

**LCB File No. R024-99**

**PROPOSED REGULATION OF THE  
DIVISION OF AGRICULTURE OF THE  
DEPARTMENT OF BUSINESS AND INDUSTRY**

**NOTICE OF ADOPTION OF REGULATION**

The Nevada Division of Agriculture, adopted temporary regulations pertaining to Chapter 564 of the Nevada Administrative Code, on May 14, 1999. A copy of the regulations as adopted are attached hereto.

**PROPOSED AMENDMENT TO NAC 564  
PERTAINING TO FEES FOR BRAND RECORDING**

**Authority: NRS 564.080**

**NAC 564.010 Fees for recording temporary use of brand (NRS 564.030, 564.080)** The fee for recording the temporary use of a brand pursuant to sub-section 3 of NRS 564.025 is ~~[\$15]~~ **\$25.**

**NAC 564.080 Fees for recording, re-recording or the transfer of ownership of livestock brands of legal status, other than temporary brands as described under NRS 564.025(3) and NAC 564.010.**

1. The fee for recording a livestock brand, in this state, shall be \$100.00, per recording for each four (4) year recording period as established under NRS 564.120(1).
2. The fee for re-recording livestock brands of legal record, shall be \$100.00 per brand re-recorded.
3. The fee for the transfer of ownership of a livestock brand, of legal record, shall be \$100.00.
4. The fees for the recording, re-recording and transfer of ownership of livestock brands shall not be prorated for any unused or remaining portion of the recording period.

**NOTE:** For any clarification of these amendments, please contact Dennis Journigan at (775) 738-8076.

## INFORMATIONAL STATEMENT

The following is the informational statement to NAC 564.010 and 564.080.

1. Public workshops were held on April 6, 1999 in Reno, at the Nevada Division of Agriculture office at 350 Capitol Hill Avenue and on April 8, 1999 in Elko, at the Nevada Division of Agriculture office at 1351 Elm Street.

A public hearing was held on May 14, 1999 at the Nevada Division of Agriculture office at 350 Capitol Hill Avenue, Reno, Nevada 89502.

Notice of Workshop and Notice of Hearing were posted at all six Division offices, the Nevada State Library in Carson City and all Nevada County Libraries. Copies could be requested from the Nevada Division of Agriculture by writing to 350 Capitol Hill Avenue, Reno, Nevada 89502, or by calling (775) 688-1180, contacting all other Division offices, and all Nevada County Libraries. All persons who have requested to be notified of amendments were notified by mail.

2. Workshops were held April 6, 1999 (Reno) and April 8, 1999 (Elko).

0 People attended

No written statements were submitted

Hearing was held May 14, 1999 (Reno)

There were no Business or Public attendees.

No written statements were submitted.

3. Comments were solicited from Business and the Public by posting in public and through direct mail notices as outlined(see #1 above). There were no oral or written comments submitted. A copy of the comments may be obtained by calling the Nevada Division of Agriculture at (775) 688-1180.

4. Due to no objections received, the amendments were adopted without change by the Nevada Board of Agriculture on May 14, 1999.

5. The economic effects of the adopted amendments on the Business which it is to regulate:

Adverse effects:

The Business(es) will pay an increased fee for the recording of a temporary brand, for the recording of a permanent brand, for the re-recording of a permanent brand and for the transfer of ownership of a livestock brand of legal record.

Beneficial effects:

**(temporary recording)** An out-of-state livestock owner will be able to temporarily to record his brand in Nevada for one year. This will comply with Nevada statutes and save the owner the cost of permanent recording his brand in Nevada. He will also not have to re-brand his livestock.

**(permanent recording)** a. The increase in the brand recording fee will allow the Bureau to stabilize its budget until year 2005. Any other fee increase for Bureau services will not be requested in the next brand recording period.

b. The owner of a recorded brand will acquire exclusive use of the brand for the four year recording period.

c. The brand will become personal property.

d. The brand will become prima facie proof of ownership of a persons' livestock.

e. The Bureau will more readily be able to identify and return stray and estray animals to their rightful owner(s).

Immediate and long-term economic effects:

The economic effects are both immediate and long-term.

The economic effects of the adoption of the amendments on the Public:

Adverse effects: Increased fees for services provided.

Beneficial effects: The Public will benefit from the Bureau's ability to seek no further fee increases until the year 2005 and from our ability to identify all livestock subject to inspection.

Immediate and long-term effects:

The economic effects are both immediate and long-term.

6. Economic cost to Agency for enforcement of the regulation:

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

7. There are no other State or Federal agency, which the adopted amendments overlap or duplicate.

8. The amendments adopted do not include any provisions more stringent than any other Federal regulation which regulates the same activity.

9. This regulation does establish or increase fees.