

1 HOUSE BILL 470

2 **52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015**

3 INTRODUCED BY

4 Jimmie C. Hall

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10 AN ACT

11 RELATING TO LIVESTOCK; AMENDING SECTIONS OF THE NEW MEXICO BEEF  
12 COUNCIL ACT TO PROVIDE FOR ASSESSMENTS AND REFUNDS OF  
13 ASSESSMENTS ON OWNERSHIP TRANSFERS.

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

16 SECTION 1. Section 77-2A-7.1 NMSA 1978 (being Laws 1983,  
17 Chapter 228, Section 3, as amended) is amended to read:

18 "77-2A-7.1. ASSESSMENTS.--There is levied and imposed  
19 upon all cattle involved in a transfer of ownership in this  
20 state an assessment to be called the "council assessment". The  
21 council assessment is to be fixed by the council at a rate of  
22 not more than one dollar (\$1.00) per head. The board shall  
23 collect this council assessment [~~or~~] and the federal domestic  
24 assessment imposed pursuant to the Beef Promotion and Research  
25 Act of 1985 at the same time and in the same manner as the fee

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1 charged for the state brand inspection required upon the  
2 movement of those cattle. The board shall not deliver the  
3 certificate of inspection or permit the cattle to move until  
4 all fees have been paid. The proceeds of the council  
5 assessment shall be remitted by the board to the council at the  
6 end of each month, along with information that will allow the  
7 council to make necessary refunds. At the request of the  
8 board, the council shall reimburse the board for the  
9 responsible and necessary expenses incurred for such  
10 collections and information at not more than four cents (\$.04)  
11 per ~~[head]~~ dollar collected and not refunded on only those  
12 cattle involved in a transfer of ownership."

13 SECTION 2. Section 77-2A-7.3 NMSA 1978 (being Laws 1983,  
14 Chapter 228, Section 5) is amended to read:

15 "77-2A-7.3. REFUNDS.--Any person who has paid a council  
16 assessment is entitled to a refund of the amount paid by making  
17 written application therefor to the council [~~The application~~  
18 ~~form shall be returned within thirty days after the inspection~~  
19 ~~was made giving rise to the council assessment and shall~~  
20 ~~contain enough detail to enable the council to find the record~~  
21 ~~of payment. Refunds shall be made within thirty days of the~~  
22 ~~date of the application unless the proceeds and the necessary~~  
23 ~~information have not been received by the council, in which~~  
24 ~~case the refund shall be made within fifteen days after receipt~~  
25 ~~of the proceeds and necessary information]~~ pursuant to rules.

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underscoring material = new  
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1 The form shall be provided by the [~~board at the time of~~  
2 ~~inspection~~] council. Producers may elect not to participate in  
3 the council assessment by application process."

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