

STATE  
SENATOR

**Gary**

**NODLER**

*A Term of Success 2003-2006*

**Quality  
Education**

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**A Safer  
Missouri**

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**A Stronger  
Economy**

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**More Efficient  
Government**

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# From the desk of Sen. Gary Nodler



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Dear Friends,

It is the end of my first term as state senator. During the past four sessions, a historic transformation of Missouri state government has taken place. In 2003, the effects of term limits were clearly visible as I joined 102 new lawmakers in taking a chamber seat at the Capitol. With fresh outlooks and enthusiasm, we worked diligently to improve Missouri's economy, business climate, educational opportunities and other state-provided services and programs.

When Gov. Matt Blunt took office in 2004, it was the first time in more than 80 years that Republicans controlled the legislative and executive branches of government. The voters wanted change, and change is what they got. The 2005 General Assembly passed major reforms revamping our civil litigation system, fine-tuning our workers' compensation laws and crafting a new public school funding formula.

Although our most pressing priorities were accomplished last year, in these past several months we advanced more significant legislation. We approved bills strengthening the rights of private property owners, fully funding the school foundation formula, protecting our children from sexual predators, and helping Missouri become more energy independent.

Over the past four years, many of my own legislative goals were achieved. The following pages are a synopsis of my successes during my first term as the state senator for the 32nd District, as well as an update of what the 2006 General Assembly did for you.

It is an honor to represent the 32nd Senate District in Missouri's upper chamber, and I look forward to continuing my service to you. If you have any questions or concerns, please do not hesitate to contact me. Thank you.

Best Wishes,

# Saving MO Money

The programs and services the State of Missouri provides cost more than \$20 billion annually, and that number continues to rise. Each year, state legislators add to, delete or alter these programs, therefore affecting the allocation of taxpayer dollars. Three years ago, Sen. Nodler sponsored a measure that has translated into long-term savings for Missouri state government and citizens.

The legislation created the Subcommittee on Competition and Privatization to study state expenditures and determine how to cut costs. After concluding that transferring the provision of services from the government sector to the private sector would save money, the committee recommended that another commission be established to oversee the formal decision-making process of privatizing, consolidating and modifying state programs and services.

With these suggestions, the governor created the Missouri State Government Review Commission in 2005 to evaluate every department in state government and identify ways to be better stewards for Missouri citizens. The commission made its report in the fall of 2005, and since then, millions of dollars have been saved due to increased efficiency levels in various departments.



*Sen. Nodler and Sen. Rob Mayer discuss a bill on the Senate floor.*

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## Renaming and Reflecting



Sen. Nodler sponsored legislation in 2003 changing the name of Missouri Southern State College to Missouri Southern State University-Joplin. In 2005, he succeeded in going even further and dropping the regional designation. The name changes were long overdue. Missouri Southern's name now reflects its existence as a top educational institution in the region.

The measure 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. This year marked the graduation of the first-ever recipients of master's degrees in teaching 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.

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## A Road to Remember



Sen. Nodler sponsored a measure naming a portion of Interstate 44 in Jasper and Newton counties as the George Washington Carver Memorial Highway. Carver, pictured at left, revolutionized the agricultural industry with hundreds of innovations, using such products as peanuts, soybeans and sweet potatoes.

# Reasonable Expectations



Getting closer to a more sensible gauge of academic performance

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Two years ago, Sen. Nodler responded to the call to improve the Missouri Assessment Program, or MAP test, which was 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 ironic and 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.

In 2004, Sen. Nodler successfully sponsored a bill requiring that Missouri standards be aligned with those of the federal government. Education professionals worked to come up with a different academic-performance evaluation that won’t penalize Missouri schools for having a high definition of success. The new tests are being introduced this year and establish reasonable expectations for students and schools in the Show-Me State.

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## Saving an Armory

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 each town, Sen. Nodler successfully sponsored SB 942, which transferred ownership of the armories to the city governments.

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*Sen. Nodler speaks with Senate President Pro Tem Michael Gibbons about legislation.*



*Shea Patton, a senior at East Newton High School, shadowed Sen. Nodler for a day.*

# Proportionate Justice

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.



It was the driver's choice to get drunk. It was the driver's choice to get behind the wheel while drunk. It was neither the choice of Jessica nor her grandfather to fall victim to the drunk driver's disregard for human life.

To send the message that drunk driving is inexcusable, lawmakers in

2005 granted final passage to SB 37, which Sen. Nodler sponsored. The legislation increased the penalties for drunk driving that results in involuntary manslaughter.

