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AN ACT
RELATING TO AGRICULTURE; AUTHORIZING INSPECTIONS FOR
COMPLIANCE WITH FOOD SAFETY LAWS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 76-1-2 NMSA 1978 (being Laws 1974,
Chapter 35, Section 2, as amended) is amended to read:

"76-1-2. POWERS AND AUTHORITY OF BOARD OF REGENTS.--In
addition to all other powers and authority that the board of
regents of New Mexico state university may have in other
areas, the board of regents of New Mexico state university,
relative to the New Mexico department of agriculture, has
power and authority to:

A. administer and enforce all laws of this state
over which the board of regents or its agents have been
granted jurisdiction and authority;

B. adopt rules of procedure for the adoption of
regulations;

C. adopt, and file in accordance with the State
Rules Act, regulations as may be necessary to carry out its
duties;

D. administer or enforce, through the New Mexico
department of agriculture, all regulations adopted by the
board of regents;

E. cooperate and enter into contracts or

1 agreements with local, state and federal government agencies
2 or with any other person to assist the carrying out of the
3 duties of the New Mexico department of agriculture;

4 F. employ and fix the salaries of employees of the
5 New Mexico department of agriculture;

6 G. institute legal proceedings in any court of
7 this state, of any other state or of the United States;

8 H. certify to the appropriate district attorney or
9 to the attorney general of New Mexico any violation of the
10 provisions of law or any rules and regulations administered
11 and enforced by it, when necessary to carry out its duties;

12 I. accept and administer on behalf of the New
13 Mexico department of agriculture such grants, subsidies,
14 donations, allotments or bequests as may be offered to the
15 state by the federal government or any department thereof or
16 by any public or private foundation or individuals;

17 J. accept and administer funds or other assets for
18 the New Mexico department of agriculture;

19 K. make and perform or direct the performance of
20 such inspections and analyses as are necessary to carry out
21 its duties;

22 L. issue or direct the issuance of such licenses,
23 permits and other documents as are necessary to carry out its
24 duties;

25 M. authorize the New Mexico department of

1 agriculture to establish and publish a schedule of fees and
2 collect those fees to recover the cost of services performed
3 at the request of a person or firm. Fees imposed shall be
4 just and equitable and shall not exceed the department's cost
5 for performing the service;

6 N. authorize the New Mexico department of
7 agriculture to enter onto public or private property after
8 notice of inspection to collect physical or documentary
9 samples and to review records and documents to verify
10 compliance with the federal FDA Food Safety Modernization
11 Act; and

12 O. do all other things necessary as permitted by
13 statute to carry out its duties." _____

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