

## General Elections UPDATE

The November 2 General Election is fast approaching. In the Unicameral, there are 12 of the 25 races that are contested. The following are the General Election listings and Primary vote results in parentheses: **Dist. 1** Open Seat, Ron Zeiger (41%) and LaVon Heidemann (33%); **Dist. 3** Sen. Ray Mossey (42%) and Gail Kopplin (36%); **Dist. 9** Open Seat, Gwen Howard (43%) and Scott Knudsen (32%); **Dist. 13** Sen. Lowen Kruse (71%) and Anthony Fast Horse (29%); **Dist. 17** Sen. Pat Engel (53%) and Dave Bloomfield (28%); **Dist. 23** Open Seat, Chris Langemeier (50%) and Mark Gustafson (41%); **Dist. 29** Sen. Mike Foley (72%) and Angelika Byorth (28%); **Dist. 31** Open Seat, Rich Pahls (49%) and Ben Thompson (32%); **Dist. 33** Steve Scherr (48%) and Sen. Carroll Burling (47%); **Dist. 37** Sen. Joel Johnson (78%) and Mike McShea (22%); **Dist. 43** Open Seat, Kevin Cooksley (26%) and Deb Fischer (25%); and **Dist. 45** Open Seat, Abbie Cornett (43%). The Primary candidate, Kirk Brumbaugh, dropped out of the race. Bellevue Mayor Jerry Ryan has petitioned onto the ballot.

Districts with only one candidate are: **Dist. 5** Sen. Don Preister; **Dist. 7** Sen. John Synowiecki; **Dist. 11** Sen. Ernie Chambers; **Dist. 15** Sen. (Continued on page 3)

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## Your State Chamber Board

The Executive Board is made up of the Chairman, Chairman-elect, Past Chairman, Treasurer, Six District Vice Chairmen and the President. The Vice Chairmen represent each of the six geographic districts on the Executive Council. Such officers are elected for a one-year term by the full Board. This month, we feature District II and VI Vice Chairmen.

The current Vice Chairman for District II is **Rich Bailey**, who co-founded Bailey Lauerman & Associates in 1970. He is currently Chairman and Chief Executive Officer for the firm, which has been recognized by the American Association of Advertising Agencies as one of the top six creative agencies in the United States.

He is a 1967 graduate of the University of Nebraska-Lincoln, where his major studies included journalism, graphic arts and architecture. He did some teaching at the University and has served on the School of Journalism Professional Advisory Council.

Bailey is well known in the advertising world, and was recognized as Ad Man of the Year in 1985 by the Ninth District of the American Advertising Federation. In addition to his professional duties, Bailey has served on the Boards of the Nebraska Art Associa-

tion, Nebraskans for Public Television, the Food Bank of Lincoln, the Lincoln Symphony Orchestra, and the Lied Center Advisory Board.

**Joanne F. Shephard** is in her first year as the Vice Chairman for District VI. She is President and CEO of the

First National Bank of Valentine. Born in Omaha, she grew up in Valentine and attended the University of Nebraska-Lincoln, graduating with a major in political science.

While in high school, she began her banking career working at family-held banks. After college, she continued her career at banks in Nebraska, Iowa, and California before returning to Valentine in 1994.

Among her other activities, Joanne is a member of the Board of Directors of the Nebraska Historical Society Foundation, and a Trustee of the Historical Society Foundation; a member of the Cherry County Hospital

Foundation Board; a member of the Regulatory Review Committee of the Independent Bankers' Association of America; and a member of the Board of Directors of the Museum of Nebraska Art.

She and her husband, Donald, have two children. ■



**Rich Bailey**



**Joanne F. Shephard**



## State Chamber Views...

Editorial by Barry Kennedy,  
President,  
Nebraska Chamber of Commerce & Industry

# Your Input Is Needed!!!

**T**he State Chamber, in coordination with others, has been a leader in taking the necessary steps to make Nebraska competitive in attracting career opportunities and investments in our state. It is a process that has been carefully organized and is being implemented.

