

Amendment No. 876

Senate Amendment to Assembly Bill No. 449 First Reprint (BDR 19-770)

Proposed by: Senate Committee on Government Affairs

Amends: Summary: No 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: 5/21/2017

A.B. No. 449—Establishes Public Lands Day in the State of Nevada.
(BDR 19-770)



ASSEMBLY BILL NO. 449—COMMITTEE ON WAYS AND MEANS

MARCH 27, 2017

Referred to Committee on Natural Resources,
Agriculture, and Mining

SUMMARY—Establishes Public Lands Day in the State of Nevada.
(BDR 19-770)

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 public lands; establishing the ~~fourth~~ *last* Saturday in September of each year as “Public Lands Day” in the State of Nevada; authorizing the Governor to issue annually a proclamation encouraging the observance of Public Lands Day; requiring the Division of State Parks of the State Department of Conservation and Natural Resources to allow residents of this State to enter, camp and boat in all state parks and recreational areas in this State without the payment of any fees during Public Lands Day; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Under existing law, various days and weeks of observance are recognized in this State. (NRS 236.018-236.085) **Section 1** of this bill establishes the ~~fourth~~ *last* Saturday in September of each year as “Public Lands Day” in the State of Nevada and authorizes the Governor to issue annually a proclamation encouraging the observance of Public Lands Day.

Existing law requires the Division of State Parks of the State Department of Conservation and Natural Resources to impose and collect, subject to approval by the Director of the Department, reasonable fees for entering, camping and boating in state parks and recreational areas in this State. (NRS 407.065) **Section 2** of this bill requires the Division to allow residents of this State to enter, camp and boat in all state parks and recreational areas in this State without the payment of any fees during Public Lands Day. **Section 2** also provides that the free day of camping must include either the Friday night before Public Lands Day or overnight on the night of Public Lands Day, as determined by the Administrator of the Division for each state park and recreational area.

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

Section 1. Chapter 236 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The ~~fourth~~ last Saturday in September of each year is established as "Public Lands Day" in the State of Nevada.

2. The Governor may issue annually a proclamation encouraging the observance of Public Lands Day. The proclamation may, without limitation:

(a) Call upon the news media, state and local officers, private nonprofit groups and foundations, schools, businesses and other public and private entities to bring to the attention of the residents of this State the importance of public lands in the State of Nevada; and

(b) Recognize the economic, scenic and other value of public lands in this State.

Sec. 2. 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.

➤ The permit must be issued without charge, except that the Division shall charge and collect an administrative fee for the issuance of the permit in an amount sufficient to cover the costs of issuing the permit.

(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

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

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

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

14 2. The Administrator:

15 (a) Shall issue an annual permit to a person who pays a reasonable fee as
16 prescribed by regulation which authorizes the holder of the permit to enter each
17 state park and each recreational area in this State and, except as otherwise provided
18 in subsection 3, use the facilities of the state park or recreational area without
19 paying the entrance fee; and

20 (b) May issue an annual permit to a person who pays a reasonable fee as
21 prescribed by regulation which authorizes the holder of the permit to enter a
22 specific state park or specific recreational area in this State and, except as otherwise
23 provided in subsection 3, use the facilities of the state park or recreational area
24 without paying the entrance fee.

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

29 4. *During each Public Lands Day observed pursuant to section 1 of this act,*
30 *and upon proof of residency in this State, the Division shall allow a resident of*
31 *this State to enter, camp and boat in any state park or recreational area without*
32 *the payment of any fees for those activities. The free day of camping authorized*
33 *pursuant to this subsection must include either the Friday night before Public*
34 *Lands Day or overnight on the night of Public Lands Day, as determined by the*
35 *Administrator for each state park and recreational area. A person is not entitled*
36 *to receive more than one free night of camping during each Public Lands Day*
37 *pursuant to this subsection.*

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

41 **Sec. 3.** This act becomes effective on July 1, 2017.