

Nebraska's Natural Resources Districts

www.nrdnet.org

601 S. 12th St. Suite 201,
Lincoln, NE 68508.
Web: www.nrdnet.org.
Email: nard@nrdnet.org
Phone: (402) 471-7670

Protecting Lives • Protecting Property • Protecting the Future

August 22, 2010

TO: NARD Board and NARD Delegates

FROM: Dean E. Edson, Executive Director

RE: RESOLUTIONS & Inactive Status Policies

Attached are two resolutions that were submitted to NARD as of August 20, 2010. I have also included the voting procedures to be used at the conference. The voting delegates will be listed in the final packet provided at the conference. The NARD Legislative Committee is also recommending three changes to the policy book.

The Resolution and Voting Procedures are on page 2. The Voting Delegates will be listed in the final packet provided at the conference.

Resolutions Submitted by the August 14th Deadline

- **2010-1 -- Resolution for Clarity in Automatic Banking Deposits. Submitted by Little Blue NRD. (Page 3)**
- **2010-2 -- Revise Rules to Improve Efficiency of Nebraska Soil & Water Conservation Program. Submitted by Lower Elkhorn NRD. (Page 4)**

Policies Recommended for Inactive Status by the NARD Legislative Committee

The Legislative Committee reviews the NARD Policy Book every year to make recommendations, if any, for delegate action at the annual meeting. Placing policies in the inactive status only removes them from the annual policy book and does not rescind them unless specifically noted and passed by the delegates. This allows the NARD Policy Book to remain current. Any new resolutions adopted at the next meeting will be placed in the policy book with a corresponding number.

A memo is included in this packet (Pages 5-6) that provides a summary of the three issues the committee recommends be changed.

1. **Correct a printing error on page 20 regarding Policy # 2009-1.**
2. **Create one policy on water banking. We have two policies on water banking that are very similar.**
3. **Place 2008-3 in the inactive statuses -- Policy Implemented (LB 210)**

RESOLUTION & VOTING PROCEDURES

1. Each NARD member district that is in good standing shall be able to submit resolutions for consideration by the Association membership on policy issues pertinent to the mission and goals of the Association. A majority of the 23 districts shall constitute a quorum.
2. The voting delegate for the member district, or the alternate in the case of the delegate's absence, shall be the only individual to make the motion on behalf of their respective district. Any district representative may speak on the merits of a motion or issue during the discussion period once recognized by the chair.
3. We encourage more information on the issues. However, a non-voting participant may only speak on an issue and/or provide additional information at the request of a voting delegate of a district in good standing or at the request of the chair.
4. A copy of all resolutions submitted to the NARD Office prior to the Annual Meeting is included in the Resolutions Packet. Resolutions received by the deadline require a majority of the members voting for consideration. Resolutions received after the deadline must follow 5.b. below.
5. Additional resolutions may be submitted for consideration at the first Business Session at the Annual Conference for discussion provided that:
 - a) The member district is responsible for providing enough copies so members may read the resolution before discussion begins.
 - b) If 2/3 of the members voting approve the Motion to place the resolution before the body, the resolution shall be added to the agenda for consideration (example: $2/3$ of 115 = 77).
6. Resolutions shall be discussed and motions shall be made at the 1st Business Session. No final voting for approval of resolutions shall be taken on the first day. This provides discussion time at caucus before final approval.
7. Motions/resolutions shall be voted on at the 2nd Business Session.
8. Amendments may be made on either the first or second day during the Business Session. A written copy of the amendment(s) must be provided to the Chairman of the Legislative Committee.
9. Each member district shall have five votes.
10. To help avoid any distractions during the Business Session, all cell phones must be silenced during the session. Anyone whose cell phone rings during the Business Session will be fined \$5 for each occurrence and proceeds will be contributed to the NARD Foundation Account. Contributions to the NARD Foundation are tax deductible.

NARD Resolution 2010-1

Resolution for Clarity in Automatic Banking Deposits Submitted by Little Blue NRD

Whereas natural resources districts are relying more on automatic banking deposits to conduct business, and

Whereas bank deposit verification statements received from the originating agencies and organizations often are not clearly distinguishable regarding the name of the originating organization and/or program funds from which such funds are provided, and

Whereas these unclear bank deposit verification statements cause confusion for bookkeepers in crediting funds to the proper budgetary account,

Now therefore be it resolved that the Association of Resources Districts work with the state treasurer's office to establish new standards which require all state agencies making direct banking deposits to other agencies or organizations to clearly define the source of funds and program for which payment, reimbursements or other deposits are made.

Monday Business Session: _____

Amendment No. 1: _____

Amendment No. 2: _____

Tuesday Business Session: _____

Amendment No. 1: _____

Amendment No. 2: _____

NARD Resolution 2010-2

Revise Rules to Improve Efficiency Of Nebraska Soil & Water Conservation Program Submitted by Lower Elkhorn NRD

WHEREAS, the Nebraska Soil and Water Conservation Act, Section 2-1575 to 2-1582 became effective in 1983, to financially assist in encouraging water and related land resources conservation measures on privately owned land, producing long-term benefits for the general public, and

WHEREAS, the Nebraska Natural Resources Commission was directed to adopt and promulgate appropriate rules and regulations necessary for the administration of the Nebraska Soil and Water Conservation Fund, which was accomplished under Title 262, with a revised effective date of April 22, 1987, and

WHEREAS, rules and regulations should be reviewed periodically to improve efficiency, reduce unnecessary paperwork, and treat all producers fairly, and

WHEREAS, current rules require payment amounts to be based on a comparison of average cost and actual cost for every component in a project, rather than on the complete project, which effectively reduces the percent of cost share the producer receives below the percentage that was offered, and

WHEREAS, current rules require a bill for every component of a project, even those completed by the producer, when the producer has no logical method of calculating his charges other than the NRD Average Cost, which he could be paid without going through the motions of making up a bill, now

NOW THEREFORE BE IT RESOLVED that the NARD staff will work with NDNR staff and the Nebraska Natural Resources Commission to revise rules as needed to simplify and streamline NSWCP process especially to pay producer completed components based on average costs, compute total cost share amount by comparing actual and average cost of the entire project rather than by component, and other changes necessary to improve efficiency.

