

SENATE BILL NO. 53—COMMITTEE ON NATURAL RESOURCES

(ON BEHALF OF THE DIVISION OF STATE PARKS
OF THE STATE DEPARTMENT OF
CONSERVATION AND NATURAL RESOURCES)

PREFILED NOVEMBER 18, 2020

Referred to Committee on Natural Resources

SUMMARY—Makes various changes relating to the Division of State Parks of the State Department of Conservation and Natural Resources. (BDR 35-338)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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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 the Division of State Parks of the State Department of Conservation and Natural Resources; authorizing the Administrator of the Division to organize the areas under the jurisdiction of the Division into regions; revising provisions relating to certain fees collected for the repair, operation and maintenance of communication systems in state parks; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law sets forth the general powers and duties of the Administrator of the Division of State Parks of the State Department of Conservation and Natural Resources. (NRS 407.065) **Section 1** of this bill authorizes the Administrator to organize the areas under the jurisdiction of the Division into regions.

Existing law authorizes the Administrator, with the approval of the Director of the Department, to collect at each state park a fee for the repair, operation and maintenance of sewer, water and electrical systems. Such fees must only be used for the repair, operation and maintenance of such systems in the state park in which the fees were collected. (NRS 407.0765) **Section 2** of this bill: (1) clarifies the authority of the Administrator to collect the fee at any area under the jurisdiction of the Division; and (2) authorizes the Administrator to use the fee for the repair, operation and maintenance of communication systems. **Section 2** further provides that if the Administrator has organized the areas under the jurisdiction of the Division into regions, the fees may be used for the repair, operation and



15 maintenance of the sewer, water, communication and electrical systems of any such
16 area in the region in which the money was collected.

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 bona fide resident of the State of Nevada who is 65 years of
28 age or older.

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

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



(e) 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) 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) 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) In addition to any concession specified in paragraph (f), 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.

(i) May organize the areas under the jurisdiction of the Division into regions.

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



1 an annual permit to a pupil who has completed fourth grade and
2 who intends to enter the fifth grade after completing the fourth
3 grade;

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

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

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

15 5. During each Public Lands Day observed pursuant to NRS
16 236.053, and upon proof of residency in this State, the Division
17 shall allow a resident of this State to enter, camp and boat in any
18 state park or recreational area without the payment of any fees for
19 those activities. The free day of camping authorized pursuant to this
20 subsection must include either the Friday night before Public Lands
21 Day or overnight on the night of Public Lands Day, as determined
22 by the Administrator for each state park and recreational area. A
23 person is not entitled to receive more than one free night of camping
24 during each Public Lands Day pursuant to this subsection.

25 6. Except as otherwise provided in subsection 1 of NRS
26 407.0762 and subsection 1 of NRS 407.0765, the fees collected
27 pursuant to paragraphs (d), (e) and (f) of subsection 1 or subsection
28 2 must be deposited in the State General Fund.

29 **Sec. 2.** NRS 407.0765 is hereby amended to read as follows:

30 407.0765 1. The Administrator, with the approval of the
31 Director, may collect at each ~~{state park}~~ *area under the*
32 *jurisdiction of the Division* a fee for the repair, operation and
33 maintenance of sewer, water , *communication* and electrical
34 systems . ~~{within the park.}~~ Any fees collected pursuant to this
35 section must be deposited in the Account for Maintenance of State
36 Parks within the Division of State Parks created in NRS 407.0762.

37 2. ~~{The}~~ *Except as otherwise provided in this subsection, the*
38 money deposited in the Account pursuant to this section must be
39 accounted for separately for each ~~{park}~~ *area* and must only be used
40 for the repair, operation and maintenance of the sewer, water ,
41 *communication* and electrical systems in the ~~{park}~~ *area* in which
42 the money was collected. *If the Administrator has organized the*
43 *areas under the jurisdiction of the Division into regions pursuant*
44 *to NRS 407.065, the money deposited in the Account pursuant to*
45 *this section must be accounted for separately for each region and*



1 *must only be used for the repair, operation and maintenance of*
2 *the sewer, water, communication and electrical systems of the*
3 *areas in the region in which the money was collected.*

4 3. The Administrator, subject to the approval of the Director,
5 may expend money pursuant to subsection 2.

6 **Sec. 3.** This act becomes effective upon passage and approval.

