



Legislative Scorecard

101st Session

Holding your legislators accountable

By providing non-partisan, objective information about the voting records of Nebraska's state senators



September 15th, 2009

The Nebraska League of Conservation Voters is a non-profit, non-partisan state advocacy organization dedicated to electing pro-conservation leaders at the city, county and state levels of government.

We encourage our lawmakers to champion conservation policies that will protect Nebraska's water, land, wildlife and natural resources.

In order to ensure our state's natural legacy, the NLCV engages in voter education, lobbying and issue advocacy. We issue candidate endorsements and actively work for the election of candidates who are committed to common-sense conservation policies.

We know that Nebraskans care about our environment. We want leaders who do too.

MESSAGE FROM THE BOARD

Think globally, act locally. A slogan that encourages involvement and reminds us that the issues where we live are connected with our planet. These sentiments embody the objectives of our Legislative Scorecard.

Our aim is to inform Nebraskans of the conservation issues being considered by our state senators and how they responded to them. We also ask you to let your senator and others know your thoughts about these issues and votes. We encourage you to ask yourself these questions as you review the Scorecard:

- Do you agree with your senator's votes?
- Do you want your views heard?
- What other conservation issues should be considered?

Remember that knowing the "score" is just the first step. In a democracy we all have a responsibility to let our legislators know what we think and to share information like the Scorecard with others. We encourage you to forward this to as many of your fellow Nebraskans as possible. We also strongly encourage you to follow this link http://www.nebraskalegislature.gov/senators/senator_list.php, to communicate directly with your state senator.

When you do, let them know that you are performing your civic responsibility as suggested by the words carved on the entrance to the State Capitol:

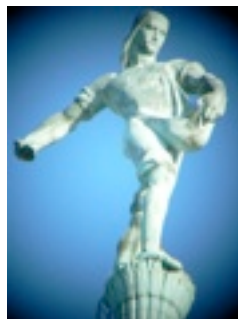
"The Salvation of the State"--and the Planet--"is in the Watchfulness of Its Citizens."

-NLCV Board

KNOWING THE SCORE IS ONLY THE FIRST STEP

Your elected lawmakers are accountable to YOU! While it is our legislators who ultimately decide which conservation bills are passed, **the real power lies in the hands of voters like you.** You determine who makes those decisions.


Once you have reviewed the Nebraska League of Conservation Voters *Legislative Scorecard*, you will have the information necessary to distinguish which of our elected leaders are true



stewards of Nebraska's environment from those who are not.

If we want to protect the very things that make Nebraska "the good life", we need to share this information with others and let our senators know what we think about their performance on key conservation bills. Nebraskans have a responsibility to be both educated voters and to let our lawmakers know we care about Nebraska's natural heritage for generations to come.



Bills	Adams	Ashford	Avery	Campbell	Carlson	Christensen	Coash	Conrad	Cook	Cornett	Council	Dierks	Dubas	Fischer	Flood	Friend	Fulton	Gay	Giese	Gloor	Haar 	Hadley	Hansen	Harms
LB 263	+	+	+	+	+	+	+	+	+	+	+	-	-	+	+	+	+	E	+	+	-	+	+	+
LB 689	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+		+	+	+	PNV	PNV	+	+	E
LB 764	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+		+	+	+	+	+	+	+	E
LB 1048	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+		+	+	+	+	+	+	+	+
LB 978	+	+	+	+	+	+	+	+	+	+	+	+	+	E	+		+	+	+	+	+	+	+	PNV
LB 997	+	+	+	+	+	+	+	+	+	+	+	+	+	E	+		-	+	+	+	+	+	+	PNV
LB 98	PNV	+	+	+	+	E	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+
LB 436	+	+	+	+	+	E	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+
LB 184	+	+	+	+	+	+	+	E	+	+	E	PNV	+	+	+	+	+	+	+	+	+	+	PNV	+
LB 379	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	E	+	E	+	+	+	+	+	+
LB 235	+	+	+	+	+	+	+	+	+	+	E	+	+	+	+	+	+	+	+	+	+	+	+	+
LB 246	+	+	+	+	+	+	PNV	+	+	+	E	+	+	PNV	PNV	-	PNV	+	+	+	+	+	-	+
LB 568	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	E	+	+	+	+	+	+

KEY

- + is a vote in favor of the proposed bill
- is a vote against the proposed bill
- PNV means "Present Not Voting"
- E means the senator was Excused
- indicates a bill we did not support
- indicates a bill we supported
- ★ indicates a senator who voted 100% with us

farmers from practices that contaminate their products and protect citizens from potential water and air pollution these chemicals could cause.

our water resources before over-use of water in an area has reached the crisis stage.

