



# **City of Grand Island**

**Tuesday, March 19, 2013**

**Study Session**

## **Item -3**

### **Presentation on Legislative Process**

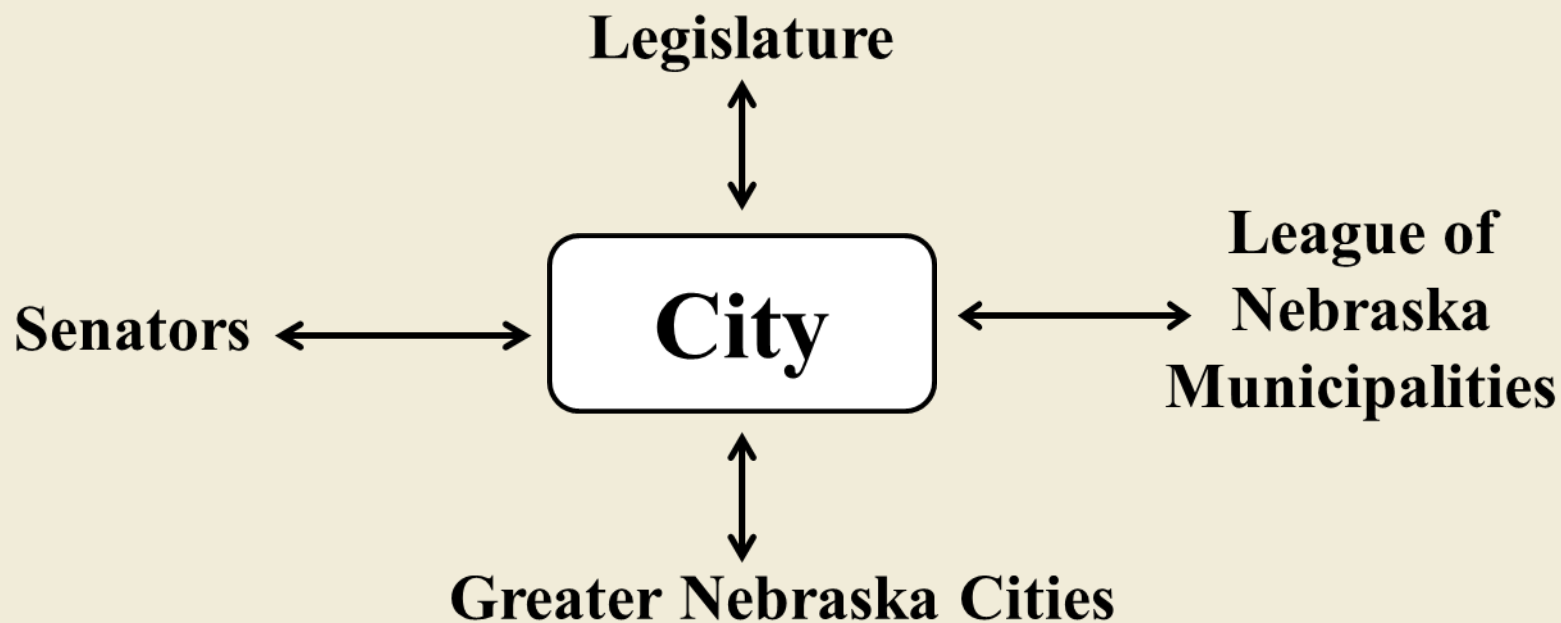
**Staff Contact: Mary Lou Brown**

# LEGISLATIVE PROCESS

## Committees

- Agriculture
- Appropriations
- Banking, Commerce & Insurance
- Business & Labor
- Education
- General Affairs
- Government, Military & Veterans Affairs
- Health & Human Services
- Judiciary
- Natural Resources
- Revenue
- Transportation & Telecommunications
- Urban Affairs

## Information Flow



## **Existing Process Limitations & Impacts**

- Time
- Divided Loyalties
- Eastern Nebraska vs. Rest of State
- Bill Dynamics
- Grand Island not Fully Represented

## **O'Hara Lindsay Government Affairs Proposal for Greater Nebraska Cities**

### Three Phases :

- 1)Identify Immediate Needs
- 2)Prepare for the Future
- 3)Ongoing Implementation

Grand Island Share of GNC Relationship = \$12,000

Individual City Representation = negotiated rate,  
capped at \$20,000

## Benefits

- Dedicated Resource
- Experienced Professionals
- Existing Relationships
- Ability to Meet Time Demands

# QUESTIONS?





## *Proposal for Greater Nebraska Cities February 27, 2013*

After meeting with representatives of the member cities of the Greater Nebraska Cities, we put together the following proposal for your review. This proposal brings together your concerns, thoughts and ideas about the legislative process and the outcomes the GNC would like to achieve in the future. As we do with all of our clients, our goal is to work with the GNC to create a seamless communication process where your goals are met in a timely manner.

