
SENATE BILL NO. 486—COMMITTEE ON NATURAL RESOURCES

(ON BEHALF OF THE DEPARTMENT OF AGRICULTURE)

MARCH 24, 2003

Referred to Committee on Natural Resources

SUMMARY—Makes various changes regarding livestock and other animals. (BDR 50-570)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State: Yes.

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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 animals; increasing the number of persons on the State Board of Agriculture; abolishing the State Board of Sheep Commissioners; transferring the powers and duties of the State Board of Sheep Commissioners to the State Board of Agriculture and the State Quarantine Officer; establishing a minimum for the special tax on sheep; revising provisions governing the payment of administrative expenses incurred by the State Board of Agriculture; authorizing a fee for brand inspections; providing for the gathering and disposition of feral livestock; abolishing the Nevada Beef Council; repealing the tax to promote beef; making various changes relating to quarantines of livestock and other animals; providing in certain circumstances for the recovery of the full appraised value of diseased animals which are destroyed; providing penalties; and providing other matters properly relating thereto.

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



* S B 4 8 6 *

1 **Section 1.** NRS 561.045 is hereby amended to read as follows:
2 561.045 There is hereby created in the Department a State
3 Board of Agriculture composed of ~~10~~ **11** members appointed by
4 the Governor.

5 **Sec. 2.** NRS 561.055 is hereby amended to read as follows:
6 561.055 1. Three members of the Board must be actively
7 engaged in range or semirange cattle production, one in ~~dairying,~~
8 **dairy production, one in range or semirange sheep production,**
9 one in general farming, one in general agriculture, one in growing
10 crops which are planted in rows spaced to permit mechanical
11 cultivation, one in the control of pests, one in the petroleum industry
12 and one in raising nursery stock.

13 2. Not more than two members may be residents of the same
14 county, and the range or semirange cattle production members must
15 be residents of different counties.

16 **Sec. 3.** NRS 561.218 is hereby amended to read as follows:
17 561.218 1. The Director shall appoint a person to manage the
18 activities of the Department relating to natural resources, land use
19 planning and the management and control of wild horses ~~and~~
20 **estrays,** **estrays and feral livestock.** The person must be appointed
21 on the basis of merit and is in the unclassified service of the State.
22 The Director may remove the person from office with the approval
23 of the Board.

24 2. The person appointed shall:
25 (a) Establish and carry out a policy for the management and
26 control of estrays and the preservation and allocation of natural
27 resources necessary to advance and protect the livestock and
28 agricultural industries in this state.

29 (b) Develop cooperative agreements and working relationships
30 with federal and state agencies and local governments for land use
31 planning and the preservation and allocation of natural resources
32 necessary to advance and protect the livestock and agricultural
33 industries in this state.

34 (c) Cooperate with private organizations and governmental
35 agencies to develop procedures and policies for the management and
36 control of wild horses.

37 (d) Monitor gatherings of estrays **and feral livestock** conducted
38 pursuant to the provisions of NRS 569.040 to 569.130, inclusive,
39 **and section 30 of this act,** and assist district brand inspectors in
40 identifying estrays before they are sold or given a placement or
41 other disposition through a cooperative agreement established
42 pursuant to NRS 569.031.

43 (e) Provide the members of the general public with information
44 relating to the activities of the Department and solicit



1 recommendations from the members of the general public and
2 advisory groups concerning those activities.

3 (f) Make assessments of the level of competition between
4 livestock and wildlife for food and water, collect data concerning
5 the movement of livestock and perform activities necessary to
6 control noxious weeds.

7 (g) Participate in land use planning relating to the competition
8 for food and water between livestock and wildlife to ensure the
9 maintenance of the habitat of both livestock and wildlife.

10 (h) Present testimony, conduct research and prepare reports for
11 the Governor, the Legislature, the Director and any other person or
12 governmental entity as directed by the Director.

13 (i) Develop and carry out a program to educate the members of
14 the general public concerning the programs administered by the
15 Department, including programs for the management and control of
16 estrays ~~[]~~ *and feral livestock.*

17 (j) Make proposals to the Director for the amendment of the
18 regulations adopted by the Board pursuant to NRS 561.105.

19 (k) Perform such other duties as directed by the Director.

20 3. As used in this section:

21 (a) "Estray" has the meaning ascribed to it in ~~[NRS 569.005.]~~
22 *section 27 of this act.*

23 (b) *"Feral livestock" has the meaning ascribed to it in section*
24 *28 of this act.*

25 (c) "Wild horse" has the meaning ascribed to it in NRS 504.430.

26 **Sec. 4.** NRS 561.305 is hereby amended to read as follows:

27 561.305 The Department shall establish and maintain a
28 laboratory for the following purposes:

29 1. The diagnosis of infectious, contagious and parasitic
30 diseases of ~~[livestock,]~~ *animals*, as may be necessary under the
31 provisions of chapter 571 of NRS.

32 2. The diagnosis of infectious, contagious and parasitic
33 diseases of bees, as may be necessary under the provisions of NRS
34 552.085 to 552.310, inclusive.

35 3. The diagnosis of infectious, contagious and destructive
36 diseases of agricultural commodities, and infestations thereof by
37 pests, as may be necessary under the provisions of NRS 554.010 to
38 554.240, inclusive.

39 4. The survey and identification of insect pests, plant diseases
40 and noxious weeds, and the maintenance of a herbarium, as may be
41 necessary under the provisions of NRS 555.010 to 555.249,
42 inclusive.

43 5. The testing of pesticides, as may be necessary under the
44 provisions of NRS 555.2605 to 555.460, inclusive, and 586.010 to
45 586.450, inclusive.



1 6. The safekeeping and maintenance of official standards of
2 weights and measures, as may be necessary under the provisions of
3 chapter 581 of NRS.

4 7. The testing and grading of agricultural products and the
5 testing of the purity and germinating power of agricultural seeds and
6 the testing of the spray residue contained in produce, as may be
7 necessary under the provisions of chapter 587 of NRS.

8 8. The analysis and testing of commercial fertilizers and
9 agricultural minerals, as may be necessary under the provisions of
10 NRS 588.010 to 588.350, inclusive.

11 9. The analysis and testing of petroleum products, as may be
12 necessary under the provisions of NRS 590.010 to 590.150,
13 inclusive.

14 10. The analysis and testing of antifreeze, as may be necessary
15 under the provisions of NRS 590.340 to 590.450, inclusive.

16 11. Any laboratory examinations, diagnoses, analyses or
17 testing as may be deemed necessary by the Director and which can
18 be made with equipment available in any such laboratory. Any
19 resident of this state may submit samples to the Department for
20 examination, diagnosis, analysis or testing, subject to such rules and
21 regulations as may be adopted by the Director.

22 **Sec. 5.** NRS 561.335 is hereby amended to read as follows:

23 561.335 1. The Revolving Account for Agriculture Working
24 Capital in the amount of \$10,000 is hereby created for the use of the
25 Department.

26 2. The Account must be used specifically for carrying out the
27 provisions of NRS 569.005 to 569.080, inclusive, *and sections 24 to*
28 *30, inclusive, of this act*, and 569.100 to 569.130, inclusive.

29 3. The Account may be used for:

30 (a) Paying the expenses of all programs and laws administered
31 by the Department, except expenses related to estrays *and feral*
32 *livestock* which are required to be paid pursuant to NRS 569.090.
33 The Account must be reimbursed promptly from the proper funds in
34 the State Treasury by claims paid as other claims against the State
35 are paid for any expenses paid pursuant to this paragraph.

36 (b) Providing advance money to officers and employees of the
37 Department for travel expenses and subsistence allowances arising
38 out of their official duties or employment. Such an advance
39 constitutes a lien in favor of the Department upon the accrued wages
40 of the requesting officer or employee in an amount equal to the sum
41 advanced, but the Director may advance more than the amount of
42 the accrued wages of the officer or employee. Upon the return of the
43 officer or employee, he is entitled to receive any authorized
44 expenses and subsistence in excess of the amount advanced, and a



1 sum equal to the advance must be paid into the Revolving Account
2 for Agriculture Working Capital.

3 (c) Making grants and loans for any purpose authorized by
4 subsection 2 of NRS 561.445. Any loan or grant made pursuant to
5 this paragraph must be reimbursed promptly, as other claims against
6 the State are paid, from the money deposited in the State Treasury
7 pursuant to subsection 1 of NRS 561.445.

8 4. The Revolving Account for Agriculture Working Capital
9 must be deposited in a bank or credit union qualified to receive
10 deposits of public money and the deposit must be secured by a
11 depository bond satisfactory to the State Board of Examiners.

12 **Sec. 6.** NRS 561.344 is hereby amended to read as follows:

13 561.344 1. The Livestock Inspection Account is hereby
14 created in the State General Fund for the use of the Department.

15 2. The following special taxes, fees and other money must be
16 deposited in the Livestock Inspection Account:

17 (a) All special taxes on livestock as provided by law . ~~[-, except~~
18 ~~the assessment collected pursuant to NRS 565.075 and any tax~~
19 ~~levied pursuant to NRS 575.070.]~~

20 (b) Fees and other money collected pursuant to the provisions of
21 chapter 564 of NRS.

22 (c) Fees collected pursuant to the provisions of chapter 565 of
23 NRS.

