

ASSEMBLY BILL NO. 57—COMMITTEE
ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE DIVISION OF FORESTRY
OF THE STATE DEPARTMENT OF
CONSERVATION AND NATURAL RESOURCES)

PREFILED NOVEMBER 20, 2024

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to the Nevada Intrastate Mutual Aid System. (BDR 36-263)

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 emergency management; revising provisions governing the Nevada Intrastate Mutual Aid System to require the State Forester Firewarden of the Division of Forestry of the State Department of Conservation and Natural Resources to administer the System as it relates to wildfire suppression; requiring the State Forester Firewarden to serve as Co-Chair of the Intrastate Mutual Aid Committee and appoint committee members jointly with the Chief of the Division of Emergency Management of the Office of the Military; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law establishes the Nevada Intrastate Mutual Aid System within the
2 Division of Emergency Management of the Office of the Military to coordinate
3 requests for intrastate mutual aid among various public agencies and certain Indian
4 tribes and nations in response to an emergency or disaster in this State. Under
5 existing law, the Chief of the Division of Emergency Management is required to
6 administer the System and adopt regulations relating to the administration of the
7 System. (NRS 414A.100) **Section 4** of this bill transfers to the State Forester
8 Firewarden of the Division of Forestry of the State Department of Conservation and
9 Natural Resources the authority to: (1) coordinate the provision of mutual aid
10 during the response to and recovery from wildfire suppression; (2) administer the



11 System as it relates to wildfire suppression; and (3) adopt regulations relating to the
12 administration of the System as it relates to wildfire suppression.

13 Under existing law, the Chief of the Division of Emergency Management
14 serves as the Chair of the Intrastate Mutual Aid Committee and appoints the
15 committee members, who advise the Chief on issues related to emergency
16 management and intrastate mutual aid. (NRS 414A.110) Under **section 5** of this
17 bill, the State Forester Firewarden serves as Co-Chair of the Committee with the
18 Chief of the Division of Emergency Management and committee members must be
19 jointly appointed by the Chief of the Division of Emergency Management and the
20 State Forester Firewarden.

21 Under existing law, a public agency that participates in the System may elect to
22 withdraw from participation in the System, and any federally recognized Indian
23 tribe or nation within the boundaries of the State may become a participant in the
24 System, by adopting a resolution declaring the same and providing a copy of the
25 resolution to the Division of Emergency Management and the Governor. (NRS
26 414A.120) **Section 6** of this bill requires that a copy of such a resolution also be
27 provided to the Division of Forestry.

28 Under existing law, a participant may request intrastate mutual aid through the
29 Division of Emergency Management, or directly to a participant if an urgent
30 response is needed, and each request must be documented and forwarded to the
31 Division of Emergency Management within 24 hours. (NRS 414A.130) **Section 7**
32 of this bill provides that a participant may request intrastate mutual aid through the
33 Division of Forestry for aid relating to wildfire suppression and through the
34 Division of Emergency Management for aid relating to all other emergencies or
35 disasters. **Section 7** further requires that requests for aid be documented and
36 reported to the Division of Forestry or Division of Emergency Management, as
37 appropriate.

38 Under existing law, the Division of Emergency Management: (1) may facilitate
39 certain System participants in obtaining reimbursement for intrastate mutual aid;
40 and (2) is not liable for any claim relating to reimbursement. (NRS 414A.150)
41 **Section 8** of this bill authorizes the Division of Forestry to also facilitate
42 reimbursement of System participants and provides immunity from liability to the
43 Division of Forestry for any claim relating to reimbursement.

44 **Sections 1 and 3** of this bill define "Division of Forestry" and "Division of
45 Emergency Management," respectively. **Section 2** of this bill applies these
46 definitions to the provisions of existing law relating to the System.

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

1 **Section 1.** Chapter 414A of NRS is hereby amended by
2 adding thereto a new section to read as follows:

3 *"Division of Forestry" means the Division of Forestry of the*
4 *State Department of Conservation and Natural Resources.*

5 **Sec. 2.** NRS 414A.010 is hereby amended to read as follows:

6 414A.010 As used in this chapter, unless the context otherwise
7 requires, the words and terms defined in NRS 414A.015 to
8 414A.070, inclusive, *and section 1 of this act* have the meanings
9 ascribed to them in those sections.



1 **Sec. 3.** NRS 414A.025 is hereby amended to read as follows:
2 414A.025 ~~["Division"]~~ *"Division of Emergency*
3 *Management"* means the Division of Emergency Management of
4 the Office of the Military.

