

**ADOPTED REGULATION OF THE STATE**

**DEPARTMENT OF AGRICULTURE**

**LCB File No. R189-03**

Effective January 3, 2005

EXPLANATION – Matter in *italics* is new; matter in brackets ~~[omitted material]~~ is material to be omitted.

AUTHORITY: §§1-3, NRS 453A.210 and 453A.740.

**Section 1.** Chapter 453A of NAC is hereby amended by adding thereto a new section to read as follows:

*The Department will charge and collect the following fees:*

- 1. For the issuance to a person, for the first time, of a packet of application materials to be used in applying for a registry identification card.....\$50*
- 2. For the issuance to a person of a registry identification card after the Department has approved the person's application to receive such a card .....150*

**Sec. 2.** NAC 453A.010 is hereby amended to read as follows:

453A.010 As used in NAC 453A.010 to 453A.240, inclusive, *and section 1 of this regulation*, unless the context otherwise requires, the words and terms defined in NAC 453A.020 to 453A.070, inclusive, have the meanings ascribed to them in those sections.

**Sec. 3.** NAC 453A.100 is hereby amended to read as follows:

453A.100 **1.** In addition to the materials required by NRS 453A.210, an application for a registry identification card must include:

~~[(a)]~~ **(a)** A written statement signed by the applicant's attending physician verifying that he was presented with a photographic identification of the applicant and the designated primary

caregiver, if any, and that the applicant and the designated primary caregiver, if any, are the persons named in the application;

~~{2.}~~ (b) On forms prescribed by the Department, any information required by the Central Repository for Nevada Records of Criminal History;

~~{3.}~~ (c) On forms prescribed by the Department, any information required by the Department of Motor Vehicles;

~~{4.}~~ (d) A complete set of the fingerprints of the applicant and the designated primary caregiver, if any, taken by a state or local law enforcement agency;

~~{5.}~~ (e) A notarized medical marijuana program waiver and liability release form that is prescribed by the Department and signed by the applicant and designated primary caregiver, if any;

~~{6.}~~ (f) A notarized acknowledgment form that is prescribed by the Department and signed by the applicant and designated primary caregiver, if any; ~~and~~

~~—7.}~~ (g) If the applicant is under 18 years of age, a minor release form signed by the designated primary caregiver of the minor ~~{.}~~; *and*

*(h) Proof that the applicant is a resident, including, without limitation, a photocopy of a driver's license issued by the Department of Motor Vehicles or a photocopy of an identification card issued by the Department of Motor Vehicles.*

*2. As used in this section, "resident" has the meaning ascribed to it in NRS 453A.210.*

**NOTICE OF ADOPTION OF PROPOSED REGULATION  
LCB File No. R189-03**

The State Department of Agriculture adopted regulations assigned LCB File No. R189-03 which pertain to chapter 453A of the Nevada Administrative Code on February 6, 2004.

**Notice date:** 8/23/2003; 8/24/2003  
**Hearing date:** 12/2/2003; 12/3/2003

**Date of adoption by agency:** 1/6/2004  
**Filing date:** 1/3/2005

**INFORMATIONAL STATEMENT**

1. A public workshop was held on December 2, 2003, in Reno, Nevada, at the Nevada Department of Agriculture Office, 350 Capitol Hill Avenue, Reno, Nevada and on December 3, 2003 at the UNR Cooperative Extension, 2590 Lindell Street, Las Vegas, Nevada.

2. A public hearing was held on December 2, 2003, in Reno, Nevada, at the Nevada Department of Agriculture Office, 350 Capitol Hill Avenue, Reno, Nevada and on December 3, 2003 at the UNR Cooperative Extension, 2590 Lindell Street, Las Vegas, Nevada.

Notice of Workshop and notice of hearing was posted at all six Department offices, the Nevada State Library in Carson City, Nevada, and all Nevada county libraries. The notice of workshop and hearing was posted on the Department's web site. Copies could be requested from the Nevada Department of Agriculture by writing to 350 Capital Hill Avenue, Reno, Nevada, 89502, calling (775) 688-1180, contacting all other Department offices, the Nevada Sate Library in Carson City, and all Nevada county libraries. All persons who have requested to be notified of amendments were notified by fax or e-mail.

3. Workshop held December 2, 2003—Reno

Number attended:	0
Number testified:	0
No written statements were submitted:	0
Summary of comments:	None.

Workshop held December 3, 2003—Las Vegas

Number attended:	0
Number testified:	0
No written statements were submitted:	0
Summary of comments:	None.

4. Hearing held December 2, 2003—Reno

Number attending:	0
Number testifying:	0
Number of written statements submitted:	0

Hearing held December 3, 2003—Las Vegas

Number attending: 0

Number testifying: 0

Number of written statements submitted: 0

5. Comments were solicited from business and the public by posting in public locations and through direct fax and e-mail notices as outlined in #1 above. A copy of the comments and oral and written testimony may be obtained by calling the Nevada Department of Agriculture office, (775) 688-1180.

The Nevada Board of Agriculture adopted the amendments without changes.

6. The economic effects of the adopted amendments on the business which it is to regulate include:

a. Adverse effects:

None

b. Beneficial effects:

None

c. Immediate and long-term economic effects:

The adverse and beneficial effects are the same for immediate and long-term.

7. Economic effects of the proposed amendments on the public include:

a. Adverse effects:

Fees to pay the cost of the program will have to be paid by the participants interested and accepted in the program.

b. Beneficial effects:

Implements the 2003 changes to the Medical Marijuana law.

c. Immediate and long-term economic effects:

The adverse and beneficial effects are the same for immediate and long-term.

8. Economic cost to the agency for the enforcement of the regulation:

There will not be any additional cost to the agency to enforce the amendments adopted.

9. Does not duplicate any law or regulation.

10. The amendments adopted do not include any provisions more stringent than any federal regulation with the same activity.

11. This regulation does establish fees.

The fees collected will be used to cover the cost of the program.