LB 689: Langemeier

Eliminates a future transfer of corn check-off funds to the Water Resources Cash Fund, scheduled to begin in 2013. The bill will take \$7.5 million per year from the Water Resources fund, which is used to buy out water rights and take other actions needed to reduce water use in the Platte and Republican river basins.

Against: *We opposed the bill because it will make it more difficult to restore river flows needed for fish, wildlife and recreation.*

LB 1048: Natural Resources Com.

Encourages and allows opportunities for private entities to develop, own, and operate renewable energy facilities for the export of wind energy, while at the same time preserving the benefits Nebraskans receive as a result of the state's unique public power system. This bill streamlines the process for developing wind farms that would export power to other states, allows those developers to avoid being subject to the eminent domain of Nebraska public power systems. This bill provides more consistent tax revenue from wind farms to reach our local governments. An amendment we supported will retain the current process for the Game & Parks Commission to review the creation of new wind farms to ensure they don't jeopardize wildlife. **For:** *While the bill failed to encourage community-owned wind energy development, the bill helps Nebraska to capitalize on our extensive potential for wind power production.*

LB 764: Fischer

Allows for the creation of a Natural Resource District in a river basin that has not yet been designated as fully appropriated to develop and implement an integrated water management plan with the Department of Natural Resources, allowing the NRD to restrict water use. **For:** *This bill will allow us to better manage*

BILL SUMMARY

LB 263: Rogert

Prohibits local governments from regulating the registration, labeling, sale, or distribution of seeds, fertilizers, or soil conditioners under the Nebraska Seed Law and Commercial Fertilizer & Soil Conditioner Act. **Against:** *We believe communities should keep their power to decide what laws are needed to protect organic or low-chemical*



LEGISLATIVE SCORECARD

101ST LEGISLATIVE SESSION

Heidemann	Howard	Janssen	Karpisek	Krist	Langemeier	Lathrop	Lautenbaugh	Louden	McCoy	McGill	Mello	Nelson	Nordquist	Pahls	Pankonin	Pirsch	Price	Rogert	Schilz	Stuthman	Sullivan	Utter	Wallman	White	Wightman	Bills
+	+	+	+		+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	-	+	+	+	+	LB 263
-	+	+	+	PNV	+	PNV	+	+	+	+	+	E	+	E	+	+	+	+	+	+	+	+	+	+	+	LB 689
+	+	+	+	+	+	+	+	+	+	+	+	E	+	E	+	+	+	+	+	+	+	+	+	+	+	LB 764
+	+	+	+	+	+	+	+	+	+	+	+	+	E	+	+	+	+	+	+	+	+	+	+	+	+	LB 1048
+	+	+	+	+	+	+	+	+	+	+	+	+	E	+	+	+	+	+	+	+	+	+	+	+	+	LB 978
PNV	+	+	+	+	+	+	+	+	+	+	+	+	E	+	+	-	+	+	+	-	+	PNV	+	+	+	LB 997
+	+	+	+		E	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	PNV	+	LB 98
+	+	+	+		E	+	+	+	+	+	+	+	+	+	PNV	+	+	+	+	+	+	+	+	+	+	LB 436
+	+	+	+		+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	LB 184
+	+	+	+		+	+	+	+	+	+	+	+	+	+	E	+	+	+	+	+	+	+	+	+	+	LB 379
+	+	+	+	E	+	+	E	+	+	+	+	+	+	E	+	+	+	+	+	+	+	+	+	+	+	LB 235
-	+	+	+		+	+	+	+	E	+	+	+	+	+	+	+	+	+	+	-	+	-	+	+	PNV	LB 246
+	+	+	+		+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	LB 568

LB 978: Mello
Requires any appliance purchased or leased by the state to be Energy Star certified, except that the material administrator may exempt the purchase or lease of an appliance from this requirement if he or she determines that the cost of compliance would exceed the projected energy cost savings. Not only does this decrease the rate of energy consumption by the government, the reduced energy use will provide a net benefit to taxpayers over the life of the equipment. Energy Star certified appliances meet strict energy efficiency guidelines set by the U.S. Environmental Protection Agency and the U.S. Department of Energy. **For:** *Not only will this bill benefit taxpayers monetarily in the long run, the bill will greatly reduce the environmental impact of energy demand across the state of Nebraska.*

LB 997: Mello
Require counties and municipalities to include an energy element as part of the already required comprehensive plan. LB 997 would become effective when a new comprehensive

plan is developed; a full update to the comprehensive plan is undertaken, or by January 1, 2015. The energy element would: assess energy infrastructure and energy use by sector, including residential, commercial, and industrial sectors; evaluate utilization of renewable energy sources; and promote energy conservation measures that benefit the community. **For:** *We supported this bill because it encourages communities to increase energy efficiency significantly through careful planning that considers energy use, an integral part of building sustainable communities in the state.*

