

CHAPTER.....

AN ACT relating to emergency management; requiring the Division of Emergency Management of the Department of Public Safety to adopt certain regulations; creating an exemption to provisions requiring certain grant recipients to report funds received for certain purposes to the Nevada Commission on Homeland Security; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law provides the duties of the Division of Emergency Management of the Department of Public Safety. (NRS 414.040) **Section 1** of this bill requires the Division to adopt regulations setting forth the manner in which federal funds the Division receives to finance projects related to emergency management and homeland security are allocated, excluding any money committed by specific statute to the regulatory authority of another person or agency.

Under current law, if the State, political subdivision or tribal government receives money to pay for a project or program related to certain purposes concerning acts of terrorism, the recipient is required to submit a written report to the Commission on Homeland Security regarding the grant. (NRS 239C.300) **Section 2** of this bill provides an exemption when the Division awards the grant.

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 414.040 is hereby amended to read as follows:

414.040 1. A Division of Emergency Management is hereby created within the Department of Public Safety. The Chief of the Division is appointed by and holds office at the pleasure of the Director of the Department of Public Safety. The Division is the State Agency for Emergency Management and the State Agency for Civil Defense for the purposes of the Compact ratified by the Legislature pursuant to NRS 415.010. The Chief is the State’s Director of Emergency Management and the State’s Director of Civil Defense for the purposes of that Compact.

2. The Chief may employ technical, clerical, stenographic and other personnel as may be required, and may make such expenditures therefor and for other expenses of his or her office within the appropriation therefor, or from other money made available to him or her for purposes of emergency management, as may be necessary to carry out the purposes of this chapter.



3. The Chief, subject to the direction and control of the Director, shall carry out the program for emergency management in this state. The Chief shall coordinate the activities of all organizations for emergency management within the State, maintain liaison with and cooperate with agencies and organizations of other states and of the Federal Government for emergency management and carry out such additional duties as may be prescribed by the Director.

4. The Chief shall assist in the development of comprehensive, coordinated plans for emergency management by adopting an integrated process, using the partnership of governmental entities, business and industry, volunteer organizations and other interested persons, for the mitigation of, preparation for, response to and recovery from emergencies or disasters. In adopting this process, the Chief shall conduct activities designed to:

(a) Eliminate or reduce the probability that an emergency will occur or to reduce the effects of unavoidable disasters;

(b) Prepare state and local governmental agencies, private organizations and other persons to be capable of responding appropriately if an emergency or disaster occurs by fostering the adoption of plans for emergency operations, conducting exercises to test those plans, training necessary personnel and acquiring necessary resources;

(c) Test periodically plans for emergency operations to ensure that the activities of state and local governmental agencies, private organizations and other persons are coordinated;

(d) Provide assistance to victims, prevent further injury or damage to persons or property and increase the effectiveness of recovery operations; and

(e) Restore the operation of vital community life-support systems and return persons and property affected by an emergency or disaster to a condition that is comparable to or better than what existed before the emergency or disaster occurred.

5. In addition to any other requirement concerning the program of emergency management in this State, the Chief shall:

(a) Maintain an inventory of any state or local services, equipment, supplies, personnel and other resources related to participation in the Nevada Intrastate Mutual Aid System established pursuant to NRS 414A.100;

(b) Coordinate the provision of resources and equipment within this State in response to requests for mutual aid pursuant to NRS 414.075 or chapter 414A of NRS; and



(c) Coordinate with state agencies, local governments, Indian tribes or nations and special districts to use the personnel and equipment of those state agencies, local governments, Indian tribes or nations and special districts as agents of the State during a response to a request for mutual aid pursuant to NRS 414.075 or 414A.130.

6. The Division shall ~~perform~~ :

(a) *Perform* the duties required pursuant to chapter 415A of NRS ~~f~~

~~7. The Division shall perform~~ ;

(b) *Perform* the duties required pursuant to NRS 353.2753 at the request of a state agency or local government ~~f~~ ;

(c) *Adopt regulations setting forth the manner in which federal funds received by the Division to finance projects related to emergency management and homeland security are allocated, except with respect to any funds committed by specific statute to the regulatory authority of another person or agency, including, without limitation, funds accepted by the State Emergency Response Commission pursuant to NRS 459.740; and*

(d) *Submit a written report to the Nevada Commission on Homeland Security within 60 days of making a grant of money to a state agency, political subdivision or tribal government to pay for a project or program relating to the prevention of, detection of, mitigation of, preparedness for, response to and recovery from acts of terrorism that includes, without limitation:*

(1) *The total amount of money that the state agency, political subdivision or tribal government has been approved to receive for the project or program;*

(2) *A description of the project or program;*

(3) *An explanation of how the money may be used by the state agency, political subdivision or tribal government.*

Sec. 2. NRS 239C.300 is hereby amended to read as follows:

239C.300 1. ~~ff~~ *Except as otherwise provided in subsection 3, if* the State, a political subdivision or a tribal government submits an application to and is approved to receive money from the Federal Government, this State, any other state, a local government, any agency or instrumentality of those governmental entities, or any private entity, to pay for a project or program relating to the prevention of, detection of, mitigation of, preparedness for, response to and recovery from acts of terrorism, the State, political subdivision or tribal government shall, not later than 60 days after receiving such approval, submit to the Commission a written report that includes, without limitation:



(a) The total amount of money that the State, political subdivision or tribal government has been approved to receive for the project or program;

(b) A description of the project or program, unless the State, political subdivision or tribal government previously submitted a written report pursuant to this section relating to the same project or program; and

(c) The items to be paid for with the money that the State, political subdivision or tribal government has been approved to receive for the project or program.

2. A project or program for which the State, a political subdivision or a tribal government is required to report the receipt of money pursuant to subsection 1 includes, without limitation, a project or program related to:

(a) Homeland security;

(b) Emergency management;

(c) Health or hospitals;

(d) Emergency medical services; and

(e) Chemical, biological, radiological, nuclear, explosive, agricultural or environmental acts of terrorism.

3. A report is not required to be submitted to the Commission if the money was awarded by the Division pursuant to the regulations adopted pursuant to NRS 414.040.

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

