

SENATE BILL NO. 306—SENATORS RAWSON AND JACOBSEN

MARCH 9, 2001

Referred to Committee on Government Affairs

SUMMARY—Makes various changes relating to emergency management. (BDR 18-1231)

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; abolishing the division of emergency management of the department of motor vehicles and public safety; creating an office of emergency management in the office of the governor for administration and enforcement of provisions relating to the management of emergencies in this state; creating the position of director of the office of emergency management; 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.** Chapter 223 of NRS is hereby amended by adding thereto a
2 new section to read as follows:
3 ***1. The office of emergency management is hereby created within the***
4 ***office of the governor. The governor shall appoint a director of the office***
5 ***of emergency management and shall prescribe the terms and conditions***
6 ***of employment for the director. The director:***
7 ***(a) Serves at the pleasure of the governor; and***
8 ***(b) Is not in the classified or unclassified service of the state.***
9 ***2. The office of emergency management is the state agency for***
10 ***emergency management and the state agency for civil defense for the***
11 ***purposes of the compact ratified by the legislature pursuant to NRS***
12 ***415.010. The director is the state's director of emergency management***
13 ***and the state's director of civil defense for the purposes of that compact.***
14 ***3. The director may employ technical, clerical, stenographic and***
15 ***other personnel as may be required, and may make such expenditures***
16 ***therefor and for other expenses of his office within the appropriation***
17 ***therefor, or from other money made available to him for purposes of***
18 ***emergency management, as may be necessary to carry out the purposes***
19 ***of this chapter.***
20 ***4. The office of emergency management shall:***



1 (a) Perform the duties required pursuant to NRS 353.2753 at the
2 request of a state agency or local government; and

3 (b) Administer and enforce the provisions of chapter 414 of NRS and
4 perform such duties and exercise such powers as may be conferred upon
5 it pursuant to chapter 414 of NRS and the provisions of any other laws.

6 5. Money collected or received by the office of emergency
7 management must be deposited with the state treasurer for credit to an
8 appropriate account of the office of emergency management.

9 Sec. 2. NRS 233F.170 is hereby amended to read as follows:

10 233F.170 In the event of any emergency, the governor may direct the
11 ~~{division} office~~ of emergency management ~~{of the department of motor~~
12 ~~vehicles and public safety}~~ created pursuant to section 1 of this act to
13 assume control over all or part of the state communications system.

14 Sec. 3. NRS 179A.075 is hereby amended to read as follows:

15 179A.075 1. The central repository for Nevada records of criminal
16 history is hereby created within the Nevada highway patrol division of the
17 department.

18 2. Each agency of criminal justice and any other agency dealing with
19 crime or delinquency of children shall:

20 (a) Collect and maintain records, reports and compilations of statistical
21 data required by the department; and

22 (b) Submit the information collected to the central repository in the
23 manner recommended by the advisory committee and approved by the
24 director of the department.

25 3. Each agency of criminal justice shall submit the information relating
26 to sexual offenses and other records of criminal history that it creates or
27 issues, and any information in its possession relating to the genetic markers
28 of the blood and the secretor status of the saliva of a person who is
29 convicted of sexual assault or any other sexual offense, to the division in
30 the manner prescribed by the director of the department. The information
31 must be submitted to the division:

32 (a) Through an electronic network;

33 (b) On a medium of magnetic storage; or

34 (c) In the manner prescribed by the director of the department,
35 within the period prescribed by the director of the department. If an agency
36 has submitted a record regarding the arrest of a person who is later
37 determined by the agency not to be the person who committed the
38 particular crime, the agency shall, immediately upon making that
39 determination, so notify the division. The division shall delete all
40 references in the central repository relating to that particular arrest.

41 4. The division shall, in the manner prescribed by the director of the
42 department:

43 (a) Collect, maintain and arrange all information submitted to it relating
44 to:

45 (1) Sexual offenses and other records of criminal history; and

46 (2) The genetic markers of the blood and the secretor status of the
47 saliva of a person who is convicted of sexual assault or any other sexual
48 offense.



1 (b) When practicable, use a record of the personal identifying
2 information of a subject as the basis for any records maintained regarding
3 him.

4 (c) Upon request, provide the information that is contained in the central
5 repository to the state disaster identification team of the ~~{division}~~ office of
6 emergency management ~~{of the department of motor vehicles and public~~
7 ~~safety}~~ *created pursuant to section 1 of this act.*

8 5. The division may:

9 (a) Disseminate any information which is contained in the central
10 repository to any other agency of criminal justice;

11 (b) Enter into cooperative agreements with federal and state repositories
12 to facilitate exchanges of information that may be disseminated pursuant to
13 paragraph (a); and

14 (c) Request of and receive from the Federal Bureau of Investigation
15 information on the background and personal history of any person whose
16 record of fingerprints the central repository submits to the Federal Bureau
17 of Investigation and:

18 (1) Who has applied to any agency of the State of Nevada or any
19 political subdivision thereof for a license which it has the power to grant or
20 deny;

21 (2) With whom any agency of the State of Nevada or any political
22 subdivision thereof intends to enter into a relationship of employment or a
23 contract for personal services;

24 (3) About whom any agency of the State of Nevada or any political
25 subdivision thereof has a legitimate need to have accurate personal
26 information for the protection of the agency or the persons within its
27 jurisdiction; or

28 (4) For whom such information is required to be obtained pursuant to
29 NRS 449.179.

30 6. The central repository shall:

31 (a) Collect and maintain records, reports and compilations of statistical
32 data submitted by any agency pursuant to subsection 2.

33 (b) Tabulate and analyze all records, reports and compilations of
34 statistical data received pursuant to this section.

35 (c) Disseminate to federal agencies engaged in the collection of
36 statistical data relating to crime information which is contained in the
37 central repository.

38 (d) Investigate the criminal history of any person who:

39 (1) Has applied to the superintendent of public instruction for a
40 license;

41 (2) Has applied to a county school district for employment; or

42 (3) Is employed by a county school district,

43 and notify the superintendent of each county school district and the
44 superintendent of public instruction if the investigation of the central
45 repository indicates that the person has been convicted of a violation of
46 NRS 200.508, 201.230, 453.3385, 453.339 or 453.3395, or convicted of a
47 felony or any offense involving moral turpitude.

