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of the Nebraska Grocery Industry  
March / April 2012





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Contact Steve Dillard, VP Corporate Sales at 913-288-1510

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## No Frills Supermarkets and Advantage Sales and Marketing Donate items to the First Lady's Easter Egg Roll

On April 7 the First Lady invited children from across the State of Nebraska to the Easter Egg Roll that was held at the Governor's Mansion. Hundreds of children showed up to decorate cookies, participate in an Easter Egg Hunt and have their faces painted. This wonderful event is made possible by donations from various companies located in Nebraska. We thank No Frills and Advantage Sales and Marketing for making this project possible.



## NLRB Poster Update

A federal district court in South Carolina ruled, in a lawsuit brought by the U.S. and S.C. Chamber and others, that the NLRB did not have the authority to issue a regulation mandating that employers post a notice of labor rights. That decision is available here:

[http://www.chamberlitigation.com/sites/default/files/cases/files/2011/Chamber%20v.%20NLRB%20\(Posting%20Rule\)%20\(Opinion\).pdf](http://www.chamberlitigation.com/sites/default/files/cases/files/2011/Chamber%20v.%20NLRB%20(Posting%20Rule)%20(Opinion).pdf)

Earlier, a federal court in Washington, DC (in a case brought by the Coalition for a Democratic Workplace and others) ruled that the NLRB did have authority to issue the regulation, but invalidated most of the enforcement elements.

These two conflicting district court opinions have generated some confusion among employers.

Clearing things up for the time being, the D.C. Circuit has enjoined the Board from enforcing the rule while the DC case is on appeal. Among the reasons cited by the DC Circuit is Friday's decision in SC. The briefing schedule on the expedited appeal sets September for a hearing. Consequently, there is not likely to be any decision on the merits until fall at the earliest.

The DC Circuit order is available here:

[http://www.chamberlitigation.com/sites/default/files/cases/files/2011/NAM%20v.%20NLRB%20\(DC%20Circuit%20Injunction%20Order\).pdf](http://www.chamberlitigation.com/sites/default/files/cases/files/2011/NAM%20v.%20NLRB%20(DC%20Circuit%20Injunction%20Order).pdf)

We expect to have news on the lawsuit against the NLRB's ambush election regulation in the near future.

## CommonGround Plucks Out Top Consumer Concerns About Today's Poultry Industry

Program shares food facts with mothers for National Poultry Day

Hormones. Hormones. Cages! Change the words to the popular poultry-themed children's game, "Duck. Duck. Goose!," and you may get the attention of mothers. Why? Many mothers share similar food concerns and do not trust everything they find in the grocery store.

"There is a lot of misinformation out there about food—especially poultry. And I believe no one can answer your food questions better than the people who grow it," said Katie Olthoff, a turkey farmer from Stanhope, Iowa, and mother of two. "It really bothers me that there are so many concerned moms out there who struggle to make food decisions at the grocery store. I don't want them to be fearful of food. That's why I became a CommonGround volunteer."

CommonGround offers mothers and other consumers a connection to farm women and facts about food. In honor of National Poultry Day, CommonGround served up some of those facts.

### Top Poultry Questions Posed to CommonGround Volunteers

#### 1. Why are chickens kept in small cages?

The modern cage system for hens has eliminated most diseases of the past, provided the hens with protection against the weather (environmental controlled housing) and predators, while also improving food safety, the environment (air and water), and animal welfare.

Source: [United Egg Producers](#)

#### 2. Should I be concerned about hormones in chicken?

Federal regulations do not allow hormones to be used in the raising of chickens.

Source: [U.S. Department of Agriculture/Food Safety and Inspection Service](#)

#### 3. What about antibiotics in chicken?

United Egg Producers says relatively few antibiotics are permitted in egg laying chickens in the U.S. If antibiotics are used, a "withdrawal" period is required from the time antibiotics are administered before the bird can be slaughtered. This ensures that no residues are present in the bird's system. The Food Safety and Inspection Service randomly samples poultry at slaughter and tests for residues. Data from this monitoring program have shown a very low percentage of residue violations.

Source: [U.S. Department of Agriculture/Food Safety and Inspection Service and United Egg Producers](#)

#### 4. Are family farms dying out?

Today, there are approximately 235 egg farmers with flocks of 75,000 hens or more. These farmers care for about 95 percent of the approximate 290 million laying hens in the United States. While these farms have grown to meet the market demand, they are still classified as "family farms" with the owner still being on the farm making day-to-day decisions."

Source: [United Egg Producers](#)

#### 5. What is the price difference between cage-produced eggs and cage-free?

United Egg Producers found that in 2008 the average price for cage produced eggs was \$1.36 versus \$2.79 for cage-free and \$3.71 for organic.

Source: [United Egg Producers](#)

### About CommonGround

CommonGround is a grassroots movement to foster conversation among women – on farms and in cities – about where our food comes from. The United Soybean Board (USB) and National Corn Growers Association (NCGA) developed CommonGround to give farm women the opportunity to engage with consumers using a wide range of activities. USB and NCGA provide support and a platform for the volunteers to tell their stories. The opinions and statements made by the volunteers are not necessarily representative of the policies and opinions of USB or NCGA.

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# Leading the Way

SAVE THE DATE!

