

LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY
ADMINISTRATIVE PROCEDURES ACT, NRS 233B.066 LCB FILE No. R021-12

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) 427.

1. A clear and concise explanation of the need for the adopted regulation.
 - This proposed regulation is being adopted pursuant to Senate Bill 245, approved during the 76th Regular Session of the Nevada Legislature (2011).

A REGULATION relating to older persons; providing for the operation of the Statewide Alert System for the Safe Return of Missing Endangered Older Persons; and providing other matters properly relating thereto.
2. A description of how public comment was solicited, a summary of public response, and an explanation how other interested persons may obtain a copy of the summary.
 - Public comment was solicited through a posted Notice for a Public Hearing Workshop, and at the Public Hearing held on November 5, 2012 and February 12, 2013. The Notice of Public Hearing Workshop, and the proposed regulations of Chapter 427A sections 2 to 13 relating to older persons; providing for the operation of the Statewide Alert System for the Safe Return of Missing Endangered Older Persons were mailed on October 22, 2012 and January 8, 2013 to all county libraries, Coordinator Mary Shope, Nevada Silver Haired Legislative Forum for dissemination to all members, persons and organizations, and the public of interest.
 - A Public Hearing Workshop was held on November 5, 2012 and a Public Hearing was held on February 12, 2013. Thirteen members of the public and three members of the DPS attended the hearing workshop held on November 5, 2012. Seven members of the public and three members of the DPS attended the hearing held on February 12, 2013. Comments generated during the November 5, 2012 workshop were focused on the use of the word “wishes” which was used four times in the regulation. The recommended wording change to “decides” in two location and “has decided would be beneficial” in the two other locations were implemented in the December 18, 2012 revision of the regulation. Two additional commented language changes were not implemented since it would have required a statutory change. A Public Hearing was held on February 12,

2013. There were no questions, comments, opposition or discussion concerning the regulation during the hearing.

- No written comment was submitted for either hearing.
- Interested persons may request a copy by writing to the Nevada Department of Public Safety, Highway Patrol Division, attention Lt. Baughman, 555 Wright Way, Carson City, NV. 89711.

3. The number of persons who:

a. Attended the hearing workshop to solicit comments on November 5, 2012: 16

1. Frank Mahoney – Nev. Center. for Missing Loved Ones
2. Barry Gold – AARP of Nevada
3. Herb Randall - NSHLF
4. Lonnie Strait - NSHLF
5. Brian O'Callaghan - LVMPD
6. Ken Wiles – Alert ID
7. Mary Shope - NSHLF
8. Gwen Bareded – City of Las Vegas
9. Rob Lunquist - LVMPD
10. Bob Roshak – Nevada Sheriff and Chiefs of Police Assoc.
11. Janice Miller – Senator Harry Reid’s Office
12. Robin Huhn
13. Sally Ramm -
14. Antonio Bandiero – DPS
15. Roger Vind – DPS
16. Denise Stewart - DPS

b. Attended the hearing to solicit comments on February 12, 2013: 10

1. Francis Mahoney – Nev. Center. for Missing Loved Ones
2. Herbert Randall - NSHLF
3. Lonnie Strait - NSHLF
4. Lucy Peres - NSHLF
5. Paul Lacombe - NSHLF
6. Mary Shope - NSHLF

7. Michael Clark - NSHLF
 8. Roger Vind – DPS
 9. Pat Gallagher - DPS
 10. Denise Stewart - DPS
4. A description of how comment was solicited from affected business, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.
 - No businesses will be affected by the proposed amendments, therefore no comments were solicited.
 5. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.
 - A public hearing workshop was held on November 5, 2012 and a public hearing was held on February 12, 2013. The hearing workshop on November 5, 2012 generated comments on recommended wording changes. The changes were made in the December 18, 2012 revision. During the February 12, 2013 hearing, members of the public attended the hearing and there were no questions, comments, opposition or discussion concerning the regulation.
 6. The estimated economic effect of the adopted regulation on the business that it is to regulate and on the public. These must be stated separately and each case must include:
 - a. Both adverse and beneficial effects; and
 - The proposed regulations are expected to have an immediate benefit on the public ensuring the safe and uneventful recovery of missing/endangered older persons. The Department does not foresee any adverse effects.
 - b. Both immediate and long-term effects
 - Immediate and long-term effects include the ease of understanding of the rules, regulations and the criteria for which issuance of an active alert must adhere to. The ease of understanding of the procedure will ensure that the alert is timely and appropriate.
 7. The estimated cost to the agency for enforcement of the adopted regulation.
 - The agency does not envision any increased costs associated with the proposed regulations.

8. A description of any regulations of other state or government agencies that the proposed regulation overlaps or duplicates, and a statement explaining why the duplication or overlapping is necessary, if the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.
 - There are no other state or government agency regulations that the proposed amendments duplicate.
9. If the regulation includes provisions that are more stringent than federal regulation that regulates the same activity, a summary of such provisions.
 - The agency does not believe that the proposed amendments are more stringent than federal regulation.
10. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.
 - The proposed regulation does not provide or involve and new fee.