
SENATE BILL NO. 484—COMMITTEE ON NATURAL RESOURCES

MARCH 24, 2003

Referred to Committee on Natural Resources

SUMMARY—Makes various changes concerning provisions relating to Garlic and Onion Growers’ Advisory Board and certain assessments levied upon growers of garlic or onions. (BDR 49-1274)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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

AN ACT relating to agriculture; revising the membership of the Garlic and Onion Growers’ Advisory Board; eliminating the refund for certain assessments paid for growing and harvesting garlic or onions; revising the date by which a grower of garlic or onions must pay such an assessment; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 556.020 is hereby amended to read as follows:
- 2 556.020 1. The Garlic and Onion Growers’ Advisory Board,
- 3 consisting of five members, is hereby created.
- 4 2. Two members of the Advisory Board must be:
- 5 (a) Citizens of the United States;
- 6 (b) Residents of the State of Nevada; and
- 7 (c) Garlic growers actively engaged in the growing and
- 8 producing of garlic in the State of Nevada who derive a substantial
- 9 portion of their annual income from growing garlic.
- 10 3. Two members of the Advisory Board must be:
- 11 (a) Citizens of the United States;
- 12 (b) Residents of the State of Nevada; and



1 (c) Onion growers actively engaged in the growing and
2 producing of onions in the State of Nevada who derive a substantial
3 portion of their annual income from growing onions.

4 4. One member of the *Advisory* Board must be ~~[-~~
5 ~~-(a) A]~~ a citizen of the United States ~~[-]~~ and *be*:

6 (a) *Actively engaged in the industry of processing garlic or*
7 *onions;*

8 (b) A member of ~~[the American Dehydrated Onion and Garlic~~
9 ~~Association.]~~ *an association which represents the interests of*
10 *persons actively engaged in the industry of processing garlic or*
11 *onions; or*

12 (c) *Actively engaged in the research of garlic or onions.*

13 **Sec. 2.** NRS 556.070 is hereby amended to read as follows:

14 556.070 ~~[-]~~ The Department shall, on or before August 1 of
15 each year, fix an annual special assessment not to exceed \$10 per
16 acre to be levied upon all garlic and onions grown *and harvested* in
17 this state ~~[-]~~ *for commercial use*. The Department shall collect the
18 assessment and transmit the proceeds to the State Treasurer for
19 credit to the Garlic and Onion Research and Promotion Account.

20 ~~[2.—On or before June 30 of each year, any person who has paid~~
21 ~~the special assessment levied pursuant to this section may file a~~
22 ~~claim for a refund with the Department accompanied by a receipt~~
23 ~~showing payment. Upon verification of the correctness of the claim,~~
24 ~~the Department shall transmit the claim to the State Controller for~~
25 ~~payment from the Garlic and Onion Research and Promotion~~
26 ~~Account.]~~

27 **Sec. 3.** NRS 556.080 is hereby amended to read as follows:

28 556.080 All assessments levied pursuant to the provisions of
29 NRS 556.070 must be ~~[-]~~ *paid* :

30 1. *Paid* to the Department by the grower of garlic or onions
31 ~~[-]~~ *and must be paid* ; *and*

32 2. *Paid* by December 1 of each year for the ~~[grower of garlic,~~
33 ~~and by May 1 of each year for the grower of onions, or within 30~~
34 ~~days after the planting of garlic or onions after those dates.]~~ *garlic*
35 *or onions harvested within the 12 months immediately preceding*
36 *that date.*

37 **Sec. 4.** NRS 556.090 is hereby amended to read as follows:

38 556.090 Any grower who fails ~~[-]~~ *to file a return or* to pay any
39 assessment pursuant to NRS 556.070 ~~[-]~~ *within the period* *by*
40 *December 1 of each year as* required by NRS 556.080 forfeits to the
41 Department a penalty of 5 percent of the amount of the assessment
42 due and 1 percent of the assessment due for each month of delay or
43 fraction thereof after ~~[-]~~ *the end of the month in which the return was*
44 ~~required to be filed or in which~~ *December 31 of the year that* the
45 assessment became due. The Department, if satisfied the delay was



1 excusable, may remit any part of the penalty. The penalty must be
2 paid to the Department and deposited for credit to the Garlic and
3 Onion Research and Promotion Account.

4 **Sec. 5.** NRS 561.423 is hereby amended to read as follows:

5 561.423 1. The Garlic and Onion Research and Promotion
6 Account is hereby created in the State General Fund. The proceeds
7 of the special assessment levied pursuant to NRS 556.070 must be
8 credited to the Account . ~~[and all refunds made pursuant to NRS
9 556.070 must be paid from the Account.]~~

10 2. Expenditures from the Account may be made only for:

11 (a) Garlic and onion research programs and marketing-
12 promotion programs;

13 (b) Administrative, per diem and travel expenses of the Garlic
14 and Onion Growers' Advisory Board; and

15 (c) Reimbursement to the Department for administrative
16 expenses of the Department, not to exceed 5 percent of the
17 assessments collected.

18 **Sec. 6.** This act becomes effective on July 1, 2003.

