

State Senator

Gary Nodler

2004 Legislative Report

District 32



Dear Friends,

I am pleased to have this opportunity to share with you some of the highlights of the 2004 Legislative Session. Missouri's economy is finally emerging from recession, and the Fiscal Year 2005 budget reflects that. There is more money for education, social services, roads and other important state services.

I was proud to sponsor the only major education reform bill to pass this session, Senate Bill 1080, which makes changes to the Missouri Assessment Program (MAP), bringing Missouri's educational standards into line with the new requirements established under the federal No Child Left Behind Act. I also succeeded in passing several measures that will benefit Southwest Missouri.

I hope that you will find this end-of-session update to be an informative look at the actions taken by the General Assembly. If you have any questions, comments or concerns about what was presented here or any other legislative matter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Gary Nodler".

Senate Bill 1080 Makes Changes to MAP Tests

Includes new qualifications for MSSU Board of Governors

A variety of improvements to the Missouri Assessment Program (MAP) will be made as a result of legislation sponsored by Sen. Gary Nodler.

"The way that the MAP program is currently constructed, our students are set up to fail," said Nodler. "The MAP test was pulled together in an environment of isolation without a national standard to build on. With the new federal guidelines, we will be able to write a test that aids education, not one that serves as an obstacle."

Passed in 2001, the No Child Left Behind Act brought new accountability measures to schools and expanded student testing requirements.

The current MAP test categorizes proficiency as above students' current grade level. That standard led to about half of Missouri's schools failing to make "adequate yearly progress" under the federal No Child Left Behind law. Failing to make progress for several years can lead to penalties, including a requirement that children be allowed to transfer to other schools.

Senate Bill 1080 will require that by June 30, 2006, the State Board of Education align the performance standards of the MAP test so that the performance standards meet,

but do not exceed, the performance standards of the National Assessment of Educational Progress (NAEP) exam.

In the House, Rep. Bryan Stevenson helped in adding language from Sen. Nodler's bill, SB 768, onto SB 1080 which establishes new qualifications for the Board of Governors of Missouri Southern State University – Joplin. Five voting members will be selected from Missouri's Workforce Investment Area Southwest region, which includes: Barton, Jasper, Newton, McDonald, Dade, Lawrence and Barry counties, with no more than three coming from any one county. Two voting members will be selected from any other county in the state.

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2004 Passed Legislation

Billboards – Bans most billboards for adult entertainment along Missouri's highways. Existing signs would have to come down within three years.

Children's Protections – Overhauls laws on child abuse and neglect, granting more rights to accused parents while also expanding background checks, opening court records and encouraging the use of private contractors.

DNA Testing – Requires DNA samples to be taken from all felons and allows the state to pay restitution for prisoners later exonerated.

Same Sex Marriage – Asks voters to determine whether the Missouri Constitution should include an amendment to limit marriage to between a man and a woman.

Mental Health – Requires that insurers treat mental health coverage in the same manner that physical health is treated.

Food Commonsense – Prohibits lawsuits blaming obesity and poor health on food makers and sellers.

Open Records – Increases penalties for violating open records law and lowers cost of copying documents.

Homestead Preservation – Allows a homestead exemption tax credit for people 65 and older with combined federal adjusted gross income of up to \$70,000 for property tax increases greater than 5 percent.

Veterans – Creates the Veterans Historical Education Trust Fund to help the development of veterans programs.

College Savings – Expands Missouri's college tuition savings program by applying its tax breaks to bank certificate of deposits.

32nd District Benefits Economically

Among the bills that passed this session were two that will benefit the 32nd Senatorial District. Rep. Ron Richards was instrumental in the passage of these measures.

Included in Senate Bill 1155 are provisions to renew and add enterprise zones, eliminate some tax credits and increase others. Enterprise zones provide tax incentives that will allow the City of Joplin to attract new businesses.

