

Date: February 8, 1979

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Committee in Session at 8:02 am on Thursday, February 8, 1979.

Senator Keith Ashworth in the Chair.

PRESENT: Chairman Keith Ashworth
Vice-Chairman Joe Neal
Senator Clifton Young
Senator Rick Blakemore
Senator Wilbur Faiss
Senator Jim Kosinski

GUESTS: Mr. Michael Rask, Executive Director, Nevada
Advisory Council for Vocational-Technical Education
Mr. Sam Mamet, Management Analyst, Clark County
Mr. Howard Clodfelter, Washoe County Health
Department
Ms. Mimi Rodden, Administrator, Historic Preserva-
tion and Archeology
Mr. Charles D. Zeier, Historic Preservation and
Archeology

Chairman Ashworth opened the meeting and presented an amendment to S.B. 23 to the committee. This amendment was submitted by the Assembly Education Committee (see Exhibit "A").

Senator Kosinski expressed concern about the portions of the bill that do more than provide equipment or upgrade facilities; specifically, those areas that provide personnel. Senator Kosinski asked if this would be proper action during this legislative session in light of Question 6. Chairman Ashworth stated there were no instructional personnel provided for in the bill, only for evaluation and for reporting purposes.

Senator Kosinski asked where in the bill was language to limit the use of the money to equipment and capital improvements. Mr. Michael Rask, Executive Director, Nevada Advisory Council for Vocational-Technical Education, stated there was no specific provision and suggested a one-line limiter might be in order to exclude personnel.

Chairman Ashworth requested Senator Kosinski to prepare an appropriate amendment.

Senator Blakemore moved to "Amend" and
"Do Pass" out of committee S.B. 23.

Seconded by Senator Young.

Motion carried. (See Exhibit "B")

Yeas -- 6
Nays -- None

Chairman Ashworth opened the hearing on S.B. 69.

Mr. Sam Mamet, representing Clark County, stated that neither the County Health District nor the County Clerk have any objections to the bill. (See Exhibit "C")

Mr. Howard Clodfelter, representing Washoe County Health Department, stated the Health Department has no problems with the bill. He further stated they believed the bill to be of benefit in having the information available with the county clerk.

Senator Kosinski asked what was meant by an "adoptive regulation." Mr. Clodfelter said he did not know and had asked the district attorney who also did not know.

There being no further testimony, Chairman Ashworth closed the hearing on S.B. 69 and opened the hearing on S.B. 136.

Ms. Mimi Rodden, Administrator, Historic Preservation and Archeology and Mr. Charles Zeier, representing Historic Preservation and Archeology, stated the bill was introduced to allow for the maintenance and continuity of an advisory board with increased expertise for the department.

Chairman Ashworth questioned if the same individuals or groups presently on the board would still be represented should the legislation be enacted. He further asked if this legislation would be broadening or limiting the areas from which to obtain members for the board.

Mr. Zeier stated they were attempting to have members named to the board due to knowledge or expertise rather than affiliation with a particular association.

Senator Kosinski expressed concern because the population from which these new members could be obtained would be significantly narrowed.

Ms. Rodden noted that members presently on the board are also members of three or four other boards. Mr. Zeier stated the legislation would not change the board's present composition.

Senator Kosinski stated that, conceivably, the board could lose some input and cooperation with organizations it now has.

Senator Young asked the number of members presently on the board. Ms. Rodden responded that there are five members and under the new legislation, six members are possible. Senator Young concurred with Senator Kosinski's concerns and felt there should be more public representation on the board.

Senator Young asked about the terms of the board members. Ms. Rodden said they served staggered terms and they could foresee

replacement problems in the future. Ms. Rodden noted a problem because they must comply with certain state and federal regulations, which dictate the individuals be experts in their field. Senator Kosinski requested the legislation that provides for terms of the board members. Mr. Zeier said they would provide that legislation.

Senator Young requested copies of the regulations that require specific expertise as a prerequisite for board members.
(See Exhibit "D")

Chairman Ashworth suggested they discuss these problems with the Legislative Counsel Bureau and come back with alternative language.