Annual Conference Scheduled for  
July 24 with Golf at Woodland Hills on July 25<sup>th</sup>

## Nebraska Grocery Industry Association Annual Conference

Champion's Club (West of Memorial Stadium), July 24, 2012

8:00 a.m. Registration



**8:30 – 10:00 Crossing the Generational Divide by Preston Swincher.** This presentation is all about unlocking the power of generations for your strategic advantage! For the first time in world history, four distinctly different generations are working side by side. Each of these four generations (Matures, Baby Boomers, Generation X, and Gen Y) is guided by a different set of values, beliefs, and expectations. In *Crossing the Generational Divide*, Preston entertainingly reveals each generation's preferences and priorities to highlight what they bring to the workforce – and how to build on their common ground. Preston will share The Center's frontline-tested process which attendees can immediately rely on to lead a culture of cross-generation communication, innovation, engagement, teamwork, and performance. Filled with surprising statistics, step-by-step strategies, and laugh-out-loud stories, attendees leave this presentation prepared to give their multigenerational workforce a competitive advantage.

10:00 – 10:30 General Membership Meeting

**10:45 – 11:45 Integrated Marketing for Today & Tomorrow's Customers – Print, Web & Social Media by Francie Kinney.** Your marketing plan can no longer be centered solely on the print ad – it needs to include web and social media elements as well. Not sure how to weave these items together? Then this seminar is just for you! Francie will walk you through the upcoming Labor Day promotion so that you can see how to tie print, web and social media together to present a unified marketing solution. Complete with a take home worksheet, you will be able to apply this promotion in your store this fall. **Sponsored by Affiliated Foods Midwest**



11:45 – 12:15 Lunch



**12:15 – 1:15 Laws of Leadership by Ed Nix.** As a John Maxwell Certified Coach, Teacher and Speaker, Ed Nix will aid your personal and professional growth through study and practical application of Maxwell's proven leadership methods. Working together, he will move you and your team in the desired direction to reach your goals. As a confident leader who is highly motivating and enthusiastic Ed will bring a positive attitude and a high-energy level that creates excitement for personal and professional development. Leadership is the difference maker and the deal breaker. It's how we grow organizations. It's how we impact lives. But, as you also know, leadership cannot be an idea we simply talk about; leadership is the action we must live out. Everything rises and falls on leadership. Like them or not, they govern your personal and organizational effectiveness. These laws carry consequences with them. Apply the laws and people will follow you. Violate or ignore them, and you will not be able to lead others. But here's the good news: every one of the

laws can be learned.

**1:30 – 3:30 The 4 Disciplines of Execution Practice presented by Les Kaschner of the Franklin Covey Group.** Les joined Franklin Covey seven years ago as a Senior Consultant. His focus has been on the *4 Disciplines of Execution Practice*. As a leader, getting your people and teams to do the right things at the right times – the wildly important projects, tasks, and initiatives that ultimately matter most – remains an enormous challenge for organizations today. Franklin Covey has spent the last decade "cracking the code" on a simple formula for creating breakthrough results through flawless execution. This process helps everyone succeed in a world of too much to do and too little time. The *4 Disciplines of Execution Practice* is about providing "hands on" work with extraordinary results from the executive level down to the department manager level of every grocery store. Over the years Les has worked with food distribution clients as well as large grocery chains and small independents. **Sponsored by Nash Finch.**



3:30 – 4:30 Tour of Memorial Stadium

3:30 – Optional Store Visits following Conference at 2 locations: Hy-Vee and Russ's Market. Store management is aware that you will be coming through at your leisure.

Wednesday, July 25 -

8:00 Annual Sand "Bagger" Golf Outing at Woodland Hills, Lincoln, Nebraska.



For more information please contact the NGIA office via e-mail at [ksiefken@nebgrocery.com](mailto:ksiefken@nebgrocery.com) or call 402-423-5533



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## Changes at Nebraska SNAP

Technology is on our side! New SNAP merchants now have option to complete the “paperwork” online and get their equipment sooner than currently. This will avoid confusion for new owners and new stores.

Kathi Tiede of the EBT unit retired in December and her position will not be filled. Rather, the Issuance and Collection Center (ICC) unit (people who issue EBT cards to Nebraska SNAP households) is now under the supervision of Tom Ryan, who has worked closely with the grocery industry since the inception of SNAP EBT. The ICC supervisor, **Suzi Skinner** is Tom’s backup on EBT matters. Suzi has been involved in the EBT project from the beginning and has an excellent understanding of EBT matters. Her phone # is 402-471-5340.

As of April 25th, The SNAP EBT office will be located in the Gold’s Building in Lincoln instead of the Nebraska State Office Building. Their new address will be:

**EBT,  
PO Box 80696  
Lincoln, NE 68501**

and their fax will be 402-471-6366. Tom Ryan’s phone number remains 402-471-8043.



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# Nebraska Grocers Head to Washington, DC



Carol & Larry Baus outside US Capitol



NGIA members meet with Mr. Fortenberry



Tim Henderson, Carol Baus, Larry Baus, Doug Cunningham and Kathy Siefken



NGIA members meet with Mr. Smith



Members meet with Mr. Terry's Legislative Director Brad Schweer



NGIA members meet with Sen. Ben Nelson



Members meet with Sen. Mike Johanns



Rose Mitchell, Leslie Sarasin, FMI President, Larry & Carol Baus



Peter Larkin NGA President, with Larry & Carol Baus



Larry & Carol Baus, Dave Wilke, Tom Wenning NGA VP & Legal Council, Doug Cunningham, Tim Henderson, Christy Spoa during the evening reception



Nebraska members outside US Capitol Building



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## Day in Washington

On March 28-29 several members of the grocery industry flew to Washington to visit with our elected officials regarding issues that are important to the food industry. We were able to visit personally with everyone except Congressman Terry.

