

**PERSONNEL, LEGISLATIVE AND PUBLIC AFFAIRS
SUBCOMMITTEE MEETING**

February 7, 2006

8:30 p.m.

AGENDA

Personnel, Legislative and Public Affairs Subcommittee:

Fred Conley, Chairperson
Dick Connealy, Vice Chairperson
Tim Fowler
John Schwope
Rich Tesar

Alternate Members: Rick Kolowski
Jim Thompson

Staff Liaison: Emmett Egr
Christine Jacobsen

1. Meeting Called to Order – Chairperson Fred Conley
2. Quorum Call
3. Adoption of Agenda
4. Proof of Publication of Meeting Notice
5. Review of P-MRNRD Benefit Comparison (pursuant to 2005 State Salary Survey) – Pat Teer
6. Review and Recommendation(s) on P-MRNRD Wage and Salary Administration Program for 2006 –Pat Teer
 - a. Wage and Salary Pay Ranges (Midpoints)
 - b. Wage and Salary Administration Guide (“n” Factor – 3.1%)
7. Legislative Update – Steve Oltmans
8. Other Items of Interest
9. Adjourn

MEMORANDUM

TO: Personnel, Legislative and Public Affairs Subcommittee

SUBJECT: P-MRNRD Benefit Comparison

DATE: January 27, 2006

FROM: Pat Teer, Administrative Coordinator

As a part of the Nebraska State Salary Survey, the participants are asked to give information on benefit programs. Charts showing the comparison of the District and other Omaha area businesses are attached. The following is a summary of the benefit comparisons:

Benefit	P-MRNRD	P-MRNRD Ranking	Summary of Other Omaha Area Businesses
Vacation	0 – 5 Years = 13 days 6 – 10 Years = 18 days 11 Years + = 23 days	Mid to high range	Ranges from 5 days to a high of 25 days per year.
Holidays	10 Holidays	Mid to high range	Ranges from 4 holidays to high of 13 holidays.
Sick Leave After 1 year	18 days per year (reduced from unlimited max in 1994)	High range	Ranges from 5 days to high of 18.
After 20 years	----- 18 days per year	----- Mid to high range	----- Ranges from 5 to 30 days
Sick Leave – Maximum Accumulation	180 days max	Mid to high range	Ranges from 10 days to high of 310 days.
Health Insurance – Single	\$394.80/mo District pays for single coverage	High range	Ranges from \$90/month to a high of \$430/month.
Health Insurance – Family	Employee(1/3) - \$ 330.34 District (2/3) - 670.68 \$1,001.02	Mid to high range	Ranges from \$700/month to \$1,120/mo.
Dental Insurance – Single	\$31.65/mo District pays for coverage	High range	Ranges from \$16.50/month to \$42.00/month
Dental Insurance – Family	\$86.03/mo District pays for coverage	High range	Ranges from \$38/month to \$101/month
Life Insurance	1 times salary, minimum - \$20,000 – max. \$100,000	Low range	Ranges from 1 times salary to 2 times salary

Retirement	Employee - 5.06% District - <u>5.5%</u> 10.5% Contribution will increase 7/06 to: Employee - 5.5% District - <u>6.0%</u> 11.5%	Mid range	Ranges from 5% to 15%
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/pt/person/benefits/ben memo 2006

Vacation -- Omaha Area

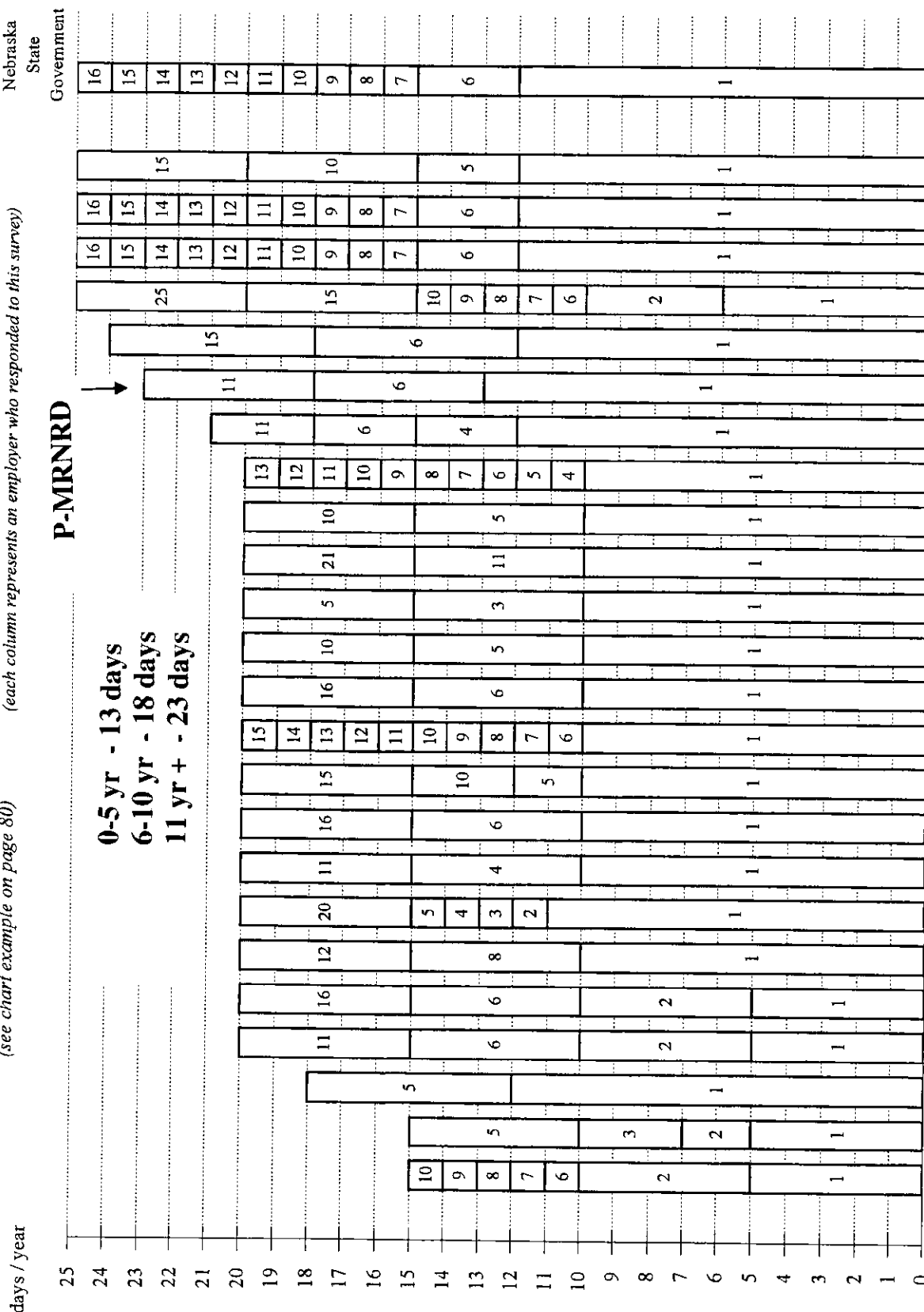
(see chart example on page 80)

(each column represents an employer who responded to this survey)

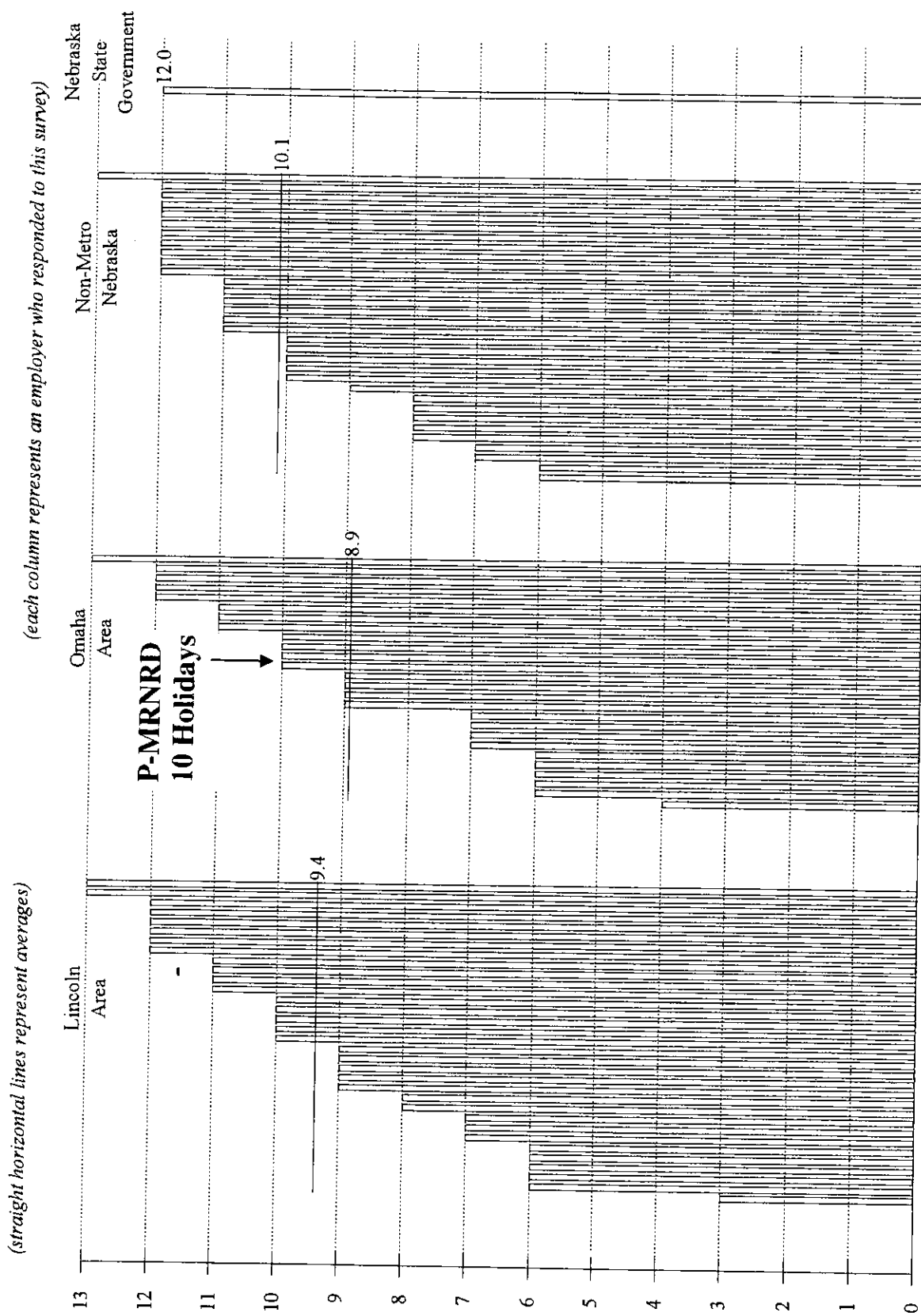
Nebraska
State
Government

P-MRNRD

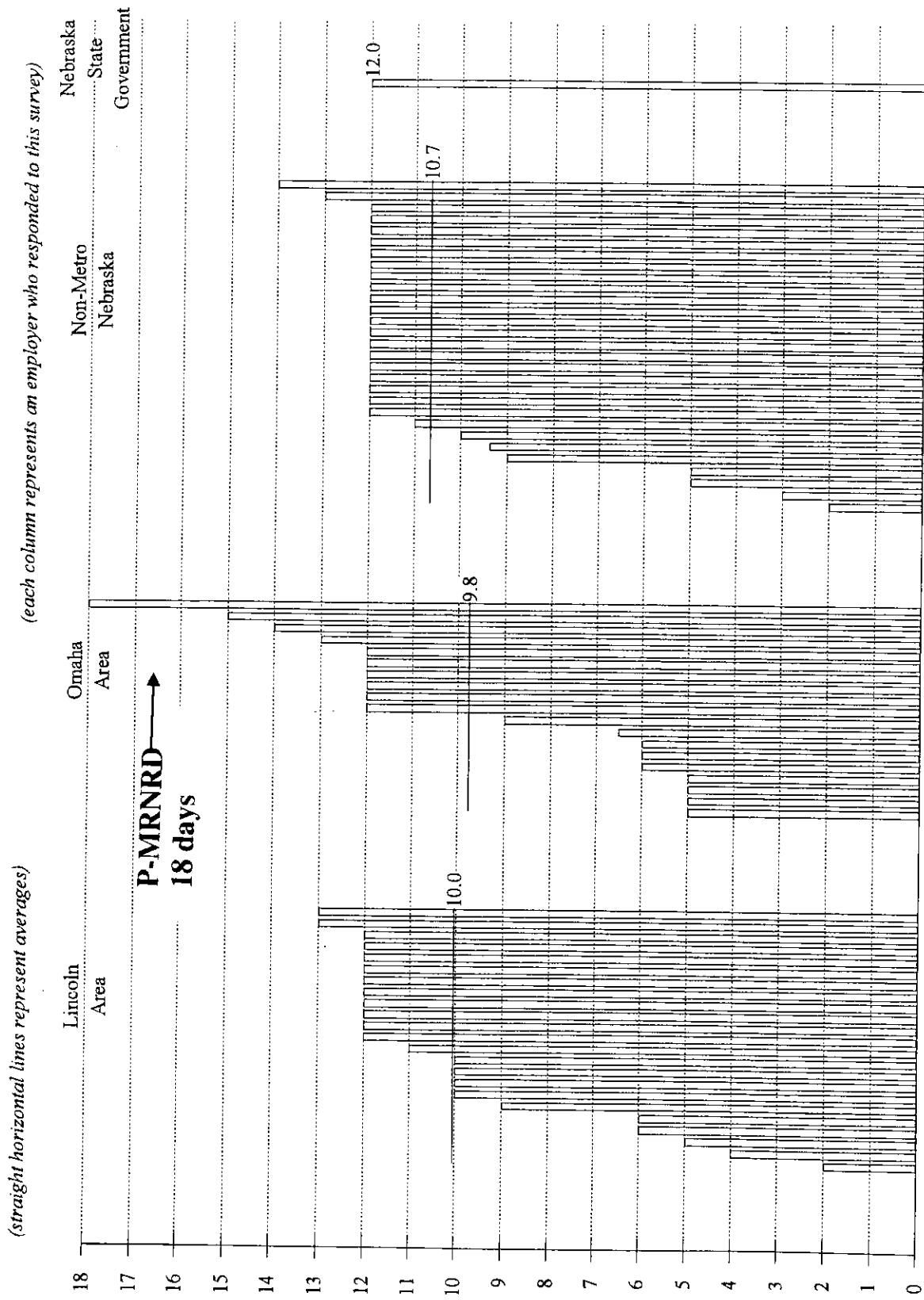
0-5 yr - 13 days
6-10 yr - 18 days
11 yr + - 23 days



