

LCB File No. R017-07

**PROPOSED REGULATION OF THE
STATE DAIRY COMMISSION**

NOTICE OF INTENT TO ACT UPON A REGULATION

**Notice of Hearing for the Amendment of Regulations of the
Nevada State Dairy Commission**

The Nevada State Dairy Commission will hold public hearings at 9:30 AM on July 18, 2007 at the Stockman's Casino, 340 Commercial St., Elko, Nevada, and at 9:30 AM on August 15, 2007, at 4600 Kietzke Lane, Room B-111, Reno, Nevada. The purpose of these hearings is to receive comments from all interested persons regarding the amendment of regulations that pertain to chapter 584 of the Nevada Administrative Code.

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. The Nevada Dairy Commission is seeking to amend the regulations under Nevada Administrative Code (NAC) 584.6542 to consolidate the Western and Eastern Nevada Marketing Areas into one marketing area to be called the Northern Nevada Marketing Area. Consolidating these areas will make the licensing and reporting process easier for companies and distributors that conduct dairy business in Nevada.

2. NAC 584.6542 will be amended to read as follows;

NAC 584.6542 Designation

1. The southern Nevada marketing area consists of Clark and Lincoln counties and that part of Nye County south of the 38th parallel.

2. The northern Nevada marketing area consists of Carson City and Churchill, Douglas, Elko, Eureka, Esmeralda, Humboldt, Lander, Lyon, Mineral, Pershing, Storey, Washoe, and White Pine counties and that part of Nye County north of the 38th Parallel.

3. (a) There is expected to be no adverse economic impact on any regulated dairy business or the public. The change will benefit dairy licensees by not requiring them to report dispositions of dairy products in both marketing areas. With the elimination of the need for a Commission meeting in the Eastern Nevada Area, the economic burden on licensees will be reduced by not requiring attendance at that meeting.

(b) The immediate and long-term effect of this regulation amendment will be the elimination of the need for a Commission meeting in Eastern Nevada, and the elimination of the requirement to report the disposition of dairy product in two areas.

4. The amendment of this regulation will have no impact on small businesses. This determination was made after review of the current licensee information and the fact that it will be a benefit to licensees and not hinder their ability to conduct business.
5. Since this amendment is an administrative change, there will be no cost for enforcement.
6. The amendment to this regulation does not overlap or duplicate any other local, state, or federal agency regulation.
7. There are no new fees associated with this amendment. The consolidation of the two areas will actually *eliminate* a fee by allowing one fee to cover both of the current two (Western & Eastern) Nevada marketing areas.

Persons wishing to comment upon the proposed action of the Nevada State Dairy Commission may appear at the scheduled public hearings or may address their comments, data, or arguments in written form to the Nevada Dairy Commission, 4600 Kietzke Lane, Suite A-107, Reno, NV 89502. Written submissions must be received by the Nevada Dairy Commission on or before August 10, 2007. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Nevada Dairy Commission may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be amended will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and regulation will be at the Nevada Dairy Commission offices at 4600 Kietzke Lane, Suite A-107, Reno, Nevada, and 1830 E. Sahara Ave, Suite 112, Las Vegas, Nevada, and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by the members of the public during business hours. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653 and on the internet at <http://www.leg.state.nv.us>. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary. This does not apply to a public body subject to the Open Meeting Law.

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

This notice of hearing has been posted at the following locations:

Nevada Dairy Commission
4600 Kietzke Lane, Suite A-107
Reno, NV 89502

Nevada Dairy Commission
1840 E. Sahara Ave, Suite 112
Las Vegas, NV 89104

Washoe County Library
301 S. Center St.
Reno, NV 89502

Churchill County Library
5553 S. Maine St.
Fallon, NV 89406

Pershing County Library
1125 Central Ave.
Lovelock, NV 89419

Storey County Library
95 South R St.
Virginia City, NV 89440

Eureka Branch Library
P. O. Box 293
Eureka, NV 89316

Humboldt County Library
85 East 5th St.
Winnemucca, NV 89445

Lincoln County Library
93 Main St.
Pioche, NV 89043

Lyon County Library
20 Nevin Way
Yerington, NV 89447

Mineral County Library
P. O. Box 1390
Hawthorne, NV 89415

Las Vegas Library
833 N. Las Vegas Blvd.
Las Vegas, NV 89102

Tonopah Public Library
171 Central St.
Tonopah, NV 89049

Elko County Library
720 Court St.
Elko, NV 89801

Esmeralda County Library
P. O. Box 430
Goldfield, NV 89013

White Pine County Library
950 Campton St.
Ely, NV 89301

Battle Mountain Library
P. O. Box 141
Battle Mountain, NV 89820

Carson City Library
900 N. Roop St.
Carson City, NV 89701

Douglas County Library
P. O. Box 337
Minden, NV 89423

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