**Health Care Reform/Patient Protections and Affordable Care Act** - Beginning in 2014 large employers (50 full-time plus full-time equivalents) must offer coverage to their full-time employees who average 30 hours per week or more. Coverage must be affordable and of a minimum value or employers must pay tax penalties for those employees who receive tax credits for Exchange coverage. Employers with 200 or more employees must auto-enroll full-time employees into coverage if no election is made. We asked that any regulations implementing or amending the Act to be flexible and that it minimize new burdens, in order to maintain variable work arrangements for employees and allow us to continue to provide health care coverage that is affordable to both employee and employer. Formal regulatory guidance has not been provided to employers so we can determine who is covered. We asked for a definition of full-time employees, that automatic enrollment not be implemented by 2014, that a safe harbor be allowed that would protect employers from penalties if workers' premium share of self-only coverage does not exceed 9.5% of current wages as opposed to household income, minimum value of the coverage offered should be based on actuarial value of 60% of the estimated costs of benefits offered, and that employers have a transition period without penalty, to allow evaluation of the coverage rules.

Position	Mr. Terry	Mr. Smith	Mr. Fortenberry	Sen. Johanns	Sen. Nelson
Supports Our Position		X	X	X	
Opposes " "					X

**Menu Labeling Regulations** – FDA has proposed regulations that would regulate grocery stores under a “Nutrition Labeling of Standard Menu Items at chain Restaurants. The law was intended to provide a uniform standard as requested by the restaurant industry. We asked that grocery stores be amended out of the regulations.

Position	Mr. Terry	Mr. Smith	Mr. Fortenberry	Sen. Johanns	Sen. Nelson
Supports Our Position					
Opposes " "					
Undecided		X	X	X	X

(All delegates stated that they were not very well informed on the issue and stated that they would research the issue)

**Tax Fairness** – Uncertainty in the tax code does not allow business to plan for the future. Calls by the Obama Administration to repeal the “Last In, First Out” (LIFO) accounting method would have a crippling effect on many retailers and wholesalers. We asked that the tax extenders be made permanent to allow for better planning. We support elimination of estate tax and a top tax rate of 35% indexed to inflation.

Position	Mr. Terry	Mr. Smith	Mr. Fortenberry	Sen. Johanns	Sen. Nelson
Supports Our Position		X	X	X	X
Opposes " "					

(All delegates stated that they were not very well informed on the issue and stated that they would research the issue)

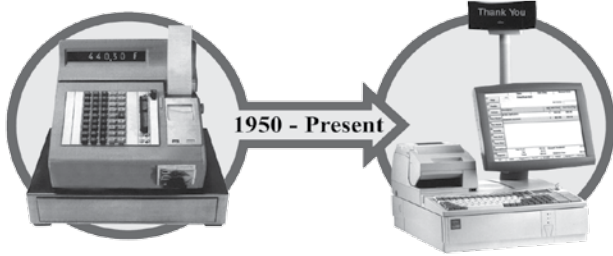
**Swipe Fee Reform** – Protecting the legislative victory on debit card swipe fee reforms is an important priority for our industry. We strongly support reforms and are working to address some of the shortcomings in the Federal Reserve’s final rule. We strongly oppose legislation that has been introduced that would repeal the debit card swipe fee reforms that went into effect last October.

Position	Mr. Terry	Mr. Smith	Mr. Fortenberry	Sen. Johanns	Sen. Nelson
Supports Our Position					
Opposes " "					
Undecided		X	X	X	X

(All delegates stated that they were not very well informed on the issue and stated that they would research the issue)

**NLRB Rulings** – The Supermarket Industry strongly supports the Resolutions of Disapproval (S. J. Res. 36 and H. J. Res. 103) introduced by Senator Mike Enzi (R-WY) and Representative John Kline (R-MN) respectively to nullify a National Labor Relations Board’s final regulation that is designed to speed up union representation election procedures. Presently, the average time in which union elections is about 38-days, but under the NLRB “ambush/quickie” final rule the pre-election process could be shortened to as little as 10-days. There is no need to change the current election time frames as they are timely, fair and reasonable. Despite the fact that unions are winning more than 65% of elections, the NLRB rule will give unions an even greater advantage over employers, as unions will have likely been organizing employees for months without the employer’s knowledge. Clearly, the “ambush/quickie” election rule is unfair and not needed.





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## **MADD Nebraska Highlights New Data Showing that a Quarter of Teen Drinkers Get Alcohol from a Parent or Family Member**

--Second Annual Day for Parents to Talk with Teens about Alcohol is April 21, 2012--

In advance of the second annual *PowerTalk 21*<sup>®</sup> day, Mothers Against Drunk Driving (MADD) Nebraska is highlighting data from the Substance Abuse and Mental Health Services Administration (SAMHSA) showing that 26 percent of all high school age drinkers get their alcohol from a parent or family member. This, coupled with research showing that three out of four kids say their parents are the leading influence on their decisions about drinking, illustrates the important role of parents in the fight against underage drinking. MADD and National Presenting Sponsor Nationwide Insurance encourage families to connect on *PowerTalk 21* day — the national day on April 21<sup>st</sup> for parents to start talking with their kids about alcohol.