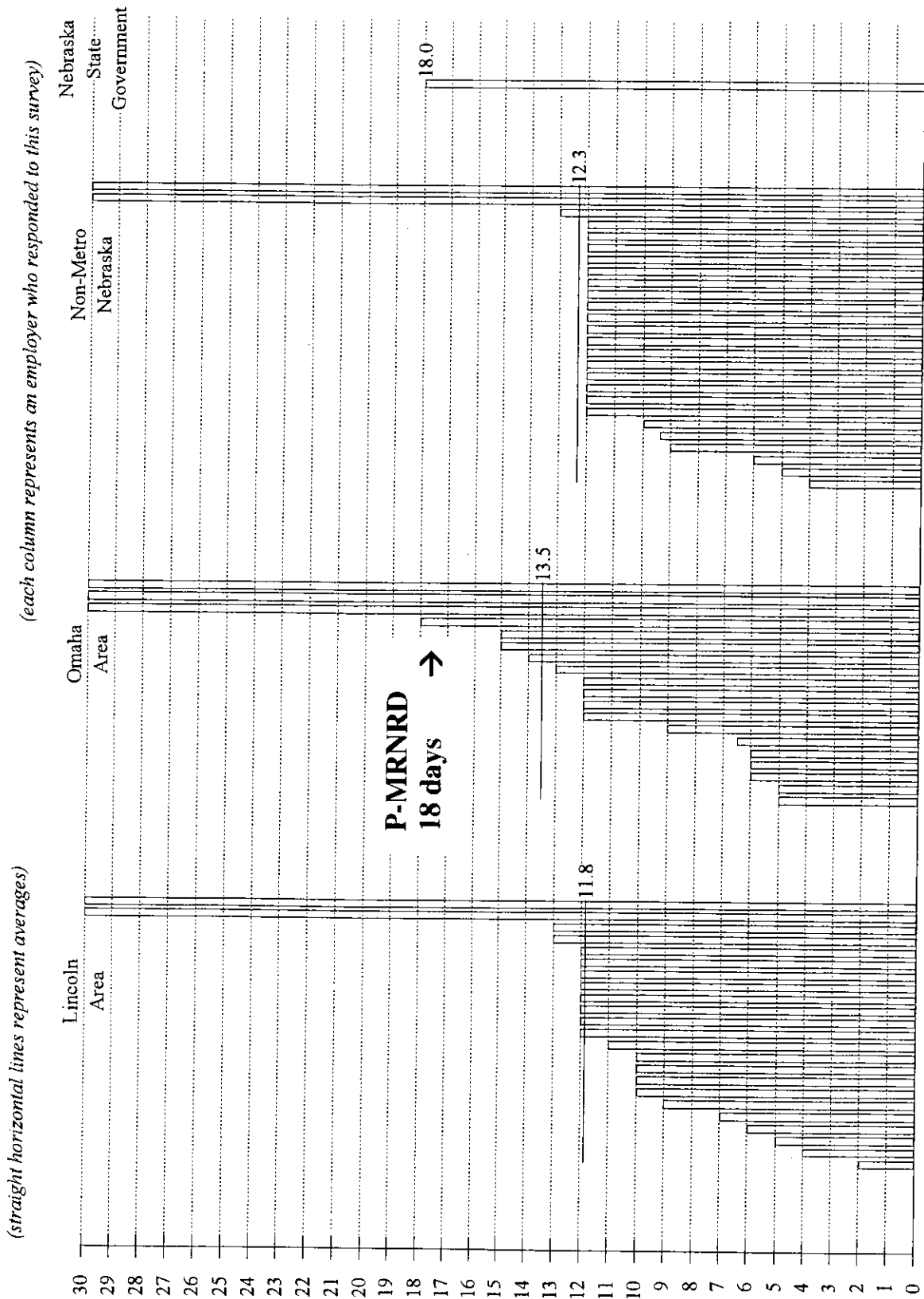
Holidays -- (Days Per Year)



Sick Leave Days Earned in the 1st Year of Employment



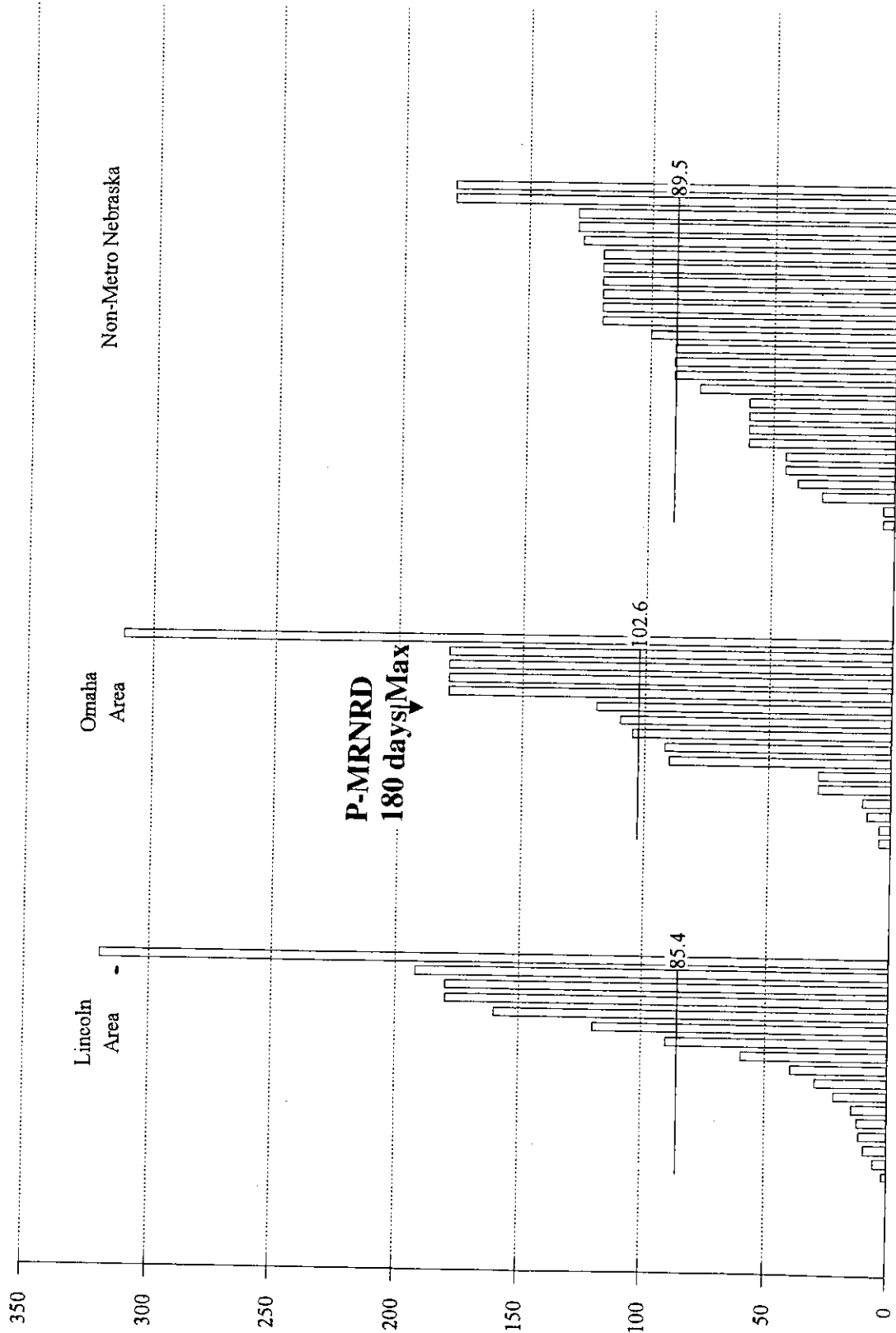
Sick Leave Days Earned in the 20th Year of Employment



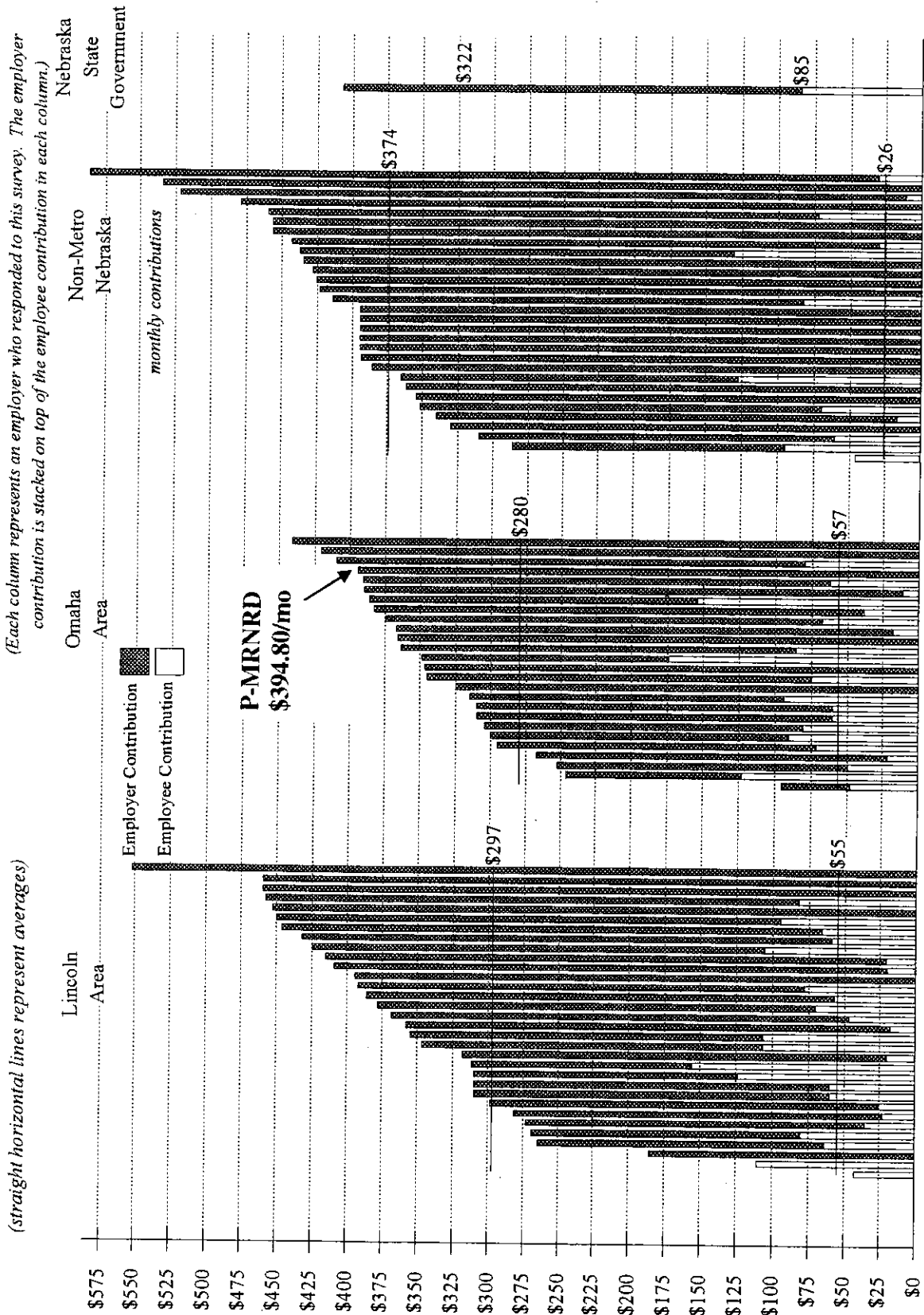
Sick Leave Days -- Maximum Accumulation

(each column represents an employer who responded to this survey)

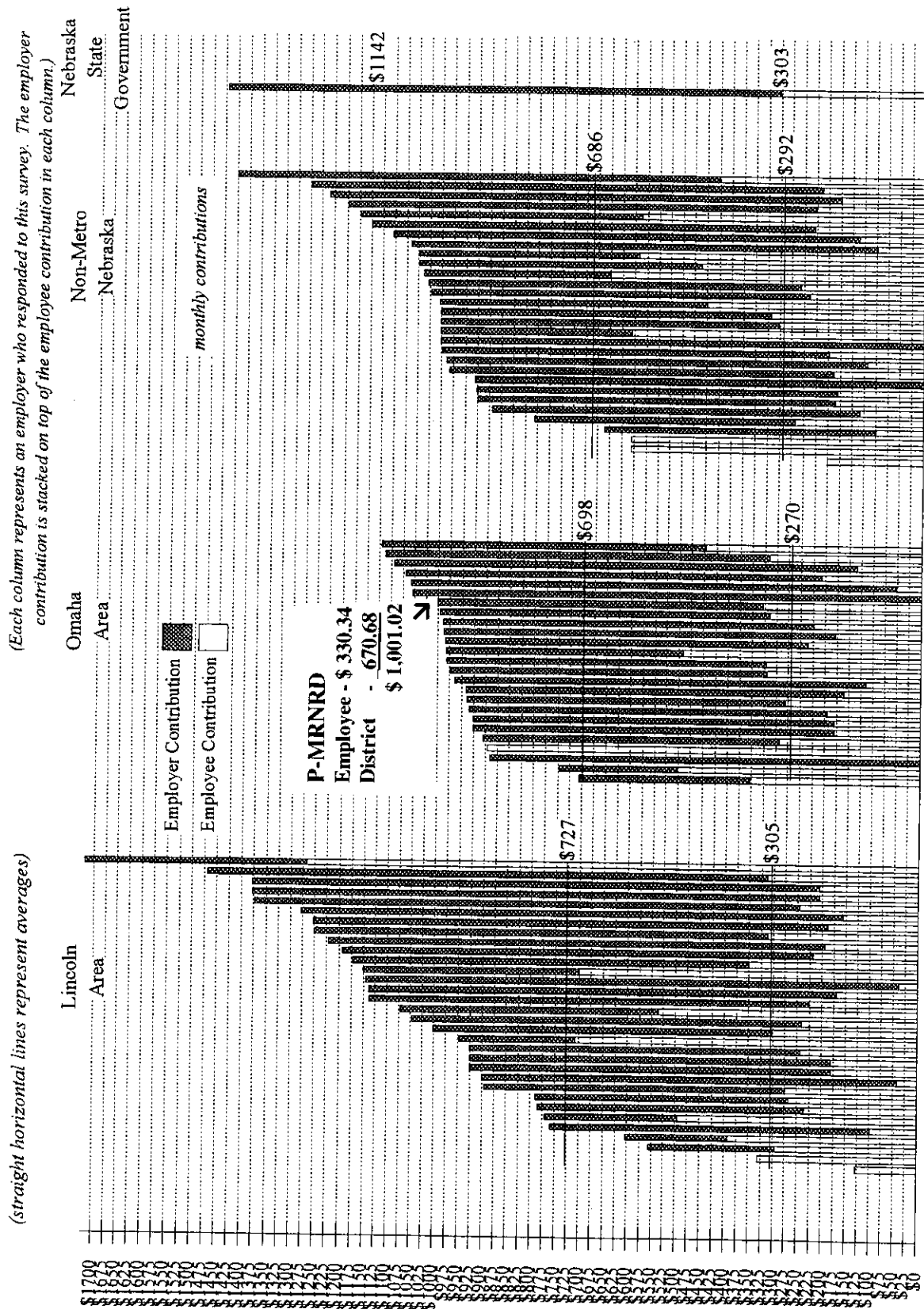
(straight horizontal lines represent averages)



