

Amendment No. 516

Senate Amendment to Senate Bill No. 380

(BDR 19-611)

Proposed by: Committee on Transportation and Homeland Security**Amendment Box:****Resolves Conflicts with:** N/A**Amends:** Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

Adoption of this amendment will:

- (1) REMOVE the 2/3s majority vote requirement from SB380; and
- (2) MAINTAIN an unfunded mandate not requested by the affected local government to SB380 (§ 5).

ASSEMBLY ACTION	Initial and Date	SENATE ACTION	Initial and Date
Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____	Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____
Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____	Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____
Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____	Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____

Amend sec. 3, page 3, line 6, before “*The*” by inserting “*I*”.

Amend sec. 3, page 3, between lines 12 and 13, by inserting:

“2. If the Director of the Department of Public Safety employs persons pursuant to subsection 1, the salaries for those positions must be paid from the State General Fund or from money received as grants from the Federal Government to the extent allowable pursuant to federal law, or both.”.

Amend sec. 4, page 3, by deleting lines 13 through 26 and inserting:

“Sec. 4. 1. If the State or a political subdivision submits an application to and is approved to receive money from the Federal Government, this State, any other state, a local government,

JCB/LJM

Date: 4/25/2005

S.B. No. 380—Revises provisions relating to Nevada Commission on Homeland Security.



any agency or instrumentality of those governmental entities, or any private entity, to pay for a project or program relating to the prevention of, detection of, mitigation of, preparedness for, response to and recovery from acts of terrorism, the State or political subdivision shall, not later than 60 days after receiving such approval, submit to the Commission a written report that includes, without limitation:

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

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

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

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

(a) Homeland security;

(b) Emergency management;

(c) Health or hospitals;

(d) Emergency medical services; and

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

3. Any grant related to terrorism that is administered by the Division and is provided to a political subdivision must be approved by the local emergency planning committee.”.

Amend sec. 5, page 3, line 27, by deleting:

“A response agency” and inserting:

“The State and each political subdivision”.

Amend sec. 5, page 3, line 28, by deleting *“administered”* and inserting:

“required as a condition to the receipt of money from the Federal Government”.

Amend sec. 5, page 3, line 30, before *“response”* by inserting:

“detection of, mitigation of,”.

Amend sec. 5, page 3, by deleting lines 33 through 36 and inserting:

“(b) Submit to the Division documentation evidencing that the State or political subdivision has adopted the national system.

2. The Division shall submit on a quarterly basis documentation to the Commission evidencing the compliance of this State and each political subdivision with the provisions of paragraph (a) of subsection 1.”.

Amend sec. 7, page 4, by deleting lines 3 and 4 and inserting:

“Security ~~[consisting of the members appointed pursuant to this section,]~~ is hereby created.”.

Amend sec. 7, page 4, line 5, by deleting:

“a number of” and inserting:

“~~[a number of]~~ 14”.

Amend sec. 7, page 4, line 6, by deleting *“appropriate,”* and inserting:

“appropriate ~~[,]~~ and who serve at his pleasure,”.

Amend sec. 7, page 4, by deleting lines 8 through 12 and inserting:

“(a) ~~[One member who is a representative of a Nevada law enforcement agency; and~~

~~—(b) One member who is not employed in the field of law enforcement and is not otherwise affiliated with the field of law enforcement.]~~ ***The sheriff of each county whose population is 100,000 or more;***

(b) The chief of the county fire department in each county whose population is 100,000 or more;

(c) The agent in charge of the office of the Federal Bureau of Investigation in this State;

(d) An officer of the United States Department of Homeland Security whom the Department of Homeland Security has designated; and

(e) A member of the medical community in a county whose population is 400,000 or more.”.

Amend sec. 7, page 4, by deleting lines 24 through 26.

Amend the bill as a whole by deleting sec. 8 and renumbering sections 9 through 11 as sections 8 through 10.

Amend sec. 10, pages 6 and 7, by deleting lines 26 through 45 on page 6 and lines 1 through 3 on page 7, and inserting:

“239C.170 The Chairman of the Commission ~~[may,]~~ ***shall***, with the approval of the Commission, appoint ~~[committees from its members]~~ ***a Committee on Finance and any other committees deemed necessary by the Chairman*** to assist in carrying out the duties of the Commission. ***The Chairman of the Commission shall appoint to a committee the number of voting members or nonvoting members, or both, that he determines to be appropriate, except that a committee must include at least one member of the Commission. At its first meeting and annually thereafter, a committee shall select a chairman and a vice chairman from the members of the committee.”.***

Amend the bill as a whole by deleting sections 12 and 13 and renumbering sections 14 and 15 as sections 11 and 12.

Amend sec. 14, page 9, by deleting line 36 and inserting:

“3. A plan”.

Amend sec. 14, page 9, by deleting lines 40 and 41 and inserting:

“subsection 1. An”.

Amend sec. 14, page 10, by deleting lines 5 through 7.

Amend the bill as a whole by renumbering sections 16 and 17 as sections 14 and 15 and adding a new section designated sec. 13, following sec. 15, to read as follows:

“**Sec. 13.** 1. The term of office of a person appointed before the effective date of this act to the Nevada Commission on Homeland Security pursuant to subsection 2 of NRS 239C.120 expires on the effective date of this act.

2. On or after the effective date of this act and on or before July 1, 2005, the Governor shall appoint the 14 members required to be appointed to the Nevada Commission on Homeland Security pursuant to subsection 2 of NRS 239C.120, as amended by section 7 of this act.”.

Amend the title of the bill to read as follows:

“AN ACT relating to homeland security; providing that the Director of the Department of Public

Safety may employ certain persons on behalf of the Nevada Commission on Homeland Security; requiring the State and political subdivisions to submit reports to the Commission regarding any money received from other governmental entities for programs or projects related to acts of terrorism; requiring the State and each political subdivision to adopt any national system for preventing and responding to acts of

terrorism mandated by the United States Department of Homeland Security as a condition to the receipt of federal money; revising provisions relating to the membership and committees of the Commission; and providing other matters properly relating thereto.”.

Amend the summary of the bill to read as follows:

“SUMMARY—Makes various changes relating to homeland security. (BDR 19-611)”.

**If this amendment is adopted, the Legislative
Counsel's Digest will be changed to read as follows:**

Legislative Counsel's Digest:

Existing law creates the Nevada Commission on Homeland Security, consisting of such a number of members as determined by the Governor to be appropriate. (NRS 239C.120) The Commission is required to develop policies and programs for preventing and responding to acts of terrorism and related emergencies, and the Chairman of the Commission may appoint committees from its membership to assist in carrying out the Commission's duties. (NRS 239C.160, 239C.170) Under existing law, the Governor must provide staff assistance to the Commission and may designate a state agency to provide such assistance. (NRS 239C.180)

This bill authorizes the Department of Public Safety to employ staff in the classified service of the State to carry out the duties of the Commission. This bill requires the Governor to appoint 14 members to the Commission and specifies the qualifications of some of the members. This bill also requires the Chairman of the Commission to appoint a Committee on Finance and other committees as deemed necessary by him to assist in carrying out the duties of the Commission.

This bill requires the State or a city or county to report to the Nevada Commission on Homeland Security any funding of projects or programs related to acts of terrorism or other related emergencies that have been approved by another governmental entity. The State and each city and county must also adopt any national system for preventing and responding to acts of terrorism that is mandated by the United States Department of Homeland Security as a condition for the receipt of federal money.