

THE STATE CHAMBER

Nebraska Chamber of Commerce & Industry

NEBRASKA LEGISLATURE: HOW THEY VOTED 2009

June 2009

SUBJECT: Voting Record of Nebraska State Senators on Select Issues
TO: State Chamber Members
FROM: Barry L. Kennedy, CAE, IOM, President

This document indicates how Nebraska's 49 state senators voted on eight particular occasions during the 2009 session of the Legislature. All of the selected votes were important to the Nebraska business community.

Of course, this record is not all-inclusive. To provide a larger perspective of each senator's voting record on business issues, we have included a column with each senator's percentage of support on select business votes throughout his/her career in the Legislature. It should be noted that voting records do not indicate other legislative activities of interest to business, such as committee actions.

This document is not intended as an evaluation of any senator, but is presented only as a factual record of how votes were cast on select issues.

Nebraska Chamber of Commerce & Industry
1320 Lincoln Mall
P.O. Box 95128
Lincoln, Nebraska 68509
PHONE: (402) 474-4422
FAX: (402) 474-5681

2009 LEGISLATIVE VOTING RECORD

Senator (Year Term Limited)	1	2	3	4	5	6	7	8	2009%	Career +	Career -	Cum. %
Greg Adams ('14)	✓	✓	✓	✓	-	-	✓	✓	100%	20	2	91%
Brad Ashford ('14)	✓	X	-	-	✓	X	✓	✓	67%	14	6	70%
Bill Avery ('14)	✓	X	-	-	✓	X	✓	✓	67%	16	6	73%
Kathy Campbell ('16)	✓	✓	✓	✓	✓	✓	✓	✓	100%	8	0	100%
Tom Carlson ('14)	✓	✓	✓	✓	✓	✓	✓	✓	100%	22	1	96%
Mark Christensen ('14)	✓	✓	✓	X	✓	✓	-	-	83%	17	2	90%
Colby Coash ('16)	✓	✓	✓	X	✓	✓	-	✓	86%	6	1	86%
Tanya Cook ('16)	✓	X	✓	X	✓	X	✓	X	50%	4	4	50%
Abbie Cornett ('12)	✓	X	✓	✓	✓	X	-	✓	71%	27	6	82%
Brenda Council ('16)	✓	X	-	✓	-	X	-	✓	60%	3	2	60%
M.L. "Cap" Dierks ('14)	✓	✓	✓	✓	✓	✓	✓	X	88%	18	2	90%
Annette Dubas ('14)	✓	X	✓	✓	✓	X	-	✓	71%	15	6	71%
Deb Fischer ('12)	✓	✓	-	✓	-	✓	✓	✓	100%	37	4	90%
Mike Flood ('12)	✓	✓	-	✓	✓	✓	✓	✓	100%	43	1	98%
Mike Friend ('10)	✓	✓	-	-	-	✓	-	✓	100%	46	6	89%
Tony Fulton ('14)	✓	✓	-	X	✓	✓	✓	✓	86%	22	1	96%
Tim Gay ('14)	✓	✓	-	-	✓	X	✓	✓	83%	19	1	95%
Robert Giese ('16)	✓	X	✓	✓	✓	X	-	✓	71%	5	2	71%
Mike Gloor ('16)	✓	✓	✓	✓	✓	✓	✓	✓	100%	8	0	100%
Ken Haar ('16)	✓	X	✓	✓	✓	-	✓	✓	86%	6	1	86%
Galen Hadley ('16)	✓	✓	✓	✓	✓	✓	-	✓	100%	7	0	100%
Tom Hansen ('14)	✓	✓	✓	✓	X	✓	✓	✓	88%	21	2	91%
John Harms ('14)	✓	✓	-	✓	✓	✓	✓	✓	100%	23	0	100%
Lavon Heidemann ('12)	✓	-	-	✓	X	✓	✓	✓	83%	34	5	87%
Gwen Howard ('12)	✓	X	✓	X	✓	X	✓	✓	63%	28	16	64%
Charlie Janssen ('16)	✓	✓	-	X	✓	✓	✓	✓	86%	6	1	86%
Russ Karpisek ('14)	✓	-	✓	✓	✓	X	✓	X	71%	17	5	77%
Chris Langemeier ('12)	✓	-	✓	✓	✓	✓	-	-	100%	35	0	100%
Steve Lathrop ('14)	✓	X	-	✓	✓	X	✓	✓	71%	16	6	73%
Scott Lautenbaugh ('14)	✓	✓	-	X	✓	✓	✓	✓	86%	13	1	93%
LeRoy Loudon ('10)	-	✓	✓	✓	✓	✓	-	✓	100%	41	13	76%
Beau McCoy ('16)	✓	✓	✓	✓	-	✓	✓	✓	100%	7	0	100%
Amanda McGill ('14)	✓	X	✓	✓	✓	X	✓	✓	75%	17	5	77%
Heath Mello ('16)	✓	X	✓	✓	✓	X	✓	✓	75%	6	2	75%
Danielle Nantkes ('14)	✓	X	-	X	✓	X	-	✓	50%	16	6	73%
John Nelson ('14)	✓	✓	✓	X	✓	✓	✓	✓	88%	20	3	87%
Jeremy Nordquist ('16)	✓	X	✓	✓	✓	X	✓	✓	75%	6	2	75%
Rich Pahls ('12)	✓	✓	✓	X	✓	✓	✓	✓	88%	34	5	87%
Dave Pankonin ('14)	✓	✓	✓	✓	✓	✓	✓	✓	100%	21	2	91%
Pete Pirsch ('14)	✓	✓	✓	X	✓	✓	✓	✓	88%	22	1	96%
Scott Price ('16)	✓	✓	-	-	✓	✓	✓	✓	100%	6	0	100%
Kent Rogert ('14)	✓	X	✓	X	✓	X	✓	✓	63%	19	5	79%
Ken Schilz ('16)	✓	✓	-	X	✓	✓	✓	✓	86%	6	1	86%
Arnie Stuthman ('10)	✓	✓	-	X	X	-	✓	✓	67%	48	4	92%
Kate Sullivan ('16)	✓	✓	-	✓	✓	X	✓	-	83%	5	1	83%
Dennis Utter ('16)	✓	✓	-	✓	X	✓	✓	✓	86%	6	1	86%
Norm Wallman ('14)	✓	X	✓	X	✓	X	✓	✓	63%	17	6	74%
Tom White ('14)	✓	X	✓	✓	✓	X	✓	✓	75%	16	5	76%
John Wightman ('14)	✓	✓	✓	✓	✓	✓	✓	✓	100%	23	0	100%