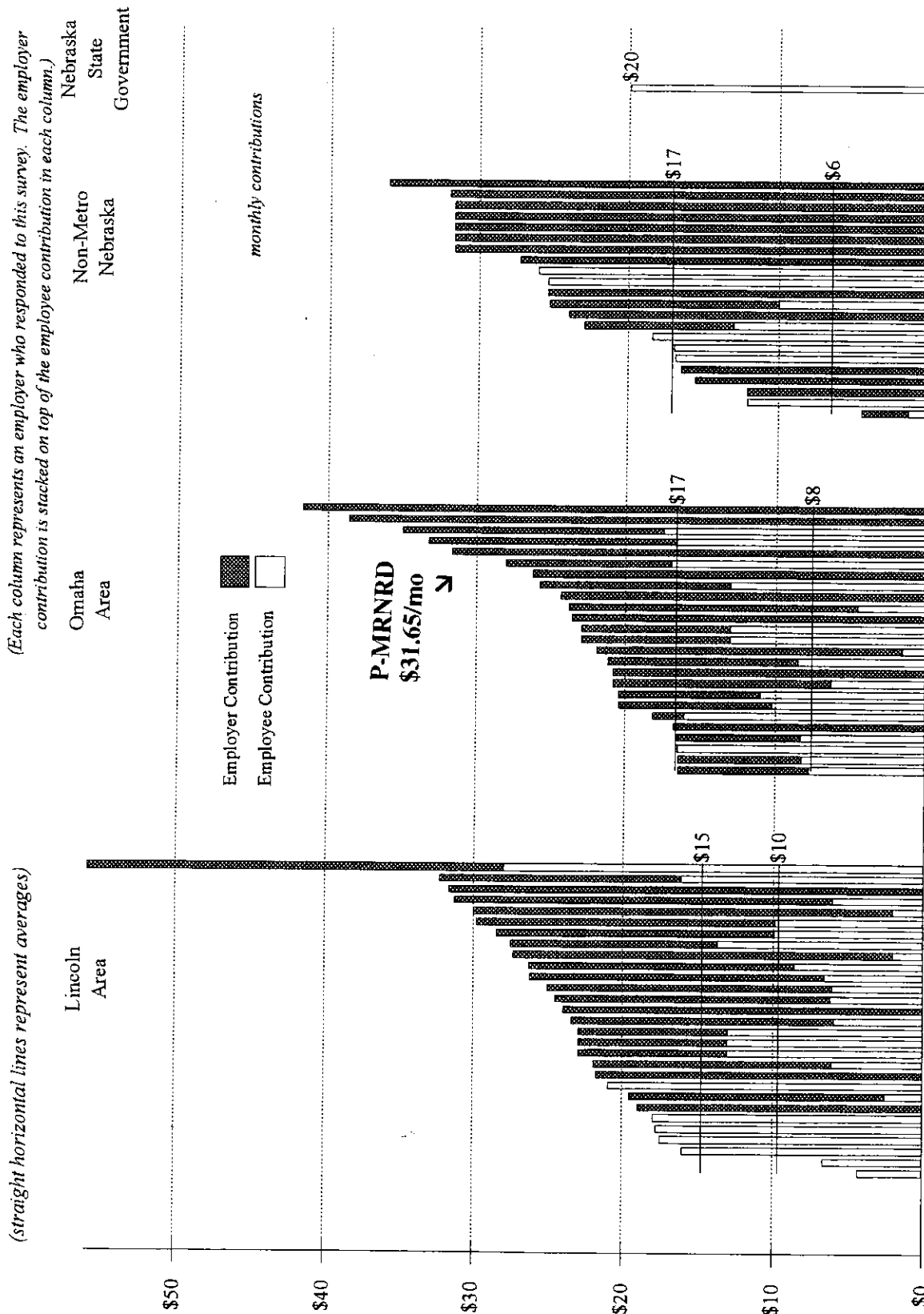
Health Insurance -- Single Coverage



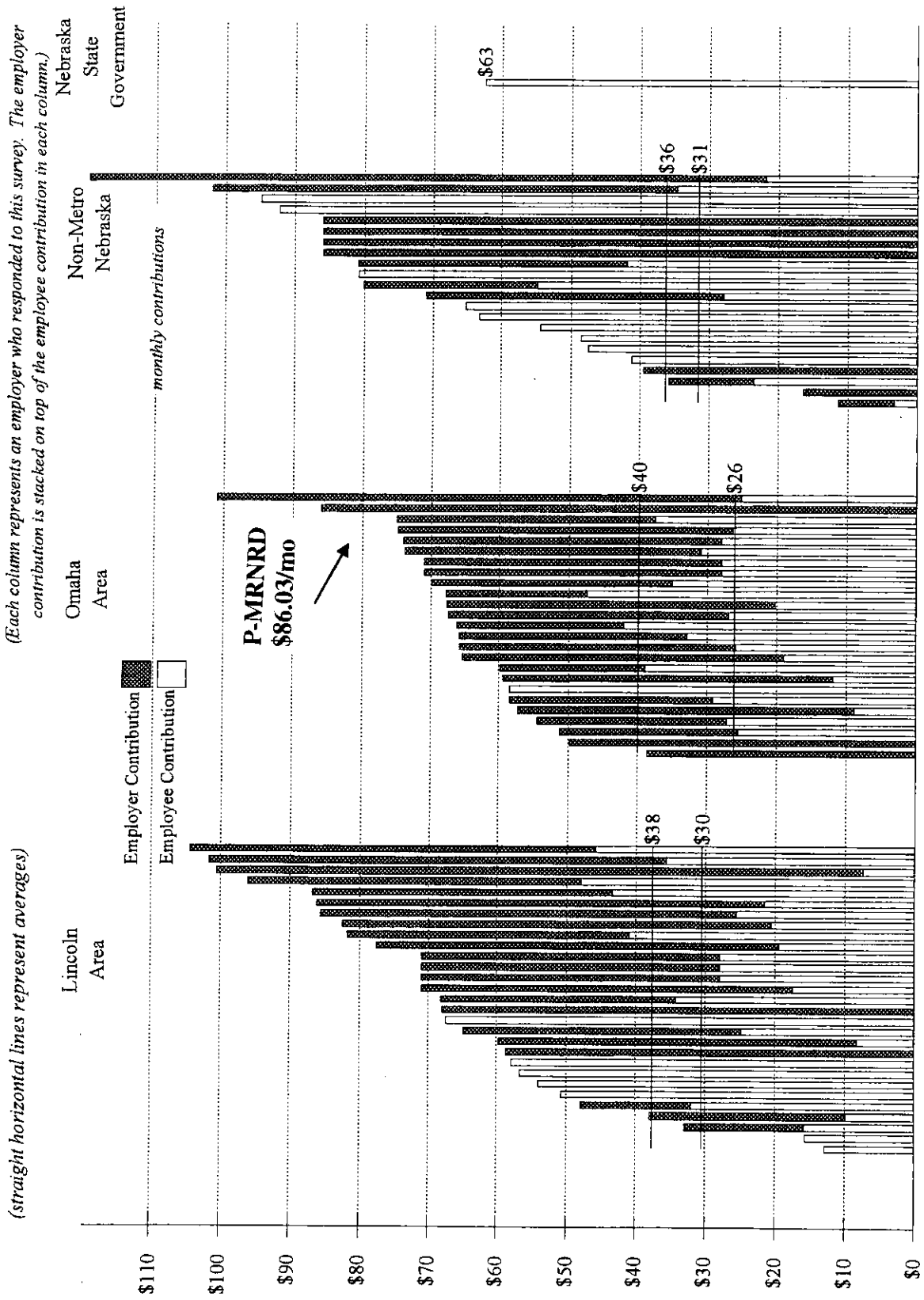
Health Insurance -- Family Coverage



Dental Insurance -- Single Coverage

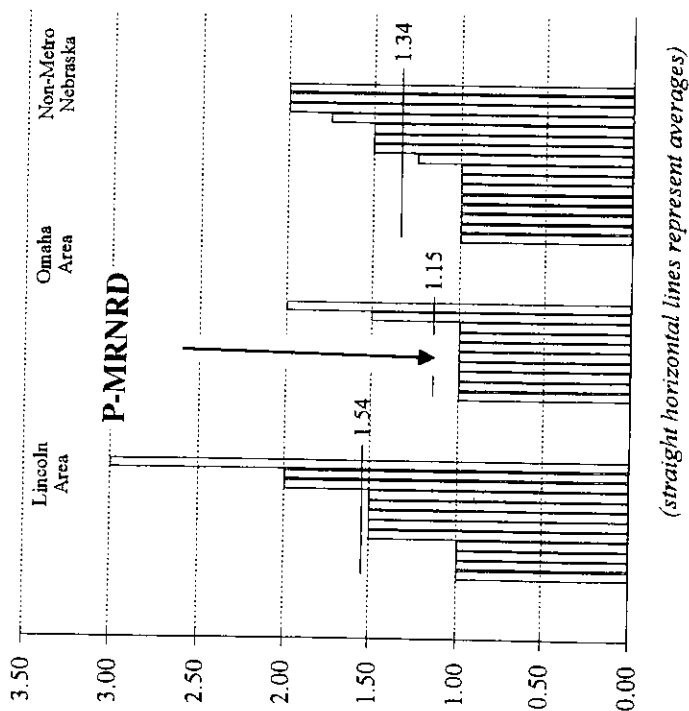


Dental Insurance -- Family Coverage

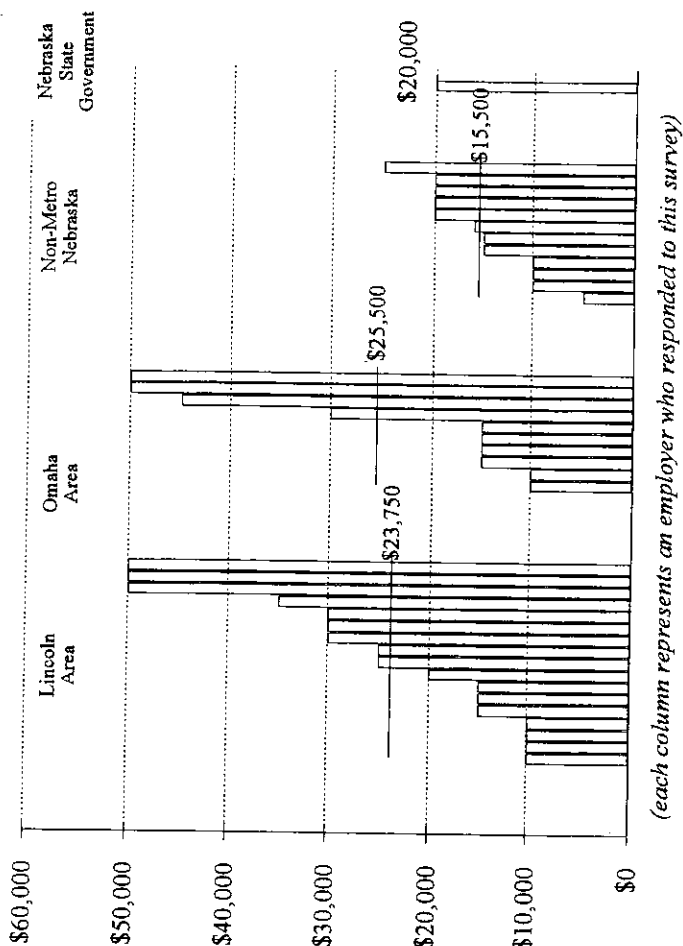


Life Insurance

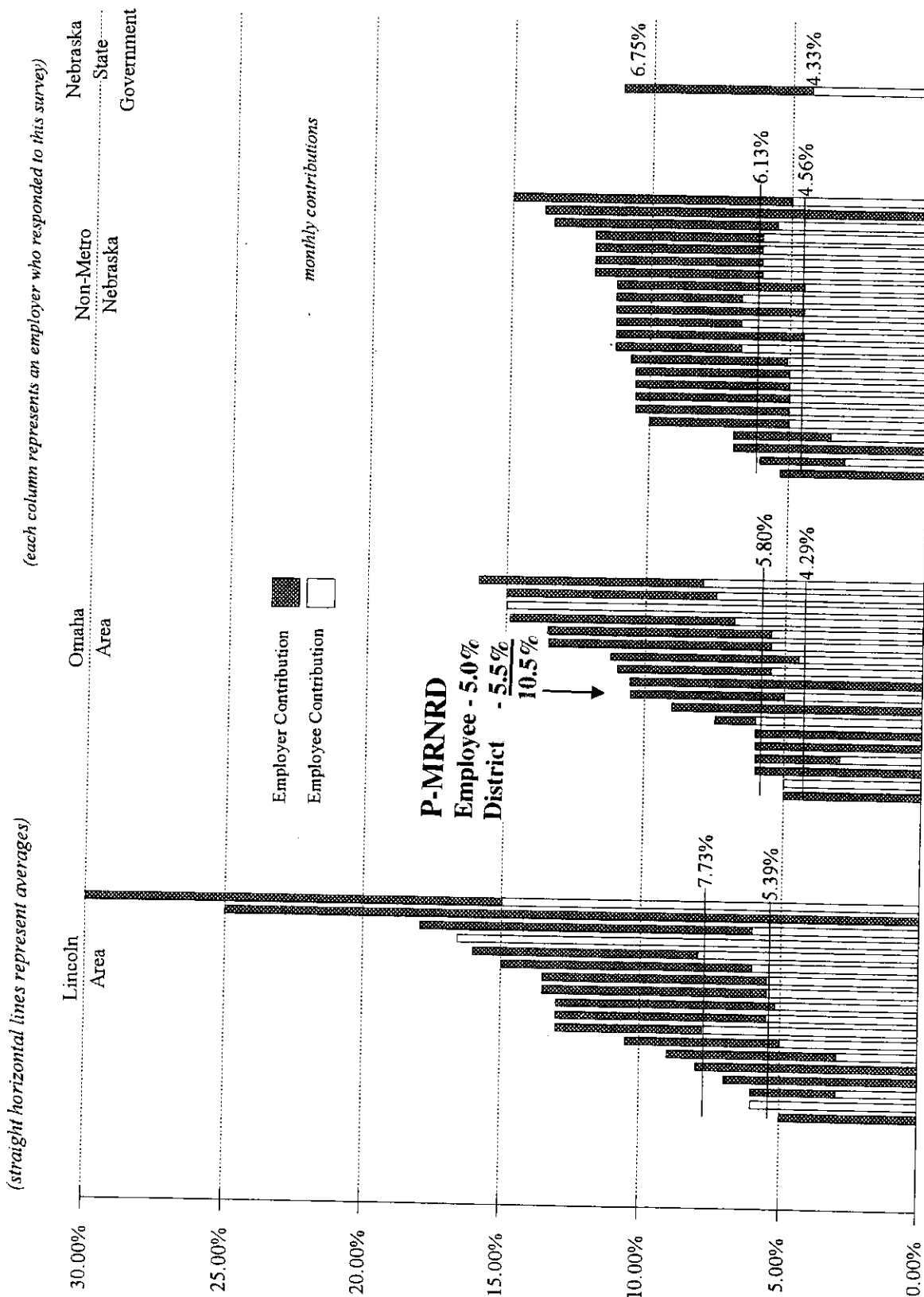
coverage based on salary x factor



flat dollar coverage



Retirement



MEMORANDUM

TO: Personnel, Legislative and Public Affairs Subcommittee

SUBJECT: Recommended Revisions to P-MRNRD Wage and Salary Administration Program

- a. Pay Range Revisions (Midpoints)
- b. Adjustment Guide Revisions ("n" Factor)

DATE: January 26, 2006

FROM: Steven G. Oltmans, General Manager

The P-MRNRD Wage and Salary Administration Program, as outlined in the Directors Policy Manual, requires the General Manager to provide recommendations to the Personnel, Legislative and Public Affairs Subcommittee for revisions in the Wage and Salary Pay Ranges (midpoints) and revisions in the Adjustment Guide ("n" factor) to be used for calendar year 2006. The PLPA Subcommittee is to review this information and make recommendations to the Board for consideration and action.

Base data from the Omaha job market is used to determine the recommended midpoint values and the "n" factor. The base data is taken from the 2005 Nebraska State Salary Survey (dated, December 2005), which is prepared by the Nebraska Department of Personnel. The P-MRNRD is a participant in this survey. If you will recall last year the NE Department of Personnel changed the timing for the salary survey and no base data was available to determine proposed midpoints. The Board used the average "n" factor for the past 5 years (3.3%) to determine midpoints and salary adjustments.

a. Pay Range Revisions (Midpoints): Attached is the following information used to determine suggested midpoints for CY 2006:

1. Spreadsheet showing the midpoints using base data from the 2005 State Salary Survey. Approximately 200 benchmark positions in the Omaha area are used to calculate the updates.
2. Regression calculation used to determine the proposed P-MRNRD payline and midpoints for calendar year 2006.
3. Chart showing the proposed P-MRNRD payline (the straight line) and the midpoints.
4. Chart showing the current (2005) and proposed pay ranges for calendar year 2006. The red numbers are the proposed numbers for CY2006. The numbers in the middle box (yellow) are the midpoints. Please note that pay ranges vary from -5.6% for Salary Grade 2 through 6.6% for Salary Grade 21. The average increase in midpoint is **3.1%**, which is the proposed "n" factor for CY 2006. The GM recommends that the midpoints for SG 2 through 5 (showing negative numbers) remain at CY 2005 levels.

RECOMMENDATION: It is recommended that the wage and salary pay ranges for SG 2 through 5 remain at CY 2005 levels and that pay ranges for SG 6 through SG 21 be adjusted to the proposed ranges, as presented, and that the changes be effective January 1, 2006.

b. Adjustment Guide Revisions ("n" Factor): The Wage and Salary Administration Program provides an example wage and salary increase guide which includes three factors- evaluation period, adjustment factor, and annual pay range change. A copy of the example guide is attached. The second Adjustment Guide (attached) shows the proposed Adjustment Factors for calendar year 2006, using 3.1% as the "n" factor to compute Adjustment Factors. The Adjustment Factors for last year (2005) are also shown.