24 (d) Unclaimed proceeds from the sale of estrays *and feral*
25 *livestock* by the Department pursuant to NRS 569.005 to 569.130,
26 inclusive, *and sections 24 to 30, inclusive, of this act*, or proceeds
27 required to be deposited in the Livestock Inspection Account
28 pursuant to a cooperative agreement established pursuant to
29 NRS 569.031.

30 (e) Fees collected pursuant to the provisions of chapter 573 of
31 NRS.

32 (f) Fees collected pursuant to the provisions of chapter 576 of
33 NRS.

34 (g) Laboratory fees collected for the diagnosis of infectious,
35 contagious and parasitic diseases of ~~[livestock,]~~ *animals*, as
36 authorized by NRS 561.305, and as are necessary pursuant to the
37 provisions of chapter 571 of NRS.

38 3. Expenditures from the Livestock Inspection Account must
39 be made only for carrying out the provisions of this chapter and
40 chapters 564, 569, 571, 573 and 576 of NRS.

41 4. The interest and income earned on the money in the
42 Livestock Inspection Account, after deducting any applicable
43 charges, must be credited to the Account.



1 **Sec. 7.** NRS 562.010 is hereby amended to read as follows:
2 562.010 As used in this chapter, "Board" means the State
3 Board of ~~[Sheep Commissioners.]~~ *Agriculture.*

4 **Sec. 8.** NRS 562.130 is hereby amended to read as follows:
5 562.130 The Board may:

6 1. Employ a secretary and such inspectors and other employees
7 as it may find necessary to carry out the provisions of this chapter.

8 2. Prescribe the duties and fix the compensation and travel and
9 subsistence expenses of its employees and volunteers.

10 3. Require such bonds from its inspectors as it determines
11 necessary.

12 4. Request the Director of the State Department of Agriculture
13 to designate, pursuant to NRS 561.225, one or more employees of
14 the Department to issue sheep permits. ~~[and act as sheep inspectors
15 if the Board and its inspectors are unable to do so.]~~

16 **Sec. 9.** NRS 562.150 is hereby amended to read as follows:

17 562.150 The Board shall render a *written* report of its activities
18 ~~[in writing]~~ *relating to the implementation of this chapter* to the
19 Governor on or before October 31, ~~[1968,]~~ *2003*, and each 2 years
20 thereafter.

21 **Sec. 10.** NRS 562.170 is hereby amended to read as follows:

22 562.170 1. ~~[The]~~ *Except as otherwise provided in this*
23 *section, the* rate of tax fixed by the Board, as provided for in NRS
24 562.160, must not exceed the equivalent of 18 cents per head on all
25 sheep. *The minimum tax that must be paid annually by an owner*
26 *of sheep is \$5.*

27 2. The tax paid by an owner of sheep must be deposited in the
28 state or county treasury in which the State Sheep Inspection
29 Account is located for credit to that Account. The money in the
30 State Sheep Inspection Account must be made available and
31 disbursed by the proper state or county officials upon request of the
32 Board for the purposes provided for in this chapter.

33 **Sec. 11.** NRS 562.220 is hereby amended to read as follows:

34 562.220 *1.* The salaries, compensation and expenses
35 provided for in this chapter must be paid out of the State Sheep
36 Inspection Account.

37 *2. Necessary administrative expenses incurred by the Board*
38 *in carrying out the provisions of this chapter may be paid from the*
39 *State Sheep Inspection Account, except that such administrative*
40 *expenses must not exceed 5 percent of the annual collected tax*
41 *receipts.*

42 **Sec. 12.** NRS 562.250 is hereby amended to read as follows:

43 562.250 ~~[The Board shall have]~~

44 *1. Except as otherwise provided in subsection 2, the Board*
45 *has* exclusive control of all matters pertaining to the sheep industry.



1 2. *The State Quarantine Officer has exclusive authority over*
2 *matters concerning diseases of sheep and may adopt such*
3 *regulations as are necessary to carry out his duties pursuant to*
4 *this subsection.*

5 **Sec. 13.** NRS 562.270 is hereby amended to read as follows:
6 562.270 The Board ~~[shall have the power to]~~ *may* make and
7 enforce ~~[-~~

8 ~~—1. Rules and regulations for governing itself.~~
9 ~~—2. Rules]~~ *rules* and regulations deemed necessary by it for the
10 enforcement of the provisions of this chapter.

11 **Sec. 14.** NRS 562.290 is hereby amended to read as follows:

12 562.290 1. The Board is authorized to accept, on behalf of
13 the State, the rules and regulations prepared by the Secretary of
14 Agriculture of the United States, ~~[under and in pursuance of section~~
15 ~~3 of an Act of Congress, approved May 29, 1884, entitled “An act~~
16 ~~for the establishment of the bureau of animal industry, to prevent the~~
17 ~~exportation of diseased cattle, and to provide means for the~~
18 ~~suppression and extirpation of pleuropneumonia and other~~
19 ~~contagious diseases among domestic animals,” being 21 U.S.C. §~~
20 ~~114.]~~ and to cooperate with the authorities of the United States in
21 the enforcement of ~~[the provisions of such act.]~~ *any federal rules*
22 *and regulations pertaining to the sheep industry.*

23 2. All action taken by the employees of the United States while
24 acting under the provisions of this chapter as state inspectors of
25 sheep and bucks ~~[shall]~~ *must* be exercised under the joint
26 supervision of the Board and the Secretary of Agriculture.

27 **Sec. 15.** NRS 562.460 is hereby amended to read as follows:

28 562.460 1. Each inspector shall:

29 (a) ~~[Inspect all the sheep within the district assigned to him~~
30 ~~when so ordered by the Board.~~

31 ~~—(b) Make and issue a certificate or bill of health for all sheep~~
32 ~~whose owners have complied with the law and the orders, rules and~~
33 ~~regulations made and adopted by the Board.~~

34 ~~—2. Each certificate or bill of health shall describe the sheep with~~
35 ~~the marks and brands thereon, which certificate or bill of health~~
36 ~~shall entitle the owner or agent in charge to pass with such sheep~~
37 ~~from one district to another in the State.~~

38 ~~—3. The inspector shall immediately file with the Board a~~
39 ~~duplicate of all certificates issued by him.]~~ *At the request of the*
40 *owner of sheep, perform a brand inspection of the sheep for*
41 *brands or marks; and*

42 (b) *Upon the completion of such an inspection, issue a brand*
43 *inspection clearance certificate in accordance with NRS 565.120.*

44 2. *The State Department of Agriculture may levy and collect*
45 *a reasonable fee for brand inspections as authorized under the*



1 *provisions of this chapter. Any fee so levied must be collected in*
2 *the manner prescribed by the Director of the Department and*
3 *deposited into the Livestock Inspection Account.*

4 **Sec. 16.** NRS 567.030 is hereby amended to read as follows:
5 567.030 The Committee consists of five members. ~~{One~~
6 ~~member}~~ *Two members* must be designated ~~{from among its~~
7 ~~members}~~ by the State Board of Agriculture ~~{}~~ *from among its*
8 *members, one of which must be the appointee for range or*
9 *semirange sheep production.* One member must be designated
10 ~~{from among its members}~~ by the Board of Wildlife Commissioners
11 ~~{. One member must be designated}~~ from among its members . ~~{by~~
12 ~~the State Board of Sheep Commissioners.}~~ One member must be
13 designated ~~{from among its members}~~ by the State Board of Health
14 ~~{}~~ *from among its members.* One member must be designated
15 ~~{from among its members}~~ by the Nevada Farm Bureau ~~{}~~ *from*
16 *among its members.*

17 **Sec. 17.** NRS 567.040 is hereby amended to read as follows:
18 567.040 1. Upon and following its organization the
19 Committee shall select its own Chairman.

20 2. The Secretary of the State Board of ~~{Sheep Commissioners}~~
21 *Agriculture* shall serve as Secretary of the Committee.

22 **Sec. 18.** NRS 567.060 is hereby amended to read as follows:
23 567.060 1. The office of the Committee must be located in
24 the office of the State Board of ~~{Sheep Commissioners.}~~
25 *Agriculture.*

26 2. Such miscellaneous administrative expenses as are necessary
27 for the conduct of the Committee's affairs, aside from travel and
28 subsistence expenses of the members and the Secretary, such as
29 stationery and postage, must be paid from and are a proper charge
30 against the State Sheep Inspection Account of the State Board of
31 ~~{Sheep Commissioners.}~~ *Agriculture.*

32 **Sec. 19.** NRS 567.100 is hereby amended to read as follows:
33 567.100 As used in NRS 567.100 to 567.170, inclusive:
34 1. "Board" means the State Board of ~~{Sheep Commissioners.}~~
35 *Agriculture.*

36 2. "Committee" means the Committee to Control Predatory
37 Animals of the State Board of ~~{Sheep Commissioners.}~~ *Agriculture.*

38 **Sec. 20.** NRS 567.110 is hereby amended to read as follows:
39 567.110 1. Upon receipt of the reports from the committee
40 for assessing livestock pursuant to NRS 575.180, the ~~{State Board of~~
41 ~~Sheep Commissioners.}~~ *Board,* acting as the Committee to Control
42 Predatory Animals, may levy an annual special tax of not to exceed
43 the equivalent of 20 cents per head on all sheep and goats.

44 2. The special tax is designated as the tax for control of
45 predatory animals.



