

# THE EXECUTIVE

**THE STATE CHAMBER**   
Nebraska Chamber of Commerce & Industry  
February-March 2009

## State Chamber's D.C. Visit Slated For May 12-13

The State Chamber's 2009 congressional visit to Washington, D.C. will take place May 12-13. All State Chamber members are invited to take part. Those participating in this year's Capitol Hill visit will have lunch with Nebraska's senators and congressmen, as well as senior members of their staffs. The luncheon, sponsored by Nebraska Public Power District, will take place May 13 at 12:30 p.m. in Room G11 of the Dirksen Senate Office Building. Attendees will also have the opportunity to attend the traditional Nebraska Breakfast held every Wednesday morning.

This year's congressional visit will be held in conjunction with the U.S. Chamber's Small Business Summit set for May 11 at the Renaissance Washington, D.C. Hotel. The Small Business Summit is an opportunity for owners, managers and supporters to come together and hear the latest on policy issues affecting small business, while bringing together a collective voice for business interests.

*(Continued on page 2)*

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## 2009 Leadership Nebraska Class Now Underway

The first meeting of State Chamber's Leadership Nebraska Class III was held February 11-13 at the Lied Lodge in Nebraska City. The 23 members participated in an orientation session that featured presentations by members of past classes; a talk by University of Nebraska Athletic Director Tom Osborne; a panel on leadership and philanthropy; and a presentation by Nebraska Historical Society's Director Michael Smith.

The second session was held March 10-12 in Lincoln on Government and Public Policy. The remaining gatherings include the education session in Kearney in late April and early May; the healthcare/human services session in Omaha in late June; the agriculture session in O'Neill in early August; and the economic development session and tour of Scottsbluff in September. A commencement ceremony will be held October 23.

The Class III members come from across Nebraska and

range from volunteers, business leaders, philanthropic workers, educators and agricultural entrepreneurs. This year's class – listed by name, business and hometown – includes: Ann Ames, Nebraska State Stroke Association, Lincoln; Regan Anson, Peru St. College, Peru; Sarah Arnold, Grand Island Area Chamber of Commerce, Grand Island; Mary Barry-Magsamen, St. Monica's, Lincoln; Robert Caldwell, Hampton Enterprises, Inc., Lincoln; Ashley Hart, Cheyenne County Chamber of Commerce, Sidney; Robert Huddleston, Wells Fargo Bank, Kearney; Gwen Hurst-Anderson, Nebraska CASA Association, Lincoln; Rod Koch, Great West Casualty Co., South Sioux City; Lance Koenig, Bailey Lauerman, Omaha; Scott Kudrna, Carson National Bank, Auburn; Brenda Mainwaring, Union Pacific Railroad, Omaha; Andy Mixan,  
*(Continued on page 4)*





## State Chamber Views...

Editorial by Barry L. Kennedy, CAE, IOM  
President

Nebraska Chamber of Commerce & Industry

# For the Sake of Nebraska's Economy, Oppose Card Check Bill

Over the past year, Nebraska has dodged many of the blows dealt to the broader national economy.

The Cornhusker State ended 2008 with more new jobs created than lost, and Nebraska's unemployment rate today is half the national rate. This is due in large part to the state's diversified economy, responsible governance, Right-to-Work laws and several other factors that make Nebraska an attractive environment for employers and business.

Unfortunately, pending legislation in Washington, D.C could upset Nebraska's advantage. The misnamed "Employee Free Choice Act" is the most direct threat currently facing Nebraska's business community and its ability to compete in the growing global market. This bill, which is the top priority of the labor union leaders, would:

- ◆ allow unions to be formed if a majority of employees sign a card – thus eliminating secret ballot elections for employees;
- ◆ force contract negotiations into binding arbitration overseen by federal officials; and
- ◆ impose stiffer penalties on employers, but not on unions, for violations.

This bill – commonly referred to as the "Card Check" bill – would give organized labor an advantage, but at the expense of both employees and employers.

