

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

LCB File No. R097-11

November 3, 2011

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

AUTHORITY: §1, NRS 565.040 and 565.070.

A REGULATION relating to brand inspections; deleting provisions which require the payment of certain expenses for an inspection which takes place at a location designated by an owner of livestock; and providing other matters properly relating thereto.

Section 1. NAC 565.230 is hereby amended to read as follows:

565.230 1. Except as otherwise provided in this section and NAC 565.220, an owner of livestock must pay the following fees for the brand inspection of the livestock if the owner has given the brand inspector notice of at least 24 hours:

- (a) For the inspection of the first head of livestock, \$10; and
- (b) For the inspection of each additional head of livestock, \$1 per head.

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

- (a) For the first horse inspected, \$10; and
- (b) For each additional horse inspected, \$3 each.

3. If an owner of cattle requests a brand inspection and, before conducting the brand inspection, the brand inspector determines that a brand inspection of the cattle may be effectively conducted in the district and authorizes the owner of the cattle to bring the cattle to the brand

inspector or to the office of the Division for the brand inspection, the owner must pay a fee of \$1 for each head of cattle inspected.

4. In addition to any fees required to be paid pursuant to subsection 1 or 2, if an owner of livestock did not give the brand inspector notice of at least 24 hours ~~[, the inspection takes place at a location designated by the owner]~~ or a brand inspection or reinspection is required because of a violation of a provision of chapter 564, 565, 566 or 569 of NRS or is conducted on a day that is a state holiday, the owner must pay:

(a) For the travel time of the brand inspector from his or her duty station to the place of inspection and from the place of inspection to the duty station, \$16 per hour.

(b) For the time necessary for the brand inspector to conduct the inspection, \$16 per hour.

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

5. 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, \$1 per head of livestock consigned.

(b) For horses:

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

(2) Three dollars for each additional horse consigned by the same owner.

6. 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 5:

(a) For the travel time of the brand inspector from his or her duty station to the place of inspection and from the place of inspection to the duty station, \$16 per hour.

(b) For the time necessary for the brand inspector to conduct the inspection, \$16 per hour.

(c) For the mileage of the brand inspector to reach the place of inspection from his or her duty station and to reach the 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.

7. If an owner of livestock requests an inventory inspection of the livestock, the owner must pay the following fees:

(a) For each head of livestock inspected, 40 cents.

(b) For the travel time of the brand inspector from his or her duty station to the place of inspection and from the place of inspection to the duty station, \$16 per hour.

(c) For the time necessary for the brand inspector to conduct the inspection, \$16 per hour.

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

8. All fees collected pursuant to this section must be forwarded biweekly to the Department together with the original brand inspection clearance certificate covering the inspection for which the fees were collected, unless prior arrangements have been made with the Administrator.

9. If 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.

10. As used in this section, “inventory inspection” means a brand inspection of all livestock maintained as inventory by an owner of livestock. The term does not include a brand inspection that is conducted:

- (a) For the issuance of a brand inspection clearance certificate; or
- (b) To transport any livestock.