

MINUTES

Nevada State Fire Marshal Division

May 1, 2023

9:30 a.m.

Location:

Nevada State Fire Marshal Division

107 Jacobsen Way, Area 51, Carson City, NV 89711

Present:

Chief Mike Dzyak, State Fire Marshal Division
Lt. Joe Rodriguez, State Fire Marshal Division
Bureau Chief Albert Ruiz, State Fire Marshal Division
Connie Etchison, State Fire Marshal Division
Brandi Salisbury, State Fire Marshal Division
Brandilyn Baxter, State Fire Marshal Division
Dale Way, Truckee Meadows Fire Protection District
Brittany Lemon, Truckee Meadows Fire Protection District
Susan Fisher, McDonald & Carano Law Firm

1. CALL TO ORDER (Non-Action Item.)

The meeting was called to order at 9:32 a.m. by Lt. Joe Rodriguez. It was noted that the meeting is being held at the same location (107 Jacobsen Way, Carson City, NV) but the room location changed from Classroom C to Area 51.

2. PUBLIC COMMENT (Non-Action Item.)

There were no public comments.

3. The purpose of the Workshop Meeting is to solicit comments from interested people and entities regarding current State Fire Marshal Regulations. (For Discussion Only)

Chief Dzyak read the State of Nevada Executive Order 2023-003 (see exhibit "A" attached) and Lt. Rodriguez read Section 1 – Comprehensive Review of Regulations from the Informational Report – Executive Order 2023-003 (see exhibit "B" attached). There were no suggestions for changes to the regulations.

4. PUBLIC COMMENT (Non-action Item)

There were no public comments.

5. ADJOURNMENT (Discussion/For Possible Action.)

Lt. Joe Rodriguez adjourned the meeting at 9:42 a.m.



EXECUTIVE ORDER 2023-003

Order Freezing the Issuance of New Regulations and Requiring a Review of Existing Regulations by All Executive Branch Agencies, Departments, Boards and Commissions

WHEREAS, state regulations should protect workers, consumers and the environment, while promoting entrepreneurship and economic growth; and

WHEREAS, state regulations can become outdated, result in unintended consequences, create conflicts or impose an unnecessary burden on citizens, businesses or government entities; and

WHEREAS, it is in the best interest of the state of Nevada that its regulatory environment be concise, transparent, stable, balanced, predictable and thoughtfully constructed; and

WHEREAS, Nevada's current regulatory structure is too often unfocused and inefficient, contains regulations that are obsolete and includes regulations that are unnecessarily onerous, thereby limiting the economic potential of the State; and

WHEREAS, Article 5, Section 1 of the Nevada Constitution provides that, "The Supreme Executive Power of this State shall be vested in a Chief Magistrate who shall be Governor of the State of Nevada;

NOW, THEREFORE, by the authority vested in me as Governor by the Constitution and laws of the State of Nevada, it is hereby ordered as follows:

SECTION 1

Every executive branch department, agency, board and commission shall undertake a comprehensive review of the regulations subject to its enforcement. On or before, May 1, 2023 each department, agency, board and commission shall provide a report to the Governor's office detailing how the regulation subject to its enforcement can be streamlined, clarified, reduced or otherwise improved to ensure those regulations provide for the general welfare of the State without unnecessarily inhibiting economic growth.

SECTION 2:

As part of its report, every executive branch department, agency, board and commission shall provide a list of not less than ten (10) regulations recommended for removal, ranking them in descending order of priority.

SECTION 3:

Prior to submitting their respective reports, every executive branch department, agency, board and commission shall hold a public hearing, after having provided reasonable notice consistent with Chapter 233B of the Nevada Revised Statutes, to key industry stakeholders, to: (i) vet their recommended changes; (ii) solicit input as to the merits of those changes and (iii) identify other regulatory changes stakeholders feel are worthy of consideration. Stakeholder input shall be reflected in the summary of findings and recommendations included in each submitted report.

