NEBRASKA ADMINISTRATIVE CODE

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Title 137 - Nebraska Environmental Trust Board

Chapter 1 - SCOPE OF ACTIVITIES

001 Purpose of the Trust Fund. The Environmental Trust Fund shall be administered by the Board for the purpose of conserving, enhancing, and restoring the natural physical and biological environment in Nebraska, including the air, land, ground water and surface water, flora and fauna, prairies and forests, wildlife and wildlife habitat, and natural areas of aesthetic or scenic values. In a manner consistent with these rules and regulations and the governing statute, the Board shall administer the Trust Fund to complement existing governmental and private efforts by encouraging and leveraging the use of private resources on environmental needs with the greatest potential benefit on future environmental quality in Nebraska.

002 Purpose of the Endowment Fund. The Nebraska Environmental Endowment Fund shall be administered by the Board to provide an enhanced and partially self-perpetuating source of income for the Trust. The Endowment Fund shall include proceeds designated therefore by the board from any gift, grant, bequest, royalty or donation and the proceeds of any grant made by the Board to the Endowment Fund pursuant to Neb. Rev. Stat. § 81-15,174.01~~, Cum. Supp., 2000~~.

003 Board Activities. The functions of the Board shall be to:

003.01 Administer the Environmental Trust Fund and the Nebraska Environmental Endowment Fund in a manner consistent with the rules and regulations and applicable statutes of the state of Nebraska.

003.02 Apply for and accept gifts, grants, bequests, royalties and donations for the purposes of the Funds; acquire and dispose of personal property in furtherance of the purposes of the Funds; and designate the Fund where such gifts, grants, bequests, royalties and donations shall be credited.

003.03 Adopt by-laws to govern the proceedings of the board; keep records, conduct hearings, adopt and promulgate rules and regulations to carry out its duties and implement the Nebraska Environmental Trust Act.

003.04 Contract with the Nebraska Game and Parks Commission for administrative support including, but not limited to, payroll and accounting functions.

003.05 Contract with governmental and private agencies to receive services and technical assistance.

003.06 Contract with governmental and private agencies to provide services and technical assistance.

003.07 Establish ad-hoc advisory boards and subcommittees.

003.08 Establish environmental funding categories for the use of the funds.

003.09 Sponsor or assist environmental proposals; cooperate with or assist other units of the state, political subdivisions, and private, public and federal agencies, foundations and individuals in furtherance of the purposes of the Trust.

003.10 Award and issue grants pursuant to a calendar established annually to govern grant submission, review and award.

003.11 The Board shall hire an Executive Director, who shall hire and supervise other staff members as may be authorized by the board. The Executive Director shall serve at the pleasure of the Board and be solely responsible to it.

004 The Board shall not:

004.01. Own land or be the holder of any other legal interest in land.

004.02 Undertake conservation projects under the funding categories for expenditure of the Funds as a sole sponsor.

005 Conflict of Interest. Members of the board shall comply with the conflict of interest provisions of the Nebraska Political Accountability and Disclosure Act.

005.01 Agency Director Abstentions. In addition, any board member who is also a director of a state agency shall abstain from voting on applications where more than 50% of the value of grant award accrues to the agency as primary, tangible benefits. Grant funds administered by the agency and passed through to other grant recipients are not considered to accrue value to the agency.

006 Evaluation. The board may evaluate the long-term effects of the projects it funds every five (5) years. The evaluation may assess a sample of projects. The Board may hire an independent consultant to conduct the evaluation and may report the evaluation findings to the Legislature and the Governor.