

Amendment No. 897

Assembly Amendment to Assembly Bill No. 84 (BDR 35-471)

Proposed by: Assembly Committee on Ways and Means

Amendment Box: Replaces Amendment No. 860.

Amends: Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

Adoption of this amendment will ADD an appropriation where one does not currently exist in A.B. 84.

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.

ERS/HAC



Date: 6/1/2023

A.B. No. 84—Revises requirements for the issuance of certain annual permits for entering, camping and boating in state parks and recreational areas. (BDR 35-471)



ASSEMBLY BILL NO. 84—COMMITTEE ON NATURAL RESOURCES

PREFILED JANUARY 30, 2023

Referred to Committee on Natural Resources

SUMMARY—~~[Revises requirements]~~ **Provides** for the issuance of ~~[certain]~~ **free** annual permits **to certain persons** for entering ~~[camping and boating in]~~ state parks and recreational areas. (BDR 35-471)

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 to** issue, free of charge, an annual permit for entering ~~[camping and boating in]~~ all state parks and recreational areas to ~~[members of certain Indian tribes under certain circumstances]~~ **certain persons; making an appropriation to the Division to offset the loss of revenue from user fees resulting from such a program;** and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the **Administrator of the** Division of State Parks of the State Department of Conservation and Natural Resources to **establish a program to** issue free of charge ~~[other than an administrative fee,]~~ an annual permit to enter ~~[camp and boat in]~~ all state parks and recreational areas in this State to any ~~[bona fide resident of this State who: (1) is 65 years of age or older; or (2) has incurred a permanent service-connected disability and has been honorably discharged from the Armed Forces of the United States.]~~ **pupil who is enrolled in the fifth grade at a school in this State.** (NRS 407.065) ~~[This Section 1 of this bill requires the [Division] Administrator to establish a similar program to issue free of charge an annual permit to enter [camp and boat in] all state parks and recreational areas in this State to any : (1) member of an Indian tribe located in whole or in part in this State [This bill also provides that the Division is required to issue such an annual permit to a member of an Indian tribe without collecting an administrative fee.] ; and (2) bona fide resident of this State who has been discharged, except a person who has been dishonorably discharged, from the Armed Forces of the United States.~~

Section 1.3 of this bill makes a conforming change to provide that such a program is an exception to the requirement that the Administrator impose and collect a reasonable fee for entering state parks and recreation areas.

Section 1.7 of this bill makes an appropriation to the Division to offset the loss of revenue from user fees associated with implementing such a 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 a
2 new section to read as follows:

3 The Administrator shall establish a program for the issuance of an annual
4 permit, free of charge, to enter each state park and recreation area in this State
5 to:

6 1. Any member of an Indian tribe that is located in whole or in part in this
7 State; and

8 2. Any bona fide resident of this State who has been discharged from the
9 Armed Forces of the United States, except a person who has been dishonorably
10 discharged.

11 ~~{Section 1.}~~ Sec. 1.3. NRS 407.065 is hereby amended to read as follows:
12 407.065 1. The Administrator, subject to the approval of the Director:

13 (a) Except as otherwise provided in this paragraph and NRS 407.066, may
14 establish, name, plan, operate, control, protect, develop and maintain state parks,
15 monuments and recreational areas for the use of the general public. The name of an
16 existing state park, monument or recreational area may not be changed unless the
17 Legislature approves the change by statute.

18 (b) Shall protect state parks and property controlled or administered by the
19 Division from misuse or damage and preserve the peace within those areas. The
20 Administrator may appoint or designate certain employees of the Division to have
21 the general authority of peace officers.

22 (c) May allow multiple use of state parks and real property controlled or
23 administered by the Division for any lawful purpose, including, but not limited to,
24 grazing, mining, development of natural resources, hunting and fishing, in
25 accordance with such regulations as may be adopted in furtherance of the purposes
26 of the Division.

