**PROPOSED ADMINISTRATIVE REGULATION OF THE**

**NEVADA DIVISION OF OUTDOOR RECREATION**

**Nevada Administrative Code Chapter 407A**

Statutory Authority: NRS 407A.575 and 407A.610

**Section 1. NAC 407A.140 Administration; eligibility to apply; submission of application; authorized and prohibited uses of grant. (**NRS 407A.605**)**

1. The Administrator will administer the Grant Program to provide grants for outdoor environmental, ecological, agricultural or other natural resource-based education and recreation programs for pupils in this State.

2. The following are eligible to apply for a grant from the Grant Program:

(a) Any department, division or agency of the Federal Government, this State or a local government.

(b) A federally recognized Indian tribe.

(c) A private nonprofit organization.

(d) A school district, public school, private school or charter school.

(e) Any community-based program, entity or organization.

3. To apply for a grant, the agency, tribe, organization, program or entity must submit an application on a form provided by the Division.

4. A grant from the Grant Program:

(a) May be used for the following purposes:

(1) Outdoor education and recreation;

(2) Outdoor environmental education;

(3) Agricultural education;

(4) Natural resource-based education and recreation;

(5) Conservation education;

(6) Ecological education;

(7) Environmental stewardship education; or

(8) Environmental restoration education.

(b) May not be used for the following purposes:

(1) Activities that may reasonably be perceived to lobby or advocate for political purposes;

(2) Activities that would violate any local, state or federal law.~~[; or~~

~~(3) Organized youth sports, including, without limitation, community leagues and school teams.]~~

**Sec. 2. NAC 407A.145 Powers of Administrator. (**NRS 407A.605**)**

1. The Administrator may establish limitations on the availability and use of grant money. Any such limitations will be set forth in the applicable application instructions.

2. The Administrator may:

(a) Review and approve or disapprove an application for a grant that requests ***to the amount of or*** less than ~~[$5,000]~~ ***$7,500*** instead of referring the application to the ~~[Technical Advisory Committee]~~ ***Advisory Board on Outdoor Recreation;***

(b) Require that any applicant for a grant make a matching contribution to be eligible for the Grant Program; or

(c) Reduce the money provided from that which is requested in a grant application for any element of the grant proposal.

**Sec. 3**. ~~[**NAC 407A.150 Technical Advisory Committee: Membership; Executive Secretary; terms; Chair and Vice Chair. (**NRS 407A.605, 407A.610**)**~~

~~1. The Technical Advisory Committee consists of:~~

~~(a) The Administrator of the Division of State Parks of the State Department of Conservation and Natural Resources; and~~

~~(b) The following members appointed by the Administrator of the Division of Outdoor Recreation of the State Department of Conservation and Natural Resources:~~

~~(1) One member who represents a state agency other than the Division of State Parks or the Division of Outdoor Recreation;~~

~~(2) One member who represents a local government;~~

~~(3) One member who represents a federal agency;~~

~~(4) One member who represents a school district or a public school other than a charter school;~~

~~(5) One member who represents a private school or charter school;~~

~~(6) One member who represents a private nonprofit organization or community-based program, entity or organization;~~

~~(7) One member who represents the outdoor business community; and~~

~~(8) One member who has participated in an outdoor recreation and education grant program funded by a grant awarded pursuant to NRS 407A.605 or, if no such person is available to serve, a person who represents pupils in this State and has knowledge and experience in outdoor education and recreation programs.~~

~~2. The Administrator of the Division of Outdoor Recreation of the State Department of Conservation and Natural Resources or his or her designee shall serve as the Executive Secretary to the Technical Advisory Committee.~~

~~3. Each member of the Technical Advisory Committee appointed pursuant to paragraph (b) of subsection 1 serves a term of 2 years and may be reappointed. Such members serve at the pleasure of the Administrator.~~

~~4. The Chair and Vice Chair of the Technical Advisory Committee shall be elected by a majority vote of the members of the Technical Advisory Committee.~~]

**Sec. 4**. NAC 407A.155 ~~[Technical Advisory Committee]~~ ~~]~~ ***Advisory Board on Outdoor Recreation***: Evaluation and ranking of grant applications; recommendation of award of grant; provision of information to Administrator. (NRS 407A.605, 407A.610) When evaluating completed grant applications for each periodic solicitation of grant applications, the ~~[Technical Advisory Committee]~~ ***Advisory Board on Outdoor Recreation*** shall:

1. Consider, without limitation:

(a) The eligibility requirements for a grant;

(b) The requirements and priorities for program selection set forth in NRS 407A.605;

(c) Any limitations set forth by the Administrator pursuant to NAC 407A.145;

(d) The feasibility of the project; and

(e) The estimated costs of the program and benefits to the pupils in this State.

2. Rank each application received in order of priority for awarding grants. Unless otherwise required by the Administrator pursuant to NAC 407A.145, a matching contribution is not required to apply for a grant, but applications that include a matching contribution, including, without limitation, cash or in-kind matches, may receive a higher ranking.

3. Recommend the amount of a grant to be awarded, if any, for a project proposed in a grant application.

4. Provide the Administrator with a ranked list of applicants and the recommended amount of the grant for each applicant.