KEY

✓ Supported State Chamber position

X Opposed State Chamber position

- Did not vote

NOTE: If a senator did not vote on an issue, the issue is not counted when tabulating the yearly or cumulative percentages. Returning senators (e.g., Senators Ashford and Dierks) who were absent for one full term or more begin new cumulative records.

2009 NEBRASKA LEGISLATIVE VOTES

- 1. Nebraska Advantage Extension (LB164)** – Final Reading vote to pass the primary economic development bill of 2009. The bill extends the termination date for several Nebraska Advantage programs from January 1, 2011, until December 31, 2015. The new sunset date applies to Tiers 1 and 3 of the Nebraska Advantage Act, as well as the Research and Development Act and the Microenterprise Tax Credit Act. The State Chamber supported LB164. A YES vote was in accord with the Chamber’s position. BILL PASSED, 48-0. (April 17)
- 2. Workers’ Comp Expansion (LB630)** – General File vote to adopt an amendment (FA27) to LB630 to strike a provision that would have tied workers’ compensation to increases in the state’s average weekly wage. Under the bill, a yearly cost-of-living adjustment (COLA) would have been made available to higher-wage earners who receive total disability benefits. This would have marked the first time that COLA benefits were included in the Nebraska workers’ compensation program. The State Chamber supported the removal of the COLA provision from LB630 since it would have led to substantial additional expenses for employers, who fully fund the workers’ compensation program. A YES vote was in accord with the Chamber’s position. AMENDMENT ACCEPTED, 29-17. (April 29)
- 3. Confidentiality of Business Information (LB16)** – General File vote to adopt an amendment (AM1061) to LB16, the Taxpayer Transparency Act, to ensure the bill does not undermine confidentiality and competitive intelligence protections provided to businesses and individuals who have received grants, contracts, tax refunds and credits under state incentive programs, including the Nebraska Advantage. As originally drafted, LB16 would have required the disclosure of sensitive, company-specific financial information. The State Chamber supported the adoption of AM1061. A YES vote was in accord with the Chamber’s position. AMENDMENT ACCEPTED, 30-0. (April 30)
- 4. Sales Tax Expansion (LB385)** – A procedural vote to overrule the Revenue Committee and place on General File a bill to end all sales tax exemptions in Nebraska. If enacted, LB385 would have phased out all state sales tax exemptions for tangible personal property, making the sales tax apply to hundreds of additional items, including food; prescription medicine and medical supplies; ingredients and component parts used in manufacturing; farm and ranch input purchases; water for manufacturing and irrigation; the sale, lease, rental of manufacturing machinery; and purchases by churches and public schools. The State Chamber opposed eliminating current sales tax exemptions as proposed by LB385. A NO vote was in accord with the Chamber’s position. MOTION FAILED, 15-29. (April 17)
- 5. R&D Incentives (LB555)** – Final Reading vote to pass legislation that expands Nebraska’s research and development incentives with an enhanced 35% income tax credit for any business spending on research and experiments conducted at a facility owned by a Nebraska college, community college or university. The former R&D incentive was 15%. The State Chamber supported LB555. A YES vote was in accord with the Chamber’s position. BILL PASSED, 40-4. (May 21)
- 6. Workers’ Comp Expansion (LB622)** – Select File vote to adopt an amendment (AM1500) modifying a bill that would have expanded the circumstances under which an employee could receive a 50% “waiting time” penalty for delayed workers’ compensation payments and created new obstacles for employers appealing workers’ comp court decisions. The State Chamber opposed LB622 as amended by the Business and Labor Committee due to its harsh penalties for employers who might pursue legitimate workers’ compensation appeals. A YES vote was in accord with the Chamber’s position. AMENDMENT ACCEPTED, 27-19. (May 26)
- 7. Wind Energy Financing (LB561)** – Select File vote to adopt an amendment (AM1454) to LB561, which removes some of the obstacles to developing wind energy facilities in Nebraska. As amended, LB561 will aid Nebraska in attracting private funding for community-based energy development (C-BED) wind energy projects. The bill provides a new formula for the distribution of C-BED project revenues to local entities. Currently, the only C-BED project in Nebraska is a wind farm in Knox County. The State Chamber supported LB561 and the C-BED provision to encourage easier debt financing for renewable energy projects. A YES vote was in accord with the Chamber’s position. AMENDMENT ACCEPTED, 38-0. (May 19)
- 8. Livestock Management (LB56)** – Final Reading vote to pass a bill that ensures penalties for illegally discharging livestock waste into state waters will be applied only against the permit holder(s) and the facility at which the discharge occurred – and not against other separate facilities. The State Chamber supported LB56 to help assure the continued growth of Nebraska’s livestock sector while upholding the state’s environmental standards. A YES vote was in accord with the Chamber’s position. BILL PASSED, 43-3. (May 7)



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