

PROPOSED REGULATION OF THE ATTORNEY GENERAL

LCB File No. R050-14

NOTICE OF INTENT TO ACT UPON A REGULATION

Notice of Hearing for the Amendment of Regulations of the Office of the Attorney General, as proposed in LCB File No. R050-14.

The Office of the Attorney General will hold a public hearing at **10:00 a.m., on the 4th day of March, 2016, at 100 North Carson Street, Carson City, Nevada 89701**, in the Mock Courtroom and via video-conferencing to the **Grant Sawyer Building, 555 East Washington Avenue, Room 4500, Las Vegas, Nevada 89101**. The purpose of the hearing is to receive comments from all interested persons regarding the amendment of regulations that pertain to Chapter 233B of the Nevada Administrative Code.

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. The need for and the purpose of the proposed regulation or amendment.

This regulation is needed to update NAC 233B.010 to comply with recent changes to NRS Chapter 233B. Prior to the current amendment, this regulation has not been changed since November 1997.

2. For a temporary regulation, the terms or the substance of the proposed regulation to be adopted, amended or repealed, or a description of the subjects and issues involved.

This is a permanent regulation.

3. For a proposed regulation, a statement explaining how to obtain the approved or revised text of the proposed regulation.

The proposed regulation text may be obtained by going to the Register of Administrative Regulations for 2014 and clicking this link:

<http://www.leg.state.nv.us/Register/2014Register/R050-14P.pdf>.

The proposed regulation text is also available at <http://ag.nv.gov/> or by contacting Sarah Bradley at SBradley@ag.nv.gov or by telephone at 775-684-1213.

4. The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately and in each case must include:

- (a) Both adverse and beneficial effects; and**
- (b) Both immediate and long-term effects.**

This regulation amends the required form for state agencies to use when adopting, amending, or repealing regulations. This regulation, therefore, applies only to state agencies and not to any business or the public. Further, this regulation does not add any new requirements, but instead updates the form specified in NAC 233B.010 to comply with the current version of NRS Chapter 233B. This regulation will involve no economic effect on businesses or the public. This regulation will involve no adverse or beneficial effects on businesses or the public. This regulation will also involve no immediate or long-term effects on businesses or the public.

5. The methods used by the agency in determining the impact on a small business.

The Office of the Attorney General has reviewed the text of the regulation. Because the regulation amends a form that is required to be used only by state agencies, this regulation will have no impact on small businesses.

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

The Office of the Attorney General does not enforce compliance with this regulation. Instead, this regulation is adopted pursuant to permissive statutory authority given by the Nevada Legislature in NRS 233B.0603(2) which states, “The Attorney General may by regulation prescribe the form of notice to be used.” The Attorney General has previously prescribed by regulation the form of notice to be use and this regulation simply updates the requirements contained in that form in order to comport with NRS Chapter 233B.

7. A description of and citation to any regulations of other state or local governmental agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.

This regulation does not overlap or duplicate any regulations of other state or local government agencies. This regulation does not overlap or duplicate any federal regulations.

8. If the regulation is required pursuant to federal law, a citation and description of the federal law.

This regulation is not required pursuant to federal law.

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

This regulation does not include provisions which are more stringent than a federal regulation that regulates the same activity. This regulation deals only with rulemaking requirements for state agencies pursuant to NRS Chapter 233B. This regulation applies only to state agencies, except those exempted by NRS 233B.039.

10. Whether the proposed regulation establishes a new fee or increases an existing fee.

This regulation does not establish a new fee or increase an existing fee. This regulation only amends the form required to notice an agency's intent to act upon a regulation as required by NRS Chapter 233B.

11. For a temporary regulation, each address at which the text of the regulation may be inspected and copied.

This regulation is not a temporary regulation; it is a permanent regulation.

Persons wishing to comment upon the proposed action of the Attorney General of the State of Nevada may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to the Office of the Attorney General, Attn: Deputy Attorney General Sarah Bradley, 100 North Carson Street, Carson City, Nevada 89701-4717. Written submissions must be received by the Office of the Attorney General on or before 10:00 a.m., on Friday, March 4, 2016. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Office of the Attorney General may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be amended will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be amended will be available at the following four Offices of the Attorney General: 100 North Carson Street, Carson City, Nevada; 5420 Kietzke Lane, Suite 202, Reno, Nevada; 555 East Washington Avenue, Suite 3900, Las Vegas, Nevada; and 1539 Avenue F, Suite 2, Ely, Nevada, on the Office of the Attorney General's website, <http://ag.nv.gov/>, and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://www.leg.state.nv.us/>. Copies of this notice and the proposed regulation will also be mailed to members of the public at no charge upon request.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

This notice of hearing has been posted at the following locations:

Notice of Hearing Posting Locations

Office of the Attorney General
100 North Carson Street
Carson City, Nevada 89701-4717

Office of the Attorney General
5420 Kietzke Lane, Suite 202
Reno, Nevada 89511

Office of the Attorney General
555 East Washington Avenue, Suite 3900
Las Vegas, Nevada 89101

Office of the Attorney General
1539 Avenue F, Suite 2
Ely, Nevada 89301

Nevada State Library
100 North Stewart Street
Carson City, Nevada 89701

Carson City Library
900 North Roop Street
Carson City, Nevada 89701-3101

Churchill County Library
553 South Maine Street
Fallon, Nevada 89406-3306

Clark County Library
1401 East Flamingo Road
Las Vegas, Nevada 89119

Douglas County Public Library
1625 Library Lane
Post Office Box 337
Minden, Nevada 89423-0337

Elko County Library
720 Court Street
Elko, Nevada 89801-3397

Esmeralda County Library
Corner of Crook & Fourth Street
Post Office Box 430
Goldfield, Nevada 89013-0430

Eureka County Library
10190 Monroe Street
Post Office Box 293
Eureka, Nevada 89316-0293

Humboldt County Library
85 East Fifth Street
Winnemucca, Nevada 89445-3095

Battle Mountain Branch Library
(Lander County)
625 South Broad Street
Post Office Box 141
Battle Mountain, Nevada 89820-0141

Lincoln County Library
63 Main Street
Post Office Box 330
Pioche, Nevada 89043-0330

Lyon County Library System
20 Nevin Way
Yerington, Nevada 89447-2399

Mineral County Library
110 First Street
Post Office Box 1390
Hawthorne, Nevada 89415-1390

Tonopah Public Library
(Nye County)
167 South Central Street
Post Office Box 449
Tonopah, Nevada 89049-0449

Notice of Hearing Posting Locations

Pershing County Library
1125 Central Avenue
Post Office Box 781
Lovelock, Nevada 89419-0781

Storey County Library
175 Carson Street
Post Office Box 999
Virginia City, Nevada 89440

Washoe County Library System
301 South Center Street
Reno, Nevada 89501-2102

White Pine County Library
950 Campton Street
Ely, Nevada 89301-1965