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43 Sec. 17. The Commission shall, within the limits of available
44 money:

45 1. Make recommendations to the Governor, the Legislature,
46 agencies of this state, political subdivisions, businesses located
47 within this state and private persons who reside in this state
48 with

49 respect to actions and measures that may be taken to protect
50 residents of this state and visitors to this state from potential
51 acts

52 of terrorism and related emergencies.

53 2. Propose goals and programs that may be set and carried
54 out, respectively, to counteract or prevent potential acts of
55 terrorism and related emergencies before such acts of terrorism
56 and related emergencies can harm or otherwise threaten
57 residents

58 of this state and visitors to this state.

59 3. With respect to buildings, facilities, geographic features
60 and infrastructure that must be protected from acts of
61 terrorism

62 and related emergencies to ensure the safety of the residents of
63 this state and visitors to this state, including, without
64 limitation,

65 airports, the Capitol Complex, dams, highways, information
66 technology infrastructure, lakes, power lines, public buildings,
67 public utilities, reservoirs, rivers and their tributaries, and
68 water

69 facilities:

70 (a) Identify and categorize such buildings, facilities,
71 geographic features and infrastructure according to their
72 susceptibility to and need for protection from acts of terrorism
73 and

74 related emergencies; and

75 (b) Study and assess the security of such buildings, facilities,
76 geographic features and infrastructure from acts of terrorism
77 and

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SUGGESTED AMENDMENTS

TO 441 BY TRUCKER

MEADOWS WATER

AUTHORITY -

Steve Wacker
107

ASSEMBLY JUDICIARY

DATE: 4/10/03 ROOM: 3138 EXHIBIT 6

SUBMITTED BY: STEVE WACKER

5-26 *related emergencies.*

5-27 **4. Examine the use, deployment and coordination of response**

5-28 *agencies within this state to ensure that those agencies are*
5-29 *adequately prepared to protect residents of this state and*
visitors to

5-30 *this state from acts of terrorism and related emergencies.*

5-31 **5. Assess, examine and review the use of information systems**

5-32 *and systems of communication used by response agencies*
within

5-33 *this state to determine the degree to which such systems are*

5-34 *compatible and interoperable. After conducting the*
assessment,

5-35 *examination and review, the Commission shall establish a state*

5-36 *plan setting forth criteria and standards for the compatibility*
and

5-37 *interoperability of those systems when used by response*
agencies

5-38 *within this state.*

5-39 **6. Assess, examine and review the operation and efficacy of**

5-40 *telephone systems and related systems used to provide*
emergency

5-41 *911 service.*

5-42 **7. To the extent practicable, cooperate and coordinate with**

5-43 *the Division of Emergency Management of the Department of*

5-44 *Public Safety to avoid duplication of effort in developing*
policies

G 2&7

⁶⁻¹ and programs for preventing and responding to acts of terrorism

⁶⁻² and related emergencies.

⁸ Vulnerability Assessment and emergency response plans required by the Environmental Protection Agency for water facilities shall be recognized as meeting the reporting requirements described in Section 24.

⁶⁻³ 9. Perform any other acts that the Commission determines

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⁶⁻⁴ are necessary to protect or enhance:

⁶⁻⁵ (a) The safety and security of the State of Nevada;

⁶⁻⁶ (b) The safety of residents of the State of Nevada; and

⁶⁻⁷ (c) The safety of visitors to the State of Nevada.

19 **Sec. 21. 1. A document, record or other item of information**
6-20 **described in subsection 2 is confidential, not subject to**
subpoena

