



**STATE OF NEVADA
MEETING NOTICE AND AGENDA
NEVADA DEPARTMENT OF PUBLIC SAFETY
DIVISION OF EMERGENCY MANAGEMENT**

NOTICE OF INTENT TO ACT UPON A REGULATION

Notice of Hearing for the Adoption of Regulations for Chapter 414A of the Nevada Administrative Code Related to the Administration of the Nevada Intrastate Mutual Aid System

The **Department of Public Safety, Division of Emergency Management** (Division), is scheduling a public hearing on **Thursday, October 27, 2016, at 1:00 p.m.**, at the following location(s):

**Legislative Counsel Bureau
Legislative Building, Room 2134
401 S. Carson Street
Carson City, NV 89701**

Interested persons may also participate through video or teleconference at the following location:

**Legislative Counsel Bureau
Grant Sawyer State Building, Room 4412E
555 East Washington Avenue
Las Vegas, NV 89101**

This meeting will be video or teleconferenced between the locations specified above beginning at 1:00 p.m. The purpose of the hearing is to receive comments from all interested persons regarding the adoption of regulations that pertain to Chapter 414A of the Nevada Administrative Code.

LCB File No. R0138-16

1. The need for and the purposes of the proposed regulation.

Chapter 414A of the Nevada Revised Statutes was created by Assembly Bill 90 in 2015. The chapter requires the Department of Public Safety, Division of Emergency Management to adopt regulations which addresses the administration of the Nevada Intrastate Mutual Aid System.

2. The terms or the substance of the proposed temporary regulation to be adopted, amended or repealed, or a description of the subject and issues involved.

This proposed regulation will be a permanent regulation.

3. A statement explaining how to obtain the approved or revised text of the proposed permanent regulation.

The proposed regulation text may be obtained by going to the Register of Administrative Regulations for 2016 and clicking this link:

<http://www.leg.state.nv.us/Register/2016Register/R138-16P.pdf>

The proposed regulation text is also available by contacting Kelli Baratti at

kbaratti@dps.state.nv.us or by telephone at 775-687-0300.

4. **The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately and in each case must include:**
 - a. **Both adverse and beneficial effects; and**
 - b. **Both immediate and long-term effects.**

This proposed regulation only applies to state agencies and political subdivisions of this state. This proposed regulation does not involve any adverse or beneficial effects on any business or on the public. This proposed regulation will not involve any immediate or long-term effects on businesses or the public.

5. **The methods used by the agency in determining the impact on a small business.**

This proposed regulation will have no impact on small business since it only applies to public agencies.

6. **The estimated cost to the agency for enforcement of the proposed regulation.**

The Department of Public Safety will not incur significant costs for implementation and enforcement of this proposed regulation.

7. **A description and citation to any regulations of other state or local government agencies which the proposed regulation overlaps or duplicates and statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.**

This proposed regulation does not overlap or duplicate regulations of other state or local government agencies. This proposed regulation does not overlap or duplicate federal regulations.

8. **If the regulation is required pursuant to federal law, a citation and description of the federal law.**

This proposed regulation is not required pursuant to federal law.

9. **If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.**

This proposed regulation does not include a provision which is more stringent than a federal regulation that regulates the same activity.

10. **Whether the proposed regulation established a new fee or increases an existing fee.**

This proposed regulation does not establish a fee or increase an existing fee.

Persons wishing to comment upon the proposed action of the Division may appear at the scheduled public hearing or may address their comments, data, views, or arguments, in written form, to Division of Emergency Management, 2478 Fairview Drive, Carson City, NV 89701. Written submissions must be received by the Division at least 14 days before the scheduled public hearing. If no person who is directly affected by the proposed action appears to make an oral presentation, the Division may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be amended will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be adopted will be available at 2478 Fairview Drive, Carson City, Nevada 89701 and on the Division website, http://dem.nv.gov/DEM/DEM_Public_Meeting_Information/, and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://www.leg.state.nv.us/>. Copies of this notice and the proposed regulation will also be mailed to members of the public at no charge upon request.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

This Notice of Hearing has been posted at the following locations:

Nevada Division of Emergency Management
2478 Fairview Drive
Carson City, NV 89701

Las Vegas Governor's Office
555 E. Washington Avenue
Las Vegas, NV 89101

Carson City Governor's Office
101 N. Carson Street
Carson City, NV 89701

Clark County Fire Department
575 E. Flamingo Road
Las Vegas, NV 89119

Nevada State Library
100 North Stewart Street
Carson City, Nevada 89701

Carson City Library
900 North Roop Street
Carson City, Nevada 89701-3101

Churchill County Library
553 South Maine Street
Fallon, Nevada 89406-3306

Las Vegas-Clark Co. Library Dist. Hdqtrs.
833 Las Vegas Blvd. North
Las Vegas, Nevada 89101

Douglas County Public Library
1625 Library Lane
Post Office Box 337
Minden, Nevada 89423-0337

Elko County Library
720 Court Street
Elko, Nevada 89801-3397

Esmeralda County Library
Corner of Crook & Fourth Street
Post Office Box 430
Goldfield, Nevada 89013-0430

Eureka County Library
10190 Monroe Street
Post Office Box 293
Eureka, Nevada 89316-0293