We look forward to working with you in the future and invite any additional thoughts or questions about this process.

Sincerely,

John C. Lindsay  
President  
O'Hara Lindsay Government Affairs

### *About the Firm*

*“Educating our clients about government.*

*Educating government about our clients.”*

Founded by Paul O'Hara in 1978, O'Hara, Lindsay Government Relations is one of Nebraska's oldest and largest lobbying firms. Over the last 35 years, the firm has grown to become a leader in its field. We have gained a reputation for effectively advocating for our clients and getting results.

In addition to effectively advocating for our clients, we pride ourselves on creating a seamless communication process. The Nebraska Legislature moves at a fast pace and we have many tools in place to ensure timely communication as issues develop. Each of our lobbyists read every bill that is introduced during a legislative session and provides a synopsis of each bill pertinent to our

clients. We have a sophisticated, state-of-the-art computer system that tracks each bill in which a client has an interest and any activity associated with that bill. An email with this bill information is provided every Friday with updates on the progress of the bills identified as important.

At O'Hara, Lindsay Government Relations we understand that each client is unique. For that reason, we work with clients on a variety of different issues in the manner most effective for the client and their issues. We are committed to a high level of client service and adherence to ethical principles. We have developed and maintained strong and trusting relationships with legislators, state agencies, staff, and clients.

## Who we are

*“Politics is not an end, but a means. It is not a product, but a process. It is the art of government.”*

*- President Calvin Coolidge*

### John Lindsay, President/Lobbyist

- Nebraska state senator (1989-1997)
- Chair, Judiciary Committee (1993-97)
- Vice-Chair, Executive Board (1991-1993)
- Member of the following committees: Rules; Banking, Commerce & Insurance; Government, Military & Veterans Affairs; Business & Labor; Agriculture; Reference; and the Committee on Committees
- Born Omaha, Nebraska
- Creighton University (B.A., J.D., *cum laude*)
- Law clerk, Nebraska Supreme Court
- Private law practice (1985-1997)
- Wife, Mary Beth; four children

Contact John at [jlindsay@oharalindsay.com](mailto:jlindsay@oharalindsay.com)

### Don Wesely, Lobbyist

- Mayor, City of Lincoln (1999-2003)
- Nebraska state senator (1978-1998)
- Chair, Health & Human Services Committee (1985-1998)
- Chair, Rules Committee (1981-1982)
- Chair, Retirement Committee (1983-1984)
- Chair, Economic Development Committee (1986-1987)
- Held leadership positions in National Conference of State Legislatures
- Born David City, Nebraska
- University of Nebraska-Lincoln (B.A.)
- Three children

Contact Don at [dwesely@oharalindsay.com](mailto:dwesely@oharalindsay.com)

## Rochelle Mallett, Lobbyist

- Legislative Aide, Senator Deb Fischer, now United States Senator (2009-2012)
- Legislative Aide, Senator Mike Flood (2005-2007)
- Born Omaha, Nebraska
- Nebraska Wesleyan University (B.S.)
- University of Wisconsin-Madison, LaFollette School of Public Affairs (M.P.A)
- Account Manager, Talent Plus (2007-2009)
- Husband, Phil Romberg; two children

Contact Rochelle at [rmallett@oharalindsay.com](mailto:rmallett@oharalindsay.com)

## Lynn Meinke, Office Manager

- Joined the firm in 1997
- Distributes client legislative reports, billing, accounting, and vendor contacts
- Husband, Gary; three children

## Claire Elser, Administrative Assistant

- Joined the firm in 2011
- Responsible for event organization and client and association communication
- University of Nebraska-Lincoln (B.A.)
- Husband, Stefan

## *What we do*

*“The lobby is where business intersects with politics.”*

- Legislative Lobbying

In order to impact the legislative process, you must be heard. We help develop your legislative strategy and message. We assist in creating committee testimony and in identifying the appropriate person to deliver the testimony. We meet with senators and staff to make sure that your concerns are understood.

Every lobbyist in the firm reads every bill and amendments so clients are never surprised. We monitor and track all bills and amendments which may be of interest to you. Our state-of-the-art computer system allows complete and timely reports to you.

Our job is to be our client's eyes and ears in the Capitol, a constant presence to ensure our clients are never surprised by legislative developments. Additionally, we provide timely communication so our clients are always involved in the solution.

- Executive Branch Lobbying

We also provide a wide range of executive branch actions. We can assist with agency rules and regulations, economic development efforts, agency procurement, creating public-private partnerships and understanding the budget process. We help make certain that the executive branch understands the impact government is having on your organization.

- Required Reporting

State law requires that various reports reflecting lobbying activity and political contributions be filed with the appropriate government entity. We prepare your forms and remind you to file them so that filings are made on a timely basis.