The first step has already been taken. Earlier this year, the State Chamber, the Nebraska Department of Economic Development, the Lincoln Chamber of Commerce, the Greater Omaha Chamber of Commerce, the Nebraska Diplomats and others commissioned a study to determine exactly how Nebraska compares with other states on both tax burden and economic growth incentives offered. If we do not know exactly how we compare, it would be impossible to determine where we need to progress.

KPMG was commissioned to complete a *Comparative Analysis of Nebraska's Tax and Incentive Climate for Business Investment and Job Creation*. The comparison focused on business tax burdens, individual tax burdens and on government incentives. All of Nebraska's neighboring states were evaluated as well as several other states that we have found ourselves in direct competition with for job and investment opportunities.

With this first step completed, the next task is to ascertain what is really important to Nebraska business people. What specific tax or regulatory changes will affect decisions on expanding operations in our state? We need input from as many industries, investors and employers in Nebraska as we can possibly reach.

We have a unique opportunity in Nebraska, and the next nine months may be critical to the future growth of our state. Due to economic times and the evolving dynamics in today's

business world, we have reached the crossroads to determine what is essential for Nebraska's economy to grow in the early part of this century.

Now, more than ever before, we need to partner with the state in order to promote statewide policies to help create careers that will keep our young people in Nebraska and attract talented young people to our state. It is no longer enough to simply create "jobs." A job is a "piece of work," "something that has to be done."

While job creation remains an important issue in economic development, we cannot forget about career creation. A career is an "occupation or profession followed as a life's work."

### **We need "careers" for all Nebraskans willing to work.**

A variety of tools are being used to accomplish this task. Individual discussions with employers and economic development professionals have already started. The State Chamber will be using its annual Fall Forum meetings with local chambers to both inform and gather input from those in attendance on priorities for specific business interests and geographic regions in general. **Please attend the Forum in your area and be prepared to share your ideas.** In addition, other types of surveys and informational gathering techniques will be utilized. Every employer's input is needed.

The third step of the process will be to assimilate all of the information and input acquired and formulate the ideas into a draft of legislation that may become Nebraska's next generation of tools for economic growth in Nebraska. This step obviously will need the support and cooperation of both employers and elected officials to be successful. For that reason, both employers and government need to be involved in and committed to finding

the best, workable tools throughout the process. It is in the best interests of all parties for Nebraska's economy to grow and prosper.

Earlier in this article, I alluded to geographic regions. This new direction needs to recognize the potential and need for career opportunities across our entire state. In numerous speeches, I have heard former State Chamber Chairman Roy Smith say "A rising tide raises all ships." New career opportunities, wherever they may occur throughout Nebraska, have a positive impact on our entire state. A dynamic tax base created by growth, and not overly burdensome on any individual or sector, is what will allow Nebraska to provide necessary services and careers in the future. ■

## Two Workshops Set For October 7

**T**he State Chamber will present two employer workshops this fall. "**How To Solve Tough Workplace Problems**" and "**Employer Progressive Discipline & Corrective Action**" will be presented on October 7 at Mahoney State Park, midway between Omaha and Lincoln. The Workplace Problems workshop is a 3½ hour session beginning at 8:30 a.m. It will instruct employees and/or managers how to address and resolve challenging and stressful workplace problems. The focus of this problem-solving process is to get the real problem, who should be involved in the solution, and make sure the solution sticks.

In the afternoon, the **Progressive Discipline** workshop will provide participants with knowledge and skills for addressing unacceptable job performance and behavior, identifying the management and legal challenges, and effectively correcting employee performance. More details regarding these workshops are included in this issue of the *Executive*. State Chamber members pay a discounted fee for these workshops. ■

# Fall Legislative Forums In Your Area

The Nebraska Chamber of Commerce & Industry plans a busy five weeks and needs to hear from you this fall as we visit 30 Nebraska communities for our annual Legislative Forums during the weeks of September 13-17, September 20-22, and September 27-29 and October 6.

