

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS--NRS 233B.066**  
**Informational Statement**  
**LCB File No. R057-18**

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

The amendments in this LCB File are necessary to clarify the process related to the reports on performance conducted on employees. The removal of the term “reviewing officer” from the various Sections of the LCB File will reduce confusion by simply requiring an appointing authority to return a report on performance after a review has been requested within 20 working days. An appointing authority may continue to delegate this function if appropriate.

The repeal of NAC 284.097 in Section 5 is based on the removal of the defined term “reviewing officer,” as it will no longer be used in Chapter 284 of the Nevada Administrative Code.

It is necessary to repeal NAC 284.474 and 284.478 in Section 5 because the regulations have been incorporated into NAC 284.470 in Section 1 of this LCB File.

**2. A 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.**

On January 25, 2019, copies of the proposed regulation amendments were sent by email to persons who were known to have an interest in the subject of proposed personnel regulation changes as well as any person who had specifically requested such notice via Listserv. These documents were also made available on the Division of Human Resource Management’s website, the Nevada Public Notice website, the Legislative Counsel Bureau’s website, and mailed to all county libraries in Nevada, and posted at the following locations:

Blasdel Building  
209 E. Musser Street  
Carson City, NV

Legislative Counsel Bureau  
401 S. Carson Street  
Carson City, NV

Nevada State Library and Archives  
100 N. Stewart Street  
Carson City, NV

Grant Sawyer Office Building  
555 E. Washington Avenue  
Las Vegas, NV

A regulation workshop was conducted by the Division of Human Resource Management on March 7, 2018, and a public hearing was held by the Nevada Personnel Commission on March 15, 2019.

Based on comments received at the regulation workshop, delivery methods for a report on performance have been expanded beyond mail, and now include electronic delivery, except for social media, and other delivery services that provide written or electronic record of when the report is received. All other comments were in support of the changes included in the LCB Draft of Revised Proposed Regulations R057-18 as adopted.

At the public hearing, staff provided information regarding the intent and need for the regulation and amendment.

Written minutes and comments from the regulation workshop and public hearing can be obtained from the Division of Human Resource Management by contacting Michell Garton at [mgarton@admin.nv.gov](mailto:mgarton@admin.nv.gov) or by calling (775) 684-0136.

3. **The number of persons who:**
  - (a) **Attended each hearing:** 27
  - (b) **Testified at each hearing:** 1
  - (c) **Submitted written comments:** 0
  
4. **Following is a list of names and contact information, including telephone number, business address, business telephone number, electronic mail address, and name of entity or organization represented, for each person identified above in #3(b):**

Michelle Garton, Supervisory Personnel Analyst  
State of Nevada  
Department of Administration  
Division of Human Resource Management  
100 N. Stewart Street, Suite 200  
Carson City, NV 89701  
(775) 684-0136  
[mgarton@admin.nv.gov](mailto:mgarton@admin.nv.gov)

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.**

Comments were not solicited from businesses, as the regulation does not affect businesses. Comments were solicited from affected parties including employees and employee associations. Written minutes and comments from the workshop and public hearing can be obtained as instructed in the response to question #2.

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.**

There was no opposition to the regulation at the Personnel Commission hearing.

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 each case must include:**
  - (a) **Both adverse and beneficial effects; and**
  - (b) **Both immediate and long-term effects.**

There are no adverse or beneficial effects on regulated business and the public. There are no immediate or long-term effects on business and the public.

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

There is no additional cost to the agency for enforcement of this regulation.

**9. A description of any regulations of other State or governmental agencies which the proposed 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.**

This regulation does not overlap or duplicate any State or federal 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.**

The regulation does not include any provisions that are covered by any federal regulations.

**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.**

No fees are associated with this regulation.