

Amendment No. 180

Assembly Amendment to Assembly Bill No. 385 (BDR 35-656)

Proposed by: Assembly Committee on Natural Resources, Agriculture, and Mining

Amends: Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of *green bold underlining* is language proposed to be added in this amendment; (3) ~~red-strikethrough~~ is deleted language in the original bill; (4) ~~purple double-strikethrough~~ is language proposed to be deleted in this amendment; (5) *orange double underlining* is deleted language in the original bill proposed to be retained in this amendment.

JRS/BJE



Date: 4/9/2017

A.B. No. 385—Requires the issuance, without charge, of an annual pass for state parks and recreational areas to certain persons under certain circumstances. (BDR 35-656)



ASSEMBLY BILL NO. 385—ASSEMBLYMEN YEAGER, ARAUJO, MCCURDY II,
WATKINS, DIAZ; BENITEZ-THOMPSON, FLORES, JAUREGUI AND JOINER

MARCH 20, 2017

JOINT SPONSORS: SENATORS CANNIZZARO AND CANCELA

Referred to Committee on Natural Resources,
Agriculture, and Mining

SUMMARY—~~Requires the issuance, without charge, of an annual pass for state parks and recreational areas to certain persons under certain circumstances.~~ Provides for the issuance of free annual permits to fifth graders to enter state parks and recreational areas. (BDR 35-656)

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

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

AN ACT relating to state lands; requiring the Administrator of the Division of State Parks of the State Department of Conservation and Natural Resources to ~~issue,~~ establish a program for the issuance, without charge, of an annual ~~pass,~~ permit for state parks and recreational areas to ~~each pupil,~~ pupils enrolled in the fifth grade in this State ~~and to each member of his or her immediate family,~~ under certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law ~~requires~~ sets forth the general authority of the Administrator of the Division of State Parks of the State Department of Conservation and Natural Resources to establish and maintain state parks and recreational areas in this State, including, without limitation, the authority to issue an annual permit ~~for entering, camping and boating in all~~ to a person to enter, camp and boat in those state parks and recreational areas ~~to a person who is 65 years of age or older or has incurred a permanent service-connected disability under certain circumstances.~~ (NRS 407.065) This bill ~~similarly~~ requires the ~~Division~~ Administrator to ~~issue~~ establish a program for the issuance of an annual permit ~~for entering, camping and boating in~~ free of charge, to enter all state parks and recreational areas in this State to any pupil who is enrolled in the fifth grade at a school in this State ~~and to each member of his or her immediate family. Each permit must be issued without charge, including any administrative fee to cover the cost of issuing the permit. This bill further requires that the permit is valid only during the period in which the pupil is enrolled in the fifth grade at a school in this State.~~ The program must include, without limitation, provisions which specify the circumstances under which a pupil and any person accompanying a pupil may use the annual permit to enter a state park or

recreational area. This bill also provides that an annual permit issued pursuant to the program authorizes the holder of the permit to enter a state park or recreational area free of charge, but does not authorize camping, boating or attending special events at a state park or recreational area without paying a fee.

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

Section 1. NRS 407.065 is hereby amended to read as follows:

407.065 1. The Administrator, subject to the approval of the Director:

(a) Except as otherwise provided in this paragraph and NRS 407.066, may establish, name, plan, operate, control, protect, develop and maintain state parks, monuments and recreational areas for the use of the general public. The name of an existing state park, monument or recreational area may not be changed unless the Legislature approves the change by statute.

(b) Shall protect state parks and property controlled or administered by the Division from misuse or damage and preserve the peace within those areas. The Administrator may appoint or designate certain employees of the Division to have the general authority of peace officers.

(c) May allow multiple use of state parks and real property controlled or administered by the Division for any lawful purpose, including, but not limited to, grazing, mining, development of natural resources, hunting and fishing, in accordance with such regulations as may be adopted in furtherance of the purposes of the Division.