This is your opportunity to tell us what's on your mind regarding legislation and to visit with your state senators and candidates who are invited to all Forums in their districts.

A listing of complete locations is enclosed. Please note times and locations, as there have been a few changes since we last listed the Forums. The Omaha Forums are on September 22, one at 7:30 a.m. at the Georgetown Club, 2440 S.141st Cir., and at 11:30 a.m. at the Greater Omaha Chamber Building downtown. The Tecumseh Forum location has been changed to the Ridgeview

Towers. The Beatrice Forum will begin at 7:00 a.m. instead of 7:30. The Alliance Forum location has changed to the Alliance Country Club. State Chamber elected leaders and executive staff members will be present to discuss issues and answer your questions. The focus of this year's program will be the recent KPMG Consulting study, "A Comparative Analysis of Nebraska's Business Climate."

Surveys have shown that employees are well regarded by their employers as a good source of information on elections and issues affecting their jobs and lifestyles. The Forums are a great opportunity to give key employees a firsthand look at the legislative process, learn the issues, and meet their elected representatives. For more information, please contact the State Chamber office. ■

## General Election Updates

(Continued from page 1)

Ray Janssen; **Dist. 19** Mike Flood; **Dist. 21** Sen. Carol Hudkins; **Dist. 25** Sen. Ron Raikes; **Dist. 27** Sen. DiAnna Schimek; **Dist. 35** Sen. Ray Aguilar; **Dist. 39** Sen. Dwite Pedersen; **Dist. 41** Sen. Vickie McDonald; **Dist. 47** Sen. Philip Erdman; and **Dist. 49** Sen. LeRoy Louden.

On the federal side, the open First District Congressional seat has former Lincoln City Councilman Jeff Fortenberry (R) facing State Senator Matt Connealy (D). State Senator Nancy Thompson (D) is running against incumbent Lee Terry (R) in the Second Congressional District. Third District Congressman Tom Osborne (R) has token opposition.

The State Chamber encourages all members to look at the VoteFor-Business.com link on our website. The dismal 21% voter turnout in this year's Primary speaks volumes about the importance of employers and employees voting and knowing the candidates and where they stand. ■

# Membership Directory Sales Underway

The advertising sales campaign for the 2005 State Chamber Membership and Business Directory will begin this month. Alan Flinton, a professional advertising representative of Lawton Publications, will be in contact with members across the state to present exciting advertising opportunities to you. Take a quick minute and compute how many times you utilize the Directory, then factor in that over 1,400 fellow members see it as well. Your message and listing will also be seen by many others, as the Directory is utilized by economic development recruiting efforts by the state, and at employee recruiting opportunities, particularly at state colleges and universities.

We would ask you to please review your Directory for proper

listings, addresses, phone numbers, etc. Then make a point of noting businesses you are familiar with who are NOT listed. Those folks ought to be in the Directory, too, as well as members of the State Chamber. Take a copy of your old Directory and let them know they ought to be a member of the State Chamber, just like smart businesses such as yours! ■

## 2004 STATE CHAMBER SCHEDULE:

<b>Sept. 13-17</b>	<b>Legislative Forums</b>
<b>Sept. 20-22</b>	<b>Legislative Forums</b>
<b>Sept. 27-29</b>	<b>Legislative Forums</b>
<b>Oct. 6</b>	<b>Legislative Forum</b>
<b>Oct. 7</b>	<b>Employer Workshops</b>
<b>Oct. 21</b>	<b>Executive Council Meeting</b>
<b>Oct. 22</b>	<b>Deadline for Voter Registration</b>
<b>Nov. 2</b>	<b>General Election</b>
<b>Nov. 30</b>	<b>Public Affairs Council Meeting</b>
<b>Dec. 3</b>	<b>Winter Board Meeting</b>