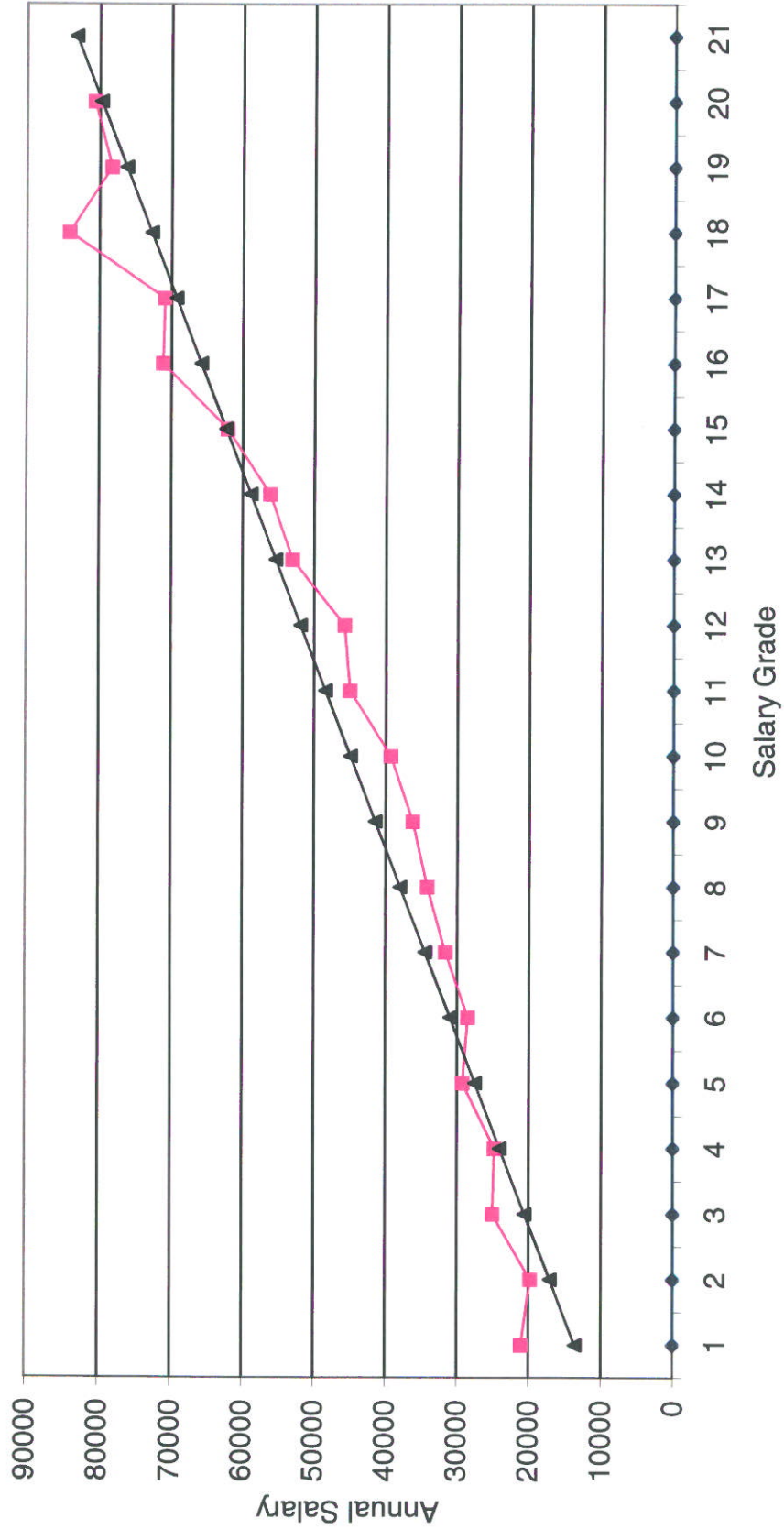
RECOMMENDATION: It is recommended that an "n" Factor of 3.1% (average increase in midpoint values) be used to compute Adjustment Factors for Calendar Year 2006 and that the resulting Adjustment Guide be effective January 1, 2006.

If these recommendations are adopted, the estimated dollar impact on base salaries for calendar year 2006 (January 1, 2006 through December 31, 2006), would be approximately \$58,000.

Attached for your review is a copy of the proposed P-MRNRD Wage and Salary Administration Program for 2006. Also attached is a chart showing the history of the Wage and Salary Administration Program for calendar year 2006 through 1982 and cost of living adjustments made from 1981 through 1973.

/wage/plpa memo 2006

2005 State Salary Survey



SALARY SURVEY REGRESSION CALCULATION
For Calendar Year 2005
Information From Salary Survey
Input Hourly Rate Only!

January, 2006

Pay Grade	Hourly Rate	Annual Salary	Constant	X Coefficient(s)	R Squared	No. of Observations	Regression Output:	Annual Salary Using Payline Equation	Hourly Rate Using Payline Equation
1	\$10.09	20,987.20	4.865098					\$13,598.46	6.54
2	\$9.48	19,718.40	1.6726213					\$17,077.51	8.21
3	\$12.01	24,980.80	0.9365144					\$20,556.56	9.88
4	\$11.89	24,731.20	20					\$24,035.61	11.56
5	\$14.04	29,203.20						\$27,514.67	13.23
6	\$13.68	28,454.40						\$30,993.72	14.90
7	\$15.19	31,595.20						\$34,472.77	16.57
8	\$16.40	34,112.00						\$37,951.82	18.25
9	\$17.38	36,150.40						\$41,430.87	19.92
10	\$18.85	39,208.00						\$44,909.93	21.59
11	\$21.60	44,928.00						\$48,388.98	23.26
12	\$21.97	45,697.60						\$51,868.03	24.94
13	\$25.47	52,977.60						\$55,347.08	26.61
14	\$26.98	56,118.40						\$58,826.13	28.28
15	\$29.85	62,088.00						\$62,305.19	29.95
16	\$34.20	71,136.00						\$65,784.24	31.63
17	\$34.08	70,886.40						\$69,263.29	33.30
18	\$40.43	84,094.40						\$72,742.34	34.97
19	\$37.62	78,249.60						\$76,221.40	36.64
20	\$38.75	80,600.00						\$79,700.45	38.32
21								\$83,179.50	39.99

Payline Equation
 $Y = \text{Constant} + (X \text{ Coefficient} * \text{Pay Grade})$
 $Y = 19 + (110 * (\text{Column B}))$

[illegible]

Last Year's Totals:

[illegible]

Calendar Year - 2006

Proposed Salary Ranges - January, 2006
Adopted -

WAGE AND SALARY PAY RANGES

Salary Grade	80%		Mid-Point			120%	
	Current	Proposed	Current	Proposed	%	Current	Proposed
2	\$14,470.86	\$13,661.97	\$18,088.57	\$17,077.46	-5.6%	\$21,706.28	\$20,492.95
3	\$16,993.78	\$16,445.25	\$21,242.22	\$20,556.56	-3.2%	\$25,490.66	\$24,667.87
4	\$19,516.70	\$19,228.45	\$24,395.87	\$24,035.56	-1.5%	\$29,275.04	\$28,842.67
5	\$22,039.61	\$22,011.74	\$27,549.51	\$27,514.67	-0.1%	\$33,059.41	\$33,017.60
6	\$24,562.53	\$24,794.98	\$30,703.16	\$30,993.72	0.9%	\$36,843.79	\$37,192.46
7	\$27,085.44	\$27,578.22	\$33,856.80	\$34,472.77	1.8%	\$40,628.16	\$41,367.32
8	\$29,608.36	\$30,361.46	\$37,010.45	\$37,951.82	2.5%	\$44,412.54	\$45,542.18
9	\$32,131.27	\$33,144.70	\$40,164.09	\$41,430.87	3.2%	\$48,196.91	\$49,717.04
10	\$34,654.19	\$35,927.94	\$43,317.74	\$44,909.93	3.7%	\$51,981.29	\$53,891.92
11	\$37,177.11	\$38,711.18	\$46,471.39	\$48,388.98	4.1%	\$55,765.67	\$58,066.78
12	\$39,700.02	\$41,494.42	\$49,625.02	\$51,868.03	4.5%	\$59,550.02	\$62,241.64
13	\$42,222.94	\$44,277.66	\$52,778.67	\$55,347.08	4.9%	\$63,334.40	\$66,416.50
14	\$44,745.85	\$47,060.90	\$55,932.31	\$58,826.13	5.2%	\$67,118.77	\$70,591.36
15	\$47,268.77	\$49,844.15	\$59,085.96	\$62,305.19	5.4%	\$70,903.15	\$74,766.23
16	\$49,791.68	\$52,627.39	\$62,239.60	\$65,784.24	5.7%	\$74,687.52	\$78,941.09
17	\$52,314.60	\$55,410.63	\$65,393.25	\$69,263.29	5.9%	\$78,471.90	\$83,115.95
18	\$54,837.51	\$58,193.87	\$68,546.89	\$72,742.34	6.1%	\$82,256.27	\$87,290.81
19	\$57,360.43	\$60,977.12	\$71,700.54	\$76,221.40	6.3%	\$86,040.65	\$91,465.68
20	\$59,883.35	\$63,760.36	\$74,854.19	\$79,700.45	6.5%	\$89,825.03	\$95,640.54
21	\$62,406.26	\$66,543.60	\$78,007.83	\$83,179.50	6.6%	\$93,609.40	\$99,815.40

3.1% = "n" factor for CY 2006

Recommendation the CY 2005 midpoints be used.

\\sal info\\sal-06

**PAPIO-MISSOURI RIVER NRD
WAGE AND SALARY ADJUSTMENT GUIDE**

<p>E.P. = Evaluation Period A.F. = Adjustment Factor n = Annual Pay Range Change</p>					Maximum 120%	
<p>1 Unacceptable</p>	E.P. = 1 yr 3 yrs A.F. = 1.032n				E.P. = 1 yr 3 yr A.F. = 1.023n	112%
					E.P. = 1 yr 3 yr A.F. = 1.024n	
					E.P. = 1 yr 3 yr A.F. = 1.027n	
					E.P. = 1 yr 2 yr A.F. = 1.040n	
					E.P. = 6 mo 1.5 yr A.F. = 1.027n/2	
<p>2 Falls Below Expectations</p>	E.P. = 1 yr 3 yrs A.F. = 1.029n				E.P. = 6 mo 1 yr A.F. = 1.044n/2	96%
					E.P. = 6 mo 1 yr A.F. = 1.029n/2	
					E.P. = 6 mo 1 yr A.F. = 1.048n/2	
					E.P. = 6 mo 1.5 yrs A.F. = 1.033n/2	
					E.P. = 6 mo 6 mo A.F. = 1.10n/2	
<p>3 Meets Expectations</p>					E.P. = 1 yr 3 yr A.F. = 1.048n/2	88%
					E.P. = 6 mo 1 yr A.F. = 1.048n/2	
					E.P. = 6 mo 1 yr A.F. = 1.048n/2	
					E.P. = 6 mo 1 yr A.F. = 1.048n/2	
					E.P. = 6 mo 1 yr A.F. = 1.048n/2	
<p>4 Exceeds Expectations</p>					E.P. = 1 yr 3 yr A.F. = 1.024n	98%
					E.P. = 1 yr 3 yr A.F. = 1.027n	
					E.P. = 1 yr 2 yr A.F. = 1.040n	
					E.P. = 6 mo 1.5 yr A.F. = 1.029n/2	
					E.P. = 6 mo 6 mo A.F. = 1.10n/2	
<p>5 Far Exceeds Expectations</p>					E.P. = 1 yr 3 yr A.F. = 1.023n	80%
					E.P. = 1 yr 3 yr A.F. = 1.024n	
					E.P. = 1 yr 3 yr A.F. = 1.027n	
					E.P. = 1 yr 2 yr A.F. = 1.040n	
					E.P. = 6 mo 1.5 yr A.F. = 1.027n/2	
INDIVIDUAL PERFORMANCE						Minimum

E.P. = Evaluation Period A.F. = Adjustment Factor		Effective Date: January 1, 2006					Proposed "n" Factor = 3.1%		Maximum										
									120%										
Minimum	80%	t	n	i	d	p	o	M	f	O	%	~ ~ ~ ~ ~	E.P. = 1 yr 3 yr A.F. (05) = 1.057 A.F. (06) = 1.055						
														5	Far Exceeds Expectations				
																4	Exceeds Expectations		
																		3	Meets Expectations
1	Unacceptable																		
		E.P. = 1 yr 3 yrs A.F. (05) = 1.066 A.F. (06) = 1.064	E.P. = 1 yr 2 yrs A.F. (05) = 1.083 A.F. (06) = 1.080	E.P. = 1 yr 2 yrs A.F. (05) = 1.078 A.F. (06) = 1.076	E.P. = 1 yr 3 yrs A.F. (05) = 1.061 A.F. (06) = 1.059	E.P. = 1 yr 2 yr A.F. (05) = 1.074 A.F. (06) = 1.072	E.P. = 1 yr 3 yr A.F. (05) = 1.058 A.F. (06) = 1.056	E.P. = 1 yr 2 yr A.F. (05) = 1.071 A.F. (06) = 1.069	E.P. = 1 yr 3 yr A.F. (05) = 1.057 A.F. (06) = 1.055										
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		E.P. = 1 yr 6 mo A.F. (05) = 1.065 A.F. (06) = 1.064	E.P. = 1 yr 6 mo A.F. (05) = 1.065 A.F. (06) = 1.064	E.P. = 1 yr 6 mo A.F. (05) = 1.065 A.F. (06) = 1.064	E.P. = 1 yr 6 mo A.F. (05) = 1.065 A.F. (06) = 1.064	E.P. = 1 yr 6 mo A.F. (05) = 1.065 A.F. (06) = 1.064	E.P. = 1 yr 6 mo A.F. (05) = 1.065 A.F. (06) = 1.064	E.P. = 1 yr 6 mo A.F. (05) = 1.065 A.F. (06) = 1.064	E.P. = 1 yr 6 mo A.F. (05) = 1.065 A.F. (06) = 1.064										
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		E.P. = 1 yr 6 mo A.F. (05) = 1.065 A.F. (06) = 1.064	E.P. = 1 yr 6 mo A.F. (05) = 1.065 A.F. (06) = 1.064	E.P. = 1 yr 6 mo A.F. (05) = 1.065 A.F. (06) = 1.064	E.P. = 1 yr 6 mo A.F. (05) = 1.065 A.F. (06) = 1.064	E.P. = 1 yr 6 mo A.F. (05) = 1.065 A.F. (06) = 1.064	E.P. = 1 yr 6 mo A.F. (05) = 1.065 A.F. (06) = 1.064	E.P. = 1 yr 6 mo A.F. (05) = 1.065 A.F. (06) = 1.064	E.P. = 1 yr 6 mo A.F. (05) = 1.065 A.F. (06) = 1.064										
E.P. = 1 yr 6 mo A.F. (05) = 1.065 A.F. (06) = 1.064	E.P. = 1 yr 6 mo A.F. (05) = 1.065 A.F. (06) = 1.064									E.P. = 1 yr 6 mo A.F. (05) = 1.065 A.F. (06) = 1.064	E.P. = 1 yr 6 mo A.F. (05) = 1.065 A.F. (06) = 1.064	E.P. = 1 yr 6 mo A.F. (05) = 1.065 A.F. (06) = 1.064	E.P. = 1 yr 6 mo A.F. (05) = 1.065 A.F. (06) = 1.064	E.P. = 1 yr 6 mo A.F. (05) = 1.065 A.F. (06) = 1.064	E.P. = 1 yr 6 mo A.F. (05) = 1.065 A.F. (06) = 1.064				
		E.P. = 1 yr 6 mo A.F. (05) = 1.																	