48 (e) Upon discovery, notify the superintendent of each county school
49 district by providing him with a list of all persons:



- 1 (1) Investigated pursuant to paragraph (d); or
2 (2) Employed by a county school district whose fingerprints were
3 sent previously to the central repository for investigation,
4 who the central repository's records indicate have been convicted of a
5 violation of NRS 200.508, 201.230, 453.3385, 453.339 or 453.3395, or
6 convicted of a felony or any offense involving moral turpitude since the
7 central repository's initial investigation. The superintendent of each county
8 school district shall determine whether further investigation or action by
9 the district is appropriate.
- 10 (f) Investigate the criminal history of each person who submits
11 fingerprints or has his fingerprints submitted pursuant to NRS 449.176 or
12 449.179.
- 13 (g) On or before July 1 of each year, prepare and present to the
14 governor a printed annual report containing the statistical data relating to
15 crime received during the preceding calendar year. Additional reports may
16 be presented to the governor throughout the year regarding specific areas
17 of crime if they are recommended by the advisory committee and approved
18 by the director of the department.
- 19 (h) On or before July 1 of each year, prepare and submit to the director
20 of the legislative counsel bureau, for submission to the legislature, or the
21 legislative commission when the legislature is not in regular session, a
22 report containing statistical data about domestic violence in this state.
- 23 (i) Identify and review the collection and processing of statistical data
24 relating to criminal justice and the delinquency of children by any agency
25 identified in subsection 2, and make recommendations for any necessary
26 changes in the manner of collecting and processing statistical data by any
27 such agency.
- 28 7. The central repository may:
- 29 (a) At the recommendation of the advisory committee and in the manner
30 prescribed by the director of the department, disseminate compilations of
31 statistical data and publish statistical reports relating to crime or the
32 delinquency of children.
- 33 (b) Charge a reasonable fee for any publication or special report it
34 distributes relating to data collected pursuant to this section. The central
35 repository may not collect such a fee from an agency of criminal justice,
36 any other agency dealing with crime or the delinquency of children which
37 is required to submit information pursuant to subsection 2 or the state
38 disaster identification team of the ~~division~~ *office* of emergency
39 management ~~of the department of motor vehicles and public safety.~~
40 *created pursuant to section 1 of this act.* All money collected pursuant to
41 this paragraph must be used to pay for the cost of operating the central
42 repository.
- 43 (c) In the manner prescribed by the director of the department, use
44 electronic means to receive and disseminate information contained in the
45 central repository that it is authorized to disseminate pursuant to the
46 provisions of this chapter.
- 47 8. As used in this section:
- 48 (a) "Advisory committee" means the committee established by the
49 director of the department pursuant to NRS 179A.078.



(b) "Personal identifying information" means any information designed, commonly used or capable of being used, alone or in conjunction with any other information, to identify a person, including, without limitation:

(1) The name, driver's license number, social security number, date of birth and photograph or computer generated image of a person; and

(2) The fingerprints, voiceprint, retina image and iris image of a person.

Sec. 4. NRS 179A.100 is hereby amended to read as follows:

179A.100 1. The following records of criminal history may be disseminated by an agency of criminal justice without any restriction pursuant to this chapter:

(a) Any which reflect records of conviction only; and

(b) Any which pertain to an incident for which a person is currently within the system of criminal justice, including parole or probation.

2. Without any restriction pursuant to this chapter, a record of criminal history or the absence of such a record may be:

(a) Disclosed among agencies which maintain a system for the mutual exchange of criminal records.

(b) Furnished by one agency to another to administer the system of criminal justice, including the furnishing of information by a police department to a district attorney.

(c) Reported to the central repository.

3. An agency of criminal justice shall disseminate to a prospective employer, upon request, records of criminal history concerning a prospective employee or volunteer which:

(a) Reflect convictions only; or

(b) Pertain to an incident for which the prospective employee or volunteer is currently within the system of criminal justice, including parole or probation.

4. The central repository shall disseminate to a prospective or current employer, upon request, information relating to sexual offenses concerning an employee, prospective employee, volunteer or prospective volunteer who gives his written consent to the release of that information.

5. Records of criminal history must be disseminated by an agency of criminal justice upon request, to the following persons or governmental entities:

(a) The person who is the subject of the record of criminal history for the purposes of NRS 179A.150.

(b) The person who is the subject of the record of criminal history or his attorney of record when the subject is a party in a judicial, administrative, licensing, disciplinary or other proceeding to which the information is relevant.

(c) The state gaming control board.

(d) The state board of nursing.

(e) The private investigator's licensing board to investigate an applicant for a license.

(f) A public administrator to carry out his duties as prescribed in chapter 253 of NRS.



1 (g) A public guardian to investigate a ward or proposed ward or persons
2 who may have knowledge of assets belonging to a ward or proposed ward.

3 (h) Any agency of criminal justice of the United States or of another
4 state or the District of Columbia.

5 (i) Any public utility subject to the jurisdiction of the public utilities
6 commission of Nevada when the information is necessary to conduct a
7 security investigation of an employee or prospective employee, or to
8 protect the public health, safety or welfare.

9 (j) Persons and agencies authorized by statute, ordinance, executive
10 order, court rule, court decision or court order as construed by appropriate
11 state or local officers or agencies.

12 (k) Any person or governmental entity which has entered into a contract
13 to provide services to an agency of criminal justice relating to the
14 administration of criminal justice, if authorized by the contract, and if the
15 contract also specifies that the information will be used only for stated
16 purposes and that it will be otherwise confidential in accordance with state
17 and federal law and regulation.

18 (l) Any reporter for the electronic or printed media in his professional
19 capacity for communication to the public.

20 (m) Prospective employers if the person who is the subject of the
21 information has given written consent to the release of that information by
22 the agency which maintains it.

23 (n) For the express purpose of research, evaluative or statistical
24 programs pursuant to an agreement with an agency of criminal justice.

25 (o) The division of child and family services of the department of
26 human resources and any county agency that is operated pursuant to NRS
27 432B.325 or authorized by a court of competent jurisdiction to receive and
28 investigate reports of abuse or neglect of children and which provides or
29 arranges for protective services for such children.

30 (p) The welfare division of the department of human resources or its
31 designated representative.

32 (q) An agency of this or any other state or the Federal Government that
33 is conducting activities pursuant to Part D of Title IV of the Social Security
34 Act, ~~42 U.S.C. §§ 651 et seq. D-1~~

35 (r) The state disaster identification team of the ~~division~~ *office* of
36 emergency management ~~of the department of motor vehicles and public~~
37 ~~safety~~ *created pursuant to section 1 of this act.*

38 6. Agencies of criminal justice in this state which receive information
39 from sources outside this state concerning transactions involving criminal
40 justice which occur outside Nevada shall treat the information as
41 confidentially as is required by the provisions of this chapter.

