



LEGISLATIVE REVIEW OF ADOPTED REGULATIONS - NRS 233B.066

Informational Statement

LCB FILE: R-088-22P

The following statement is submitted for adopted amendments to Nevada Administrative Code (“NAC”) Chapter 407A.

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

The regulation is required as a result of the passage of Senate Bill (“SB”) 52 during the 81st Session of the Nevada Legislature. Existing law covers the creation and purpose of the Nevada Division of Outdoor Recreation.

This regulation is needed for the Division to administer, carry out and enforce the provisions of S.B.52. It will provide guidance on the creation of a dark sky place designation process within Nevada.

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

A public workshop was held in person and virtually, on May 3, 2022, to solicit public comment from interested parties. Members of the public from Beatty and Tonopah attended the workshop virtually but did not testify. A final adoption public hearing was held on December 8, 2022. Members of the public were invited to participate in-person and virtually in accordance with the Open Meeting Law. There was no public comment during the adoption hearing. Additionally, copies of the proposed regulation, notice of workshop, and notice of intent to act upon regulations were posted to the Division’s website, the Legislative Counsel Bureau website, and the state’s public notice website. Notices and copies of the proposed regulations were also posted at all public county libraries, the Bryan Building in Carson City, and the Grant Sawyer Building in Las Vegas. The Division also allowed the public to submit written comment, though no written comment was received.

3. Number of persons who:

a. Attended the hearing:

No person from the public attended the hearing on December 8, 2022.

b. Testified at each hearing:

No person from the public testified at the hearing on December 8, 2022.

c. Submitted to the agency written comments:

No person from the public submitted written comment to the agency.

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 (if provided to the agency), for each person who testified at each hearing and submitted to the agency written statements.

The following is a list of names and contact information for all public persons who attended, testified or submitted written statements.

a. None

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.

The Division determined that there was no impact on small businesses with the adoption of these regulations, therefore comments were not solicited from small businesses.

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

No public comment was received; the Division is submitting for final adoption as proposed.

7. The estimated economic effect of the regulation on the business which it is to regulate and on the public.

a. Pursuant to NRS 233B.060, the proposed regulation is not likely to impose a direct or significant economic burden upon a small business, or

b. Directly restrict the formation, operation, or expansion of a small business.

8. The estimated cost of the agency for enforcement of the adopted regulation.

No fees are currently collected or will need to be collected by NDOR therefore there will be no additional costs incurred for the adoption of this regulation.

9. A description of any regulation of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulation federal agency.

There are no other regulations of other state or government agencies which the proposed regulation overlaps or duplicates. The proposed regulation does not include provisions which are more stringent than a federal regulation which regulates the same activity and no summary is provided.

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

N/A

11. If the regulation provides a new fee or increases an existing fee, a statement indicating the total annual amount the agency expects to collect and the manner in which the money will be used.

No new fees or increases to existing fees are included in the adopted regulation.