

**R003-02**

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

**NOTICE OF HEARING**

A hearing will be held on proposed permanent amendments to the following administrative codes: NAC 587.340, pertaining to inspection fees for weed free forage program.

**Date:** Tuesday, February 5, 2001

**Time:** 10:00 A.M.

**Place:** Department of Agriculture  
350 Capitol Hill Avenue  
Reno, NV 89502

For clarification on the proposed amendments, or to obtain a copy of the amendments, please contact Dawn Rafferty at (775) 688-1182 extension 269.

**Addresses at which the text of the proposed regulation/amendment 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. The regulations may also be viewed on the Legislative Counsel Bureau web-site: [www.leg.state.nv.us/lawl/.cfm](http://www.leg.state.nv.us/lawl/.cfm). Go to the Nevada Regulations, Browse the 2001 Regulations for Subject Index.

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 Randy Bradley at (775) 688-1182, extension 244 as soon as possible.

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

NRS 233B.064 (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 the adoption.

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Paul Iverson, Director

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Date

## NOTICE OF WORKSHOP

A workshop will be held on proposed permanent amendments to the following administrative codes: NAC 587.340 , pertaining to inspection fees for weed free forage program.

Place	Date	Time
Winnemucca	Tuesday, January 22, 2002	10 am – 12 pm
Elko	Tuesday, January 22, 2002	4 pm – 6 pm
Eureka	Wednesday, January 23, 2002	10 am – 12 pm
Ely	Wednesday, January 23, 2002	3 pm – 5 pm
Caliente	Thursday, January 24, 2002	1 pm – 3 pm
Tonopah	Friday, January 25, 2002	9 am – 11 am
Yerington	Monday, January 28, 2002,	10 am – 12 pm
Gardnerville	Wednesday, January 30, 2002	10 am – 12 pm
Fallon	Thursday, January 31, 2002	10 am – 12 pm

### Cooperative Extension Addresses:

**Churchill County**  
 111 Sheckler Road  
 Fallon, NV 89406-8951  
 (775) 423-5121

**Douglas County**  
 1329 Waterloo Lane  
 Gardnerville, NV  
 P.O. Box 338  
 Minden, NV 89423-0338  
 (775) 782-9960

**Elko County**  
 1500 College Parkway  
 Elko, NV 89801-3347  
 (775) 738-7291

**Eureka County**  
 31 South Main Street  
 Eureka Opera House  
 Eureka, NV 89316-0613  
 (775) 237-5326

**Humboldt County**  
 1085 Fairgrounds Road  
 Winnemucca, NV 89445-2927  
 (775) 623-6304

**Lincoln County**  
 City Hall  
 100 Depot Avenue  
 Caliente, NV 89008-0728  
 (775) 726-3109

**Lyon County**  
 504 South Main Street  
 P.O. Box 811  
 Yerington, NV 89447-0811  
 (775) 463-6541

**No. Nye County**  
 Old Court House  
 #1 Frankee Street  
 P.O. Box 231  
 Tonopah, NV 89049-0231  
 (775) 482-6794995 Campton

**White Pine County**  
 Mt. Wheeler Power Company  
 Conference Room  
 1600 Great Basin Blvd.  
 Ely, NV 89301-0210  
 (775) 289-4459

For clarification on the proposed amendments, or to obtain a copy of the amendments, please contact Dawn Rafferty at (775) 688-1182 extension 269.

**Addresses at which the text of the proposed regulation/amendment may be inspected and copied:**

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Paul Iverson, Director

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Date

# PROPOSED REGULATION OF THE STATE DEPARTMENT OF AGRICULTURE

## AGRICULTURAL PRODUCTS

### **NAC 587.340 Inspection and certification: Fees. (NRS 587.360)**

1. The fees for the inspection and certification of potatoes at their point of shipping will be determined by agreement between the state quarantine officer and the processor of the potatoes. The fees will not be less than:

- (a) The actual cost of providing the inspection and certification services; and
- (b) The fee charged in accordance with the contract between the department and the Federal Government for certifying that the potatoes comply with the standards and conditions established by the Federal Government.

