

**PROPOSED REGULATION OF THE
STATE BOARD OF AGRICULTURE**

LCB File No. R060-00

April 11, 2000

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

AUTHORITY: §1, NRS 555.238; §2, NRS 555.238 and 555.243.

Section 1. Chapter 555 of NAC is hereby amended by adding thereto a new section to read as follows:

1. Except as otherwise provided in subsection 3, the minimum annual fee for a nursery license is \$130, to which must be added the following amount for each:

(a) Additional nursery of a licensee who has paid the minimum nursery license fee, \$130.

(b) Acre of nursery stock in production or portion thereof after the first acre, \$10 up to a maximum additional fee of \$200.

(c) Agent acting on behalf of a licensed nursery established in this state and operating outside of the county in which the nursery is located, \$25.

(d) Peddler, \$70.

2. The director may reduce the amount of the nursery license fee set forth in subsection 1 if:

(a) The applicant for the issuance or renewal of a nursery license submits a written request to the director that includes:

(1) If he is applying for a renewal of his nursery license, the amount of income from the sale of nursery stock that he has received in the 12 months immediately preceding the date of the application and the amount of time that he has been operating a nursery; or

(2) If he is applying for an initial nursery license, the amount of income from the sale of nursery stock he expects to receive in the 12 months immediately following the date of the application; and

(b) The director determines that the applicant has demonstrated that the payment of the fee set forth in subsection 1 would cause a financial hardship to the applicant that would preclude him from operating a nursery.

3. If the director determines pursuant to subsection 2 that a financial hardship exists, the minimum annual fee for a nursery license is \$50, to which must be added the following amount for each:

(a) Additional nursery of a licensee who has paid the minimum nursery license fee, \$20.

(b) Acre of nursery stock in production or portion thereof after the first acre, \$2 up to a maximum additional fee of \$20.

(c) Agent acting on behalf of a licensed nursery established in this state and operating outside of the county in which the nursery is located, \$5.

(d) Peddler, \$50.

4. As used in this section:

(a) "Agent" has the meaning ascribed to it in NRS 555.238.

(b) "Peddler" has the meaning ascribed to it in NRS 555.238.

Sec. 2. NAC 555.100 is hereby amended to read as follows:

555.100 As used in NAC 555.100 to 555.235, inclusive, *and section 1 of this regulation*, unless the context otherwise requires, the words and terms defined in NAC 555.101 to 555.109, inclusive, have the meanings ascribed to them in those sections.