

Underscored material = new
[bracketed material] = delete

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HOUSE BILL 76

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

G. X. MCSHERRY

AN ACT

RELATING TO LIVESTOCK; AMENDING AND REPEALING SECTIONS OF THE
NMSA 1978 PERTAINING TO THE NEW MEXICO BEEF COUNCIL.

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

Section 1. Section 77-2A-1 NMSA 1978 (being Laws 1979,
Chapter 197, Section 1) is amended to read:

"77-2A-1. SHORT TITLE. -- ~~[This act]~~ Chapter 77, Article 2A
NMSA 1978 may be cited as the "New Mexico Beef Council Act". "

Section 2. Section 77-2A-4 NMSA 1978 (being Laws 1979,
Chapter 197, Section 4, as amended) is amended to read:

"77-2A-4. MEMBERS' QUALIFICATIONS. -- All members of the
council shall be producers, citizens of the United States and
bona fide residents of New Mexico ~~[and in some branch of the~~
~~bovine cattle business]~~. Each member shall at the time of his
appointment and during his entire term receive a substantial

Underscored material = new
[bracketed material] = delete

1 portion of his income from the branch of the business he
2 represents on the council. In making his appointments, the
3 director shall appoint one member to represent fluid milk
4 producers, five to represent beef producers, one to represent
5 breeders of registered purebreds and two to represent commercial
6 cattle feeders. Appointments of council members are to be made
7 from lists of individuals recommended by farm organizations,
8 producer associations and individual producers. "

9 Section 3. Section 77-2A-6 NMSA 1978 (being Laws 1979,
10 Chapter 197, Section 6, as amended) is amended to read:

11 "77-2A-6. DUTIES--POWERS. --

12 A. The council shall:

13 (1) conduct ~~[public relations programs~~
14 ~~promoting]~~ marketing programs, including promotion, education
15 and research programs relating to cattle and beef products;

16 (2) submit to the director a detailed annual
17 budget for the council on a fiscal year basis ~~[and provide a~~
18 ~~copy of the budget upon request to any person who has paid an~~
19 ~~assessment or made a contribution under the New Mexico Beef~~
20 ~~Council Act];~~

21 (3) bond officers and employees of the council
22 who receive and disburse council funds;

23 (4) keep detailed and accurate records of all
24 receipts and disbursements, have those records audited annually
25 and keep the audit available for inspection in the council

. 113583. 1

1 office;

2 (5) establish procedures for the adoption of
3 regulations that will provide for input from producers;

4 (6) determine and publish each year the
5 assessment rates to be collected by the board; and

6 (7) employ staff not to exceed four persons.

7 B. The council may:

8 (1) contract for scientific research to
9 discover and improve the commercial value of beef and products
10 thereof;

11 (2) disseminate reliable information showing
12 the value of beef and its products for any purpose for which
13 they may be found useful and profitable;

14 (3) make grants to research agencies for
15 financing studies or for the purchase or acquisition of
16 facilities necessary to carry out the purposes of the council as
17 authorized by the New Mexico Beef Council Act;

18 (4) cooperate with any local, state or national
19 organizations or agencies, whether created by law or voluntary,
20 engaged in work or activities similar to that of the council and
21 enter into contracts with those organizations or agencies and
22 expend funds in connection therewith for carrying on joint
23 programs;

24 (5) study legislation, state and federal, with
25 respect to tariffs, duties, reciprocal trade agreements, import

Underscored material = new
[bracketed material] = delete

1 quotas and other matters concerning the effect on the beef
2 industry and represent and protect the interests of the beef
3 industry with respect to any legislation or proposed legislation
4 or executive action that may affect that industry;

5 (6) enter into contracts that it deems
6 appropriate to the carrying out of the purposes of the council
7 as authorized by [~~the New Mexico Beef Council~~] that act;

8 (7) sue and be sued as a council without
9 individual liability for acts of the council within the scope of
10 the powers conferred upon it by that act;

11 (8) appoint subordinate officers and employees
12 of the council, prescribe their duties and fix their
13 compensation;

14 (9) adopt regulations for the exercise of its
15 powers and duties. A copy of all council regulations shall be
16 filed with the department; and

17 (10) cooperate with other state beef councils
18 or agencies in the collection of assessments. "

