

ADOPTED REGULATION OF THE STATE

DEPARTMENT OF AGRICULTURE

LCB File No. R234-03

Effective August 16, 2004

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

AUTHORITY: §1, NRS 564.080.

A REGULATION relating to brands; creating a fee for processing and continuing administration of a security agreement, provisional assignment or legal lien relating to a brand, or brand and mark, or marks of record; and providing other matters properly relating thereto.

Section 1. NAC 564.010 is hereby amended to read as follows:

564.010 1. The fee for recording the temporary use of a brand pursuant to subsection 3 of NRS 564.025 is \$25.

2. The fee for recording a brand, or brand and mark, or marks pursuant to NRS 564.040 or rerecording a brand, or brand and mark, or marks pursuant to NRS 564.120 is \$100 for each 4-year period. The fee must not be prorated for any unused portion of the period for which the brand, or brand and mark, or marks are recorded or rerecorded.

3. The fee for recording an instrument transferring the ownership of a recorded brand, or brand and mark, or marks pursuant to NRS 564.110 is \$100.

4. The fee for processing and continuing administration of a security agreement, provisional assignment or legal lien relating to a brand, or brand and mark, or marks of record for purposes of NRS 564.110 is \$35 for each period beginning July 1 and ending June 30 of the following year. The fee must not be prorated for any unused portion of the period for

which the processing and continuing administration of a security agreement, provisional assignment or legal lien relating to a brand, or brand and mark, or marks of record are required.

**NOTICE OF ADOPTION OF PROPOSED REGULATION
LCB File No. R234-03**

The State Department of Agriculture adopted regulations assigned LCB File No. R234-03 which pertain to chapter 564 of the Nevada Administrative Code on May 7, 2004.

Notice date: 1/9/2004
Hearing date: 2/6/2004

Date of adoption by agency: 5/7/2004
Filing date: 8/16/2004

INFORMATIONAL STATEMENT

- 1) A suggested change to NAC 564.030, LCB File No. R234-03 was noticed on January 9, 2004. Notices were posted in all (6) offices of the Nevada Department of Agriculture, all county libraries in counties not having offices of the Nevada Department of Agriculture, the offices of the Nevada Cattlemen's Association, Nevada Farm Bureau, and copies of the Notice of Intent to Amend Regulations were sent to all entities holding liens, security agreements, or provisional assignments relating to a brand or brand and mark or mark of record on file with the Nevada Department of Agriculture Division of Livestock Identification. A public workshop was held in Reno on February 6, 2004 and two public hearings were held, one in Reno and one in Las Vegas, on February 6, 2004. Additional provisions for the consideration of written comments from the public were also contained in the Notice of Intent.
- 2) No public attended either the workshop or the public hearings and no written comments were received.
- 3) Comments were solicited from affected businesses by sending any affected business having said instrument on file with the Department a Notice of Intent to Amend Regulation. No comments were received from this solicitation either.
- 4) The suggested permanent regulation amendment was adopted by the State Board of Agriculture at their regularly noticed meeting on May 7, 2004 without change.
- 5) The proposed amendment was expected to have only minimal to no effect, either immediate or long-term upon the regulated community. There is no effect anticipated upon the public, either adverse or beneficial, immediate or long-term.
- 6) There will be only minimal cost to the agency in administration or enforcement of this amendment to the regulations.
- 7) There are no other state or government agency regulations that the proposed amendment duplicates.
- 8) There are no federal regulations relating to the subject of this revision.
- 9) The addition of the fee contained in this amendment is expected to yield approximately \$5,000 to the Division of Livestock Identification. The increased revenue will be used to fund salaries and travel expenses of the Division's brand inspectors and investigators.