

SENATE BILL NO. 141—COMMITTEE ON FINANCE

(ON BEHALF OF DEPARTMENT OF MOTOR VEHICLES AND
PUBLIC SAFETY—FIRE MARSHAL)

FEBRUARY 15, 2001

Referred to Committee on Finance

SUMMARY—Makes various changes concerning state fire marshal division of department of motor vehicles and public safety. (BDR 42-404)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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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 the state fire marshal; establishing the hazardous materials section in the state fire marshal division of the department of motor vehicles and public safety; revising provisions governing the accounting and use of certain revenue derived by the state fire marshal; and providing other matters properly relating thereto.

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

- 1 **Section 1.** NRS 477.010 is hereby amended to read as follows:
2 477.010 1. The state fire marshal division is hereby established in the
3 department of motor vehicles and public safety.
4 2. The division consists of the fire protection and control section, the
5 fire investigation section, the public education section, the fire service
6 training section , ~~and~~ the fire data section ~~+~~ *and the hazardous materials*
7 *section.*
8 **Sec. 2.** NRS 477.031 is hereby amended to read as follows:
9 477.031 The state fire marshal shall by regulation adopt a schedule of
10 fees for the services and regulatory activities performed by the state fire
11 marshal division pursuant to the provisions of this chapter ~~+~~ ~~The~~ ,
12 *including, without limitation, the issuance of permits for the storage of*
13 *hazardous materials. Except as otherwise provided in NRS 477.045, the*
14 fees must:
15 1. Approximate the cost of those services and activities.
16 2. Be deposited with the state treasurer for credit to the appropriate
17 account of the state fire marshal division.
18 3. Be used to carry out the provisions of this chapter.



1 **Sec. 3.** NRS 477.045 is hereby amended to read as follows:

2 477.045 1. The state fire marshal shall establish a statewide training
3 program for response to spills of hazardous materials and related fires. The
4 state fire marshal shall require persons who store hazardous materials to
5 obtain a permit to do so. The state fire marshal shall collect a surcharge of
6 \$60 for each such permit issued in the state. The surcharge is in addition to
7 any other fee charged for the issuance of such a permit.

8 2. The revenue derived by the state fire marshal ~~§pursuant to this~~
9 ~~section§~~ *from the fee established pursuant to NRS 477.031 for the*
10 *issuance of such a permit and the surcharge imposed pursuant to*
11 *subsection 1 must be deposited with the state treasurer for credit to the*
12 ~~contingency account for hazardous materials.;~~ *state fire marshal division*
13 *and accounted for separately. The money in the account must first be*
14 *used to pay the expenses of the statewide training program established*
15 *pursuant to subsection 1. Any excess money in the account must be used*
16 *to carry out the other provisions of this chapter.*

17 **Sec. 4.** NRS 459.735 is hereby amended to read as follows:

18 459.735 1. The contingency account for hazardous materials is
19 hereby created in the state general fund.

20 2. The commission shall administer the contingency account for
21 hazardous materials, and the money in the account may be expended only
22 for:

23 (a) Carrying out the provisions of NRS 459.735 to 459.773, inclusive;

24 (b) Carrying out the provisions of Public Law 99-499 and Title I of
25 Public Law 93-633;

26 (c) Maintaining and supporting the operations of the commission and
27 local emergency planning committees; *and*

28 (d) Training and equipping state and local personnel to respond to
29 accidents and incidents involving hazardous materials. ~~§; and-~~

30 ~~—(e) The operation of training programs and a training center for~~
31 ~~handling emergencies relating to hazardous materials and related fires~~
32 ~~pursuant to NRS 477.045.;~~

33 3. All money received by this state as a result of Public Law 99-499 or
34 Title I of Public Law 93-633 must be deposited with the state treasurer to
35 the credit of the contingency account for hazardous materials. In addition,
36 all money received by the commission from any source must be deposited
37 with the state treasurer to the credit of the contingency account for
38 hazardous materials. ~~§The state controller shall transfer from the~~
39 ~~contingency account to the operating account of the state fire marshal such~~
40 ~~money collected pursuant to chapter 477 of NRS as is authorized for~~
41 ~~expenditure in the budget of the state fire marshal for use pursuant to~~
42 ~~paragraph (e) of subsection 2.;~~

43 4. Upon the presentation of budgets in the manner required by law,
44 money to support the operation of the commission pursuant to this chapter,
45 other than its provision of grants, must be provided by direct legislative
46 appropriation from the state highway fund to the contingency account for
47 hazardous materials.



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1 5. The interest and income earned on the money in the contingency
2 account for hazardous materials, after deducting any applicable charges,
3 must be credited to the account.

4 6. All claims against the contingency account for hazardous materials
5 must be paid as other claims against the state are paid.

6 **Sec. 5.** The state controller shall transfer from the contingency
7 account for hazardous materials to the account of the state fire marshal
8 division of the department of motor vehicles and public safety created
9 pursuant to subsection 2 of NRS 477.045 all money in the contingency
10 account for hazardous materials that was collected pursuant to chapter 477
11 of NRS and any accumulated interest and income that has been credited to
12 the contingency account for hazardous materials which is attributable to
13 that money.

14 **Sec. 6.** This act becomes effective on July 1, 2001.