(d) Except as otherwise provided in this ~~paragraph~~ section, shall impose and collect reasonable fees for entering, camping and boating in state parks and recreational areas. The Division shall issue an annual permit for entering, camping and boating in all state parks and recreational areas in this State:

(1) Upon application therefor and proof of residency and age, to any person who is 65 years of age or older and has resided in this State for at least 5 years immediately preceding the date on which the application is submitted.

(2) Upon application therefor and proof of residency and proof of status as described in subsection 5 of NRS 361.091, to a bona fide resident of the State of Nevada who has incurred a permanent service-connected disability of 10 percent or more and has been honorably discharged from the Armed Forces of the United States.

~~↳ (3) Upon application therefor and proof of residency, enrollment and family relationship, to any pupil who is enrolled in the fifth grade at a school in this State and to each member of his or her immediate family.~~

↳ ~~The~~ Each permit must be issued without charge, except that the Division shall charge and collect an administrative fee for the issuance of the ~~feach~~ permit ~~pursuant to subparagraph (1) or (2)~~ in an amount sufficient to cover the costs of issuing the permit. ~~Each permit issued pursuant to subparagraph (3) is valid only during the period in which the pupil to whom the Division issues the permit is enrolled in the fifth grade at a school in this State.~~

(e) May conduct and operate such special services as may be necessary for the comfort and convenience of the general public, and impose and collect reasonable fees for such special services.

(f) May rent or lease concessions located within the boundaries of state parks or of real property controlled or administered by the Division to public or private corporations, to groups of natural persons, or to natural persons for a valuable

consideration upon such terms and conditions as the Division deems fit and proper, but no concessionaire may dominate any state park operation.

(g) May establish such capital projects construction funds as are necessary to account for the parks improvements program approved by the Legislature. The money in these funds must be used for the construction and improvement of those parks which are under the supervision of the Administrator.

(h) In addition to any concession specified in paragraph (f), may establish concessions within the boundaries of any state park to provide for the sale of food, drinks, ice, publications, sundries, gifts and souvenirs, and other such related items as the Administrator determines are appropriately made available to visitors. Any money received by the Administrator for a concession established pursuant to this paragraph must be deposited in the Account for State Park Interpretative and Educational Programs and Operation of Concessions created by NRS 407.0755.

2. The Administrator:

(a) Shall issue an annual permit to a person who pays a reasonable fee as prescribed by regulation which authorizes the holder of the permit to enter each state park and each recreational area in this State and, except as otherwise provided in subsection ~~13~~ 4, use the facilities of the state park or recreational area without paying the entrance fee; and

(b) May issue an annual permit to a person who pays a reasonable fee as prescribed by regulation which authorizes the holder of the permit to enter a specific state park or specific recreational area in this State and, except as otherwise provided in subsection ~~13~~ 4, use the facilities of the state park or recreational area without paying the entrance fee.

3. The Administrator shall establish a program for the issuance of an annual permit, free of charge, to enter each state park and recreational area in this State to any pupil who is enrolled in the fifth grade at a school in this State. The program must:

(a) Specify the period for which the Administrator may issue an annual permit to a pupil pursuant to this subsection, including, without limitation, the date upon which the Administrator may issue an annual permit to a pupil who has completed fourth grade and who intends to enter the fifth grade after completing the fourth grade;

(b) Specify the circumstances under which a pupil and any person accompanying a pupil may use the annual permit to enter a state park or recreational area; and

(c) Include any other requirement which the Administrator determines is necessary to establish and carry out the program pursuant to this subsection.

4. An annual permit issued pursuant to subsection 2 or 3 does not authorize the holder of the permit to engage in camping or boating, or to attend special events. The holder of such a permit who wishes to engage in camping or boating, or to attend special events, must pay any fee established for the respective activity.

~~14~~ 5. Except as otherwise provided in subsection 1 of NRS 407.0762 and subsection 1 of NRS 407.0765, the fees collected pursuant to paragraphs (d), (e) and (f) of subsection 1 or subsection 2 must be deposited in the State General Fund.

Sec. 2. This act becomes effective upon passage and approval for the purpose of performing any administrative tasks that are necessary to carry out the provisions of this act and on July 1, 2017, for all other purposes.