

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY  
NRS 233B.066  
LCB FILE R070-20**

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) Chapter 213

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

This proposed regulation is necessary to carry out the provisions of NRS 233B.040; and NRS 233B.100. which established a system for any interested person may petition an agency requesting the adoption, filing, amendment or repeal of any regulation and shall accompany the petition with relevant data, views and arguments on a form developed by the Board; and providing other matters properly relating thereto.

**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 to all law enforcement agencies in the State of Nevada, to each Nevada District Court, to each Nevada District Attorney, and to all persons on the Board of Parole Commissioner's ('Parole Board' or 'Board') mailing list who have requested to receive notice of meetings related to the adoption of regulations. These documents were also made available at the web site of the Parole Board, <http://parole.nv.gov/>, mailed to all county libraries in Nevada and posted in the following locations:

Parole Board office  
1677 Old Hot Springs Road, Ste. A  
Carson City, Nevada

Parole Board office  
4000 S. Eastern Avenue  
Las Vegas, Nevada

Carson City Library  
900 N. Roop Street  
Carson City, Nevada

Clark County Main Library/Reference section  
833 Las Vegas Boulevard  
Las Vegas, Nevada

Attorney General's office  
100 S. Carson Street  
Carson City, Nevada

Attorney General's office  
555 E. Washington Avenue  
Las Vegas, Nevada

A workshop was held on Thursday, May 28, 2020 at the office of the Parole Board located at 1677 Old Hot Springs Rd., Ste. A, Carson City, Nevada and video conferenced to the office of the Parole Board located at 400 S. Eastern Blvd., Ste. 130, Las Vegas, Nevada to discuss public, Parole and Probation and Board member comments and suggestions to the proposed regulation. A public meeting and Notice of Intent to Adopt was scheduled for public comment and for possible action on August 31, 2020. Workshops were schedule on March 30, 2020 and April 30, 2020. Both meetings were cancelled

due to the Coronavirus.

A public meeting and Notice of Intent to Adopt was scheduled for public comment and for possible action on August 31, 2020. The Parole Board motioned to adopt the proposed regulations.

- (a) Summary of testimony – There was not any public testimony made on R070-20 at the May 28, 2020 Workshop.
- (b) Summary of written testimony received by John Quintero, inmate at High Desert State Prison, was addressed by the Board at the August 31, 2020 Intent to Adopt and Board meeting. Mr. Quintero stated he would like the forms for any interested person to petition an agency requesting the adoption, filing, amendment or repeal of any regulation and shall accompany the petition with relevant data, views and arguments available through the Nevada Department of Corrections (NDOC) law library indexed as a fundamental first amendment right to redress grievances. Chairman DeRicco provided that the Board can address Mr. Quintero’s concerns without changing the language of the regulation through communication with the Parole Board and the NDOC.

A copy of this summary of the public response to the proposed regulation may be obtained from the Board of Parole Commissioners website at <http://parole.nv.gov/>, or at 1677 Old Hot Springs Rd., Ste. A, Carson City, Nevada 89706, 775-687-5049, or email to [kjbaker@parole.nv.gov](mailto:kjbaker@parole.nv.gov).

**3. The number persons who:**

- (a) **Attended each hearing:** May 28, 2020 – 14; August 28, 2020 – 10
- (b) **Testified at each hearing:** May 28, 2020 – 1; August 31, 2020 – 0
- (c) **Written comments submitted to the agency:** May 28, 2020 - 1; August 31, 2020 – 1

4. 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, as provided to the agency, Exhibit A.

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.**

Comments were solicited from affected businesses in the same manner as they were solicited from the public. The Parole Board used informed, reasonable judgement in determining that there will not be an impact on small businesses due to the nature of the proposed regulation.

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 comments provided by Mr. Quintero, inmate at HDSP were addressed at the August 31, 2020 meeting and it was determined Mr. Quintero’s concerns to make the application available in the NDOC law library could be addressed without changing the language of the regulation through communication with the Parole Board and the NDOC.

The permanent regulation was issued on July 15, 2020 and on August 31, 2020, the Parole Board held a public meeting and unanimously voted to adopt the July 15, 2020 version of LCB File No. R070-20 as written.

- 7. The estimated economic effect of the adopted regulation on the businesses which it is to regulate and on the public. These must be stated separately, and each case must include:**
- (a) Adverse effects:** There are no known adverse economic effects of the proposed regulation to the public or small businesses.
  - (b) Beneficial effects:** There are no known beneficial effects of the proposed regulation to the public or small businesses.
  - (c) Immediate effects:** There are no known immediate economic effects to the Division or to the public or small businesses.
  - (d) Long-term effects:** There are no known long-term economic effects to the Division or to the public or small businesses.

**8. 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.

**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.**

There are no other state or government agency regulations that the proposed regulation duplicates.

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

There are no federal regulations that apply.

**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.**

This regulation does not provide a new fee or increase an existing fee.

**EXHIBIT A**

May 28, 2020 Workshop

NAME	TITLE/AGENCY IF APPLICABLE	CITY, STATE
Ariel Ashtamker	ACLU of NV	Las Vegas, NV
Katie Brady	Deputy Attorney General	Carson City, NV
Paul G. Corrado	Public	Carson City, NV
Nick Shepach	Public	Carson City, NV

August 31, 2020 Meeting

NAME	TITLE/AGENCY IF APPLICABLE	CITY, STATE
Katie Brady	Deputy Attorney General	Carson City, NV
Nathan Hastings	Deputy Attorney General	Carson City, NV

August 31, 2020 Meeting Submitted Letter

NAME	TITLE/AGENCY IF APPLICABLE	CITY, STATE
John Quintero	Inmate, High Desert State Prison	Indian Springs, NV