

TITLE 21 AGRICULTURE AND RANCHING
CHAPTER 32 BRANDS, OWNERSHIP, AND TRANSPORTATION OF ANIMALS
PART 10 LIVESTOCK BOARD FEES

21.32.10.1 ISSUING AGENCY: New Mexico Livestock Board, 300 San Mateo, NE, Suite 1000, Albuquerque, New Mexico 87108, Telephone: (505) 841-6161.
[3/1/1999; 21.32.10.1 NMAC - Rn, 21 NMAC 32.10.1, 7/31/2000]

21.32.10.2 SCOPE: All owners, transporters, or handlers of livestock in the State of New Mexico and those that apply to bring livestock into the state for any reason that receive inspection and other services of the New Mexico Livestock Board.
[3/1/1999; 21.32.10.2 NMAC - Rn, 21 NMAC 32.10.2, 7/31/2000]

21.32.10.3 STATUTORY AUTHORITY: Section 77-2-7, A. 6, 7, 8, 9, & 12, 77-2-29, 77-8-3, 77-8-7, 77-9-10, 77-9-16, 77-9-29, 77-9-38, 77-9-42, 77-10-4, NMSA 1978.
[3/1/1999; 21.32.10.3 NMAC - Rn 21 NMAC 32.10.3, 7/31/2000]

21.32.10.4 DURATION: Permanent.
[3/1/1999; 21.32.10.4 NMAC - Rn, 21 NMAC 32.10.4, 7/31/2000]

21.32.10.5 EFFECTIVE DATE: March 1, 1999, unless a later date is cited at the end of the section.
[3/1/1999; 21.32.10.5 NMAC - Rn 21 NMAC 32.10.5, 7/31/2000; A, 9/15/2010]

21.32.10.6 OBJECTIVE: To establish fees for the services provided by the New Mexico livestock board.
[3/1/1999; 21.32.10.6 NMAC - Rn, 21 NMAC 32.10.6, 7/31/2000]

21.32.10.7 DEFINITIONS:

- A. "Board"** means the New Mexico livestock board.
- B. "Holding brand"** means a brand issued pursuant to Section 77-9-16, NMSA 1978, usually for transient livestock in the state of New Mexico.
- C. "Inspector"** means any duly authorized or commissioned officer of the livestock board.
- D. "Livestock or animal"** means cattle, sheep, swine, bison, goats, horses, mules, asses, poultry, ratites, camelids, and farmed cervidae.
- E. "Estray"** means livestock of unknown ownership pursuant to Section 77-13-1 through 77-13-10, NMSA 1978.
[3/1/1999; 21.32.10.7 NMAC - Rn 21 NMAC 32.10.7, 7/31/2000]

21.32.10.8 LIVESTOCK INSPECTION FEES: Effective September 15, 2010, the following are the inspection charges for services of the New Mexico livestock board, pursuant to Sections 77-2-29 and 77-2-7, NMSA 1978:

- A. Cattle and bison inspection fee \$ 0.50 per head**
- B. Horse inspection fee \$ 0.50 per head**
- C. Hide inspection fee \$ 0.50 per hide**
- D. Sheep and goat inspection fee \$ 0.16 per head**
- E. Pelt inspection fee \$ 0.12 per pelt**
- F. Swine inspection fee \$ 1.00 per head**
- G. Service charge for field inspection \$ 10.00 per inspection**
- H. Youth exhibition animals congregated at a pre-arraigned site \$5.00 per inspection**
- I. Service charge at livestock market \$ 0**
- J. The payment, in lieu of fees, on the receipt of livestock at an auction market, pursuant to Sections 77-10-4 and 77-2-29, NMSA 1978, shall be the same as the amounts listed in this section.**
- K. Impoundment fee \$10.00 per head per day, pursuant to Section 7-14-36 and Sub-section J of Section 77-2-29 NMSA 1978.**
- L. Transportation fee not to exceed \$1.75 per loaded mile for the hauling of impounded trespass livestock to a livestock auction market facility or receiving station pursuant to Section 77-14-36 NMSA 1978. In the event a semi-tractor-trailer must be hired to haul livestock, a reasonable fee charged by the company shall be paid.**

Payment for the transportation fee shall have prior approval of the inspector from the originating district of the impounded livestock.

