

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS--NRS 233B.066**  
**Informational Statement**  
**LCB File No. R076-16**

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

Due to recent conflicting hearing officer decisions, the newly proposed amendment in Section 1 of this LCB File creates a process for the deadlines outlined in NRS 284.387. This amendment clarifies the timelines and requires the use of a prescribed form when an appointing authority requests an extension of time to notify an employee of his or her determination following an internal administrative investigation.

The amendment in Section 2 of this regulation is in response to the passage and approval of Senate Bill 62 of the 2015 Legislative Commission which amended NRS 284.385. The amendment of NRS 284.385 requires that the Commission adopt regulations related to providing notice to a classified employee of his or her dismissal, involuntary demotion or suspension of State of Nevada employees in the classified service. The preferred method of delivery is in-person but if the employee is not available the proposed regulation would allow for delivery services other than just the U.S. Postal Service.

**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 August 31, 2016, 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

Nevada State Capitol Building  
101 N. Carson Street  
Carson City, NV

A regulation workshop was conducted by the Division of Human Resource Management on May 26, 2016. A public hearing was held by the Nevada Personnel Commission on September 30, 2016.

At the workshop, comment was received from the Personnel Officer III, Department of Transportation, however the comments related to the use of the proposed form rather than the regulation itself. Comment was received from the Personnel Officer II, Department of Motor Vehicles, who expressed agreement with the requirement to notify the employee who is the subject of an internal administrative investigation of the status of that investigation.

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

Written minutes and comments from the regulation workshop and public hearing can be obtained from the Division of Human Resource Management by contacting Shelley Blotter at [sblotter@admin.nv.gov](mailto:sblotter@admin.nv.gov) or by calling (775) 684-0105.

3. **The number of persons who:**
  - (a) **Attended each hearing:** - 37
  - (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  
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Department of Administration  
Division of Human Resource Management  
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Carson City, NV 89701  
(775) 684-0136  
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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 effected 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.**

This regulation does not have a direct economic effect on either a regulated business or 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.