

**ADOPTED REGULATION OF THE  
STATE BOARD OF EXAMINERS**

**LCB File No. R148-01**

Effective May 28, 2002

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §1, NRS 285.080.

**Section 1.** Chapter 285 of NAC is hereby amended by adding thereto a new section to read as follows:

- 1. The cost of each service award presented to a state employee pursuant to NRS 285.080 must not exceed \$50.*
- 2. As used in this section, “service award” has the meaning ascribed to it in NRS 285.080.*

**NOTICE OF ADOPTION OF PROPOSED REGULATION  
LCB File No. R148-01**

The State Board of Examiners adopted regulations assigned LCB File No. R148-01 which pertain to chapter 285 of the Nevada Administrative Code) on April 5, 2002.

**Notice date:** 1/25/2002  
**Hearing date:** 3/20/2002

**Date of adoption by agency:** 4/5/2002  
**Filing date:** 5/28/2002

**INFORMATIONAL STATEMENT**

The following statement is submitted for an adopted amendment to chapter 285 of the Nevada Administrative Code.

**1. 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.**

The Department of Administration developed A Notice of Workshop to Solicit Comments on Proposed Regulation and a Notice of Intent to Act Upon a Regulation and scheduled a workshop and public hearing on March 20, 2002. On January 25, 2002, the notices were posted at the Blasdel Building, the Legislative Building, and the Capitol Building in Carson City and the Sawyer Building in Las Vegas. The notices were mailed to all Nevada county libraries and to approximately 254 state governmental entities affected by the proposed regulation. These entities were on the Department of Personnel's mailing list, which consisted of department heads, division administrators, personnel liaisons, and agency personnel representatives. The notices were E-mailed to the Legislative Counsel Bureau and placed on the Budget Division's website. The workshop and public hearing were held on March 20, 2002. A summary of the proceedings is attached. Those present at the proceedings, and the written comments received, were in support of the proposed regulation. A copy of the meeting summary and written comments may be obtained by calling the Director's Office of the Department of Administration at (775)684-0222 or by writing the Director's Office at 209 E. Musser St., Room 200, Carson City, NV 89701-4298.

**2. The number of persons who:**

**(a) Attended each hearing:**

Five people were present at the workshop. Two people were present at the hearing.

**(b) Testified at each hearing:**

Two people testified at the workshop. No one testified at the hearing.

**(c) Submitted to the agency written comments:**

Two people submitted written comments. Richard Kirkland, Director of the Department of Public Safety, and Kathy Augustine, State Controller, submitted written comments in favor of the proposed regulation.

**3. 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.**

Businesses are not affected by the regulation. State agencies are affected by the regulation if they choose to purchase a service award for a State employee; therefore, on January 25, 2002, the Department of Personnel sent the Notice of Workshop to Solicit Comments on Proposed Regulation and Notice of Intent to Act Upon a Regulation to approximately 254 State governmental entities on their mailing list, which consisted of department heads, division administrators, personnel liaisons, and agency personnel representatives. In addition, notices were posted in three prominent State offices and at the Legislative Building. The notices were E-mailed to the Legislative Counsel Bureau and placed on the Budget Division's website. The workshop and public hearing were held on March 20, 2002. A summary of the proceedings is attached. Those present at the proceedings, and the written comments received, were in support of the proposed regulation. A copy of the meeting summary and written comments may be obtained by calling the Director's Office of the Department of Administration at (775)684-0222 or by writing the Director's Office at 209 E. Musser St., Room 200, Carson City, NV 89701-4298.

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

The permanent regulation was adopted at the Board of Examiners meeting on April 5, 2002, without any changes to the proposed regulation. All public and written comments received concerning the proposed regulation were in support of the proposed language.

**5. The estimated economic effect of the adopted regulation on the business which 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**  
**(b) Both immediate and long-term effects.**

This regulation does not regulate any businesses. It establishes a monetary limit on the cost of a service award if a State governmental agency chooses to purchase a service award for an employee.

**6. The estimated cost to the agency for enforcement of the adopted regulation.**

There is no additional cost to the agency for enforcement of this regulation. If an agency chooses to purchase a service award for a State employee, the agency's cost will be limited to \$50. This regulation will be incorporated into the State Administrative Manual and will be enforced through audits conducted by the Divisions of Internal Audits.

**7. 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.**

There are no other state or governmental agency regulations that the proposed amendment duplicates.

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

The federal government does not regulate this activity.

**9. 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 regulation does not provide for a fee or increase an existing fee.

**SUMMARY OF THE WORKSHOP AND PUBLIC HEARING  
TO SOLICIT COMMENTS  
ON THE PROPOSED REGULATION TO AMEND  
N.A.C. CHAPTER 285**

**March 20, 2002**

**Capitol Building  
101 N. Carson Street, Carson City  
2nd Floor, Old Supreme Court Chambers**

**Workshop**

The workshop commenced at 1:15 p.m. Those in attendance were Jan Pierce, Gaming Control Board; Gloria Lash, State Engineer's Office; Jim Spencer, Senior Deputy Attorney General; John P. Comeaux, Director of the Department of Administration; and one gentleman who did not introduce himself.

Mr. Comeaux introduced himself and stated the purpose of the workshop was to solicit comments from interested persons on the topic addressed in a proposed regulation. Mr. Comeaux advised those present that he was the Clerk of the Board of Examiners and the Board is proposing a regulation in accordance with NRS 285.080, which has to do with the amount of service awards that can be made to employees. Mr. Comeaux read the proposed regulation and opened the floor for comments.

Jan Pierce, Personnel Office, Gaming Control Board, was present and advised Mr. Comeaux of her support of the proposed regulation.

A gentleman, who did not identify himself, was present to state his support of the proposed regulation.

Gloria Lash, with the State Engineer's Office, was present, but did not comment.

The workshop concluded at approximately 1:30 p.m.

**Public Hearing**

The public hearing commenced at 2:30 p.m. Those in attendance were Jim Spencer, Senior Deputy Attorney General; and John P. Comeaux, Director of the Department of Administration. There were no members of the public present to comment at the public hearing. Mr. Comeaux declared the meeting adjourned at approximately 3:00 p.m. and said he would present the proposed regulation and the comments received at the workshop to the Board of Examiners.