6-21 **or discovery and not subject to inspection by the general public**
if

6-22 **the Governor determines, by executive order, that the**
disclosure or

6-23 **release of the document, record or other item of information**

6-24 **would thereby create a substantial likelihood of compromising,**

6-25 **jeopardizing or otherwise threatening the public health, safety**
or

6-26 **welfare.**

6-27 **2. The types of documents, records or other items of**

6-28 **information subject to executive order pursuant to subsection 1**

6-29 **are as follows:**

6-30 **(a) Documents, records or other items of information**

6-31 **pertaining to information technology.**

6-32 **(b) Assessments, plans or records that evaluate or reveal the**

6-33 **susceptibility of buildings, communication systems, facilities,**

6-34 **information systems or structures to acts of terrorism and**
related

6-35 **emergencies.**

6-36 **(c) Drawings, maps, plans or records that reveal the**

6-37 **architecture, design or internal structure of buildings, facilities**

6-38 **and other structures, including, without limitation, airports,**

6-39 **arenas, the Capitol Complex, dams, highways, hospitals,**
facilities

6-40 **for transmitting electricity, natural gas or other forms of**
energy,

6-41 **reservoirs, stadiums and water facilities.**

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11-1 (c) *As is reasonably necessary in the case of an emergency*
11-2 *involving public health or safety.*

11-3 **5. *If a person knowingly and unlawfully discloses such***
11-4 ***information or assists, solicits or conspires with another***
person to

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11-5 ***disclose such information, the person is guilty of:***

11-6 ***(a) A gross misdemeanor; or***

11-7 ***(b) A category C felony and shall be punished as provided in***
11-8 ***NRS 193.130 if the person acted with the intent to:***

11-9 ***(1) Commit, cause, aid, further or conceal, or attempt to***
11-10 ***commit, cause, aid, further or conceal, any unlawful act***
involving

11-11 ***terrorism or sabotage; or***

11-12 ***(2) Assist, solicit or conspire with another person to***
11-13 ***commit, cause, aid, further or conceal any unlawful act***
involving

11-14 ***terrorism or sabotage.***

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12 **Sec. 24. 1. Each utility shall:**

10-13 **(a) Conduct a vulnerability assessment which must consist**
10-14 **of a**

10-14 **comprehensive evaluation and review of its operations,**
10-15 **systems,**

10-15 **assets, infrastructure and personnel to assess any**
10-16 **vulnerabilities**

10-16 **of the utility to potential unlawful acts involving terrorism or**

10-17 **sabotage and to determine the potential consequences that**
10-18 **could**

10-18 **result from such acts; and**

10-19 **(b) Prepare and maintain an emergency response plan that**

10-20 **addresses the manner in which the utility will respond to**
10-21 **potential**

10-21 **unlawful acts involving terrorism or sabotage and the**
10-22 **potential**

10-22 **consequences that could result from such acts.**

Vulnerability assessments and Emergency Response Plans
performed by water agencies using the Environmental Protection
Agency's prescribed methodology will be considered sufficient
to meet this requirement.

10-23 **2. Each utility shall:**

10-24 **(a) As soon as practicable but not later than December 31,**

10-25 **2003, submit a single written copy of its vulnerability**
10-26 **assessment and emergency response**

10-26 **plan to the Commission and, if the utility is regulated**
10-27 **pursuant to**

10-27 **chapter 704 of NRS, to the Public Utilities Commission of**
Nevada. These documents shall not be copied and distributed but
available for viewing by governmental agencies requiring
knowledge of such documents in order to respond to acts of
terrorism or related emergencies.

10-28 **and**

10-29 **(b) At least once each year thereafter, review its vulnerability**

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10-30 *assessment and emergency response plan and, as soon as*
10-31 *practicable after its review is completed but not later than*
10-32 *December 31 of each year, submit the results of its review and*
any
10-33 *additions or modifications to its emergency response plan to*
the
10-34 *Commission and, if the utility is regulated pursuant to chapter*
704
10-35 *of NRS, to the Public Utilities Commission of Nevada.*

10-36 *3. Each vulnerability assessment and emergency response*
10-37 *plan of a utility and any other information concerning a utility*
10-38 *that is necessary to carry out the provisions of this section is*
10-39 *confidential and must be securely maintained by each*¹⁰⁻⁴⁰ *entity*
that has possession, custody or control of the information.
Document shall be available for review only by governmental
agencies requiring such information to respond to acts of
terrorism or related emergencies.

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10-41 *4. A person shall not disclose such information, except:*
10-42 *(a) Upon the lawful order of a court of competent*
jurisdiction;
10-43 *(b) As is reasonably necessary to carry out the provisions of*
10-44 *this section or the operations of the utility; or*