PAPIO-MISSOURI RIVER NRD

WAGE AND SALARY ADMINISTRATION PROGRAM

Adopted: June 10, 1982
Revised: February 9, 2006

**PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT
WAGE AND SALARY ADMINISTRATION PROGRAM**

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I. WAGE AND SALARY ADMINISTRATION POLICY:

A. Policy: It is the policy of the District to provide steady employment at a salary or wage rate comparable to the prevailing rate for similar services in the District.

B. Purpose: The Wage and Salary Administration Program, which has been established to implement this policy is intended to:

1. Attract, retain and motivate employees by offering adequate wages regardless of race, religion, national origin, sex, age, color, handicap or political beliefs.
2. Compensate those who are able to make the greatest contributions to the advancement of the District.
3. Standardize salaries and wage rates for jobs of equal worth to the District in an effort to provide fair treatment for all employees.
4. Establish a system whereby both employee and supervisor may know what opportunity the job offers, what advancement may take place and what performance is expected.
5. Provide guidelines for the effective administration of the program by supervisory and management personnel.

II. JOB DESCRIPTIONS:

A. Policy: It is the policy of the District to have a current job description for each personnel position which the District includes in the table of organization. The job description is a statement of the purpose for and major duties and responsibilities of each position. It will include title, position classification and salary grade, normal work schedule, office location, and supervisor's title. The description of the job will include a description, specific responsibilities, and work requirements. An example job description is attached (Attachment 1). The development and updating of job descriptions shall be the responsibility of the General Manager and shall include input from the employee, supervisor and management personnel of the District.

B. Purpose: The job descriptions adopted by the District are intended to:

1. Assist in the hiring of new employees by providing a summary of the experience, education and skills, which are required of a new employee. It will also assist the new employee in understanding the duties and responsibilities of the position.
2. Provide a guide to the supervisor in establishing an appropriate employee development program so that the employee can better fulfill the duties and responsibilities.
3. To provide a comprehensive summary of the expectations of the position so that it may be used for job comparison purposes to other jobs in the District and jobs outside the District.

III. JOB EVALUATION AND COMPARISON ANALYSIS

A. **Policy:** Since jobs differ in their value to the District, the job evaluation and comparison analysis is intended to assess the relative worth of individual jobs, thus developing a structure according to value. The General Manager will perform this analysis.

B. **Purpose:** The job evaluation and comparison analysis involves evaluating each job in the District and ranking those jobs.

C. **Method:**

The process of evaluation is based on the concept that all jobs are a composite of similar basic identifiable elements. All jobs require know how, which can generally be described as the skill or knowledge required for a competent performance. Another basic common element is problem solving which is generally defined as the amount of self-starting thinking required for reasoning, evaluating, creating, analyzing and arriving at conclusions. A third basic common element is accountability or the degree to which the job is answerable for an action and its consequences. All three items will be considered when evaluating specific jobs.

For the job comparison analysis, the primary source that will be employed to assist in establishing the comparative value for each position will be the State of Nebraska Classification System. The Nebraska Classification System will be used since it shows the relative importance of specific jobs to other jobs in that organization. That is, how the State feels their jobs rate from most valued to least valued.

1. The duties and responsibilities contained in District job descriptions are analyzed and then matched to similar data in the State system.
2. If the job cannot be matched specifically, then a job is compared to other jobs with similar duties and responsibilities in that system or to similar jobs within the District.

IV. JOB GROUPING AND GRADES

A. **Policy:** Utilizing the approach outlined in the Job Evaluation and Comparison Analysis section, each position with the District shall be assigned a salary grade by the General Manager.

B. **Purpose:** The Job Evaluation and Comparison Analysis shows the comparative value of each job to the District. These jobs are grouped along with other jobs of approximate equal value into specific grades. The salary grade schedule for the District is shown on Page 5.

SALARY GRADE SCHEDULE - JANUARY, 2006

SALARY GRADE	POSITION
Salary Grade 2	<ul style="list-style-type: none"> ◆ Night Security (Part Time) (2 positions) ◆ Office Aide (Temporary) (1 position)
Salary Grade 3	<ul style="list-style-type: none"> ◆ Laborer (Temporary) (2 positions) ◆ Groundskeeper (Temporary) (6 positions)
Salary Grade 4	<ul style="list-style-type: none"> ◆ Engineering Aide/Surveyor (Temporary) ◆ Project Bookkeeper (Part Time) ◆ Water Supply Technician (Part Time)
Salary Grade 5	<ul style="list-style-type: none"> ◆ Engineering Aide/Surveyor ◆ Groundskeeper ◆ Custodian
Salary Grade 6	<ul style="list-style-type: none"> ◆ Field Office Secretary (4 positions) ◆ Receptionist/Secretary ◆ Medium Equipment Operator (2 positions) ◆ Lead Groundskeeper (2 positions) ◆ Conservation Technician ◆ Accounting Assistant ◆ Water Supply Operator (2 positions)
Salary Grade 7	<ul style="list-style-type: none"> ◆ District Secretary ◆ NRCS Administrative Secretary – NRC
Salary Grade 8	<ul style="list-style-type: none"> ◆ Assistant O&M Superintendent ◆ Heavy Equipment Operator (2 positions) ◆ Engineering Aide/Drafter ◆ Assistant Park Superintendent ◆ Water Supply Superintendent (2 positions)
Salary Grade 9	<ul style="list-style-type: none"> ◆ Purchasing Agent ◆ Field Representative (4 positions) ◆ Education/Volunteer Specialist
Salary Grade 10	<ul style="list-style-type: none"> ◆ O&M Superintendent ◆ Administrative Coordinator ◆ District Accountant ◆ Engineering Aide/Survey Coordinator
Salary Grade 11	<ul style="list-style-type: none"> ◆ Park Superintendent
Salary Grade 12	<ul style="list-style-type: none"> ◆
Salary Grade 13	<ul style="list-style-type: none"> ◆ Natural Resources Planner ◆ Information/Education Coordinator ◆ IT Coordinator
Salary Grade 14	<ul style="list-style-type: none"> ◆ Land and Water Programs Coordinator ◆ Water Resources Engineer ◆ Construction Engineer ◆ Environmental Coordinator ◆ Project Manager
Salary Grade 18	<ul style="list-style-type: none"> ◆ Assistant General Manager

V. WAGE AND SALARY PAY RANGES

A. Policy: The Board of Directors of the District shall establish wage and salary pay ranges for each salary grade. The wage and salary pay ranges shall indicate the minimum, mid-point and maximum value. The primary source of information to be used in establishing wage and salary pay ranges will be the State Salary Survey published annually by the Nebraska Department of Personnel.

B. Purpose: Wage and salary pay ranges are established for each salary grade to:

1. Establish wage and salary rates that are comparable to other employers in the Omaha area as shown by established salary surveys.
2. To establish minimum or hiring rates for each grade and to establish maximum rates for each grade.

A rate of 80% of mid-point will be considered as the minimum rate for that salary grade. A rate of 75% of mid-point may be used when it is determined to be in the District's interest by the General Manager. The maximum rate will normally be 120% of mid-point and the top rate paid to an employee within that salary range, usually after several years of service. New employees will generally be hired at the minimum for their salary grade unless they possess special qualifications or prevailing wage and salary conditions require otherwise. The wage and salary pay ranges are shown on Page 7.

**Papio-Missouri River NRD
Wage and Salary Pay Ranges**

January 1, 2006

Salary Grade	80%	Mid-Point	120%
2	\$14,470.86	\$18,088.57*	\$21,706.29
3	\$16,993.78	\$21,242.22*	\$25,490.66
4	\$19,516.69	\$24,395.87*	\$29,275.04
5	\$22,039.61	\$27,549.51*	\$33,059.41
6	\$24,794.98	\$30,993.72	\$37,192.46
7	\$27,578.22	\$34,472.77	\$41,367.32
8	\$30,361.46	\$37,951.82	\$45,542.18
9	\$33,144.70	\$41,430.87	\$49,717.04
10	\$35,927.94	\$44,909.93	\$53,891.92
11	\$38,711.18	\$48,388.98	\$58,066.78
12	\$41,494.42	\$51,868.03	\$62,241.64
13	\$44,277.66	\$55,347.08	\$66,416.50
14	\$47,060.90	\$58,826.13	\$70,591.36
15	\$49,844.15	\$62,305.19	\$74,766.23
16	\$52,627.39	\$65,784.24	\$78,941.09
17	\$55,410.63	\$69,263.29	\$83,115.95
18	\$58,193.87	\$72,742.34	\$87,290.81
19	\$60,977.12	\$76,221.40	\$91,465.68
20	\$63,760.36	\$79,700.45	\$95,640.54
21	\$66,543.60	\$83,179.50	\$99,815.40

* CY 2005 Midpoints

VI. PERFORMANCE REVIEW AND APPRAISAL

A. Policy: It is the policy of the District to have the performance of employees reviewed periodically and an appraisal of that performance documented.

B. Purpose: The purpose of the performance review and appraisal is to:

1. Provide timely and planned information to an employee on his/her performance in relationship to the requirements of the job.
2. Provide supervisors with an opportunity to guide the employee in an effort to obtain and sustain maximum performance.
3. Provide an objective basis upon which wage and salary adjustments are based.

The formal review and appraisal is not intended to replace the need for continuous and informal communication between the employee and supervisor regarding job performance.

C. Training: All supervisory personnel of the District who are responsible for performance reviews and appraisals will have a minimum of 1 day per year of formal training in completing and communicating the performance appraisal. This training will be scheduled during the period October - December of each year. Non-District personnel who are trained and experienced in performance appraisal procedures and concepts and conducting training sessions will perform this training session. In addition, the General Manager will provide such additional training as is considered necessary to provide for uniform appraisal techniques by District supervisory personnel.

D. Frequency: All new employees will be formally reviewed near the end of the 90 day probationary period. No wage or salary adjustment will be made at this time but a decision will be made as to whether the probationary employee will become a regular employee or be released from District employment. A performance review and appraisal will be conducted near the end of the first 6 month period of employment and the first wage and salary adjustment may be made at this time based on the performance review and the Adjustment Guide.

Following the initial performance review and appraisal, subsequent performance reviews and appraisals will be made in accordance with the time period provided for in the Adjustment Guide. The specific date for a future performance review and appraisal will be established at the time of the previous review.

If a District employee accepts a promotion or lateral transfer to a new position, the date of promotion or transfer will be used to determine the next evaluation date.

Interim performance reviews and appraisals may be requested by an employee or initiated by the supervisor when it is determined that this is in the best interest of the employee or the District to address performance deficiencies.

Performance reviews and appraisals will be made no more than 15 days prior to and no later than the effective date for wage or salary adjustments.

E. Appraisal Form: A uniform appraisal form shall be used by all supervisory personnel for performance review and appraisal documentation. The appraisal form to be used, which contains instructions on its use, is attached (Attachment 2). The appraisal form may be revised or modified from time to time by the General Manager.

VII. WAGE AND SALARY ADJUSTMENTS

A. Policy: The General Manager of the District will be responsible for making wage and salary adjustments in accordance with this Wage and Salary Administration Program. The General Manager also has the authority to adjust the compensation of an employee on a temporary basis when there is a considerable increase in accountabilities and duties to that employee due to an extended leave by another employee.

B. Adjustment Guide: The Adjustment Guide that will be used by supervisory and management personnel in making wage and salary adjustments is shown on Page 13.

The increase guide, shown on Page 12, will be used as a pattern for revision of the Adjustment Guide. The "n" value in the adjustment factor equation shown in each box is the annual pay range change, expressed in decimal form. Numerically, it represents the average change in midpoint values of the District wage and salary pay ranges from year to year. For example, if the average increase in midpoints is 5.0% and the adjustment factor formula is

$A.F. = 1.029 \ n/2$, the adjustment factor for that box in the guide is $(1.029) \times (1.0 + [0.05/2]) = (1.029) \times (1.025) = 1.055$. The evaluation period (E.P.) shown in each box is the time until the next evaluation. The time periods shown in the center of each box of the increase guide are merely an indication of the average amount of time required for an employee to progress through that box, assuming a constant level of performance and no change in the wage and salary pay ranges for the evaluation period shown.

The adjustment factors computed in the increase guide are transferred to the coinciding box on the adjustment guide and form the basis for the wage and salary adjustments. The evaluation periods shown in each box of the adjustment guide are the same as found on the increase guide.

If an employee falls outside the Wage and Salary Adjustment Guide, the General Manager has the authority to adjust an employee's salary a maximum of 2.5%. (Example: An employee who is at 106% of midpoint and receives a rating of "Meets Expectations" or above on his/her appraisal, the General Manager could authorize a 2.5% salary increase.)

C. Approval: The General Manager will determine wage and salary adjustments based on the evaluation rating and in accordance with the evaluation periods and adjustment factors provided for in the Adjustment Guide. An example computation is shown on the attached Salary Adjustment Worksheet (Attachment 3).

D. Length of Service Increase: The District recognizes that because of the number of positions with the District, there exists limited opportunities for advancement to positions of greater responsibility and duties that utilize the job skills and knowledge which are gained through experience as an employee of the District. In recognition of the increased value to the District of an employee who has demonstrated a rating of "Meets Expectations" or above job performance and because of the knowledge and experience gained, it is the policy of the District to increase the salary grade of a position by one grade level following the completion

of seven years, fifteen years and twenty-five years of continuous employment in a position.

Part-time employees are eligible for length of service salary grade increases on a pro rata basis.

The wage and salary pay range for the adjusted salary grade will be used in determining wage and salary adjustments.

Performance appraisals for employees who have completed seven years, fifteen years and twenty-five years of employment will consider the experience and additional productivity that is expected of an employee who has been with the District in the same position for an extended period of time.

Policy amended by the Board of Directors February 12, 1998.

**PAPIO-MISSOURI RIVER NRD
WAGE AND SALARY ADJUSTMENT GUIDE**

<p>E.P. = Evaluation Period A.F. = Adjustment Factor n = Annual Pay Range Change</p>					Maximum 120%	
<p>Unacceptable 1</p>	E.P. = 1 yr 3 yrs A.F. = 1.032n				E.P. = 1 yr 3 yr A.F. = 1.023n	<p>Minimum 80%</p>
					E.P. = 1 yr 3 yr A.F. = 1.024n	
					E.P. = 1 yr 3 yr A.F. = 1.027n	
					E.P. = 1 yr 2 yr A.F. = 1.040n	
					E.P. = 6 mo 1.5 yr A.F. = 1.027n/2	
<p>Falls Below Expectations 2</p>	E.P. = 1 yr 3 yrs A.F. = 1.029n				E.P. = 6 mo 1 yr A.F. = 1.029n/2	<p>88%</p>
					E.P. = 6 mo 1 yr A.F. = 1.048n/2	
					E.P. = 6 mo 1.5 yrs A.F. = 1.033n/2	
					E.P. = 6 mo 1 yr A.F. = 1.048n/2	
					E.P. = 6 mo 6 mo A.F. = 1.10n/2	
<p>Falls Below Expectations 3</p>					E.P. = 6 mo 1 yr A.F. = 1.048n/2	<p>96%</p>
					E.P. = 6 mo 1 yr A.F. = 1.048n/2	
					E.P. = 6 mo 1 yr A.F. = 1.048n/2	
					E.P. = 6 mo 1 yr A.F. = 1.048n/2	
					E.P. = 6 mo 1 yr A.F. = 1.048n/2	
<p>Meets Expectations 4</p>					E.P. = 6 mo 1 yr A.F. = 1.048n/2	<p>104%</p>
					E.P. = 6 mo 1 yr A.F. = 1.048n/2	
					E.P. = 6 mo 1 yr A.F. = 1.048n/2	
					E.P. = 6 mo 1 yr A.F. = 1.048n/2	
					E.P. = 6 mo 1 yr A.F. = 1.048n/2	
<p>Exceeds Expectations 5</p>					E.P. = 6 mo 1 yr A.F. = 1.048n/2	<p>112%</p>
					E.P. = 6 mo 1 yr A.F. = 1.048n/2	
					E.P. = 6 mo 1 yr A.F. = 1.048n/2	
					E.P. = 6 mo 1 yr A.F. = 1.048n/2	
					E.P. = 6 mo 1 yr A.F. = 1.048n/2	
<p>INDIVIDUAL PERFORMANCE</p>						

