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FIRST REPRINT

S.B. 96

SENATE BILL NO. 96—COMMITTEE ON NATURAL RESOURCES

(ON BEHALF OF THE LEGISLATIVE COMMITTEE
ON PUBLIC LANDS)

PREFILED JANUARY 24, 2019

Referred to Committee on Natural Resources

SUMMARY—Creates a grant program to award grants of money to certain organizations applying for federal funds to finance certain projects related to public lands. (BDR 26-510)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Contains Appropriation not included in Executive Budget.

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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; creating the Nevada Public Lands Grant Program within the State Department of Conservation and Natural Resources; making an appropriation; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law creates the State Department of Conservation and Natural Resources and the Division of State Lands within the Department. (NRS 232.020, 232.090) **Section 6** of this bill creates the Nevada Public Lands Grant Program within the Department to award grants to certain local governments and other organizations to be used as matching funds required for the local governments and organizations to secure federal grants for projects related to public lands issues. **Sections 6 and 7** of this bill require the Director of the Department to administer the Program and adopt regulations establishing the eligibility requirements, application procedures and criteria for the award of grants. **Sections 8 and 9** of this bill create the Account for the Nevada Public Lands Grant Program to allow the Program to accept donations, grants and other types of funding for the award of grants and operation of the Program. **Section 10** of this bill makes an appropriation of \$500,000 from the State General Fund to the Department for the operation of the Program and to award grants pursuant to the Program.



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

Section 1. Chapter 321 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 8, inclusive, of this act.

Sec. 2. *As used in sections 2 to 8, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 3, 4 and 5 of this act have the meanings ascribed to them in those sections.*

Sec. 3. *"Department" means the State Department of Conservation and Natural Resources.*

Sec. 4. *"Director" means the Director of the State Department of Conservation and Natural Resources.*

Sec. 5. *"Program" means the Nevada Public Lands Grant Program created by section 6 of this act.*

Sec. 6. 1. *The Nevada Public Lands Grant Program is hereby created within the Department for the purpose of awarding grants to eligible recipients to be used to provide matching funds required as a condition of any federal grant that will be used to finance a project designed to address any issue related to public lands.*

2. *The Director or his or her designee shall administer the Program.*

3. *A grant may be awarded pursuant to the Program to a county, city, town, conservation district, community organization or nonprofit organization which has demonstrated financial need for assistance and meets the eligibility requirements set forth in the regulations adopted by the Director pursuant to section 7 of this act.*

4. *A grant awarded pursuant to the Program may only be used for the purposes described in subsection 1.*

Sec. 7. The Director:

1. *Shall adopt regulations establishing the eligibility requirements, application procedures and criteria that will be used in determining whether to award a grant of money through the Program;*

2. *May adopt any other regulations necessary to carry out the Program; and*

3. *Shall administer the Account created pursuant to section 8 of this act.*

Sec. 8. 1. *The Account for the Nevada Public Lands Grant Program is hereby created in the State General Fund.*



2. *The Director shall administer the Account and may apply for and accept any donation, gift, grant, bequest or other source of money for deposit in the Account.*

3. *Any money appropriated from the State General Fund to the Program must be deposited into the Account.*

4. *The money in the Account must be used to:*

(a) *Award grants to eligible recipients selected in accordance with the regulations adopted pursuant to section 7 of this act; and*

(b) *Pay any reasonable administrative expenses incurred by the Director or his or her designee to carry out the Program.*

5. *The interest and income earned on money in the Account, after deducting any applicable charges, must be credited to the Account.*

6. *Any claims against the Account must be paid as other claims against the State are paid.*

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

Sec. 9. NRS 232.070 is hereby amended to read as follows:

232.070 1. As executive head of the Department, the Director is responsible for the administration, through the divisions and other units of the Department, of all provisions of law relating to the functions of the Department, except functions assigned by law to the State Environmental Commission, the State Conservation Commission, the Commission for Cultural Centers and Historic Preservation, the Commission on Off-Highway Vehicles or the Sagebrush Ecosystem Council.

2. Except as otherwise provided in subsection 4, the Director shall:

(a) Establish departmental goals, objectives and priorities.

(b) Approve divisional goals, objectives and priorities.

(c) Approve divisional and departmental budgets, legislative proposals, contracts, agreements and applications for federal assistance.

(d) Coordinate divisional programs within the Department and coordinate departmental and divisional programs with other departments and with other levels of government.

(e) Appoint the executive head of each division within the Department.

(f) Delegate to the executive heads of the divisions such authorities and responsibilities as the Director deems necessary for the efficient conduct of the business of the Department.

(g) Establish new administrative units or programs which may be necessary for the efficient operation of the Department, and alter



departmental organization and reassign responsibilities as the Director deems appropriate.

(h) From time to time adopt, amend and rescind such regulations as the Director deems necessary for the administration of the Department.

(i) Consider input from members of the public, industries and representatives of organizations, associations, groups or other entities concerned with matters of conservation and natural resources on the following:

(1) Matters relating to the establishment and maintenance of an adequate policy of forest and watershed protection;

(2) Matters relating to the park and recreational policy of the State;

(3) The use of land within this State which is under the jurisdiction of the Federal Government;

(4) The effect of state and federal agencies' programs and regulations on the users of land under the jurisdiction of the Federal Government, and on the problems of those users of land; and

(5) The preservation, protection and use of this State's natural resources.

3. Except as otherwise provided in subsection 4, the Director may enter into cooperative agreements with any federal or state agency or political subdivision of the State, any public or private institution located in or outside the State of Nevada, or any other person, in connection with studies and investigations pertaining to any activities of the Department.

4. This section does not confer upon the Director any powers or duties which are delegated by law to the State Environmental Commission, the State Conservation Commission, the Commission for Cultural Centers and Historic Preservation, the Commission on Off-Highway Vehicles or the Sagebrush Ecosystem Council, but the Director may foster cooperative agreements and coordinate programs and activities involving the powers and duties of the Commissions and the Council.

5. Except as otherwise provided in NRS 232.159 and 232.161 **H and section 8 of this act**, all gifts of money and other property which the Director is authorized to accept must be accounted for in the Department of Conservation and Natural Resources Gift Fund which is hereby created as a trust fund.

Sec. 10. There is hereby appropriated from the State General Fund to the State Department of Conservation and Natural Resources the sum of \$500,000 for the operation of the Nevada Public Lands Grant Program created by section 6 of this act, including, without limitation, administrative expenses and the award of grants of money pursuant to the Program.



Sec. 11. 1. Any remaining balance of the appropriation made by section 10 of this act must not be committed for expenditure after June 30, 2023, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 15, 2023, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 15, 2023.

2. The appropriation made by the provisions of this act is not intended finance ongoing expenditures of state agencies, and the expenditures financed with the appropriation must not be included as a base budget expenditure in the proposed budget for the Executive Branch of State Government for the 2021-2023 biennium.

Sec. 12. This act becomes effective:

1. Upon passage and approval for the purpose of adopting regulations and performing any preparatory administrative tasks necessary to carry out the provisions of this act; and

2. On January 1, 2020, for all other purposes.

