

CHAPTER.....

AN ACT relating to fire protection; amending the membership and duties of the State Board of Fire Services; eliminating the Fire Service Standards and Training Committee; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law sets forth the membership and duties of the State Board of Fire Services and the Fire Service Standards and Training Committee. (NRS 477.020, 477.070-477.090) **Section 11** of this bill eliminates the Fire Service Standards and Training Committee. **Section 3** of this bill revises the membership and duties of the State Board of Fire Services.

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

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

Section 1. Chapter 477 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

Sec. 2. *As used in NRS 477.080, 477.085 and 477.090 and sections 2 and 3 of this act, unless the context otherwise requires, “Board” means the State Board of Fire Services created pursuant to section 3 of this act.*

Sec. 3. *1. The State Board of Fire Services is hereby created. The Board consists of:*

- (a) The State Fire Marshal, who is a nonvoting member;*
- (b) The State Forester Firewarden, who is a voting member;*
- and*
- (c) The following nine voting members appointed by the Governor as follows:*

- (1) A licensed architect;*
- (2) A chief, deputy chief, assistant chief or division chief of a volunteer fire department or a partially paid fire department;*
- (3) A chief, deputy chief, assistant chief or division chief of a full-time, paid fire department;*
- (4) A professional engineer;*
- (5) A chief officer, person of equivalent rank or any other person who is experienced in fire service training and represents a volunteer or partially paid fire department or fire district;*
- (6) A chief officer, person of equivalent rank or any other person who is experienced in fire service training and represents a fully paid fire department or fire district;*



(7) A fire marshal, fire protection engineer or any other person who is experienced in developing or enforcing any code related to fire prevention;

(8) A firefighter who does not otherwise meet the requirements of subparagraphs (1) to (7), inclusive; and

(9) A member of the general public who has an interest in public safety and is not an employee or a volunteer of a fire department or fire district.

2. The members described in paragraph (c) of subsection 1:

(a) Must be selected by the Governor based on nominations received from fire chiefs;

(b) Shall serve for a term of 4 years; and

(c) Serve at the pleasure of the Governor.

3. Of the members described in paragraph (c) of subsection 1:

(a) At least one member must be from Clark County;

(b) At least one member must be from Washoe County; and

(c) A majority of such members must not be from one county.

4. No member other than the State Fire Marshal and the State Forester Firewarden may serve for more than two consecutive terms.

5. A vacancy in the Board must be filled for the remainder of the unexpired term in the same manner as the original appointment.

6. The Board shall select a Chair from among its members to serve for 1 year. The State Fire Marshal shall serve as the Secretary of the Board.

7. The Board shall meet at least twice each year and on the call of the Chair, the Secretary or any three members.

8. The members of the Board are entitled to receive from the State Fire Marshal Division of the Department of Public Safety the per diem allowance and travel expenses provided for state officers and employees generally for each day or portion of a day during which the member attends a meeting of the Board.

9. The State Fire Marshal Division shall provide the Board with administrative support.

Sec. 4. NRS 477.039 is hereby amended to read as follows:

477.039 1. The State Fire Marshal shall:

(a) Furnish and administer programs for the training of firefighters;

(b) Describe the programs that are available for training of firefighters and notify fire departments of the availability of these programs;



(c) Administer a program to certify firefighters, whenever requested to do so, for successful completion of a training program;

(d) Develop a program to train instructors;

(e) Assist other agencies and organizations to prepare and administer training programs;

(f) Carry out the provisions of paragraphs (a) to (e), inclusive, in accordance with recommendations submitted to the State ~~{Fire Marshal by the Fire Service Standards and Training Committee}~~ **Board of Fire Services** and the regulations adopted by the ~~{Committee;}~~ **Board;** and

(g) Establish a regional hazardous materials training facility and furnish training programs concerning hazardous materials for emergency personnel, agencies and other persons.

2. The State Fire Marshal may enter into agreements for the procurement of necessary services or property, may accept gifts, grants, services or property for the training programs and may charge fees for training programs, materials or services provided.

Sec. 5. NRS 477.080 is hereby amended to read as follows:

477.080 The ~~{Committee}~~ **Board** shall:

1. ~~{Meet at the call of the Chair at least four times each year.}~~

~~—2.}~~ Encourage the training and education of fire service personnel to improve the system of public safety in the State.

