How Executive Order 2023-003 Relates to The Nevada Statewide Independent Living Council

“Section 1 - Comprehensive Review of Regulations

Every executive branch department, agency, board and commission shall undertake a comprehensive review of the regulations subject to its enforcement. On or before, May 1, 2023 each department, agency, board and commission shall provide a report to the Governor’s office detailing how the regulation subject to its enforcement can be streamlined, clarified, reduced or otherwise improved to ensure those regulations provide for the general welfare of the State without unnecessarily inhibiting economic growth.”

This excerpt from the Executive Order in question has been further defined by the Governor’s Office pertaining to the following:

Regulations: Nevada Administrative Code (NAC) only. This would not necessarily include Nevada Revised Statutes (NRS) unless they directly stem from a specific NAC.

Furthermore, detailed instructions include:

“5. In the event your agency has sufficient justification for an exemption to this Executive Order, as described below and in Section 5, please submit a list of requests for any such exemption to dktedford@gov.nv.gov. Qualifying purposes for an exemption include:

a. Regulations that affect public health;

b. Regulations that affect public safety and security;

c. **Regulations that are necessary in the pursuit of federal funds and certifications;**

d. Regulations that affect the application of powers, functions and duties essential to the operation of the executive branch agency, department, board or commission at issue;

e. Regulations that affect pending judicial deadlines; and

f. **Regulations necessary to comply with federal law.**”

In consideration of the stipulations noted above, the Nevada Statewide Independent Living Council (NV SILC) takes the following position, but would like to receive public input in order to make a final decision:

NV SILC is a federally regulated, federally funded, and federally mandated Council. All our Council’s regulations are 100% federal. In fact, the federal guidelines require that the SILC is NOT established under a State Agency, but is autonomous in all functions other than fiscal distributions, as the Designated State Entity (DSE) is the Council’s fiscal agent in this regard. The DSE is currently Aging & Disability Services Division (ADSD). In accordance with this structure, we believe we are exempt from the mandated reports as described in the Executive Order in question and the bolded portions of section 5 of the Governor’s guidance quoted above.

What we are asking for from you (the public):

1. Do you believe NV SILC is exempt and should, therefore request an exemption from this Executive Order?
2. What regulations do you think NV SILC should provide feedback on for participating State Agencies and Boards and Commissions?

We thank you for your time and input!