5 **Sec. 4.** NRS 414A.100 is hereby amended to read as follows:
6 414A.100 1. The Nevada Intrastate Mutual Aid System is
7 hereby established ~~[within the Division.]~~ *and must, in accordance*
8 *with the provisions of this chapter, be administered by:*

9 *(a) The Chief of the Division of Emergency Management for*
10 *coordinating mutual aid relating to all emergencies or disasters*
11 *other than wildfire suppression; and*

12 *(b) The State Forester Firewarden for coordinating mutual aid*
13 *relating to wildfire suppression.*

14 2. ~~[The]~~ *Except as provided in subsection 3, the* Chief of the
15 *Division [.] of Emergency Management,* subject to the direction
16 and control of the Adjutant General of the Office of the Military,
17 ~~[shall administer the System pursuant to the provisions of this~~
18 ~~chapter and]~~ shall:

19 (a) Coordinate the provision of mutual aid during the response
20 to and recovery from an emergency or disaster;

21 (b) Maintain records of the requests for and provision of mutual
22 aid throughout this State;

23 (c) Identify, maintain an inventory of and coordinate participant
24 personnel and equipment available for intrastate mutual aid
25 response;

26 (d) Provide information and assistance, upon request, to
27 participants concerning reimbursement for services and other
28 guidelines and procedures developed by the Intrastate Mutual Aid
29 Committee pursuant to subsection 4 of NRS 414A.110; and

30 (e) Adopt regulations relating to the administration of the
31 System.

32 3. *The State Forester Firewarden, subject to the direction of*
33 *the Director of the State Department of Conservation and Natural*
34 *Resources, shall:*

35 *(a) Coordinate the provision of mutual aid during the response*
36 *to and recovery from wildfire suppression;*

37 *(b) Maintain records of the requests for and provision of*
38 *mutual aid in response to wildfire suppression throughout this*
39 *State;*

40 *(c) Identify, maintain an inventory of and coordinate*
41 *participant personnel and equipment available for intrastate*
42 *mutual aid response to wildfire suppression;*

43 *(d) Upon request, provide information and assistance to*
44 *participants concerning reimbursement for services provided in*
45 *response to wildfire suppression and any guidelines and*



1 *procedures developed by the Intrastate Mutual Aid Committee*
2 *pursuant to subsection 4 of NRS 414A.110 with regard to wildfire*
3 *suppression; and*

4 *(e) Adopt regulations relating to the administration of the*
5 *System with regard to wildfire suppression.*

6 **Sec. 5.** NRS 414A.110 is hereby amended to read as follows:

7 414A.110 1. The Intrastate Mutual Aid Committee is hereby
8 created. The Committee shall advise the Chief of the Division *of*
9 *Emergency Management and the State Forester Firewarden* on
10 issues related to emergency management and intrastate mutual aid in
11 this State.

12 2. The Committee consists of the following members:

13 (a) The Chief of the Division ~~{}~~ *of Emergency Management*, or
14 his or her designee, who serves as the ~~{Chair}~~ *Co-Chair* of the
15 Committee and is a nonvoting member; ~~{and}~~

16 (b) *The State Forester Firewarden, or his or her designee, who*
17 *serves as the Co-Chair of the Committee and is a nonvoting*
18 *member; and*

19 (c) Not more than 19 voting members, each of whom:

20 (1) Is appointed *jointly* by the Chief of the Division ~~{}~~ *of*
21 *Emergency Management and the State Forester Firewarden;*

22 (2) Is selected from participating public agencies or tribal
23 governments;

24 (3) Must have responsibility for public safety programs or
25 activities within his or her public agency or tribe or nation; and

26 (4) After the initial terms, serves a term of 2 years, and may
27 be reappointed.

28 3. The Committee shall select a Vice Chair from among the
29 voting members of the Committee. The Vice Chair serves as Vice
30 Chair until the end of his or her current term as a voting member,
31 and may be reselected.

32 4. The Committee shall develop comprehensive guidelines and
33 procedures regarding, without limitation:

34 (a) Requesting intrastate mutual aid;

35 (b) Responding to a request for intrastate mutual aid;

36 (c) Recordkeeping during an emergency or disaster for which
37 intrastate mutual aid has been requested; and

38 (d) Reimbursement of costs to assisting participants.

39 5. The Committee shall meet at least annually to evaluate the
40 effectiveness and efficiency of the System and provide
41 recommendations, if any, to the Chief of the Division *of Emergency*
42 *Management and the State Forester Firewarden* to improve the
43 System.



1 **Sec. 6.** NRS 414A.120 is hereby amended to read as follows:
2 414A.120 1. Except as otherwise provided in subsection 2,
3 each public agency shall participate in the System.

4 2. Any participant may elect to withdraw from participation in
5 the System by:

6 (a) Adopting a resolution declaring that the participant elects not
7 to participate in the System; and

8 (b) Providing a copy of the resolution to the Division *of*
9 *Emergency Management, the Division of Forestry* and the
10 Governor.

11 3. Any federally recognized Indian tribe or nation, all or part of
12 which is located within the boundaries of this State, may choose to
13 become a participant in the System by:

14 (a) Adopting a resolution declaring that the tribe or nation elects
15 to participate in the System and agreeing to be bound by the
16 provisions of this chapter; and

17 (b) Providing a copy of the resolution to the Division *of*
18 *Emergency Management, the Division of Forestry* and the
19 Governor.