In House Bill 833, Jasper, Newton and several other counties will be able to submit to a vote of the people a tax of up to 0.25 percent in order fund an exhibition center and recreational facility.

2004 Failed Legislation

Abortion – Would have allowed lawsuits against anyone who helps a minor obtain an abortion without parental consent.

Senior Citizens – Senior citizens would have gotten help paying for prescription drugs that fall within the gap in benefits provided by Medicare.

Loss Limit – Would have repealed the \$500 limit on how much a person could lose in a two-hour gambling session and raises the tax on casinos.

Concealed Guns – Sheriffs would have been allowed to recover reasonable costs for issuing concealed weapons permits.

Tire Waste – Would have continued waste tire fee to fund dump cleanups.

Workers Compensation – Changes would have been made to Missouri's worker compensation laws modifying the definition of a workplace accident.

Toll Roads – As a way to fund road improvements, this bill would have allowed Missouri voters to decide whether Missouri should have toll roads on selected highways.

Name Change – Southwest Missouri State University would have been renamed Missouri State University.

Terrorism – Sponsored by Reps. Kevin Wilson and Marilyn Ruestman, this measure would have revised the crime of making a terrorist threat. Passed in the House, this bill died as a result of a filibuster by the Senate minority leader.

Governor's Veto Kills Tort Reform

For the second consecutive year, the governor delayed attempts to reform Missouri's tort laws by vetoing House Bill 1304.

HB 1304 would have prohibited venue shopping, limiting the filing of lawsuits – including medical malpractice – to only the county where the action occurred.

Sen. Nodler presents Abriana Andrews with a resolution honoring her as the Missouri Representative for Foresters Champions Across America, Missouri Children's Miracle Network. Holding Abriana is her mother, Crystal Adamson.



Jasper County Road District Can Now Disband

By joining together, Sen. Gary Nodler and Rep. Ed Emory have passed legislation that will allow a Southwest Missouri county to disincorporate a road district.

Senate Bill 769, which Sen. Nodler sponsored, and House Bill 895, sponsored by Rep. Ed Emory, are identical bills that will provide Jasper County with a procedure to dissolve a special road district.

HB 895 was one of the first bills Gov. Holden signed into law this year.

“By working with area representatives, I believe we get better laws for the people of the 32nd District,” Nodler said.

Legislative Goal: Saving Money

Senator Nodler successfully amended language from Senate Bill 1370, which will require contracts for energy conservation measures in public buildings to meet certain requirements.

It’s estimated that the state could save millions of dollars with this change.

“For several years, schools and businesses have made a real effort to save money on their energy costs,” said Sen. Nodler. “Now it’s time for state government to do the same.”

Nodler Heads Committee Exploring Privatization in Government

Sen. Nodler was appointed to serve as chairman of the Subcommittee on Competition and Privatization in state government.

The joint committee will try to identify those opportunities that appear to have the best chance to give services, at reduced costs, by relying on the private sector.

The committee will continue to hold public hearings throughout the state. Additional information on this committee can be found by going to its website at <http://www.showmecompetition.org/>.

National Guard Armories Saved

Senate Bill 942, sponsored by Sen. Gary Nodler, will preserve National Guard armories in Neosho, Pierce City and Salem by transferring ownership to the city governments.

As a cost-saving measure, in October of 2003 the National Guard announced plans to close the three armories.

“Each of these armories is important to their towns and each will get a whole new life under city ownership,” said Nodler.

The City of Neosho is planning to convert the structure into a new police station with one floor dedicated to the city’s municipal courtroom.



Legislation Aimed at Helping Small Businesses Grow

Small businesses are driving Missouri’s economic recovery, renewing the importance of legislation co-sponsored by Sen. Nodler that will establish a Small Business Regulatory Fairness Board.

The Small Business Regulatory Fairness Board will be set up to provide state agencies with input regarding proposed rules, conduct hearings and solicit input from regulated small businesses.

The board will act as a go-between for small businesses and state agencies and will provide small business owners with a greater voice on the rules that regulate them.