## *Who we represent*

*“Politics is the art of the possible.”*

*- Otto von Bismarck*

O’Hara, Lindsay Government Relations is one of Nebraska’s oldest and largest lobbying firms. The company was founded in 1978 and represents a diverse clientele with interests in banking, education, energy, health care, insurance, law, manufacturing, telecommunications and information technology.

Current clients include:

### **Energy**

SourceGas Distribution, LLC (1979)  
Omaha Public Power District (1979)  
Black Hills Energy (1997)  
Northern Natural Gas (2012)

### **Arts & Humanities**

Nebraska Humanities Council (1987)

### **Housing**

Nebraska Association of Housing and  
Redevelopment Officials (2002)

### **Law**

Nebraska Association of Trial Attorneys (1980)  
Nebraska County Judges Association (1996)  
Nebraskans Against the Death Penalty (2007)  
Nebraskans for Rate Equity (2011)

### **Technology & Information Systems**

Experian Automotive (2013)  
GeoSolutions (2008)  
Motorola (2003)  
Nebraska Rural Broadband Coalition (2011)  
Teradata (2011)

### **Manufacturing & Business**

Nebraska Beverage Association (1979)  
Nucor Steel (1983)  
Alter Trading Corporation (2008)  
Alliance of Automobile Manufacturers (1999)  
NE Assoc. of Center Pivot Manufacturers (2006)  
NE American Institute of Architects (2007)  
Vandelay Investments (2012)

### **Education**

Omaha Public Schools (2003)

### **Government**

City of Lincoln (2006)  
City of Hastings (2004)  
Winnebago Tribe of Nebraska (1993)

### **Health Care & Insurance**

Blue Cross & Blue Shield of Nebraska (1989)  
Nebraska Association of Independent  
Ambulatory Centers (1999)  
Nebraska Nurses Association (2010)

### **Banking**

First National Bank of Omaha (1980)

## Strategy for Success

Phase One: Identify Immediate Needs	
Schedule quarterly meeting	One Week from beginning of contract
Determine priorities	One Week
Based on GNC priorities, O'Hara Lindsay will provide immediate recommended course of action.	One Week and on-going
Phase Two: Prepare for the Future	
<p>Annual Legislative Meeting Day One Proposed Schedule:</p> <ul style="list-style-type: none"> <li>• O'Hara Lindsay will provide education on the Legislature including, but not limited to, overview of the Legislative process, committee chairs and membership, important issues for the coming session, insight on candidates and elections.</li> <li>• GNC membership will provide overview, background and direction on key issues for the upcoming session.</li> <li>• In collaboration, O'Hara Lindsay and GNC will develop a legislative session strategy and action plan.</li> </ul> <p>Day Two Proposed Schedule:</p> <ul style="list-style-type: none"> <li>• Meet with the GNC state senator delegation to educate them about GNC's priorities for the legislative session and learn about their key issues.</li> <li>• After receiving feedback from the delegation, refine the GNC session strategy and action plan</li> </ul>	Fall 2013 and on-going every fall
Phase Three: Ongoing Implementation	
O'Hara Lindsay will provide weekly legislative reports on bills identified by GNC. This report will contain those bills identified as important at the fall meeting, but will also include bills O'Hara Lindsay has read and identified as key to GNC. A sample of this report is attached	Every Friday during the Legislative session
O'Hara Lindsay will develop a structure to regularly update the GNC delegation and their staff about developments on issues.	On-going
O'Hara Lindsay encourages phone calls, phone conferences, emails and meetings as needed throughout the year to discuss concerns, developments or any other issues.	On-going

Regular meetings <ul style="list-style-type: none"> <li>Fall Legislative meeting</li> <li>Annual end of session meeting to review the previous legislative session and set any priorities for the interim, including monitoring and attending interim studies.</li> </ul>	Fall/Spring
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## *Greater Nebraska Cities Retainer Structure*

O'Hara Lindsay proposes the following retainer structure based on membership cities population:

City	Contribution
Grand Island	\$12,000
Kearney	\$7,000
Hastings	\$5,000
North Platte	\$5,000
Lexington	\$4,000
Holdrege	\$3,000
Total	\$36,000

## *Individual City Representation*

O'Hara Lindsay may be retained by individual cities to represent them on issues in which the GNC chooses not to engage. The minimum rate for retaining O'Hara Lindsay's services is currently \$24,000 per year. O'Hara Lindsay will lower the standard rate for members of the GNC. Any member city may hire O'Hara Lindsay at a negotiated rate, which shall be capped at the following levels:

City	Capped Rate
Grand Island	\$20,000
Kearney	\$18,000
Hastings	\$18,000
North Platte	\$18,000
Lexington	\$10,000
Holdrege	\$10,000

## *Conclusion*

We are excited about the opportunity to work with the Greater Nebraska Cities and its members. We believe our experience, especially in municipal issues, would be beneficial to GNC. Should you need further information, please feel free to contact any of us.

