



Division of Consumer Equitability
Workshop Minutes – LCB File No. R079-20I
Tuesday, December 8, 2020 at 2:00 p.m.

Remote Meeting

Information:

Nevada Department of Agriculture (NDA)

Location: Web-ex meeting:

Meeting number (access code): 126 260 7528

Meeting password: kqPzVMFm832 (57798636 from phones and video systems)

COVID-19 Notice

ALL PERSONS WISHING TO ATTEND THE MEETING WERE REQUIRED TO ATTEND VIA WEBEX OR TELEPHONICALLY.

- The open meeting law (Nevada Revised Statutes Chapter 241) requires public bodies to conduct their meetings with at least one physical location.
- Under Declaration of Emergency Directive 006, issued March 22, 2020, the physical location requirement was suspended.

A video recording of the meeting is available for public review. To review the recording, please contact the NDA Division of Consumer Equitability at 775-353-3782 or email ce@agri.nv.gov.

WORKSHOP MEETING MINUTES

The workshop was called to order at 2:03 p.m. PDT by Cadence Matijevich, Administrator, NDA Division of Consumer Equitability.

Persons in attendance(virtual):

Cadence Matijevich, Administrator, NDA Division of Consumer Equitability

L. Kipp Blauer, Weights & Measures Inspector IV, NDA Division of Consumer Equitability

Dustin Redus, Weights & Measures Inspector IV, NDA Division of Consumer Equitability

James Kellames, Metrologist III, NDA Division of Consumer Equitability

Brandon Harmon, NDA Division of Consumer Equitability

Brett Fisher, NDA Administrative Assistant III

Rebecca Allured, Public Information Officer, NDA

Carrie Ridgel, The Office Boss

Bob Roll, Nevada Cinderlite

Mr. Gopal, India Market and Café

Jared Kupcak, Nevada Cement

Joshua Ahuna, Moen

Mirna Ruacho, C Markets

Peter Krueger, Nevada Petroleum Marketers and Convenience Store Association (NVPMCSA)

J. Seavey, Caesar's
Robby Singh, Singh Market
Rebecca Stortell-Penoyer, Penoyer Farms, LLC
Maggie Miller, Cardenas Markets
Neena Laxalt

Ms. Matijevich noted that the workshop was being held virtually via WebEx using either computer or telephone and that the workshop had been properly noticed as required by Nevada Open Meeting law.

Ms. Matijevich provided instruction to the meeting participants about how to address potential technical problems of the WebEx online meeting platform and to use the "chat" and "raise hand" functions when wishing to provide comment. Ms. Matijevich requested that all persons identify themselves by name and indicating any affiliation when providing comment. Instruction was given to those participating by phone as to how to mute and unmute their line to provide comment. Instruction was given that written public comment could be provided by email to the email address included in the workshop agenda and which was provided in the chat window of the online meeting.

Ms. Matijevich noted that the workshop was being recorded to meet the requirements of Nevada Open Meeting Law.

I. **Public Comment

No public comment was submitted.

II. The Nevada Department of Agriculture (NDA) solicited comments from interested persons on the following general topics that may be addressed in proposed regulations (LCB File Nos. R079-20I).

Ms. Matijevich indicated that the proposed regulations were posted to the website of the Nevada Department of Agriculture. Ms. Matijevich noted that the proposed regulations are as originally submitted to the Nevada Legislative Counsel Bureau (LCB) and that a review draft has not yet been returned to NDA by LCB. Ms. Matijevich indicated that if a review draft is not received by LCB by the end of December that NDA may pursue adoption of the proposed regulations as temporary regulations.

Ms. Matijevich provided a brief summary of each section of the proposed regulations amending chapters 581 and 582 of Nevada Administrative Code, as well as the purpose of the various proposed revisions. At the end of the summary for each section Ms. Matijevich solicited questions and comments from the attendees. Ms. Matijevich noted that section 11 of the proposed regulation draft was included in error and would not be included in the final regulations adopted by the agency. Ms. Matijevich indicated that the increase to the licensing fees included in the proposed regulations would not be effective until July 1, 2022. The following comments and questions were provided by attendees:

- Ms. Stortell-Penoyer, Penoyer Farms, expressed concern about the increases to fees included in the proposed regulations.
- Mr. Krueger, NVPMCSA, inquired about the proposed regulations which require notification of transfer of ownership of a weighing and measuring device and if the requirement would apply to a device which is being removed from service as commercial weighing and measuring equipment. Ms. Matijevich responded that the requirement only applied to those devices which are being used as commercial weighing and measuring equipment. Ms. Matijevich added that there is an existing requirement that notice must be provided to NDA of any device which is newly placed into service as commercial weighing and measuring equipment.
- Ms. Stortell-Penoyer, Penoyer Farms, inquired as to applicability of the regulations to private scales. Ms. Matijevich responded that as long as the weighing and measuring device is not being used for a commercial purpose, the device is not required to be licensed and is not subject to the proposed regulations.

Ms. Matijevich called for any additional comments or questions on the proposed regulation. No additional comments or questions were submitted.

Ms. Matijevich reiterated that comments may be submitted in writing to ce@agri.nv.gov

Ms. Matijevich indicated that NDA intended to adopt the regulations in January of 2021, and that the status of the regulations as temporary or permanent would be dependent upon receipt of an LCB review draft by the end of December 2020.

III. Public Comment

No public comment was submitted.

IV. Adjourn

Ms. Matijevich thanked the workshop attendees for their participation and adjourned the workshop at 2:40 p.m. PDT.