

Amendment No. 268

Assembly Amendment to Assembly Bill No. 331	(BDR 35-89)
Proposed by: Assembly Committee on Natural Resources, Agriculture, and Mining	
Amends: Summary: No Title: No 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. 331—ASSEMBLYMAN YEAGER

MARCH 18, 2019

Referred to Committee on Natural Resources,
Agriculture, and Mining

SUMMARY—Creates the Outdoor Education and Recreation Grant Program.
(BDR 35-89)

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 pupils; creating the Outdoor Education and Recreation Grant Program; requiring the Administrator of the Division of State Parks of the State Department of Conservation and Natural Resources to develop and administer the Grant Program; requiring the Administrator to adopt regulations; requiring the Administrator to appoint an advisory committee; creating the Outdoor Education and Recreation Grant Program Account and the Outdoor Education and Recreation Grant Program Endowment Fund; prescribing the uses of the money in the Account and in the Fund; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

This bill creates the Outdoor Education and Recreation Grant Program. **Section 3** of this bill requires the Administrator of the Division of State Parks of the State Department of Conservation and Natural Resources, within the limits of available resources, to develop and administer a program to award grants to public and private entities to conduct outdoor education and recreation programs for pupils in this State. Those programs must: (1) enable the pupils to experience directly the natural world; (2) integrate that experience with exposure to matters concerning the environment, agriculture or natural resources or other related matters; (3) be designed to improve the pupils' overall academic performance and other personal attributes; and (4) be primarily focused on pupils who are from economically disadvantaged backgrounds or at risk of failing academically or dropping out of school. **Section 3** also requires the Administrator to adopt regulations prescribing the criteria for eligibility, the procedures for the submission and review of applications and the substantive priorities for programs to be selected to receive money from the Grant Program. **Section 4** of this bill requires the Administrator to establish an advisory committee to assist in the development and administration of the Grant Program. **Section 5** of this bill creates the Outdoor Education and Recreation Grant Program Account and requires the Administrator to deposit in the Account any appropriation, gift, grant, bequest or donation of money received for the use of the Grant Program. **Section 6** of this bill creates the Outdoor Education and Recreation Grant Program Endowment Fund to receive any contribution ~~that~~ to the Fund. **Section 6** also requires the principal of the Fund to remain intact and allows only the interest income earned on the principal to be used to carry out the Grant Program.

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

1 **Section 1.** Chapter 407 of NRS is hereby amended by adding thereto the
2 provisions set forth as sections 2 to 6, inclusive, of this act.

3 **Sec. 2.** *As used in sections 2 to 6, inclusive, of this act, unless the context*
4 *otherwise requires, "Grant Program" means the Outdoor Education and*
5 *Recreation Grant Program created by section 3 of this act.*

6 **Sec. 3.** *1. The Outdoor Education and Recreation Grant Program is*
7 *hereby created for the purpose of awarding grants to eligible public agencies,*
8 *private nonprofit organizations and other community-based entities to conduct*
9 *outdoor education and recreation programs for pupils in this State. Such an*
10 *outdoor education and recreation program must:*

11 *(a) Provide the pupils with high-quality opportunities to directly experience*
12 *the natural world;*

13 *(b) Integrate that experience with exposure to matters concerning the*
14 *environment, agriculture, natural resources or other related matters;*

15 *(c) Be designed to improve the overall academic performance, self-esteem,*
16 *personal responsibility, community involvement, personal health or*
17 *understanding of nature of pupils; and*

18 *(d) Be primarily focused on pupils who are:*

19 *(1) From economically disadvantaged backgrounds, as measured by their*
20 *eligibility for free or reduced-price meals pursuant to 42 U.S.C. §§ 1751 et seq. or*
21 *an alternative measure prescribed by the State Board of Education;*

22 *(2) Most likely to fail academically; or*

23 *(3) Appear to have the greatest potential to drop out of school.*

24 **2.** *The Administrator shall, within the limits of available resources, develop*
25 *and administer the Grant Program and adopt regulations for its governance. The*
26 *regulations must prescribe, without limitation:*

27 *(a) The criteria for eligibility to receive money from the Grant Program;*

28 *(b) Procedures for the submission and review of applications to receive*
29 *money from the Grant Program;*

30 *(c) Priorities for program selection that take into account, without limitation,*
31 *the extent to which a program:*

32 *(1) Contributes to the reduction of academic failure and dropout rates;*

33 *(2) Uses a curriculum that is research-based and effective;*

34 *(3) Contributes to the healthy lifestyles of pupils through outdoor*
35 *recreation and sound nutrition;*

36 *(4) Makes use of state parks as venues and the personnel of the*
37 *Department as expert resources;*

