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PROPOSED REGULATION OF THE NEVADA DEPARTMENT OF AGRICULTURE

LCB File No. R101-20 and LCB File No. R100-20

DIVISION OF ANIMAL INDUSTRY

NOTICE OF WORKSHOP TO SOLICIT COMMENTS ON PROPOSED REGULATION

The Nevada Department of Agriculture, 405 South 21st Street, Sparks, Nevada, 89431, is proposing the Amendment of regulations pertaining to Chapter 564 and Chapter 565 of the Nevada Administrative Code (NAC). A workshop has been set for:

Date: Tuesday, May 18, 2021

Time: 9:00 AM PDT

Location: This meeting will be held virtually via Webex, which allows participation by computer or telephone.* **Remote Meeting Information:**

To join by Webex, click on the URL and enter the meeting number and password when prompted:

<https://nevadadepartmentofagriculture.my.webex.com/nevadadepartmentofagriculture.my/j.php?MTID=m3dd0525643271f1352e38113a036a083>

Meeting Number: 142 027 1906

Password: dsFt4hYWp63 (37384499 from phones and video systems)

To join by telephone, call the phone-in number and enter the access code when prompted.

Phone-in Access #: 1-408-418-9388 United States Toll

Access Code: 142 027 1906

If you need help using Webex, visit <http://help.webex.com>.

***COVID-19 Notice**

ALL PERSONS WISHING TO ATTEND THE MEETING MUST 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 has been suspended.

NOTICE OF SECOND WORKSHOP TO SOLICIT COMMENTS ON PROPOSED REGULATION

Agenda

9:00 AM PDT May 18, 2021

Note: Items on the agenda may be taken out of the posted order, items may be combined for consideration, and items may be pulled or removed from the agenda.

- I. **Public Comment:** In consideration of others who may wish to provide public comment, please avoid repetition and limit your comment to three (3) minutes per person. Unused time may not be reserved by the speaker nor allocated to another speaker.
- II. Overview of Proposed Changes in NAC Chapter 564 and Chapter 565**

The Nevada Department of Agriculture (NDA) will hold a workshop to solicit comments from interested persons on the following general topics that may be addressed in proposed regulations (LCB File No. R101-20 and LCB File No. R100-20)

1. LCB File No. R101-20 includes updates and additions to Nevada Administrative Code (NAC) chapter 564.
 - Existing law authorizes the State Department of Agriculture to establish and collect reasonable fees for certain recording services relating to the branding of animals. (NRS 564.080) Existing regulations establish fees for: (1) recording the temporary use of a brand; (2) recording and rerecording a brand, or a brand and mark, or marks; (3) recording an instrument transferring the ownership of a recorded brand, or brand and mark, or marks; and (4) processing and continuing administration of a security agreement, provisional assignment or legal lien relating to a brand, or brand and mark, or marks of record. (NAC 564.010) This proposed regulation revises such fees.
2. LCB File No. R100-20 includes updates and additions to Nevada Administrative Code (NAC) chapter 565.
 - Existing law sets forth certain circumstances when the owner of animals is required to obtain a brand inspection. (NRS 565.040, 565.090) Section 1 of this regulation clarifies that a brand inspection must be a visual inspection of the animals.
 - Existing law authorizes the State Department of Agriculture to levy and collect a reasonable fee for a brand inspection. (NRS 565.070) Existing regulations set forth the fees for a brand inspection. (NAC 565.230) Section 3 of this regulation: (1) revises such fees; and (2) sets forth the acceptable methods of payment for such fees.
 - Existing law authorizes the Department to establish regulations specifying circumstances under which a permit may be issued authorizing the movement of livestock without a brand inspection. (NRS 565.090) Existing regulations authorize, under certain circumstances: (1) the movement of horses without a brand inspection pursuant to a horse permit; and (2) the movement of livestock without a brand inspection pursuant to a livestock movement permit. (NAC 565.220) Section 2 of this regulation revises the fees for these permits. Section 2 also authorizes the movement of

livestock without a brand inspection pursuant to an event permit to move animals out of this State or across the boundaries of a brand inspection district for use in a rodeo, show, fair or other public exhibition.

- Existing regulations require animals which are consigned to a regular sale or special sale be charged for a brand inspection regardless of whether the animals are sold. (NAC 565.200) Section 1 additionally requires animals consigned to an annual sale be charged for a brand inspection regardless of whether the animals are sold.

III. **Public Comment: In consideration of others who may wish to provide public comment please avoid repetition and limit your comment to three minutes per person. Unused time may not be reserved by the speaker nor allocated to another speaker.

IV. Adjourn

**This item is to receive public comment on any issue, provided that comment will be limited to areas relevant to and within the authority of the Nevada Department of Agriculture. No action will be taken on any items raised in the public comment period. At the direction of the Department, public comment may be received prior to action on individual agenda items. Public comment may not be limited based on viewpoint.

A copy of all materials relating to the proposal may be obtained by visiting the Department's website at agri.nv.gov or by contacting the Animal Industry Division at 775-353-3607 or animalindustry@agri.nv.gov. A reasonable fee for copying or postage may be charged. Members of the public who would like additional information about a proposed regulation may contact the Animal Division by email at animalindustry@agri.nv.gov.

Persons wishing to make oral comment upon the regulation draft of the Nevada Department of Agriculture may participate at the scheduled workshop. Persons wishing to submit written testimony or documentary evidence may submit the material by emailing animalindustry@agri.nv.gov or by mailing to the following address: Nevada Department of Agriculture, Animal Industry, 405 S. 21st ST, Sparks, NV 89431.

Reasonable efforts will be made for members of the public who have disabilities and require special accommodations for assistance at the meeting. Please contact the Department at 775-353-3607 or animalindustry@agri.nv.gov prior to the meeting.

Notice of this meeting was sent to all person's on the Department's mailing list for administrative regulations, posted on or before 9 a.m. fifteen days before the meeting at the following locations: the Nevada Department of Agriculture website at agri.nv.gov, the Nevada Public Notices website at notice.nv.gov, and was sent to the Nevada Legislative Counsel Bureau for posting at <https://www.leg.state.nv.us/App/Notice/A/>.

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