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AN ACT

RELATING TO AGRICULTURE; AMENDING THE COTTON BOLL WEEVIL
CONTROL ACT TO PROVIDE FOR MONITORING BY THE DISTRICTS.

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

Section 1. Section 76-6A-3 NMSA 1978 (being Laws 1996,
Chapter 77, Section 3, as amended) is amended to read:

"76-6A-3. DEFINITIONS.--As used in the Cotton Boll
Weevil Control Act:

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

B. "cotton boll weevil" means any life stage of
the cotton insect *Anthonomus grandis* Boheman;

C. "cotton boll weevil control committee" means
the persons, not less than three nor more than seven, elected
by a majority of the cotton producers voting in a designated
cotton boll weevil control district;

D. "cotton boll weevil control district" means a
designated area duly established under the Cotton Boll Weevil
Control Act wherein a program to monitor, suppress or
eradicate the cotton boll weevil is administered;

E. "cotton producer" means any person growing five
or more acres of cotton plants. For the purposes of the
Cotton Boll Weevil Control Act, only one person from any
farm, sole proprietorship, corporation, partnership or any

1 other legal business arrangement shall be eligible to vote to
2 establish or dissolve a cotton boll weevil control district;

3 F. "department" means the New Mexico department of
4 agriculture;

5 G. "director" means the director of the New Mexico
6 department of agriculture; and

7 H. "organic cotton producer" means any person
8 growing cotton who is certified by the organic commodity
9 commission as a producer of organic or transitional cotton."

10 Section 2. Section 76-6A-4 NMSA 1978 (being Laws 1996,
11 Chapter 77, Section 4) is amended to read:

12 "7-6A-4. DUTIES AND POWERS.--The director shall
13 determine any critically infested or threatened agricultural
14 areas within New Mexico, hold public hearings within the
15 proposed cotton boll weevil control district determined to be
16 critically infested or at risk and provide technical support
17 and advice in the formulation of plans for the monitoring,
18 control or eradication of such infestation."

19 Section 3. Section 76-6A-11 NMSA 1978 (being Laws 1996,
20 Chapter 77, Section 11, as amended) is amended to read:

21 "76-6A-11. COTTON BOLL WEEVIL CONTROL COMMITTEES--
22 ADDITIONAL DUTIES AND POWERS.--

23 A. Cotton boll weevil control committees may:

24 (1) conduct programs to monitor, suppress or
25 eradicate cotton boll weevils within their cotton boll weevil

1 control districts;

2 (2) cooperate in the administration of the
3 Cotton Boll Weevil Control Act through the use of state or
4 federal personnel and facilities or both;

5 (3) contract for services or enter into
6 cooperative agreements;

7 (4) publish information and conduct seminars
8 on the distribution and control of the cotton boll weevil;

9 (5) levy and collect a special assessment,
10 based on cotton acreage or cotton yield per acre within the
11 cotton boll weevil control districts; and

12 (6) borrow money or accept grants, donations
13 or contributions for any purpose consistent with the powers
14 and duties of the cotton boll weevil control committee.

15 B. Cotton boll weevil control committees shall
16 provide a complete accounting of the funds collected through
17 the special assessment to all participating cotton producers
18 in the cotton boll weevil control districts.

19 C. The cotton boll weevil control committee shall
20 send notice of the establishment of a cotton boll weevil
21 control district and its defined boundaries to the organic
22 commodity commission within fourteen days of its
23 establishment.

24 D. If the cotton boll weevil control district
25 includes certified organic acreage, the cotton boll weevil

1 control committee shall select an organic cotton producer
2 operating within the district, who shall have all the powers
3 of a committee member, to serve on the cotton boll weevil
4 control committee."

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