There being no further testimony on S.B. 136, Chairman Ashworth closed the hearing.

S.B. 69 (Exhibit "E")

Senator Young moved to "Do Pass" from committee S.B. 69.


Seconded by Senator Faiss.

Motion carried.

Yeas -- 6
Nays -- None

There being no further business, Chairman Ashworth adjourned the meeting at 8:45 am.

Respectfully submitted,



Roni Ronemus
Committee Secretary

Approved:

Chairman
Senator Keith Ashworth

1979 REGULAR SESSION (60TH)

ASSEMBLY ACTION	SENATE ACTION	Senate	AMENDMENT BLANK
Adopted <input type="checkbox"/>	Adopted <input type="checkbox"/>	AMENDMENTS to	Senate
Lost <input type="checkbox"/>	Lost <input type="checkbox"/>	Bill No. 23	Joint
Date:	Date:		Resolution No. _____
Initial:	Initial:	BDR S-129	
Concurred in <input type="checkbox"/>	Concurred in <input type="checkbox"/>	Proposed by	Committee on Human Resource
Not concurred in <input type="checkbox"/>	Not concurred in <input type="checkbox"/>		and Facilities
Date:	Date:		
Initial:	Initial:		

Amendment No 55



Amend section 5, page 5, lines 1 and 2 by deleting:

"section and other persons who are employed full-time in support of the provisions of this act." and inserting:

"section, provide one clerical employee and provide operating expenses."

T E & E
LCB File
Journal
Engrossment
Bill ✓

Date 2-7-79 Drafted by JSP:ml

S. B. 23

SENATE BILL NO. 23—COMMITTEE ON HUMAN
RESOURCES AND FACILITIES

JANUARY 17, 1979

Referred to Committee on Human Resources and Facilities

SUMMARY—Makes appropriation to provide assistance to vocational education. (BDR S-129)

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

EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT making an appropiation to the state board for vocational education; providing for assistance to educational institutions to improve vocational education; 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. There is hereby appropriated from the state general
2 fund to the state board for vocational education the sum of \$8 million
3 for the purposes set forth in this act. Of that sum, \$4 million may be
4 expended in fiscal year 1979-80, and \$4 million may be expended in
5 fiscal year 1980-81.
- 6 SEC. 2. 1. Of the sum authorized for expenditure in each fiscal year
7 in section 1 of this act, an amount equal to 50 percent is allocated to
8 eligible recipients for the purposes set forth in this section, to be dis-
9 tributed by means of formula grants.
- 10 2. For the purposes of this section, "eligible recipient" means a pub-
11 lic secondary or post-secondary educational institution which offers
12 vocational education programs, and which meets the criteria established
13 by the state board for vocational education for a certified vocational
14 education program.
- 15 3. Money allocated under this section must be distributed according
16 to a formula established by the state board for vocational education for
17 the following purposes:
- 18 (a) Upgrading of present vocational programs and facilities to meet
19 industry standards.
- 20 (b) Procurement of new equipment to expand programs to meet the
21 demand for workers, and to expand programs into areas of the state
22 where none are in operation.

MEMORANDUM

OFFICE OF THE COUNTY MANAGER

County Manager
BRUCE W. SPAULDING
Assistant County Manager

EXHIBIT "C"

FEB 5 1979
Human Resources and Facilities

TO: SENATOR KEITH ASHWORTH, CHAIRMAN
HUMAN RESOURCES AND FACILITIES COMMITTEE
FROM: SAMUEL D. MAMET, MANAGEMENT ANALYST
SUBJECT: S.B. 69
DATE: FEBRUARY 5, 1979

This morning Mr. Gill Blonsley from the Clark County Health District called and informed us that the district has no objections to S.B. 69 which is before your committee for consideration on Thursday morning. Furthermore, neither the county clerk nor the county itself has any objections to this legislation. We appreciate your introduction of it.

If we can provide any further assistance to you on this legislation, please feel free to contact us.