1 3. Notice of the tax must be sent by the Board to the county
2 assessor or treasurer of each county that is administering the special
3 taxes on livestock, and to the State Department of Agriculture on or
4 before the first Monday in May of each year.

5 **Sec. 21.** NRS 567.110 is hereby amended to read as follows:
6 567.110 1. Upon receipt of the reports from the State
7 Department of Agriculture pursuant to NRS 575.180, the ~~[State~~
8 ~~Board of Sheep Commissioners,] Board,~~ acting as the Committee to
9 Control Predatory Animals, may levy an annual special tax of not to
10 exceed the equivalent of 20 cents per head on all sheep and goats.

11 2. The special tax is designated as the tax for control of
12 predatory animals.

13 3. Notice of the tax must be sent by the Board to the State
14 Department of Agriculture on or before the first Monday in May of
15 each year.

16 **Sec. 22.** NRS 567.170 is hereby amended to read as follows:
17 567.170 ~~[Administrative expenses necessary on the part of]~~
18 *Necessary administrative expenses incurred by* the Board in
19 carrying out the provisions of NRS 567.100 to 567.170, inclusive,
20 are a proper charge against and payable from the State Sheep
21 Inspection Account ~~[]~~, *except that such administrative expenses*
22 *must not exceed 5 percent of the annual collected tax receipts.*

23 **Sec. 23.** Chapter 569 of NRS is hereby amended by adding
24 thereto the provisions set forth as sections 24 to 30, inclusive, of this
25 act.

26 **Sec. 24.** *“Alternative livestock” has the meaning ascribed to*
27 *it in NRS 501.003.*

28 **Sec. 25.** *“Department” means the State Department of*
29 *Agriculture.*

30 **Sec. 26.** *“Director” means the Director of the Department.*

31 **Sec. 27.** *“Estray” means any domesticated livestock or*
32 *progeny of domesticated livestock showing signs of domestication,*
33 *running at large upon public or private lands in the State of*
34 *Nevada, whose owner is unknown in the section where the animal*
35 *is found.*

36 **Sec. 28.** *“Feral livestock” means any formerly domesticated*
37 *livestock or progeny of domesticated livestock which have become*
38 *wild and are running at large upon public or private lands in the*
39 *State of Nevada, and which have no physical signs of*
40 *domestication. The term does not include horses or burros that are*
41 *subject to the jurisdiction of the Federal Government pursuant to*
42 *the Wild Free-Roaming Horses and Burros Act, 16 U.S.C. §§ 1331*
43 *to 1340, inclusive, and any regulations adopted pursuant thereto,*
44 *or any other federal statute or regulation.*

45 **Sec. 29.** *“Livestock” means:*



- 1 1. All cattle or animals of the bovine species;
- 2 2. All horses, mules, burros and asses or animals of the
- 3 equine species;
- 4 3. All swine or animals of the porcine species;
- 5 4. All goats or animals of the caprine species;
- 6 5. All sheep or animals of the ovine species;
- 7 6. All poultry or domesticated fowl or birds; and
- 8 7. All alternative livestock.

9 **Sec. 30.** 1. The Department may sell all feral livestock
 10 which it has gathered if the Department determines that the sale of
 11 the feral livestock is necessary to facilitate the placement or other
 12 disposition of the feral livestock.

13 2. Except as otherwise provided in subsection 3, before the
 14 Department may sell feral livestock, the Department must publish
 15 notice of the sale of the feral livestock in a newspaper published at
 16 the county seat of the county in which the gathering of the feral
 17 livestock occurred. If there is no newspaper published at the
 18 county seat of the county, the notice must be published in the
 19 newspaper published at the nearest point to that county seat. A
 20 notice of a sale published pursuant to this section need not include
 21 full descriptions of the feral livestock, but may include such
 22 information and details as the Department determines necessary.

23 3. The Department may sell injured, sick or otherwise
 24 debilitated feral livestock if, as determined by the Department, the
 25 sale of the feral livestock is necessary to facilitate the placement or
 26 other disposition of the feral livestock. If feral livestock is sold
 27 pursuant to this subsection, the Department shall give a brand
 28 inspection clearance certificate to the purchaser.

29 **Sec. 31.** NRS 569.005 is hereby amended to read as follows:
 30 569.005 As used in NRS 569.005 to 569.130, inclusive, *and*
 31 *sections 24 to 30, inclusive, of this act*, unless the context otherwise
 32 requires ~~it~~:

- 33 ~~—1. “Department” means the State Department of Agriculture.~~
- 34 ~~—2. “Director” means the Director of the Department.~~
- 35 ~~—3. “Estray” means any livestock running at large upon public~~
 36 ~~or private lands in the State of Nevada, whose owner is unknown in~~
 37 ~~the section where the animal is found.~~
- 38 ~~—4. “Livestock” means:~~
 - 39 ~~—(a) All cattle or animals of the bovine species;~~
 - 40 ~~—(b) All horses, mules, burros and asses or animals of the equine~~
 41 ~~species;~~
 - 42 ~~—(c) All swine or animals of the porcine species;~~
 - 43 ~~—(d) All goats or animals of the caprine species;~~
 - 44 ~~—(e) All sheep or animals of the ovine species; and~~



1 ~~—(f) All poultry or domesticated fowl or birds.]~~, *the words and*
2 *terms defined in sections 24 to 29, inclusive, of this act have the*
3 *meanings ascribed to them in those sections.*

4 **Sec. 32.** NRS 569.010 is hereby amended to read as follows:
5 569.010 1. Except as otherwise provided by law, all estrays
6 *and feral livestock* within this state shall be deemed for the purpose
7 of this section to be the property of the Department.

8 2. The Department has all rights accruing pursuant to the laws
9 of this state to owners of those animals, and may:

10 (a) Dispose of estrays *and feral livestock* by sale through an
11 agent appointed by the Department; or

12 (b) Provide for the control, placement or disposition of estrays
13 *and feral livestock* through cooperative agreements pursuant to
14 NRS 569.031.

15 3. Except as otherwise provided by law, all money collected
16 for the sale or for the injury or killing of any such animals must be
17 held for 1 year, subject to the claim of any person who can establish
18 legal title to any animal concerned. All money remaining unclaimed
19 must be deposited in the Livestock Inspection Account after 1 year.
20 The Department may disallow all claims if it deems the claims
21 illegal or not showing satisfactory evidence of title.

22 4. The Department or any political subdivision of this state is
23 not liable for any trespass or other damage caused by any of those
24 estrays ~~[]~~ *or feral livestock.*

25 **Sec. 33.** NRS 569.020 is hereby amended to read as follows:

26 569.020 1. Any county, city, town, township or other peace
27 officer or poundmaster who impounds under the provisions of any
28 state law or county or municipal ordinance any livestock shall,
29 immediately after impounding the livestock, send a written notice to
30 the Department.

31 2. The notice must contain a full description, including all
32 brands and marks, sex, age, weight, color and kind, of each animal
33 so impounded.

34 3. ~~[]~~ *For the sale of livestock if* the owner of the livestock is
35 not known, and ~~[in case of]~~ *for* the sale of the impounded livestock
36 as prescribed by law, all notices posted or advertisements published
37 by any officer or other person having charge of the sale must
38 include, *unless the livestock is feral livestock,* a complete
39 description of each animal to be sold, including all brands and
40 marks, sex, age, weight, color and kind.

41 **Sec. 34.** NRS 569.031 is hereby amended to read as follows:

42 569.031 The Department may enter into a cooperative
43 agreement for the control, placement or disposition of the livestock
44 with another agency of this state or with a county, city, town,



1 township, peace officer, poundmaster or nonprofit organization. If
2 an agreement is entered into, it must provide for:

3 1. The responsibility for the payment of the expenses incurred
4 in taking up, holding, advertising and making the disposition of the
5 estray ~~[]~~ *or feral livestock*, and any damages for trespass allowed
6 pursuant to NRS 569.440;

7 2. The disposition of any money received from the sale of the
8 livestock;

9 3. The protection of the rights of a lawful owner of an estray *or*
10 *feral livestock* pursuant to NRS 569.040 to 569.130, inclusive ~~[]~~ ,
11 *and section 30 of this act*; and

12 4. The designation of the specific geographic area of this state
13 to which the cooperative agreement applies.

14 The Department shall annually review the actions of the cooperating
15 person or entity for compliance with the agreement. The Department
16 may cancel the agreement upon a finding of noncompliant actions.

17 **Sec. 35.** NRS 569.040 is hereby amended to read as follows:

18 569.040 1. Except as otherwise provided in subsection 2,
19 NRS 569.040 to 569.130, inclusive, *and section 30 of this act*, or
20 pursuant to a cooperative agreement established pursuant to NRS
21 569.031, it is unlawful for any person or his employees or agents,
22 other than an authorized agent of the Department, to:

23 (a) Take up any estray *or feral livestock* and retain possession of
24 it; or

25 (b) Feed any estray ~~[]~~ *or feral livestock*.

26 2. For a first violation of paragraph (b) of subsection 1, a
27 person ~~[may]~~ *must* not be cited or charged criminally but must be
28 informed that it is unlawful to feed an estray ~~[]~~ *or feral livestock*.

29 **Sec. 36.** NRS 569.045 is hereby amended to read as follows:

30 569.045 1. Before *the Director or* any *other* person gathers
31 any ~~[estrays horses, he shall]~~ *estrays or feral livestock, he must*
32 cause notice of the gathering to be published in a newspaper of
33 general circulation within the county in which the gathering is to
34 take place.