SECTION 4:

Unless specifically exempt from this Executive Order as set forth in Section 5, no new regulations shall be proposed, approved or acted on by any executive branch agency, department, board or commission until such time as this Executive Order is rescinded.

SECTION 5:

The following regulations are not subject to the suspension set forth in Section 4:

- (a) Regulations that affect public health;

- (b) Regulations that affect public safety and security;
- (c) Regulations that are necessary in the pursuit of federal funds and certifications;
- (d) Regulations that affect the application of powers, functions and duties essential to the operation of the executive branch agency, department, board or commission at issue;
- (e) Regulations that affect pending judicial deadlines; and
- (f) Regulations necessary to comply with federal law.

Until the suspension of this Executive Order, each executive branch department, agency, board and commission that intends to continue with the enactment of a proposed regulation under an exception to the freeze set forth in Section 4 shall submit a report to the Governor's office identifying which exemption the proposed regulation falls within and detailing the problem the regulation addresses or the value to the public of the regulation, how the regulation addresses the problem or the benefits provided by the regulation, why alternate forms of regulation are insufficient to address the problem and whether other regulations currently address the problem.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nevada to be affixed at the State Capitol in Carson City, this 12th day of January, in the year two thousand twenty-three.




Governor


Secretary of State


Deputy

FILED.NV.SOS
2023 JAN 12 PM2:03
cuttels

Informational Report – Executive Order 2023-003

Pursuant to Executive Order 2023-003, a report must be submitted with the following information:

Section 1 – Comprehensive Review of Regulations

Every executive branch department, agency, board and commission shall undertake a comprehensive review of the regulations subject to its enforcement. On or before, May 1, 2023 each department, agency, board and commission shall provide a report to the Governor's office detailing how the regulation subject to its enforcement can be streamlined, clarified, reduced or otherwise improved to ensure those regulations provide for the general welfare of the State without unnecessarily inhibiting economic growth.

The report must include for each regulation identified in the comprehensive review that can be streamlined, clarified, reduced, or otherwise improved to ensure that the regulation provide for the general welfare of the State without unnecessarily inhibiting economic growth:

1. The citation of the regulation with clear indication of the proposed modification in blue italics and matters to be omitted in red and bracketed.
2. A clear and concise explanation on why such change should occur.
3. Information for each public meeting held to discuss the proposed regulation change, as mandated by Section 3 of Executive Order 2023-003, which must include:
 - a. The date of the meeting(s) and number of persons who attended;
 - b. Information for each person who provided public oral or written comment or testimony on the regulation:
 - i. Name of person;
 - ii. Name of entity or organization represented and address (if applicable);
 - iii. Contact telephone number;
 - iv. Electronic mail address; and
 - c. A summary of each person's public oral or written comment or testimony.
4. The estimated impact on any business, person, or agency if the change is to occur, which must include:
 - a. The adverse and beneficial effects;
 - b. The positive or negative economic impact; and
 - c. Cost savings to the state or agency.
5. In the event your agency has sufficient justification for an exemption to this Executive Order, as described below and in Section 5, please submit a list of requests for any such exemption to dktedford@gov.nv.gov. Qualifying purposes for an exemption include:
 - a. Regulations that affect public health;
 - b. Regulations that affect public safety and security;
 - c. Regulations that are necessary in the pursuit of federal funds and certifications;
 - d. Regulations that affect the application of powers, functions and duties essential to the operation of the executive branch agency, department, board or commission at issue;
 - e. Regulations that affect pending judicial deadlines; and
 - f. Regulations necessary to comply with federal law.

Section 2 – Regulation for Removal

As part of its report, every executive branch department, agency, board and commission shall provide a list of not less than ten (10) regulations recommended for removal, ranking them in descending order of priority.