SDM/mg

cc: Mr. Gill Blonsley

Title 36—Parks, Forests, and Public Property

CHAPTER I—NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

PART 60—NATIONAL REGISTER OF HISTORIC PLACES

PART 61—CRITERIA FOR COMPREHENSIVE STATEWIDE HISTORIC SURVEYS AND PLANS

AGENCY: National Park Service, Department of the Interior.

ACTION: Notice of interim regulations.

SUMMARY: These interim regulations set forth the criteria established by the Secretary of the Interior for preparing comprehensive statewide historic surveys and plans under the provisions of the National Historic Preservation Act of 1966, as amended, 80 Stat. 915, 16 U.S.C. 470 et seq. (1970 ed.). The 1966 Act authorized the Secretary to grant funds to States for the purpose of preparing comprehensive statewide historic surveys and plans, in accordance with criteria established by the Secretary, for the preservation, acquisition, and development of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, and culture. The effect of this rulemaking is to clarify and promulgate for the States, in codified form, the Secretary's criteria for the preparation of comprehensive statewide historic surveys and plans.

DATES: Effective September 21, 1977. Comments should be received by October 21, 1977.

ADDRESSES: Send comments to Jerry L. Rogers, Chief, Office of Archeology and Historic Preservation, National Park Service, Department of the Interior, Washington, D.C. 20240 (202-523-5275). The originators of these regulations are Robert B. Rettig, Chief, Planning Branch, National Register of Historic Places, Office of Archeology and Historic Preservation, and Steven R. Ruttenbaum, Historian, Preservation Planner, Planning Branch, National Register of Historic Places, Office of Archeology and Historic Preservation, 202-523-5460.

SUPPLEMENTARY INFORMATION: In preparing these regulations and reviewing the National Register and grants programs, the intent, requirements, and spirit of the National Environmental Policy Act of 1969 (Pub. L. 91-190, 42 U.S.C. 4321-4347) have been carefully considered. As established by the National Historic Preservation Act and expanded by Executive Order 11593, these programs have as their purpose the identification, protection, and enhancement of the historic, architectural, archeological, and cultural resources of the manmade environment. It has been administratively determined, beyond the overall program purpose, which is intended to enhance the environment, this proposed rulemaking will have no significant effect on the environment. These regulations serve to

expand the regulations previously published in the FEDERAL REGISTER and should further insure the environmentally beneficial effects of the National Register and grants programs. Further information, including a memorandum of environmental assessment, is on file in the Office of Archeology and Historic Preservation, National Park Service, Department of the Interior, Washington, D.C. 20240.

NOTE:—It has been administratively determined that this proposed rulemaking is not "major" within the intent of Executive Order 11821 (39 FR 41501, November 27, 1974) and that an inflationary impact certification is therefore not required.

§§ 60.5, 60.7, 60.8, and 60.9 [Deleted]

It is proposed that Chapter I of Title 36 of the Code of Federal Regulations be amended by deleting from the existing Part 60 § 60.5 (Appointment and responsibilities of the State Historic Preservation Officer), 60.7 (The State historic preservation plan), 60.8 (State professional staff), and 60.9 (State review board) and by adding a new Part 61, reading as follows:

Sec.

- 61.1 Definitions.
- 61.2 Designation and responsibilities of the State Historic Preservation Officer.
- 61.3 State professional staff.
- 61.4 State Review Board.
- 61.5 Professional qualifications.
- 61.6 Comprehensive statewide survey process.
- 61.7 State historic preservation plan.
- 61.8 Protection of historic properties through the planning process.
- 61.9 Waiver.

AUTHORITY: National Historic Preservation Act of 1966, as amended, 80 Stat. 915, 16 U.S.C. 470 et seq. (1970 ed.).

§ 61.1 Definitions.

As used in this chapter: (a) "State" means, in addition to the several States of the Union, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Trust Territory of the Pacific Islands, and any other jurisdictions that may be authorized by Congress to receive grants under the National Historic Preservation Act.

(b) "National Register" means the national register of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, and culture, maintained by the Secretary of the Interior under authority of section 2(b) of the Historic Sites Act of 1935 (49 Stat. 666, 16 U.S.C. 461) and section 101(a)(1) of the National Historic Preservation Act.