[3/1/1999; 21.32.10.8 NMAC - Rn & A, 21 NMAC 32.10.8, 7/31/2000; A, 5/15/2001; A, 7/9/2001; A, 10/31/2002; A, 9/15/2010; A, 1/12/2021]

21.32.10.9 TRANSPORTATION PERMITS FOR HORSES: The charge for issuance of a transportation permit (form 1-H), pursuant to Section 77-9-42, NMSA 1978, is twenty five dollars (\$25.00). The charge for issuance of an annual transportation permit (form 1-HA) will be fifteen dollars (\$15.00), provided however, that no fee is charged for issuance of a transfer number to a subsequent owner, which is valid for the unexpired portion of the year for which an annual fee has been paid when a transfer of ownership occurs during the year for which an annual fee has already been paid. There will be a service charge in the amount set by Subsection A of 21.32.10.8 NMAC, for a field inspection, for each form 1-H or form 1-HA issued, regardless of where the inspection occurs. The fee for 1-H reproduction is ten dollars (\$10.00). The 1-HA cannot be reproduced.

[3/1/1999; 21.32.10.9 NMAC - Rn & A, 21 NMAC 32.10.9, 7/31/2000; A, 6/14/2001; A, 9/15/2010]

21.32.10.10 ESTRAY CHARGES:

A. There will be an administrative charge of ten dollars (\$10.00) for office handling of each estray report.

B. Charges for advertising estrays pursuant to Section 77-13-4 will be computed by dividing the total cost of the advertisement by the individual reports within that advertisement and that resulting amount shall be charged to the proceeds being held for a particular estray.

[3/1/1999; 21.32.10.10 NMAC - Rn, 21 NMAC 32.10.10, 7/31/2000]

21.32.10.11 BRAND RECORDING FEES:

A. The fee for recording, a New Mexico livestock brand, pursuant to Sections 77-2-7.4 and 77-2-29, NMSA 1978, is one hundred dollars (\$100.00).

B. The fee for re-recording a New Mexico livestock brand, pursuant to Sections 77-2-7.12 and 77-2-29, NMSA 1978, is one hundred dollars (\$100.00).

C. The fee for transferring ownership of a recorded brand, pursuant to Sections 77-2-7.1 and 77-2-29, NMSA 1978, is one hundred dollars (\$100.00).

D. The fee for recording, or re-recording, a holding brand, pursuant to Sections 77-2-7.9 and 77-9-29, NMSA 1978, is one hundred dollars (\$100.00).

E. For the purpose of affording convenience and ease to brand owners and to lessen the administrative burden and expense to the board, and recognizing that the board causes brand re-recordings to occur every three years as permitted by Section 77-2-7.12, NMSA 1978, an option is offered to brand owners to re-record in optional periods of three years, six years, nine years or twelve years, according to the following fee schedule:

(1) The fee to re-record for a three-year period is one hundred dollars (\$100.00), payable at the commencement of that re-recording period.

(2) If re-record is desired for a six-year period, the fee is two hundred dollars (\$200.00), payable at the commencement of that re-recording period.

(3) If re-record is desired for a nine-year period, the fee is three hundred dollars (\$300.00), payable at the commencement of that re-recording period.

(4) If re-record is desired for a twelve-year period, the fee is four hundred dollars (\$400.00), payable at the commencement of that re-recording period.

F. Brand owners are responsible for updating their current address with the board in order to receive timely communication regarding their re-recording opportunities and obligations.

G. In accordance with Sections 77-2-7.9 and 77-2-29 NMSA 1978, owners of holding brands who desire to extend the duration of a holding brand beyond one year must re-apply annually and must pay the annual renewal fee of one hundred dollars (\$100.00).

