

LEGISLATIVE REVIEW OF ADOPTED REGULATIONS - NRS 233B.066
Informational Statement
LCB FILE R007-14

1. A clear and concise explanation of the need for the adopted regulation.

A clerical error inadvertently removed “and camping” from a copy of the full State Parks Fee Schedule during recent consideration of changes to NAC 407.055. The fee schedule was included in the packet approved by the Legislative Commission. Nevada State Parks did not propose or endorse this change. It is the agency’s intent to complete the NAC review process by May 14, 2014, in order to comply with the 120-day duration of the emergency regulations.

Clarify the fee term for use of the facilities at Old Las Vegas Mormon Fort State Historic Park from admission fee to museum fee.

Insert the entrance fee waiver for commercial photographer that purchase the Class A Annual Permit, which was based on workshops and hearings done in 2013 process, but was accidentally left out of the regulation. This would avoid any additional expenses to small businesses that was never intended.

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.

Copies of the proposed regulations, notices of workshop and notices of intent to act upon the regulation were sent by U.S. mail and emailed to persons who were known to have an interest in the subject of commercial photography as well as any persons who had specifically requested such notice. These documents were also made available at the website of the Division of State Parks, www.parks.nv.gov, website of the Legislative Counsel Bureau, <http://leg.state.nv.us/App/Notice/A/>, mailed to all county libraries in Nevada and posted at the following locations:

Department of Conservation &
Natural Resources
901 S. Stewart Street, Lobby area
Carson City, NV 89701

Division of State Parks Headquarters
901 S. Stewart Street, Suite 5005
Carson City, NV 89701

Division of State Parks
Northern Region Office
16799 Lahontan Dam
Fallon, NV 89406
To include western, central, eastern,
and northern parks in this region

Division of State Parks
Southern Region Office
4747 Vegas Drive
Las Vegas, NV 89108
To include the southern and eastern
parks in this region

Nevada State Library
100 Stewart Street
Carson City, NV 89701

Lake Tahoe Nevada State Parks
2005 Highway 88
Incline Village, NV 89452

Workshops were held on February 27 in Carson City and in Las Vegas. In Carson City only two people attended. At the Las Vegas workshop, two photographers were present. Minutes of the Carson City and Las Vegas workshops are attached. A public hearing was held in Carson City and video-conferenced from the Southern Region office in Las Vegas on March 31. Six photographers attend the hearing in Carson City and no one attended the hearing in Las Vegas. Local newspapers also posted the notice of workshops and hearing in the Legal section of their newspaper.

3. The number persons who:

- a. Attended each hearing:** Carson City meeting on March 31 had six attendees and there were no attendees at the Las Vegas meeting on March 31.
- b. Testified at each hearing:** Both the Carson City and Las Vegas meetings on March 31 had no one testify.
- c. Submitted to the agency written comments:** Five written comments were received for the hearing.

4. For each person identified in paragraphs (b) and (c) of number 3 above, the following information if provided to the agency conducting the hearing:

Date	Name	Telephone #	Business address	Business telephone #	Email	Name of Entity or organization represented
March 31	Brooke Westlake	775-771-1431	2250 silver Ridge Dr., Reno, NV 89509	775-771-1431	photographybmw@yahoo.com	BMW Photography
March 31	Bette Hartnett	775-297-1237	N/A	775-772-2659	info@johnstonestudios.com	Tourine Johnstone Studios
March 31	Lauren Lindley	512-573-8606	N/A	775-512-573-8606	lclindley@gmail.com	Lauren Lindley
March 31	Carolyn E. Wright	775-589-2229	N/A	775-450-1433	photoattorney@gmail.com	Carolyn Wright Photography Attorney
March 31	Scott Sady	775-848-5166	N/A	775848-5166	scottsady@tahoelight.com	Photography by Monique

5. A description of how comment was solicited from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.

The general public workshop and hearing comment process was open to any business that felt they may be impacted by the regulation changes. Comments were solicited from affected businesses by the notice in the newspapers and by direct mail to interested persons subscribing to the State Park's mailing list. Economic impacts to business as noted in paragraph (c) of subsection 1 of NRS 233B.066 are not anticipated. As an agency we understand the impacts of such regulations are difficult to predict for business that utilize or conduct business with parks. For this reason future regulation changes may be necessary in order to limit any significant impact on business interests. Information regarding the regulations changes are available via email, fax, mail, and listed on our web site.

- 6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**

The emergency changed regulations were adopted on January 15, 2014 and included the clerical error inadvertently removed and all of the changes suggested at the workshops. It is the agency's intent to complete the NAC review process by May 14, 2014, in order to comply with the 120-day duration of the emergency regulation.

- 7. The estimated economic effect of the regulation on the business which it is to regulate and on the public.**

a. Estimate economic effect on the businesses which they are to regulate:

- 1) Section #1 – no effect on the businesses since this simply reinstates the fees for group camping that were inadvertently removed. Not reinstating them would mean a loss of revenue to the state. Changing the name of the fee from “museum” to “admission” will not have any economic effect.
- 2) Section #2 – if the entrance fee waiver is not inserted for commercial photographers who purchase the Class A, this would create an additional expense for small businesses that was never intended.

b. Estimated economic effect on the public which they are to regulate

- 1) Section #1 – no effect on the businesses since this simply reinstates the fees for group camping that were inadvertently removed and the public was already use to paying.
- 2) Section #2 – potential increased use of parks by commercial photographers and their clients.

- 8. The estimated cost to the agency for enforcement of the proposed regulation.**

There is no additional cost to State Parks for the enforcement of the proposed regulations.

- 9. A description of any regulations of other state or government agencies which 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.**

These changes in regulations do not overlap or duplicate any other federal, state or local regulations.

- 10. If the regulation includes provisions that are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.**

N/A

- 11. If the regulation provides a new fee or increases an existing fee, a statement indicating the total annual amount the agency expects to collect and the manner in which the money will be used.**

N/A