~~{3.}~~ 2. Adopt regulations establishing minimum standards for the approval of training and certification programs submitted by a fire department ~~{for other fire service training agency or organization of the State.}~~, **fire district or any political subdivision or agency of the State or Federal Government** pursuant to NRS 477.090. The regulations must provide minimum standards for the training and certification, including the renewal and revocation of certification, of ~~{fire service}~~ **emergency response** personnel who serve in positions for which the ~~{Committee}~~ **Board** determines minimum standards of training and certification are necessary.

~~{4.}~~ 3. Provide information and make recommendations to the State Fire Marshal ~~{and the State Board of Fire Services}~~ concerning the training of fire service personnel.

~~{5. Approve the budget for the operation of the Committee.}~~

4. **Make recommendations to the State Fire Marshal and to the Legislature concerning necessary legislation in the fields of fire fighting and fire protection.**

5. **When requested to do so by the Director of the Department of Public Safety, recommend to the Director not fewer than three persons for appointment as State Fire Marshal.**



6. Hear appeals of orders, decisions or determinations made by the State Fire Marshal pursuant to his or her statutory authority.

Sec. 6. NRS 477.085 is hereby amended to read as follows:

477.085 The ~~{Committee}~~ **Board** may:

1. Adopt regulations which:

(a) It determines are necessary for the operation of the ~~{Committee.}~~ **Board.**

(b) Require that training programs which are approved by the ~~{Committee}~~ **Board** and require special facilities be conducted at facilities approved by the ~~{Committee.}~~ **Board.**

2. Recommend to the Legislature any appropriate legislation concerning the training of fire service personnel.

Sec. 7. NRS 477.090 is hereby amended to read as follows:

477.090 1. A fire department ~~{or other fire service training agency or organization of the State}~~ , **fire district or any political subdivision or agency of the State or Federal Government** may submit to the Chair of the ~~{Committee}~~ **Board** a proposed training and certification program for any of the ~~{fire service personnel}~~ **emergency response members** who serve in positions for which the ~~{Committee}~~ **Board** has adopted regulations pursuant to NRS 477.080. The proposed program must be submitted not less than 30 days before the next scheduled meeting of the ~~{Committee.}~~ **Board.**

2. At that meeting, the ~~{Committee}~~ **Board** shall evaluate the proposed program and determine whether it meets the standards for training and certification prescribed in the regulations adopted by the ~~{Committee}~~ **Board** pursuant to NRS 477.080.

3. A proposed training and certification program submitted pursuant to this section must include:

(a) A description of the ~~{fire service personnel}~~ **emergency response** positions which will be covered by the program;

(b) A description of the training which the program will provide;

(c) A procedure for the renewal of certification; and

(d) A procedure for the revocation of certification.

4. If a training and certification program is approved by the ~~{Committee.}~~ **Board**, the program constitutes the standard for state certification of ~~{fire service}~~ **emergency response** personnel.

Sec. 8. Notwithstanding any provision of law to the contrary, the term of office of any person currently serving on the State Board of Fire Services ends on June 30, 2011.

Sec. 9. 1. Any administrative regulations adopted by an officer, agency or other entity whose name has been changed or whose responsibilities have been transferred pursuant to the



provisions of this act to another officer, agency or other entity remain in force until amended by the officer, agency or other entity to which the responsibility for the adoption of the regulations has been transferred.

2. Any contracts or other agreements entered into by an officer, agency or other entity whose name has been changed or whose responsibilities have been transferred pursuant to the provisions of this act to another officer, agency or other entity are binding upon the officer, agency or other entity to which the responsibility for the administration of the provisions of the contract or other agreement has been transferred. Such contracts and other agreements may be enforced by the officer, agency or other entity to which the responsibility for the enforcement of the provisions of the contract or other agreement has been transferred.

3. Any action taken by an officer, agency or other entity whose name has been changed or whose responsibilities have been transferred pursuant to the provisions of this act to another officer, agency or other entity remains in effect as if taken by the officer, agency or other entity to which the responsibility for the enforcement of such actions has been transferred.

Sec. 10. The Legislative Counsel shall:

1. In preparing the reprint and supplements to the Nevada Revised Statutes, appropriately change any references to an officer, agency or other entity whose name is changed or whose responsibilities have been transferred pursuant to the provisions of this act to refer to the appropriate officer, agency or other entity. If any internal reference is made to a section repealed by this act, the Legislative Counsel shall delete the reference and replace it by reference to the superseding section, if any.

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

Sec. 11. NRS 477.020, 477.070 and 477.075 are hereby repealed.

Sec. 12. 1. This section and section 8 of this act become effective upon passage and approval.

2. Sections 1 to 7, inclusive, 9, 10 and 11 of this act become effective on July 1, 2011.