Under the new law, violators must serve at least 85 percent of their sentences before they can be eligible for parole. The legal consequences for repeat driving-while-intoxicated offenses were also stiffened.

For *too* long, Missouri had been *too* lenient when it came to these alcohol-related crimes. But thanks to this new law, Missouri's criminal code now grants a more proportionate punishment for drunk drivers whose carelessness results in the loss of innocent life.



## Promoting Business Interests

Small businesses have been driving forces to Missouri's economic recovery. Sen. Nodler was instrumental in passing legislation improving the Small Business Regulatory Fairness Board, which acts as a go-between for small businesses and state agencies and gives small-business owners a greater voice on the rules that regulate them.

HB 576 required the board to provide state agencies with input regarding proposed rules, conduct hearings and solicit input from regulated small businesses.

## The Value of Efficiency



In the past five years, the state's utility expenses have increased 38 percent.

Using energy in a more resourceful way would save substantial money in the long run, but requires up-to-date technology, which can be expensive to initiate.

Sen. Nodler's creation of the Energy Efficiency Implementation Act allows a portion of savings from upgrade projects to be put into a reserve fund for future projects that increase energy efficiency.

The legislation has led to significantly decreased utility bills. For example, by replacing old lighting fixtures in state buildings with energy-efficient ones, the state will save \$4.2 million over time.

After the project pays for itself, any additional savings is put into a reserve fund, and the smart-spending cycle of saving state money continues.

More than half a dozen new energy-saving projects are slated for the upcoming year and are expected to save Missouri taxpayers \$35 million over the next 15 years.

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# 2006 S u c c e s s e s

## SEN. NODLER SERVES ON:

### SENATE COMMITTEES:

- ❖ Education, Chair
- ❖ Appropriations, Vice-Chair
- ❖ Governmental Accountability and Fiscal Oversight
- ❖ Ways and Means

### JOINT COMMITTEES:

- ❖ Legislative Research, Chair
- ❖ Capital Improvements and Leases Oversight
- ❖ Education
- ❖ Government Accountability
- ❖ Life Sciences
- ❖ Missouri Investment Trust Board of Trustees
- ❖ State Records Commission

### OTHER PANELS:

- ❖ Interim Committee on the Cost of a College Education, Chair
- ❖ Second State Capitol Commission, Vice-Chair
- ❖ Small Business Regulatory Fairness Board

## Saving Our Children

The Legislature passed a measure aiming to prevent sexual predators from getting near Missouri children. Lawmakers sent to the governor HB 1698, which calls for stricter mandatory sentences for those who prey on the young. Anyone who commits forcible rape or forcible sodomy with a child who is younger than 12 will be sentenced to life in prison, and violators must serve at least 30 years before they will be considered for parole.

The bill also strengthens laws against cyber predators who lure in children using the Internet. Furthermore, the legislation specifies that these laws apply even when a sexual predator is communicating with a member of law enforcement who is posing as a child.

With this legislation, Missouri has made it clear that we will not tolerate those who prey on vulnerability.



*Sen. Nodler looks over the language of a Senate bill.*

## PROTECTING Property Rights




Eminent domain laws allow governments to condemn and buy out private property for “public use” as long as just compensation is paid.

The laws were established so that projects such as building government facilities or making improvements to public infrastructure could revitalize struggling areas.

But the U.S. Supreme Court last year ruled that governments can seize private property for economic purposes, such as an increased tax base or jobs.

Lawmakers believed this interpretation of “public use” to be unfair, unethical and arguably unconstitutional, so they passed HB 1944.

### The legislation:

-  Prohibits eminent domain from being used in projects solely for purposes of economic development.
-  Prevents farmland from being labeled as “blighted” for eminent domain purposes.
-  Ensures that when eminent domain is used for traditional public use, compensation will be based on several factors including costs of relocation and replacement, heritage value and willingness to sell the property.



# Pumped for Fuel Independence

Lawmakers this year took a significant step to move Missouri toward a more environmentally sound energy policy and decrease the state's dependency on foreign oil.

HB 1270 requires that most unleaded gasoline sold in Missouri contain a 10 percent ethanol blend beginning Jan. 1, 2008. The move toward ethanol is understandable, considering all of the benefits of using the renewable fuel. The new standard, which will heavily rely on the state's corn crop, will help Missouri farm families, significantly boost the state economy and improve air quality. Plus, the more ethanol Missouri uses, the less the state will have to rely on costly foreign oil imports.

## Logging On to Innovation

As chairman of the Senate Education Committee, Sen. Nodler helped advance SB 912, which creates for Missouri students a virtual school that will be subject to all public school regulations.

