

LEGISLATIVE REVIEW OF ADOPTED REGULATIONS--NRS 233B.066
Revised Informational Statement
LCB File No. R003-17

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

Existing law requires the Peace Officers' Standards and Training Commission to adopt regulations establishing minimum standards for the certification and decertification, recruitment, selection and training of peace officers. (NRS 289.510)

Existing law also requires the Commission to require each peace officer, as a condition of certification, to be trained in dealing with the crimes of stalking and aggravated stalking. (NRS 289.600)

Existing regulations establish the minimum standard of training for peace officers in training categories I, II and III and reserve officers. (NAC 289.140-289.170) Sections 1-4 of this regulation make various changes concerning the minimum standard of training required for peace officers in training categories I, II and III and reserve officers, respectively. The amendment to the regulations will update the training standards with the NRS titles associated with each training standard to accurately reflect the corresponding NRS titles. The amendment to the regulations also integrates Category I, II, III and reserve basic training standards so a peace officer successfully completing a basic training course for one category will also be certified in each category below the category of basic training course successfully completed. This will make it possible for a peace officer attending one basic training academy to become certified in multiple training categories covering a broader scope of job tasks. For example, a peace officer completing a Category I basic training course will also be certified in Category II and Category III minimum training standards.

Existing regulations establish the requirements for the awarding of a basic certificate to a peace officer and authorize the Executive Director of the Commission to award a basic certificate to a peace officer who is certified in another state or has successfully completed certain training approved by the Commission in certain circumstances. (NAC 289.200) Section 5 of this regulation revises the requirements for the training course such a peace officer is required to complete before being awarded a basic certificate.

2. Description of how public comment was solicited, a summary of public response, and an explanation of how other interested persons may obtain a copy of the summary.

02/9/2017 a Workshop was noticed and held in conjunction with a regularly scheduled meeting of the Commission on Peace Officer Standards and Training. During the Workshop, the Chairman of the meeting asked if there was comments from the public. There were no comments.

10/16/2017 a Public Comment Hearing and regularly scheduled meeting of the Commission on Peace Officer Standards and Training. Public comment was solicited by the Chairman, asking if there were any comments from the public. Kenneth Elgan was the only comment and asked if the changes in the regulation would allow an officer to start the

academy and when the Category III requirements were met, the officer could receive the Category III Certificate and leave the academy.

The Notice for the meeting has printed “Pursuant to NRS 241.020(2) (c), a copy of supporting materials for the meeting may be obtained by contacting POST Administration, at (775) 687-3320, Commission on Peace Officer Standards and Training at 5587 Wa Pai Shone Avenue, Carson City, Nevada 89701”.

3. The number of persons who:

(a) Attended each hearing:

02/9/2017	Workshop	15
	Regular Meeting	15
10/16/2017	Public Comment Hearing	17
	Regular Meeting	17

(b) Testified at each hearing:

02/9/2017	Workshop	0
	Regular Meeting	0
10/16/2017	Public Comment Hearing	1
	Regular Meeting	0

(c) Submitted written comments:

02/9/2017	Workshop	0
	Regular Meeting	0
10/16/2017	Public Comment Hearing	0
	Regular Meeting	0

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:

- (a) Name;** Kenneth Elgan,
- (b) Telephone number;** 775-485-6370
- (c) Business address;** PO Box 520 Goldfield, NV 89013
- (d) Business telephone number;** 775-485-6370
- (e) Electronic mail address; and** ecso@frontiernet.net
- (f) Name of entity or organization represented.** Esmeralda County Sheriff’s Office

5. A description of how comment was solicited from affected businesses, a summary of their response and an explanation of how other interested persons may obtain a copy of the summary. The proposed regulation changes do not effect small business. Comments were solicited through the Public Comment Hearing Notice. During the hearing the public was asked if anyone had comments. Kenneth Elgan was the only comment and asked if the changes in the regulation would allow an officer to start the academy and when the Category III requirements were met, the officer could receive the Category III Certificate and leave the academy.

The Notice for the meeting has printed “Pursuant to NRS 241.020(2) (c), a copy of supporting materials for the meeting may be obtained by contacting POST Administration, at (775) 687-3320, Commission on Peace Officer Standards and

Training at 5587 Wa Pai Shone Avenue, Carson City, Nevada 89701”.

6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons.

The final proposed language for adoption was drafted by the Legislative Counsel Bureau (LCB) legal draft writers. The Commission adopted the regulation as proposed.

7. 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:

(1) Both adverse and beneficial effects; and

Business: The *beneficial effect* is that officers will obtain multiple Basic Certificates to include Categories I thru III by attending the academy one time. This would allow agencies to have a more versatile officer without having extra financial costs of sending their officers to additional academies. *Adverse effect*, the length of the academy may get extended by one to two days longer to achieve certification.

Public: No effect for the public.

(2) Both immediate and long-term effects.

Business: For immediate and long-term effects are all positive. The agencies will receive officers certified to perform in multiple environments (patrol & jail) without attending a second academy. The Category II officers will also have Category III Certification and trained for incarceration situations.

Public: No effect for the public.

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

The Commission on Peace Officer Standards and Training does not foresee any additional cost for the enforcement of the regulation. The Commission already audits all academy programs for compliance, this regulation does not change anything.

9. A description of any regulations of other State or governmental agencies which the regulation overlaps or duplicates and a statement explaining why the duplication or overlap is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

There are none.

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

There are none.

11. 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.

There are no new fees.