

SENATE BILL NO. 211—SENATOR O’CONNELL

FEBRUARY 17, 1999

Referred to Committee on Natural Resources

SUMMARY—Makes various changes regarding operation of division of wildlife of state department of conservation and natural resources. (BDR 45-718)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: 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 the division of wildlife of the state department of conservation and natural resources; allowing a change in the location of the headquarters of the division; requiring the division to contract with a private entity to conduct a drawing to award and issue tags for a special season; 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 501.341 is hereby amended to read as follows:
- 2 501.341 The headquarters of the division must be maintained at ~~Reno.~~
- 3 ~~Other~~ ***such a location in the state, and other*** offices may be established
- 4 throughout the state in ***such*** number and location , as will, in the opinion of
- 5 the administrator and commission, provide an efficient divisional operation.
- 6 **Sec. 2.** Chapter 502 of NRS is hereby amended by adding thereto a
- 7 new section to read as follows:
- 8 ***1. The division shall contract with a private entity to conduct a***
- 9 ***drawing and to award and issue the tags for a special season. The***
- 10 ***drawing must be conducted using a computer program that awards tags***
- 11 ***based on a random order of selection. The contract must provide for the***
- 12 ***acquisition by the division of the ownership of the computer program at***
- 13 ***the end of the term of the contract. The division shall solicit bids for the***
- 14 ***contract pursuant to the provisions of chapter 333 of NRS.***
- 15 ***2. The division shall:***
- 16 ***(a) Provide to the private entity to whom a contract is awarded***
- 17 ***pursuant to the provisions of subsection 1 any applications for tags,***

documents or other information required by the private entity to conduct the drawing; and

(b) Otherwise cooperate with the private entity in conducting the drawing.

3. As soon as practicable after the drawing is completed, the private entity shall submit the results of the drawing to the division.

4. If no private entity qualifies for the awarding of the contract specified in subsection 1, the division shall conduct a drawing to award tags for a special season in the manner set forth in the regulations adopted by the commission pursuant to the provisions of subsection 5.

5. The commission shall adopt regulations necessary to carry out the provisions of this section, including regulations that prescribe the manner in which the division must conduct a drawing specified in subsection 1 if no private entity qualifies for the awarding of the contract.

Sec. 3. NRS 242.131 is hereby amended to read as follows:

242.131 1. The department shall provide state agencies and elected state officers with all of their required design of information systems. All agencies and officers must use those services and equipment, except as otherwise provided in subsection 2.

2. The following agencies may negotiate with the department for its services or the use of its equipment, subject to the provisions of this chapter, and the department shall provide ~~such~~ those services and the use of ~~such~~ that equipment as may be mutually agreed:

(a) ~~Court~~ The court administrator;

(b) ~~Department~~ The department of motor vehicles and public safety;

(c) ~~Department~~ The department of transportation;

(d) ~~Employment~~ The employment security division of the department of employment, training and rehabilitation;

(e) ~~Legislative~~ The division of wildlife of the state department of conservation and natural resources;

(f) The legislative counsel bureau;

~~(f) State~~

(g) The state industrial insurance system;

~~(g) State controller;~~

~~(h) State~~

(h) The state controller;

(i) The state gaming control board and Nevada gaming commission; and

~~(i)~~ (j) The University and Community College System of Nevada.

3. Any state agency or elected state officer who uses the services of the department and desires to withdraw substantially from that use must apply to the director for approval. The application must set forth justification for

1 the withdrawal. If the director denies the application, the agency or officer
2 must:

3 (a) If the legislature is in regular or special session, obtain the approval
4 of the legislature by concurrent resolution.

5 (b) If the legislature is not in regular or special session, obtain the
6 approval of the interim finance committee. The director shall, within 45
7 days after receipt of the application, forward the application together with
8 his recommendation for approval or denial to the interim finance
9 committee. The interim finance committee has 45 days after the application
10 and recommendation are submitted to its secretary within which to consider
11 the application. Any application which is not considered by the committee
12 within the 45-day period shall be deemed approved.

13 4. If the demand for services or use of equipment exceeds the
14 capability of the department to provide them, the department may contract
15 with other agencies or independent contractors to furnish the required
16 services or use of equipment and is responsible for the administration of the
17 contracts.

18 **Sec. 4.** Section 17 of chapter 507, Statutes of Nevada 1991, at page
19 1578, is hereby repealed.

TEXT OF REPEALED SECTION

Section 17 of chapter 507, Statutes of Nevada 1991:

Sec. 17. 1. The department of wildlife shall solicit bids in
accordance with state law for the development of a computer
program for the issuance of tags for special seasons.

2. The request for proposals must indicate, and any contract
awarded must provide, that the following conditions apply to the
contract for the development of a computer program pursuant to
this section:

(a) The contract must result in the establishment of a complete
system, that can be readily changed, of applications and drawings
for, and the issuance of, tags.

(b) The contract must allow access to and the use of existing
data and files of the department, to the extent necessary to carry out
the contract.

(c) The department must acquire ownership of the computer
program at the end of the term of the contract.

3. The department must award the contract for the development
of the computer program to a private entity unless no qualified bids
are received. If no qualified bids are received, the program may be
developed by a public agency.

4. Before submitting a contract proposed pursuant to this section to the state board of examiners for approval, the director of the department of wildlife shall submit the qualified bid or bids received by the department to the interim finance committee for its advisory review.

5. The program developed pursuant to this section must be used for all drawings of tags on or after January 1, 1993, for special seasons.

6. As used in this section, “special season” has the meaning ascribed to it in NRS 501.085.

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