



***2010
Results
for
Business***




2010
Legislature

*What passed.
What didn't.*



*And what it means
to your bottom line.*



— TAXATION —

<p>Unemployment Insurance Trust Fund LB1020</p>		<p>Makes Nebraska eligible for \$43.6 million in federal unemployment insurance (UI) funds by increasing some jobless benefits – as required by the 2009 federal stimulus law – while offsetting costs by tightening certain eligibility rules. The State Chamber worked to negotiate a cost-neutral plan that avoids long-term additional costs to employers. The infusion of federal money, combined with the offsets in LB1020, is expected to stabilize the UI trust fund and help prevent steep UI tax increases on Nebraska employers, who experienced a 165% average increase in UI taxes at the start of 2010. The UI trust fund is financed solely by employers. State Chamber Supported.</p>	<p>PASSED</p>
<p>Sales Tax Expansion LB1066</p>		<p>Would have expanded state and local sales tax to approximately 60 services not currently subject to sales tax. The bill would have created a third or fourth layer of taxation in some cases, and impaired Nebraska’s economic competitiveness by adding new tax burdens on business-to-business transactions. This would have pushed consumers to seek less expensive services from nearby states. A recent analysis by the Legislature’s Revenue Committee found that Nebraska already taxes numerically more services than most states. State Chamber Opposed.</p>	<p>DEFEATED</p>
<p>Gas & Oil Pipeline Tax LB755</p>		<p>Would have allowed the state to tax and further regulate crude oil and natural gas moving through pipelines in Nebraska. The tax would have been in addition to local Nebraska property taxes currently paid by pipeline owners and would have raised energy prices for local consumers and businesses. The bill also would have hindered efforts to expand affordable natural gas supplies needed in Nebraska. State Chamber Opposed.</p>	<p>DEFEATED</p>

— LABOR RELATIONS —

<p>Employee Termination LB107</p>		<p>As amended, LB107 would have required public employers to provide employees an explanation as to why they are being terminated. Employers would have been required to give employees a “meaningful opportunity” to respond. Employers would have also faced fines for failing to comply. The State Chamber opposed LB107 due to its erosion of Nebraska’s longstanding doctrine of employment-at-will, as well as its potential to impact the private sector. State Chamber Opposed.</p>	<p>DEFEATED</p>
<p>Workers’ Comp/ Employee Notice LB829</p>		<p>Clarifies existing law exempting smaller agricultural operations from workers’ compensation requirements. Under the new law, such an employer’s failure to notify an employee that he or she is not covered by workers’ compensation makes the employer liable for only the individual employee rather than all employees. State Chamber Supported.</p>	<p>PASSED</p>

COVER: Governor Dave Heineman prepares to sign LB918, one of the legislative session’s key economic development bills. The governor was joined by State Chamber Chairman Richard Reiser and State Chamber President Barry Kennedy. Also pictured are Senators Galen Hadley of Kearney, the bill’s sponsor, and Heath Mello of Omaha, a key co-sponsor.

— LABOR RELATIONS —

**Workers’
Comp/Mental
Injuries**
LB780



Amends workers’ compensation law by making mental injuries *unaccompanied* by a physical injury eligible for workers’ compensation benefits if incurred by volunteer or paid first responders, such as firefighters or police officers. Critics of LB780 view it as a first step towards mandatory coverage for all mental injuries for all employees. The law contains no ceiling on claims or limits on duration of benefits. Lawmakers amended LB780 so that it will expire June 30, 2014. While the business community appreciates and commends the courageous work of our first responders, LB780 will increase the financial liability of cities, counties and the state by raising workers’ compensation expenses. Tax increases spurred by this expansion will be paid by taxpayers. **State Chamber Opposed.**

PASSED
(expires June 30, 2014)

— ECONOMIC DEVELOPMENT —

**Nebraska
Advantage
Modernization**
LB918



The primary economic development bill of the 2010 session, LB918 modernizes the five-year-old Nebraska Advantage Act and the two-year-old Super Advantage Act in three ways: 1.) Allows tax incentives for businesses that make software, data and information available by Internet – not just on computer disc; 2.) Adds data centers to the list of qualified activities and permits smaller data centers to qualify for incentives; and 3.) Amends the Nebraska Super Advantage Act to ensure that “wages paid” includes employee benefits, such as retirement contributions made by the employer – a change experts say will help communities attract higher paying jobs. **State Chamber Supported.**

PASSED

Wind Energy
LB1048



Encourages the construction of privately-owned wind farms in Nebraska, to export more electricity to other states. LB1048 allows the Nebraska Power Review Board to permit “certified renewable export facilities” – which includes wind, solar, biomass and landfill gas generation – if such facilities obtain power purchase agreements of 10 years or more with utilities outside the state. It also protects the state’s 100% public power structure, while guarding against rate increases on Nebraskans. **State Chamber Supported.**

PASSED


**Tourism &
Redevelop-
ment Act**
LB1018





Encourages the development of new tourism attractions and the redevelopment of deteriorating urban areas. Under the Act, communities may enter into agreements with the sponsors of major tourism and redevelopment projects, which can qualify for a refund of up to 1.5% of the local option sales tax – but only if first approved by local residents in an election. The law does not create a new sales tax or expand existing rates. For tourism projects, four tiers of tax incentives are established, with minimum investment thresholds as low as \$15 million (excluding land). For redevelopment efforts, the law requires a \$10 million threshold and a net employment increase to the state. **State Chamber Supported.**

PASSED




— ECONOMIC DEVELOPMENT —

<p>Restrictions on Incentives LB954 and LB967</p>		<p>LB954 would have established a strict cap on local sales tax refunds under the Nebraska Advantage Act – the state’s primary economic development program. This would have affected qualified businesses that had already met their obligations by creating jobs or investing in a community. LB967 would have created a new fund to subsidize tax refund requests by businesses in specific communities. While the State Chamber opposed both bills, it remains committed to helping find a solution for impacted communities. State Chamber Opposed.</p>	<p>DEFEATED</p>
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— AG & ENVIRONMENT —

