
ASSEMBLY BILL NO. 289—ASSEMBLYMAN MORTENSON

MARCH 21, 2005

Referred to Committee on Natural Resources,
Agriculture, and Mining

SUMMARY—Requires Administrator of Office of Historic Preservation of Department of Cultural Affairs to establish stewardship program for protection of cultural resources. (BDR 33-554)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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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 cultural resources; requiring the Administrator of the Office of Historic Preservation of the Department of Cultural Affairs to establish a stewardship program for the protection of cultural resources; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, the Office of Historic Preservation of the Department of
2 Cultural Affairs protects prehistoric and historic sites, including Indian burial sites.
3 (Chapters 381 and 383 of NRS)

4 This bill requires the Administrator of the Office of Historic Preservation to
5 establish a stewardship program for cultural resources located on public land in
6 Nevada, including objects, sites or information of historic, prehistoric,
7 archeological, architectural or paleontological significance. The Administrator must
8 select, train and certify unpaid volunteers to serve in the stewardship program. The
9 Administrator must coordinate with federal, state and local governmental agencies,
10 Native American tribes and private industry to carry out the program. The
11 Administrator and the Office must provide administrative services to assist in
12 carrying out the program.

13 The stewardship program is authorized to: (1) submit to the Administrator a list
14 of cultural resource sites to be monitored; (2) schedule periodic monitoring
15 activities for cultural resources included on the list; (3) establish requirements for
16 reporting damage or threats of damage to cultural resources; and (4) establish
17 programs for educating the public concerning the significance and value of cultural
18 resources and the loss to the public resulting from damage to those resources.



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

Section 1. Chapter 383 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Administrator shall, by regulation, establish a stewardship program to:

(a) Protect cultural resources located on public land in this State;

(b) Increase public awareness of the significance and value of cultural resources and the damage done to cultural resources by an act of vandalism;

(c) Discourage acts of vandalism and the unlawful sale and trade of artifacts, including, without limitation, archeological and paleontological materials;

(d) Support and encourage improved standards for investigating and researching cultural resources in this State;

(e) Promote cooperation among governmental agencies, organizations, private industries, Native American tribes and persons who wish to protect cultural resources and enter into agreements with those agencies, organizations, private industries, Native American tribes and persons to promote the protection of cultural resources; and

(f) Increase the inventory of cultural resources maintained pursuant to NRS 383.021.

2. The Administrator shall select, train and certify volunteers to serve in the stewardship program based upon the requirements established by the Administrator.

3. The stewardship program may:

(a) In cooperation with governmental agencies, organizations, private industries, Native American tribes and persons specified in paragraph (e) of subsection 1, submit a proposed list to the Administrator for his approval setting forth any sites that are or may include cultural resources located on public land in this State;

(b) Schedule periodic monitoring activities by volunteers of sites included on the list approved pursuant to paragraph (a);

(c) Establish requirements for reporting any act of vandalism to appropriate authorities as determined by the Administrator; and

(d) Establish programs for educating the members of the public concerning the significance and value of cultural resources and the loss to the members of the public resulting from damage to cultural resources.

4. The Administrator shall coordinate the activities of federal agencies, private industries, Native American tribes and state and



1 *local governmental agencies, as necessary, to carry out the*
2 *stewardship program.*

3 5. *The Administrator and the Office shall provide*
4 *administrative services to assist in carrying out the stewardship*
5 *program.*

6 6. *Volunteers selected for the stewardship program serve*
7 *without compensation and are not entitled to receive any per diem*
8 *allowance or travel expenses.*

9 7. *The Administrator may accept gifts, grants, donations or*
10 *contributions from any source to assist him in carrying out the*
11 *stewardship program.*

12 8. *As used in this section, "act of vandalism" means to*
13 *damage, destroy or commit or threaten to commit any other act*
14 *that defaces or harms any cultural resources without the consent*
15 *of the owner or appropriate governmental agency, including,*
16 *without limitation, inscribing, marking, etching, scratching,*
17 *drawing, painting on or affixing to the cultural resources any*
18 *mark, figure or design.*

19 **Sec. 2.** NRS 383.011 is hereby amended to read as follows:

20 383.011 As used in this chapter, unless the context otherwise
21 requires:

22 1. "Administrator" means the Administrator of the Office.

23 2. "Advisory Board" means the Board of Museums and
24 History.

25 3. *"Cultural resources" means any objects, sites or*
26 *information of historic, prehistoric, archeological, architectural or*
27 *paleontological significance.*

28 4. "Director" means the Director of the Department of Cultural
29 Affairs.

30 ~~[4.]~~ 5. "Office" means the Office of Historic Preservation of
31 the Department of Cultural Affairs.

32 **Sec. 3.** NRS 383.021 is hereby amended to read as follows:

33 383.021 1. The Office of Historic Preservation is hereby
34 created.

35 2. The Office shall:

36 (a) Encourage, plan and coordinate historic preservation and
37 archeological activities within the State, including programs to
38 survey, record, study and preserve or salvage ~~{objects, localities and~~
39 ~~information of historic, prehistoric and paleoenvironmental~~
40 ~~significance.}~~ **cultural resources.**

41 (b) Compile and maintain an inventory of ~~{historic,~~
42 ~~archeological and architectural}~~ **cultural** resources in Nevada
43 deemed significant by the Administrator.

44 (c) Designate repositories for the materials that comprise the
45 inventory.



- 1 3. The Comstock Historic District Commission is within the
- 2 Office.
- 3 **Sec. 4.** This act becomes effective on July 1, 2005.