2. The fees for the inspection and certification of onions at their point of shipping are:

- (a) Twenty dollars for each hour the inspector spends conducting the inspection and certification, including the time spent traveling to and from the location where the inspection and certification are conducted;
- (b) Forty cents a mile for the inspector's travel; and
- (c) The fee charged in accordance with the contract between the department and the Federal Government for certifying that the onions comply with the standards and conditions established by the Federal Government.

3. The fees for the inspection and certification of hay are:

- (a) If the inspection and certification are performed by an inspector who is a full-time agent or employee of the department:
  - (1) Twenty dollars for each hour the inspector spends conducting the inspection and certification, including the time spent traveling to and from the location where the inspection and certification are conducted; and
  - (2) Forty cents a mile for the inspector's travel; or
- (b) If the inspection is performed by an inspector who is a part-time agent or employee of the department:
  - (1) An amount equal to the hourly salary and benefits paid to the inspector for the number of hours that the inspector spent conducting the inspection and certification; and
  - (2) The travel expenses provided for state employees generally for the inspector while conducting the inspection and certification.

*(c) A \$50.00 per weed-free forage inspection fee.*

4. The fees for the inspection and certification of poultry or eggs at their point of shipping are:

- (a) If the poultry or eggs are certified as meeting state standards and conditions, \$20 per hour; or
- (b) If the poultry or eggs are certified as meeting federal standards and conditions, the fee charged in accordance with the contract between the department and the Federal Government for certifying that the poultry or eggs comply with the standards and conditions established by the Federal Government.

5. The fee for an inspection of fruit or vegetables regarding their condition is \$20 per hour,

plus 40 cents a mile for the inspector's travel.

6. Special arrangements, including arrangements for fees, must be made with the state quarantine officer for the inspection of agricultural products for processing.

7. If the state quarantine officer, in accordance with his duties under a contract between the department and the Federal Government, inspects agricultural products in the field for the purpose of issuing a phytosanitary certification required by the government of a foreign country before those agricultural products may be exported to that country, the state quarantine officer will impose a fee of \$4 per acre for the inspection.

**NEVADA DEPARTMENT OF AGRICULTURE  
SMALL BUSINESS IMPACT DISCLOSES PROCESS  
PURSUANT TO 233B “Nevada Administrative Procedures Act”**

The purpose of this Small Business Impact Form is to provide a framework pursuant to NRS 233B.0608 to determine where a small business impact statement is required for submittal of a proposed regulation before the Nevada Department of Agriculture. If questions one (1) and two (2) are answered No, then a small business impact statement is not required. If question one (1) or question two (2) is answered with a YES, then a small business impact statement is required prior to conducting a public workshop(s) by the Department. (This form must be submitted with the proposed regulation when submitted for drafting by LCB and adoption by the Nevada State Board of Agriculture.)

Proposed regulation: NAC 555, pertaining to inspection fees for weed free forage program.

**Part 1**

1. Does this proposed regulation impose a direct and significant economic burden upon a small business? No.
2. Does this proposed regulation restrict the formation, operation or expansion of a small business? NO.

**Note: Small Business is defined as a “business conducted for profit which employs fewer than 150 full-time or part-time employees” (NRS 233B.0382).**

3. If YES to either of questions 1 & 2, the following action must be taken:
  - a. Was a small business impact statement prepared and was it available at the public workshop?
  - b. Attach the small business impact statement (part 2) as part of this form upon submission for drafting by LCB and adoption by the Nevada Board of Agriculture.

**Part 2**

1. Describe the manner in which comments were solicited from affected small businesses, a summary of the response from small businesses and an explanation of the manner in which other interested persons may obtain a copy of the summary.
2. The estimated economic effect of the proposed regulation on small business:
  - a. Both adverse and beneficial effects
  - b. Both direct and indirect effects

3. The description of the methods that the agency considered to reduce the impact of the proposed regulation on small businesses.
  - a. Simplification of the proposed regulation.
  - b. Establishment of different standards of compliance for a small business.
  - c. Modification of fees or other monetary interests that a small business is authorized to pay at a lower fee.
4. The estimated cost to the agency for enforcement of the proposed regulation.
5. If this regulation provides for a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.
6. If the proposed regulation includes provisions which duplicate or are more stringent than federal, state or local standards relating to the same activity, provide an explanation of why the proposed regulation is duplicative or more stringent and why it is necessary.