35 2. The notice must:

36 (a) Be published at least once a week for the 4 weeks preceding
37 the gathering;

38 (b) Clearly identify the area in which the gathering is to take
39 place and the date and time of the gathering;

40 (c) *If feral livestock are to be gathered, include a full*
41 *description of the species of feral livestock to be gathered;*

42 (d) Indicate a location where owners or possible owners of the
43 ~~[estrays horses]~~ *estrays or feral livestock* may go to claim an estray
44 ~~[horse]~~ *or feral livestock* that was gathered; and



1 ~~[(4)]~~ (e) List the name and telephone number of a person who
2 may be contacted if an owner or possible owner is interested in
3 viewing the ~~[estray horses]~~ *estrays or feral livestock* gathered.

4 **Sec. 37.** NRS 569.070 is hereby amended to read as follows:

5 569.070 1. Except as otherwise provided in subsection 4, if
6 the owner or probable owner of an estray cannot with reasonable
7 diligence be determined by the Department or its authorized agent,
8 the Department shall advertise the estray or cause it to be advertised.

9 2. A notice of the estray, with a full description, giving brands,
10 marks and colors thereon, must be published in a newspaper
11 published at the county seat of the county in which the estray was
12 taken up. If there is no newspaper published at the county seat of the
13 county, the notice must be published in the newspaper published at
14 the nearest point to that county.

15 3. Expenses incurred in carrying out the provisions of
16 subsections 1 and 2 must be deducted from the proceeds of the sale
17 of the estray advertised.

18 4. ~~[Except as otherwise provided in NRS 562.420, the]~~ *The*
19 Department may sell an injured, sick or otherwise debilitated estray
20 if, as determined by the Department, the sale of the estray is
21 necessary to facilitate the placement or other disposition of the
22 estray. If an estray is sold pursuant to this subsection, the
23 Department shall give a brand inspection clearance certificate to
24 the purchaser.

25 **Sec. 38.** NRS 569.080 is hereby amended to read as follows:

26 569.080 1. If an estray is not claimed within 5 working days
27 after the last publication of the advertisement required by NRS
28 569.070, it must be:

29 (a) Sold by the Department; or

30 (b) Held by the Department until the estray is given a placement
31 or other disposition through a cooperative agreement established
32 pursuant to NRS 569.031.

33 2. *If feral livestock is not claimed by the date of sale*
34 *published pursuant to section 30 of this act, the feral livestock*
35 *must be sold by the Department pursuant to section 30 of this act*
36 *or placed pursuant to NRS 569.031.*

37 3. If the Department sells the estray ~~[or]~~ *or feral livestock*, the
38 Department shall give a brand inspection clearance certificate to the
39 purchaser.

40 ~~[3.—Estray horses]~~

41 4. *Estrays and feral livestock* must be marked, ~~[or]~~ branded *or*
42 *identified with an individual animal identification* before *sale or*
43 placement.



1 **Sec. 39.** NRS 569.090 is hereby amended to read as follows:
2 569.090 1. Except as otherwise provided pursuant to a
3 cooperative agreement established pursuant to NRS 569.031, the
4 Department shall:

5 (a) Pay the reasonable expenses incurred in taking up, holding,
6 advertising and selling the estray ~~[]~~ *or feral livestock*, and any
7 damages for trespass allowed pursuant to NRS 569.440, from the
8 proceeds of the sale of the estray *or feral livestock* and shall place
9 the balance in an interest-bearing checking account in a bank or
10 credit union qualified to receive deposits of public money. The
11 proceeds from the sale and any interest on those proceeds, which are
12 not claimed pursuant to subsection 2 within 1 year after the sale,
13 must be deposited in the State Treasury for credit to the Livestock
14 Inspection Account.

15 (b) Make a complete record of the transaction, including ~~[the]~~
16 *any* marks and brands and other means of identification of the
17 estray, and shall keep the record available for inspection by
18 members of the general public.

19 2. If the lawful owner of the estray *or feral livestock* is found
20 within 1 year after its sale and proves ownership to the satisfaction
21 of the Department, the net amount received from the sale must be
22 paid to the owner.

23 3. If any claim pending 1 year after the date of sale is denied,
24 the proceeds and any interest thereon must be deposited in the
25 Livestock Inspection Account.

26 **Sec. 40.** NRS 569.100 is hereby amended to read as follows:

27 569.100 1. A person who takes up an estray *or feral livestock*
28 as provided for in NRS 569.040 to 569.130, inclusive, *and section*
29 *30 of this act* is entitled to hold the estray *or feral livestock* lawfully
30 until relieved of custody by the Department.

31 2. A person shall not use or cause to be used, for profit or
32 otherwise, any estray *or feral livestock* in his keeping under the
33 provisions of NRS 569.040 to 569.130, inclusive ~~[]~~, *and section 30*
34 *of this act*. A violation of this subsection shall be deemed grand
35 larceny or petit larceny, as set forth in NRS 205.2175 to 205.2707,
36 inclusive, and the person shall be punished as provided in those
37 sections.

38 3. Any person taking, leading or driving an estray *or feral*
39 *livestock* away from the possession of the lawful holder, as specified
40 in NRS 569.040 to 569.130, inclusive, *and section 30 of this act*,
41 except as otherwise provided in this section, is subject to all the
42 penalties under the law, whether *or not* he is the claimant of the
43 estray or ~~[not]~~ *feral livestock*.



1 **Sec. 41.** NRS 569.110 is hereby amended to read as follows:
2 569.110 If any ~~{such estray or estrays,}~~ *estrays or feral*
3 *livestock*, after having been taken up *by a person* in accordance with
4 the provisions of NRS 569.040 to 569.130, inclusive, ~~{escape or are}~~
5 *and section 30 of this act, escapes or is* removed from the custody
6 of the ~~{taker-up}~~ *person* before being disposed of under the
7 provisions of NRS 569.040 to 569.130, inclusive, ~~{then such taker-~~
8 ~~up shall have}~~ *and section 30 of this act, the person has* the legal
9 right to recover the ~~{same}~~ *estrays or feral livestock* wherever found
10 ~~{, to be held by such taker-up}~~ *and to hold it* until *it is* disposed of as
11 provided ~~{for}~~ in NRS 569.040 to 569.130, inclusive ~~{}~~ , *and*
12 *section 30 of this act.*

13 **Sec. 42.** NRS 569.120 is hereby amended to read as follows:
14 569.120 Estrays *and feral livestock* may be taken up by
15 authorized agents of the Department. The disposal of the estrays *and*
16 *feral livestock* must be conducted in the manner set forth in the
17 provisions of NRS 569.040 to 569.130, inclusive ~~{}~~ , *and section 30*
18 *of this act.*

19 **Sec. 43.** NRS 569.130 is hereby amended to read as follows:
20 569.130 Any person, *including, without limitation, any* firm,
21 company, association or corporation , who takes up or retains in his
22 ~~{or its}~~ possession any *estrays or feral livestock* not his ~~{or its}~~
23 property, without the owner's consent, or except in accordance with
24 the provisions of NRS 569.040 to 569.130, inclusive, ~~{shall be}~~ *and*
25 *section 30 of this act, is* guilty of a misdemeanor.

26 **Sec. 44.** Chapter 571 of NRS is hereby amended by adding
27 thereto the provisions set forth as sections 45 to 51, inclusive, of this
28 act.

29 **Sec. 45.** *“Alternative livestock” has the meaning ascribed to*
30 *it in NRS 501.003.*

31 **Sec. 46.** *“Animal” means any living creature other than a*
32 *member of the human race.*

33 **Sec. 47.** *“Department” means the State Department of*
34 *Agriculture.*

35 **Sec. 48.** *“Director” means the Director of the Department.*

36 **Sec. 49.** *“Importation” means the transportation or*
37 *movement of animals by any railroad, express company, truckline*
38 *or other carrier, or by any persons, by vehicle or otherwise, into*
39 *this state.*

40 **Sec. 50.** *“Livestock” means:*

- 41 1. *All cattle or animals of the bovine species.*
- 42 2. *All horses, mules, burros and asses or animals of the*
43 *equine species.*
- 44 3. *All swine or animals of the porcine species.*
- 45 4. *All goats or animals of the caprine species.*



- 1 **5. All sheep or animals of the ovine species.**
- 2 **6. All poultry or domesticated fowl or birds.**
- 3 **7. All dogs, cats or other animals domesticated or under the**
- 4 **restraint or control of man.**
- 5 **8. All alternative livestock.**

6 **Sec. 51. "State Quarantine Officer" means the Director.**

7 **Sec. 52.** NRS 571.015 is hereby amended to read as follows:

8 571.015 As used in this chapter, unless the context *otherwise*

- 9 requires ~~otherwise:~~
- 10 ~~— 1. "Department" means the State Department of Agriculture.~~
 - 11 ~~— 2. "Director" means the Director of the Department.~~
 - 12 ~~— 3. "Importation" means the transportation or movement of~~
 - 13 ~~livestock by any railroad, express company, truckline or other~~
 - 14 ~~carrier, or by any persons, by vehicle or otherwise, into this state.~~
 - 15 ~~— 4. "Livestock" means:~~
 - 16 ~~— (a) All cattle or animals of the bovine species;~~
 - 17 ~~— (b) All horses, mules, burros and asses or animals of the equine~~
 - 18 ~~species;~~
 - 19 ~~— (c) All swine or animals of the porcine species;~~
 - 20 ~~— (d) All goats or animals of the caprine species;~~
 - 21 ~~— (e) All poultry or domesticated fowl or birds;~~
 - 22 ~~— (f) All dogs, cats or other animals domesticated or under the~~
 - 23 ~~restraint or control of man.~~
 - 24 ~~— (g) Alternative livestock as defined in NRS 501.003.~~
 - 25 ~~— 5. "State Quarantine Officer" means the Director.] , the words~~
 - 26 ~~and terms defined in sections 45 to 51, inclusive, of this act, have~~
 - 27 ~~the meanings ascribed to them in those sections.~~

28 **Sec. 53.** NRS 571.025 is hereby amended to read as follows:

29 571.025 1. For the purposes of this chapter, infestation with

30 internal or external parasites, or exposure to such possible

31 infestation, shall be deemed equivalent to infection with or exposure

32 to infection with an infectious, contagious or parasitic disease.