(c) "National Register program" means the survey, planning, and registration program that has evolved under the Secretary of the Interior's authority in section 101(a)(1) of the National Historic Preservation Act, including, but not limited to, the responsibilities of the State Historic Preservation Officers as outlined in § 61.2.

(d) "Grants program" means the program of matching grants-in-aid to States authorized by section 101(a)(2)

of the National Historic Preservation Act.

(e) "Secretary" means the Secretary of the Interior or his designee authorized to carry out his responsibilities.

(f) "Historic property" means any district, site, building, structure, or object significant in American history, architecture, archeology, and culture at the national, State, or local level.

§ 61.2 Designation and responsibilities of the State Historic Preservation Officer.

(a) The State Historic Preservation Officer is the official within each State who has been designated by the Governor or chief executive of the State to administer the National Register and grants programs within the State.

(b) For purposes of the National Register and grants programs, the responsibilities of the State Historic Preservation Officer shall include:

(1) Development of an administrative framework for the State historic preservation program, consisting of (i) the State historic preservation office; (ii) a professional staff working under the direction of the State Historic Preservation Officer; and (iii) a State Review Board designated by the State Historic Preservation Officer unless otherwise provided by State law.

(2) Direction of a comprehensive statewide survey of historic properties.

(3) Registration, or official recognition, of historic properties through (i) preparation and submission of nominations to the National Register, and (ii) participation in the Secretary's determinations that historic properties meet the National Register criteria and are therefore eligible for listing in the National Register.

(4) Cooperation in the development of effective working relationships with Federal agencies, other State offices, and local governmental units that participate in the identification, registration, protection, enhancement, and management of historic properties and in project planning that may affect historic properties.

(5) Cooperation in the integration of historic preservation planning with all levels of planning, in order to ensure that the need to preserve historic properties is taken into consideration by all planning and development agencies.

(6) Cooperation in the development and maintenance of a review procedure for publicly funded, assisted, and licensed undertakings that may affect historic properties within the State.

(7) Participation in the review of Federal, federally assisted, and federally licensed undertakings that may affect historic properties included in or eligible for inclusion in the National Register under section 106 of the National Historic Preservation Act and Executive Order 11593, in accordance with the Advisory Council on Historic Preservation's "Procedures for the Protection of Historic and Cultural Properties" (36 CFR Part 800), and participation in the review of non-federal undertakings when required or permitted by State law.

(8) Assisting Federal agencies in fulfilling their historic preservation respon-

sibilities under Federal laws and regulations.

(9) Liaison with organizations of professional archeologists, historians, architects, architectural historians, planners, and others concerned or potentially concerned with historic preservation.

(10) Development and operation of a program of public information and education concerning the National Register and grants programs.

(11) Administration of the grants program within the State.

(12) Preparation and maintenance of a comprehensive statewide historic preservation plan, subject to approval by the Secretary.

(c) A list of State Historic Preservation Officers shall be published in the FEDERAL REGISTER annually and shall be amended as changes occur.

(d) When a new State Historic Preservation Officer is designated by a Governor, a letter shall be sent to the Director of the National Park Service providing notice of the designation. Similar written notification shall also be sent in cases involving a successor to the State Historic Preservation Officer when the original designation was made to the office rather than specifically to the individual (by name) holding the office. The National Park Service also requires notification when the State Historic Preservation Officer delegates authorities to other parties. Changes of address, telephone number, or personnel shall also be brought promptly to the attention of the National Park Service.

(e) Questions concerning authorized signatures shall be addressed to the Chief, Office of Archeology and Historic Preservation, National Park Service, Department of the Interior, Washington, D.C. 20240.

§ 61.3 State professional staff.

(a) For purposes of the National Register and grants programs, the staff of the State historic preservation office shall include at a minimum one full-time professional in each of the following disciplines: History, archeology, and architectural history or architecture. All State professional staff members shall meet the minimum qualifications set forth in § 61.5. Two or more part-time staff members may be substituted for one full-time person in any of the required disciplines, as long as the equivalent of one full-time professional is achieved in each discipline. The State Historic Preservation Officer shall determine what other professional disciplines such as planning and law, and/or additional staffing are needed to carry out the responsibilities of the National Register and grants programs. State professional staff members approved by the Secretary prior to the effective date of this part shall remain approved until such time that they are no longer employed on the State staff.

