

ASSEMBLY BILL NO. 188—ASSEMBLYMAN ELLISON

FEBRUARY 18, 2019

Referred to Committee on Natural Resources,
Agriculture, and Mining

SUMMARY—Revises requirements for the issuance of annual permits for entering, camping and boating in state parks and recreational areas. (BDR 35-649)

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; eliminating the requirement for payment of an administrative fee for the issuance to certain persons of annual permits for entering, camping and boating in state parks and recreational areas; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, the Division of State Parks of the State Department of
2 Conservation and Natural Resources is required to issue an annual permit for
3 entering, camping and boating in all state parks and recreational areas in this State
4 to: (1) any person who is 65 years of age or older and has resided in this State for at
5 least 5 years immediately preceding the date on which the person applies for the
6 permit; and (2) a bona fide resident of this State who has incurred a permanent
7 service-connected disability of 10 percent or more and has been honorably
8 discharged from the Armed Forces of the United States. The permit must be issued
9 without charge, but the Division is required to impose an administrative fee to
10 cover the costs of issuing the permit. (NRS 407.065) This bill eliminates the
11 requirement for the administrative 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:



1 (a) Except as otherwise provided in this paragraph and NRS
2 407.066, may establish, name, plan, operate, control, protect,
3 develop and maintain state parks, monuments and recreational areas
4 for the use of the general public. The name of an existing state park,
5 monument or recreational area may not be changed unless the
6 Legislature approves the change by statute.

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

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

18 (d) Except as otherwise provided in this section, shall impose
19 and collect reasonable fees for entering, camping and boating in
20 state parks and recreational areas. The Division shall issue an annual
21 permit for entering, camping and boating in all state parks and
22 recreational areas in this State:

23 (1) Upon application therefor and proof of residency and age,
24 to any person who is 65 years of age or older and has resided in this
25 State for at least 5 years immediately preceding the date on which
26 the application is submitted.

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

33 ↪ The permit must be issued without charge . ~~[except that the~~
34 ~~Division shall charge and collect an administrative fee for the~~
35 ~~issuance of the permit in an amount sufficient to cover the costs of~~
36 ~~issuing the permit.]~~

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

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



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

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

15 2. The Administrator:

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

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

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

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

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

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

44 4. An annual permit issued pursuant to subsection 2 or 3 does
45 not authorize the holder of the permit to engage in camping or



1 boating, or to attend special events. The holder of such a permit who
2 wishes to engage in camping or boating, or to attend special events,
3 must pay any fee established for the respective activity.

4 5. During each Public Lands Day observed pursuant to NRS
5 236.053, and upon proof of residency in this State, the Division
6 shall allow a resident of this State to enter, camp and boat in any
7 state park or recreational area without the payment of any fees for
8 those activities. The free day of camping authorized pursuant to this
9 subsection must include either the Friday night before Public Lands
10 Day or overnight on the night of Public Lands Day, as determined
11 by the Administrator for each state park and recreational area. A
12 person is not entitled to receive more than one free night of camping
13 during each Public Lands Day pursuant to this subsection.

14 6. Except as otherwise provided in subsection 1 of NRS
15 407.0762 and subsection 1 of NRS 407.0765, the fees collected
16 pursuant to paragraphs (d), (e) and (f) of subsection 1 or subsection
17 2 must be deposited in the State General Fund.

18 **Sec. 2.** This act becomes effective:

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

22 2. On July 1, 2019, for all other purposes.

