

**PROPOSED REGULATION OF THE
STATE BOARD OF AGRICULTURE**

LCB File No. R092-11

NOTICE OF INTENT TO ACT UPON A REGULATION

**Notice of Hearing for the Amendment
of Regulations of the
Nevada Department of Agriculture**

The Nevada Department of Agriculture will hold a public hearing 2 pm., on December 5, 2011, at Agriculture Headquarters, 405 South 21st Street, Sparks, NV 89431; Phone: (775) 353-3601. The purpose of the hearing is to receive comments from all interested persons regarding the Amendment of regulations that pertain to chapter 555 of the Nevada Administrative Code.

The following information is provided pursuant to the requirements of NRS 233B.0603:

The purpose is to solicit public comments from interested persons on the following proposed regulation:

LCB File No. R092-11: A REGULATION relating to agriculture; increasing fees for licensing of dealers of nursery stock; deleting a provision requiring under certain circumstances the Director of the State Department of Agriculture to charge one-half of the annual fee otherwise required for licensing dealers of nursery stock; and providing other matters properly relating thereto.

The original LCB file can be found and downloaded from the following link:
<http://www.leg.state.nv.us/register/2011Register/R092-11I.pdf>

The LCB approved revision can be found on the Nevada Department of Agriculture website at www.agri.state.nv.us.

For details and additional updates and changes as suggested during the workshop process, contact:

Peggy McKie
Nevada Department of Agriculture
405 South 21st Street
Sparks, NV 89431
(775) 353-3672
pgmckie@agri.nv.gov

Workshops were held and comments solicited to determine an estimate of the impacts on small business owners.

The fees will increase the cost to businesses, but will not cause an active business to go out of business. NRS 555.236 has a hardship provision to prevent this. There is no adverse effect on the public.

Businesses will benefit from the continued service of full time inspection staff. The public will benefit because the frequency in which nursery stock being offered for sale to the public is inspected for plant pests that have detrimental economic or environment effects can continue at its present level.

There will be no additional cost to the Nevada Department of Agriculture for enforcement of the proposed regulation.

The proposed regulation will not overlap or duplicate any regulations set by federal, state or local governmental agencies.

The proposed regulation is not required by federal law.

The proposed regulation does not include any provisions more stringent than a federal regulation that regulates the same activity.

The proposed regulation increases an existing fee.

Persons wishing to comment upon the proposed action of the Nevada Department of Agriculture may appear at the scheduled public hearing or may address their comments, data, views, or arguments, in written form, the

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405 S. 21st Street
Sparks, NV 89431
ATTN: Peggy McKie
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pgmckie@agri.state.nv.us**

Written submissions must be received by the Nevada Department of Agriculture on or before December 2, 2011. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Nevada Department of Agriculture may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be amended will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be amended will be available at:

Nevada Department of Agriculture
405 South 21st Street
Sparks, NV 89431

Nevada Department of Agriculture
2300 McLeod
Las Vegas, NV 89104

Nevada Department of Agriculture
 4780 E. Idaho Street
 Elko, NV 89445

Nevada Department of Agriculture
 2150 Frazer Street
 Sparks, NV 89431

and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://www.leg.state.nv.us>. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

This notice of hearing has been posted at the following locations:

The Nevada State Library in Carson City, and all Nevada county libraries. The Department of Agriculture offices in Sparks, , Las Vegas or Elko during the hours of 8:00 a.m. until 5:00 p.m. Monday through Friday.

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Churchill County Library 553 South Maine Street Fallon, NV 89406	Clark County District Library 833 Las Vegas Boulevard North Las Vegas, NV 89101	Elko County Library 720 Court Street Elko, NV 89801
Esmeralda County Library Corner of Crook & 4 th Streets Goldfield, NV 89013	Eureka Branch Library P.O. Box 293 10190 Monroe Street Eureka, NV 89316-0293	Humboldt County Library 85 East 5 th Street Winnemucca, NV 89445
Lincoln County Library 63 Main Street Pioche, NV 89043	Lyon County Library 20 Nevin Way Yerington, NV 89447	Mineral County Library 110 1 st Street Hawthorne, NV 89415

Nevada Farm Bureau Federation 2165 Green Vista Drive, Suite 205 Sparks, NV 89431	Tonopah Public Library 167 Central Street Tonopah, NV 89049	Pershing County Library 1125 Central Avenue Lovelock, NV 89419
Storey County Public Library 95 South R Street Virginia City, NV 89440	Washoe County Library 301 South Center Street Reno, NV 89501	White Pine County Library 950 Campton Street Ely, NV 89301
Lander County Library 625 South Broad Street Battle Mountain, NV 89820	Carson City Library 900 N. Roop Street Carson City, NV 89702	Douglas County Library 1625 Library Lane Minden, NV 89423
State Library 100 North Stewart Street Carson City, NV 89701-4285	Smith Valley Library 22 Day Lane Smith, NV 89430	Las Vegas Review Journal Ed Vogel/Capital Bureau 102 N. Curry Street Carson City, NV 89703