33 2. The provisions of this chapter applicable to ~~livestock]~~

34 **animals** infected with or exposed to infection with any infectious,

35 contagious or parasitic disease, or to any premises, grounds, cars,

36 vehicles or other carriers infected or contaminated with any

37 infectious, contagious or parasitic disease, also apply to any

38 ~~livestock,]~~ **animals**, premises, grounds, cars, vehicles, or other

39 carriers infested with or exposed to infestation or contamination

40 with any internal or external parasites.

41 **Sec. 54.** NRS 571.045 is hereby amended to read as follows:

42 571.045 1. The State Quarantine Officer may proclaim and

43 enforce quarantine against any state, territory or district, or any

44 portion of any state, territory or district, with respect to the

45 importation into or transportation through the State of Nevada of



1 ~~{livestock}~~ *animals* which may be infected with, or which may have
2 been exposed to infection with, any infectious, contagious or
3 parasitic disease.

4 2. No quarantine ~~{shall}~~ *may* be issued under the provisions of
5 NRS 571.045 to 571.110, inclusive, which will conflict with the
6 provisions of the Constitution of the United States or any act of the
7 Congress of the United States.

8 3. ~~{The quarantine shall remain}~~ *A quarantine remains*
9 effective until vacated by order of the State Quarantine Officer.

10 **Sec. 55.** NRS 571.050 is hereby amended to read as follows:

11 571.050 1. Any quarantine issued under the provisions of
12 NRS 571.045 to 571.110, inclusive, may:

13 (a) Consist of a complete embargo against the importation into
14 or transportation through the State of any ~~{livestock}~~ *animals* so
15 quarantined against; or

16 (b) Provide for the importation into or transportation through the
17 State of *any* such ~~{livestock}~~ *animals* under such rules and
18 regulations as may be set forth and prescribed in the quarantine at
19 the time the same is issued.

20 2. Any quarantine issued under the provisions of NRS 571.045
21 to 571.110, inclusive, ~~{shall remain}~~ *remains* in force and effect
22 until removed or modified by the State Quarantine Officer, but:

23 (a) The State Quarantine Officer may amend from time to time
24 any quarantine so issued; and

25 (b) Any such amendments ~~{shall}~~ *must* be general in their
26 application and ~~{shall}~~ *must* not apply to any individual shipment or
27 importation.

28 **Sec. 56.** NRS 571.060 is hereby amended to read as follows:

29 571.060 If a quarantine is declared as provided in NRS
30 571.045 to 571.110, inclusive, against the importation into or
31 transportation through this state of any ~~{livestock}~~ *animals* from any
32 other state, territory or district or any portion or portions thereof, a
33 certified copy of ~~{such quarantine shall}~~ *the quarantine must* be
34 personally delivered by the State Quarantine Officer or his
35 representative or mailed by certified or registered mail to each of the
36 following:

37 1. The Governor or the proper quarantine official of such state,
38 territory or district.

39 2. The United States quarantine official having jurisdiction
40 over the same character of quarantine.

41 3. The state agent or other qualified official of any interstate
42 railroad, express company or other common carrier doing business
43 within this state.



1 **Sec. 57.** NRS 571.080 is hereby amended to read as follows:
2 571.080 1. Any ~~livestock~~ *animals* imported into or being
3 transported through this state in violation of any quarantine issued
4 under the provisions of NRS 571.045 to 571.110, inclusive, ~~shall~~
5 *must* be seized immediately by the State Quarantine Officer or his
6 authorized representative and treated in a manner approved by the
7 State Quarantine Officer, or destroyed, or sent out of the State
8 within 48 hours, at the expense of the owner thereof.

9 2. When the movement of any ~~livestock~~ *animals* seized by
10 the State Quarantine Officer, as provided in subsection 1, to some
11 point without the State would further endanger any industry of this
12 state, the ~~livestock~~ *animals* so seized by the State Quarantine
13 Officer ~~shall~~ *must* be destroyed at the expense of the owner.

14 **Sec. 58.** NRS 571.090 is hereby amended to read as follows:
15 571.090 It is unlawful for any railroad, express company or
16 other common carrier, or any persons, to import into or transport
17 through the State of Nevada any ~~livestock~~ *animals* in violation of
18 the provisions of NRS 571.045 to 571.110, inclusive, or to make
19 delivery of any such ~~livestock~~ *animals* to any persons within the
20 limits of this state.

21 **Sec. 59.** NRS 571.100 is hereby amended to read as follows:
22 571.100 In any criminal proceeding arising under the
23 provisions of NRS 571.045 to 571.110, inclusive, proof that any
24 ~~livestock,~~ *animal*, prohibited by proclamation of quarantine from
25 importation into or transportation through this state, was imported
26 into or transported through this state in violation of ~~such~~ *the*
27 quarantine shall be deemed proof within the meaning of NRS
28 571.045 to 571.110, inclusive, that the ~~same~~ *animal* was diseased,
29 exposed to disease or infected, or exposed to infection.

30 **Sec. 60.** NRS 571.120 is hereby amended to read as follows:
31 571.120 1. The Department shall do all things necessary for
32 the control and eradication of infectious, contagious or parasitic
33 diseases of ~~livestock,~~ *animals*.

34 2. The Director shall cooperate with the Administrator of the
35 Division of Wildlife of the State Department of Conservation and
36 Natural Resources in a program to prevent the spread of
37 communicable diseases in ~~livestock and wildlife~~ *animals* in this
38 state.

39 ~~[3.—As used in this section, “wildlife” has the meaning ascribed~~
40 ~~to it in NRS 501.097.]~~

41 **Sec. 61.** NRS 571.130 is hereby amended to read as follows:
42 571.130 The State Quarantine Officer may adopt rules and
43 regulations of the Secretary of Agriculture of the United States
44 relating to the control and suppression of disease in ~~livestock,~~



1 *animals*, and may cooperate with the Secretary of Agriculture and
2 his officers in the enforcement of such rules and regulations.

3 **Sec. 62.** NRS 571.140 is hereby amended to read as follows:

4 571.140 The State Quarantine Officer, or his representatives or
5 his agents, may inspect, test, treat, quarantine and condemn
6 ~~livestock~~ *animals* affected with any infectious, contagious or
7 parasitic disease, and any such person may enter upon any ground or
8 premises of this state to enforce the inspection, testing, treatment,
9 quarantine and condemnation laws and all the rules, regulations and
10 orders of the Department.

11 **Sec. 63.** NRS 571.150 is hereby amended to read as follows:

12 571.150 The State Quarantine Officer may inspect, test or
13 quarantine any ~~livestock~~ *animal* in the State infected with,
14 suspected of being or which have been exposed to an infectious,
15 contagious or parasitic disease, and compel testing or treatment at
16 such times and as often as he deems necessary to insure the
17 suppression of disease.

18 **Sec. 64.** NRS 571.160 is hereby amended to read as follows:

19 571.160 If any ~~livestock~~ *animal* becomes infected with any
20 infectious, contagious or parasitic disease as defined by rules and
21 regulations adopted by the State Quarantine Officer, the owner or
22 agent in charge ~~[-, and]~~ *of the infected animal, or any* inspector of the
23 Department or any practicing veterinarian *who has knowledge of*
24 *the infected animal*, shall immediately notify the State Quarantine
25 Officer. A notification of disease received pursuant to this section
26 must be kept confidential unless:

27 1. The reported disease is specifically regulated pursuant to
28 NRS 571.130 for mandatory control and eradication to protect the
29 public health, other ~~livestock~~ *animals* or wildlife; or

30 2. The State Quarantine Officer determines that a public health
31 emergency exists.

32 **Sec. 65.** NRS 571.170 is hereby amended to read as follows:

33 571.170 1. If ~~livestock~~ *an animal* is found diseased, the
34 State Quarantine Officer may make regulations for ~~their~~ *its*
35 quarantine at once, and he may define the place and limits within
36 which ~~such livestock~~ *the animal* may be grazed, herded or driven.
37 Such ~~livestock~~ *an animal* may be held in quarantine until released
38 by the State Quarantine Officer.

39 2. The expense of treatment, feeding and taking care of ~~all~~
40 ~~livestock~~ *animals* quarantined under the provisions of NRS
41 571.120 to 571.250, inclusive, ~~shall~~ *must* be paid by the owner or
42 agent in charge of ~~such livestock,~~ *the animals*, and such expense
43 ~~shall be~~ *is* a lien upon ~~such livestock~~ *the animals* until paid.