“Nationally, teen alcohol use kills 6,000 young people each year. However, parents have the power to change this,” said Sara Magnus of MADD Nebraska “MADD wants Nebraska parents and adult role models to harness their power by starting an ongoing conversation about alcohol on April 21<sup>st</sup>, then continuing to talk with their kids year-round.”

According to the most recent SAMHSA National Survey on Drug Use and Health, the following is a ranking of the top five ways high school age drinkers get their alcohol:

- 1) From someone 21 or older who is not related to the teen (25 percent)
- 2) From someone under 21 who is not related to the teen (22 percent)
- 3) From a family member who is 21 or older (13 percent)
- 4) From a parent or guardian (13 percent)
- 5) Took it from home (10 percent)

“This data shows that underage drinking prevention is not only a problem for our youth. It’s an adult problem too. More than half of teens who drink are getting their alcohol from adults,” said Bill Windsor, Nationwide Insurance Associate Vice President of Consumer Safety. “That’s why Nationwide is partnering with MADD to highlight the importance of parental involvement in keeping the next generation safe from the dangers of underage drinking.”

MADD Nebraska is proud our First Lady Sally Ganem is a part of the National Press Conference highlighting these underage drinking issues and the Power of Parents. Her passion to change the culture of underage drinking in Nebraska inspires us and should show all Nebraskans just how important this issue is.

A key component of the *Power of Parents* program are the free, 30-minute workshops designed to inform parents and other parental figures about the importance of frequent, ongoing communication about alcohol, in order to reduce underage drinking and its associated dangers. In addition, the *Power of Parents*<sup>™</sup> handbook provides parents and guardians with the tools and resources to have the sometimes difficult, but potentially lifesaving conversation about alcohol with their kids on *PowerTalk 21* day and throughout the year. Developed with Pennsylvania State University’s Dr. Robert Turrissi, the handbook is based on his more than two decades of underage drinking research, which has been shown to significantly reduce underage drinking behaviors, even in households with below average communication.

Nationwide Insurance is the national presenting sponsor for *Power of Parents* and *PowerTalk 21*, and the GM Foundation is a national contributing sponsor. National program partners include:

- National Football League (NFL)
- National Parent Teacher Association (PTA)
- Archie Comics
- American Association of School Administrators (AASA)
- National Association of Secondary School Principals (NASSP)
- National Association of School Resource Officers (NASRO)
- Partnership at Drugfree.org
- National Organizations for Youth Safety (NOYS)
- Drug Free Action Alliance (DFAA)



For conversation starters, tips and to get the *Power of Parents* handbook, visit [www.madd.org/powerstalk21](http://www.madd.org/powerstalk21). To contact MADD Nebraska, call (402) 434-5330 or email [sara.magnus@madd.org](mailto:sara.magnus@madd.org).

### About Mothers Against Drunk Driving

Founded by a mother whose daughter was killed by a drunk driver, Mothers Against Drunk Driving® (MADD) is the nation's largest nonprofit working to protect families from drunk driving and underage drinking. With the help of those who want a safer future, MADD's *Campaign to Eliminate Drunk Driving*® will end this danger on America's roads. *PowerTalk 21*® is the national day for parents to talk with their kids about alcohol, using the proven strategies of *Power of Parents*™ to reduce the risk of underage drinking. And as one of the largest victim services organizations in the U.S., MADD also supports drunk and drugged driving victims and survivors at no charge, serving one person every nine minutes through local MADD victim advocates and at 1-877-MADD-HELP. Learn more at [www.madd.org](http://www.madd.org) or by calling 1-877-ASK-MADD.

### About Nationwide

Nationwide Mutual Insurance Company, based in Columbus, Ohio, is one of the largest and strongest diversified insurance and financial services organizations in the U.S. and is rated A+ by both A.M. Best and Standard & Poor's.



## Governor Dave Heineman joins MADD Nebraska in declaring April 21<sup>st</sup> PowerTalk 21 Day

--MADD's Free *Power of Parents, It's Your Influence* Parent Handbook Provides Guidance for Parents to Start the Potentially Life-Saving Conversation with Teens on April 21--

In a day and age where parents often think their teens are too busy texting to listen to them, four out of five teens still say their parents are the number one influence on their decision whether or not to drink. If you need some helpful hints on what to say or when to say it, check out MADD's free *Power of Parents, It's Your Influence*® parent handbook, which parents can take home to use as a guide for discussions with their teen. Start the conversation, today!

*PowerTalk 21*™ day is the second annual day for parents and teens to start the conversation about alcohol. Governor Dave Heineman made an official proclamation on April 11<sup>th</sup> declaring April 21<sup>st</sup>, *PowerTalk 21* day in the state of Nebraska.

Governor Heineman and his wife, First Lady Sally Ganem, have made the health and safety of young Nebraskans a priority. Ganem, a MADD National Board Member, has worked throughout the state on initiatives that aim to reduce underage drinking. The youth of Nebraska are one of our greatest resources, and it is up to all of us as a state to keep them safe from the risks associated with underage drinking.