H. When owners of dairy cattle and owners of feedlots re-record their brand or register the alternative to branding as permitted by Section 9 and 10 of 21.32.2 NMAC, they must utilize the same re-recording period chosen for brand re-recording. As provided by those rules, the fee for registering the alternative is the same as, and is in addition to, the fee for brand re-recording.

[3/1/1999, 21.32.10.11 NMAC – Rn & A, 21 NMAC 32.10.11, 7/31/2000; A, 7/1/2005; A, 7/1/2011; A, 1/31/2014]

21.32.10.12 COPY SERVICES

A. The fee for making copies of any documents using the agency's copiers, shall be fifty cents per page, either 8 ½ by 11 or 8 ½ by 14 plus postage.

B. No documents of the livestock board will be surrendered to anyone, other than employees of the board, for the purpose of removing the documents from the office of the board in order to have copies made.

C. The fee for making certified copies shall be three dollars (\$3.00) for certification and fifty cents (\$0.50) per page plus postage.

D. The fee for re-producing 3x5 inch or 4x6 inch photographs shall be ten dollars (\$10.00) for each copy, and larger sizes will be the cost of re-producing plus a ten dollar (\$10.00) office fee per request plus postage.

E. The fee for providing an electronic copy on compact disk of brand owners names and address shall be one hundred dollars (\$100.00) per copy plus postage.

[3/1/1999, 21.32.10.12 NMAC - Rn, 21 NMAC 32.10.12, 7/31/2000; A, 7/9/2001; A, 10/31/2002]

21.32.10.13 ABATTOIRS, MEAT DEALERS AND STORAGE PLANTS:

A. Annual license fee for meat dealers, abattoirs and storage plants - one hundred dollars (\$100.00).

B. Annual licenses are valid from January 1st through December 31st.

C. License fees renewals are due thirty days before the expiration date of the current license.

D. Operating without a current license is prohibited.

[21.32.10.13 NMAC - N, 12/30/2004]

21.32.10.14 DEPOSITS:

A. New Mexico Livestock Board inspectors shall deposit all fees to designated banks no later than 10 days from the date of collection.

B. Designated banks may be proposed by the executive director and confirmed by majority vote of the board.

C. In the event of force majeure, the executive director may direct the use of alternative financial institutions until the next meeting of the board.

[21.32.10.14 NMAC - N, 8/1/2020]

History of 21.32.10 NMAC:

Pre-NMAC History: The material filed in this Part was derived from that previously filed with the State Records Center and Archives under:

NMLB 67-1, Cattle Sanitary Board of New Mexico Instructions to Inspectors, filed 5/3/1967;

NMLB 70-1, Rules and Regulations of the New Mexico Livestock Board, filed 3/11/1970;

NMLB 76-1, New Mexico Livestock Board Rules and Regulations, filed 5/6/1976;

NMLB 69-2, Notice-All NM Sheepmen re: branding, filed 12/10/1969;

NMLB 72-2, Resolution re: Cattle Scabies Outbreak, filed 1/31/1972;

NMLB 72-3, Resolution re: Cattle Scabies Outbreak, filed 1/31/1972;

NMLB 72-4, Resolution re: Cattle Scabies Outbreak, filed 1/31/1972;

NMLB -1, New Mexico Livestock Board Rules and Regulations, filed 10/17/1979;

NMLB -2, New Mexico Livestock Board Rules and Regulations, filed 11/04/1981;

NMLB Rule No. 3, New Mexico Livestock Board Rules and Regulations, filed 1/30/1985;

NMLB Rule No. 4, Livestock Inspection Fees, filed 8/5/1993.

History of Repealed Material: [Reserved]

Other History: Only that applicable portion of NMLB Rule No. 3, New Mexico Livestock Board Rules and Regulations (filed 1/30/1985) and NMLB Rule No. 4, Livestock Inspection Fees (filed 8/5/1993) renumbered, reformatted, and amended to 21 NMAC 32.10, Livestock Board Fees, effective 3/1/1999.

21 NMAC 32.10, Livestock Board Fees (filed 1/28/1999) renumbered, reformatted, and amended to 21.32.10 NMAC, Livestock Board Fees, effective 7/31/2000.