The report must include for each of the ten (10) regulations recommended for removal (ranked in descending order of priority):

1. The citation of the regulation with matters to be omitted in red and bracketed.
2. A clear and concise explanation of the need for the elimination of the regulation.
3. Information for each public meeting held to discuss the proposed regulation elimination, as mandated by Section 3 of Executive Order 2023-003, which must include:
 - a. The date of the meeting(s) and the number of persons who attended;
 - b. Information for each person who provided public oral or written comment or testimony on the regulation:
 - i. Name of person;
 - ii. Name of entity or organization represented and address (if applicable);
 - iii. Contact telephone number;
 - iv. Electronic mail address; and
 - c. A summary of each person's public oral or written comment or testimony.
4. The estimated impact on any business, person, or agency if the change is to occur, which must include:

- The adverse and beneficial effects;
- The positive or negative economic impact; and
- Cost savings to the state or agency.

Section 3 - Mandatory Meeting and Report

Prior to submitting their respective reports, every executive branch department, agency, board and commission shall hold a public hearing, after having provided reasonable notice consistent with Chapter 233B of the Nevada Revised Statutes, to key industry stakeholders, to: (i) vet their recommended changes; (ii) solicit input as to the merits of those changes and (iii) identify other regulatory changes stakeholders feel are worthy of consideration. Stakeholder input shall be reflected in the summary of findings and recommendations included in each submitted report.

Executive Order 2023-03 – Template

Name of department, agency, board, or commission: DPS – Nevada State Fire Marshal

Address: 107 Jacobsen Way

City: Carson City

Zip: 89711

Telephone: 775-684-7500

Name of Director: George Togliatti

Director Email: gtogliatti@dps.state.nv.us

Section 1 - Comprehensive Review of Regulations / Section 3 – Mandatory Meeting and Report

The above-named department, agency, board, or commission conducted a comprehensive review of the regulations subject to its enforcement that can be streamlined, clarified, reduced, or otherwise improved to ensure those regulations provide for the general welfare of the State without unnecessarily inhibiting economic growth. The regulations identified for Section 1 of Executive Order 2023-03 are listed below with the information as required on page 1 of the instruction sheet on the following pages of the report:

Regulation/ Information as required on page 1	Page number
1. NAC 477.905 Section 1 Reword because everything is voluntarily submitted online by the fire departments	86
2. NAC 477.905 Section 2 Reword to "help direct" and "reporting" the data as this is a voluntary reporting by fire departments	86
3. NAC 477.905 Section 5 Reword from shall to "should" as this is a voluntary program.	86
4. NAC 477.905 Section 7 Add "posted on the State Fire Marshal website" since we do not print the reports any longer.	87
5.	
6.	
7.	
8.	
9.	
10.	
11.	
12.	
13.	
14.	
15.	
16.	
17.	
18.	
19.	
20.	

21.	
22.	
23.	
24.	
25.	
26.	
27.	
29.	
29.	
30.	

Section 2 – Regulation for Removal / Section 3 – Mandatory Meeting and Report

The above-named department, agency, board or commission conducted a comprehensive review of the regulations subject to its enforcement and identified the following ten (10) or more regulations recommended for removal. The regulations identified for Section 2 of Executive Order 2023-03, ranked in descending order of priority, are listed below with the information as required on page 1 of the instruction sheet on the following pages of the report:

Regulation/Information as required on page 1	Page number
1. NAC 477.300 Section 2 (f) We do not license the selling and installing of heat detectors.	24
2. NAC 477.325 Section 4 (a) We do not charge a copy service fee.	32
3. NAC 477.330 Section 2 It is not necessary to have a regulation for keeping a list for licensees.	33
4. NAC 477.905 Section 1 Remove who is allowed to submit for the fire department	86
5. NAC 477.905 Section 4 (b) Remove repeated information.	86
6. NAC 477.905 Section 7 Remove who we send copies of the report to as they are now posted online.	87
7.	
8.	
9.	
10.	
11.	
12.	
13.	
14.	
15.	
16.	
17.	
18.	
19.	
20.	
21.	
22.	
23.	
24.	
25.	
26.	

27.	
28.	
29.	
30.	
31.	
32.	
33.	
34.	
35.	
36.	
37.	
38.	
39.	
40.	