*PowerTalk 21* day is intentionally positioned in advance of prom, graduation and other events around which teens may encounter alcohol, providing families with an opportunity to have an important conversation at what may be a critical time.

MADD, along with presenting sponsor Nationwide Insurance, trusts that April 21 will become widely known as the national day to talk about teens and alcohol. For more details on these workshops or for more information on how to schedule one in your community, please contact MADD Nebraska at (402)434-5330.

**Bunzl Kansas City** has the new **Optifill** detergent and sanitizer from **Johnson-Diversey**.  
No equipment, no mess, and very cost-effective!

**Optifill** is highly concentrated.  
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Each container gives you 168 10-gallon sinks.

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needs from one supplier!  
1-800-927-2231.



# Altria

# Nebraska Grocery Industry Association

## 2012 Legislative Session Summary

We reviewed 473 new bills that were introduced

We followed 34 of the new bills in addition to the 35 carry-over bills from 2011.

We opposed 8 bills that would have harmed our industry

We supported 11 bills that would have been beneficial to the food industry

We monitored 15 bills to ensure that they were not amended to include the food industry

**WE WON 13 ½ bills** – LB 60 passed out of Committee in 2011 and was fully debated on the floor in 2012. The bill would have required that minors assisting law enforcement in compliance checks could not lie during the check. The bill was pulled after an agreement was reached with the Liquor Control Commission that appropriate training of State Patrol would take place to ensure compliance with guidelines .

### **WE LOST 3 ½ bills** –

LB 855 which would have increased the collection rate of sales tax back up to 3% for retailers

LB 909 – which would have prohibited potential employees from making false statements regarding their health or physical condition

LB1012 – which would have required any employee who refused or neglected medical or surgical treatment to be treated as if the disability would have improved if treatment was used. The bill also allowed an employer to provide work to fit a temporary work restriction at the employer's company or at any other company.

LB1078 – would have required 3-year certified training for managers of all liquor license holders

### **The most onerous bills we defeated included language that:**

- Theft of services would have included theft of wages. A partial payment of wages would be the same as non-payment of wages.
- Soda pop would have been taxed as a non-food item and the money would have been used to expand government with a new "Obesity Fund".
- Lottery employees would have been prohibited from accepting meals, admission to events, or attending any statewide meeting.
- A voluntary shared work plan would be established where an individual's hours are reduced but the employee would maintain his/her job and full benefits and be eligible for unemployment for the reduced hours.
- Allowed the Liquor Control Commission to establish an impact zone within any community that is adversely affected by public inebriation. The impact zone would have placed restrictions on existing license holders and would have had their own set of rules and regulations.
- Prohibited off-sale licensees from selling alcohol below cost.
- Would have moved alcohol enforcement from the State Patrol to the Liquor Control Commission.
- Prohibited the presence of minors in facilities that hold a Class C liquor license – including grocery stores.
- Would have allowed money in the Unemployment Trust Fund to be used for on-site job training for those receiving unemployment benefits.

### **Favorable Legislation included language that:**

- Requires communities to allow citizens to vote before an occupation Tax can be assessed or increased. It also requires that the Occupation Tax specifically name the project and that a termination date be adopted.
- Updated the Nebraska Pure Food Act and increases the cost of licensing by minimal amounts, to allow inspector numbers to remain stable.
- Adopted a definition for Flavored Malt Beverages to maintain their status as a beer. The product will be taxed and sold as a beer as it has always has been in Nebraska
- Allows employers to be immune from prosecution for sharing past employment records with other employers if the employee consents.
- Requires recyclers to make payment for recycled metals by check. Manhole covers or sewer grates must be paid for by mailing a check to the political subdivision or the third party seller. Any copper with a value of more than \$100 must be paid by check.

## 2012 Legislative Bills

M = Monitor S = Support O = Oppose

<u>NGIA Position</u>	<u>Bill #</u>	<u>One Liner – Description</u>	<u>Status</u> C= left in committee; GF = General File; IPP= =killed; SF=Select File; FR-=Final Reading
		Bills 42 through 698 are carry-over bills from 2011	
M	42	Adoption of the 2009 Uniform Plumbing Code by reference as the plumbing code for all areas within the State	Signed by Governor
S WIN	60	Liquor – compliance checks – Officials and minors cannot consume alcohol during a comp check. Minors must answer all questions regarding age truthfully during a check. Amended so minors must be truthful after an ID is requested by retailer. The bill was pulled once the Liquor Control Commission agreed to work with State Patrol to insure compliance check guidelines are followed.	GF 03-02; SF 01-24-12;
M/O	727	Tax – motor fuels: Makes several changes that do not affect our industry. However, it does change the due date for motor fuels tax returns from the 25th to the 20th of the month following the prior reporting period.	Signed by Governor
O WIN	730	Theft of Services – definition includes theft of wages. Partial payment of wages is the same as non-payment	Left in Committee
S WIN	745	Tax – Occupation: An occupation tax can be implemented if approved by voters, names the project and has a termination date. An increase in an existing occupation tax must be approved by voters; amended to establish minimum collection limits for various size cities. If money collected is under the annual limit, voter approval is not necessary.	Signed by Governor
O WIN	753	Tax – establishes a tax on soda. Retailers must track all soft drink sales and remit tax on those items. Earmark money to education and a new obesity fund. The definition of soft drink does not coincide with SSTP	Left in Committee
O WIN	758	Accountability & Disclosure: prohibits Lottery from accepting any meals, fits, admission to events. Lobbyist would not be allowed to invite Lottery personnel to attend as a guest or any statewide meeting	Left in Committee
S WIN	771	Pure Food Act – increase rates for licenses; doubles late fees	Signed by Governor
O WIN	791	Unemployment- establishes a voluntary shared work plan where individual’s hours are reduced. Employees maintain jobs and full fringe benefits and are eligible for unemployment for the reduced hours. Upside is that the employer retains employees.	Left in Committee
S WIN	824	Liquor- FMB is defined as beer. Louden’s amendment allows the LCC to prohibit the sale of certain products. Amendment failed and bill was moved to Select File	Signed by Governor
O WIN	829	Liquor – allows the LLC to establish an impact zone based on geographic area within a community that is adversely affected by chronic public inebriation. The LCC may place restrictions on licensees within the zone and may adopt and promulgate rules and regs	Left in Committee



