By Mark Christensen

State Sen. 44th District

Late night debates at the Legislature are in full swing and we are nearing the pinnacle of the 2012 Legislative session.

We began debating on consent calendar bills last week, which are bills that have been deemed non-controversial and are allowed no more than 15 minutes of debate. My bill, LB 1126, is one of the bills that passed first round on consent calendar. (Bill allows villages to square off their jurisdiction outside its village limit.)

This past week a bill that was advanced to select file triggered my interest and the importance it has on my district. The bill I am referring to is Legislative Bill 959, a job reference immunity bill, introduced by Senator Charlie Janssen of Fremont and prioritized by Senator Colby Coash of Lincoln.

LB 959 provides employer job reference immunity for current and previous employers that provide employment information, of an employee, to prospective employers. AM 1020, a committee amendment, was passed and incorporated into the bill. AM 1020, allows a former or current employer to provide certain information to a future employer upon written consent of the future employer. The employer is not required to provide, but may provide the following information of an employee:

• Date and duration of employment;

• Pay rate and wage history;

• Job description and duties;

• The most recent written performance evaluation;

• Attendance information;

• Results of drug or alcohol tests within the past year;

• Threats of violence, harassment or threatening behavior in the workplace or toward another employee;

• Whether the employee was voluntarily or involuntarily separated from employment and the reasons;

• Whether the employee is eligible for rehire.

The employer providing such information is immune to civil liability, as long as they are acting in good faith and that there is no false information given recklessly or in spite.

Nebraska is one of the few states that does not provide protection to employers from civil liability for disclosing job reference information. Therefore, many employers are hesitant to disclose details of an employee's references.

Encouraging employers to communicate relevant and factual information is an important tool for

the hiring process. It allows for effective job screening and prevents a high employee turnover rate.

In return, employees are more likely to perform more efficiently. As a former business owner I see the importance of, LB 959, and the benefits it creates for both employers and employees.

I intend to continue my support of this bill and I am open to hearing any comments or concerns my constituents may have regarding LB 959.

Tuesday teleconference

In his call Tuesday, Christensen noted the Legislature was in day 50 of the 60-day session.

There's a lot left to cover with only 10 days remaining, the senator said. "There's a lot of heavy hitters on the agenda."

He said final reading on the budget bills was scheduled for Tuesday so they could get them to the governor 10 days before the end of the session.

Christensen's bill, LB 950, to move the loan repayment from Republican Basin natural resource districts to a water cash resources fund was also scheduled on Tuesday's agenda for second round debate.

Christensen wanted the repayments to the state for loans to buy surface water for compliance purposes to being used for addressing water issues in the state.

His bill was amended by Sen. Lavon Heideman who wants the state to appropriate the remaining $7.2 million in loan payments to the fund this year.

However, Christensen said the governor has already indicated he will veto the bill if it carries a $7.2 million price tag, even though the NRDs will be paying that money back over the next several years.

As a result, Christensen plans to offer an amendment that would change the appropriation to $2.4 million this year, which would equal the loan repayment from the NRDs this year.

Even if it passes, Christensen said the governor has indicated he will veto that as well.

Can Christensen get the votes to override a veto? He said he didn't know but was hoping to get the needed 30 votes at passage, which is the same needed for an override.

Another of his bills, LB 1125, would give the Lower Republican Natural Resources District the power to refund occupation taxes paid on property enrolled in conservation programs.

The LRNRD collected occupation taxes on those acres although no irrigation occurred. Prior to this bill, the NRD had no statutory authority to refund the tax.

This bill was scheduled for first round debate late Tuesday or Wednesday.

Questions or comments? Contact, Senator Mark R. Christensen at the information below.

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