44 3. The expense of testing ~~livestock~~ *an animal* and the
45 expense of handling ~~livestock~~ *an animal* for the purpose of testing



1 ~~{shall}~~ *must* be paid by the owner or agent in charge of ~~{such~~
2 ~~livestock,}~~ *the animal*, at the option of the State Quarantine Officer,
3 and such expense ~~{shall be}~~ *is* a lien upon ~~{such livestock}~~ *the*
4 *animal* until paid.

5 **Sec. 66.** NRS 571.180 is hereby amended to read as follows:

6 571.180 ~~{In no case shall any quarantined livestock, livestock~~
7 ~~products or livestock suspected of being infected with or of being~~
8 ~~or}~~ *Quarantined animals, and any animals or animal products*
9 which have been , *or are suspected to have been, infected with or*
10 exposed to infectious, contagious or parasitic diseases , *must not* be
11 removed from one point to another within any area, or from one area
12 to another, without a written permit from the State Quarantine
13 Officer.

14 **Sec. 67.** NRS 571.190 is hereby amended to read as follows:

15 571.190 1. The State Quarantine Officer may order and have
16 destroyed any ~~{livestock}~~ *animal* infected with or exposed to any
17 infectious, contagious or parasitic disease.

18 2. The Department shall compensate the owners of any
19 ~~{livestock}~~ *animal* so destroyed separately or jointly with any
20 county or municipality of the State or any agency of the Federal
21 Government, the amount of the compensation to be determined by
22 appraisal before the affected ~~{livestock}~~ *animal* is destroyed.

23 3. The appraisal must be made by the State Quarantine Officer
24 or a qualified agent designated by him and the owners or their
25 authorized representative. In the event of their failure to reach an
26 agreement, the two so selected shall designate a disinterested
27 person, who by reason of experience in such matters is a qualified
28 judge of ~~{livestock values,}~~ *values of animals*, to act with them. The
29 judgment of any two such appraisers is binding and final upon all
30 persons.

31 4. The total amount received by the owners of ~~{livestock}~~ *any*
32 *animal* so destroyed, including compensation paid by the
33 Department, any county or municipality or any agency of the
34 Federal Government or any ~~{livestock insurance company,}~~
35 *company that insures animals*, and the salvage received from the
36 sale of hides or carcasses or any other source, combined, must not
37 exceed ~~{75 percent of}~~ the actual appraised value of the destroyed
38 ~~{livestock,}~~ *animal*.

39 5. Any natural person or corporation purchasing any
40 ~~{livestock}~~ *animal* which was at the time of purchase under
41 quarantine by any state, county or municipal authorities or any
42 agency of the Federal Government authorized to lay such
43 quarantine, or who purchases any ~~{livestock}~~ *animal* which due
44 diligence and caution would have shown to be diseased or which
45 ~~{have been}~~ *was* shipped or transported in violation of the rules and



1 regulations of any agency of the Federal Government or the State of
2 Nevada, is not entitled to receive compensation, and the Department
3 may order the destruction of the ~~[livestock]~~ *animal* without making
4 any compensation to the owner.

5 6. No payment may be made hereunder as compensation for or
6 on account of any such ~~[livestock]~~ *animal* destroyed if, at the time
7 of inspection or test of the ~~[livestock]~~ *animal* or at the time of the
8 ordered destruction thereof, the ~~[livestock]~~ *animal* belongs to or is
9 upon the premises of any person, firm or corporation to which the
10 ~~[livestock]~~ *animal* has been sold, shipped or delivered for slaughter.

11 7. In no case may any payment by the Department pursuant to
12 the provisions of this section ~~[be more than \$75 for any grade~~
13 ~~livestock or more than \$200 for any purebred livestock, and no~~
14 ~~payment may]~~ be made unless the owner has complied with all
15 quarantine rules and regulations of the Department.

16 **Sec. 68.** NRS 571.200 is hereby amended to read as follows:

17 571.200 1. The owner or agent in charge of any ~~[livestock]~~
18 *animal* that has died or has been killed as a result of any infectious,
19 contagious or parasitic disease shall immediately bury the
20 ~~[carcasses]~~ *carcass* thereof at least 3 feet underground or cause the
21 ~~[carcasses]~~ *carcass* to be consumed by fire, and ~~[such carcasses~~
22 ~~shall]~~ *the carcass must* not be sold or given away.

23 2. In order to carry out the requirements of subsection 1, ~~[such~~
24 ~~carcasses]~~ *the carcass* may be conveyed on a public highway or
25 public road, or conveyed on land not owned by the owner or agent ,
26 ~~[in charge of such carcasses.]~~ in accordance with rules and
27 regulations promulgated by the State Quarantine Officer.

28 3. The expense of burying, burning or conveying ~~[such~~
29 ~~carcasses shall]~~ *the carcass must* be paid by the owner or agent , ~~[in~~
30 ~~charge of such carcasses.]~~ and such expense ~~[shall be]~~ *is* a lien upon
31 remaining ~~[livestock]~~ *animals* or other real or personal property of
32 ~~[such]~~ *the* owner or agent ~~[in charge]~~ until paid.

33 **Sec. 69.** NRS 571.210 is hereby amended to read as follows:

34 571.210 1. ~~[Livestock]~~ *Animals* not under special quarantine
35 by the State of Nevada, the Federal Government, or the state,
36 territory or district of origin may enter the State of Nevada in
37 compliance with regulations adopted by the State Quarantine
38 Officer.

39 2. Notice that ~~[livestock]~~ *an animal* is in transit is not required
40 unless the ~~[livestock]~~ *animal* remains in the State, or is to be
41 unloaded to feed and rest for longer than 48 hours.

42 3. A person, his agents or employees shall not bring ~~[livestock]~~
43 *any animal* into this state unless he has obtained a health certificate
44 showing that the ~~[livestock]~~ *animal* is free from contagious,
45 infectious or parasitic diseases or exposure thereto. This requirement



1 does not apply to animals whose accustomed range is on both sides
2 of the Nevada state line and which are being moved from one
3 portion to another of the accustomed range merely for pasturing and
4 grazing thereon. The State Quarantine Officer shall adopt
5 regulations concerning the form of the certificate.

6 4. A person shall not:
7 (a) Alter a health certificate; or
8 (b) Divert ~~livestock~~ *any animal* from the destination described
9 on the health certificate without notifying the State Quarantine
10 Officer within 72 hours after the diversion of the ~~livestock.~~
11 *animal*.

12 5. Any ~~livestock~~ *animal* brought into this state without
13 complying with this section may be seized, destroyed or sent out of
14 this state by the State Quarantine Officer within 48 hours. The
15 expense of seizing, destroying or removing the ~~livestock~~ *animal*
16 must be paid by the owner or his agent in charge of the ~~livestock~~
17 *animal* and the expense is a lien on the ~~livestock,~~ *animal*, unless it
18 was destroyed, until paid.

19 **Sec. 70.** NRS 571.220 is hereby amended to read as follows:

20 571.220 1. The State Quarantine Officer shall quarantine any
21 corrals, pens, slaughterhouses, buildings, places, cars, trucks or
22 vehicles where ~~livestock~~ *any animal* may have been handled, and
23 compel the cleaning and disinfecting of ~~the same~~ *such places or*
24 *vehicles* when deemed necessary for the purposes of this chapter.

25 2. Where owners or persons in charge of such places or
26 vehicles refuse to clean and disinfect them, an inspector may take
27 charge of such places or vehicles and cause them to be cleaned and
28 disinfected. The expense of such cleaning and disinfecting ~~shall~~
29 *must* be paid by the owners or persons in charge, and ~~shall be~~ *is* a
30 lien upon such corrals, pens, slaughterhouses, buildings, places,
31 cars, trucks or vehicles until ~~such~~ *the* expense is paid.

32 **Sec. 71.** NRS 571.230 is hereby amended to read as follows:

33 571.230 Inspectors may at all times enter any premises, farms,
34 fields, corrals, pens, slaughterhouses, buildings, places, cars, trucks
35 or vehicles where any ~~livestock~~ *animal* is quartered for the
36 purpose of examining such places, vehicles or ~~livestock in order~~
37 *animals* to determine whether they are affected with any infectious,
38 contagious or parasitic disease.

39 **Sec. 72.** NRS 571.240 is hereby amended to read as follows:

40 571.240 1. Inspectors may inspect any ~~or all livestock~~
41 *animal* about to be shipped, driven, transported or otherwise
42 removed from the State.

