



WEEKLY REPORT

State Senator Gary Nodler
District 32



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Week of April 17, 2006

Public Safety, Immigration, Budget Bills Advance

JEFFERSON CITY – Allowing an added day for families to enjoy the message, joy and hope of Easter, lawmakers started the week on Tuesday and still advanced a number of important initiatives in the shortened workweek.

The Missouri Senate this week gave first-round approval to a bill strengthening the safety requirements and regulations for dams and reservoirs in the state. Some of the impetus behind Senate Bill 1236 comes from a utility company's ruptured reservoir sending a billion gallons of water rushing over thousands of acres in Southeast Missouri's Reynolds County last December. While the Taum Sauk reservoir failure caused three children to be hospitalized and substantially damaged Johnson's Shut-Ins State Park, thankfully – and miraculously – there were no deaths.

SB 1236 would impose regulations on dams 25 feet or higher with at least 50 acre/feet of water that would pose a significant hazard if they were to fail. A dam is considered a significant hazard if substantial economic losses or damage to public services or infrastructure could be expected in the event of a failure. High hazards would involve a likely loss of life in the event of a failure. High hazard dams would be inspected once every two years; significant hazard dams every five years.

Under SB 1236, federally-regulated dams would no longer be exempt from state supervision. The state identifies five such dams in Missouri, including the lower and (now failed) upper reservoirs at Taum Sauk.

The legislation would also establish a Dam and Reservoir Safety Council to set fees for operating permits and perform design reviews and inspections of high and significant hazard dams.

Striking a careful balance of protecting public safety while respecting property ownership rights, SB 1236 does not apply to agricultural dams unless the state shows cause and proof that a particular agricultural dam poses a high hazard. A final Senate vote has moved the measure to the House for similar consideration.

A bill clamping down on illegal immigration was approved this week by a Senate committee, clearing the way for debate by the full Senate. SB 1250 requires the state to ensure that undocumented immigrants are not participating in family literacy, parents-as-teachers, vocational or tutoring programs. The state is also charged with prohibiting any form of financial assistance for non-citizens at Missouri's public colleges and universities. Also under the bill, Missouri law enforcement officers are authorized to investigate, apprehend, detain, or remove non-citizens located in Missouri. The proliferation of illegal immigration is a national topic warranting swift and comprehensive action. Those here legally should not have to compete for jobs with those here illegally; nor should the taxes paid by those here legally go toward programs benefiting those here illegally.

Also advancing is Senate Bill 770, allowing courts to order persons guilty of moving violations to pay into a county law enforcement restitution fund, which counties may use for pursuing investigations, purchasing equipment, generating crime reports and to use as matching funds for federal or state grants. Having been voted out of the Senate, SB 770 caps the maximum ordered amount at \$100.

My Senate colleagues and I also approved the 13 bills making up the state's budget for the fiscal year beginning July 1. Among several positive features, the roughly \$20.8 billion budget draft provides a \$127 million funding increase for the K-12 foundation formula and a 2 percent increase for universities and community colleges – the first higher education funding boost in several years. Conference committee delegates will next work to reconcile differences between the House and Senate's spending plans. Lawmakers have until May 5 to approve the final budget numbers. The Second Regular Session of the 93rd General Assembly concludes precisely one week later.

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