

ASSEMBLY BILL NO. 385—ASSEMBLYMEN YEAGER, ARAUJO,
MCCURDY II, WATKINS, DIAZ; BENITEZ-THOMPSON,
FLORES, JAUREGUI AND JOINER

MARCH 20, 2017

JOINT SPONSORS: SENATORS CANNIZZARO AND CANCELA

Referred to Committee on Natural Resources,
Agriculture, and Mining

SUMMARY—Provides for the issuance of free annual permits to
fifth graders to enter state parks and recreational
areas. (BDR 35-656)

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 state lands; requiring the Administrator of the
Division of State Parks of the State Department of
Conservation and Natural Resources to establish a
program for the issuance, without charge, of an annual
permit for state parks and recreational areas to pupils
enrolled in the fifth grade in this State under certain
circumstances; and providing other matters properly
relating thereto.

Legislative Counsel's Digest:

1 Existing law sets forth the general authority of the Administrator of the
2 Division of State Parks of the State Department of Conservation and Natural
3 Resources to establish and maintain state parks and recreational areas in this State,
4 including, without limitation, the authority to issue an annual permit to a person to
5 enter, camp and boat in those state parks and recreational areas. (NRS 407.065)
6 This bill requires the Administrator to establish a program for the issuance of an
7 annual permit, free of charge, to enter all state parks and recreational areas in this
8 State to any pupil who is enrolled in the fifth grade at a school in this State. The
9 program must include, without limitation, provisions which specify the
10 circumstances under which a pupil and any person accompanying a pupil may use
11 the annual permit to enter a state park or recreational area. This bill also provides
12 that an annual permit issued pursuant to the program authorizes the holder of the



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13 permit to enter a state park or recreational area free of charge, but does not
14 authorize camping, boating or attending special events at a state park or recreational
15 area without paying a fee.

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 ~~paragraph,~~ **section,**
22 shall impose and collect reasonable fees for entering, camping and
23 boating in state parks and recreational areas. The Division shall
24 issue an annual permit for entering, camping and boating in all state
25 parks and recreational areas in this State:
26 (1) Upon application therefor and proof of residency and age,
27 to any person who is 65 years of age or older and has resided in this
28 State for at least 5 years immediately preceding the date on which
29 the application is submitted.
30 (2) Upon application therefor and proof of residency and
31 proof of status as described in subsection 5 of NRS 361.091, to a
32 bona fide resident of the State of Nevada who has incurred a
33 permanent service-connected disability of 10 percent or more and
34 has been honorably discharged from the Armed Forces of the United
35 States.
36 ↪ The permit must be issued without charge, except that the
37 Division shall charge and collect an administrative fee for the



1 issuance of the permit in an amount sufficient to cover the costs of
2 issuing the permit.

3 (e) May conduct and operate such special services as may be
4 necessary for the comfort and convenience of the general public,
5 and impose and collect reasonable fees for such special services.

6 (f) May rent or lease concessions located within the boundaries
7 of state parks or of real property controlled or administered by the
8 Division to public or private corporations, to groups of natural
9 persons, or to natural persons for a valuable consideration upon such
10 terms and conditions as the Division deems fit and proper, but no
11 concessionaire may dominate any state park operation.

12 (g) May establish such capital projects construction funds as are
13 necessary to account for the parks improvements program approved
14 by the Legislature. The money in these funds must be used for the
15 construction and improvement of those parks which are under the
16 supervision of the Administrator.

17 (h) In addition to any concession specified in paragraph (f), may
18 establish concessions within the boundaries of any state park to
19 provide for the sale of food, drinks, ice, publications, sundries, gifts
20 and souvenirs, and other such related items as the Administrator
21 determines are appropriately made available to visitors. Any money
22 received by the Administrator for a concession established pursuant
23 to this paragraph must be deposited in the Account for State Park
24 Interpretative and Educational Programs and Operation of
25 Concessions created by NRS 407.0755.

26 2. The Administrator:

27 (a) Shall issue an annual permit to a person who pays a
28 reasonable fee as prescribed by regulation which authorizes the
29 holder of the permit to enter each state park and each recreational
30 area in this State and, except as otherwise provided in subsection
31 ~~3~~ 4, use the facilities of the state park or recreational area without
32 paying the entrance fee; and

33 (b) May issue an annual permit to a person who pays a
34 reasonable fee as prescribed by regulation which authorizes the
35 holder of the permit to enter a specific state park or specific
36 recreational area in this State and, except as otherwise provided in
37 subsection ~~3~~ 4, use the facilities of the state park or recreational
38 area without paying the entrance fee.

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

44 (a) *Specify the period for which the Administrator may issue*
45 *an annual permit to a pupil pursuant to this subsection, including,*



1 *without limitation, the date upon which the Administrator may*
2 *issue an annual permit to a pupil who has completed fourth grade*
3 *and who intends to enter the fifth grade after completing the*
4 *fourth grade;*

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

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

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

16 ~~4.1~~ **5.** Except as otherwise provided in subsection 1 of NRS
17 407.0762 and subsection 1 of NRS 407.0765, the fees collected
18 pursuant to paragraphs (d), (e) and (f) of subsection 1 or subsection
19 2 must be deposited in the State General Fund.

20 **Sec. 2.** This act becomes effective upon passage and approval
21 for the purpose of performing any administrative tasks that are
22 necessary to carry out the provisions of this act and on July 1, 2017,
23 for all other purposes.