43 2. Consignors, possessors or persons in charge of such
44 ~~livestock~~ *an animal* shall, upon demand, fully establish title to



1 ~~[such livestock]~~ *the animal* or the legal right to so ship, transport,
2 drive or otherwise remove the ~~[livestock]~~ *animal* from the State.
3 **Sec. 73.** NRS 575.080 is hereby amended to read as follows:
4 575.080 As used in NRS 575.080 to 575.230, inclusive, unless
5 the context otherwise requires:
6 1. "Board" means the State Board of ~~[Sheep Commissioners.]~~
7 *Agriculture.*
8 2. "Department" means the State Department of Agriculture.
9 3. "Livestock" means the animals subject to the taxes levied
10 pursuant to NRS 571.035 . ~~[and 575.070.]~~
11 4. "Sheep" means the animals subject to the taxes levied
12 pursuant to NRS 562.170 and 567.110.
13 5. "Tax" means any of the taxes levied pursuant to NRS
14 562.170, 567.110 ~~[, 571.035 and 575.070.]~~ *and 571.035.*
15 **Sec. 74.** NRS 575.090 is hereby amended to read as follows:
16 575.090 1. There is hereby created in each county a
17 committee for assessing livestock composed of:
18 (a) Two persons who own livestock in the county and who are
19 appointed by the ~~[State Board of Agriculture.]~~ *Board;*
20 (b) One person who owns sheep in the county and who is
21 appointed by the Board or, if there is no owner of sheep in the
22 county, another person who owns livestock in the county who is
23 appointed by the ~~[State Board of Agriculture.]~~ *Board;*
24 (c) A brand inspector who is designated by the Director of the
25 Department; and
26 (d) In ~~[a]~~ :
27 (1) *A* county where the Department elects to administer the
28 special tax, another person who owns livestock, appointed by the
29 ~~[State Board of Agriculture, otherwise]~~ *Board; or*
30 (2) *Any other county,* the county assessor or a person
31 designated by him.
32 2. Except as otherwise provided in this subsection, the term of
33 each member is 2 years, and any vacancy must be filled by
34 appointment for the unexpired term. The term of the county assessor
35 expires upon the expiration of the term of his office. A person
36 designated by the county assessor serves at the pleasure of the
37 county assessor. The brand inspector serves at the pleasure of the
38 Director of the Department.
39 3. While engaged in official business of the committee for
40 assessing livestock, each member of the committee is entitled to:
41 (a) A salary not exceeding \$60 per day for attending meetings or
42 performing other official business, to be paid from any money
43 available to the Department.
44 (b) The per diem allowance and travel expenses fixed for state
45 officers and employees.



1 **Sec. 75.** NRS 575.170 is hereby amended to read as follows:
2 575.170 1. An owner of sheep or livestock who wishes to
3 challenge the accuracy of the report as changed by the committee
4 for assessing livestock may, within 15 days after receiving notice of
5 the change, file a statement with the committee for assessing
6 livestock for his county specifying the alleged inaccuracy.

7 2. Upon receipt of the statement under subsection 1, the
8 committee for assessing livestock shall review the allegations and
9 may make any changes it considers necessary to make the report
10 accurate and complete. An owner of sheep or livestock, the Board,
11 or the Director of the Department may appeal from any decision of
12 the committee for assessing livestock to and in the manner
13 prescribed by the ~~{State Board of Agriculture.}~~ **Board.**

14 **Sec. 76.** NRS 575.170 is hereby amended to read as follows:
15 575.170 1. An owner of sheep or livestock who wishes to
16 challenge the accuracy of the report as changed by the Department
17 may, within 15 days after receiving notice of the change, file a
18 statement with the Department for assessing livestock for his county
19 specifying the alleged inaccuracy.

20 2. Upon receipt of the statement under subsection 1, the
21 Department shall review the allegations and may make any changes
22 it considers necessary to make the report accurate and complete. An
23 owner of sheep or livestock or the Board may appeal from any
24 decision of the Department to and in the manner prescribed by the
25 ~~{State Board of Agriculture.}~~ **Board.**

26 **Sec. 77.** NRS 575.180 is hereby amended to read as follows:
27 575.180 1. When the report of owners of livestock and sheep
28 is approved by the committee for assessing livestock as complete
29 and accurate, the approval must be noted on the report. The report
30 must be returned to the county assessor, or the Department if it is
31 administering the special tax, and a copy sent to the Board ~~{}~~ **and**
32 the Department unless it is administering the special tax . ~~{, and the~~
33 ~~Nevada Beef Council.}~~

34 2. If, as the result of a challenge of the accuracy of the report,
35 any change is ordered in the report of owners of livestock and sheep
36 after it has been approved by the committee for assessing livestock,
37 each recipient of the report or copy must be notified of the change.

38 **Sec. 78.** NRS 575.180 is hereby amended to read as follows:
39 575.180 1. When the report of owners of livestock and sheep
40 is approved by the Department as complete and accurate, the
41 approval must be noted on the report. A copy of the approved report
42 must be sent to the Board . ~~{and the Nevada Beef Council.}~~

43 2. If, as the result of a challenge of the accuracy of the report,
44 any change is ordered in the report of owners of livestock and sheep



1 after it has been approved by the Department, each recipient of a
2 copy of the report must be notified of the change.

3 **Sec. 79.** NRS 575.190 is hereby amended to read as follows:
4 575.190 Using the tax levies from the Board ~~[]~~ *and from* the
5 Department , ~~[and the Nevada Beef Council,]~~ the county assessor,
6 auditor or treasurer, or the Department if it is administering the
7 special tax, shall calculate the total taxes due from each owner of
8 livestock or sheep based on the report of owners of livestock or
9 sheep approved by the committee for assessing livestock.

10 **Sec. 80.** NRS 575.190 is hereby amended to read as follows:
11 575.190 Using the tax levies from the Board ~~[]~~ *and from* the
12 Department , ~~[and the Nevada Beef Council,]~~ the Department shall
13 calculate the total taxes due from each owner of livestock or sheep
14 based on the report of owners of livestock or sheep approved by the
15 Department.

16 **Sec. 81.** NRS 575.210 is hereby amended to read as follows:
17 575.210 Whenever any taxes, or penalties or interest for
18 delinquencies pursuant to NRS 562.175 or 575.130 are paid to the
19 county treasurer, he shall record the payment and the date thereof
20 with the name of the person liable therefor, and the amount of taxes,
21 penalties and interest collected pursuant to NRS 562.170, 562.175,
22 567.110, 571.035 ~~[, 575.070]~~ and 575.130, and transmit the revenue
23 thereof to the State Controller for deposit into the appropriate
24 account or fund in the State Treasury.

25 **Sec. 82.** NRS 575.210 is hereby amended to read as follows:
26 575.210 Whenever any taxes, or penalties or interest for
27 delinquencies pursuant to NRS 562.175, 575.130 or 575.205 are
28 paid to the Department, the Department shall record the payment
29 and the date thereof with the name of the person liable therefor, and
30 the amount of taxes, penalties and interest collected pursuant to
31 NRS 562.170, 562.175, 567.110, 571.035, ~~[575.070,]~~ 575.130 and
32 575.205, and transmit the revenue thereof to the State Controller for
33 deposit into the appropriate account or fund in the State Treasury.

34 **Sec. 83.** NRS 575.220 is hereby amended to read as follows:
35 575.220 Any taxes delinquent must be reported by the county
36 assessor or county treasurer to the:
37 1. Department, if the taxes were levied pursuant to NRS
38 571.035 ; ~~[and 575.070;]~~ or
39 2. Board, if the taxes were levied pursuant to NRS 562.170 and
40 567.110.

41 **Sec. 84.** NRS 575.230 is hereby amended to read as follows:
42 575.230 A brand inspection clearance certificate described in
43 NRS ~~562.460 or~~ 565.120 ~~[for a certificate or bill of health described~~
44 ~~in NRS 562.460 may]~~ *must* not be issued for the movement of any
45 sheep or livestock owned by a person delinquent in the payment of a



1 tax. The Department may collect any delinquent tax and the penalty
2 and interest thereon at the time of a brand or health inspection. The
3 appropriate county authority must be notified if the tax is so
4 collected.

5 **Sec. 85.** NRS 233B.039 is hereby amended to read as follows:
6 233B.039 1. The following agencies are entirely exempted
7 from the requirements of this chapter:

- 8 (a) The Governor.
- 9 (b) The Department of Corrections.
- 10 (c) The University and Community College System of Nevada.
- 11 (d) The Office of the Military.
- 12 (e) The State Gaming Control Board.
- 13 (f) The Nevada Gaming Commission.
- 14 (g) The Welfare Division of the Department of Human
15 Resources.

16 (h) The Division of Health Care Financing and Policy of the
17 Department of Human Resources.

18 (i) The State Board of Examiners acting pursuant to chapter 217
19 of NRS.

20 (j) Except as otherwise provided in NRS 533.365, the Office of
21 the State Engineer.

22 (k) The Division of Industrial Relations of the Department of
23 Business and Industry acting to enforce the provisions of
24 NRS 618.375.

25 (l) The Administrator of the Division *of Industrial Relations of*
26 *the Department of Business and Industry* in establishing and
27 adjusting the schedule of fees and charges for accident benefits
28 pursuant to subsection 2 of NRS 616C.260.

29 (m) The Board to Review Claims in adopting resolutions to
30 carry out its duties pursuant to NRS 590.830.

31 2. Except as otherwise provided in subsection 5 and NRS
32 391.323, the Department of Education, the Board of the Public
33 Employees' Benefits Program and the Commission on Professional
34 Standards in Education are subject to the provisions of this chapter
35 for the purpose of adopting regulations but not with respect to any
36 contested case.

37 3. The special provisions of:

38 (a) Chapter 612 of NRS for the distribution of regulations by
39 and the judicial review of decisions of the Employment Security
40 Division of the Department of Employment, Training and
41 Rehabilitation;

42 (b) Chapters 616A to 617, inclusive, of NRS for the
43 determination of contested claims;

44 (c) Chapter 703 of NRS for the judicial review of decisions of
45 the Public Utilities Commission of Nevada;



1 (d) Chapter 91 of NRS for the judicial review of decisions of the
2 Administrator of the Securities Division of the Office of the
3 Secretary of State; and

4 (e) NRS 90.800 for the use of summary orders in contested
5 cases,

6 prevail over the general provisions of this chapter.