19 Section 4. Section 77-2A-7.1 NMSA 1978 (being Laws 1983,
20 Chapter 228, Section 3, as amended) is amended to read:

21 "77-2A-7.1. ASSESSMENTS. -- There is levied and imposed upon
22 all cattle [~~inspected~~] involved in a transfer of ownership in
23 this state [~~by the board~~] an [~~additional~~] assessment to be
24 called the "council assessment". The council assessment is to
25 be fixed by the council at a rate of not more than [~~twenty-five~~

Underscored material = new
[bracketed material] = delete

1 ~~cents (\$.25)]~~ one dollar (\$1.00) per head [~~on only those cattle~~
2 ~~involved in a transfer of ownership]~~. The board shall collect
3 this council assessment or the federal domestic assessment
4 imposed pursuant to the Beef Promotion and Research Act of 1985
5 [~~7 U.S.C. 1601]~~ at the same time and in the same manner as the
6 fee charged for the state brand inspection required upon the
7 movement of those cattle. The board shall not deliver the
8 certificate of inspection or permit the cattle to move until all
9 fees have been paid. The proceeds of the council assessment
10 shall be remitted by the board to the council at the end of each
11 month, along with information that will allow the council to
12 make necessary refunds. At the request of the board, the
13 council shall reimburse the board for the responsible and
14 necessary expenses incurred for such collections and information
15 [~~and~~] at not [less] more than four cents (\$.04) per head on only
16 those cattle involved in a transfer of ownership. "

17 Section 5. REPEAL. -- Section 77-2A-7.2 NMSA 1978 (being
18 Laws 1983, Chapter 228, Section 4, as amended) is repealed.

State of New Mexico House of Representatives

FORTY-THIRD LEGISLATURE

FIRST SESSION, 1997

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Mr. Speaker:

Your **KEYBOARD**(**[TYPE COMMITTEE NAME in UPPER
CASE and CLICK on CONTINUE]**) **COMMITTEE**, to whom has
been referred

KEYBOARD(**TYPE BILL DESIGNATION and NUMBER and CLICK
on CONTINUE]**)

has had it under consideration and reports same with
recommendation that it **DO PASS**, and thence referred to the
KEYBOARD(**[TYPE NAME and CLICK on CONTINUE]**)
COMMITTEE.

**FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Respectfully submitted,

KEYBOARD([Type Name of
Chairperson and CLICK on
CONTINUE]), Chairman

Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was KEYBOARD([TYPE NUMBER FOR and CLICK on
CONTINUE]) For KEYBOARD([TYPE NUMBER AGAINST and CLICK on
CONTINUE]) Against

Yes: KEYBOARD([TYPE NUMBER and CLICK on CONTINUE])

No: KEYBOARD([Type Names; IF NONE, DELETE THIS LINE and
CLICK on CONTINUE])

Excused: KEYBOARD([Type Names or None and CLICK on CONTINUE])

Absent: KEYBOARD([Type Names or None and CLICK on CONTINUE])

M \ H0076

**State of New Mexico
House of Representatives**

Underscored material = new
[bracketed material] = delete

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

Page 8

1
2 FORTY-THIRD LEGISLATURE
3 FIRST SESSION, 1997
4

5 February 4, 1997
6

7
8 Mr. Speaker:

9
10 Your AGRICULTURE AND WATER RESOURCES COMMITTEE,
11 to whom has been referred

12 HOUSE BILL 76
13

14 has had it under consideration and reports same with
15 recommendation that it DO PASS.
16

17 Respectfully submitted,
18

19
20
21 _____
22 G. X. McSherry, Chairman
23
24
25

. 113583. 1

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 9 For 0 Against

Yes: 9

Excused: None

Absent: None

M \H0076

Underscored material = new
~~[bracketed material] = delete~~

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

Page 10

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

March 10, 1997

Mr. President:

Your CONSERVATION COMMITTEE, to whom has been referred

HOUSE BILL 76

has had it under consideration and reports same with
recommendation that it DO PASS.

Respectfully submitted,

Michael S. Sanchez, Chairman

Adopted _____
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

Underscored material = new
[bracketed material] = delete

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Date _____

The roll call vote was 8 For 0 Against

Yes: 8

No: None

Excused: Davis, Payne

Absent: None

H0076C01

Underscored material = new
[bracketed material] = delete