

LCB File No. R234-03

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

NOTICE OF WORKSHOP

A workshop will be held on proposed amendment to NAC 564.010 pertaining to fees for processing and continued administration of a security agreement, provisional assignment, or legal lien relating to a livestock brand or brand and mark, or marks of record.

DATE OF WORKSHOP: February 6, 2004

TIME: 3 P.M. PST

PLACE: Nevada Department of Agriculture
350 Capitol Hill Ave.
Reno, Nev. 89502

For clarification on the proposed amendment, see NOTICE OF INTENT TO AMEND, or call Jim Connelley, Administrator at (775) 738-8076

Addresses at which the text of the proposed amendment may be inspected and copied:
Nevada State Library in Carson City and all county libraries.
All offices of the Nevada Department of Agriculture including: Reno, Sparks, Las Vegas, Elko, and Winnemucca during the hours of 8 AM and 5 PM, Monday thru Friday.

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

NOTICE OF INTENT TO AMEND REGULATIONS

Authority—NRS 564.080 as amended in 2003.

Hereby propose an Amendment to NAC 564.010, by adding a section pertaining to fees for processing and continued administration of a security agreement, etc, pertaining to a brand or mark.

Sec. 4. *The fee for processing and continued administration of a security agreement, provisional assignment or legal lien relating to a brand or brand and mark or marks of record shall be \$35 each year beginning July 1 and ending June 30. The fee must not be prorated for any unused portion of the year for which the processing and continued administration of a security agreement, provisional assignment or legal lien relating to a brand or brand and mark or marks of record shall be required.*

Need and purpose of the proposed amendment:

To aid the Division of Livestock Identification (a fee based agency) in more adequately meeting the costs of operations, brand inspector's salaries and travel costs.

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

- 1) Adverse effects: None
- 2) Beneficial effects: None
- 3) Immediate and long-term economic effects: Same

Economic cost to the agency for enforcement of the amendment: There will be no additional cost to the agency for the enforcement of the amendment.

Description of any regulations of any other state, local or federal regulation that the proposed amendment overlaps or duplicates: There are none.

Fees: The proposed amendment contains a fee for services rendered. This fee will generate approximately \$5000-7500 in additional revenue to the Division of Livestock Identification to be used to fund salaries and travel of deputy brand inspectors. The fee will provide incentive for lenders to keep the Division apprised of the status of any such liens.

The date, time, place and manner in which interested parties may present their views on the proposed amendments: Public Hearing on February 6, 2004 at 3:30 PM in the conference room of the Nevada Department of Agriculture, 350 Capitol Hill Ave. Reno, Nv. 89502

Written comments and testimony may be submitted prior to the hearing date(s) above and will be included with any testimony presented at the hearing. All verbal and written testimony will be in the record of the hearing. Submit written testimony to: Jim Connelley, Administrator, Nevada Department of Agriculture, 1351 Elm St. Elko, Nv. 89801

Addresses at which the text of the proposed regulations may be inspected and copied: Nevada State Library in Carson City, and all Nevada county libraries. The Department of Agriculture offices in Reno, Sparks, Carson City, Elko, Las Vegas and Winnemucca during the hours of 8AM through 5PM Monday through Friday.

Note: We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the hearing(s). If special arrangements for the meeting are necessary, please call Jim Connelley at the Department of Agriculture, 775 738-8076, as soon as possible. Upon adoption of any regulation, the agency, if requested to do so by an interested person either before adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against adoption, and incorporate therein its reasons for overruling the consideration urged against its adoption.

Small Business Disclosure

Pursuant to 233B “Nevada Administrative Procedures Act”

Proposed amendment to NAC 564.010, pertaining to fees for processing and continued administration of a security agreement, provisional assignment, or legal lien relating to a livestock brand or brand and mark, or marks of record.

- (1) Does this proposed amendment impose a direct and significant economic burden upon small business? **No**
- (2) Does this proposed amendment restrict the formation, operation or expansion of a small business? **No**

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Explanation—Matter in *italics* is new, matter in brackets is material to be omitted.

AUTHORITY: NRS 564.080 as amended 2003.

NAC 564.010 is hereby amended to read as follows:

4. The fee for processing and continued administration of a security agreement, provisional assignment or legal lien relating to a brand or brand and mark or marks of record shall be \$35 each year beginning July 1 and ending June 30. The fee must not be prorated for any unused portion of the year for which the processing and continued administration of a security agreement, provisional assignment or legal lien relating to a brand or brand and mark or marks of record shall be required.

