



Ninety – Sixth Legislature – First Session – 1999
Introducer's Statement of Intent
LB 208

Chairperson: Senator DiAnna R. Schimek
Committee: Government, Military, and Veterans Affairs
Date of Hearing: February 3, 1999

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 208 creates the Nebraska Archaeological Resources Preservation Act to preserve archeological sites and resources currently being threatened by agricultural, commercial, urban, governmental and industrial development. The Act seeks to provide a mechanism for balancing preservation and progress.

LB 208 creates the State Archaeology Office as a division within the Nebraska State Historical Society. The State Archaeology Office will be headed by the State Archaeologist who will coordinate archaeological undertakings, preserve archaeological resources, and adopt and promulgate rules and regulations to enforce the Act, promote the development of archeological resources for educational, cultural, tourism and scientific purposes and conduct a program to locate, identify and assess the state's archaeological resources. The Office will advise state agencies, political subdivisions, nongovernmental organizations, commercial and business interests, private property owners and others as to the requirements of the Act and serve as the liaison between state agencies, between state agencies and the federal government and between state agencies and Indian tribes concerning archaeological resources involved in state or state-funded undertakings.

LB 208 requires the head of any state agency having direct or indirect jurisdiction over a proposed state or state-funded undertaking which may affect an archeological site to work with the State Archaeology Office to mitigate or lessen the impact on the site.

LB 208 does not allow the State Archaeology Office to purchase private property or abridge the rights of private property owners. The bill allows the Office to coordinate and facilitate purchase of endangered properties by other public or private entities in order to protect and preserve archeological resources located on the properties.

The bill is a result of the recommendations made by the Nebraska Task Force on Historic Preservation to the 94th Legislature.

Principal Introducer:

Senator Jerry W. Schmitt