

CHAPTER.....

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:

Section 1. NRS 407.065 is hereby amended to read as follows:

407.065 1. The Administrator, subject to the approval of the Director:

(a) May establish, name, plan, operate, control, protect, develop and maintain state parks, monuments and recreational areas for the use of the general public.

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

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

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

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

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

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

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

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

407.0762 1. The Account for Maintenance of State Parks within the Division of State Parks is hereby created in the State General Fund. Except as otherwise provided in NRS 407.0765, any amount of fees collected pursuant to paragraphs (d) , ~~and~~ (e) *and (f)* of subsection 1 of NRS 407.065 in a calendar year, which is in excess of the amounts authorized for expenditure from that revenue source in the Division's budget for the fiscal year beginning in that calendar year, must be deposited in the Account. The interest and income earned on the money in the Account, after deducting any applicable charges, must be credited to the Account.

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

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

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

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

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

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