Under current law, those seeking to unionize their workplace must first gather signatures from at least 30 percent of employees in order to hold a secret ballot election. Then, both union organizers and the employer are given an opportunity to make their case to employees, who cast their secret ballots in a federally supervised election. If the union gets more than half the employee

votes, the union is certified. The current system is fair for all involved.

But under the "Card Check" bill, the employees' right to a secret ballot would be eliminated and unionization would occur automatically if just 51 percent of employees signed authorization cards. Moreover, union organizers would know which employees had refused to sign an authorization card. Employees could be asked repeatedly to sign almost anywhere, including their homes at night. The "Card Check" bill would impact Nebraska businesses of all sizes, regardless of location or the number of employees. Businesses would have only 90 days to accept the union contract terms or else be forced to deal with an "arbitrator" appointed by the federal government, which would impose a contract on both the employer and employees.

From an employee's perspective, this binding arbitration would deny workers the ability to vote on pay, benefits and working conditions. Moreover, employees would lose the opportunity to change provisions they thought were unfair.

From a business perspective, employers would suddenly face hefty new penalties, up to \$20,000 per violation of the National Labor Relations Act.

Nebraska, as a Right-to-Work state – where workers are not forced to join unions – would especially be harmed by the "Card Check" bill.

The U.S. Chamber of Commerce reports that states with the largest union presence average nearly 20 percent slower economic growth than states with the least. States with large union presence also have higher unemployment rates and slower job growth, while claiming higher taxes and a higher cost of living – the very things Nebraska is

trying to avoid.

Following last November's election, the U.S. Chamber conducted a nationwide survey that found voters overwhelmingly oppose the "Card Check" bill. More than seven in ten voters (71 percent) agree that a federally-supervised secret ballot election is a better approach to union organizing than the "Card Check" method, with its ample opportunities for intimidation and coercion.

At this time, it appears the Employee Free Choice Act may be approved soon by the U.S. House of Representatives, which passed the same legislation last year. The "Card Check" battle will likely be decided in the Senate.

The Nebraska Chamber of Commerce & Industry, along with local chambers and other state organizations representing Nebraska employers and employees, has informed Representatives Terry, Fortenberry and Smith, as well as Senators Nelson and Johanns, of our opposition to the "Card Check" legislation. We urge all Nebraskans to let their positions be known as well. ■

### D.C. Trip

(Continued from page 1)

For more on the Small Business Summit, visit [www.uschambersummit.com](http://www.uschambersummit.com). Please register for this event through the State Chamber so we can coordinate registrations.

To help participants stay up-to-date on the latest policy issues, the D.C. visit will include briefings at the headquarters of the National Association of Manufacturers (NAM) and the U.S. Chamber. The NAM briefing is set for Wednesday, May 13, at 3 p.m. at NAM headquarters. U.S. Chamber briefings will be in conjunction with the Small Business Summit.

With the changes taking place in Washington and around the country, it is important for State Chamber members to maintain contact with their elected representatives. For more details about the State Chamber's congressional visit or to register, contact Don Mihovk at (402) 474-4422. ■

# FBLA Leaders Shadow State Chamber Staff

In late February, Nebraska Future Business Leaders of America (FBLA) state officers spent time shadowing the State Chamber's professional staff. The student delegation included FBLA State President Justin Schultis of Fairbury; State Vice President Allison Skidmore of Fairbury; State Treasurer Amber Kutnink of Cambridge; State Reporter Kathryn Vampola of Arlington; and State Parliamentarian Abbie Davis of Wood River.

The FBLA leaders sat in on the State Chamber's Public Affairs Council, where they heard lobbyists discuss legislation of concern to the business community. At the Council meeting, the students also met with state Senator Beau McCoy of Omaha, who shared his experiences as a first-year lawmaker.

Later in the morning, the FBLA officers stopped by the State Chamber's headquarters, where they learned more about the association's mission and the daily tasks of the staff during the legislative session. The students were then accompanied by State Chamber President Barry Kennedy and Vice President-Public Affairs Jamie Karl to the State Capitol to meet with their respective state senators. They were also escorted

onto the floor of the George W. Norris Legislative Chamber, where they observed debate on comprehensive immigration legislation (LB403).

