are held accountable.

The provision specifically states that any person who intentionally produces, manufactures, sells or otherwise distributes a fraudulent document intended to serve as an insurance identification card can be charged with a Class D felony. The bill also addresses any individual who knowingly or intentionally possesses a fraudulent document intended to serve as an insurance identification card, making this offense a Class B misdemeanor.

Services for the Disabled

The Missouri Association of County Developmental Disabilities Services is composed of 51 county boards that contract local services for an estimated 47,000 people with developmental disabilities in the state. Not all counties have a local board, and Sen. Nodler sponsored a bill that was included in **Senate Bill 435** allowing the Division of Developmental Disabilities to contract directly with providers of targeted case management services for clients of the division in these areas. The bill expands services to rural areas, including clients living in Newton and Dade counties.

An Advocate for Fiscal Responsibility

Senator Nodler served as chairman of the Senate Appropriations Committee during the 2008 and 2009 legislative sessions. During his time serving in this role, he worked to make sure the budget was crafted in a responsible and sustainable way.

Senator Nodler’s work on the budgets for fiscal years 2009 and 2010 led to one of the highest carry-over balances in Missouri’s history, allowing the state to be prepared for tough fiscal times ahead. The state was also one of the only ones in the region to maintain a AAA bond rating, an indicator of Missouri’s sound financial health.

While maintaining fiscal responsibility, Sen. Nodler was also able to support increases for education, higher education and economic development. Missouri’s careful spending allowed for K-12 schools to receive increases in their funding, more funding for college and university scholarships, and expansions in business-friendly programs and services.

2010 Successful Legislation

Healthcare Freedom

The General Assembly approved legislation to provide Missouri citizens with a line of defense against the federal healthcare mandate passed by Congress this year.

The federal healthcare bill institutes government mandates that will only increase costs and bureaucratic red tape in the healthcare system. It hurts businesses by mandating that they cover their employees and passes the cost of coverage on to consumers.

House Bill 1764 would, upon voter approval, provide that no law can compel a patient, employer or healthcare provider in the state to participate in any government or privately run healthcare system. It protects the right of patients and employers to pay directly for legal healthcare services.

Senator Nodler's Legislative Awards

- Missouri Laborers' "Legislator of the Year" Award, 2003
- MSSU Outstanding Alumnus, 2003
- Missouri Association for Career and Technical Education Legislative Recognition Award, 2005
- Missouri Community College Association Distinguished Legislator Award, 2005
- Missouri Chamber of Commerce and Industry "100% For Jobs" Award, 2005
- American Institute of Architects Appreciation Award, 2006 and 2008
- The Missouri Bar's Legislative Award, 2007
- Missouri Court Appointed Special Advocates Association Legislative Award, 2007
- Missouri Society of Professional Engineers Legislator of Year Award, 2007
- Missouri Chamber of Commerce and Industry Spirit of Enterprise Award, 2007
- Honorary Doctor of Education Degree from Missouri Western State University, 2007
- LIFT Missouri, Legislators For Literacy Award, 2008
- Gateway Chapter of the Autism Society of America Certificate of Recognition, 2008
- St. Louis Business Journal Legislative Award, 2008
- Missouri Healthcare Association Senior Advocate of the Year, 2009
- St. Louis Regional Chamber and Growth Association Lewis & Clark Statesman Award, 2009
- Judicial Conference of Missouri, Recognition for the Advancement of the Administration of Justice in Missouri, 2009
- Missouri Association of Veterans Organizations Legislator of the Year, 2010

Protecting the Unborn

Senator Nodler supported the passage of Senate Bill 793, legislation that contains provisions that modify Missouri's informed consent requirements to make sure that pregnant women receive information and have time to process their options when considering an abortion. This includes, at least 24 hours prior to an abortion being performed, providing information on the emotional and physical risks of the procedure and the physiological characteristics of an unborn child at two-week gestational increments.

Supporting Small Business Growth

Senate Concurrent Resolution 33, sponsored by Sen. Nodler, discourages the federal government from continuing to harshly regulate our community banks and to instead give local banks the right tools to start lending again. The legislation encourages the federal government to join Missouri in supporting our community banks and small businesses.

Promoting Outdoor Resources

In June 2009, the President created the Interagency Ocean Policy Task Force, which was charged with drafting a national ocean policy and developing a framework for marine spatial planning for conserving and managing national waterways. Preliminary interim reports omitted responsibly regulated recreational fishing as a key activity for national waterways. Senate Concurrent Resolution 55, sponsored by Sen. Nodler, urges the President to include recreational fishing and boating as national priorities in the final report and to ensure and promote recreational fishing.

Strengthening Auto Insurance Laws

Senator Nodler drafted a measure passed in SB 583 that requires non-residents to adhere to the financial responsibility laws of their state of residence. A weakness in Missouri law came to light after a Jasper County resident was hit by an Oklahoma driver in Joplin who was uninsured. Based on current law, police could not cite the uninsured, out-of-state driver. This legislation gives law enforcement officials the ability to take action and will ensure that these uninsured drivers are held responsible.