

**FIFTIETH LEGISLATURE
FIRST SESSION, 2011**

March 14, 2011

Mr. Speaker:

Your **JUDICIARY COMMITTEE**, to whom has been referred

SENATE BILL 300, as amended

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. Strike Senate Judiciary Committee Amendment 1.
2. Strike Item 4 of Senate Floor Amendment number 1.
3. On page 1, between lines 19 and 20, insert the following section:

"SECTION 2. DEFINITIONS.--As used in the New Mexico Chile Advertising Act:

A. "board" means the board of regents of New Mexico state university; and

B. "chile pepper" means the fruit from *Capsicum annuum*."

4. Renumber the succeeding sections accordingly.
5. On page 2, strike lines 3 through 5 in their entirety.
6. On page 2, lines 7 and 8, strike "of regents of New Mexico state university shall" and insert in lieu thereof "may:" and the paragraph designation "(1)".
7. On page 2, line 10, strike the period and "The board shall have the authority to" and insert in lieu thereof a semicolon and the paragraph designation "(2)".
8. On page 2, line 13, strike the period and insert in lieu thereof "; and" and between lines 13 and 14, insert the following paragraph:

"(3) issue an order to immediately cease and desist any activity in violation of the New Mexico Chile Advertising Act."

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9. On page 2, after line 25, insert the following section:

"SECTION 5. INJUNCTION.--In addition to any other remedy under law, the board may apply to the district court for an injunction, and the district court may issue a temporary or permanent injunction, or both, restraining any person from violating or continuing to violate any of the provisions of the New Mexico Chile Advertising Act or any rule promulgated pursuant to that act by the board. In issuing an injunction on the application of the board, the court shall not require a bond."

Respectfully submitted,

Al Park, Chairman

Adopted _____
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

Date _____

The roll call vote was 12 For 0 Against
Yes: 12
No: 0
Excused: Cervantes, Chavez, D., Egolf
Absent: None

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