42 **Sec. 5.** NRS 179A.140 is hereby amended to read as follows:

43 179A.140 1. An agency of criminal justice may charge a reasonable
44 fee for information relating to sexual offenses or other records of criminal
45 history furnished to any person or governmental entity except another
46 agency of criminal justice and the state disaster identification team of the
47 ~~division~~ *office* of emergency management ~~of the department of motor~~
48 ~~vehicles and public safety~~ *created pursuant to section 1 of this act.* The
49 central repository shall not charge such a fee for information relating to a



1 person regarding whom the central repository furnished a similar report
2 within the immediately preceding 6 months in conjunction with the
3 application by that person for professional licensure.

4 2. All money received or collected by the department pursuant to this
5 section must be used to defray the cost of operating the central repository.

6 **Sec. 6.** NRS 284.140 is hereby amended to read as follows:

7 284.140 The unclassified service of the state consists of positions held
8 by state officers or employees in the executive department of the state
9 government as follows:

10 1. Persons chosen by election or appointment to fill an elective office.

11 2. Members of boards and commissions, and heads of departments,
12 agencies and institutions required by law to be appointed.

13 3. At the discretion of the elective officer or head of each department,
14 agency or institution, one deputy and one chief assistant in each
15 department, agency or institution.

16 4. Except as otherwise provided in NRS 223.085 and ~~223.570,~~
17 *223.570 and section 1 of this act*, all persons required by law to be
18 appointed by the governor or heads of departments or agencies appointed
19 by the governor or by boards.

20 5. All employees other than clerical in the office of the attorney
21 general and the state public defender required by law to be appointed by
22 the attorney general or the state public defender.

23 6. Except as otherwise provided by the board of regents of the
24 University of Nevada pursuant to NRS 396.251, officers and members of
25 the teaching staff and the staffs of the agricultural extension department
26 and experiment station of the University and Community College System
27 of Nevada, or any other state institution of learning, and student employees
28 of these institutions. Custodial, clerical or maintenance employees of these
29 institutions are in the classified service. The board of regents of the
30 University of Nevada shall assist the director in carrying out the provisions
31 of this chapter applicable to the University and Community College
32 System of Nevada.

33 7. Officers and members of the Nevada National Guard.

34 8. Persons engaged in public work for the state but employed by
35 contractors when the performance of the contract is authorized by the
36 legislature or another competent authority.

37 9. Patient and inmate help in state charitable, penal, mental and
38 correctional institutions.

39 10. Part-time professional personnel who are paid for any form of
40 medical, nursing or other professional service and who are not engaged in
41 the performance of administrative or substantially recurring duties.

42 11. All other officers and employees authorized by law to be employed
43 in the unclassified service.

44 **Sec. 7.** NRS 289.270 is hereby amended to read as follows:

45 289.270 1. The following persons have the powers of a peace officer:

46 (a) The director of the department of motor vehicles and public safety.

47 (b) The chiefs of the divisions of the department of motor vehicles and
48 public safety.



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1 (c) The deputy directors of the department of motor vehicles and public
2 safety employed pursuant to subsection 2 of NRS 481.035.

3 (d) The investigators and agents of the investigation division of the
4 department of motor vehicles and public safety and any other officer or
5 employee of that division whose principal duty is to enforce one or more
6 laws of this state, and any person promoted from such a duty to a
7 supervisory position related to such a duty.

8 (e) The personnel of the capitol police division of the department of
9 motor vehicles and public safety appointed pursuant to subsection 2 of
10 NRS 331.140.

11 2. The personnel of the Nevada highway patrol appointed pursuant to
12 subsection 2 of NRS 481.150 have the powers of a peace officer specified
13 in NRS 481.150 and 481.180.

14 3. Administrators and investigators of the division of compliance
15 enforcement of the motor vehicles branch of the department of motor
16 vehicles and public safety have the powers of a peace officer to enforce
17 any law of the State of Nevada in carrying out their duties pursuant to NRS
18 481.048.

19 4. Officers and investigators of the section for the control of emissions
20 from vehicles of the motor vehicles branch of the department of motor
21 vehicles and public safety, appointed pursuant to NRS 481.0481, have the
22 powers of peace officers in carrying out their duties under that section.

23 5. Members of the state disaster identification team of the ~~{division}~~
24 ~~office~~ of emergency management ~~{of the department of motor vehicles and~~
25 ~~public safety}~~ *created pursuant to section 1 of this act* who are, pursuant
26 to NRS 414.270, activated by the ~~chief~~ *director* of the ~~{division}~~ *office of*
27 *emergency management* to perform the duties of the state disaster
28 identification team, have the powers of peace officers in carrying out those
29 duties.

30 **Sec. 8.** NRS 289.550 is hereby amended to read as follows:

31 289.550 The persons upon whom some or all of the powers of a peace
32 officer are conferred pursuant to NRS 289.150 to 289.360, inclusive, must
33 be certified by the commission, except:

- 34 1. The chief parole and probation officer;
- 35 2. The director of the department of prisons;
- 36 3. The state fire marshal;
- 37 4. The director of the department of motor vehicles and public safety,
38 the deputy directors of the department, the chiefs of the divisions of the
39 department other than the investigation division ; ~~and the members of the~~
40 ~~state disaster identification team of the division of emergency management~~
41 ~~of the department;~~
- 42 5. The commissioner of insurance and his chief deputy;
- 43 6. *The members of the state disaster identification team of the office*
44 *of emergency management created pursuant to section 1 of this act;*
- 45 7. Railroad policemen; and
- 46 ~~{7-}~~ 8. California correctional officers.



1 **Sec. 9.** Chapter 353 of NRS is hereby amended by adding thereto a
2 new section to read as follows:

3 ***“Office of emergency management” means the office of emergency***
4 ***management created pursuant to section 1 of this act.***

5 **Sec. 10.** NRS 353.2705 is hereby amended to read as follows:

6 353.2705 As used in NRS 353.2705 to 353.2771, inclusive, ***and***
7 ***section 9 of this act,*** unless the context otherwise requires, the words and
8 terms defined in NRS 353.271 to 353.2731, inclusive, ***and section 9 of this***
9 ***act*** have the meanings ascribed to them in those sections.

10 **Sec. 11.** NRS 353.271 is hereby amended to read as follows:

11 353.271 “Disaster” means a fire, flood, earthquake, drought,
12 explosion, civil disturbance or any other occurrence or threatened
13 occurrence that, regardless of cause:

14 1. Results in, or may result in, widespread or severe damage to
15 property or injury to or the death of persons in this state; and

16 2. As determined by:

17 (a) The governor; or

18 (b) The governing body of a local government pursuant to NRS 414.090
19 and the ~~division~~ ***office of emergency management*** pursuant to NRS
20 353.2753,

21 requires immediate action to protect the health, safety and welfare of the
22 residents of this state.

