

1 SENATE BILL 58

2 **50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011**

3 INTRODUCED BY

4 Clinton D. Harden

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10 AN ACT

11 RELATING TO LIVESTOCK; REQUIRING REGISTRATION OF MANUFACTURERS  
12 OF LIVESTOCK BIOLOGICALS, PHARMACEUTICALS AND OTHER PRODUCTS OR  
13 SUBSTANCES; PROVIDING FOR A REGISTRATION FEE; MAKING AN  
14 APPROPRIATION.

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

17 SECTION 1. Section 77-2-7 NMSA 1978 (being Laws 1967,  
18 Chapter 213, Section 6, as amended) is amended to read:

19 "77-2-7. ADDITIONAL POWERS OF THE BOARD.--In addition to  
20 the powers transferred from the cattle and sheep sanitary  
21 boards, the board may:

22 A. exercise general regulatory supervision over the  
23 livestock industry of this state in order to protect the  
24 industry from theft and diseases and in order to protect the  
25 public from diseased or unwholesome meat or meat products;

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1           B. appoint and fix the salary of an executive  
2 director, who shall file an oath and be bonded [~~in an amount~~  
3 ~~fixed by the board~~]. The director shall manage the affairs of  
4 the board under the direction of the board. [~~He~~] The director  
5 shall be chosen solely on qualifications and fitness for the  
6 office. [~~He~~] The director shall devote [~~his~~] the director's  
7 entire time to the duties of the office;

8           C. employ clerical help, provide office space and  
9 purchase equipment, including vehicles;

10          D. employ livestock inspectors and brand inspectors  
11 and other personnel necessary to carry out the purposes of The  
12 Livestock Code. All livestock inspectors appointed by the  
13 board shall have the same powers as any other peace officer in  
14 the enforcement of that code;

15          E. appoint a state veterinarian and subordinate  
16 veterinarians as [~~are~~] necessary to carry out the duties of the  
17 board;

18          F. adopt and promulgate rules to control the  
19 importation and exportation of animals;

20          G. establish livestock inspection districts;

21          H. establish quarantine, provide its boundaries and  
22 give notice of the quarantine and do all other things necessary  
23 to effect the object of the quarantine and to protect the  
24 livestock industry of this state from disease and prevent the  
25 spread of disease;

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1 I. adopt and promulgate rules for meat inspection,  
2 including the slaughter and disposition of the carcasses of  
3 livestock affected with diseases when the action appears  
4 necessary to prevent the spread of any contagion or infection  
5 among livestock;

6 J. adopt and promulgate rules:

7 (1) governing the importation, manufacture,  
8 sale, distribution or use within the state of [serums, vaccine  
9 and other] sera, vaccines, biologicals, pharmaceuticals and  
10 other animal remedies intended for diagnostic or therapeutic  
11 uses with livestock [and regulate the importation, manufacture  
12 or], including the use of virulent blood or living virus of any  
13 diseases affecting livestock;

14 (2) requiring manufacturers of products or  
15 substances described in Paragraph (1) of this subsection to  
16 register their products or substances with the board and set an  
17 annual registration fee for each product or substance not to  
18 exceed one hundred twenty-five dollars (\$125) and;

19 (3) prohibiting the importation, sale,  
20 distribution or use of products or substances described in  
21 Paragraph (1) of this subsection within the state if they have  
22 not been registered with the board;

23 K. set fees or charges, not to exceed one hundred  
24 dollars (\$100) per call, for any services rendered by the board  
25 or its employees that are deemed necessary by the board and for

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1 which no fee has been set by statute;

2 L. consider the views of the livestock industry in  
3 the administration of The Livestock Code;

4 M. adopt and promulgate rules to otherwise carry  
5 out the purposes of The Livestock Code;

6 N. hold hearings and subpoena witnesses for the  
7 purpose of investigating or enforcing The Livestock Code or  
8 rules established pursuant to that code; and

9 O. enter into joint powers agreements with Indian  
10 nations, tribes or pueblos to promote cooperation in carrying  
11 out the provisions of The Livestock Code."

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