

LCB File No. R097-02

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

Nevada Department of Agriculture
350 Capitol Hill Avenue
Reno, Nev. 89502

NOTICE OF INTENT TO AMEND REGULATIONS

Authority—NRS 565.070

Proposed amendment to NAC 565.230, pertaining to fees for brand inspection of livestock.

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 salaries for Brand Inspectors and the costs associated with their travel.

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

- 1) Adverse effects: None
- 2) Beneficial effects: None
- 3) Immediate and long term economic effects: The beneficial and adverse effects are the same for the immediate and the long term.

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

Description of any regulations of any other state, local or federal regulation that the proposed amendments overlap or duplicate: There are none.

Fees: The proposed amendments contain an increase in fees. These increases in fees will yield approximately \$100,000 in additional revenue to the Division of Livestock Identification which will be used to fund salaries and travel of brand inspectors.

The date, time, place and manner in which interested parties may present their views on the proposed amendments:

- July 29, 2002 at 7pm at the Department of Agriculture, 1351 Elm St., Elko, Nev.
- July 30, 2002 at 4pm at the Department of Agriculture, 2300 McLeod, Las Vegas, Nv.
- July 31, 2002 at 4pm at the Department of Agriculture, 251 Jeanell #3, Carson City, Nv.

August 1, 2002 at 1pm at the Department of Agriculture, 1200 E. Winnemucca Blvd., Winnemucca, Nev.

Manner: Written comments and testimony may be submitted prior to the hearing date(s) and will be included with any testimony presented at the hearing. All variable and written testimony will be in the record of the hearing.

Addresses at which the text of the proposed regulations may be inspected and copied:

The Nevada State Library in Carson City, and all Nevada county libraries. The Department of Agriculture offices in Reno, Sparks, Elko, Las Vegas or Winnemucca during the hours of 8am until 5pm Monday through Friday.

Nevada Department of Agriculture
350 Capitol Hill Avenue
Reno, Nevada 89502

Nevada Department of Agriculture
2150 Frazer Street
Sparks, Nevada 89431

Nevada Department of Agriculture
1550 S. Wells Avenue
Reno, Nevada 89502

Nevada Department of Agriculture
1200 E. Winnemucca Blvd.
Winnemucca, Nevada 89445

Nevada Department of Agriculture
1351 Elm Street
Elko, Nevada 89801

Nevada Department of Agriculture
2300 McLeod
Las Vegas, Nevada 89104

NOTE: We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the hearing. If special arrangements for the meeting are necessary, 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.

Paul Iverson, Director _____

Date _____

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

Proposed amendment to NAC 565.230, pertaining to fees for brand inspection of livestock.

NAC 565.230 Fees. (NRS 565.040)

1. Except as otherwise provided in subsections 2, 3, and 4, and NAC 565.220, an owner of livestock must pay the following fees for the brand inspection of the livestock:

(a) If the owner has given the brand inspector notice of at least 24 hours and the inspection takes place at a location designated by the brand inspector:

(1) For the inspection of 1 to 10 head of livestock, ~~77~~ 9; and

(2) For the inspection of 11 or more head of livestock, ~~70~~ 90 cents per head.

(b) If the owner did not give the brand inspector notice of at least 24 hours or the inspection takes place at a location designated by the owner, in addition to the fees set forth in paragraph (a):

(1) For the travel time of the brand inspector from his duty station to the place of inspection and from the place of inspection to his duty station, \$12 per hour.

(2) For the time necessary for the inspector to conduct the inspection, \$12 per hour.

(3) For the mileage of the brand inspector to reach the place of inspection from his duty station and to reach his duty station from the place of inspection, the amount of mileage reimbursement that the brand inspector is entitled to receive from this state.

2. An owner of horses must pay the following fees for the brand inspection of the horses:

(a) If the owner has given the brand inspector notice of at least 24 hours and the inspection takes place at a location designated by the brand inspector:

(1) For the first horse inspected, ~~77~~ 10; and

(2) For each additional horse inspected, ~~44~~ 2 each.

(b) If the owner did not give the brand inspector notice of at least 24 hours or the inspection takes place at a location designated by the owner, in addition to the fees set forth in paragraph (a):

(1) For the travel time of the brand inspector from his duty station to the place of inspection and from the place of inspection to his duty station, \$12 per hour.

(2) For the time necessary for the brand inspector to conduct the inspection, \$12 per hour.

(3) For the mileage of the brand inspector to reach the place of inspection from his duty station and to reach his duty station from the place of inspection, the amount of mileage reimbursement that the brand inspector is entitled to receive from this state.

3. If a brand inspector has been assigned to inspect the brands of livestock at a sale conducted by a livestock commission company and the sale is conducted on a weekly basis, the amount of the brand inspection fee is:

(a) For cattle, ~~70~~ 90 cents per head of livestock consigned.

(b) For horses:

(1) ~~Seven~~ Ten dollars for the first horse consigned by the owner; and

(2) ~~One~~ Two dollars for each additional horse consigned by the same owner.

4. If a brand inspector has been assigned to a special sale of horses or bulls, the amount of the brand inspection fee is, in addition to the fees set forth in paragraphs (a) and (b) of subsection 3:

(a) For the travel time of the brand inspector from his duty station to the place of inspection and from the place of inspection to his duty station, \$12 per hour.

(b) For the time necessary for the brand inspector to conduct the inspection, \$12 per hour.

(c) For the mileage of the brand inspector to reach the place of inspection from his duty station and to reach his duty station from the place of inspection, the amount of mileage reimbursement that the brand inspector is entitled to receive from this state.

The fees set forth in this subsection must be paid on all consigned cattle and horses regardless of whether the cattle or horses are actually sold at the special sale.

5. All fees collected pursuant to this section must be forwarded biweekly to the division along with the original brand inspection certificate covering the inspection for which the fees were collected, unless prior arrangements have been made with the district brand inspector.

6. When livestock is consigned to a livestock commission company within this state, the only time at which a fee may be collected for brand inspection is when the change of ownership of the livestock occurs.