

Amendment No. 224

Assembly Amendment to Assembly Bill No. 171	(BDR 35-4)
<b>Proposed by:</b> Assembly Committee on Natural Resources, Agriculture, and Mining	
<b>Amends:</b> Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

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.





ASSEMBLY BILL NO. 171—~~[ASSEMBLYWOMAN]~~ ASSEMBLYMEN BILBRAY-AXELROD  
AND ELLISON

FEBRUARY 18, 2019

Referred to Committee on Natural Resources,  
Agriculture, and Mining

SUMMARY—~~[Expands veterans who may receive free]~~ Revises provisions relating to the admission to state parks and ~~[other]~~ recreational areas [i] 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; ~~[expanding the veterans who may receive]~~ 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 ~~[other]~~ recreational areas [i] 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 ~~[provides for free admission permits to]~~ 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 ~~[for honorably discharged Nevadans]~~ in this State to a bona fide resident of this State who [are veterans with certain] : (1) has incurred a permanent service-connected [disabilities.] 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 ~~[extends the free admission permits to certain other Nevadans who are veterans.]~~ 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 provides: (1) proof of residency; and (2) proof that he or she is a veteran. Section 2 of this bill makes a conforming change.

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 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 ~~for~~ any permanent service-connected disability ~~for 10 percent or more~~ and has been honorably discharged from the Armed Forces of the United States, ~~that he or she is a veteran as defined in NRS 417.005.~~

➤ 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) 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.

~~((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.

~~((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.

~~((i))~~ (i) In addition to any concession specified in paragraph ~~((g))~~ (g), may establish concessions within the boundaries of any state park to provide for the sale

1 of food, drinks, ice, publications, sundries, gifts and souvenirs, and other such  
2 related items as the Administrator determines are appropriately made available to  
3 visitors. Any money received by the Administrator for a concession established  
4 pursuant to this paragraph must be deposited in the Account for State Park  
5 Interpretative and Educational Programs and Operation of Concessions created by  
6 NRS 407.0755.

7 2. The Administrator:

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

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

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

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

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

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

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

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

45 6. Except as otherwise provided in subsection 1 of NRS 407.0762 and  
46 subsection 1 of NRS 407.0765, the fees collected pursuant to paragraphs (d) ~~[(e)]~~  
47 ~~and (f)]~~ to (g), inclusive, of subsection 1 or subsection 2 must be deposited in the  
48 State General Fund.

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

50 407.0762 1. The Account for Maintenance of State Parks within the  
51 Division of State Parks is hereby created in the State General Fund. Except as  
52 otherwise provided in NRS 407.0765, any amount of fees collected pursuant to  
53 paragraphs (d) ~~[(e)]~~ ~~and (f)]~~ to (g), inclusive, of subsection 1 or subsection 2 of

1 NRS 407.065 in a calendar year, which is in excess of the amounts authorized for  
2 expenditure from that revenue source in the Division's budget for the fiscal year  
3 beginning in that calendar year, must be deposited in the Account. The interest and  
4 income earned on the money in the Account, after deducting any applicable  
5 charges, must be credited to the Account.

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

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

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

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

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