<u>NGIA Position</u>	<u>Bill #</u>	<u>One Liner – Description</u>	<u>Status</u> C= left in committee; GF = General File; IPP= =killed; SF=Select File; FR=Final Reading
S  LOST	855	Bills 42 through 698 are carry-over bills from 2011  Tax- collection. Increases the collection rate of sales tax back to 3% for retailers	Left in Committee
M	861	Liquor – allows Sunday morning sales of spirits	Signed by Governor
S  WIN	909	Work Comp – prohibits potential employees from making false statements regarding their health or physical condition	Left in Committee
S  WIN	959	Labor – employers would be immune from prosecution for statements made as job references if employee provides consent, for the following: date & duration of employment, pay rate and wages, job description and duties, written performance evaluation prior to date of the request; attendance, drug or alcohol test results within 1 year, threats of violence, harassing acts, voluntary or involuntary separated from employment, if the employee is eligible for rehire.	Signed by Governor
M	964	Banking – Establishes the Money Transmitters Act. Repeals the original sections and replaces with a new Act. Makes NE more uniform with surrounding states. Uniform definitions and clarifications regarding inclusion of bill payments and stored value cards	GF 02-14-12 W/ amendment
M	970	Taxes – Inheritance –The original bill included termination of inheritance tax, along with decreases in income tax. The inheritance tax was amended out and the income tax was reduced.	Signed by Governor
O  WIN	978	Liquor – prohibits an off-sale license holder to sell alcohol for less than cost	Left in Committee
O  WIN	987	Liquor – moves enforcement from the State Patrol back to the LCC	Left in Committee
O  WIN	992	Liquor – prohibits the presence of minors on licensed premises that hold a Class C license – including grocery stores	IPP 02-15-12
S  LOST	1012	Work Comp – if any employee refuses or neglects to use medical or surgical treatment provided by the employer, then it shall be determined that the employees disability would have improved had the employee used the available medical or surgical treatment. An Employer may provide work that fits temporary restrictions at the employers own company or at any other company. Refusal by the employee to do that work would make the employee ineligible for temporary disability compensation or if the employee is terminated for cause	Left in Committee

<u>NGIA Position</u>	<u>Bill #</u>	<u>One Liner – Description</u>	<u>Status</u> C= left in committee; GF = General File; IPP= =killed; SF=Select File; FR=Final Reading
		Bills 42 through 698 are carry-over bills from 2011	
S WIN	1049	Scrap Metal Recycling – prohibits recyclers from purchasing manhole covers except from an authorized representative of a political subdivision that owns the manhole cover or sewer grate or a third party with a legitimate bill of sale. Payment must be a check mailed to the political subdivision or the third party seller. If the total purchase for copper is more than \$150 shall be made by check	Signed by Gov.
S LOST	1078	Liquor - Mandatory training of managers every 3 years	Left in Committee
M	1102	Tax – Inheritance: Increases the threshold of inheritance tax from the current \$40,000 per person to \$100,000 per person over the next 3 years	Left in Committee
M	1123	Healthy Food Financing Initiative - same bill that was introduced in 2011. Establishes a financing program to increase access to health foods. The program would cover new construction, renovation, first time inventory and farmer’s markets. Establishes a fund	Left in Committee
M	1130	Liquor – Allows local government to establish and remove an entertainment district. The ED would be adjacent to the licensed establishment(s) and would allow the sale of alcohol for consumption on the premises, within the confines of a commons area.	Signed by Governor
M/O	1151	Work Comp – removes the sunset date regarding First Responder injuries for mental issues	Left in Committee
O WIN	1152	Unemployment – Provides that money in the trust fund can be used for on-site job training for those receiving unemployment benefits	Left in Committee