The virtual school will not replace public schools or serve as a way to streamline homeschooling. Rather, it will simply be a supplemental educational opportunity for students who have difficulty being productive in a traditional classroom, are temporarily homebound or want to take courses not offered in their school districts.

The virtual school students will use a home computer to access online lessons and interact with teachers and other students. Using the technology of today, virtual school students will be able to learn at their own pace, keep track of their progress and get a quality education. The virtual school will begin operating by July 1, 2007. First-year enrollment will be limited to 500 students.



## The Integrity of Democracy

### Strengthening Trust In Elected Officials

The Legislature passed HB 1900 to bring accountability and transparency to campaign financing. The measure makes it easier for the public to identify who is giving what to whom.

Candidates must file full-disclosure reports electronically to end delays in uploading the information to the State Ethics Commission's public Web site.

Also under the legislation, candidates for the House, Senate and statewide offices cannot accept campaign contributions during the legislative session, which runs from January to mid-May.

Entertainment expenses must now be reported in detail, and lobbyists cannot pay for out-of-state travel and lodging expenses unless the administration committee in the appropriate chamber approves it in advance.

### Renewing Faith In the Election Process

It is every American's duty to vote, and it is every American's right to have that vote counted. That is why the Legislature passed SB 1014 to ensure that Missouri elections are fair and honest.

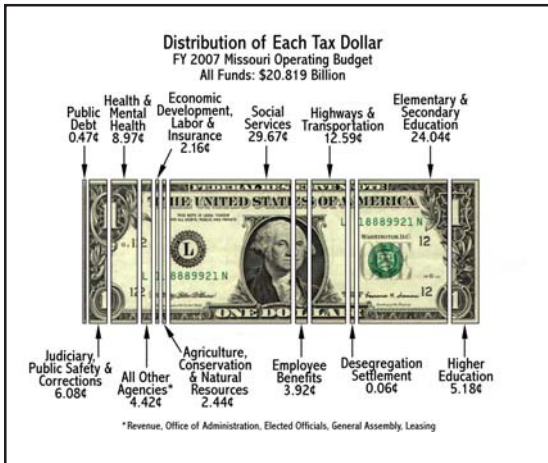
The Missouri Voter Protection Act will instill greater confidence in the election process by requiring that voters provide photo identification when casting a ballot.

Those who are over 65, disabled and homebound or those with religious objections will be exempted from this requirement. Anyone who cannot afford a photo I.D. will be provided one for free.

The legislation also makes it a felony to provide false information or use violence at the polls with the intent to prevent someone from voting.

# MO Money Breakdown

As the vice-chair of the Senate Appropriations Committee and a member of the conference committee, Sen. Nodler was instrumental in passing a \$20.8 billion state budget for the 2007 fiscal year, which began July 1.



## The budget includes:

- \$127 million increase for the school foundation formula, as well as an additional \$15 million to fund the Small Schools Grant Program. Public schools in the 32<sup>nd</sup> Senate District will receive more than \$87 million.
- A 2 percent funding increase for universities and community colleges. Missouri Southern State University will be receiving \$21,614,003, and Crowder College has been allotted \$4,568,730.
- A \$400 million increase for construction/maintenance of roads and bridges.

- \$6.2 billion for the Department of Social Services, a 4 percent increase over last year.
- A \$200 million increase for Medicaid, \$6.7 million of which will go toward wheelchair batteries and eyeglasses for the poor.
- Funding increases for alcohol and drug abuse program providers and comprehensive psychiatric service providers.
- \$8.6 million for ethanol and \$5.25 million for biodiesel production.
- \$212,060 for the Missouri Southern State University Crime Lab.



*Sen. Nodler presents Trent Sidwell with a certificate for being an honorary page of the Senate.*

## Public Education

A measure Sen. Nodler sponsored that became law included several provisions dealing with public education. SB 894 includes language complementing the new school funding formula created in 2005. Under the legislation, the financial penalties imposed on schools that experience a slight drop in summer school enrollment have been lessened. Now, the decrease in summer school attendance would have to be rather significant before a school district would lose any state funding.

The bill also holds local school districts accountable for the quality of education they provide. School districts with levies set below the performance levy determined by the state's foundation formula must report whether they are providing an adequate education. If so, then the state *and* local communities are doing their jobs.

If the school districts claim they are *not* providing an adequate education, the legislation does not require them to raise levies, consolidate or liquidate. This maintains current levels of local control. The new law *does* aim to encourage these school districts to do their part and to end their misguided legal efforts that could, in the end, threaten their very existence.