

ASSEMBLY BILL NO. 164—ASSEMBLYMAN YEAGER

FEBRUARY 14, 2023

Referred to Committee on Education

SUMMARY—Revises provisions related to outdoor recreation.
(BDR 35-487)

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 outdoor recreation; revising the duties of the Advisory Board on Outdoor Recreation; eliminating the advisory committee established to assist and advise the Administrator of the Division of Outdoor Recreation of the State Department of Conservation and Natural Resources on the development and administration of the Outdoor Education and Recreation Grant Program; requiring the Division of Outdoor Recreation to establish an Outdoor Education Advisory Working Group during the 2023-2024 interim to study approaches to incorporate outdoor recreation into the curriculum of the public education system in this State; prescribing the membership and duties of the Outdoor Education Advisory Working Group; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law creates the Outdoor Education and Recreation Grant Program and
2 requires the Administrator of the Division of Outdoor Recreation of the State
3 Department of Conservation and Natural Resources to adopt regulations to
4 establish an advisory committee to assist and advise the Administrator in the
5 development and administration of the Grant Program. (NRS 407A.605, 407A.610)
6 Existing law also creates the Advisory Board on Outdoor Recreation, which is
7 required to advise the Administrator on any matter concerning outdoor recreation in
8 this State. (NRS 407A.575) **Section 1.3** of this bill eliminates the advisory
9 committee and instead requires the Advisory Board on Outdoor Recreation to serve
10 as a technical advisory committee to assist and advise the Administrator in the
11 development and administration of the Grant Program. **Section 1** of this bill makes



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a conforming change to require the Advisory Board to assist and advise the Administrator in the development and administration of the Grant Program.

Section 1.7 of this bill requires the Division of Outdoor Recreation to establish an Outdoor Education Advisory Working Group in the 2023-2024 interim to study approaches to incorporate outdoor recreation into the curriculum of the public education system in this State. **Section 1.7** also: (1) prescribes the membership and duties of the Outdoor Education Advisory Working Group; (2) requires the Division to submit a written report describing the activities, findings, conclusions and recommendations of the Advisory Working Group for transmittal to the 83rd Session of the Legislature; and (3) authorizes the Outdoor Education Advisory Working Group to request the drafting of not more than 1 legislative measure for prefilming on or before the first day of the regular session of the Legislature in 2025.

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

Section 1. NRS 407A.575 is hereby amended to read as follows:

407A.575 1. There is hereby created the Advisory Board on Outdoor Recreation composed of:

(a) The following 12 voting members:

(1) The Lieutenant Governor or his or her designee;

(2) The Director or his or her designee;

(3) The Director of the Department of Tourism and Cultural Affairs or his or her designee;

(4) The Executive Director of the Office of Economic Development or his or her designee;

(5) The Director of the Department of Wildlife or his or her designee;

(6) The Administrator of the Division of State Parks of the Department;

(7) The Chair of the Nevada Indian Commission;

(8) One member appointed by the Governor from a list of nominees submitted by the Board of Directors of the Nevada Association of Counties, or its successor organization, who:

(I) Resides in a county whose population is less than 100,000; and

(II) Has professional expertise or possesses demonstrated knowledge in outdoor recreation, natural resources management and economic development in this State; and

(9) Four members appointed by the Governor from a list of nominees submitted by the Lieutenant Governor and the Director as follows:

(I) A representative of the outdoor recreation industry;

(II) A representative of conservation interests;



(III) A person with experience in and knowledge of education; and

(IV) A person with experience in and knowledge of public health.

(b) The following two nonvoting members, who must be appointed by the Administrator of the Division of Outdoor Recreation or his or her designee, subject to the approval of the Director:

(1) A representative of the United States Department of the Interior from the Bureau of Land Management, National Park Service or United States Fish and Wildlife Service; and

(2) A representative of the United States Department of Agriculture from the United States Forest Service or Rural Development.

2. The Lieutenant Governor or his or her designee shall:

(a) Serve as Chair of the Advisory Board; and

(b) Appoint a member of the Advisory Board to serve as Vice Chair of the Advisory Board.

3. The Advisory Board shall meet at such times and places as are specified by a call of the Chair but not less than once a year. A majority of the voting members of the Advisory Board constitutes a quorum. If a quorum is present, the affirmative vote of a majority of the voting members of the Advisory Board present is sufficient for any official action taken by the Advisory Board.

4. The Advisory Board shall **advise**:

(a) **Advise** the Administrator on any matter concerning outdoor recreation in this State ~~[-]~~; and

(b) **Assist and advise the Administrator in the development and administration of the Outdoor Education and Recreation Grant Program pursuant to NRS 407A.610.**

Sec. 1.3. NRS 407A.610 is hereby amended to read as follows:

407A.610 1. The ~~Administrator~~ **Advisory Board on Outdoor Recreation created by NRS 407A.575** shall ~~[-, by regulation, establish an]~~ **serve as a technical** advisory committee to assist and advise the Administrator in the development and administration of the Grant Program.

2. The **Administrator may adopt** regulations ~~[-must specify:~~

~~—(a) The membership of the committee;~~

~~—(b) The] setting forth the~~ duties of the ~~[-committee;~~

~~—(c) The terms of members of the committee; and~~

~~—(d) The rules for the governance of the committee.~~

~~2. The Administrator shall appoint members to the advisory committee who have knowledge and experience in outdoor education and recreation and matters concerning the environment;~~



1 agriculture, natural resources or other related matters relevant to the
2 purposes of the Grant Program. The advisory committee must
3 include, without limitation, members from:

4 —(a) Agencies of state and local government;

5 —(b) Public schools, private schools, charter schools and school
6 districts;

7 —(c) Private nonprofit organizations and community based
8 programs; and

9 —(d) The business community.

