

ASSEMBLY BILL NO. 171—ASSEMBLYMEN
BILBRAY-AXELROD AND ELLISON

FEBRUARY 18, 2019

Referred to Committee on Natural Resources,
Agriculture, and Mining

SUMMARY—Revises provisions relating to the admission to state parks and recreational areas in this State by certain veterans. (BDR 35-4)

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 veterans; requiring the Division of State Parks of the State Department of Conservation and Natural Resources to issue an annual permit for the free use of state parks and recreational areas in this State to certain veterans with any permanent service-connected disability; requiring the Administrator of the Division to reduce by at least \$2 any entrance fee to state parks and recreational areas in this State charged to residents of this State who are veterans; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Division of State Parks of the State Department of Conservation and Natural Resources to issue for no charge an annual permit to enter, camp and boat in all state parks and recreational areas in this State to a bona fide resident of this State who: (1) has incurred a permanent service-connected disability of 10 percent or more; and (2) has been honorably discharged from the Armed Forces of the United States. (NRS 407.065) **Section 1** of this bill requires the Division to issue such a permit to a bona fide resident of this State who has incurred any permanent service-connected disability and has been honorably discharged from the Armed Forces of the United States.

Existing regulations require the Division to reduce by \$1 any entrance fee to a state park or recreational area in this State that is charged to a person who holds a disability placard and presents it upon entrance to a park. (NAC 407.050) **Section 1** requires the Administrator of the Division to reduce by at least \$2 any entrance fee for a state park or recreational area in this State that is charged to a person who



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15 provides: (1) proof of residency; and (2) proof that he or she is a veteran. **Section 2**
16 of this bill makes a conforming change.

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

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

2 407.065 1. The Administrator, subject to the approval of the
3 Director:

4 (a) Except as otherwise provided in this paragraph and NRS
5 407.066, may establish, name, plan, operate, control, protect,
6 develop and maintain state parks, monuments and recreational areas
7 for the use of the general public. The name of an existing state park,
8 monument or recreational area may not be changed unless the
9 Legislature approves the change by statute.

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

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

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

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

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

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



(e) *Shall reduce by at least \$2 any fees for entering a state park or recreational area in this State that is imposed pursuant to paragraph (d) and charged to a person who provides proof of residency and proof that he or she is a veteran as defined in NRS 417.005.*

(f) 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)(g)~~ (g) 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)(h)~~ (h) 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)(i)~~ (i) In addition to any concession specified in paragraph ~~(f)(g)~~ (g), 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 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 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.

5. During each Public Lands Day observed pursuant to NRS 236.053, and upon proof of residency in this State, the Division shall allow a resident of this State to enter, camp and boat in any state park or recreational area without the payment of any fees for those activities. The free day of camping authorized pursuant to this subsection must include either the Friday night before Public Lands Day or overnight on the night of Public Lands Day, as determined by the Administrator for each state park and recreational area. A person is not entitled to receive more than one free night of camping during each Public Lands Day pursuant to this subsection.

6. 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) ~~I, (e) and (f)~~ to (g), inclusive, of subsection 1 or subsection 2 must be deposited in the State General Fund.

Sec. 2. NRS 407.0762 is hereby amended to read as follows:

407.0762 1. The Account for Maintenance of State Parks within the Division of State Parks is hereby created in the State General Fund. Except as otherwise provided in NRS 407.0765, any amount of fees collected pursuant to paragraphs (d) ~~I, (e) and (f)~~ to (g), inclusive, of subsection 1 or subsection 2 of NRS 407.065 in a calendar year, which is in excess of the amounts authorized for expenditure from that revenue source in the Division's budget for the fiscal year beginning in that calendar year, must be deposited in the Account. The interest and income earned on the money in the



1 Account, after deducting any applicable charges, must be credited to
2 the Account.

3 2. The money in the Account does not lapse to the State
4 General Fund at the end of any fiscal year.

5 3. The money deposited in the Account pursuant to subsection
6 1 must only be used to repair and maintain state parks, monuments
7 and recreational areas.

8 4. Before the Administrator may expend money pursuant to
9 subsection 3:

10 (a) For emergency repairs and projects with a cost of less than
11 \$25,000, the Administrator must first receive the approval of the
12 Director.

13 (b) For projects with a cost of \$25,000 or more, other than
14 emergency repairs, the Administrator must first receive the approval
15 of the Director and of the Interim Finance Committee.

