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SENATE BILL NO. 401—COMMITTEE ON FINANCE

(ON BEHALF OF THE DEPARTMENT OF ADMINISTRATION)

MARCH 21, 2003

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Referred to Committee on Finance

**SUMMARY**—Revises provisions concerning disposition of money received from concessions on property within state park or property controlled or administered by Division of State Parks of State Department of Conservation and Natural Resources. (BDR 35-1262)

**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.

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**AN ACT** relating to state parks; requiring certain money received from the rental and lease of concessions located on property within a state park or property controlled or administered by the Division of State Parks of the State Department of Conservation and Natural Resources to be deposited in the Account for Maintenance of State Parks within the Division of State Parks; and providing other matters properly relating thereto.

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) May establish, name, plan, operate, control, protect, develop  
5     and maintain state parks, monuments and recreational areas for the  
6     use of the general public.  
7         (b) Shall protect state parks and property controlled or  
8     administered by the Division from misuse or damage and preserve



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1 the peace within those areas. The Administrator may appoint or  
2 designate certain employees of the Division to have the general  
3 authority of peace officers.

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

10 (d) Shall impose and collect reasonable fees for entering,  
11 camping and boating in state parks and recreational areas. The  
12 Division shall issue, upon application therefor and proof of  
13 residency and age, an annual permit for entering, camping and  
14 boating in all state parks and recreational areas in this state to any  
15 person who is 65 years of age or older and has resided in this state  
16 for at least 5 years immediately preceding the date on which the  
17 application is submitted. The permit must be issued without charge,  
18 except that the Division shall charge and collect an administrative  
19 fee for the issuance of the permit in an amount sufficient to cover  
20 the costs of issuing the permit.

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

24 (f) May rent or lease concessions located within the boundaries  
25 of state parks or of real property controlled or administered by the  
26 Division to public or private corporations, to groups of natural  
27 persons, or to natural persons for a valuable consideration upon such  
28 terms and conditions as the Division deems fit and proper, but no  
29 concessionaire may dominate any state park operation. ~~Rental and~~  
30 ~~lease payments must be deposited in the State General Fund.]~~

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

36 2. Except as otherwise provided in subsection 1 of NRS  
37 407.0762 and subsection 1 of NRS 407.0765, the fees collected  
38 pursuant to paragraphs (d), ~~and~~ (e) *and* (f) of subsection 1 must be  
39 deposited in the State General Fund.

40 **Sec. 2.** NRS 407.0762 is hereby amended to read as follows:

41 407.0762 1. The Account for Maintenance of State Parks  
42 within the Division of State Parks is hereby created in the State  
43 General Fund. Except as otherwise provided in NRS 407.0765, any  
44 amount of fees collected pursuant to paragraphs (d), ~~and~~ (e) *and*  
45 (f) of subsection 1 of NRS 407.065 in a calendar year, which is in



1 excess of the amounts authorized for expenditure from that revenue  
2 source in the Division's budget for the fiscal year beginning in that  
3 calendar year, must be deposited in the Account. The interest and  
4 income earned on the money in the Account, after deducting any  
5 applicable charges, must be credited to the Account.

6 2. The money in the Account does not lapse to the State  
7 General Fund at the end of any fiscal year.

8 3. The money deposited in the Account pursuant to subsection  
9 1 must only be used to repair and maintain state parks, monuments  
10 and recreational areas.

11 4. Before the Administrator may expend money pursuant to  
12 subsection 3:

13 (a) For emergency repairs and projects with a cost of less than  
14 \$25,000, he must first receive the approval of the Director.

15 (b) For projects with a cost of \$25,000 or more, other than  
16 emergency repairs, he must first receive the approval of the Director  
17 and of the Interim Finance Committee.

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