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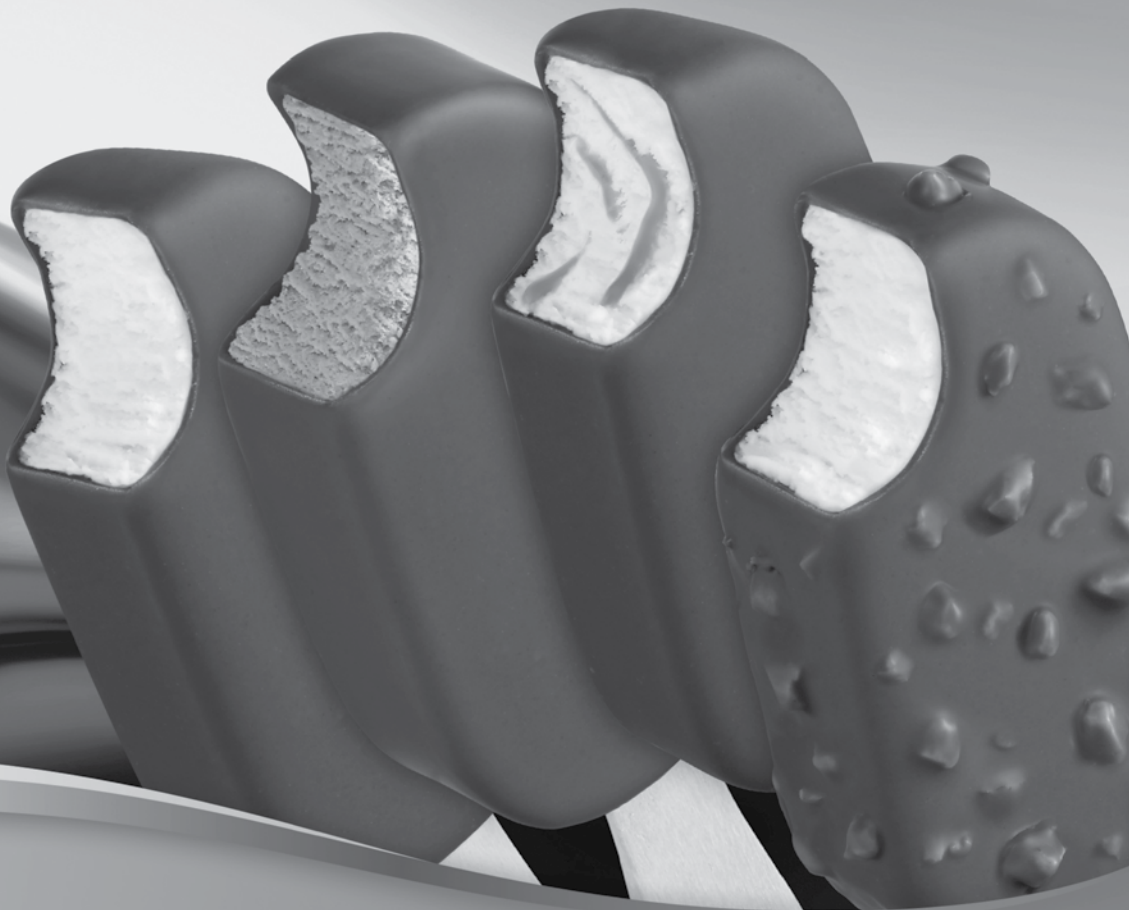
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# New

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Introducing Orville Redenbacher's® Pop Up Bowl™. This fresh new design pops into a sturdy stand-up, wide mouth bowl that 71%\* of consumers preferred over the industry's current bag. Innovations that make a category fresh again—it's just one of the many ways we're tuned into the market and are changing how people enjoy the food they love.

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SPRING GOLF OUTING...at QUARRY OAKS

Quarry Oaks Golf Club is located near Ashland, just across I-80 from Mahoney State Park . . . one of the best courses Nebraska has to offer.

Mark your calendars for May 22, 2012.

A box lunch will be distributed to players at 12:00 p.m. 1:00 p.m. shotgun start. The tournament is a Texas Scramble format. Two flights will be established after scores are turned in. Prizes include a \$50 Pro Shop Gift Certificate to each Flag Prize Winner. Each Flight Winner will also receive a \$50 Gift Certificate. Fees include the driving range, green fees, cart fees, beverages on the course, box lunch, and the evening meal. Each team should set their own foursome. Those players without a full group will be combined with other players.

This tournament is included in the annual sponsorship packages. A limited number of sponsorships are still available on a first-come, first-serve basis as follows:

- Pre-event publicity, 1 entry fee, hole signage, and recognition in The Voice \$500
We would be interested in donating snacks, beverages, and/or prizes.

I want to Play Golf! Sign Me Up:

Members of NGIA: \$125 per player Non-Members: \$225 per player

Name \_\_\_\_\_ Name \_\_\_\_\_
Name \_\_\_\_\_ Name \_\_\_\_\_
Name \_\_\_\_\_ Name \_\_\_\_\_

Company Name \_\_\_\_\_ Contact Person \_\_\_\_\_
Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_
Phone:( ) \_\_\_\_\_ Fax:( ) \_\_\_\_\_ E-Mail Address \_\_\_\_\_

(NOTE - fees must be paid prior to golf outing)

Please send a statement to my attention for the above players/sponsorship
Enclosed in my payment for the above players/sponsorship

Please return this completed form by May 14, 2012 to:
NGIA, 5935 S. 56th St., Suite B, Lincoln, NE 68516-3307

SAVE THE DATES..Annual Conference July 24 at the Champion's Club and Golf Tournament July 25
location to be determined. Tobacco & Candy Outing September 21 at Eagle Hills.. More information to follow!



## Alcohol Training Program Available for Off-Sale Establishments

Rsgiving's alcohol seller training program has been developed and approved by the Liquor Control Commission. This program focuses on alcohol sales in a retail environment. The cost of training is \$9.95 for a 3-year certificate. The training program will assist your employees in staying in compliance with Nebraska statutes. The following instructions are being made available to you so you can easily set up training for you and your associates.

