

LEGISLATIVE REVIEW OF ADOPTED REGULATIONS--NRS 233B.066
Informational Statement
LCB File No. R066-17

1. A clear and concise explanation of the need for the adopted regulation.

This regulation has been drafted pursuant to public request. The establishment of a certified seed program specific to industrial hemp will result in the production of higher quality seed throughout the state of Nevada. This regulation will give producers the opportunity to opt in to the program to cultivate seed that is more genetically stable compared to seed that is grown without certified designation.

2. Description of how public comment was solicited, a summary of public response, and an explanation of how other interested persons may obtain a copy of the summary.

Copies of the proposed regulations, notices of workshop and notices of intent to act upon the regulation were sent by U.S. mail and email to persons who were known to have an interest in the subject of Pesticide Registration Fees, as well as any persons who had specifically requested such notice. These documents were also made available at the website of the Nevada Department of Agriculture (NDA) www.agri.nv.gov, mailed to all county libraries in Nevada and posted at the following locations:

Nevada Department of Agriculture 405 South 21 st Street Sparks, NV 89431-5566	Nevada Department of Agriculture 2150 Frazer Avenue Sparks, NV 89431
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Nevada Department of Agriculture 2300 E. St Louis Avenue Las Vegas, NV 89104-4314	Nevada Department of Agriculture 4780 E. Idaho Street Elko, NV 89801-4672
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Interested persons may obtain a copy of the summary by contacting:

Nevada Department of Agriculture
Attn: Megan Zich
405 South 21st Street
Sparks, NV 89431

3. The number of persons who:

- (a) Attended each hearing:**
- (b) Testified at each hearing:**
- (c) Submitted written comments:**

Workshop date: November 7, 2017
Number in attendance: 4
Number testifying: 0
Written statements submitted: 0

Hearing date: December 20, 2017
Number in attendance: 8

Number testifying: 0
Written statements submitted: 0

4. For each person identified in paragraphs (b) and (c) of number 3 above, the following information if provided to the agency conducting the hearing:

- (a) Name;**
- (b) Telephone number;**
- (c) Business address;**
- (d) Business telephone number;**
- (e) Electronic mail address; and**
- (f) Name of entity or organization represented.**

1. Lynn Hettrick
Lhettrick35@icloud.com
2. Russ Wilhelm
Rwilhelm@agri.nv.gov
3. Megan Zich
Mzich@agri.nv.gov
4. Mark Kirscheuman
Mdkirsche@hotmail.com
5. Monalisa Samuelson
Monalisaloveslife@gmail.com
6. Derek Connor
Derek@connorpllc.com
7. Ron Almadova
Ron.tff@gmail.com
8. Gavin Walker
gavinlwalkerinc@gmail.com
9. Spencer Mcneal
spencmcneal@gmail.com
10. Steve Mcneal
42055@live.com

5. A description of how comment was solicited from affected businesses, a summary of their response and an explanation of how other interested persons may obtain a copy of the summary.

There are no existing small businesses that will be impacted by these regulations. Information is available on the website at the Department of Agriculture, www.agri.nv.gov.

Interested persons may obtain a copy of the summary by contacting:

Nevada Department of Agriculture
Attn: Jennifer Ott, Administrator, Plant Industry Division
405 South 21st Street
Sparks, NV 89431

- 6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**
Both a workshop and hearing were held to discuss the potential language and there was no significant concerns addressed by the industry that required an alteration to the draft language. The language is consistent with national standards and will allow for certified seed that is grown in the state of Nevada to be distributed throughout the nation, while maintaining its credibility.
- 7. The estimated immediate and long-term economic effect of the regulation on the business which it is to regulate and on the public.**
(a) Estimated economic effect on the businesses which they are to regulate.
(b) Estimated economic effect on the public which they are to regulate.
Certified hemp seed will enhance the profitability of growing and processing industrial hemp in the state of Nevada. These regulations impact those who choose to participate in this optional program. Regulations establish the potential to produce certified, high quality, seed stock that will result in premium prices, allowing producers to see direct economic benefits.
- 8. The estimated cost to the agency for enforcement of the proposed regulation:**
The cost to the agency is minimal and depends on the number and size of applications.
- 9. A description of any regulations of other State or governmental agencies which the regulation overlaps or duplicates and a statement explaining why the duplication or overlap is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.**
The regulations are consistent with national standards and will allow for nation-wide integrity of certified seed grown in the state of Nevada. The goal of these regulations is to provide a degree of uniformity relating to industrial hemp seed, hence a duplication of national standards is necessary. The accrediting body that develops national seed standards is entitled the Association of Official Seed Certifying Agencies (AOSCA).
- 10. If the regulation includes provisions that are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.**

This regulation is not more stringent and is not duplicative of other regulations.

11. If the regulation provides 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.

The proposed new fees are estimated to generate \$4,500.00. the money will be used to offset personnel costs, mileage, and laboratory costs.

I certify that to the best of my knowledge or belief a concerted effort was made to determine the impact of this proposed regulation on small businesses and that the information contained in this statement is accurate.

Jim Barbee
Director
Nevada Department of Agriculture