Humboldt County Library
85 East Fifth Street
Winnemucca, Nevada 89445-3095

Battle Mountain Branch Library (Lander County)
625 South Broad Street
Post Office Box 141
Battle Mountain, Nevada 89820-0141

Lincoln County Library
63 Main Street
Post Office Box 330
Pioche, Nevada 89043-0330

Lyon County Library System
20 Nevin Way
Yerington, Nevada 89447-2399

Mineral County Library
110 First Street
Post Office Box 1390
Hawthorne, Nevada 89415-1390

Tonopah Public Library (Nye County)
167 South Central Street
Post Office Box 449
Tonopah, Nevada 89049-0449

Pershing County Library
1125 Central Avenue
Post Office Box 781
Lovelock, Nevada 89419-0781

Washoe Co. Library System
301 S. Center St. Reno, NV 89501

Storey County Treasurer & Clerk's Office
Drawer D
Virginia City, Nevada 89440

White Pine Co. Library
950 Campton St. Ely,
NV 89301

And on the Nevada Public Notice Website at: <http://notice.nv.gov>.

We are pleased to make reasonable accommodations for members of the public who are disabled. If special arrangements for the meeting are necessary, or if there is a need to obtain copies of any supporting meeting materials, please contact Kelli Baratti at the Nevada Division of Emergency Management at (775) 687-0300. 24-hour advance notice is requested. Thank you.

**PROPOSED REGULATION OF THE CHIEF OF THE DIVISION OF EMERGENCY
MANAGEMENT OF THE DEPARTMENT OF PUBLIC SAFETY**

LCB File No. R138-16

August 17, 2016

EXPLANATION – Matter in *italics* is new; matter in brackets [omitted material] is material to be omitted.

AUTHORITY: §§1-7, NRS 414A.100.

A REGULATION relating to emergency management; imposing certain duties on the Division of Emergency Management of the Department of Public Safety; imposing certain duties on the Intrastate Mutual Aid Committee; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

During the 78th Regular Session, the Nevada Legislature passed Assembly Bill No. 90 which created the Nevada Intrastate Mutual Aid System within the Division of Emergency Management of the Department of Public Safety to coordinate requests for mutual aid among various public agencies of this State and certain Indian tribes and nations in this State. (Chapter 414A of NRS) Assembly Bill No. 90 also created the Intrastate Mutual Aid Committee to: (1) advise and assist the Chief of the Division with the implementation and evaluation of the System; and (2) develop comprehensive guidelines and procedures regarding, among other things, requests and recordkeeping for intrastate mutual aid. (NRS 414A.110)

Section 5 of this regulation requires the Division to adopt policies and procedures regarding the coordination of responses to requests from other states for mutual aid pursuant to the Emergency Management Assistance Compact. (NRS 415.010)

Section 6 of this regulation imposes on the Division certain annual duties and reporting requirements relating to the Nevada Intrastate Mutual Aid System.

Section 7 of this regulation requires the Intrastate Mutual Aid Committee to annually review policies and procedures for the administration of the Nevada Intrastate Mutual Aid System and to make recommendations to the Chief of the Division for improvements in that administration.

Section 1. Chapter 414A of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 7, inclusive, of this regulation.

Sec. 2. *As used in this chapter, unless the context otherwise requires, the words and terms defined in sections 3 and 4 of this regulation have the meanings ascribed to them in those sections.*

Sec. 3. *“Committee” means the Intrastate Mutual Aid Committee created by NRS 414A.110.*

Sec. 4. *“Emergency Management Assistance Compact” has the meaning ascribed to it in NRS 415A.070.*

Sec. 5. *The Division, with input from the Committee, shall adopt policies and procedures regarding the coordination of responses to requests from other states for mutual aid pursuant to the Emergency Management Assistance Compact. The policies and procedures must include, without limitation:*

- 1. Receipt of requests for mutual aid;*
- 2. Requirements for training and exercises for participants;*
- 3. Deployment of resources in support of a request for mutual aid; and*
- 4. Redeployment of resources to this State following the support of a request for mutual aid.*

Sec. 6. *1. Not later than January 1 of each year, the Division shall:*

(a) Coordinate with county and tribal emergency managers to evaluate the status of participation in the System; and

(b) Conduct outreach regarding updates to policies and procedures as recommended by the Committee pursuant to section 7 of this regulation.

2. Not later than June 30 of each year, the Division shall submit to the Committee a report which includes, without limitation:

(a) Information relating to declared emergencies and disasters in this State during that fiscal year;

(b) Information relating to undeclared emergencies and disasters in this State that were monitored by the Division during that fiscal year;

(c) Resources that were requested through the System and fulfilled within this State during that fiscal year and the status of those requests;

(d) An update, in the form of a financial report, on the status of reimbursements of the

costs of requests described in paragraph (c);

(e) Resources that were requested through the System by other states and fulfilled through the Emergency Management Assistance Compact during that fiscal year and the status of those requests; and

(f) Information relating to the status of this State's inventory of resources for responses to emergencies.

Sec. 7. *Not later than September 30 of each year, the Committee shall:*

- 1. Review policies and procedures for the administration of the System; and*
- 2. Make recommendations to the Chief of the Division for improvements in the administration of the System.*