23 **Sec. 12.** NRS 353.2753 is hereby amended to read as follows:

24 353.2753 1. A state agency or local government may request the
25 ~~division~~ ***office of emergency management*** to conduct a preliminary
26 assessment of the damages related to an event for which the state agency or
27 local government seeks a grant or loan from the fund.

28 2. Upon receipt of such a request, the ~~division~~ ***office of emergency***
29 ***management*** shall investigate the event or cause the event to be
30 investigated to make a preliminary assessment of the damages related to
31 the event and shall make or cause to be made a written report of the
32 damages related to the event.

33 3. As soon as practicable after completion of the investigation and
34 preparation of the report of damages, the ~~division~~ ***office of emergency***
35 ***management*** shall:

36 (a) Determine whether the event constitutes a disaster for which the
37 state agency or local government may seek a grant or loan from the fund;
38 and

39 (b) Submit the report prepared pursuant to this section and its written
40 determination regarding whether the event constitutes a disaster to the state
41 agency or local government.

42 4. The ~~division~~ ***office of emergency management*** shall prescribe by
43 regulation the information that must be included in a report of damages,
44 including, without limitation, a description of the damage caused by the
45 event, an estimate of the costs to repair such damage and a specification of
46 whether the purpose of the project is for repair or replacement, emergency
47 response or mitigation.



1 **Sec. 13.** NRS 353.2754 is hereby amended to read as follows:
2 353.2754 A local government may request a grant or loan from the
3 fund if:

4 1. Pursuant to NRS 414.090, the governing body of the local
5 government determines that an event which has occurred constitutes a
6 disaster; and

7 2. After the ~~division~~ *office of emergency management* conducts a
8 preliminary assessment of the damages pursuant to NRS 353.2753, the
9 ~~division~~ *office of emergency management* determines that an event has
10 occurred that constitutes a disaster.

11 **Sec. 14.** NRS 353.2755 is hereby amended to read as follows:

12 353.2755 1. A state agency or local government may submit a
13 request to the state board of examiners for a grant or loan from the fund as
14 provided in NRS 353.2705 to 353.2771, inclusive, if:

15 (a) The agency or local government finds that, because of a disaster, it
16 is unable to pay for an expense or grant match specified in NRS 353.274,
17 353.2745 or 353.2751 from money appropriated or otherwise available to
18 the agency or local government;

19 (b) The request has been approved by the chief administrative officer of
20 the state agency or the governing body of the local government; and

21 (c) If the requester is an incorporated city, the city has requested
22 financial assistance from the county and was denied all or a portion of the
23 requested assistance.

24 2. A request for a grant or loan submitted pursuant to subsection 1
25 must be made within 60 days after the disaster and must include:

26 (a) A statement setting forth the amount of money requested by the state
27 agency or local government;

28 (b) An assessment of the need of the state agency or local government
29 for the money requested;

30 (c) If the request is submitted by a local government that has established
31 a fund pursuant to NRS 354.6115 to mitigate the effects of a natural
32 disaster, a statement of the amount of money that is available in that fund,
33 if any, for the payment of expenses incurred by the local government as a
34 result of a disaster;

35 (d) A determination of the type, value and amount of resources the state
36 agency or local government may be required to provide as a condition for
37 the receipt of a grant or loan from the fund;

38 (e) A written report of damages prepared by the ~~division~~ *office of*
39 *emergency management* and the written determination made by the
40 ~~division~~ *office of emergency management* that the event constitutes a
41 disaster pursuant to NRS 353.2753; and

42 (f) If the requester is an incorporated city, all documents which relate to
43 a request for assistance submitted to the board of county commissioners of
44 the county in which the city is located.

45 Any additional documentation relating to the request that is requested by
46 the state board of examiners must be submitted within 6 months after the
47 disaster unless the state board of examiners and the interim finance
48 committee grants an extension.



1 3. Upon the receipt of a complete request for a grant or loan submitted
2 pursuant to subsection 1, the state board of examiners:

3 (a) Shall consider the request; and

4 (b) May require any additional information that it determines is
5 necessary to make a recommendation.

6 4. If the state board of examiners finds that a grant or loan is
7 appropriate, it shall include in its recommendation to the interim finance
8 committee the proposed amount of the grant or loan. If the state board of
9 examiners recommends a grant, it shall include a recommendation
10 regarding whether or not the state agency or local government requires an
11 advance to avoid severe financial hardship. If the state board of examiners
12 recommends a loan for a local government, it shall include the information
13 required pursuant to subsection 1 of NRS 353.2765. If the state board of
14 examiners finds that a grant or loan is not appropriate, it shall include in its
15 recommendation the reason for its determination.

16 5. The provisions of this section do not prohibit a state agency or local
17 government from submitting more than one request for a grant or loan from
18 the fund.

19 6. As used in this section, the term "natural disaster" has the meaning
20 ascribed to it in NRS 354.6115.

21 **Sec. 15.** Chapter 414 of NRS is hereby amended by adding thereto a
22 new section to read as follows:

23 *"Office of emergency management" means the office of emergency*
24 *management created pursuant to section 1 of this act.*

25 **Sec. 16.** NRS 414.020 is hereby amended to read as follows:

26 414.020 1. Because of the existing and increasing possibility of the
27 occurrence of emergencies or disasters of unprecedented size and
28 destructiveness resulting from enemy attack, sabotage or other hostile
29 action, from a fire, flood, earthquake, storm or other natural causes, or
30 from technological or man-made catastrophes, and in order to ensure that
31 the preparations of this state will be adequate to deal with such
32 emergencies or disasters, and generally to provide for the common defense
33 and to protect the public welfare, and to preserve the lives and property of
34 the people of the state, it is hereby found and declared to be necessary:

35 (a) To ~~create a state agency for emergency management and to~~
36 authorize the creation of local organizations for emergency management in
37 the political subdivisions of the state.

38 (b) To confer upon the governor and upon the executive heads or
39 governing bodies of the political subdivisions of the state the emergency
40 powers provided in this chapter.

41 (c) To assist with the rendering of mutual aid among the political
42 subdivisions of the state and with other states and to cooperate with the
43 Federal Government with respect to carrying out the functions of
44 emergency management.