### Training Program Setup:

To set up your employer account, go to our website at [www.Rsgiving.com](http://www.Rsgiving.com).

1. Click on "Employer Discounts" in the gray bar underneath the banner.
2. The employer account allows you to purchase courses and track students.
3. To set up an account, select the Employer packages.
4. Click on your state on the map. If your company is in multiple states, select the main office location.
5. Click Add to Cart.
6. Click Checkout.
7. Enter your account information and click "Submit Now". The account and tracking system is free for Nebraska.
8. Once your order is submitted, you will receive an email with your username and a link to create your password, which you can use to log in to your account from the Rsgiving website.
9. When you log in, you will see the Purchase Screen where you can purchase course tokens. You must order at least \$99 for your first order, but there is no minimum for any future orders.
10. When you have selected the courses you would like to purchase, click "Place Order".
11. You will be given a chance to review your order and enter your credit card information for payment.
12. Once your payment information is entered click "Click to Pay by Credit Card."
13. When your order is submitted, you can click "Return to Control Panel."

### Assigning Courses to Employees:

Once you have purchased or been assigned tokens, they will be listed under the "Token Codes" tab on your account.

1. Select the Token Codes tab. Courses assigned to your account will be listed under the "Token Codes" tab.
2. Additional courses are available and you will also have the option of purchasing them by using the "Purchase Tab" on the top, left side of your account.
3. Click on "Enroll Employees in Responsible Serving of Alcohol". This will open a form to enter the employee's email address.
4. You have a few options for enrolling employees. Use only one of the options to assign a course to an employee.
5. Normally employees are tracked via email addresses, but Rsgiving also has methods for employees who do not have email addresses.

**Option 1:** You can assign token codes by entering the employee's email address in the employee's email field and clicking enroll. This will automatically email the employee with their username and a link to create their password.

Each employee email address must be unique. Assigning a password to their account is optional. If the employee already has an account, you will not be able to assign a password for their account, as they will already have one. Now the employee will have an email with their login information. Instruct the employee to check their email and login from Rsgiving.com. **Two employees cannot train under the same email address.** If the employee does not have an email address, we recommend signing them up for an email account from one of the free providers (Yahoo, Hotmail or Gmail).



**Option 2:** If an employee does not have an email address, you can assign a unique username to the employee. For example, you can assign john.doe@xyzbar.com (even if that email address does not exist). If using a fake email address, you must set a password for the employee's account. Write down the username and password, and provide it to the employee. If an employee is using the same computer at work, we suggest you close this browser before an employee starts training. Reopen a browser window and have the employee go to the homepage at [www.R-serving.com](http://www.R-serving.com) to log in. This will ensure that the employee does not accidentally stay logged in as you and take the course under your account.

### Tracking Employee Progress:

1. Once your employee starts training, you can track their progress. Log in to your account and select the "Employees Tab" to track progress.
2. Search for your employees using their email, name, or click the "View All Employees" link which will give you a list of all your employees. Click on the employee's name to view their progress in the course.
3. Click on the course name to see the employee's score for each lesson.
4. You have the option to delete a token from an employee if they are no longer working at your establishment.
5. To delete the token, click the red "X" button to the right of the course title.
6. If the student has not logged into the course, the token will be returned to your account and you can reassign it to a new employee.
7. If the student started the course, you will not receive the token back.
8. When an employee has finished their training, they will have the option to generate their certificate. If the student successfully passed all lessons and the final, and the employee certificate has been printed, then you will be able to print a certificate for your records.

**Nebraska Grocery Industry Association  
2012 Calendar of Events**

**May 1- 3:**

FMI 2012, Dallas Convention Center, Dallas, TX

**May 22:**

NGIA Spring Golf Outing at Quarry Oaks

**July 24:**

NGIA Annual Conference at Champion's Club in Lincoln

**July 25:**

NGIA Sand Bagger Golf Outing  
at Quarry Oaks Golf Club

**Aug. 15-16:**

Nash Finch Fall Trade Show in Minneapolis

**Aug. 22:**

AWG Trade Show in Kansas City

**Sept. 21-22:**

Affiliated Foods Midwest Fall Trade Show in Omaha

**Aug. 30:**

AWG Trade Show-Springfield, Hilton in Branson

**September:**

Tobacco & Candy Golf Outing  
location to be determined



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## **all cash rebates**

AFM pays our year-end profits back to our Retailers in cash. Our retailers are our focal point and it's only fair that they reap the rewards of our success. Last year we paid our Retailers \$49.2 million — an increase of 5.6%.

## **allowances**

AFM passes on all available vendor dollars as allowances to our retailers. The more successful we are, the more successful you are.

## **service independent retailers**

AFM is in business to service independent retailers. Since we are governed, owned and operated by our member-owners, we listen closely to their needs and satisfy them.

## **best-in-class technology**

AFM's technology tools let you maximize profitability. Our tools are retailer-focused and user friendly.

## **the service culture**

AFM's customer service is the lifeblood or "culture" of our organization. You can always reach a human being on the other side of the phone.

## **aggressive in the marketplace**

AFM successfully outperforms the competition, giving you the upperhand in your market. Trust, Integrity, Commitment. We deliver on what we promise.

Become a part of our Independent Retailer Member-Owned Cooperative

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