**PAPIO-MISSOURI RIVER NRD
WAGE AND SALARY ADJUSTMENT GUIDE**

E.P. = Evaluation Period
A.F. = Adjustment Factor

Effective Date: January 1, 2006

Proposed "n" Factor = 3.1%

INDIVIDUAL PERFORMANCE					Maximum
1	2	3	4	5	
Unacceptable	Falls Below Expectations	Meets Expectations	Exceeds Expectations	Far Exceeds Expectations	
<div> <div>E.P. = 1 yr</div> <div>3 yrs</div> <div>A.F. (05) = 1.066</div> <div>A.F. (06) = 1.064</div> </div>	<div> <div>E.P. = 1 yr</div> <div>3 yrs</div> <div>A.F. (05) = 1.063</div> <div>A.F. (06) = 1.061</div> </div>	<div> <div>E.P. = 1 yr</div> <div>2 yrs</div> <div>A.F. (05) = 1.078</div> <div>A.F. (06) = 1.076</div> </div>	<div> <div>E.P. = 6 mo</div> <div>1.5 yr</div> <div>A.F. (05) = 1.046</div> <div>A.F. (06) = 1.045</div> </div>	<div> <div>E.P. = 6 mo</div> <div>6 mo</div> <div>A.F. (05) = 1.118</div> <div>A.F. (06) = 1.117</div> </div>	80%
	<div> <div>E.P. = 1 yr</div> <div>3 yrs</div> <div>A.F. (05) = 1.061</div> <div>A.F. (06) = 1.059</div> </div>	<div> <div>E.P. = 1 yr</div> <div>2 yr</div> <div>A.F. (05) = 1.074</div> <div>A.F. (06) = 1.072</div> </div>	<div> <div>E.P. = 1 yr</div> <div>3 yr</div> <div>A.F. (05) = 1.058</div> <div>A.F. (06) = 1.056</div> </div>	<div> <div>E.P. = 1 yr</div> <div>2 yr</div> <div>A.F. (05) = 1.071</div> <div>A.F. (06) = 1.069</div> </div>	96%
		<div> <div>E.P. = 1 yr</div> <div>3 yr</div> <div>A.F. (05) = 1.057</div> <div>A.F. (06) = 1.055</div> </div>			104%
					112%
					120%
					Minimum

VIII. REVIEW AND UPDATING

A. Job Descriptions

B. Salary Grades

C. Wage and Salary Pay Ranges

D. Adjustment Guide: The General Manager will periodically review and update job descriptions and salary grades. The General Manager shall report any changes in job descriptions and salary grades to the Board of Directors at the next regular Board meeting.

The General Manager, in consultation with management and supervisory personnel of the District and considering the input of individual employees, will each year provide recommendations to the Personnel, Legislative and Public Affairs Subcommittee for changes in wage and salary pay ranges and the adjustment guide as soon as the State Salary Survey is available from the State of Nebraska Personnel Department. The Subcommittee will review this information and make a recommendation to the Board for consideration and action. The actions shall be effective retroactively January 1st of each year.

**PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT
JOB DESCRIPTION**

DATE: May, 1997

POSITION TITLE: CUSTODIAN/FACILITY MAINTENANCE TECHNICIAN

POSITION DEFINITION/CLASSIFICATION - SALARY GRADE: Full Time/Hourly - 5

NORMAL WORK SCHEDULE: As arranged

OFFICE LOCATION: 8901 S. 154 St., Omaha, NE 68138

SUPERVISOR: Park Superintendent

DESCRIPTION: This employee will perform general custodial and facility maintenance duties at the Natural Resources Center and provide night security at closing of the NRC and park facility.

SPECIFIC RESPONSIBILITIES:

1. Duties shall include the general janitorial maintenance and upkeep of the District's office (Natural Resources Center) such as collecting and disposing of refuse and wastepaper, wash windows, cleaning of restrooms, dusting, washing and waxing of tile floors, sweeping and vacuuming carpets and replacing light bulbs.
2. Employee must also check and refill paper towel, toilet tissue and soap dispensers so as to have them available for daily use.
3. Shall be responsible for ordering and maintaining cleaning and material needs.
4. Duties will also include moving furniture and equipment within the building as required.
5. Duties will also include the monitoring of after hour activities in the NRC and the recreation area to include the secure closing of the park facility and the NRC.
6. Shall be responsible for general groundskeeping duties for the Natural Resources Center including (but not limited to) mowing, raking, planting, snow removal, collecting and disposing of refuse.
7. Employee's duties shall also include the general maintenance and repair of equipment, buildings, grounds and facilities.
8. Employee may also be asked to coordinate volunteer workers at the NRC and on park grounds.
9. Performs related work as required.

10. May be required to assist with emergency operations work in accordance with emergency operations program.
11. May be required to assist with special weekend activities, i.e. runs, walks, large groups in NRC.
12. Employee must maintain close coordination with the supervisor.
13. Should be aware of and understand District policies and procedures.
14. Inform supervisory staff of broken or malfunctioning equipment/fixtures and report safety hazards.

WORK REQUIREMENTS:

Education and Experience:

1. Previous experience is preferred, although not required, for this position.
2. Knowledge of the position will be acquired as the work is performed.
3. The employee must be able communicate, both orally and in writing, and follow instructions.
4. A driver's license valid in Nebraska is required.

Physical:

1. Pre-employment medical exam required (including drug testing).
2. Must be free of physical handicaps that would prevent the employee from performing safe and efficient equipment operations.
3. Physical strength and agility sufficient to do strenuous equipment operation and manual labor under varying weather and job site conditions.
4. Work may also involve extended work hours.
5. Must be able to lift a minimum of forty (40) pounds.

Dimensions:

1. 40% of time spent cleaning and maintaining NRC.
2. 20% of time spent on grounds work around NRC.
3. 20% of time spent assisting and monitoring activities being held in NRC.
4. 20% of time spent in park security, i.e., securing and closing park at night.

**PAPIO-MISSOURI RIVER
NATURAL RESOURCES DISTRICT**

Employee Performance Appraisal Form

Name _____ Department _____

Title _____ Report Period From _____ To _____

GENERAL INSTRUCTIONS/PURPOSE:

This form is to be used as a tool to set priorities and review performance for employees. Please review the employee's job description and major accountabilities. Decide together, with the employee, their performance priorities for and list those in Part I of this form. It is important that you both agree and understand which priorities will be evaluated. At the time of review, comment on performance in each priority to date and show specifics to support that rating. It is recommended that semi-annual updates be completed with employees with a year end final evaluation. You should have at least 5 major performance priorities listed. You may attach additional copies of Part I to this report if necessary.

To complete **Part I and Part II** please review each Performance Priority and Important Factors and comment on the employee's performance. Be sure to describe specifically the employee's performance for each item listed. **Part III** List personal development goals and objectives for the employee to work on. This should be developed at the beginning of the year and progress reviewed semi-annually. **Part IV** Employee comments about their performance, the review, and overall general comments. **Part V** Supervisor's comments about overall performance.

PERFORMANCE RATING DEFINITIONS:

- | | |
|--------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1) Unacceptable | Performance level unacceptable. Consistently failed to meet performance priorities and position requirements. Does not merit retention unless immediate corrective action is possible. An action plan is required for any rating at this level. |
| 2) Falls Below Expectations | Some aspects of performance are acceptable or approach the established priorities and expectations. Definite improvements are necessary within a specified time period. Action statement or plan is required for any rating at this level. |
| 3) Meets Expectations manner. | Performance is fully acceptable; performance priorities, responsibilities and accountabilities outlined are met consistently and are done in an acceptable manner. |
| 4) Exceeds Expectations | The majority of the performance priorities exceed expectations. Employee also assumes additional responsibilities which are above and beyond basic expectations of the position. |
| 5) Far Exceeds Expectations | All the performance priorities exceed expectations. Demonstrates exceptional contributions and accomplishments. Regularly goes beyond expectations of position. Actively seeks out additional responsibility beyond position requirements. |

PART I - PERFORMANCE PRIORITIES
List in Priority order and
include comments and ratings.

1. Unacceptable
2. Below Expectations
3. Meets Expectations
4. Exceeds Expectations
5. Far Exceeds Expectations

PRIORITIES	REVIEW COMMENTS	Supv. Rating	Emp. Rating
1.			
2.			
3.			
4.			
5.			

PART II - IMPORTANT FACTORS REVIEW

Include comments, specific examples and ratings.

1. Unacceptable
2. Below Expectations
3. Meets Expectations
4. Exceeds Expectations
5. Far Exceeds Expectations

FACTOR	REVIEW COMMENTS	Supv. Rating	Emp. Rating
1. Technical Competence - The employee displays the competence required to successfully accomplish the requirements necessary for the position.			
2. Communications - The employee is able to communicate information clearly, logically and convincingly either orally or written.			
3. Problem Solving - The employee recognizes the need, analyzes all the information, considers a number of possible solutions/alternatives, and makes sound decisions or recommendations.			
4. Teamwork - The employee builds a cohesive unit, is supportive of employees and teams and demonstrates tact and patience. The employee is sensitive to differences in people and strives for success by others.			
5. Continuous Improvement - The employee adds value by improving the department's function. The employee is continually looking at ways to improve their position, their area, their department. The employee is not satisfied with the status quo.			
6. Personal Responsibility - The employee takes ownership for their performance and actions. Attempts to improve their skills and contributions to the District. Possesses acceptable attendance record.			
7. Supervisor Responsibility - The employee coaches, supports and assists in the development of people and conducts performance appraisal reviews on a timely manner.			
8.			

PART III PERSONAL DEVELOPMENT GOALS: SUPERVISOR & EMPLOYEE DEVELOPMENT	
1.	
2.	
3.	
4.	
5.	

PART IV -- EMPLOYEE REVIEW/COMMENTS

PART V -- SUPERVISOR COMMENTS/SUMMARY

Please check the appropriate overall Performance Rating below:

1 Unacceptable	2 Falls Below Expectations	3 Meets Expectations	4 Exceeds Expectations	5 Far Exceeds Expectations

Employee

Date

Second Manager

Date

Reviewer

Date

Third Manager

Date

General Manager

Date

Attachment 2

Example
Salary Adjustment Worksheet

Name: Mary Smith

Job Title: Project Coordinator

Date: 1/4/2006

Salary Grade: 9 Length of Service Increase: Yes x No
Adjusted Salary Grade: 10

Current Salary: \$47,502.04 Midpoint: \$44,909.93

%of Midpoint: 105.8%

Current Performance Evaluation Level: Meets Expectations

Adjustment Factor*: 1.025

Adjusted Salary: \$48,689.59 \$1,187.55 increase

% of Midpoint*: 108.4%

Effective Date: 1/4/2006

Next Evaluation Date: 1/4/2007

* Based on Current Adjustment Guide and Salary Range

Comments:

(General Manager's Signature)

(Date)

Attachment 3

Papio-Missouri River NRD Wage and Salary Administration History

Year	Recommend (Survey)	Payline Action Taken	"n" Factor Recommend (Survey)	Action Taken	Comments
2006	3.1% average - range from -5.6% for SG1 and 6.6% for GS21. Recommendation that midpoints for negative numbers (SG1-4) remain at 2005 levels		3.1%		
2005	3.3% across the board adjustment		3.3%	3.3%	State of NE changed report period from CY to FY - base data not available for CY 2004. Average "n" factor for past 5 years used to determine CY 2005 calculations. Average salary adjustment - 5.4%
2004	3.7% average - range from .7% for SG2 through 4.9% for SG21	Midpoints adjusted as shown by survey	3.7%	3.7%	Average salary adjustment - 5.5%
2003	2.8% average - range from 6.2% for SG2 through 1.5% for SG 21	Midpoints adjusted as shown by survey	2.8%	2.8	Average salary adjustment - 4.75%
2002	3.6% average - range from .2% for SG2 through 5.0% for SG21	Midpoints adjusted as shown by survey	3.6%	3.6%	Average salary adjustment - 5.78%
2001	3.1% average - range from 2.1 for SG2 through 3.5 for SG 21	Midpoints adjusted as shown by survey	3.1%	3.1%	Average salary adjust - 5.64%
2000	3.3% average - range from 2.6% for SG2 through 3.6% for SG21	Midpoints adjusted as shown by survey	3.3%	3.3%	Average salary adjustment - 5.7%
1999	4.3% average - range from 5.8% for GS2 through 3.6% for SG21	Midpoints adjusted as shown by survey	4.3%	4.3%	Average salary adjustment - 7.5%
1998	3.4% average - range from 4.9% for SG 2 thru 2.8% for SG 20	Midpoints adjusted as shown by survey	3.4%	3.4%	Average salary adjustment - 6.9%
1997	2.9% average - range from 7.4% for SG2 through 1.1% for SG 20	Midpoints adjusted as shown by survey	2.9%	2.9%	Average salary adjustments - 5.48%
1996	2.4% average - range from 3.2% for SG2 through 1.8% for SG 20	Midpoints adjusted as shown by survey	2.4%	2.4%	
1995	2.8% average - range from .1% for SG 2 through 4.2% for SG 20	Midpoints adjusted as shown by survey	2.8%	2.8%	Board took action to cap salary adjustments for employees at 100% of midpoint or over at 4%
1994	3.4% average - range from 5.4% for SG 2 through 2.6% for SG 20	Midpoints adjusted as shown by survey	3.4%	3.4%	
1993	.9% average - range from 0% for SG 2 through -1.0% for SG 20	Midpoints adjusted as shown by survey	.9%	.9%	4.5% cap placed on salary adjustments
1992	4.4% average - range from -13.3% for SG 1 through 6.3% for SG 20	SG 1-3 (negative numbers) remain at 1991 midpoint values -- SG 4 - 20 adjust to .1% through 6.3% as proposed	4.4%	3.0%	

1991	5.6% average - range from -10.9 for SG 1 through 9.3% for SG 20	SG 1-4 (negative numbers) remain at 1990 midpoint values -- SG 5 - 20 adjust to 0% through 9.3% as proposed	5.6%	5.6%	
1990	10.6% average - range from -5.5% for SG 1 through 14.2% for SG 20	7% across the board increase to midpoint values	10.6%	4.0%	
1989	9.5% average - range from 0.7% for SG 3 through 12.9% for SG 20	4.5% across the board increase to midpoint values	9.5%	4.5%	
1988	0.7% average - range from 0.0% for SG 1 through 0.9% for SG 20	0.7% across the board increase to midpoint values	0.7%	2.0%	2.0% given because "n" factor in 1987 was 10.2% and only 5% was given
1987	10.2% average - range from 13.3% for SG 3 through 9.3% for SG 20	midpoints adjusted as shown by survey	10.2%	5.0%	Board felt 10.2% "n" factor was too high. "n" factor was set at 5.0% because "n" factor had been 0% since 1984
1986	4.3% average - range from 7.1% for SG 3 through 3.6% for SG 20	Board made no changes in midpoint values	4.3%	0.0%	Board did not increase "n" factor because last year's survey showed payline going down but P-MFRNHD payline was not lowered. Board kept "n" factor at 0%
1985	-4% average - range from -2.9% for SG 3 through -4.9% for SG 20	Board made no changes in midpoint values	-4.0%	0.0%	1984 Omaha average payline 4% lower than 1983 Omaha payline. Board made no changes in midpoint values and kept "n" factor at 0%
1984	5.1% average - range from 4.6% for SG 3 through 5.5% for SG 20	5.0% increase across the board to midpoint values	5.1%	5.0%	
1983	4.0% average - range from 0.6% for SG 3 through 5.3% for SG 20	midpoints adjusted as shown in survey	4.0%	4.0%	
1982	Set by survey	Set by survey	7.0%	7.0%	Program started

P-MRNRD Wage and Salary Adjustment Program was adopted in July, 1982. Prior to that time employees were given cost of living increases plus merit bonuses each July. The following is a summary of cost of living increases:

Year	Cost of Living Increase Given to Employees	Cost of Living Index Figure
1981	7.0%	10.6%
1980	12.0%	14.7%
1979	7.0%	10.2%
1978	6.5%	6.5%
1977	4.0% + \$300	6.4%
1976	6.0%	6.1%
1975	Under \$10,000 - 10% \$10,000 - 11,999 - 9% \$12,000 - 13,999 - 8% \$14,000 - 15,999 - 7% \$16,000 - 17,999 - 6% \$18,000 and over - 5%	10.3%
1974	10.2%	10.2%
1973	5.1%	5.1%

/wage/history/2005

NARD CA & BILL SUMMARY
2006 LEGISLATIVE SESSION

**NARD LEGISLATIVE
CONFERENCE**

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JANUARY 24-25, 2006

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Chemigation & Wells

Chemigation

LB 1098 (Schrock) Change the definition of chemical under the Nebraska Chemigation Act

Hearing Date: TBA

Committee: Natural Resources

Bill Status: Committee

The bill would change the requirements for irrigators to get chemigation permits, install chemigation safety equipment and have that equipment regularly inspected by NRD personnel to insure that it is fully functional whenever any substance other than water is intentionally injected into irrigation distribution systems that are directly connected to waters of the state. Livestock waste water and other products applied to the field directly and not connected to a groundwater source would not need a chemigation permit and related equipment.