38 *(5) Maximizes the number of pupils that can participate;*

39 *(6) Commits to providing matching funds and in-kind resources;*

40 *(7) Creates partnerships with other public or private entities;*

41 *(8) Provides participating pupils with opportunities to directly experience*
42 *and understand nature and the natural world; and*

43 *(9) Includes ongoing evaluation, assessment, and reporting of the*
44 *effectiveness of the program.*

45 **3.** *As used in this section, "public agency" has the meaning ascribed to it in*
46 *NRS 277.100.*

1 **Sec. 4. 1. The Administrator shall, by regulation, establish an advisory**
2 **committee to assist and advise the Administrator in the development and**
3 **administration of the Grant Program. The regulations must specify:**

- 4 (a) *The membership of the committee;*
5 (b) *The duties of the committee;*
6 (c) *The terms of members of the committee; and*
7 (d) *The rules for the governance of the committee.*

8 2. *The Administrator shall appoint members to the advisory committee who*
9 *have knowledge and experience in outdoor education and recreation and matters*
10 *concerning the environment, agriculture, natural resources or other related*
11 *matters relevant to the purposes of the Grant Program. The advisory committee*
12 *must include, without limitation, members from:*

- 13 (a) *Agencies of state and local government;*
14 (b) *Public schools, private schools, charter schools and school districts;*
15 (c) *Private nonprofit organizations and community-based programs; and*
16 (d) *The business community.*

17 3. *In addition to the membership prescribed by subsection 2, the*
18 *Administrator shall appoint to the advisory committee a person who was or is a*
19 *pupil in this State and participated in an outdoor education and recreation*
20 *program that was funded by a grant awarded pursuant to section 3 of this act or,*
21 *if no such person is available to serve, a person who represents pupils in this*
22 *State and has knowledge and experience in outdoor education and recreation*
23 *programs.*

24 4. *To the extent that money is available for that purpose, each member of*
25 *the advisory committee who is not an officer or employee of the State of Nevada*
26 *is entitled to receive a salary of not more than \$80 per day, fixed by the*
27 *Administrator, for each day or portion of a day spent on the business of the*
28 *advisory committee. Each member of the advisory committee who is an officer or*
29 *employee of the State of Nevada serves without additional compensation. To the*
30 *extent that money is available for that purpose, each member of the advisory*
31 *committee is entitled to receive the per diem allowance and travel expenses*
32 *provided for state officers and employees generally.*

33 ~~4.4~~ 5. *Each member of the advisory committee who is an officer or*
34 *employee of the State of Nevada or a local government must be relieved from his*
35 *or her duties without loss of regular compensation so that he or she may prepare*
36 *for and attend meetings of the advisory committee and perform any work*
37 *necessary to carry out the duties of the advisory committee in the most timely*
38 *manner practicable. A state agency or local governmental entity may not require*
39 *an employee who is a member of the advisory committee to make up time or take*
40 *annual vacation or compensatory time for the time that he or she is absent from*
41 *work to carry out his or her duties as a member of the advisory committee.*

42 **Sec. 5. 1. The Outdoor Education and Recreation Grant Program**
43 **Account is hereby created in the State General Fund.**

44 2. *The Administrator shall administer the Account.*

45 3. *In addition to any direct legislative appropriation, the Administrator may*
46 *apply for and accept any gift, grant, bequest, donation or other source of money.*
47 *Except as otherwise provided in section 6 of this act, any money so received must*
48 *be deposited in the Account.*

49 4. *Any interest and income earned on money in the Account, after*
50 *deducting any applicable charges, must be credited to the Account.*

51 5. *The money in the Account must be used to carry out the Grant Program.*

52 6. *Claims against the Account must be paid as other claims against the*
53 *State are paid.*

1 7. *Any money remaining in the Account at the end of a fiscal year does not*
2 *revert to the State General Fund, and the balance in the Account must be carried*
3 *forward to the next fiscal year.*

4 **Sec. 6.** *1. The Outdoor Education and Recreation Grant Program*
5 *Endowment Fund is hereby created as a trust fund in the State Treasury.*

6 *2. The Administrator shall administer the Fund.*

7 *3. The State Treasurer shall deposit in the Fund:*

8 *(a) Any money that the State Treasurer receives from a person who wishes to*
9 *contribute to the Fund; and*

10 *(b) Any interest or income earned on money in the Fund.*

11 *4. The money that represents the principal of the Fund must not be spent*
12 *for any purpose. The money that represents the interest or income earned may be*
13 *spent or transferred to the Outdoor Education and Recreation Grant Program*
14 *Account created by section 5 of this act and must be used to carry out the Grant*
15 *Program.*

16 *5. Claims against the Fund must be paid as other claims against the State*
17 *are paid.*

18 **Sec. 7.** This act becomes effective on July 1, 2019.