

SENATE BILL NO. 397—SENATOR PORTER

MARCH 12, 1999

Referred to Committee on Natural Resources

SUMMARY—Authorizes certain public entities to enter into cooperative agreements for preservation, protection, restoration and enhancement of unique archeological or historical sites in this state. (BDR 22-1530)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~[omitted material]~~ is material to be omitted.

AN ACT relating to cooperative agreements; authorizing certain public entities to enter into cooperative agreements for the preservation, protection, restoration and enhancement of unique archeological or historical sites in this state; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE
AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** Chapter 277 of NRS is hereby amended by adding thereto
2 the provisions set forth as sections 2 and 3 of this act.
3 **Sec. 2.** *The legislature hereby finds and declares that:*
4 1. *There are various unique and irreplaceable sites in this state of*
5 *archeological or historical significance.*
6 2. *Certain of these sites are in danger of degradation and destruction*
7 *from the encroachment of urban development.*
8 3. *This state has a compelling interest in preserving, protecting,*
9 *restoring and enhancing these sites.*
10 4. *The preservation, protection, restoration and enhancement of*
11 *these sites is a matter of such significance that it must be carried out on a*
12 *continual basis.*
13 5. *It is in the best interest of this state to ensure that certain public*
14 *entities have continuing authority to enter into cooperative agreements*
15 *for the preservation, protection, restoration and enhancement of such*
16 *unique and irreplaceable sites in this state.*

1 **Sec. 3. 1.** *A public entity, in consultation with any Indian tribe that*
2 *has local aboriginal ties to the geographical area in which a unique*
3 *archeological or historical site is located and in cooperation with the*
4 *office of historic preservation of the department of museums, library and*
5 *arts, may enter into a cooperative agreement with the owner of any*
6 *property that contains a unique archeological or historical site in this*
7 *state or with any other person, agency of the Federal Government or*
8 *other public entity for the preservation, protection, restoration and*
9 *enhancement of unique archeological or historical sites in this state,*
10 *including, without limitation, cooperative agreements to:*

11 *(a) Monitor compliance with and enforce any federal or state statutes*
12 *or regulations for the protection of such sites.*

13 *(b) Ensure the sensitive treatment of such sites in a manner that*
14 *provides for their long-term preservation and the consideration of the*
15 *values of relevant cultures.*

16 *(c) Apply for and accept grants and donations for the preservation,*
17 *protection, restoration and enhancement of such sites.*

18 *(d) Create and enforce:*

19 *(1) Legal restrictions on the use of real property; and*

20 *(2) Easements for conservation, as defined in NRS 111.410,*
21 *for the protection of such sites.*

22 **2.** *As used in this section, “public entity” means any:*

23 *(a) Agency of this state, including the office of historic preservation;*
24 *and*

25 *(b) County, city or town in this state.*