45 2. It is further declared to be the purpose of this chapter and the policy
46 of the state that all functions of emergency management in this state be
47 coordinated to the maximum extent with the comparable functions of the
48 Federal Government, including its various departments and agencies, of
49 other states and localities and of private agencies of every type, providing



1 for the most effective preparation and use of the nation's man power,
2 resources and facilities for dealing with any emergency or disaster that may
3 occur.

4 **Sec. 17.** NRS 414.030 is hereby amended to read as follows:

5 414.030 As used in this chapter, the words and terms defined in NRS
6 414.031 to 414.038, inclusive, *and section 15 of this act* have the
7 meanings ascribed to them in those sections.

8 **Sec. 18.** NRS 414.040 is hereby amended to read as follows:

9 414.040 1. ~~{A division of emergency management is hereby created~~
10 ~~within the department of motor vehicles and public safety. The chief of the~~
11 ~~division is appointed by and holds office at the pleasure of the director of~~
12 ~~the department of motor vehicles and public safety. The division is the~~
13 ~~state agency for emergency management and the state agency for civil~~
14 ~~defense for the purposes of the compact ratified by the legislature pursuant~~
15 ~~to NRS 415.010. The chief is the state's director of emergency~~
16 ~~management and the state's director of civil defense for the purposes of~~
17 ~~that compact.~~

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

23 ~~—3. The chief,}~~ *The director of the office of emergency management,*
24 subject to the direction and control of the ~~{director,}~~ *governor,* shall carry
25 out the program for emergency management in this state. He shall
26 coordinate the activities of all organizations for emergency management
27 within the state, maintain liaison with and cooperate with agencies and
28 organizations of other states and of the Federal Government for emergency
29 management and carry out such additional duties as may be prescribed by
30 the director.

31 ~~{4. The chief}~~

32 *2. The director of the office of emergency management* shall assist in
33 the development of comprehensive, coordinated plans for emergency
34 management by adopting an integrated process ~~{}~~ *of emergency*
35 *management,* using the partnership of governmental entities, business and
36 industry, volunteer organizations and other interested persons, for the
37 mitigation of, preparation for, response to and recovery from emergencies
38 or disasters. In adopting this process, he shall conduct activities designed
39 to:

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

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

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



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

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

8 ~~{5. The division shall perform the duties required pursuant to NRS~~
9 ~~353.2753 at the request of a state agency or local government.}~~

10 **Sec. 19.** NRS 414.135 is hereby amended to read as follows:

11 414.135 1. There is hereby created the emergency assistance account
12 within the disaster relief fund created pursuant to NRS 353.2735.
13 Beginning with the fiscal year that begins on July 1, 1999, the state
14 controller shall, at the end of each fiscal year, transfer the interest earned
15 during the previous fiscal year on the money in the disaster relief fund to
16 the account in an amount not to exceed \$500,000.

17 2. The ~~{division}~~ **office** of emergency management ~~{of the department~~
18 ~~of motor vehicles and public safety}~~ shall administer the account. The
19 ~~{division}~~ **office of emergency management** may adopt regulations
20 authorized by this section before, on or after July 1, 1999.

21 3. All expenditures from the account must be approved in advance by
22 the ~~{division}~~ **office of emergency management**. Except as otherwise
23 provided in subsection 4, all money in the account must be expended solely
24 to:

25 (a) Provide supplemental emergency assistance to this state or to local
26 governments in this state that are severely and adversely affected by a
27 natural, technological or man-made emergency or disaster for which
28 available resources of this state or the local government are inadequate to
29 provide a satisfactory remedy; and

30 (b) Pay any actual expenses incurred by the ~~{division}~~ **office of**
31 **emergency management** for administration during a natural, technological
32 or man-made emergency or disaster.

33 4. Beginning with the fiscal year that begins on July 1, 1999, if any
34 balance remains in the account at the end of a fiscal year and the balance
35 has not otherwise been committed for expenditure, the ~~{division}~~ **office of**
36 **emergency management** may, with the approval of the interim finance
37 committee, allocate all or any portion of the remaining balance, not to
38 exceed \$250,000, to this state or to a local government to:

39 (a) Purchase equipment or supplies required for emergency
40 management; and

41 (b) Provide training to personnel related to emergency management.

42 5. Beginning with the fiscal year that begins on July 1, 1999, the
43 ~~{division}~~ **office of emergency management** shall, at the end of each
44 quarter of a fiscal year, submit to the interim finance committee a report of
45 the expenditures made from the account for the previous quarter.

46 6. The ~~{division}~~ **office of emergency management** shall adopt such
47 regulations as are necessary to administer the account.

48 7. The ~~{division}~~ **office of emergency management** may adopt
49 regulations to provide for reimbursement of expenditures made from the



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1 account. If the ~~{division}~~ *office of emergency management* requires such
2 reimbursement, the attorney general shall take such action as is necessary
3 to recover the amount of any unpaid reimbursement plus interest at a rate
4 determined pursuant to NRS 17.130, computed from the date on which the
5 money was removed from the fund, upon request by the ~~{division}~~ *office*
6 *of emergency management*.

7 **Sec. 20.** NRS 414.170 is hereby amended to read as follows:
8 414.170 1. The board of search and rescue, consisting of 10
9 members appointed by the ~~{chief}~~ *director of the office of emergency*
10 *management*, is hereby created. The ~~{chief}~~ *director of the office of*
11 *emergency management* shall appoint:

12 (a) One member who is a representative of the Nevada Wing of the
13 Civil Air Patrol;

14 (b) One member who is a representative of the Nevada National Guard;

15 (c) Four members who are representatives of the Nevada Sheriffs and
16 Chiefs Association or its legal successor;

17 (d) One member who is a representative of the health division of the
18 department of human resources and whose primary responsibilities relate
19 to the licensure and certification of persons who provide emergency
20 medical services;

21 (e) One member who is a representative of the division of forestry of
22 the state department of conservation and natural resources;

23 (f) One member who is a representative of a search and rescue
24 organization of a law enforcement agency; and

25 (g) One member who is a representative of the Nevada Fire Chiefs'
26 Association or its legal successor. If the association ceases to exist and no
27 legal successor is formed, the chief shall appoint one member who is a fire
28 chief.

29 2. The term of office of each member of the board is 2 years.

30 **Sec. 21.** NRS 414.180 is hereby amended to read as follows:

31 414.180 The board shall:

32 1. Meet at the call of the ~~{chief}~~ *director of the officer of emergency*
33 *management* and at least once every 6 months;

34 2. Provide direction and guidance for the coordinator;

35 3. Formulate policy regarding search and rescue; and

36 4. Carry out the other duties assigned to it in this chapter.

