

**ADOPTED REGULATION OF THE
STATE BOARD OF AGRICULTURE**

LCB File No. R096-06

Effective May 31, 2007

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

AUTHORITY: §1, NRS 555.310.

A REGULATION relating to pesticides; establishing the fees for licensure of a principal or agent of a business that engages in pest control; and providing other matters properly relating thereto.

Section 1. NAC 555.397 is hereby amended to read as follows:

555.397 1. Except as otherwise provided in subsection 3, an applicant for a license must pay to the Director, as applicable:

(a) For examination or reexamination, a testing fee of \$25 for each category of pest control in which the applicant wishes to be examined;

(b) For licensure of a pest control business, a licensing fee of \$250; ~~[and]~~

(c) For licensure of ~~[an]~~ *a principal or* operator, a licensing fee of \$50 ~~[;]~~ *; and*

(d) For licensure of an agent, a licensing fee of \$350.

2. The Director will charge a fee of \$25 to issue a duplicate license to replace a license that has been lost, mutilated or destroyed.

3. An applicant for licensure *of a pest control business or principal* may request a hardship fee reduction in licensing fees by submitting a written request for such a reduction to the Director. The request must include the amount of income the applicant has received from the application of pest control for at least the immediately preceding 12 months or for the duration of

the business of the applicant, whichever is shorter. The Director may grant a hardship fee reduction if he determines that paying the fee described in subsection 1 would require the business of the applicant to cease operations or would prevent the business from beginning operations because of lack of money. If the Director grants a hardship fee reduction, the fee for licensure of a pest control business is \$50 and the fee for licensure of ~~{an operator}~~ *a principal* is \$15. The Director may not grant a hardship fee reduction for a testing fee.

NOTICE OF ADOPTION OF PROPOSED REGULATION
LCB File No. R096-06

The State Board of Agriculture adopted regulations assigned LCB File No. R096-06 which pertain to chapter 555 of the Nevada Administrative Code on May 26, 2006.

INFORMATIONAL STATEMENT

INFORMATIONAL STATEMENT (NRS 233B.066) regarding workshops and hearings held to adopt regulation changes to the Custom Application of Pesticides NAC 555.310.

1. A public workshop & hearing was held on April 20, 2006 for the Custom Application of Pesticides regulation changes in Reno, Nevada at the Nevada Department of Agriculture, 350 Capitol Hill Avenue, teleconferenced to Las Vegas, Nevada, Nevada Department of Agriculture, 2300 McLeod.
2. A public workshop & hearing was held on April 25, 2006 for the Custom Application of Pesticides regulation changes in Las Vegas, Nevada at the Nevada Department of Agriculture, 2300 McLeod.

Notice of workshop and notice of hearing were posted at all six Department offices, the Nevada State Library in Carson City, Nevada, and all Nevada county libraries. Copies could be requested from the Nevada Department of Agriculture, Division of Plant Industry by writing to 350 Capitol Hill Avenue, Reno, Nevada 89502, calling 775-688-1182, contacting all other Department offices, the Nevada State Library in Carson City, and all Nevada county libraries. Notification was sent to all persons requesting to be notified of the amendment on April 10, 2006.

3. Workshop held April 20, 2006 Reno & Las Vegas **Custom Application of Pesticides**
Number Attended: 7
Number Testified: 7
Number of Written Statements: 0

Summary of comments or written statements: The proposed regulations were accepted and approved by those in attendance without any changes.

4. Workshop held April 25, 2006 Las Vegas **Custom Application of Pesticides**
Number Attended: 7
Number Testified: 6
Number of Written Statements: 1 (attached)
Summary of comments:
5. Hearing held April 20, 2006 Reno & Las Vegas **Custom Application of Pesticides**
Number Attended: 5
Number Testified: 0
Number of written statements: 0

Summary of comments: No comments given.

6. Hearing held April 25, 2006 Las Vegas **Custom Application of Pesticides**
Number attended: 5
Number testifying: 0
Number of written comments: 0
Summary of comments: No comments given.
7. Comments were solicited from businesses and the public, by posting in public locations and through direct mail and email notices as outlined in #2 above. A copy of comments and oral and written testimony may be obtained by calling the Nevada Department of Agriculture office, 775-688-1180, ext 272.
8. The Nevada Department of Agriculture adopted the amendments as outlined in documents LCB File # RO96-06 for Custom Application of Pesticides.
9. The economic effects of the proposed amendments on the businesses that it is to regulate include:
 - a. Adverse effects: A \$350.00 licensing fee is required for a business to license an agent.
 - b. Beneficial effects: Having agents will improve the ability of pest control companies to solicit new customers.
 - c. Immediate and long-term economic effects: Same
10. The economic effects of the proposed amendments on the public include:
 - a. Adverse effects: none
 - b. Beneficial effects: none
 - c. Immediate and long-term economic effects: same
11. Economic cost to the agency for the enforcement of the regulation: There will not be any additional cost to the agency to enforce the amendments when adopted.
12. There is no other state or federal agency regulations that the proposed amendments overlap or duplicate.
13. The proposed amendments do not include any provisions more stringent than any federal regulation with the same activity.