20 4. Each participant shall:

21 (a) Except as otherwise provided in subsection 4 of NRS
22 414A.140, ensure that the participant is able to provide intrastate
23 mutual aid in response to a request pursuant to NRS 414A.130;

24 (b) Provide training to each emergency responder on procedures
25 related to his or her respective role within the System;

26 (c) Actively monitor events in this State to determine the
27 possibility of requesting or providing intrastate mutual aid;

28 (d) Maintain a current list of personnel and any equipment of the
29 participant available for intrastate mutual aid and submit the list at
30 least annually to the Division ~~{}~~ *of Emergency Management and*
31 *the Division of Forestry;*

32 (e) Conduct joint planning, information sharing and capability
33 and vulnerability analyses with other participants and conduct joint
34 training exercises, if practicable; and

35 (f) Develop, carry out and periodically revise plans of operation,
36 which must include, without limitation, the methods by which any
37 resources, facilities and services of the participant must be available
38 and furnished to other participants.

39 **Sec. 7.** NRS 414A.130 is hereby amended to read as follows:

40 414A.130 1. Any participant may request intrastate mutual
41 aid before, during or after a declared or undeclared emergency or
42 disaster for:

43 (a) Response, mitigation or recovery activities related to the
44 emergency or disaster; and



1 (b) Participation in drills or exercises in preparation for an
2 emergency or disaster.

3 2. A participant may make a request for intrastate mutual aid:

4 (a) ~~Through~~ *Relating to all emergencies or disasters other*
5 *than wildfire suppression, through the Division of Emergency*
6 *Management;*

7 (b) *Relating to wildfire suppression, through the Division of*
8 *Forestry;* or

9 ~~(b)~~ (c) If an urgent response is needed, directly to a
10 participant, except that any request for a responding state agency
11 must be made as provided in paragraph (a) ~~or (b)~~, *as applicable.*

12 3. Each request for intrastate mutual aid must be documented
13 and forwarded ~~to the Division~~ not more than 24 hours after the
14 request is made ~~to~~:

15 (a) *The Division of Emergency Management for aid relating to*
16 *all emergencies or disasters other than wildfire suppression; and*

17 (b) *The Division of Forestry for aid relating to wildfire*
18 *suppression.*

19 4. A requesting participant shall:

20 (a) Adequately describe the resources needed by the requesting
21 participant;

22 (b) Provide logistical and technical support, as needed, to any
23 emergency responders provided by an assisting participant; and

24 (c) Reimburse the assisting participant for costs incurred, if
25 applicable, by the assisting participant in a timely manner.

26 **Sec. 8.** NRS 414A.150 is hereby amended to read as follows:

27 414A.150 1. Except as otherwise provided in subsection 3,
28 within 10 business days after the completion of all activities taken in
29 response to a request for intrastate mutual aid, each assisting
30 participant shall provide a written notice to the requesting
31 participant if the assisting participant intends to seek reimbursement
32 from the requesting participant.

33 2. Except as otherwise provided in subsection 3, within 60
34 calendar days after the completion of the activities specified in
35 subsection 1, the assisting participant shall provide to the requesting
36 participant a final request for reimbursement which must include:

37 (a) A summary of the services provided;

38 (b) An invoice setting forth all services provided and the total
39 amount of the reimbursement requested;

40 (c) Any supporting documentation;

41 (d) Any additional forms required by the System; and

42 (e) The name and contact information of a person to contact if
43 more information is needed.

44 3. If an assisting participant requires additional time to comply
45 with the provisions of subsection 1 or 2, the assisting participant



1 must request an extension in writing from the requesting participant.
2 A requesting participant may, for good cause shown, grant an
3 extension for an additional reasonable period.

4 4. A requesting participant shall reimburse an assisting
5 participant for all reasonable costs incurred by the assisting
6 participant in responding to the request for intrastate mutual aid,
7 including, without limitation, any costs related to the use of
8 personnel and equipment and travel. All costs must be documented
9 in order to be eligible for reimbursement pursuant to this section,
10 unless otherwise agreed upon by the requesting participant and
11 assisting participant. Any costs associated with resources which
12 were used without request are not eligible for reimbursement.

13 5. Reimbursement may be facilitated *upon request* through
14 ~~the~~ :

15 (a) *The Division ~~[-upon request.] of Emergency Management~~*
16 *for aid relating to all emergencies or disasters other than wildfire*
17 *suppression; and*

18 (b) *The Division of Forestry for aid relating to wildfire*
19 *suppression.*

20 6. If a dispute between participants occurs regarding
21 reimbursement, the participant disputing the reimbursement shall
22 provide a written notice to the other participant setting forth the
23 issues in dispute. If the dispute is not resolved within 90 days after
24 the notice is provided, either participant may submit the matter to
25 binding arbitration, which must be conducted pursuant to the rules
26 for commercial arbitration established by the American Arbitration
27 Association.

28 7. The Division ~~is~~ *of Emergency Management and the*
29 *Division of Forestry are* not liable for any claim relating to the
30 reimbursement of costs for providing intrastate mutual aid.

31 **Sec. 9.** This act becomes effective upon passage and approval.