10 —3. In addition to the membership prescribed by subsection 2,
11 the Administrator shall appoint to the advisory committee a person
12 who was or is a pupil in this State and participated in an outdoor
13 education and recreation program that was funded by a grant
14 awarded pursuant to NRS 407A.605 or, if no such person is
15 available to serve, a person who represents pupils in this State and
16 has knowledge and experience in outdoor education and recreation
17 programs.

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

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

41 **Sec. 1.7.** 1. The Division of Outdoor Recreation in the State
42 Department of Conservation and Natural Resources shall establish
43 an Outdoor Education Advisory Working Group during the 2023-
44 2024 interim to study approaches to incorporate outdoor recreation



1 into the curriculum of the public education system in this State. The
2 Advisory Working Group consists of the following members:

3 (a) A representative of the Division of Outdoor Recreation,
4 appointed by the Administrator of the Division;

5 (b) A representative of the Office of Early Learning and
6 Development in the Department of Education, the Office of
7 Standards and Instructional Support in the Department of Education
8 or the Office for a Safe and Respectful Learning Environment in the
9 Department of Education, appointed by the Superintendent of Public
10 Instruction of the Department of Education;

11 (c) A representative of the Department of Wildlife, appointed by
12 the Director of the Department of Wildlife;

13 (d) One teacher from an urban area, appointed by the Speaker of
14 the Assembly;

15 (e) One teacher from an urban area, appointed by the Majority
16 Leader of the Senate;

17 (f) One teacher from a rural area, appointed by the Governor;

18 (g) One superintendent of a school district, appointed by the
19 Nevada Association of School Superintendents;

20 (h) One pupil enrolled in a public school, appointed by the
21 Speaker of the Assembly, with the permission of a parent or legal
22 guardian of the pupil;

23 (i) Two providers of nature-based education, one of whom must
24 primarily serve a minority or historically underserved community,
25 appointed by the Speaker of the Assembly;

26 (j) A member of the Senate, appointed by the Majority Leader of
27 the Senate;

28 (k) A member of the Senate, appointed by the Minority Leader
29 of the Senate;

30 (l) A member of the Assembly, appointed by the Speaker of the
31 Assembly;

32 (m) A member of the Assembly, appointed by the Minority
33 Leader of the Assembly;

34 (n) An early education specialist, appointed by the Majority
35 Leader of the Senate; and

36 (o) A provider of health care to children and adolescents,
37 appointed by the Governor.

38 2. The Outdoor Education Advisory Working Group shall
39 study approaches to incorporate outdoor recreation into the
40 curriculum for preschool, kindergarten and grades 1 to 12, inclusive,
41 which include, without limitation, opportunities to integrate outdoor
42 recreation with:

43 (a) Physical education;

44 (b) Scientific inquiry;

45 (c) Technology;



- (d) Environmental science;
- (e) Physical sciences;
- (f) Language arts;
- (g) Art;
- (h) Humanities;
- (i) Social and emotional learning; and
- (j) Public service.

3. The Outdoor Education Advisory Working Group shall, at its first meeting, elect a Chair and Vice Chair from among its members.

4. A majority of the members of the Outdoor Education Advisory Working Group constitutes a quorum for the transaction of business, and a majority of those members present at any meeting is sufficient for any official action taken by the Outdoor Education Advisory Working Group.

5. The Division shall provide the Advisory Working Group with such administrative support as is necessary to assist the Outdoor Recreation Working Group in carrying out its duties pursuant to this section.

6. The members of the Outdoor Education Advisory Working Group serve without compensation generally.

7. Each member of the Outdoor Education Advisory Working Group who is an officer or employee of the State or a local government must be relieved from his or her duties without loss of regular compensation so that the member may prepare for and attend meetings of the Outdoor Education Advisory Working Group and perform any work necessary to carry out the duties of the Outdoor Education Advisory Working Group in the most timely manner practicable. A state agency or local government shall not require an officer or employee who is a member of the Outdoor Education Advisory Working Group to make up the time the member is absent from work to carry out his or her duties as a member, and shall not require the member to take annual vacation or compensatory time for the absence.

8. The Division may accept gifts, grants and donations from any source to support the work of the Outdoor Education Advisory Working Group.

9. The Division shall, on or before December 31, 2024, prepare and submit a written report describing the activities, findings, conclusions and recommendations of the Outdoor Education Advisory Working Group to the Director of the Legislative Counsel Bureau for transmittal to the 83rd Session of the Legislature.

10. The Outdoor Education Advisory Working Group may request the drafting of not more than 1 legislative measure which relates to matters within the scope of the Outdoor Education



Advisory Working Group. The request must be submitted to the Legislative Counsel on or before December 31, 2024, and must be on a form prescribed by the Legislative Counsel. A legislative measure requested pursuant to this subsection must be prefiled on or before the first day of the regular session of the Legislature in 2025. A legislative measure that is not prefiled on or before that day shall be deemed withdrawn.

11. As used in this section, “historically underserved community” has the meaning ascribed to it in NRS 445B.834.

Sec. 1.9. Notwithstanding the provisions of NRS 407A.610, as amended by section 1.3 of this act, the terms of all of the members serving on the advisory committee established by regulation pursuant to NRS 407A.610 who are serving on June 30, 2023, expire on that date.

Sec. 2. 1. This section becomes effective upon passage and approval.

2. Section 1.7 of this act becomes effective:

(a) Upon passage and approval for the purpose of appointing members to the Outdoor Education Advisory Working Group established pursuant to section 1.7 of this act and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and

(b) On July 1, 2023, for all other purposes.

3. Sections 1 and 1.3 of this act become effective:

(a) Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and

(b) On July 1, 2023, for all other purposes.

4. Section 1.9 of this act becomes effective upon passage and approval.