LB 98: Carlson
Extend for two years funding for the Riparian Vegetation Management Task Force, created by LB 701, 2007. The purpose of LB 98 is to continue the work of Nebraska's riparian recovery program with an annual appropriation of two million dollars for fiscal year 2009-10 and 2010-2011. **For:** *The NLCV supports cooperative efforts such as this that improve habitat, and restore river flows in our major rivers.*

LB 436: Haar
Encourages private investment in renewable energy by requiring electric utilities to provide "net metering" for residential-sized wind and solar energy systems. Net-metering allows a renewable energy production system-owner to receive a retail credit for excess energy produced that is transferred to the public utility. **For:** *We supported this bill because it is a small but significant step to encourage private investment in renewable energy.*

LB 184: Louden
Authorizes the Department of Natural Resources to consider and enforce riparian water rights that have been recognized by a court. **For:** *Under the former law, landowners with riparian water rights had to sue their neighbors again and again to enforce their rights to reasonable use of their share of water. While there are very few riparian water rights active in Nebraska, the bill helps modernize our state's water law.*



BILL SUMMARIES (CONT.)

LB 235: Adams

Allow the Board of Educational Lands and Funds to 1) issue leases for electricity generation utilizing solar or wind energy, and 2) enter into contracts for the sale of carbon sequestration rights. **For:** *This bill will allow public lands managed by the Board of Educational Lands and Funds to be used for renewable energy production while addressing climate change.*

LB 379: Haar

Extends the scrap tire recycling program until June 30, 2014. The grant program was set to expire June 30, 2009. **For:** *The scrap tire recycling program uses a \$1 per tire fee to fund the cost of cleanup and recycling of used tires. This program has helped reduce the mountains of used*

tires that unnecessarily littered our communities and clogged our landfills.

LB 246: Dubas

Reauthorize the Biopower Steering Committee, requiring new duties including coordinating and planning a baseline study and strategic plan for the State of Nebraska. This legislation appropriates funding for the baseline study. **For:** *We support efforts that plan for the sustainable use of renewable energy, which is exactly what this bill does.*

LB 568: Dubas

This legislation intends to clarify and authorize that certain provisions be included in easements and contracts related to wind facilities and landowners. **For:** *This bill will help ensure landowners get a fair deal when negotiating with large wind developers.*

**BILL GRAVEYARD**

The scorecard tells a large part of the environmental story of the session, but it doesn't tell the whole story. That's because dozens of pro-conservation bills were killed before legislators ever had a chance to vote on them.

LB 438: River Flows, Sponsor-Fischer

We opposed LB 438, introduced last year, that would have eliminated the ability of the Game & Parks Commission or a Natural Resource District to apply for an in-stream flow water right to protect river flows needed for fish, wildlife or recreation in much of Nebraska. Did not get out of committee, but 18 senators signed on as sponsors.

LB 1025: River Flows, Sponsor-Avery

We supported LB 1025, which would have streamlined the process the Game & Parks Commission or a Natural Resource District uses to apply for an in-stream flow water right in a fully appropriated watershed, and clarified that the Department of Natural Resources can act on that application before an Integrated Management Plan is completed. Killed by the Natural Resources Committee.

LB 666: Niobrara Council, Sponsor-Langemeier

We opposed LB 666, introduced last year, which would have stripped the Niobrara Council of most of its authority to help manage the Niobrara Scenic River. The bill would have upset a carefully crafted Niobrara Scenic River Management Plan, and eliminated the authority of the Council to restrict over-development of the scenic river area. Held in committee, but 16 senators co-sponsored the bill.

LB 836: Deer Management, Sponsor-Lautenbaugh

We opposed the original LB 836, which would have allowed landowners to shoot deer without regard to hunting seasons, bag limits or permits, and would even put in place a bounty on deer through a \$25 per head tax credit paid by Nebraska taxpayers. The bill was revised to give Game & Parks more flexibility to extend hunting seasons in areas where deer are causing extensive damage. We were neutral on final bill which passed.

LB 520: Conservation Easements, Sponsor-Hadley

We supported LB 520 which would have established a state tax credit for the donation of a conservation easement. While the bill had many supporters, it never made it out of committee.

LB 1099: Recycling, Sponsor-Mello

We supported LB 1099, which would allow cities to create a voluntary, fee-for-service enhanced recycling program. The program described in LB 1099 would provide financial incentives and other rewards in exchange for participation in the program. Enhanced recycling programs have been extremely successful in other municipalities, resulting in as much as a 300 percent increase in recycling collection rates. This program would create new jobs for Omaha residents, save tax dollars, and provide many environmental benefits. While there was no reason given as to why it never reached the floor, the bill has been postponed indefinitely.

**Don't forget to vote
November 2nd, 2010!**

For a complete list of state senators and their contact information, visit http://www.nebraskalegislature.gov/senators/senator_list.php

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