37 **Sec. 22.** NRS 414.200 is hereby amended to read as follows:

38 414.200 The ~~{chief}~~ *director of the office of emergency management*,
39 with the advice of the board, shall appoint an employee of the ~~{division}~~
40 *office of emergency management* ~~{of the department of motor vehicles and~~
41 ~~public safety}~~ as coordinator of search and rescue.

42 **Sec. 23.** NRS 414.270 is hereby amended to read as follows:

43 414.270 A state disaster identification team is hereby established
44 within the ~~{division}~~ *office of emergency management*. ~~{of the department~~
45 ~~of motor vehicles and public safety. The chief}~~ *The director of the office*
46 *of emergency management*:

47 1. Shall assign persons with expertise in various fields to the state
48 disaster identification team; and



2. May activate such persons to perform the duties of the state disaster identification team:

(a) During a state of emergency or declaration of disaster proclaimed pursuant to NRS 414.070; or

(b) Upon the request of a political subdivision of this state if the ~~chief~~ *director of the office of emergency management* determines that the political subdivision requires the services of the state disaster identification team.

Sec. 24. NRS 414.280 is hereby amended to read as follows:

414.280 Upon activation, the state disaster identification team shall:

1. Provide technical assistance and personnel to local authorities to recover, identify and process deceased victims.

2. Within 2 hours after activation, begin to identify and report to the ~~chief~~ *director of the office of emergency management* the need for medical and health services to:

(a) Establish temporary facilities to be used as a morgue.

(b) Identify deceased victims by using, without limitation, latent fingerprints and the forensic methods of dentistry, pathology and anthropology.

(c) Process and dispose of the remains of deceased victims.

Sec. 25. NRS 414.300 is hereby amended to read as follows:

414.300 The ~~department of motor vehicles and public safety~~ *director of the office of emergency management* shall adopt regulations to govern the state disaster identification team. The regulations must include, without limitation:

1. Guidelines for the ~~chief~~ *director of the office of emergency management* to:

(a) Assign persons to positions on the state disaster identification team; and

(b) Determine which members of the state disaster identification team may be activated pursuant to NRS 414.270.

2. Provisions governing the organization, administration and operation of the state disaster identification team.

3. The compensation, if any, to be paid by the ~~department~~ *office of emergency management* to a member of the state disaster identification team who is activated pursuant to NRS 414.270.

Sec. 26. NRS 432.170 is hereby amended to read as follows:

432.170 1. The attorney general shall:

(a) Establish a program to coordinate activities and information in this state concerning missing or exploited children; and

(b) Appoint a director to administer the provisions of the program.

2. The director is in the unclassified service of the state. To assist the director in carrying out the provisions of NRS 432.150 to 432.220, inclusive, the attorney general may appoint such assistants or investigators as deemed necessary by the attorney general.

3. The director may:

(a) Assist any public or private school in establishing a program of information about missing or exploited children by providing, free of charge, materials, publications and instructional aids relating to:



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- 1 (1) Offenses under federal and state law regarding missing or
- 2 exploited children and the abuse or neglect of children.
- 3 (2) Governmental and private agencies and programs for locating and
- 4 identifying missing or exploited children, preventing the abduction or
- 5 disappearance of children and preventing the abuse or neglect of children.
- 6 (3) Methods of preventing the abduction or disappearance of
- 7 children.
- 8 (4) Techniques for the investigation of cases involving missing or
- 9 exploited children.
- 10 (5) Any other issue involving missing or exploited children.
- 11 (b) Develop and maintain a system of information concerning missing
- 12 or exploited children, including information concerning public or private
- 13 resources which may be available to such children and their families.
- 14 (c) Accept gifts or donations on behalf of the clearinghouse which must
- 15 be accounted for separately and used by the director in carrying out the
- 16 provisions of NRS 432.150 to 432.220, inclusive.
- 17 (d) Enter into agreements with regional and national organizations for
- 18 assistance and exchange of information concerning missing or exploited
- 19 children.
- 20 (e) Assist in the investigation of children who are reported missing in
- 21 this state or who are reported abducted or taken from this state.
- 22 4. The director may provide the materials, publications and
- 23 instructional aids identified in paragraph (a) of subsection 3 to any other
- 24 person or governmental agency for a reasonable fee not to exceed the cost
- 25 of preparing the materials.
- 26 5. The director shall, upon request, provide records regarding a
- 27 missing child to the state disaster identification team of the ~~division~~
- 28 ~~office of emergency management of the department of motor vehicles and~~
- 29 ~~public safety.~~ *created pursuant to section 1 of this act.*
- 30 **Sec. 27.** NRS 459.742 is hereby amended to read as follows:
- 31 459.742 The commission, in carrying out its duties and within the
- 32 limits of legislative appropriations and other available money, may:
- 33 1. Enter into contracts, leases or other agreements or transactions;
- 34 2. Provide grants of money to local emergency planning committees to
- 35 improve their ability to respond to emergencies involving hazardous
- 36 materials;
- 37 3. Assist with the development of comprehensive plans for responding
- 38 to such emergencies in this state;
- 39 4. Provide technical assistance and administrative support to the
- 40 telecommunications unit of the communication and computing division of
- 41 the department of information technology for the development of systems
- 42 for communication during such emergencies;
- 43 5. Provide technical and administrative support and assistance for
- 44 training programs;
- 45 6. Develop a system to provide public access to data relating to
- 46 hazardous materials;
- 47 7. Support any activity or program eligible to receive money from the
- 48 contingency account for hazardous materials;



1 8. Adopt regulations setting forth the manner in which the ~~division~~
2 ~~office~~ of emergency management ~~of the department of motor vehicles and~~
3 ~~public safety~~ *created pursuant to section 1 of this act* shall:

4 (a) Allocate money received by the division which relates to hazardous
5 materials or is received pursuant to Public Law 99-499 or Title I of Public
6 Law 93-633; and

7 (b) Approve programs developed to address planning for and
8 responding to emergencies involving hazardous materials; and

9 9. Coordinate the activities administered by state agencies to carry out
10 the provisions of chapter 459 of NRS, Public Law 99-499 and Title I of
11 Public Law 93-633.