Gubernatorial Appointments

Sen. Gary Nodler sponsored the gubernatorial appointments of the following Southwest Missouri residents:

- Robert T. Estes – State Committee of Marital and Family Therapists
- Tia Marie Strait – Missouri Advisory Commission for Dental Hygienists (Reappointment)

FY 2005 Budget Includes More Funds for Education and Other State Services

Additional money for education is among the successes of the 2004 Legislative session thus far.

According to Sen. Gary Nodler, public schools and state colleges will each have extra funds in the Fiscal Year 2005 Budget.

The budget allocates \$4.7 billion for elementary and secondary education.

Lawmakers approved \$1 billion for the state's colleges and universities, an increase of more than \$20 million over FY 2004.

Missouri Southern will receive \$20.8 million in FY 2005, an increase of \$488,000. The university will receive an additional \$250,000 in one-time money for equipment in the arts and music department.

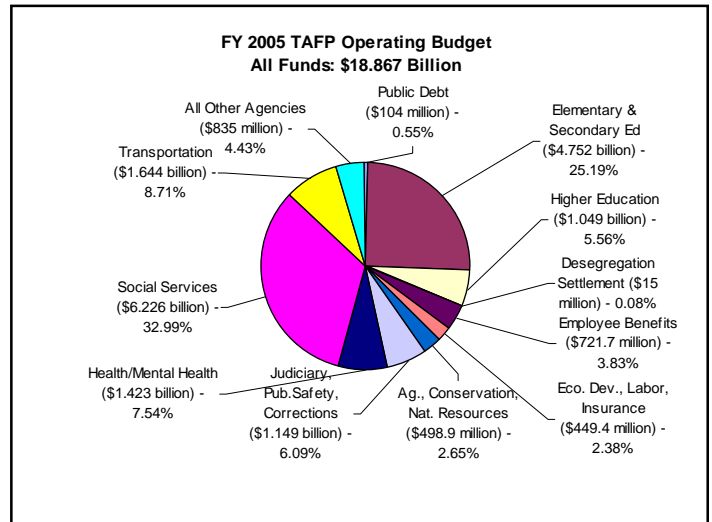
Crowder College will receive an additional \$101,200 over last year, with their budget appropriation totaling \$4.3 million. In addition, Crowder will receive \$200,000 in one-time money

to go toward its alternative energy program. This money is expected to be the seed money for an alternative energy building.

"Crowder's alternative energy program is allowing Missouri to take the lead in the development of alternative energy," Nodler said.

State Funds 32nd Senatorial District Operating Budget

School Funding for K-12 schools (est.).....	\$102,458,259
Missouri Southern State University-Joplin	\$21,112,134
Crowder College	\$4,523,271
Battle of Carthage State Historic Site	\$1,700
Joplin Regional Center	\$1,925,670
Juvenile Court Personnel Reimbursement	\$97,702



Concern of Citizen Results in New Law

As a result of attending a senior citizens' breakfast in Carl Junction, Sen. Nodler, with the help of Rep. Steve Hunter, passed legislation that will simplify motor vehicle registration for tax-exempt organizations.

"What should be a relatively easy process had become unnecessarily complicated," said Sen. Nodler. "I believe this legislation will be a great benefit to both tax-exempt organizations and the Missouri Department of Revenue."



Sen. Nodler on the dais with teachers, first graders and their families from the Joplin Schools Gifted Center.

Last year, Sen. Nodler attended a breakfast at the Carl Junction Senior Citizens' Center when a citizen brought to his attention the fact that when it was time to renew a non-profit organization's motor vehicle's license registration, a special trip had to be made to the county assessors' office to certify the center's tax-exempt status.

The new law requires that churches, charitable groups and other tax-exempt organizations need only to bring proof of tax-exempt status when renewing a motor vehicle's registration.

"I want to thank that Carl Junction citizen for bringing this to my attention," Nodler said.