

Assembly Bill No. 52–Committee
on Government Affairs

CHAPTER.....

AN ACT relating to the State Department of Conservation and Natural Resources; creating the Division of Natural Heritage within the Department; transferring the duties of the Nevada Natural Heritage Program to the Division; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law creates the State Department of Conservation and Natural Resources, which is composed of the Division of Water Resources, the Division of State Lands, the Division of Forestry, the Division of State Parks, the Division of Environmental Protection, the Office of Historic Preservation and various programs, including the Nevada Natural Heritage Program. (NRS 232.020, 232.090) **Section 6** of this bill eliminates the Program and creates the Division of Natural Heritage within the Department. **Section 3** of this bill sets forth the duties of the Division. **Section 7** of this bill transfers certain duties of the Program to the Division. **Section 2** of this bill provides that the Division consists of an Administrator and other necessary personnel.

Existing regulations of the State Forester Firewarden set forth duties for the Nevada Natural Heritage Program relating to native flora. (NAC 527.110, 527.200) **Section 7** provides that those regulations remain in effect and may be enforced until the Administrator of the Division of Natural Heritage and the State Forester Firewarden jointly agree to repeal or replace those regulations.

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

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

Section 1. Chapter 232 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

Sec. 2. 1. *The Division of Natural Heritage consists of the Administrator and any other necessary personnel.*

2. *The Administrator is appointed by the Director and is in the unclassified service of the State.*

Sec. 3. 1. *The Division of Natural Heritage shall:*

(a) *Provide expertise in the areas of zoology, botany and community ecology, including the study of wetland ecosystems; and*

(b) *Maintain data systems related to the location, biology and conservation status of plant and animal species and ecosystems.*

2. *The Administrator may adopt any regulations necessary to carry out the provisions of this section.*



Sec. 4. NRS 232.010 is hereby amended to read as follows:

232.010 As used in NRS 232.010 to 232.162, inclusive ~~H~~ ,
and sections 2 and 3 of this act:

1. "Department" means the State Department of Conservation and Natural Resources.

2. "Director" means the Director of the State Department of Conservation and Natural Resources.

Sec. 5. NRS 232.020 is hereby amended to read as follows:

232.020 There is hereby created the State Department of Conservation and Natural Resources, in which is vested the administration of the provisions of NRS 232.010 to 232.162, inclusive ~~H~~ , *and sections 2 and 3 of this act.*

Sec. 6. NRS 232.090 is hereby amended to read as follows:

232.090 1. The Department consists of the Director and the following:

- (a) The Division of Water Resources.
- (b) The Division of State Lands.
- (c) The Division of Forestry.
- (d) The Division of State Parks.
- (e) The Division of Environmental Protection.
- (f) The Office of Historic Preservation.
- (g) *The Division of Natural Heritage.*

(h) Such other divisions as the Director may from time to time establish.

2. The State Environmental Commission, the State Conservation Commission, the Commission for Cultural Centers and Historic Preservation, the Commission on Off-Highway Vehicles, the Conservation Districts Program, ~~the Nevada Natural Heritage Program,~~ the Sagebrush Ecosystem Council and the Board to Review Claims are within the Department.

Sec. 7. 1. The duties of the Nevada Natural Heritage Program set forth in regulations are hereby transferred to the Division of Natural Heritage of the State Department of Conservation and Natural Resources.

2. Notwithstanding the provisions of subsection 2 of section 3 of this act, regulations adopted by the State Forester Firewarden relating to the Nevada Natural Heritage Program and codified as NAC 527.110 and 527.200 remain in effect and may be enforced until the Administrator of the Division of Natural Heritage of the State Department of Conservation and Natural Resources and the State Forester Firewarden jointly agree to repeal or replace those regulations.



Sec. 8. The Legislative Counsel shall, in preparing supplements to the Nevada Administrative Code, appropriately change any references to an officer, agency or other entity whose name is changed or whose responsibilities are transferred pursuant to the provisions of this act to refer to the appropriate officer, agency or other entity.

Sec. 9. This act becomes effective on July 1, 2019.

