

Amendment No. 359

Assembly Amendment to Assembly Bill No. 225 (BDR 20-908)

Proposed by: Assembly Committee on Government Affairs**Amends:** Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

Adoption of this amendment will MAINTAIN the 2/3s majority vote requirement for final passage of A.B. 225 (§ 1).

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

EXPLANATION: Matter in (1) ***blue bold italics*** is new language in the original bill; (2) ***green bold italic underlining*** is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) ***green bold dashed underlining*** is newly added transitory language.

DLJ/MSM



Date: 4/17/2009

A.B. No. 225—Revises certain provisions relating to county fire departments.
(BDR 20-908)



ASSEMBLY BILL NO. 225—ASSEMBLYMEN PIERCE; ATKINSON, BUCKLEY, HOGAN,
KIHUEN, KIRKPATRICK, LESLIE, MUNFORD, OCEGUERA AND SEGERBLOM

MARCH 3, 2009

Referred to Committee on Government Affairs

SUMMARY—Revises certain provisions relating to county fire departments.
(BDR 20-908)

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 county fire departments; requiring a board of county commissioners that creates a district for a fire department to adopt an ordinance requiring the imposition and collection of fees for the transportation of sick or injured persons by the department to a medical facility; requiring such an ordinance in a county whose population is over 400,000 to limit the number of such transports by the department and to report to the Legislature the fees charged for and the number of such transports; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the board of county commissioners, in a county where a district for a fire department has been created and where the fire department transports sick or injured persons to a medical facility, to adopt an ordinance that either: (1) requires the fire department to impose and collect fees to defray the expenses of furnishing such transportation; or (2) prohibits the imposition and collection of such fees. (NRS 244.2961) ***Section 1*** of this bill repeals the option of adopting an ordinance prohibiting the imposition and collection of such fees. ***Section 1 also requires that, in a county whose population is 400,000 or more (currently Clark County), such an ordinance limit the number of transports the fire department may make each month to not more than 25 percent of the transports made each month by all public and private entities in the county. Section 2*** of this bill, with respect to a county that has already adopted an ordinance prohibiting the imposition and collection of such fees, allows the county until January 1, 2010, to amend or repeal that ordinance. ***Section 3 of this bill requires the board of county commissioners of a county whose population is 400,000 or more to submit an annual report to the Legislature on the number of monthly transports made by the fire department, both in total and as a percentage of total transports by all public and private entities, and the fees charged for those transports.***

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

Section 1. NRS 244.2961 is hereby amended to read as follows:

244.2961 1. The board of county commissioners may by ordinance create a district for a fire department. The board of county commissioners is ex officio the governing body of any district created pursuant to this section and may:

(a) Organize, regulate and maintain the fire department.

(b) Appoint and prescribe the duties of the fire chief.

(c) Designate arson investigators as peace officers.

(d) Regulate or prohibit the storage of any explosive, combustible or inflammable material in or transported through the county, and prescribe the distance from any residential or commercial area where it may be kept. Any ordinance adopted pursuant to this paragraph that regulates places of employment where explosives are stored must be at least as stringent as the standards and procedures adopted by the Division of Industrial Relations of the Department of Business and Industry pursuant to NRS 618.890.

(e) Establish, by ordinance, a fire code and other regulations necessary to carry out the purposes of this section.

(f) Include the budget of the district in the budget of the county.

(g) Hold meetings of the governing body of the district in conjunction with the meetings of the board of county commissioners without posting additional notices of the meetings within the district.

2. If the fire department transports sick or injured persons to a medical facility, the board of county commissioners shall adopt ~~§~~ **an ordinance:**

(a) ~~{An ordinance:~~

~~— (1) Requiring the fire department to defray the expenses of furnishing such transportation by imposing and collecting fees; and~~

~~{(2)} (b) Establishing a schedule of such fees. }-or~~

~~— (b) An ordinance prohibiting the imposition and collection of any fees for such transportation. }~~

3. The board of county commissioners of a county whose population is 400,000 or more shall, when adopting an ordinance pursuant to subsection 2, limit the number of transports of sick or injured persons to a medical facility that the fire department may make each month to not more than 25 percent of the total number of such transports made in the county in the corresponding month during the previous year by both the fire department and all private entities that make such transports, excluding transports made in any incorporated city in the county.

4. The other officers and employees of the county shall perform duties for the district that correspond to the duties they perform for the county.

~~§~~ 5. All persons employed to perform the functions of the fire department are employees of the county for all purposes.

Sec. 2. A board of county commissioners shall amend any ordinance previously adopted by that body which does not conform with the provisions of NRS 244.2961, as amended by section 1 of this act, by January 1, 2010. Any ordinance that does not comply with NRS 244.2961, as amended by section 1 of this act, by January 1, 2010, shall be deemed to conform with NRS 244.2961, as amended by section 1 of this act, by operation of law.

Sec. 3. The board of county commissioners of a county whose population is 400,000 or more shall submit an annual report to the Director of the Legislative Counsel Bureau no later than January 15 of each year for

transmittal to the Legislature, if the Legislature is in session that year, or to the Legislative Commission, if the Legislature is not in session that year. The report must include, without limitation:

1. The fees charged for transport by the fire department of sick or injured persons to a medical facility;

2. The number of such transports made per month by the fire department;

3. The number of such transports made per month by the fire department as a percentage of all transports made to medical facilities on a monthly basis; and

4. A statement detailing, if applicable, any event of an unusual nature that might have had an effect on the percentage of all transports in a month made by the fire department, including, without limitation, a natural disaster or other emergency situation that resulted in a large number of persons who needed to be transported to a medical facility.

~~Sec. 3.~~ Sec. 4. This act becomes effective on July 1, 2009.