(b) No later than October 1, 1978, each such staff shall include at a minimum at least one full-time professional in each of the following disciplines: History, archeology, architectural history, and historical architecture.

(c) The State Historic Preservation Officer shall submit the professional qualifications of his or her staff to the Secretary for review and approval.

§ 61.4 State Review Board.

(a) Members of the State Review Board shall be designated by the State Historic Preservation Officer unless otherwise provided for by State law.

(b) The State Review Board shall consist of at least five persons. No later than October 1, 1979, a majority of Review Board members shall be recognized professionals in the disciplines defined in section 61.5. At a minimum, the State Review Board shall include one professional in each of the following disciplines: History, archeology, and architectural history or architecture. All of these professionals shall meet the minimum standards of professional qualifications set forth in § 61.5. The State Historic Preservation Officer shall determine what other professional disciplines and/or additional members are needed. Non-professional citizen members with demonstrated interest or competence in historic preservation may be appointed to the State Review Board, as long as the majority of the membership consists of professionals by October 1, 1979.

(c) No later than October 1, 1978, the professional in archeology shall be qualified in both prehistoric and historic archeology, or an additional professional shall be appointed to the State Review Board so that expertise in both prehistoric and historic archeology will be represented.

(d) No later than October 1, 1978, the professional in architectural history or architecture shall be qualified in both architectural history and architecture, or an additional professional shall be appointed to the State Review Board so that expertise in both architectural history and architecture will be represented.

(e) The State Historic Preservation Officer shall submit the professional qualifications of the members of the State Review Board to the Secretary for review and approval.

(f) The State Review Board shall meet at least three times a year and should adopt bylaws governing its operations consistent with the provisions of this section.

(g) The responsibilities of the State Review Board shall include, but not be limited to, the following:

(1) Reviewing and approving each National Register nomination prior to submission to the National Register.

(2) Reviewing each completed State historic preservation plan report prior to submission to the Secretary.

(3) Providing general advice, guidance, and professional recommendations to the State Historic Preservation Officer in conducting the comprehensive statewide survey, preparing the State historic preservation plan, and carrying out the other duties and responsibilities of the State historic preservation office.

§ 61.5 Professional qualifications.

In the following definitions, a year of full-time professional experience need

not consist of a continuous year of full-time work but may be made up of discontinuous periods of full-time or part-time work adding up to the equivalent of a year of full-time experience.

(a) History. The minimum professional qualifications in history are a graduate degree in history or closely related field; or a bachelor's degree in history or closely related field plus one of the following: (1) At least two years of full-time experience in research, writing, teaching, interpretation, or other demonstrable professional activity with an academic institution, historical organization or agency, museum, or other professional institution; or (2) substantial contribution through research and publication to the body of scholarly knowledge in the field of history.

(b) Archeology. The minimum professional qualifications in archeology are a graduate degree in archeology, anthropology, or closely related field plus (1) at least one year of full-time professional experience or equivalent specialized training in archeological research, administration, or management; (2) at least four months of supervised field and analytic experience in general North American archeology, and (3) demonstrated ability to carry research to completion. In addition to these minimum qualifications, a professional in prehistoric archeology shall have at least one year of full-time professional experience at a supervisory level in the study of archeological resources of the prehistoric period. A professional in historic archeology shall have at least one year of full-time professional experience at a supervisory level in the study of archeological resources of the historic period.

(c) Architectural history. The minimum professional qualifications in architectural history are a graduate degree in architectural history, art history, historic preservation, or closely related field, with course work in American architectural history; or a bachelor's degree in architectural history with concentration in American architecture; or a bachelor's degree in architectural history, art history, historic preservation, or closely related field plus one of the following: (1) At least two years of full-time experience in research, writing, or teaching in American architectural history or restoration architecture with an academic institution, historical organization or agency, museum, or other professional institution; or (2) substantial contribution through research and publication to the body of scholarly knowledge in the field of American architectural history.