27 (d) Except as otherwise provided in this section ~~{1}~~ and section 1 of this act,
28 shall impose and collect reasonable fees for entering, camping and boating in state
29 parks and recreational areas. The Division shall issue an annual permit for entering,
30 camping and boating in all state parks and recreational areas in this State ~~;~~ without
31 charge;

32 (1) ~~{Except that the Division shall charge and collect an administrative~~
33 ~~fee for the issuance of the permit in an amount sufficient to cover the costs of~~
34 ~~issuing the permit.~~

35 ~~{1}~~ Upon application therefor and proof of residency and age, to any
36 bona fide resident of the State of Nevada who is 65 years of age or older.

37 (2) ~~{1}~~ Upon application therefor and proof of residency and proof of
38 status as described in subsection 5 of NRS 361.091, to a bona fide resident of the
39 State of Nevada who has incurred a permanent service-connected disability and has
40 been honorably discharged from the Armed Forces of the United States.

41 ↳ The permit must be issued without charge, except that the Division shall charge
42 and collect an administrative fee for the issuance of the permit in an amount
43 sufficient to cover the costs of issuing the permit.

44 ~~{2} Upon application therefor and proof of tribal membership, to a~~
45 ~~member of an Indian tribe that is located in whole or in part in this State.~~

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

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

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

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

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

18 2. The Administrator:

19 (a) Shall issue an annual permit to a person who pays a reasonable fee as
20 prescribed by regulation which authorizes the holder of the permit to enter each
21 state park and each recreational area in this State and, except as otherwise provided
22 in subsection 4, use the facilities of the state park or recreational area without
23 paying the entrance fee; and

24 (b) May issue an annual permit to a person who pays a reasonable fee as
25 prescribed by regulation which authorizes the holder of the permit to enter a
26 specific state park or specific recreational area in this State and, except as otherwise
27 provided in subsection 4, use the facilities of the state park or recreational area
28 without paying the entrance fee.

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

33 (a) Specify the period for which the Administrator may issue an annual permit
34 to a pupil pursuant to this subsection, including, without limitation, the date upon
35 which the Administrator may issue an annual permit to a pupil who has completed
36 fourth grade and who intends to enter the fifth grade after completing the fourth
37 grade;

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

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

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

47 5. During each Public Lands Day observed pursuant to NRS 236.053, and
48 upon proof of residency in this State, the Division shall allow a resident of this
49 State to enter, camp and boat in any state park or recreational area without the
50 payment of any fees for those activities. The free day of camping authorized
51 pursuant to this subsection must include either the Friday night before Public Lands
52 Day or overnight on the night of Public Lands Day, as determined by the
53 Administrator for each state park and recreational area. A person is not entitled to

1 receive more than one free night of camping during each Public Lands Day
2 pursuant to this subsection.

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

6 Sec. 1.7. 1. There is hereby appropriated from the State General Fund
7 to the Division of State Parks of the State Department of Conservation and
8 Natural Resources for offsetting the loss of revenue from user fees associated
9 with implementing the provisions of section 1 of this act the following sums:

10 For the Fiscal Year 2023-2024 \$214,545

11 For the Fiscal Year 2024-2025 \$241,909

12 2. Any balance of the sums appropriated by subsection 1 of this act
13 remaining at the end of the respective fiscal years must not be committed for
14 expenditure after June 30 of the respective fiscal years by the entity to which
15 the appropriation is made or any entity to which money from the
16 appropriation is granted or otherwise transferred in any manner, and any
17 portion of the appropriated money remaining must not be spent for any
18 purpose after September 20, 2024, and September 19, 2025, respectively, by
19 either the entity to which the money was appropriated or the entity to which
20 the money was subsequently granted or transferred, and must be reverted to
21 the State General Fund on or before September 20, 2024, and September 19,
22 2025, respectively.

23 Sec. 2. This act becomes effective on July 1, 2023.