

PROPOSED REGULATION OF THE DAIRY COMMISSION

**Notice of Public Workshop for the Amendment
of Regulations of the Dairy Commission**

The Nevada State Dairy Commission will hold a public workshop during its regularly scheduled meeting at 9:00 a.m., on Thursday, August 19, 1999, at Kietzke Plaza, 4600 Kietzke Lane, Building B, Room 111. The purpose of the workshop is to receive comments from all interested persons regarding the amendment of regulations that pertain to Chapter 584 of the *Nevada Administrative Code* (NAC), specifically regarding NAC 584.6482 which references the establishment of minimum prices for fluid milk and fluid cream to be paid by distributors to producers in the Southern Nevada Marketing Area (Clark, Lincoln, and Nye counties).

Pending federal legislation may exempt Clark County, Nevada from minimum price regulation by the Federal Milk Marketing Order program on October 1, 1999. Should the legislation pass, the Dairy Commission would assume primary authority for minimum price regulation. The Commission is seeking public comment regarding how the minimum price for fluid milk and fluid cream should be set in Clark County, Nevada.

Persons wishing to comment upon the proposed action of the Nevada State Dairy Commission may appear at the scheduled public hearing or may address their comments, data, views, or arguments, in written form, to Ms. Stacy M. Jennings, Executive Director, Nevada State Dairy Commission, 4600 Kietzke Lane, Suite A107, Reno, NV 89502. Written submissions must be received by the Nevada State Dairy Commission on or before August 12, 1999. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Nevada State Dairy Commission may proceed immediately to act upon any written submissions.

A copy of this notice will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice will be available at:

Nevada State Dairy Commission
4600 Kietzke Lane, Suite A107
Reno, NV 89502

Nevada State Dairy Commission
1840 East Sahara Avenue, Suite 111
Las Vegas, NV 89104

And in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. Copies of this notice will also be mailed to persons on the Nevada State Dairy

Commission mailing list, dairy producers, and to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary. This notice of public workshop has been posted at the following locations:

Nevada State Dairy Commission
4600 Kietzke Lane, Suite A107
Reno, NV 89502

Washoe County Library
301 S. Center St.
Reno, NV 89502

Washoe County Library
4001 S. Virginia St Sierra View Branch
Reno, NV 89502

Attorney General's Office
555 E. Washington
Las Vegas, NV 89101

Churchill County Library
5553 S. Maine St.
Fallon, NV 89406

Pershing County Library
1125 Central Ave.
Lovelock, NV 89419

Storey County Library
95 South R St.
Virginia City, NV 89440

Eureka Branch Library
P.O. Box 293
Eureka, NV 89316

Humboldt County Library
85 East 5th St.
Winnemucca, NV 89445

Lincoln County Library
93 Main St.
Pioche, NV 89043

Lyon County Library
20 Nevin Way
Yerington, NV 89447

Nevada State Dairy Commission
1840 East Sahara Avenue, Suite 111
Las Vegas, NV 89104

Washoe County Library
1125-12th St. (Sparks Branch)
Sparks, NV 89431

Las Vegas Library
833 N. Las Vegas Blvd.
Las Vegas, NV 89102

Bradley Building
2501 East Sahara Ave.
Las Vegas, NV 89104

Tonopah Public Library
171 Central Street
Tonopah, NV 89049

Elko County Library
720 Court St.
Elko, NV 89801

Esmeralda County Library
P.O. Box 430, Fourth & Crook Sts.
Goldfield, NV 89013

White Pine County Library
950 Campton St.
Ely, NV 89301

Battle Mountain Branch Library
(Lander County)
P.O. Box 141
Battle Mountain, NV 89820

Carson City Library
900 N. Roop St.
Carson City, NV 89701

Douglas County Library
P.O. Box 337
Minden NV 89423

Goldfield Public Library
P.O. Box 430
Goldfield, NV 89013

Mineral County Library
P.O. Box 1390, First & A Street
Hawthorne, NV 89415

Stacy M. Jennings /s/

July 20, 1999

*Stacy M. Jennings, Executive Director
Nevada State Dairy Commission*

Date

LCB File No. R093-99

PROPOSED REGULATION OF THE DAIRY COMMISSION

NAC 584.6051 is hereby amended to read as follows:

NAC 584.6051 Equipment furnished to wholesale customer by distributor.

1. *Except as otherwise provided in this section, a [A]* distributor shall not sell, lease, lend or otherwise furnish any equipment to a wholesale customer who purchases dairy products, or perform service upon any equipment of such a customer, unless the customer pays consideration equal to:

- (a) The fair market value of the equipment if it is sold;
- (b) The fair market rental of the equipment if it is leased, lent or furnished; or
- (c) The fair market value of the service if service is provided.

2. A distributor who leases equipment to a wholesale customer who purchases dairy products shall file with the commission a copy of the lease agreement for that equipment.

3. As used in this section, “equipment” means any object used to transport, distribute, display or serve dairy products, including, but not limited to, bunkers, bossy carts and self-service ice cream machines.

4. A distributor may furnish, without charge, bunkers to a wholesale customer during an active promotional period. The bunkers must not exceed fifty-two (52) inches in size, and the promotional period must not exceed ninety (90) days. The bunkers must be used exclusively for dairy products.