7 4. The provisions of NRS 233B.122, 233B.124, 233B.125 and
8 233B.126 do not apply to the Department of Human Resources in
9 the adjudication of contested cases involving the issuance of letters
10 of approval for health facilities and agencies.

11 5. The provisions of this chapter do not apply to:

12 (a) Any order for immediate action, including, but not limited
13 to, quarantine and the treatment or cleansing of infected or infested
14 animals, objects or premises, made under the authority of the State
15 Board of Agriculture, the State Board of Health ~~[-, the State Board of
16 Sheep Commissioners]~~ or any other agency of this state in the
17 discharge of a responsibility for the preservation of human or animal
18 health or for insect or pest control;

19 (b) An extraordinary regulation of the State Board of Pharmacy
20 adopted pursuant to NRS 453.2184; or

21 (c) A regulation adopted by the State Board of Education
22 pursuant to NRS 392.644 or 394.1694.

23 6. The State Board of Parole Commissioners is subject to the
24 provisions of this chapter for the purpose of adopting regulations but
25 not with respect to any contested case.

26 **Sec. 86.** NRS 289.290 is hereby amended to read as follows:

27 289.290 1. A person designated by the Director of the State
28 Department of Agriculture as a field agent or an inspector pursuant
29 to subsection 2 of NRS 561.225 has the powers of a peace officer to
30 make investigations and arrests and to execute warrants of search
31 and seizure, and may temporarily stop a vehicle in the enforcement
32 of the provisions of titles 49 and 50 of NRS and chapters 581, 582,
33 583, 586, 587, 588 and 590 of NRS.

34 2. ~~[An inspector of the State Board of Sheep Commissioners
35 and his deputies have the powers of a peace officer.~~

36 ~~—3.]~~ An officer appointed by the Nevada Junior Livestock Show
37 Board pursuant to NRS 563.120 has the powers of a peace officer
38 for the preservation of order and peace on the grounds and in the
39 buildings and the approaches thereto of the livestock shows and
40 exhibitions that the Board conducts.

41 ~~[4.]~~ 3. In carrying out the provisions of chapter 565 of NRS, an
42 inspector of the State Department of Agriculture has the powers of a
43 peace officer to make investigations and arrests and to execute
44 warrants of search and seizure. The provisions of this subsection do
45 not authorize any inspector to retire under the Public Employees'



1 Retirement System before having attained the minimum service age
2 of 60 years.

3 **Sec. 87.** NRS 484.1345 is hereby amended to read as follows:
4 484.1345 "Regulatory agency" means any of the agencies
5 granted police or enforcement powers under the provisions of
6 subsection 2 of NRS 289.250, NRS 289.260, subsection 3 of NRS
7 289.270, NRS 289.280, subsection ~~4~~ 3 of NRS 289.290 or NRS
8 289.320, 289.340, 407.065, 472.040, 481.048, 501.349, 565.155 or
9 706.8821.

10 **Sec. 88.** Section 61 of chapter 331, Statutes of Nevada 2001,
11 at page 1570, is hereby amended to read as follows:

12 Sec. 61. 1. This section and sections 1 to 10,
13 inclusive, 11, 12, 14 to 25, inclusive, 27 to 44, inclusive, and
14 59 of this act become effective on July 1, 2001.

15 2. Sections 13 and 26 of this act become effective at
16 12:01 a.m. on July 1, 2001.

17 3. Section 10 of this act expires by limitation on June 30,
18 2003.

19 4. Section 10.5 of this act becomes effective at 12:02
20 a.m. on July 1, 2003.

21 5. Sections 45 , 46, 47, 47.5, 49 to 58, inclusive, and 60
22 of this act become effective on July 1, 2004.

23 **Sec. 89.** 1. NRS 562.020, 562.060, 562.070, 562.090,
24 562.100, 562.110, 562.120, 562.280, 562.320, 562.330, 562.340,
25 562.350, 562.360, 562.370, 562.380, 562.390, 562.400, 562.410,
26 562.420, 562.430, 562.450, 562.510, 563.151, 563.161, 563.171,
27 563.181, 563.191, 563.201, 563.211, 563.221, 565.075 and 575.070
28 are hereby repealed.

29 2. Section 48 of chapter 331, Statutes of Nevada 2001, at page
30 1567, is hereby repealed.

31 **Sec. 90.** 1. Any contracts or other agreements entered into
32 by the State Board of Sheep Commissioners are binding upon:

33 (a) The State Board of Agriculture; or

34 (b) If the contract or agreement directly relates to diseases of
35 sheep, the State Quarantine Officer.

36 2. Such contracts and other agreements may be enforced by the
37 State Board of Agriculture or State Quarantine Officer, as
38 appropriate.

39 **Sec. 91.** The State Controller shall transfer any money in the
40 Account for the Promotion of Beef created in the State General
41 Fund as of July 1, 2003, that is attributable to the assessment
42 required by 7 U.S.C. §§ 2901 to 2911, inclusive, to:

43 1. The entity that is certified pursuant to 7 U.S.C. §§ 2901 to
44 2911, inclusive, as the qualified beef council for the State of
45 Nevada; or



1 2. If no entity is certified as of July 1, 2003, as the qualified
2 beef council for the State of Nevada, the Cattlemen's Beef
3 Promotion and Research Board established pursuant to 7 U.S.C. §
4 2904.

5 **Sec. 92.** 1. This section and sections 1 to 20, inclusive, 22 to
6 75, inclusive, 77, 79, 81 and 83 to 91, inclusive, of this act become
7 effective on July 1, 2003.

8 2. Sections 20, 74, 75, 77, 79, 81 and 83 of this act expire by
9 limitation on June 30, 2004.

10 3. Sections 21, 76, 78, 80 and 82 of this act become effective
11 on July 1, 2004.

**LEADLINES OF REPEALED SECTIONS OF NRS AND
TEXT OF REPEALED SECTIONS OF STATUTES OF NEVADA**

562.020 "Breaking quarantine" defined.

562.060 Creation; number and appointment of members.

562.070 Qualifications of members.

562.090 Compensation of members.

562.100 President; other officers.

562.110 Office of Board.

562.120 Meetings.

**562.280 Rules and regulations pertaining to quarantining,
dipping and treatment of sheep.**

562.320 Power to order inspection and quarantine of sheep.

**562.330 Quarantine imposed by proclamation of Governor;
penalties for violations; exceptions.**

**562.340 Power to quarantine or compel cleaning of
shearing or dipping corrals or places where sheep are handled;
enforcement.**

**562.350 Quarantining and treatment of sheep infected with
scabies or other infectious or contagious disease; powers of
inspectors and Board.**

**562.360 Preparation of dipping works by inspector; feeding
at owner's expense; lien on sheep; spotting and hand-dressing of
ewes and lambs.**

**562.370 Dipping of sheep between April 15 and
November 1 when ordered by Board; decision of Board
conclusive; dipping after November 1.**

**562.380 Penalty for violation of NRS 562.350, 562.360 or
562.370.**



562.390 Imported sheep or bucks to be dipped under supervision of inspector; admission of sheep under permit issued by Board or State Department of Agriculture without dipping; liens; penalty.

562.400 Infection or exposure to infection to be reported to inspector or Board; penalty.

562.410 Traveling permits for diseased sheep.

562.420 Destruction of diseased sheep may be ordered by Board; compensation of owners.

562.430 Permit required to import sheep into State; common carrier provisions; interstate grazing and shipments; penalties.

562.450 Board or inspector may take charge of sheep or premises when necessary; seizure and attachment.

562.510 Board may order inspectors to quarantine premises and compel cleaning and disinfecting; expenses paid by owner; liens.

563.151 Definitions.

563.161 Creation; number and appointment of members.

563.171 Qualifications of members.

563.181 Meetings; fiscal year; annual report.

563.191 Chairman; Secretary-Treasurer.

563.201 Powers of Council.

563.211 Authority to sue and be sued; personal liability of members.

563.221 Deposit and disbursement of money of Council.

565.075 Federal assessment on livestock: Collection; deposit.

575.070 Tax to promote beef.

Section 48 of chapter 331, Statutes of Nevada 2001, at page 1567, is hereby amended to read as follows:

Sec. 48. NRS 575.070 is hereby amended to read as follows:

575.070 1. Upon receipt of the reports from the ~~{committee for assessing livestock}~~ *state department of agriculture* pursuant to NRS 575.180, the Nevada beef council may fix a special tax, to be known as the tax to promote beef, on all cattle except calves that have not been weaned, the rate of which must not exceed \$1 per head. ~~{If such a tax is fixed, the council shall send a notice of the rate of the tax to the county assessor or treasurer of each county on or before the first Monday in May of each year.}~~ The proceeds of the tax, if any, must be deposited in the state treasury for credit to the account for the promotion of beef.



2. During the month of April if such a tax is fixed, any person who has paid the special tax may file a claim for a refund with the state department of agriculture, accompanied by a receipt showing the payment. Upon verification of the claim, the department shall transmit the claim to the state controller for payment from the account for the promotion of beef.

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