12 **Sec. 28.** NRS 459.796 is hereby amended to read as follows:

13 459.796 A person is entitled to immunity under subsection 2 of NRS
14 459.792 only if:

15 1. In the case of one furnishing advice or assistance, he is qualified by
16 training, education or experience in the handling of hazardous materials
17 and provides advice or assistance within the area of his qualifications; and

18 2. He was requested to provide the equipment, advice or other
19 assistance by:

20 (a) The person responsible for the discharge;

21 (b) The ~~division~~ *office* of emergency management ~~of the department~~
22 ~~of motor vehicles and public safety;~~ *created pursuant to section 1 of this*
23 *act;*

24 (c) The division of industrial relations of the department of business and
25 industry;

26 (d) The division of environmental protection of the state department of
27 conservation and natural resources;

28 (e) The Nevada highway patrol division of the department of motor
29 vehicles and public safety;

30 (f) The state fire marshal division of the department of motor vehicles
31 and public safety;

32 (g) The state emergency response commission or a local emergency
33 planning committee appointed by the commission;

34 (h) A local fire department; or

35 (i) A local agency for law enforcement.

36 **Sec. 29.** NRS 481.023 is hereby amended to read as follows:

37 481.023 Except as otherwise provided therein, the department shall
38 execute, administer and enforce, and perform the functions and duties
39 provided in:

40 1. Title 43 of NRS relating to vehicles.

41 2. Chapter 706 of NRS relating to licensing of motor vehicle carriers
42 and the use of public highways by those carriers.

43 3. Chapter 366 of NRS relating to imposition and collection of taxes
44 on special fuels used for motor vehicles.

45 4. Chapter 453 of NRS relating to controlled substances and chapter
46 454 of NRS relating to dangerous drugs.

47 5. Chapter 459 of NRS relating to the transportation of hazardous
48 materials.

49 6. ~~Chapter 414 of NRS relating to emergency management.~~



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1 ~~7.1~~ Chapter 477 of NRS relating to the state fire marshal.
2 ~~8.1~~ 7. Chapters 176A and 213 of NRS relating to parole and
3 probation.
4 ~~9.1~~ 8. The provisions of NRS 426.401 to 426.461, inclusive.
5 **Sec. 30.** NRS 481.0473 is hereby amended to read as follows:
6 481.0473 1. The department consists of:
7 (a) A motor vehicles branch that includes:
8 (1) A division of compliance enforcement.
9 (2) A division of field services.
10 (3) A division of central services and records.
11 (4) A division of management services and programs.
12 (b) A public safety branch that includes:
13 (1) A Nevada highway patrol division.
14 (2) An administrative services division.
15 (3) An investigation division.
16 (4) ~~A division of emergency management.~~
17 ~~(5)~~ A state fire marshal division.
18 ~~(6)~~ (5) A division of parole and probation.
19 ~~(7)~~ (6) A capitol police division.
20 ~~(8)~~ (7) A training division.
21 (c) Such other branches or divisions as the director may from time to
22 time establish.
23 2. Before he reorganizes the department, the director shall obtain the
24 approval of:
25 (a) The legislature, if it is in regular session; or
26 (b) The interim finance committee, if the legislature is not in regular
27 session.
28 **Sec. 31.** NRS 481.0475 is hereby amended to read as follows:
29 481.0475 1. Any change in the organization of the department may
30 include the branches, divisions, functions and responsibilities described in
31 subsection 2 but must not include those described in paragraphs (d), (f) and
32 (g) ~~and (h)~~ of that subsection.
33 2. Unless the organization of the department is changed by the
34 director, the primary functions and responsibilities of the specified
35 branches and divisions of the department are as follows:
36 (a) The motor vehicles branch shall:
37 (1) Execute, administer and enforce the provisions of chapter 482 of
38 NRS and perform such duties and exercise such powers as may be
39 conferred upon it pursuant to chapter 482 of NRS and the provisions of any
40 other laws;
41 (2) Execute and administer the laws relative to the licensing of motor
42 vehicle carriers and the use of public highways by those carriers as
43 contained in chapter 706 of NRS;
44 (3) Perform such duties and exercise such powers as may be
45 conferred upon it pursuant to chapter 706 of NRS;
46 (4) Execute and administer the provisions of chapter 366 of NRS,
47 relating to the imposition and collection of taxes on special fuels used for
48 motor vehicles;



- 1 (5) Perform such duties and exercise such powers as may be
2 conferred upon it pursuant to chapter 366 of NRS;
- 3 (6) Execute, administer and enforce the provisions of chapter 483 of
4 NRS and perform such duties and exercise such powers as may be
5 conferred upon it pursuant to chapter 483 of NRS;
- 6 (7) Execute, administer and enforce the provisions of chapter 485 of
7 NRS and perform such duties and exercise such powers as may be
8 conferred upon it pursuant to chapter 485 of NRS;
- 9 (8) Execute, administer and enforce the laws relating to the licensing
10 of drivers of motorcycles and similar vehicles in accordance with the
11 provisions of chapter 486 of NRS;
- 12 (9) Execute, administer and enforce the provisions of chapter 487 of
13 NRS and perform such duties and exercise such powers as may be
14 conferred upon it pursuant to chapter 487 of NRS; and
- 15 (10) Execute, administer and enforce the provisions of chapter 108 of
16 NRS and perform such duties and exercise such powers relating to liens on
17 vehicles as may be conferred upon it pursuant to chapter 108 of NRS or the
18 provisions of any other laws.
- 19 (b) The administrative services division shall furnish fiscal, accounting
20 and other administrative services to the director and the various branches
21 and divisions, and advise and assist the director and the various branches
22 and divisions in carrying out their functions and responsibilities.
- 23 (c) The investigation division shall:
- 24 (1) Execute, administer and enforce the provisions of chapter 453 of
25 NRS relating to controlled substances and chapter 454 of NRS relating to
26 dangerous drugs;
- 27 (2) Assist the secretary of state in carrying out an investigation
28 pursuant to NRS 293.124; and
- 29 (3) Perform such duties and exercise such powers as may be
30 conferred upon it pursuant to this chapter and any other laws.
- 31 (d) The Nevada highway patrol division shall execute, administer and
32 enforce the provisions of chapter 484 of NRS and perform such duties and
33 exercise such powers as may be conferred upon it pursuant to NRS
34 481.180 and the provisions of any other laws.
- 35 ~~(e) [The division of emergency management shall execute, administer~~
36 ~~and enforce the provisions of chapter 414 of NRS and perform such duties~~
37 ~~and exercise such powers as may be conferred upon it pursuant to chapter~~
38 ~~414 of NRS and the provisions of any other laws.~~
- 39 ~~—(f)~~ The state fire marshal division shall execute, administer and enforce
40 the provisions of chapter 477 of NRS and perform such duties and exercise
41 such powers as may be conferred upon it pursuant to chapter 477 of NRS
42 and the provisions of any other laws.
- 43 ~~(e)~~ ~~(f)~~ The division of parole and probation shall execute, administer
44 and enforce the provisions of chapters 176A and 213 of NRS relating to
45 parole and probation and perform such duties and exercise such powers as
46 may be conferred upon it pursuant to those chapters and the provisions of
47 any other laws.