<p>Livestock Industry LB865</p>		<p>Establishes a new section of state law to specifically address livestock welfare, adding clarity to existing animal cruelty laws. LB865 does not create new rules or change existing penalties for cruelty to animals raised for food and fiber. Prior to the enactment of LB865, Nebraska’s animal welfare laws for companion animals and livestock animals had been contained within the same section. State Chamber Supported.</p>	<p>PASSED</p>
<p>Successor Liability LB763</p>		<p>Creates a monetary limit on asbestos-related lawsuits brought against successor companies that were not involved in activities or production that caused the damage. The State Chamber supported LB763 as a fair and reasonable solution to an existing problem. State Chamber Supported.</p>	<p>PASSED</p>

— OTHER ISSUES —

<p>Initiatives & Referendums LR300CA</p>		<p>Would have significantly lowered signature requirements needed to place an issue on the state ballot. Opponents of the measure said the state constitution should not be easily changed and that lowering signature thresholds would lead to frequent proposals to alter state law, including efforts by out-of-state interests. State Chamber Opposed.</p>	<p>DEFEATED</p>
<p>Mandatory Union Fees LB557</p>		<p>Would have required all non-union, public sector employees in a unionized workplace to pay “fair share” representation fees to the representing labor organization. The bill would have undermined Nebraska’s constitutional right-to-work guarantee. State Chamber Opposed.</p>	<p>DEFEATED</p>
<p>Insurance Mandates LB149 and LB493</p>		<p>LB149 would have required health insurance policies to include coverage for prosthetics, while LB493 would have required coverage for single or bilateral cochlear implants for persons diagnosed with severe hearing loss. Both bills would have exceeded federal minimum standards for health insurance coverage, negatively affecting affordability for employers and health care coverage for employees. State Chamber Opposed.</p>	<p>DEFEATED</p>

2010 Legislature

When the Legislature meets in Lincoln every year, the actions of lawmakers can profoundly impact your business and its ability to grow. That is why the Nebraska Chamber of Commerce & Industry works hard to represent our business community.

Located a half block from the Capitol, the State Chamber staff stays in close contact with Nebraska's 49 lawmakers, as well as state agencies and the governor. Put simply, the State Chamber is one of the most effective lobbying teams in Nebraska, ensuring that businesses of every type and size have a powerful and respected voice in the legislative process.

The 2010 session of the Nebraska Legislature saw actions taken on a broad range of issues. A total of 429 bills and constitutional amendments were introduced this year, in addition to 290 carryover bills. Your State Chamber monitored or took positions on more than 225 of the measures that impacted Nebraska businesses or the state's business climate.

What passed. What didn't. And what it means to your bottom line.



During this year's session, the State Chamber SUPPORTED pro-business, growth-oriented legislation.



The State Chamber OPPOSED legislation that threatened the success of Nebraska businesses.



(Top left) Speaker of the Legislature Mike Flood of Norfolk speaks at the State Chamber's Annual Meeting and Legislative Caucus, informing attendees about the challenges facing lawmakers in the 2010 session. *(Top right)* Senator Scott Lautenbaugh of Omaha discusses legislative issues with State Chamber President Barry Kennedy and Vice President-General Counsel Ron Sedlacek. *(Bottom)* Several state senators appeared at the "Legislative Leaders" discussion panel held at the Chamber's Annual Meeting, including Senators Abbie Cornett of Bellevue, Lavon Heidemann of Elk Creek, Steve Lathrop of Omaha, and Deb Fisher of Valentine.



(Top left) Senator Chris Langemeier of Schuyler, chairman of the Legislature's Natural Resources Committee, visits with State Chamber Vice President-General Counsel Ron Sedlacek. (Bottom) While the Nebraska Unicameral is in session, State Chamber staff can be found on the Capitol's second floor working with lawmakers. Pictured are the State Chamber's Barry Kennedy and Ron Sedlacek with Senators John Wightman of Lexington (lower left), John Nelson of Omaha (lower middle), and Tom Hansen of North Platte (lower right).



The Membership & Mission Of The State Chamber

For nearly a century, the State Chamber has proudly served as the voice of Nebraska's business community. Today, it is the State's only broad-based business association, representing a grassroots membership of more than 100,000 people in 400 different categories of businesses located in more than 150 communities.

The State Chamber works hard to promote the interests of employers of all sizes, as well as self-employed individuals, other Nebraska associations and local chambers of commerce. What links our members is the shared goal to improve Nebraska's business climate.

The State Chamber staff works effectively with members of the Legislature and other government officials, with three full-time lobbyists leading our legislative efforts. Throughout every legislative session, the State Chamber keeps its members well informed on day-to-day action through the *Legislative Report* and electronic communications, such as the daily *News Update*.

State Chamber members know when lawmakers are considering legislation that could impact their interests. Action alerts notify members when they should contact senators regarding upcoming votes. After the session, State Chamber members receive complete summaries of the year's legislative activities, as well as a scorecard on key votes.

The State Chamber also monitors legislative activities in Washington, D.C. The association stays in close contact with Nebraska's congressional delegation, as well as its national affiliates – the U.S. Chamber of Commerce and the National Association of Manufacturers.

Beyond legislative services, the State Chamber provides many programs, publications and other tools for our members, including educational workshops, member directories, labor law publications, unemployment services, and car rental discounts.

With a record of major legislative accomplishments and solid service, Nebraska's business community can count on the State Chamber to stand strong for its interests.

THE STATE CHAMBER 

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