

LCB File No. R214-05

PROPOSED REGULATION OF THE STATE DEPARTMENT OF AGRICULTURE

Purpose-To establish a current fee for licensing public auctions. Authority-NRS 573.040

Material in H is omitted, material in italics is added

CHAPTER 573 - PUBLIC SALES OF LIVESTOCK

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NAC 573.010 Applicability of chapter. This chapter does not apply to any organization or association exempted under NRS 573.180.

NAC 573.015 "Department" defined. As used in this chapter, unless the context otherwise requires, "department" means the state department of agriculture.

NAC 573.020 Expense for sales not held on working day. Expenses incurred because a public livestock sale is not held on a regular working day must be paid by the operator of the public livestock auction by reimbursement to the department upon demand.

NAC 573.030 Notice of cancellation or nonuse of sale day.

- 1. The operator of a public livestock auction shall notify the department at least 10 regular working days before the cancellation of a sale or the nonuse of a regularly scheduled sale day.
2. Failure to so notify the department makes the operator of the auction responsible for reimbursement to the department for the labor expenses incurred. Continued failure may be considered cause for the revocation of a regularly scheduled sale day.

NAC 573.0[40] 35 Notification of continuance of sale. A public livestock sale which is held on a regular sale day but is not completed by 6 p.m. may continue into the next day as a regular sale day if the operator of the auction yard notifies regulatory personnel in adequate time to service the sale. This will not be considered an added expense if the continuing day falls on a regularly scheduled working day.

NAC 573.040 Fee for license. The fee for a license to operate a public livestock auction shall be \$150 per year.

## SMALL BUSINESS DISCLOSURE

Pursuant to 233B, Nevada Administrative Procedures Act:

Proposed amendments to NAC 565, 573, & 576 pertaining to fees for livestock brand inspections and updating language (565), license fees for public livestock auctions (573), and license fees for livestock & farm product dealers, brokers, commission merchants, buyers, and their agents.

The Administrator of the Department of Agriculture's Division of Livestock Identification and Agriculture Enforcement has recently met with industry representatives at the annual meetings of the Nevada Cattlemen's Association, Nevada Farm Bureau Federation and the State Board of Agriculture in regard to these proposed changes.

- 1) Do these proposed amendments impose a direct and significant economic burden upon small business? **No**
- 2) Do these proposed amendments restrict the formation, operation or expansion of a small business? **No**

Further comments will be solicited during the workshop and public hearings.

The Division has considered numerous methods of cost cutting to reduce the impact of the proposed fees on its constituency. All viable cost cutting methods short of reducing primary statutory required services have been taken.

There will be no additional cost to the agency for enforcement of the proposed regulation changes.

It is estimated that the proposed regulation changes addressing fees will result in an annual increase in the Division's revenue of approximately \$85,000, which will be spent for salaries of Deputy Brand Inspectors currently employed and their corresponding operating expenses. Any other available revenues will be spent upgrading the efficiency of the Division's current methods of providing service, accounting, and tracking livestock and registering brands and marks.

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