**O'Hara, Lindsay Government Relations**

1320 K Street • Lincoln, NE 68508 • (402) 474-6200 • Fax: (402) 474-6206 • [www.oharalindsay.com](http://www.oharalindsay.com)

# O'Hara, Lindsay & Associates, Inc.

## Bill Summary

Tuesday, February 26, 2013

### Greater Nebraska Cities

#### Bill/Sponsor/Committee

#### Synopsis/Background

#### Status

#### Critical Bills

##### [LB 111](#)

McGill, Ashford,  
Karpisek, Et\_al

Urban Affairs

Hearing Date: 1/22/2013

##### Amendments Offered

**BIENNIAL BUDGETING:** Would authorize a city of the first or second class or a village to adopt biennial budgeting.

2/6/2013 [AM 98](#) McGill Amendment Adopted

Signed by  
Governor  
2/15/2013

##### [LB 266](#)

Chambers, Ashford

Revenue

Hearing Date: 2/27/2013

**SALES TAX REPEAL:** Would repeal the additional half cent local option sales tax that was passed by the legislature in 2012.

##### [LB 299](#)

Seiler

Govt Military & Vet.  
Affrs

Hearing Date: 3/5/2013

**CITY COUNCIL ELECTIONS:** Would authorize a city of the first class to choose, by majority vote of the governing body, to elect up to four members of the city Council on an at-large basis.

##### [LB 321](#)

Crawford, Nordquist,

**POLICE OFFICERS RETIREMENT ACT:** Current law provides that disability payments under the act do not commence until all unused annual or sick leave have been fully utilized by the disabled police officer. This bill repeals

Held in Committee



Wallman that provision.

Nebraska Retirement  
Systems

Hearing Date: 2/20/2013

[LB 363](#)

Avery

Govt Military & Vet.  
Affrs

Hearing Date: 2/6/2013

**PUBLIC RECORDS REQUESTS:** : Would provide that the custodian of a public record would not be required to copy a public record available to the requester on the custodian's website. The custodian would be required to provide the location of the public record on the Internet. It would provide that the custodian may include a reasonably apportioned cost of supplies as well as additional services contracted for by the custodian to comply with the request. The cost of record should not include the first six hours of time spent by public officers or employees searching, identifying or copying. Time in excess of that could be charged. It would limit the requester to 10 days after receiving an estimate of costs to decide whether the custodian should fulfill the original request, or whether the requester should narrow or simplify the request, or withdraw the request.

General  
File

[Amendments Offered](#)

2/11/2013 [AM 166](#) Committee

[LB 414](#)

Schumacher

Revenue

Hearing Date: 3/20/2013

**MUNICIPAL EQUALIZATION FUND:** Would eliminate the 3% administrative fee to collect the local option sales tax which is credited to the Municipal Equalization Fund. It would replace the revenue lost to the Municipal Equalization Fund with general fund dollars limited to the equivalent of 3% of local option sales tax.

[LB 474](#)

Krist

Revenue

Hearing Date: 3/13/2013

**MUNICIPAL OCCUPATION TAXES:** Would make significant changes to occupation tax statutes. It would prohibit an occupation tax from being imposed based upon a certain percentage of the gross receipts or sales volume of a person or business; would prohibit the tax on tobacco or tobacco products; and would prohibit the tax on alcohol. Current law provides limitations on the amount of occupation tax that can be levied without a vote of the people. The bill would require that if those limitations were exceeded, the municipality must terminate the tax collection. It would prohibit using funds from an occupation tax to be provided to another political subdivision, state government entity or nonprofit entity unless used for a building that will become property of the municipality or infrastructure or public utilities support for the municipality. It would terminate any tax not in compliance with the bill on January 1, 2015.

[LB 488](#)

Revenue

Revenue

Hearing Date: 3/13/2013

**OCCUPATION TAX CHANGES:** Would require any occupation tax to make a reasonable classification of businesses, users of space, or kinds of transactions for purposes of imposing such tax. The bill would prohibit imposing an occupation tax on alcohol, motor fuels, gasoline or tobacco.

[LB 614](#)

Schumacher

Banking Commerce &  
Insurance

Hearing Date: 2/25/2013

**INSURANCE PROCEEDS FOR REMOVING STRUCTURES:** Would require any insurer to reserve the greater of \$10,000 or 10% of basic coverage when a structure is damaged if the structure is located within the limits of the city or village or its extraterritorial jurisdiction, the damage to the structure renders the property uninhabitable or unfit for the purposes for which it was intended and proof of loss has been submitted by the policy holder to the insurer for a sum in excess of 75% of the face value. The municipality receiving notice from an insurer shall either release all interest in the demolition cost reserve within 180 days or institute legal proceedings.