

TITLE 21 AGRICULTURE AND RANCHING
CHAPTER 17 PEST, DISEASE, AND WEED CONTROL
PART 46 LEA COUNTY COTTON BOLL WEEVIL CONTROL DISTRICT ASSESSMENT

21.17.46.1 ISSUING AGENCY: Lea County Cotton Boll Weevil Control District
[21.17.46.1 NMAC - N, 02/14/2001]

21.17.46.2 SCOPE: This rule establishes the control committee assessment to be paid by cotton producers in the Lea county cotton boll weevil control district.
[21.17.46.2 NMAC - N, 02/14/2001]

21.17.46.3 STATUTORY AUTHORITY: Granted to the Lea county cotton boll weevil control committee under the Cotton Boll Weevil Control Act, Chapter 76, Article 6A, Sections 1 through 16, NMSA 1978 Compilation.
[21.17.46.3 NMAC - N, 02/14/2001]

21.17.46.4 DURATION: Until the Lea county cotton boll weevil control district ceases to exist.
[21.17.46.4 NMAC - N, 02/14/2001]

21.17.46.5 EFFECTIVE DATE: February 14, 2001, unless a later date is cited in the history note at the end of a section.
[21.17.46.5 NMAC - N, 02/14/2001]

21.17.46.6 OBJECTIVE: The objective of Part 46, Chapter 17 is to establish the control district's assessment upon cotton producers for the support of the cotton boll weevil control district.
[21.17.46.6 NMAC - N, 02/14/2001]

21.17.46.7 DEFINITIONS:

- A.** "Committee" means Lea county cotton boll weevil control committee.
- B.** "Control district" means Lea county cotton boll weevil control district.
- C.** "Producer" means any person producing five or more acres of cotton plants.

[21.17.46.7 NMAC - N, 02/14/2001]

21.17.46.8 ASSESSMENT:

A. The committee assessment rate is set forth at 3 dollars (\$3) per land acre of irrigated cotton and 3 dollars (\$3) per land acre for dryland cotton to be collected each annum from cotton producers in the control district. The control committee may annually set an incentive for early payment of the assessment.

B. Payment of the assessment levied by a local control committee against a cotton producer will be due and payable when the cotton producer receives an assessment statement from the control committee or their authorized agent.

C. The number of acres used in calculating the assessment amount due will be the number of land acres the cotton producer has certified with the farm service agency, or if the cotton acreage is not certified by the farm service agency the number of land acres used in calculating the assessment amount due shall be determined by other methods set by the control committee or their authorized agent.

D. Failure to comply with payment of assessment to the committee or their authorized agent may result in the recording of a lien on the cotton crop and/or property in the county clerk's office where the property is located. The lien will remain in effect until foreclosure or balance subject to the lien is paid in full. Interest may be assessed at a rate of 8 ½ percent per annum on the balance unpaid after 30 days.

[21.17.46.8 NMAC - N, 02/14/2001; A, 05/14/2004; A, 07/29/2005]

HISTORY of 21.17.46 NMAC: [RESERVED]