(d) Architecture. The minimum professional qualifications in architecture are a professional degree in architecture plus at least two years of full-time professional experience in architecture; or a State license to practice architecture.

(e) Historical architecture. The minimum professional qualifications in historical architecture are a professional degree in architecture or State license to practice architecture, plus one of the following: (1) At least one year of graduate study in architectural preservation,

American architectural history, preservation planning, or closely related field and at least one year of full-time professional experience on preservation and restoration projects; or (2) at least two years of full-time professional experience on preservation and restoration projects. Experience on preservation and restoration projects shall include detailed investigations of historic structures, preparation of historic structures research reports, and preparation of plans and specifications for preservation projects.

§ 61.6 Comprehensive statewide survey process.

(a) For purposes of the National Register and grants programs, a comprehensive statewide survey of historic properties shall be conducted in each State under the direction of the State Historic Preservation Officer. The long-range objective of the comprehensive survey shall be the identification, protection, and preservation of all districts, sites, buildings, structures, and objects within the State that are potentially significant in American history, architecture, archeology, and culture at the national, State, and local levels. The survey shall be conducted in as timely a manner as possible and shall encompass all historic properties, regardless of title, boundaries, or ownership.

(b) In conducting the survey, the State Historic Preservation Officer shall utilize a systematic method to ensure comprehensive statewide coverage including every aspect of the State's prehistory and history. Documentation concerning the methods employed shall be maintained in the State historic preservation office.

(c) Insofar as possible, the State Historic Preservation Officer shall cooperate in all historic property survey efforts in the State, including surveys conducted by Federal agencies, other State offices, local governmental units, universities, and other public and private institutions and organizations. Records of the methods as well as the results of all surveys in which the State Historic Preservation Officer participates should be maintained in the State historic preservation office.

(d) All information in the State historic preservation office resulting from Federal, State, and local historic property surveys shall be known as the State Survey Data. The State Survey Data shall include, but not be limited to, the following:

(1) Data on properties listed in the National Register or determined eligible by the Secretary for listing in the National Register.

(2) Data on properties nominated to the National Register or approved by the State Review Board for nomination.

(3) Data on properties that may potentially meet the National Register criteria, as determined by the State Historic Preservation Officer with the advice of his staff or Review Board. The last category will normally include historic properties in State and local registers.

Data that indicate after evaluation by the Secretary or by the State Historic

Preservation Officer with the advice of his staff or Review Board, that (i) specific properties are ineligible for listing in the National Register, or (ii) specific geographical areas that have been surveyed do not contain significant historic properties other than those already identified.

(5) Predictive statements concerning the probable distribution of historic properties in different parts of the State, different environmental zones, etc., based on systematic background research and sample fieldwork.

(6) Specification of those areas of the State for which inadequate survey data are available and about which no reliable predictions can yet be made.

(e) All State Survey Data shall be continually evaluated as determined necessary by the State Historic Preservation Officer, to identify historic properties for nomination to the National Register and to make predictions about the distribution of historic properties or property types that may meet the criteria for listing in the National Register.

(f) State Survey Data shall be maintained by the State Historic Preservation Officer in an accessible location and shall be kept up-to-date so that the information is readily available to Federal, State, and local planners during the decision-making process. The State Survey Data need not be published but shall be physically organized and/or indexed in a manner to provide for easy access. Availability of State Survey Data may be limited to the general public if, in the opinion of the State Historic Preservation Officer, such availability might result in damage to historic properties.

(g) An end result of the overall survey process is nomination of properties significant in American history, architecture, archeology, and culture at the national, State, or local level to the National Register. With the advice of the State Review Board, the State Historic Preservation Officer shall establish general priorities, and a rationale behind the priorities, for submission of National Register nominations to the National Park Service and procedures for review of National Register nominations by the State Review Board. Nominated historic properties that are approved by the National Park Service are entered in the National Register by the Keeper of the National Register, Office of Archeology and Historic Preservation, National Park Service.

§ 61.7 State historic preservation plan.

