

LCB File No. R060-00

**PROPOSED REGULATION OF THE
STATE DEPARTMENT OF AGRICULTURE**

NOTICE AND INTENT TO ADOPT REGULATIONS

THE NEVADA DEPARTMENT OF AGRICULTURE

PROPOSED AMENDMENTS TO NAC 555 PERTAINING TO NURSERY LICENSE FEES.

Need and purpose of the proposed amendments:

NRS 555 was amended and fees that were set by statute were changed to be set by regulation.

The legislature also passed the 4540 Plant Industry budget with the requirement that the additional cost of monitoring incoming nursery stock shall be paid for by nursery licensing fees in FY2001.

Economic effect of these proposed amendments on the businesses which it is to regulate:

1. Adverse effects:
The fees will increase the cost to businesses, but will not cause an active business to go out of business. The fees include a hardship provision to help prevent this.
2. Beneficial effects:
Business will benefit from the continuing education provided.
3. Immediate and long-term economic effects:
The adverse and beneficial effects are the same for immediate and long-term economic effects.

Economic effect of the proposed amendments on the public:

1. Adverse effects:
None
2. Beneficial effects:
The public protection will be increased through the prevention of the entry and establishment of invasive species that have detrimental economic, environmental and public health effects.
3. Immediate and long-term effects:
The adverse and beneficial effects are the same for the immediate and long-term economic effects.

Economic costs to the agency for the enforcement of the proposed amendments:

The additional costs of enforcement will be paid by the increase in nursery license fees.

Description of any regulations of any other state, local or federal regulation that the proposed amendments overlap or duplicate:

There are no other state, local, or federal government regulations that these amendments overlap or duplicate.

Fees:

The proposed amendments increase fees. A total of \$106,280 will be collected with the new fees. The funds will be used to pay the costs of an two employees, one to assist in nursery inspection and the other to a peace officer and enforce the quarantine and nursery laws and regulations at border inspection sights and delivery locations, operating, and travel to conduct the program.

The date, time, place, and manner in which interested parties may present their views on the proposed amendments:

DATE: April 14, 2000

TIME: 9:00 a.m.

PLACE: Nevada Department of Agriculture
2300 McLeod Street
Las Vegas, Nevada 89401

DATE: April 14, 2000

TIME: 1:00 p.m.

PLACE: Nevada Department of Agriculture
350 Capitol Hill Avenue
Reno, Nevada 89502

Manner: Written comments and testimony may be submitted prior to the hearing date and will be included with any verbal testimony presented in the record of the hearing.

Address at which the text of the proposed regulations may be inspected and copied:

The Nevada State Library in Carson City, and all Nevada County Libraries. The Department of Agriculture offices in Reno, Sparks, Elko, Las Vegas, or Winnemucca during the hours of 8:00 a.m. until 5:00 p.m., Monday through Friday.

**Nevada Department of Agriculture
350 Capitol Hill Ave.
Reno, NV 89502**

**Nevada Department of Agriculture
2150 Frazer Street
Sparks, NV 89431**

**Nevada Department of Agriculture
1550 S. Wells Ave.
Reno, NV 89502**

**Nevada Department of Agriculture
1200 E. Winnemucca Blvd.
Winnemucca, NV 89445**

**Nevada Department of Agriculture
Eyer H. Boies Building
1351 Elm St.
Elko, NV 89801**

**Nevada Department of Agriculture
2300 McLeod
Las Vegas, NV 89104**

NOTE: We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, call Robert Gronowski at the Nevada Department of Agriculture, 688-1182 ext. 239 as soon as possible.

NRS 233B.064 Permanent regulations not to be adopted until text approved or revised by the Legislative Counsel; agency's reasons for adoption.

2. Upon adoption of any regulation, the agency, if requested to do so by an interested person before adoption, or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption, and incorporate therein its reasons for overruling the consideration urged against adoption.

Paul Iverson, Director

Date

Nevada Department of Agriculture
350 Capitol Hill Avenue
Reno, Nevada
(775) 688-1180

Proposed amendment to NAC 555 pertaining to nursery license fee.

Authority: NRS 555.238

CHAPTER 555 NAC IS HERE BY AMENDED BY ADDING A NEW SECTION TO READ AS FOLLOWS:

Section 1. Nursery license fees .

1. The minimum license fee, \$130. In addition to the minimum fee the following additional fees shall be added:
 1. Per each additional location, \$130
 2. Per each acre of nursery stock in production, \$10 per acre up to a maximum fee of \$200.
 3. Per each agent acting on behalf of a licensed nursery, \$25.
- B. The license fee for a peddler is \$200.
- C. Hardship declaration and fee.
 1. An applicant for licensing may request a hardship fee reduction by writing the Director of the Department of Agriculture and stating the amount of income received from the sales of nursery stock. The Director may grant a hardship fee reduction if he determines that paying the established fee would cause the business to cease operating or not be able to began operating.
 2. If a hardship is granted by the Director the minimum license fee will be \$50. In addition to the minimum fee the following additional fees shall be added: \$20 per additional location; \$2 per acre of nursery stock in production up to a maximum fee of \$20; \$5 per agent and \$ 100 peddler license fee.

For any clarification on these amendments contact Robert Gronowski at (775)-688-1182, Ext. 239