Monday Business Session: _____

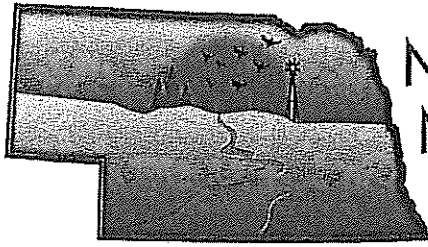
Amendment No. 1: _____

Amendment No. 2: _____

Tuesday Business Session: _____

Amendment No. 1: _____

Amendment No. 2: _____



Nebraska's Natural Resources Districts

www.nrdnet.org

601 S. 12th St. Suite
201
Lincoln, NE 68508

nard@nrdnet.org
(402) 471-7670

Protecting Lives • Protecting Property • Protecting the Future

August 22, 2010

TO: NARD Board and NRD Managers

FROM: Dean E. Edson, Executive Director

RE: NARD LEGISLATIVE COMMITTEE RECOMENDATIONS

Every year the NARD Legislative Committee is charged with reviewing the NARD policy Book for any policies that are outdated or have been implemented. Such policies, upon recommendation by the committee and approval of the voting delegates are placed in the "Inactive Status File".

This allows the NARD Policy Book to remain current. Any new resolutions adopted at the next meeting will be placed in the policy book with a corresponding number. The following provides three issues the committee recommends be changed.

1. Correct a printing error on page 20 regarding Policy # 2009-1. The preamble from the resolution was placed in the book rather than the resolution. The following is the resolution as approved by the delegates in September 2009:

NARD Resolution 2009-1

Proactive Development and Implementation of Integrated Management Plans

WHEREAS, current Nebraska statutes allow Natural Resources Districts and the Nebraska Department of Natural Resources to develop and implement Integrated Management Plans for the management of ground and surface water resources in river basins that have been designated as fully appropriated or overappropriated; and

WHEREAS, current Nebraska statutes also state the desirability of maintaining the status of not fully appropriated in those areas that have not been designated as fully appropriated or overappropriated; and

WHEREAS, development and implementation of an Integrated Management Plan can be a component of comprehensive management of water resources in a given Natural Resources District; and

WHEREAS, proactive efforts to maintain the designation of not fully appropriated will enhance economic productivity and sustainability and protect current and future property values and uses;

NOW THEREFORE BE IT RESOLVED that the Nebraska Association of Resources Districts shall seek to enact legislation amending current Nebraska statutes to allow Natural Resources Districts and the Nebraska Department of Natural Resources to voluntarily develop and implement Integrated Management Plans on a proactive basis in river basins or portions of river basins that have not been designated as fully appropriated or overappropriated with the objective of maintaining those areas in the status of not fully appropriated.

ADDED THE PART OF THE PREAMBLE IN THE POLICY BOOK THAT READS AS FOLLOWS:

2009-1 Integrated Management Plans (See page 20)

We shall work with the Nebraska Department of Natural Resources in development and implementation of Integrated Management Plans for the management of ground and surface in river basins that have been designated fully appropriated or overappropriated. We will make proactive efforts to maintain the designation of not fully appropriated basins and will continue to enhance economic productivity, sustainability, and protect current and future property values and uses.

WHAT SHOULD HAVE BEEN PLACED READS AS FOLLOWS:

2009-1 Integrated Management Plans

We seek to enact legislation amending current Nebraska statutes to allow Natural Resources Districts and the Nebraska Department of Natural Resources to voluntarily develop and implement Integrated Management Plans on a proactive basis in river basins or portions of river basins that have not been designated as fully appropriated or overappropriated with the objective of maintaining those areas in the status of not fully appropriated.

NARD Legislative Committee Recommendation: Even though the policy has been implemented with LB 764, we recommend the delegates approve placing the correct language in the policy book and leave it in place until local NRDs choose to implement the new law.

2. **Create one policy on water banking. We have two policies on water banking that are very similar.**

1999-2 Provide for NRD Water Banking Programs (Page 22)

NARD supports enactment of Nebraska legislation that enables NRDs to establish and operate Water Banks, and which allows for assessment of appropriate fees to make the water banking program self-sufficient.

2009-3 Water Banking (Page 21)

We support and encourage legislation that recognizes and protects the use of water banking in all NRDs in the State regardless of a river basin's designation.

NARD Legislative Committee Recommendation: Recommend the delegates place NARD Policy 1999-2 in the inactive status and stand on NARD Policy 2009-3.

3. **Place 2008-3 in the inactive statues -- Policy Implemented (LB 210)**

2008-3 Governmental Subdivision Aid (Page 11)

We will coordinate with the Nebraska State Treasurer to develop the legislation or administrative procedures to separate property tax for bonds from the formula to determine governmental subdivision aid.

NARD Legislative Committee Recommendation: Recommend the delegates place NARD Policy 2008-3 in the inactive status since LB 210 is now law.