## *Nebraska's 5th Annual Governor's Summit on Workforce Development*

*November 9-10, 2004, The Cornhusker Hotel in Lincoln*

*Check the State Chamber's website, [www.nechamber.com](http://www.nechamber.com),  
for a link to the Governor's Summit on  
Workforce Development website.*

# Federal Labor Standards Act In Effect

New white-collar exemption requirements and overtime pay requirements were changed by the U.S. Department of Labor in late August. The major overhaul, the first in more than half a century, is aimed at mostly white-collar workers. The Labor Department says manual laborers and other blue-collar workers will not be affected.

The new rules are intended to limit workers' multimillion-dollar lawsuits, many of them successful, claiming they were cheated of overtime pay for working more than 40 hours a week. The State Chamber presented two workshops on this issue in June and August. However, a certain amount of confusion still exists.

There is little agreement by the Bush administration, employer groups, labor experts and others on how many workers will gain or lose the right to overtime pay under the new rules in the Fair Labor Standards Act.

Employers have sought changes for decades, complaining the regulations were ambiguous and out of date, and questioning why highly paid professionals should get overtime pay. Labor unions, however, say the new rules are intended to reduce employers' costs. Critics say the changes will eliminate overtime for millions of middle-class Americans struggling in a weak jobs market.

Labor Secretary Elaine Chao has created a task force that will be "looking very closely and critically at any reclassifications that result in workers losing their overtime status," said Steven Law, deputy secretary. The

Department's Wage and Hour Division "will be very, very carefully monitoring and following up with enforcement, especially in high-violation industries," he said. The Department won \$212 million in back wages for overtime violations in 2003, a 21% increase.

What's happening in general:

- About 107,000 white-collar workers now eligible for overtime pay who earn \$100,000 or more annually could lose it under the new rules, the Labor Department said.
- About 1.3 million workers, mostly low- and mid-level managers at stores and restaurants, who earn less than \$23,660 a year will be newly eligible. However, employers can avoid paying them overtime by raising their salaries, so critics say far fewer will benefit from overtime.
- For white-collar workers who fall between those salary levels, their overtime status depends on their job duties and experience. The rules revamp the definitions of professional, administrative and executive employees, called "duties tests," that are used to determine eligibility. For example, professional employees exempt from overtime had professional degrees. The new rule allows employers to substitute work experience and instruction.

Executive employees had authority to hire and fire. The new rule expands that provision, saying an executive can make recommendations that carry weight regarding employment status.

As the issue unfolds, we will keep you updated. ■

## 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.

### BLAIR

Con-E-Co

Neil Smith

*Sponsor: Tom L. Whalen,  
SilverStone Group*

### LINCOLN

Ayars & Ayars, Inc.

Doug Ayars

*Sponsor: Philip Mullin,  
Garner Industries*

### OMAHA

Arctic Insulation, Inc.

Monty N. Halstead

Lovgren Advertising, Inc.

Linda Lovgren

*Sponsor: Tom L. Whalen,  
SilverStone Group*

Ronald J. Palagi, P.C.

Alan Reeves

Rite-Style Optical

Company

George P. Lee

### COLUMBUS

Orion Corporation of

Nebraska

Gary L. Langer

Homes By Ellyne

Lynne Rustad

Paramount Linen &

Uniform Rental

Thomas Allman, Jr.

*Sponsor: Suzanne Mahel  
Tyrrell, MSP Resources*

Lutz & Company, PC

Gary Witt

Majors Plastics Inc.

Tim McConnell

### RALSTON

Ralston Area Chamber  
of Commerce

Marlene L. Hansen

### GOTHENBURG

Gothenburg State Bank  
& Trust Co.

Matthew H. Williams

### NORFOLK

Major Refrigeration

Company

Wilma Johnson

National Paper & Sanitary

Supply

Bo Ochsner

### HASTINGS

Centennial Plastics LLC

G. Peter Konen