1 ~~(h)~~ (g) The capitol police division shall assist the chief of the
2 buildings and grounds division of the department of administration in the
3 enforcement of subsection 1 of NRS 331.140.

4 ~~(i)~~ (h) The training division shall provide training to the employees of
5 the department.

6 **Sec. 32.** NRS 481.083 is hereby amended to read as follows:

7 481.083 1. Except for the operation of the investigation division, ~~the~~
8 ~~division of emergency management,~~ the state fire marshal division, the
9 division of parole and probation, and the capitol police division of the
10 department, money for the administration of the provisions of this chapter
11 must be provided by direct legislative appropriation from the state highway
12 fund upon the presentation of budgets in the manner required by law.

13 2. All money provided for the support of the department and its
14 various divisions must be paid out on claims approved by the director in
15 the same manner as other claims against the state are paid.

16 **Sec. 33.** NRS 481.085 is hereby amended to read as follows:

17 481.085 Money collected or received by:

18 1. ~~The division of emergency management pursuant to chapter 414 of~~
19 ~~NRS;~~

20 ~~2.~~ The state fire marshal division pursuant to chapter 477 of NRS; and

21 ~~3.~~ 2. The division of parole and probation pursuant to chapter 176A
22 or 213 of NRS,
23 must be deposited with the state treasurer for credit to the appropriate
24 accounts of the respective divisions.

25 **Sec. 34.** NRS 481.087 is hereby amended to read as follows:

26 481.087 1. Except as otherwise provided in subsection 2, the
27 expenses incurred in the administration of this chapter and in the
28 administration of the powers and duties provided in this chapter shall be
29 deemed to be a cost of administration with respect to the operation of
30 motor vehicles upon the public highways of this state.

31 2. The provisions of subsection 1 do not apply to the expenses incurred
32 in the administration of:

33 (a) The investigation division;

34 (b) ~~The division of emergency management;~~

35 ~~(c)~~ The state fire marshal division;

36 ~~(d)~~ (c) The division of parole and probation; and

37 ~~(e)~~ (d) The capitol police division,

38 of the department.

39 **Sec. 35.** NRS 481.245 is hereby amended to read as follows:

40 481.245 1. When a coroner is unable to establish the identity of a
41 dead body by means other than by dental records, he shall have a dental
42 examination of the body made by a dentist. The dentist shall prepare a
43 record of his findings and forward it to the investigation division and to the
44 central repository for Nevada records of criminal history.

45 2. Each sheriff, chief of police or other law enforcement agency which
46 receives a report of a person missing under suspicious circumstances who
47 is 18 years or older shall:

48 (a) Transmit to the investigation division and to the central repository
49 for Nevada records of criminal history:



1 (1) The initial report that contains identifying information concerning
2 the missing person within 72 hours after the receipt of that report; and
3 (2) Any subsequent report concerning the missing person within 5
4 working days after the receipt of that report if the report contains additional
5 identifying information concerning the missing person;
6 (b) Notify immediately such persons and make inquiries concerning the
7 missing person as the agency deems necessary; and
8 (c) Enter the information concerning the missing person into the
9 computer for the National Crime Information Center and the central
10 repository for Nevada records of criminal history, if appropriate.
11 3. The sheriff, chief of police or other law enforcement agency shall
12 request the written consent of the next of kin or guardian of a person who
13 has been reported to him as missing for 30 days or more to obtain certain
14 identifying information about the missing person that the National Crime
15 Information Center recommends be provided from the appropriate
16 providers of medical care. After receiving the written consent, the sheriff,
17 chief of police or other law enforcement agency shall obtain the identifying
18 information from the providers of medical care and forward that
19 information and any other relevant information to the investigation division
20 and to the central repository for Nevada records of criminal history for
21 comparison with the identifying information that is on file concerning
22 unidentified deceased persons. This subsection does not prevent the
23 voluntary release of identifying information about the missing person by
24 the next of kin or guardian of the missing person at any time.
25 4. The next of kin or guardian of the person reported as missing shall
26 promptly notify the appropriate law enforcement agency when the missing
27 person is found.
28 5. The sheriff, chief of police or other law enforcement agency shall
29 inform the investigation division, the central repository for Nevada records
30 of criminal history and the National Crime Information Center when a
31 missing person has been found.
32 6. The investigation division and the central repository for Nevada
33 records of criminal history shall:
34 (a) Maintain the records and other information forwarded to them
35 pursuant to subsections 1, 2 and 3 for the purpose of comparing the records
36 and otherwise assisting in the identification of dead bodies; and
37 (b) Upon request, provide the records and other information that are
38 maintained pursuant to this subsection to the state disaster identification
39 team of the ~~division~~ *office* of emergency management ~~of the~~
40 ~~department~~ *created pursuant to section 1 of this act*.
41 **Sec. 36.** NRS 616A.140 is hereby amended to read as follows:
42 616A.140 A member of the Nevada Wing of the Civil Air Patrol who
43 participates:
44 1. In a mission; or
45 2. In training,
46 which has been authorized by the ~~division~~ *office* of emergency
47 management ~~of the department of motor vehicles and public safety~~
48 *created pursuant to section 1 of this act* shall be deemed for the purposes
49 of chapters 616A to 616D, inclusive, of NRS to be an employee of the



1 ~~division~~ office of emergency management at the wage of \$600 per month
2 and, in the event of injury during such a mission or training, is entitled to
3 the benefits of those chapters.

4 **Sec. 37.** The Legislative Counsel shall:

5 1. In preparing the reprint and supplements to the Nevada Revised
6 Statutes, appropriately change any references to an officer, agency or other
7 entity whose name is changed or whose responsibilities are transferred
8 pursuant to the provisions of this act to refer to the appropriate officer,
9 agency or other entity.

10 2. In preparing supplements to the Nevada Administrative Code,
11 appropriately change any references to an officer, agency or other entity
12 whose name is changed or whose responsibilities are transferred pursuant
13 to the provisions of this act to refer to the appropriate officer, agency or
14 other entity.

15 **Sec. 38.** NRS 353.2712 and 414.0315 are hereby repealed.

16 **Sec. 39.** This act becomes effective on July 1, 2001.

TEXT OF REPEALED SECTIONS

353.2712 “Division” defined. “Division” means the division of emergency management of the department of motor vehicles and public safety.

414.0315 “Chief” defined. “Chief” means the chief of the division of emergency management of the department of motor vehicles and public safety.

