

**LCB File No. R121-99**

**PROPOSED REGULATION OF THE DAIRY COMMISSION**

**NOTICE OF PUBLIC WORKSHOP AND PUBLIC HEARING**

The attached proposed emergency revisions to Nevada Administrative Code 584.6482 were heard at a public workshop in Reno on August 19, 1999, and are scheduled for final public hearing on September 16, 1999 in Las Vegas. On September 16, the Dairy Commission will adopt the proposed regulation and forward it to the Governor's office for emergency approval so that the provisions will be effective on October 1, 1999.

At that time, the Commission plans to have two additional public forums to add the regulations as a permanent addition to NAC: a public workshop scheduled for October 21, 1999 in Reno and a final public hearing scheduled for November 18, 1999 in Las Vegas.

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**PROPOSED REGULATION OF THE DAIRY COMMISSION**

**NOTICE OF PUBLIC WORKSHOP AND PUBLIC HEARING**

**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

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

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

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

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

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

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

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

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

Tonopah Public Library  
171 Central Street  
Tonopah, NV 89049

Pershing County Library  
1125 Central Ave.  
Lovelock, NV 89419

Elko County Library  
720 Court St.  
Elko, NV 89801

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

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

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

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

Humboldt County Library  
85 East 5<sup>th</sup> St.  
Winnemucca, NV 89445

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

Lincoln County Library  
93 Main St.  
Pioche, NV 89043

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

Lyon County Library  
20 Nevin Way  
Yerington, NV 89447

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

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

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

Stacy M. Jennings /s/

July 20, 1999

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

*Date*

## LCB File No. R121-99

### PROPOSED REGULATION OF THE DAIRY COMMISSION

#### Establishment of Prices for Dairy Products

**Section 1. NAC 584.6482 is hereby amended to read as follows:**

**584.6482 Establishment of minimum price for fluid milk and fluid cream to be paid by distributor to producer.**

1. Except as otherwise provided in this subsection, the minimum price for fluid milk and fluid cream to be paid by a distributor to a producer located in the western Nevada marketing area, except a producer located in zone 9 of the western Nevada marketing area, is the minimum price established for fluid milk and fluid cream ~~as of August 26, 1996,~~ *set every two months* by the State of California Department of Food and Agriculture for the northern California marketing area. ~~When~~ *When* the minimum price for fluid milk and fluid cream established for the northern California marketing area is revised, the commission will review the revised price to determine whether it is acceptable. Unless the commission, within 5 days after the price for the northern California marketing area is revised, determines that the revised price is unacceptable, the revised price for the northern California marketing area shall be deemed the minimum price for fluid milk and fluid cream to be paid by a distributor to a producer located in the western Nevada marketing area, except a producer located in zone 9 of the western Nevada marketing area. The minimum price for fluid milk and fluid cream to be paid by a distributor to a producer located in the western Nevada marketing area, except a producer located in zone 9 of the western Nevada marketing area, may be obtained at no cost:

- (a) By mail, from the State Dairy Commission, 4600 Kietzke Lane, Building A, Suite 107, Reno, Nevada 89502; or
- (b) By telephone, at ~~(702)~~ (775) 688-1211 ~~;~~ *;* or
- (c) *By electronic mail, at dairycom@govmail.state.nv.us.*

2. Except as otherwise provided in this subsection, the minimum price for fluid milk and fluid cream to be paid by a distributor to a producer located in ~~the southern Nevada marketing area,~~ the eastern Nevada marketing area ~~or zone 9 of the western Nevada marketing area,~~ *except a producer located in zone 5 of the eastern Nevada marketing area,* is the minimum price for fluid milk and fluid cream established for those areas ~~as of August 26, 1996,~~ *and set each month* in the Federal Milk Marketing Orders. ~~When~~ *When* the minimum price for fluid milk and fluid cream established in the Federal Milk Marketing Orders for ~~the southern Nevada marketing area,~~ the eastern Nevada marketing area ~~or zone 9 of the western Nevada marketing area~~ is revised, the commission will review the revised price to determine whether it is acceptable. Unless the commission, within 5 days after the price established in the Federal Milk Marketing Orders is revised, determines that the revised price is unacceptable, the revised price set forth in the Federal Milk Marketing Orders shall be deemed the minimum price for fluid milk

and fluid cream to be paid by a distributor to a producer located in the ~~marketing area for which the price was revised~~ eastern Nevada marketing area, except a producer located in zone 5 of the eastern Nevada marketing area. A copy of the Federal Milk Marketing Orders may be obtained at no cost:

- (a) *By mail*, from the State Dairy Commission, ~~1840 East Sahara Avenue, Suite 111, Las Vegas, Nevada 89101~~ 4600 Kietzke Lane, Building A, Suite 107, Reno, Nevada 89502; or
- (b) *By telephone*, at (775) 688-1211; or
- (c) *By electronic mail*, at [dairycom@govmail.state.nv.us](mailto:dairycom@govmail.state.nv.us).

3. *Except as otherwise provided in this subsection, the minimum price for fluid milk and fluid cream to be paid by a distributor located in the southern Nevada marketing area, zone 5 of the eastern Nevada marketing area, or zone 9 of the western Nevada marketing area to a producer shall be the basic formula price, or in the absence of a basic formula price the class III price, set each month by the United States Department of Agriculture, plus a class differential established by the Dairy Commission. The minimum price for fluid milk and fluid cream to be paid by a distributor located in the southern Nevada marketing area, zone 5 of the eastern Nevada marketing area, or zone 9 of the western Nevada marketing area to a producer may be obtained at no cost:*

- (a) *By mail*, from the State Dairy Commission, 1840 East Sahara Avenue, Suite 111, Las Vegas, Nevada 89104; or
- (b) *By telephone*, at (702) 486-8212; or
- (c) *By electronic mail*, at [dairycom@govmail.state.nv.us](mailto:dairycom@govmail.state.nv.us).

**Section 2.** Section 1 of this regulation is effective on an emergency basis from and after October 1, 1999, providing that S. 1233, which exempts Clark County, Nevada from the Federal Milk Marketing Order Program, is passed by the United States Congress and is signed into law by the President of the United States.