The shadowing project is part of the State Chamber's and the FBLA's Partnership Program. ■



State FBLA officers spent the morning of February 24 at the State Chamber headquarters and the Capitol, where they met with their respective senators. Pictured above are Nebraska Chamber of Commerce & Industry President Barry Kennedy; Dist. 44 Senator Mark Christensen, Imperial; FBLA State Treasurer Amber Kutnink, Cambridge; FBLA State Parliamentarian Abbie Davis, Wood River; Dist. 33 Senator Dennis Utter; FBLA State Reporter Kathryn Vampola, Arlington; FBLA State President Justin Schultis, Fairbury; and FBLA State Vice President Allison Skidmore, Fairbury.

## State Chamber Works With U.S. Chamber On 'Card Check' Fly-in

In early March, the Nebraska Chamber of Commerce & Industry joined the U.S. Chamber of Commerce in Washington, D.C. to oppose legislation that would end private ballot elections in the workplace. In addition to State Chamber President Barry Kennedy, the Nebraska delegation included State Chamber Board member Chris Roth of Reinke Manufacturing Co., Deshler, as well as several other Nebraskans representing businesses from across the state.

The mission of the fly-in was to educate federal lawmakers on the harm that would be caused by the "Employee Free Choice Act" (EFCA) – also known as the "Card Check" bill.

The Card Check legislation would:

- ◆ allow unions to be formed if a majority of employees sign a card – thus eliminating secret-ballot elections for employees.
- ◆ force contract negotiations into government-imposed binding arbitration.
- ◆ impose stiffer penalties on employers, but not on unions, for violating the National Labor Relations Act.

The Nebraskans who participated in the two-day program were briefed on the Card Check bill at the U.S. Chamber of Commerce headquarters. Later in the day, the group traveled to Capitol Hill to visit the offices of Nebraska's U.S. Senators Ben Nelson

and Mike Johanns.

For more information on the Card Check bill and its ramifications for Nebraska businesses, go to: <http://www.uschamber.com/issues/index/labor/cardchecksecrbal.htm>.

If you want to make your voice heard on the Card Check issue, go to <http://secretballot.voteforbusiness.net/> and take part in the U.S. Chamber's "virtual march" on Capitol Hill. ■

## 2009 Leadership Nebraska Class

(Continued from page 1)

Home State Bank, Louisville; Tim Moravec, Awards Unlimited, Lincoln; Michael Nohavec, Nohavec Farms, Crete; Don Nordell, Black Hills Energy, Lincoln; Dan Peters, Ash Grove Cement Co., Louisville; Michael Piernicky, Olsson Associates, Omaha; Sharyle Sands, Columbus Area Chamber of Commerce, Columbus; Jill Slupe, Birddog Solutions, Omaha; Kimberly Sucha, MarketSphere Consulting, LLC, Omaha; Craig Vincent, NPPD, York; Katie Zulkoski, Ruth Mueller Robak LLC, Lincoln.

Application forms for the next class may be submitted beginning in July 2009. Those interested in applying are not required to have a third party nomination; self-nominations are encouraged. A tax-deductible non-profit 501(c)(3) organization has been organized for The State Chamber's Leadership Nebraska. For more information on any aspect of the State Chamber's Leadership Nebraska program, please contact Executive Director Don Mihovk at the State Chamber office, or log onto [www.statechamberleadershipnebraska.com](http://www.statechamberleadershipnebraska.com). ■

## Workshops Offered on Labor Law and Identity Theft & Business

State Chamber members are encouraged to attend upcoming workshops addressing two issues of critical importance to the Nebraska business community: Labor law and identity theft.

On April 16, the State Chamber will hold its labor law workshop – entitled “State and Federal Labor & Employment Laws” – at Quarry Oaks, near Exit 426 on Interstate 80, from 1 p.m. to 4:30 p.m. Workshop speakers will include attorneys from highly respected Nebraska law offices, who have represented both public and private sector employees in labor relations and employment matters. Topics will include National Labor Relations Act, the Family and Medical Leave Act, and the Americans with Disabilities Act. This event will greatly benefit anyone responsible for employee benefits or workplace compli-

ance, regardless of business size.