(a) For purposes of the National Register and grants programs, a comprehensive statewide historic preservation plan shall be prepared in each State under the direction of the State Historic Preservation Officer. The plan shall consist of a report or series of reports on the State historic preservation program. These reports, which shall be submitted in such form and at such times as the Secretary shall determine, shall describe, analyze, and make future projections about the program. The State Review Board shall review all State historic preservation plan reports prior to submission.

(b) The State historic preservation plan shall include the following information for each component of the State historic preservation program: an explanation of the philosophy or rationale behind the program component, a report on current status, an evaluation of effectiveness, and a projection of future plans. The program components to be reported on in the State historic preservation plan shall include, but not be limited to, the following:

(1) Organizational framework of the State historic preservation office, including the composition and qualifications of the State professional staff and the State Review Board and the position of the office in the hierarchy of State government.

(2) Comprehensive statewide survey methods, timetable, and progress.

(3) National Register nominations and other registration activity including a report on notification procedures.

(4) Review and compliance procedures and activity, including compliance activity under section 106 of the National Historic Preservation Act of 1966 and Executive Order 11593, and participations under other Federal laws and regulations related to historic preservation.

(5) Progress in integrating historic preservation planning into general planning processes at the Federal, State, and local levels.

(6) Public information and education activity.

(7) Grants program activity.

(c) A State's eligibility to participate in the National Register and grants programs shall be contingent upon its submission of a State historic preservation plan and upon approval of that plan by the Secretary.

§ 61.8 Protection of historic properties through the planning process.

For purposes of the National Register and grants programs, the State Historic Preservation Officer shall review proposed Federal or federally funded, licensed, or approved undertakings that may potentially have an effect on historic properties within the State, in accordance with procedures of the National Historic Preservation Act of 1966, Executive Order 11593, the National Environmental Policy Act of 1969, the Archeological and Historic Preservation Act of 1974, and other environmentally related legislation and regulations.

(a) The State Historic Preservation Officer shall review notices of Federal or federally funded, licensed, or approved undertakings having a potential effect on historic properties. These notices include, but are not limited to, those received through the A-95 Clearinghouse process, documents prepared in accordance with the National Environmental Policy Act of 1969, and other notices or requests from Federal agencies or their consultants.

(b) The State Historic Preservation Officer shall participate with Federal, State, and local planning officials at the earliest planning stages of proposed undertakings and shall make available to

S. B. 69

SENATE BILL NO. 69—COMMITTEE ON HUMAN RESOURCES
AND FACILITIES

JANUARY 22, 1979

Referred to Committee on Human Resources and Facilities

SUMMARY—Requires district boards of health to file adopted regulations with certain county clerks. (BDR 40-650)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to the administration of public health; requiring district boards of health to file adopted regulations with certain county clerks; 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. NRS 439.410 is hereby amended to read as follows:
2 439.410 1. The district board of health [shall have] *has* the powers,
3 duties and authority of a county board of health in the health district.
4 2. The district health department [shall have] *has* jurisdiction over
5 all public health matters in the health district.
6 3. In addition to any other powers, duties and authority conferred
7 on a district board of health by this section, the district board of health
8 [shall have the power] *may* by affirmative vote of a majority of all the
9 members of the board [to adopt, promulgate, amend and enforce rea-
10 sonable rules and] *adopt* regulations consistent with law [, which rules
11 and regulations] *which* shall take effect immediately on their approval
12 by the state board of health to:
13 (a) Prevent and control nuisances;
14 (b) Regulate sanitation and saintary practices in the interests of the
15 public health;
16 (c) Provide for the sanitary protection of water, food supplies and
17 sewage disposal; and
18 (d) Protect and promote the public health generally in the geographi-
19 cal area subject to the jurisdiction of the health district.
20 4. In the adoption or amendment of [any such rule or] *a* regula-
21 tion, the district board of health shall observe the same requirements
22 for notice and hearing as are prescribed for state agencies by the Nevada
23 Administrative Procedure Act. *Each district board of health shall file a*
24 *copy of all of its adoptive regulations with the county clerk of each county*
25 *in which it has jurisdiction.*