Manager Recommendation: Support

NARD Legislative Committee Recommendation: Support

NARD Position: Support

Well Licensing

LB 822 (Kremer) Change provisions relating to water well regulation and pump installation

Hearing Date: TBA

Committee: Natural Resources

Bill Status: Committee

This bill includes 'the wiring to the first control' to the definition of pump installation. It also allows the opening of a water well or the breaking of the seal to be done by an individual under the supervision of a certified public water system operator, or a state electrical inspector. Certified Natural Resources Ground Water Technicians are still permitted.

Manager Recommendation: Monitor

NARD Legislative Committee Recommendation: Monitor

NARD Position: Monitor

LB 1164 (Schrock) Change provisions relating to water wells

Hearing Date: TBA

Committee: Natural Resources

Bill Status: Committee

The bill makes several changes to replacement well statutes. First, it allows the old wells being replaced to be converted to a monitoring, observation, livestock well or other non-consumptive use less than 50 gallons per minute. The conversion must be approved by the local district and remain consistent with the Groundwater Management Act and well construction standards. The proposal also shortens the time frame from 1 year to 180 days to properly decommission a well or convert to the new uses listed. The Department of Natural Resources would be responsible for developing forms for the change in use. The bill also authorizes the department to create necessary forms for converting the wells. Finally the bill allows natural resources districts to further define replacement wells under the authorities granted in the Groundwater Management Act as long as it is not inconsistent with the replacement well statutes (46-602).

Manager Recommendation: Support

NARD Legislative Committee Recommendation: Support

NARD Position: Support

Funding & Taxes

Appropriations

LB 1060 (Speaker Brashear, at the request of the Governor) Provide for deficit appropriations and transfers of funds

Hearing Date: TBA

Committee: Appropriations

Bill Status: Committee

Legislative Bill 1060 outlines several of Governor Heineman's budget recommendations. This legislation specifically recognizes the changes in funding from the budget passed last year as LB 425. Below are the changes of interest to the Natural Resources Districts. LB 1060 includes \$2 million dollars for FY2006-2007 from General Funds that are to be intended as a state match of local funding for projects relating to LB 962 and that are deemed eligible by the Department of Natural Resources. The state would match \$1 for every \$2 spent locally. This program is for only NRDs declared by the department as over-appropriated or those districts involved with the Kansas settlement.

Manager Recommendation: Support w/ Amd to Eliminate "Match" Language

NARD Legislative Committee Recommendation: Support w/ Amd to Eliminate "Match" Language

NARD Position: Support w/ Amd to Eliminate "Match" Language

LB 1077 (Schrock) *Appropriate funds to the Department of Natural Resources*

Hearing Date: TBA

Committee: Appropriations

Bill Status: Committee

LB 1077 appropriates \$10 million dollars from the states General Fund for FY2006-2007 to the Department of Natural Resources to be used for funding the duties of the NRDS under the Nebraska Ground Water Management and Protection Act to carry out an interrelated water management plan program.

Manager Recommendation: Support

NARD Legislative Committee Recommendation: Support

NARD Position: Support

LB 1121 (Brown, Pahls) *Appropriate funds to the Department of Economic Development to contract for an environmental study relating to a hydroelectric dam project*

Hearing Date: TBA

Committee: Appropriations

Bill Status: Committee

Legislative Bill 1121 would appropriate \$3 million dollars from the state's General Fund to the Department of Economic Development to pay for an environmental study to consider the impact of building a hydroelectric dam on the Platte River near Interstate 80 near Ashland.

Manager Recommendation: Monitor

NARD Legislative Committee Recommendation: Monitor

NARD Position: Monitor

NE Environmental Trust

LR 259CA (McDonald, Kopplin, Wehrbein) Constitutional amendment to change distribution of state lottery funds

Hearing Date: TBA

Committee: General Affairs

Bill Status: Committee

LR 259 CA would require the first one million dollars collected after prize and operating expenses are paid to be transferred to the Compulsive Gamblers Assistance Fund.

Current law requires \$500,000 to the fund.

Manager Recommendation: Oppose

NARD Legislative Committee Recommendation: Oppose

NARD Position: Oppose

Other

LB 805 (Natural Resources Committee) the Interrelated Water Management Plan Program

Hearing Date: 1/18/2006

Committee: Natural Resources

Bill Status: Committee

Legislative Bill 805 creates the Interrelated Water Management Plan Program to facilitate and fund projects under the Nebraska Ground Water Management and Protection Act. The program will function as a grant program and be administered by the Nebraska Natural Resources Commission and funds administered by the Department of natural resources. The commission will develop the guidelines and limitations for grant requests. A minimum of 20% local matching funds is required.

Manager Recommendation: Support

NARD Legislative Committee Recommendation: Support

NARD Position: Support

LB 874 (Kremer) Change provisions of the Pesticide Act

Hearing Date: 1/17/2006

Committee: Agriculture

Bill Status: General File

LB 874 is brought at the request of the Department of Agriculture. The purpose of LB 874 is to maintain the Department's authorities under the Pesticide Act current with the federal program and to clarify some enforcement requirement. The bill redirects late registration fees to the Pesticide Administrative Cash Fund rather than the Natural Resources Water Quality to cover administrative costs. The late registration fees equal \$5,880. This change is at the request of the Auditors Office to properly document the late fees. FYI - Appropriation levels for Programs: NRWQF - \$1,034,140, Buffer Strip - \$609,720, Noxious Weed - \$304,860, Pest Administration - \$282,335

Manager Recommendation: Monitor

NARD Legislative Committee Recommendation: Monitor

NARD Position: Monitor

LB 893 (Kremer, Aguilar, Johnson, Et. Al.) Change the definition of allowable growth for political subdivisions

Hearing Date: 1/26/2006

Committee: Revenue

Bill Status: Committee

Legislative Bill 893 redefines allowable growth for governmental units to be the percentage increase in taxable valuation due to improvements to real property as a result of new construction, additions, or improvements to real property which increased the value of the property rather than just the amount in excess the 2 1/2 percent base limitation.

Manager Recommendation: Support

NARD Legislative Committee Recommendation: Support

NARD Position: Support

LB 930 (Beutler) Establish a water conservation fee and provide for its use

Hearing Date: 1/18/2006

Committee: Natural Resources

Bill Status: Indefinitely Postponed

Legislative Bill 930 creates an Annual Water Conservation fee. The fee is to be collected by the Director of Natural Resources and shall be imposed on irrigated property on a per-acre basis, and on municipal water on a per capita basis. Money collected will be credited to the Water Conservation Cash Fund. The department will enforce collection. The fee per acre and per municipal resident is not yet defined in the bill. Fees for irrigated acres in river basins that have been designated as either fully or over appropriated by the department may have different fees. The Water Conservation Cash Fund will be used to support management of interrelated ground water and surface water resources including studies and modeling, conservation easements, implementation of integrated management plans and the director may allocate money to the natural resources districts.

Manager Recommendation: Monitor

NARD Legislative Committee Recommendation: Monitor

NARD Position: Monitor

LB 960 (Kremer, Baker, Combs, et al.) Change valuation of agricultural and horticultural land

Hearing Date: TBA

Committee: Revenue

Bill Status: Committee

The bill lowers the taxable value of agriculture land from 80 percent to 70 percent.

Manager Recommendation: Monitor

NARD Legislative Committee Recommendation: Monitor

NARD Position: Monitor

Property Tax Issues

LB 912 (Schrock, Burling, Byars, et al.) Exempt agricultural personal property from personal property tax

Hearing Date: TBA

Committee: Revenue

Bill Status: Committee

Exempts agricultural personal property from the personal property tax.

Manager Recommendation: Monitor

NARD Legislative Committee Recommendation: Monitor

NARD Position: Monitor

LB 971 (Schrock, Stuhr) Change tax levy provisions for natural resources districts

Hearing Date: 1/26/2006

Committee: Revenue

Bill Status: Committee

This bill would allow Natural Resources Districts to charge an extra 3 cents per \$100 tax value in property taxes to manage water use in river basins declared fully or over appropriated. The funds could be used to fund several management techniques, such as regulating wells, the amount of water used or the number of acres irrigated. The money could also be used for informational studies.

Manager Recommendation: Support

NARD Legislative Committee Recommendation: Support

NARD Position: Support

LB 1051 (Schrock) Exempt tangible personal property from property tax

Hearing Date: TBA

Committee: Revenue

Bill Status: Committee

This bill exempts from taxation any tangible personal property.

Manager Recommendation: Monitor

NARD Legislative Committee Recommendation: Monitor

NARD Position: Monitor

Sales & Income Tax

LB 997 (Beutler) Authorize income tax credits for donations of perpetual conservation easements

Hearing Date: 1/25/2006

Committee: Revenue

Bill Status: Committee

This bill is very similar to LB 472 introduced last year however indefinitely post-poned by committee. The bill creates income tax credits for perpetual conservation easements. The tax credit would be a maximum of 50% of the land value placed in the easement. The Department of Natural Resources would approve applications for the tax credit and submit the approved amount to the Department of Revenue. At a minimum, the perpetual conservation easement shall (i) Preclude any pumping of water except for domestic purposes, including stock well purposes, and except for restoration of wetlands (the department may permit pumping water when there is not a water quantity shortage); (ii) For easements in areas described in subdivisions (2)(a) and (iii) of this section, prohibit new commercial, industrial, and residential development and agricultural uses that include confined livestock feeding operations, mining, logging, or cropping and destruction of wildlife habitat, native plant communities, or historical sites. This subdivision shall not be construed to prohibit hunting, fishing, or ecotourism; and (iii) Be in perpetuity. The easements would be targeted toward the areas as follows: 1) Areas of water shortages, 2) Along the Niobrara Scenic River, 3) Areas identified by the Nebraska Game and Parks as habitat for endangered species, 4) Areas identified by the Game and Parks Commission as native prairie or with other ecological significance. The Department of Natural Resources shall approve at least ten percent of the total dollar amount of all applications from each priority group. The program would end after December 31, 2012.

Manager Recommendation: Support

NARD Legislative Committee Recommendation: Monitor

NARD Position: Support 63/52/0

General Administration

NDEQ

LB 901 (Preister) *Modify procedures for the granting of variances and renewals by the Director of Environmental Quality*

Hearing Date: 1/26/2006

Committee: Natural Resources

Bill Status: Committee

The bill requires the Director to give public notice of any applications to receive a variance before any variance is granted. The public notice shall be published in the county where the variance is to be located.

Manager Recommendation: Monitor

NARD Legislative Committee Recommendation: Monitor

NARD Position: Monitor

LB 1161 (Preister) *Provide powers and duties to the Environmental Quality Council*

Hearing Date: TBA

Committee: Natural Resources

Bill Status: Committee

The bill would allow the Environmental Quality Council to make more restrictive standards on air quality than those imposed by the federal government. The bill also prohibits the DEQ for issuing an air quality permit to a facility that wishes to use a tire-derived fuel to generate energy if air contaminants or toxins are increased by the use of the fuel over the previous energy source.

Manager Recommendation: Monitor

NARD Legislative Committee Recommendation: Monitor

NARD Position: Monitor

NDNR

LB 1147 (Kremer, Stuhr) *Eliminate the qualifications of the Director of Natural Resources*

Hearing Date: TBA

Committee: Natural Resources

Bill Status: Committee

This bill would eliminate the qualifications needed to be the Director of Natural Resources. Current qualifications include: shall be qualified by training and business expertise, shall be a professional engineer, and have had at least five years experience with irrigation.

Manager Recommendation: Support

NARD Legislative Committee Recommendation: Support

NARD Position: Support

NE Environmental Trust

LB 1076 (Kremer) *Change the Nebraska Environmental Trust Board membership*

Hearing Date: TBA

Committee: Natural Resources

Bill Status: Committee

This bill adds another citizen to the Nebraska Environmental Trust Board to make a total of ten citizens. The board would still include the Director of Environmental Quality, Director of Regulation and Licensure, Director of Natural Resources, Director of Agriculture, secretary of the Game and Parks Commission. The citizens would continue to be appointed by the governor. The bill clarifies at least two of the citizen appointees shall have experience with private financing of public-purpose projects. The ten members shall be selected by the following: A) 1 appointee from each of the three congressional districts, and B) the state would be divided into seven areas, by county boundaries, and one member would be appointed from each area. The bill would only affect new vacancies on the board.

Manager Recommendation: Monitor

NARD Legislative Committee Recommendation: Monitor

NARD Position: Monitor

Other

LB 898 (Preister) Change provisions relating to the Open Meetings Act

Hearing Date: 1/25/2006

Committee: Government

Bill Status: Committee

Closed session provisions: a) the entire motion shall be included in the minutes; b) before going into closed session the presiding officer must restate on the record the limitation of the specific subject matter of the closed session, c) upon reconvening in open session it shall be confirmed on the record that no other subject matter was considered, no formal vote, informal vote or straw vote was taken, and no poll was taken during the closed session, d) if an individual is the subject of the closed session the public body must notify the individual at least 24 hours prior to the meeting and give the individual an opportunity to request a public meeting. Agenda items shall be sufficiently detailed to give all interested persons reasonable advance information about specific proposals, projects and other issues which are known to be considered at the meeting. Public bodies shall post at least one current copy of the Open Meetings Act at a location accessible to members of the public. At the beginning of each meeting the public shall be informed about the location of the posted information. The bill states that public bodies may not raise as a defense that the citizen attended the meeting and failed to object during the meeting since current law requires any objection to be made during the same meeting.

Manager Recommendation: Oppose

NARD Legislative Committee Recommendation: Oppose

NARD Position: Oppose

LB 899 (Preister) *Provide powers and duties to the Public Counsel*

Hearing Date: 1/25/2006

Committee: Government

Bill Status: Committee

The bill adds a staff person to the Ombudsman's office who is responsible for issues that arise regarding compliance with Open Meetings and Public Records statutes. The authority of the Open Meetings/Public Records staff person would be expanded beyond state agencies to include all public bodies concerning issues related to Open Meetings/Public Records. The open meetings and open records staff person would have the same current statutory authority and restrictions on them as the other staff in the Ombudsman's office. The bill also allows cases to be forwarded to the Attorney General's office.

Manager Recommendation: Oppose

NARD Legislative Committee Recommendation: Oppose

NARD Position: Oppose

LB 900 (Preister) *Redefine public body for purposes of the Open Meetings Act*

Hearing Date: 1/25/2006

Committee: Government

Bill Status: Committee

The bill defines public body to include courts and administrative agencies acting in a quasi-judicial capacity. Current law exempts entities conducting judicial proceedings unless the proceedings are for rulemaking authority, deliberating, or for administrative orders.

