



WEEKLY REPORT

State Senator Gary Nodler
District 32



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All the More Reason to Stay Focused

JEFFERSON CITY — In a year of great promise for Missouri colleges and universities, and in a week during which the Missouri Senate unanimously passed my bill strengthening the Coordinating Board for Higher Education, Missouri Attorney General Jay Nixon has attempted to become a major obstacle, but really, he's just a distraction. With increased funding and supportive legislation for state academic institutions on the horizon, Mr. Nixon's transparent political maneuvers should not be allowed to slow the momentum to make 2006 a pivot year for higher education.

Governor Matt Blunt's Lewis and Clark Discovery Initiative called for the Missouri Higher Education Loan Authority (MOHELA) to sell portions of its assets. The student loan agency was established by the General Assembly in 1981 to provide affordable financial assistance to Missouri students enrolled in universities, community colleges and trade schools. The proposed sale would direct an additional \$450 million toward Missouri colleges, universities and students. This sale has nothing to do with affecting the quality of services that MOHELA has provided to the state for more than two decades, but it has everything to do with Missouri's goal of providing better opportunities through our system of higher education. The money from the partial-portfolio sale would fund campus construction projects, scholarships and research, including a \$19.2-million project at Missouri Southern State University.

But along came a deliberate diversion in the form of Mr. Nixon. This week he filed a lawsuit against MOHELA's board of directors because he says the way the board made its decision violated the state's open-meeting laws. I do not believe that any violation occurred because on Jan. 31, the MOHELA board formally voted to fund the multi-million-dollar initiative in an open meeting, as required. However, if there was a technical violation prior to that meeting, the remedy would be to fine the board, not reverse its decision.

Mr. Nixon has inserted himself into the middle of this process because he wants to stall the significant progress that would result from Governor Blunt's initiative while he is campaigning to unseat the Governor. His efforts will only succeed in making noise, adding cost and perhaps, delaying progress.

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The decision to sell MOHELA has been resoundingly supported by those who have stakes in the issue — among them the state’s leaders in higher education, MOHELA’s executive director and the director of the Department of Economic Development. As chairman of the Senate Education Committee, I am determined to find ways to increase opportunities for Missouri’s students and improve our system of higher education. The Governor’s Lewis and Clark Discovery Initiative could provide our state with essential tools to make this better system a reality.

It appears to me that the Attorney General is being guided not by an interest in an application of the law but rather an interpretation of the political effect of this transaction. His attempt to derail an effort that would be a huge victory for the Governor based on sunshine law violations stands in stark contrast to his refusal to act on a formal complaint made by three members of the University of Missouri Board of Curators as recently as December of 2005 asserting a clear violation of the same law. Mr. Nixon, apparently seeing no political gain in that investigation, deemed the issue to be an internal matter and refused to examine it further. But in other instances, where the Governor has acted progressively, the Attorney General has intervened. One example was Governor Blunt’s decision to turn over the Katy Trail bridge in Boonville to the Union Pacific Railroad. That, too, resulted in interference from candidate Nixon using his office as a campaign platform. The Governor’s initiatives with the Katy Trail bridge and MOHELA are well within his constitutional authority and in line with his executive obligation to maximize use of taxpayers dollars and improve the future for Missouri citizens. It is troubling that the Attorney General has failed to act on complaints from citizens such as the University of Missouri’s Curators to enforce state law, while acting on his own volition to use his office for political purposes.

The quality of education that Missouri college students receive is on the line — that is what is important here. As chairman of the Senate Education Committee and vice-chairman of the Senate Appropriations Committee, I will do what I can to ensure that Missouri’s priorities are not trumped by political motivations. I urge the General Assembly and the Governor to not be distracted by Mr. Nixon’s sideshow and remain committed to advancing the interests of students and Missouri citizens.

*Senator Gary Nodler represents the people of
Newton, Jasper and Dade counties in the Missouri Senate*