On May 28, the State Chamber's “Identity Theft & Business” workshop will be held from 9 a.m. to noon at The Cornhusker Marriott in Lincoln. This event will assist businesses in safeguarding the sensitive personal information of employees and customers. The keynote speaker will be Laurie VanderWal, a certified I.D. theft risk management specialist who will inform attendees about the liabilities associated with data breach, while offering proven methods on how to manage data and develop an I.D. theft plan. This workshop is perfect for any business concerned with data breach management or protecting non-public information, and attendees will earn three continuing education credits.

For more on either workshop, please call the State Chamber at (402) 474-4422. ■

## State Chamber Welcomes New Investors

Membership in the Nebraska Chamber of Commerce & Industry is an investment in Nebraska's economic well-being. This month, the State Chamber welcomes the following new members and encourages members to consider doing business with fellow Chamber members.

### ALBION

Albion Chamber of Commerce  
Abigail Johnson

### ANKENY, IA

Monsanto Company  
Dave Tierney

### DORCHESTER

Farmers Cooperative  
Ron Velder

### ELKHORN

S.C. Berryman Public Affairs  
Scott C. Berryman

### GRAND ISLAND

Mid-Plains Associates  
Tim White

### GUIDE ROCK

The Guide Rock State Bank  
Clifford E. Vogler

### KANSAS CITY, MO

AstraZeneca  
Carol A. Curtis

### KEARNEY

Kearney Visitors Bureau  
Roger Jasnoch

### LINCOLN

Alter Recycling  
Steve Mulinex

General Excavating  
Scott Fitzgerald

Hampton Inn Airport  
Lisa Tupper

Morgan Stanley  
Robert Downey

Nebraska Association of Check Cashers  
DeMaris Johnson

Rogge Capital Partners LP  
Dwayne W. Rogge

UBS Financial Services  
Jon M. Miller

### NORFOLK

Bel-Air Properties  
Ivan Petersen  
*Referred by J. Paul McIntosh*

RE/MAX Associates  
Karen Petersen

*Referred by Ivan Petersen, Bel-Air Properties*

### OMAHA

Centris Federal Credit Union  
Kevin Parks

Kosiski Auto Parts, Inc.  
Joseph L. Kosiski

Protexter Consulting - Clay Development  
Bill Protexter

### O'NEILL

Great Western Bank  
Kirk K. Cisler

### RALSTON

Omega Chemical Co., Inc.  
Allen Doub

# 2009 Annual Meeting Highlights

**O**n February 5, the State Chamber held its Annual Meeting and Legislative Caucus at The Cornhusker Marriott in Lincoln. Speaker of the Legislature Mike Flood addressed the Chamber Board during its morning meeting, while Governor Dave Heineman spoke at the Chamber luncheon, which honored local chambers of commerce from across the state. The Governor issued a proclamation declaring February “Nebraska Chamber of Commerce Month.” Lori Warner, 2009 president of the Nebraska Chamber of Commerce Executives, recognized local chamber representatives attending the Annual Meeting.

The afternoon session featured the traditional Legislative Leaders panel, where state Senators Abbie

Cornett, Deb Fischer, Steve Lathrop, Tom Carlson and Chris Langemeier addressed some of the top issues facing the 2009 Legislature. The afternoon also included a visit from Nebraska’s 1<sup>st</sup> District Congressman Jeff Fortenberry, who spoke about the recently-approved federal stimulus package.

Other afternoon panels spotlighted state and federal health care reform efforts, as well as the need for infrastructure funding. Guest speakers included policy experts from the U.S. Chamber of Commerce, as well as Greater Omaha Chamber of Commerce President and CEO David G. Brown and the Legislature’s Health and Human Services Committee Chairman Tim Gay of Bellevue.

In the evening, nearly 40 senators

joined approximately 500 State Chamber members and the Governor for the Annual Banquet and Nebraska Business Hall of Fame induction ceremony. The banquet featured the traditional passing of the gavel from 2008 State Chamber Chairman G. Lee Glenn of Scottsbluff to 2009 Chairman Marc LeBaron of Lincoln.