Manager Recommendation: Oppose

NARD Legislative Committee Recommendation: Oppose

NARD Position: Oppose

Land Use & Acquisition

Eminent Domain

LB 799 (Baker, Kremer, Wehrbein) Place restrictions on the use of eminent domain

Hearing Date: TBA
Committee: Judiciary
Bill Status: Committee

This bill prohibits the use of eminent domain when the taking provides the following: a private benefit to a private party through use of the taken property, the taking is for an alleged public use but actually for a private party, any economic development unless the economic development is a secondary benefit. Eminent domain is also prohibited for economic development when it involves the taking of agricultural land. The bill exempts takings for Transportation, Water supply, wastewater, flood control and drainage, public buildings, hospitals, parks, utility services, waste disposal projects, libraries, museums, or related facilities. Condemnation of leaseholds on property owned by the condemner are also exempt.

Manager Recommendation: Monitor
NARD Legislative Committee Recommendation: Monitor
NARD Position: Monitor

LB 910 (Redfield, Erdman) Provide restrictions on the use of eminent domain

Hearing Date: TBA
Committee: Judiciary
Bill Status: Committee

The bill prohibits a condemner to use eminent domain if the property is to be conveyed or leased to another private person. Eminent domain used on property that is abandoned or in a blighted or substandard area is exempted. Eminent domain may still be used if the property is allowed for public such as a right-of-way for utilities.

Manager Recommendation: Monitor
NARD Legislative Committee Recommendation: Monitor
NARD Position: Monitor

LB 924 (Fischer, Baker, Burling, et al.) Change provisions of the Community Development Law and restrict the use of eminent domain

Hearing Date: TBA

Committee: Judiciary

Bill Status: Committee

LB 924 clarifies that agricultural land shall not be designated as substandard, blighted, or undeveloped vacant land under the Community Development Law. The bill also prohibits a condemner from taking property for economic development purposes.

Manager Recommendation: Monitor

NARD Legislative Committee Recommendation: Monitor

NARD Position: Monitor

LB 1252 (Synowiecki) Change eminent domain procedures

Hearing Date: TBA

Committee: Judiciary

Bill Status: Committee

This bill requires that when any condemnee files petition with the county court to acquire the sought property, the petition must contain a statement of the necessity of the condemnation and the public use and purpose for which the land will be used. The bill also requires the condemner to show the burden of proof by “clear and convincing evidence” that the condemnation is necessary and for a public use.

Manager Recommendation: Monitor

NARD Legislative Committee Recommendation: Monitor

NARD Position: Monitor

Other

LB 784 (Mines) Require natural resources districts and municipalities to ensure public access to public projects

Hearing Date: 1/26/2006

Committee: Judiciary

Bill Status: Committee

This bill requires Natural Resources Districts and Cities and villages to ensure that public access for recreational use is available to the public for each of their projects. Access for recreational use must meet or exceed the access available to an adjacent landowner to the project.

Manager Recommendation: Oppose

NARD Legislative Committee Recommendation: Oppose

NARD Position: Oppose

LB 1174 (Friend) Provide requirements for the annexation of rural water district property by a city or village

Hearing Date: TBA

Committee: Urban Affairs

Bill Status: Committee

This bill requires any city annexing property located within a rural water district to compensate the rural water district for lost revenue due to the annexation.

Manager Recommendation: Support

NARD Legislative Committee Recommendation: Support

NARD Position: Support

Other Issues

Ethanol

LB 848 (Connealy, Schrock) Establish a renewable fuel content standard for gasoline

Hearing Date: TBA

Committee: Natural Resources

Bill Status: Committee

This bill would require that all gasoline sold in Nebraska after January 1, 2007 must contain a renewable fuel content. Gasoline for historical vehicles, off-road vehicles, motorcycles, boats, snowmobiles, or small engines are exempt.

Manager Recommendation: Support

NARD Legislative Committee Recommendation: Support

NARD Position: Support

LB 977 (Schrock, Connealy) Change motor fuel tax rates

Hearing Date: TBA

Committee: Revenue

Bill Status: Committee

This bill would lessen the tax on gasoline containing ethanol by a penny. The fixed portions of the gas tax would be 23 cents per gallon for motor fuel without ethanol and 22 cents for the ethanol blend under the bill.

Manager Recommendation: Monitor

NARD Legislative Committee Recommendation: Monitor

NARD Position: Monitor

Other

LB 981 (Thompson, Brown) Modify public records statutes to include geographical information systems data

Hearing Date: TBA

Committee: Government

Bill Status: Committee

This bill clarifies that Geographic information systems data bases and data files developed and operated by a state agency or a political subdivision are public records and are available to the public if requested. The holder of such records may require that any person obtaining a copy of the records sign an agreement prohibiting them from reselling or using the data for trade or commercial purposes. If the request discloses that the information is to be used for trade or commercial use, the bill would allow the supplier of the information to impose reasonable fees for the reproduction of the record. Exempted commercial uses include news media and real estate trade associations or multiple listing services operated by a real estate trade association.

Manager Recommendation: Monitor

NARD Legislative Committee Recommendation: Monitor

NARD Position: Support 100/15

LB 1186 (Connealy) Create the Renewable Fuel Infrastructure Cost-Share Program

Hearing Date: TBA

Committee: Natural Resources

Bill Status: Committee

This bill creates the Renewable Fuel Infrastructure Cost-Share Program to be administered by the Department of Economic Development. The program is to be used to provide financial incentives for the installation or conversion of service stations to sell E-85 gasoline. \$400,000 from the General Fund for each year will fund the program.

Manager Recommendation: Monitor

NARD Legislative Committee Recommendation: Monitor

NARD Position: Monitor

LB 1187 (Connealy) Provide for the sale and use of alternative fuel

Hearing Date: TBA

Committee: Natural Resources

Bill Status: Committee

This bill clarifies that any retailer in Nebraska may purchase alternative fuels from other retailers and dispense alternative fuels from their service stations.

Manager Recommendation: Monitor

NARD Legislative Committee Recommendation: Monitor

NARD Position: Monitor

Solid Waste

Livestock Waste Issues

LB 871 (Schrock) Change duties of the Environmental Quality Council relating to permits for solid waste Management

Hearing Date: 1/20/2006

Committee: Natural Resources

Bill Status: Committee

Legislative Bill 871 requires the Environmental Quality Council to adopt and promulgate rules and regulations for the issuance, renewal, suspension, denial, revocation, and modification for their facilities permit program.

Manager Recommendation: Monitor

NARD Legislative Committee Recommendation: Monitor

NARD Position: Monitor

LB 975 (Natural Resources Committee) Change provisions of the Livestock Waste Management Act

Hearing Date: 1/26/2006

Committee: Natural Resources

Bill Status: Committee

This bill amends the Livestock Waste Management Act in response to a 2nd Circuit Court of Appeals decision which impacted the portions of the federal CAFO rule. LB 975 eliminates the requirement that all large animal feeding operations need a NPDES permit and institutes a state construction and operating permit program.

Manager Recommendation: Monitor

NARD Legislative Committee Recommendation: Monitor

NARD Position: Support 85/30

LB 1109 (Schrock) Change permit and disciplinary action provisions of the Livestock Waste Management Act

Hearing Date: TBA

Committee: Natural Resources

Bill Status: Committee

LB 1109 would allow the Department of Environmental Quality to reject any application for an operating permit if the applicant is found to be unsuited. Unsuited applicants would be defined as 1) anyone within the past 3 years who was found to have illegally discharged waste into waters of the state 2) has a criminal conviction for a violation of the environmental law. LB 1109 also allows the department to revoke or suspend an existing permit upon finding that the permittee is unsuited.

Manager Recommendation: Monitor

NARD Legislative Committee Recommendation: Monitor

NARD Position: Monitor

LB 1214 (Smith) Change Livestock Waste Management Act provisions relating to cold water Class A streams

Hearing Date: TBA

Committee: Natural Resources

Bill Status: Committee

This bill allows DEQ to deny any application, for new or modification, for a NPDES permit if the department determines that the operation is more likely than not to degrade a cold water class A stream.

Manager Recommendation: Monitor

NARD Legislative Committee Recommendation: Monitor

NARD Position: Monitor

Solid Waste & Recycling

LB 870 (Schrock, Wehrbein) Change scrap tire grant provisions

Hearing Date: 1/19/2006

Committee: Natural Resources

Bill Status: Committee

Legislative Bill 870 would allow funds from the Waste Reduction and recycling Incentive Fund to be used for capital assistance for private and public facilities for scrap tire processing related to tire-derived fuel. The bill also extends the 1 million dollar grant until 2011. Currently it is set to end June 30, 2007.

Manager Recommendation: Monitor

NARD Legislative Committee Recommendation: Monitor

NARD Position: Monitor

LB 883 (Kopplin, Cornett, Langemeier, et a.) Rename the County Industrial Sewer Construction Act and provide for residential sewerage development

Hearing Date: 1/20/2006

Committee: Government

Bill Status: Committee

Legislative Bill 883 recognizes residential development along with Industrial development and their needs for sewer disposal systems. The bill allows for counties to include residential development and continues to allow counties to own, construct, equip, and operate sewerage disposal systems and plants. The bill also renames the act to the County Sewer Construction Act.

Manager Recommendation: Support

NARD Legislative Committee Recommendation: Support

NARD Position: Support

Water & Wetlands

Other

LB 933 (Natural Resources Committee) Change provisions relating to water resources

Hearing Date: 1/18/2006

Committee: Natural Resources

Bill Status: Committee

The bill makes several technical changes to LB 962 as proposed by the Water Policy Task Force. The proposal includes: 1) Eases the restriction of use of specific cost indexes for adjustments to the cost of building development fund projects; 2) Corrections to dates, notifications, filings for surface water transfers and adjudications; 3) Clarification to public notices and hearings on review of instream flow rights; 3) Eliminates the reference to the Water Task Force finishing it's work by a date certain and allows it to continue to function as authorized by the Legislature; 4) Imposes a 60-day time frame for water well

contractors to submit notices to DNR of installations and modifications to wells; 5) Requires municipalities to also notify the affected NRDs and adjoining landowners when they decide not to use a previously determined tract of land for a wellfield; 6) Adds irrigation efficiency and conservation of groundwater to the list of best management practices; and 7) Provides an exemption for municipalities from allocation restrictions imposed after November 1, 2005. The exemption for municipalities would be the greater amount of the Municipal Transfer Permit or the governmental, industrial and commercial uses plus a) 200 gallons/person/day for communities at the eastern part of the state to 250 gallons/person/day for communities at the western end of the state. The municipal exemption also allows for new industrial uses up to 25 million gallons annually for growth. The exemption from allocations would continue until January 1, 2026 at which time the allocation could not be less than the greatest annual use in the 20 year period. Any reduction of consumptive use by a municipality would accrue to the benefit of the natural resource district in which the municipality is located.

Manager Recommendation: Support

NARD Legislative Committee Recommendation: Support

NARD Position: Support

LB 1225 (Langemeier) Change provisions relating to hydrologically connected water

Hearing Date: TBA

Committee: Natural Resources

Bill Status: Committee

For purposes of the Municipal and Rural Domestic Ground Water Transfers Permit Act, the Nebraska Ground Water Management and Protection Act the bill defines hydrologically connected water to mean water limited to those areas within the land surface drainage basin of a single stream from which twenty-eight percent of the ground water withdrawn from a well, pumping at a constant rate over forty years, will deplete the flow of a stream. Current law does not provide a definition of the area. The bill also clarifies that any control that may be adopted to mitigate or offset the new use of hydrologically connected water shall limit the amount of such mitigation or offset to the amount of water that will actually be depleted from the annual streamflow over the forty year period. Current law is vague on any mitigation or offset, as is essentially left up to interpretation.

Manager Recommendation: Support

NARD Legislative Committee Recommendation: Support

NARD Position: Support

LB 1226 (Langemeier) Change provisions relating to instream appropriations, ground water, and management areas

Hearing Date: TBA

Committee: Natural Resources

Bill Status: Committee

The proposal makes several changes to water laws relating to concerns and problems incurred in implementing LB 962.

First, the bill requires water for instream flow to be in the public interest if the flow rate is available 85 percent of the time. This is a similar standard to water rights granted for other purposes. Changes made with LB 962 in 2004 now allow natural resource districts to manage for instream flows. Flow rights granted that are only there 20 percent of the time would be difficult, if not impossible, to manage for as all other water uses could be shut down and still not make the flows available 85-100 percent of the time.

Second, the bill would allow natural resources districts to request the Department of Natural Resources to call for a stay on issuance of surface water rights in an area, basin, subbasin or reach of a ground water management area that has controls authorized under subdivision (1) (a), (b) or (c) of Section 46-739 . There is a drafting error in the citation and it should read **subdivision (1) (a), (e), (f) or (m) of section 46-739**. These subdivisions refer to (a) ... Allocations ... (e)... reduction in irrigated acres, (f)limit or prevent expansion of irrigated acres ... or (m)closing an area to permits. A correcting amendment will be offered at the hearing.

Third, the bill would require the data used in reports from the department on determinations of a basins fully appropriated status to ensure that the conclusions and results contained in the report are accurate to a reasonable degree of scientific certainty. No requirement exists in current law.

Fourth, the bill clarifies that an evaluation be done rather than a determination of the department on existing uses to determine fully appropriated status. It also eliminates the term "reasonably foreseeable future" and replaces it with a specific 10-year time frame for the evaluation period. Again the evaluation results would have to ensure that all results and conclusions be verified and are accurate to a reasonable degree of certainty.

Fifth, the proposal would require the department to notice districts by certified mail of determinations made. Existing law just states the districts will be noticed but does not outline a procedure.

Sixth, the bill clarifies that well permits existing prior to a determination could be completed but would be subject to conditions imposed by the district. Further, wells would have to be completed within the existing one-year time frame allowed under the permit (46-738)

Finally, water not hydrologically connected would be exempt from regulation unless required by a compact or the local natural district chooses to add all users within the district boundary to the management plan. The bill also clarifies that an area water use would be subject to only one management plan.

Manager Recommendation: Support

NARD Legislative Committee Recommendation: Support

NARD Position: Support

Storage & Use

LB 1099 (Schrock) *Change water reuse pit definitions for irrigation*

Hearing Date: TBA

Committee: Natural Resources

Bill Status: Committee

The bill clarifies that groundwater irrigation reuse pits are not subject to a surface water right. The bill also eliminates interpretive definitive language on intermittent streams and replaces it with a standard used United States Geological Survey in their topographic quadrangle maps.

Manager Recommendation: Support

NARD Legislative Committee Recommendation: Support

NARD Position: Support

LB 1156 (Schrock, Baker, Burling, et al.) *Prohibit irrigation of certain educational lands*

Hearing Date: TBA

Committee: Natural Resources

Bill Status: Committee

This bill would prohibit irrigation on certain state land leased to farmers. The bill is targeted towards approximately 13,500 acres in the Republican River Basin and approximately 14,500 acres in the Platte River Basin and only would affect areas of the state considered either Fully or Over Appropriated. The bill would allow for current leases to continue to irrigate until the lease expires.

Manager Recommendation: Support

NARD Legislative Committee Recommendation: Support

NARD Position: Support

Water Quality

LB 938 (Baker) Provide for personal notice and recording of wellhead protection area boundaries and controls

Hearing Date: TBA

Committee: Natural Resources

Bill Status: Committee

Prior to a hearing on a proposed Wellhead protection area, the bill requires notification by certified mail to landowners that have surface water rights or of any registered wells in the proposed wellhead protection area. The certified mail would have to be sent out by the controlling entity not less than sixty days before the first scheduled public meeting of the governing board at which public comment on the proposed wellhead protection area will be heard

Manager Recommendation: Oppose

NARD Legislative Committee Recommendation: Oppose

NARD Position: Oppose

LB 1097 (Schrock) For an act relating to storm water; to create the Storm Water Management Plan Program

Hearing Date: TBA

Committee: Natural Resources

Bill Status: Committee

LB 1097 creates the Storm Water Management Plan Program to function as a grant program to fund projects for cities for the federal Clean Water Act regarding storm water runoff under the National Pollutant Discharge Elimination System requirements. The program will be administered by the Department of Environmental Quality using funds appropriated for the program. The Environmental Quality Council will develop guidelines and limitations for the grant applications.

Manager Recommendation: Support

NARD Legislative Committee Recommendation: Support

NARD Position: Support