

**ADOPTED REGULATION OF THE  
NEVADA INDIAN COMMISSION**

**LCB File No. R005-02**

Effective December 16, 2003

EXPLANATION – Matter in *italics* is new; matter in brackets ~~{omitted material}~~ is material to be omitted.

AUTHORITY: §1, NRS 233A.050 and 233A.090.

**Section 1.** NAC 233A.070 is hereby amended to read as follows:

233A.070 The commission will elect its chairman and ~~{secretary}~~ *vice chairman* during the first meeting of each ~~{fiscal year. In the event of}~~ *even-numbered calendar year. If* a vacancy *occurs* among the elected officers, the chairman or a quorum of the commissioners shall call a special meeting for the purpose of electing an officer to fill the vacancy.

**NOTICE OF ADOPTION OF PROPOSED REGULATION**  
**LCB File No. R005-02**

The Nevada Indian Commission adopted regulations assigned LCB File No. R005-02 which pertain to chapter 233A of the Nevada Administrative Code on October 17, 2003.

**Notice date:** 8/26/2003  
**Hearing date:** 10/17/2003

**Date of adoption by agency:** 10/17/2003  
**Filing date:** 12/16/2003

**INFORMATIONAL STATEMENT**

**1. 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.**

The Workshop and Notice of intent to Adopt, Amend or Repeal Legislation for the Nevada Indian Commission was distributed for posting three times on August 26, 2003, August 28, 2003 and October 3, 2003. The workshop and Hearing was held on October 17, 2003.

Notices were mailed for posting to the following locations:

Nevada Indian Commission, 4600 Kietzke Lane, Bldg. A, Suite 101, Reno, NV 89502  
Nevada State Library & Archives, 100 North Stewart Street, Carson City, NV 89701  
Department of Human Resources, 505 E. King Street, Carson City, NV 89701  
Legislative Counsel Bureau, 401 South Carson Street, Carson City, NV 89701  
Grant Sawyer Building, 555 E. Washington Ave., Las Vegas, NV 89101  
Inter-Tribal Council of Nevada, Inc. 680 Greenbrae Drive, Sparks, NV 89431  
Nevada Urban Indians, Inc., 1190 Bible Way, Reno, NV 89502  
Las Vegas Indian Center, Inc., 2300 W. Bonanza Road, Las Vegas, NV 89107  
Bureau of Indian Affairs, Western Nevada Agency, Carson City, Nevada  
Bureau of Indian Affairs, Eastern Nevada Agency, Elko, Nevada  
Churchill County Library, 5553 S. Maine Street, Fallon, NV 89406  
Las Vegas-Clark County Library, 833 Las Vegas Blvd. N., Las Vegas, NV 89101  
Elko County Library, 720 Court Street, Elko, NV 89801  
Goldfield Public Library (Esmeralda County), P.O. Box 430, Goldfield, NV 89013  
Eureka Branch Library, P.O. Box 293, Eureka, NV 89316  
Humboldt County Library 85 East 5th Street, Winnemucca, NV 89445  
Lincoln County Library, P.O. Box 330, 93 Main St., Pioche, NV 89043  
Lyon County Library, 20 Nevin Way, Yerington, NV 89447  
Mineral County Library, P.O. Box 1390, (First & A Street) Hawthorne, NV 89415  
Tonopah Public Library, P.O. Box 449, (171 Central Street) Tonopah, NV 89049  
Pershing County Library, P.O. Box 781, (1125 Central Avenue) Lovelock, NV 89419  
Storey County Library, P.O. Box 14, (95 R Street) Virginia City, NV 89440  
Washoe County Library, P.O. Box 2151, (301 South Center) Reno, NV 89505  
White Pine County Library, 950 Campton Street, Ely, NV 89301  
Battle Mountain Branch Library (Lander County) P.O. Box 141, Battle Mountain, NV 89820  
Carson City Library, 900 N. Roop Street, Carson City, NV 89701  
Douglas County Library, P.O. Box 337, Minden, NV 89423

Notice of the meeting was mailed and distributed by facsimile for posting to the following:  
28 Nevada Tribes, Bands and Colonies--Statewide  
Bureau of Indian Affairs, Western Nevada Agency, Carson City, Nevada  
Bureau of Indian Affairs, Eastern Nevada Agency, Elko, Nevada

There were no public responses submitted.

Interested persons may obtain a copy of the summary by contacting the Nevada Indian Commission office at (775)687-8333 or by writing to: 5500 Snyder Avenue, Building 3, Stewart Facility, Carson City, NV 89701.

2. **The number of persons who:**
- |                                                      |           |
|------------------------------------------------------|-----------|
| (a) <b>Attended the hearing:</b>                     | <b>20</b> |
| (b) <b>Testified at each hearing:</b>                | <b>1</b>  |
| (c) <b>Submitted to the agency written comments:</b> | <b>0</b>  |
3. **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 through the posted workshop and Notice of intent to Adopt, Amend or Repeal Legislation for the Nevada Indian Commission described in Item 1 above.

No responses were submitted.

Interested persons may obtain a copy of the summary by contacting the Nevada Indian Commission office at (775)687-8333 or by writing to: 5500 Snyder Avenue, Building 3, Stewart Facility, Carson City, NV 89701.

4. **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 regulation was amended to provide for the election of a Vice-Chairman for the Commission board and to change the term of office for electing officers to every even calendar year.

The existing regulations provide for the following:

**233A.071 Officers; election; vacancies.** The commission will elect its chairman and secretary during the first meeting of each fiscal year. In the event of a vacancy among the elected officers, the chairman or a quorum of the commissioners shall call a special meeting for the purpose of electing an officer to fill the vacancy.

**5. 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) Both adverse and beneficial effects; and**

There is no adverse or beneficial effects of the adopted regulation on the businesses which the Commission conducts, nor on the general public. The amendment provides for selection of a Vice-Chairman who can oversee the Commission in the event the Chairman is unavailable or incapacitated. The amendment also provides for selection of the officers every even calendar year to provide a better continuity of leadership for the Commission.

**(b) Both immediate and long-term effects.**

Immediate and long-term effects are considered positive in terms of providing a manner to allow continual operations with the backup of a Vice-Chairman in the event of the absence or unavailability of the Chairman. Commission activities on Indian affairs issues throughout the state would be assured continuance without interruption.

**6. The estimated cost to the agency for enforcement of the adopted regulation.**

There is no cost to the agency for enforcement of the adopted regulation other than normal filing fees required to process an amendment.

**7. 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 overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.**

State or government agencies: The proposed regulation works in conjunction with the provisions establishing the Indian Commission provided under Nevada Revised Statutes 233A -- Indian Affairs.

Federal regulation: None.

**8. 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 regulate Indian Commission offices authorized under a state agency.