The day ended with the 2009 Business Hall of Fame induction ceremony. New Hall of Fame members are: **J. Gates Minnick of Lincoln, DuTeau Chevrolet/Subaru; Alan, Fred and Steve Simon of Omaha, Omaha Steaks; Donald Smeal (deceased) of Snyder, Smeal Fire Apparatus Company; and Willard H. Waldo of DeWitt, Waldo Farms, Inc.** ■



**Left: Marc LeBaron, 2009 Chairman of the State Chamber, accepts the gavel from 2008 Chairman Lee Glenn.**



**Top Right: State Senator Abbie Cornett, Chair of the Legislature’s Revenue Committee, and U.S. Congressman Jeff Fortenberry discuss matters at the Annual Meeting’s Legislative Leaders Panel.**

**Bottom Right: Senators Chris Langemeier of Schuyler and Deb Fischer of Valentine inform attendees about the priority issues facing their committees this year. Senator Langemeier chairs the Unicameral’s Natural Resources Committee, while Senator Fischer is chair of the Transportation and Telecommunications Committee.**





## 2009 Annual Meeting Highlight Continued

Left: State Chamber Board member Christopher Kircher, Vice President Corporate Affairs & President of ConAgra Foods Foundation, and Speaker of the Legislature Mike Flood meet before the State Chamber Board meeting.

Right: Governor Dave Heineman celebrates "Chamber of Commerce Month" with Beatrice Area Chamber's Lori Warner (left), 2009 Chair of the Nebraska Chamber of Commerce Executives, and Ogallala/Keith County Chamber's Marion Kroeker, Chair of the State Chamber's Chamber Executives Advisory Council.



## 50+ Year Members

These members have been valuable members of the Nebraska Chamber of Commerce & Industry for 50 years or longer. We appreciate their extensive membership support!

### Beatrice

Husqvarna Turf Care \*('37)

### Columbus

BD Medical Surgical Systems ('50)  
 Behlen Mfg. Co. ('46)  
 Columbus Telegram ('58)  
 First National Bank & Trust ('49)  
 Nebraska Public Power District ('42)  
 Vishay Dale Electronics, Inc. ('54)

### Crete

Bunge Milling \*('37)

### Fremont

Fremont National Bank & Trust ('45)

### Grand Island

MFS/York/Stormor \*('37)

### Hastings

Dutton-Lainson Co. \*('37)  
 Flowserve Pump Division \*('37)  
 Hastings Irrigation Pipe Co. ('53)

### Kearney

Baldwin Filters ('59)  
 SourceGas ('53)

### Lincoln

ADM Milling Co. ('39)  
 Black Hills Energy \*('37)  
 Deeter Foundry, Inc. ('58)  
 KOLN-KGIN TV ('58)  
 Midwest Steel Works ('51)  
 NEBCO, Inc. \*('37)  
 Novartis Consumer Health, Inc. \*(37)  
 Pinnacle Bank ('54)  
 Pfizer Inc. ('45)  
 Veyance Technologies, Inc. ('47)  
 Wells Fargo Bank Nebraska ('58)  
 Windstream \*('37)

### Louisville

Ash Grove Cement Co. \*('37)

### Norfolk

Appera \*('37)  
 Huse Publishing Co. \*('37)

### Omaha

Bemis Co., Inc. \*('37)  
 ConAgra Foods \*('37)  
 Drake-Williams Steel, Inc. ('58)  
 J.P. Cooke Co. ('51)  
 Ford Motor Credit Co. ('54)  
 Fuchs Machinery, Inc. ('42)  
 Lyman-Richey Corp. ('46)  
 Omaha Box Co. \*('37)  
 Qwest Communications \*('37)  
 Standard Nutrition Co. ('45)  
 Walkers', Inc. \*('37)

### Scottsbluff

Kelley Bean Co. ('38)  
 The Western Sugar Cooperative \*('37)

### Valley

Valmont Industries, Inc. ('49)

*\* The Nebraska Chamber of Commerce & Industry was chartered in 1912; unfortunately we were unable to find membership records prior to 1937.*