CHAPTER 77

Livestock Code

Art.

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- 2. Livestock Board, 77-2-1 to 77-2-29.

ARTICLE 1

Dogs and Domesticated Animals

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77-1-1. [Dogs, cats, domesticated fowls and birds are personal property.]

That dogs, cats and domesticated fowls and birds shall be deemed and considered as personal property, and all remedies given for the recovery of personal property and of damages for injuries thereto are hereby extended to them.

History: Laws 1912, ch. 38, § 1; Code 1915, § 26; C.S. 1929, § 4-101; 1941 Comp., § 49-101; 1953 Comp., § 47-1-1.

77-1-2. Dog killing or injuring livestock; damages; dog to be killed.

If any dog shall kill or injure any livestock, the owner or keeper of such dog shall be liable for all damages that may be sustained thereby, to be recovered by the party so injured before any court having competent jurisdiction, and it shall be unlawful to keep such dog after it is known that the dog is liable to kill livestock, and it shall be the duty of the owner to kill, or have killed, the dog upon order of the court after a finding that the dog has killed or injured livestock, and provided further, that it shall be the right of any owner of livestock so killed or injured by the actions of any dog to kill the dog while it is upon property controlled by the owner of the livestock.

History: Laws 1901, ch. 105, § 2; Code 1915, § 219; C.S. 1929, § 4-2002; 1941 Comp., § 49-103; 1953 Comp., § 47-1-2; Laws 1957, ch. 131, § 1.

77-1-3. Vaccination of dogs and cats required.

Any person who owns or keeps a dog or cat over the age of three months in this state shall have the dog or cat vaccinated against rabies as prescribed by regulation of the health and environment department [department of health]. All antirabies vaccine shall be administered by or under the supervision of a licensed veterinarian who shall issue a serially numbered certificate and tag for each such administration.

History: 1953 Comp., § 47-1-2.1, enacted by Laws 1959, ch. 176, § 1; 1973, ch. 170, § 1; 1977, ch. 253, § 55; 1979, ch. 194, § 1.

77-1-4. Repealed.

77-1-5. Vaccination of dogs and cats brought into state.

Any dog or cat brought into the state shall be securely confined by the owner or keeper until vaccinated against rabies, which vaccination shall be administered within one week after entry into the state unless the owner or keeper has a certificate of vaccination issued by a veterinarian in another state or foreign country and such vaccination conforms to the requirements of this state.

History: 1953 Comp., § 47-1-2.3, enacted by Laws 1959, ch. 176, § 3; 1973, ch. 170, § 3.

77-1-6. Notice to health officer of animal bite; confinement; animal contact with rabid animals; animal rabies quarantine; procedure following death from rabies.

The health and environment department [department of health] shall prescribe regulations for the reporting of animal bites, confinement and disposition of rabies-suspect animals, rabies quarantine and the disposition of dogs and cats exposed to rabies, in the interest of public health and safety.

History: 1978 Comp., § 77-1-6, enacted by Laws 1979, ch. 194, § 2.

77-1-7, 77-1-8. Repealed.

77-1-9. Dogs; destruction.

- A. Any peace officer may impound any dog found running at large unaccompanied by and not under the control of the owner or handler, and further, the peace officer shall destroy the dog if it is in the act of pursuing or wounding livestock or wounding and killing poultry or attacking humans.
- **B.** Any peace officer may kill any dog in the act of pursuing or wounding any livestock or wounding or killing poultry or attacking humans whether or not the dog wears a rabies tag required by Section 77-1-3 NMSA 1978. There shall be no liability of the peace officer in damages or otherwise for such killing.

History: 1953 Comp., § 47-1-2.7, enacted by Laws 1975, ch. 352, § 1.

77-1-10. Vicious animals; rabid or unvaccinated dogs and cats; failure to destroy.

- **A.** It is unlawful for any person to keep any animal known to be vicious and liable to attack or injure human beings unless such animal is securely kept to prevent injury to any person.
 - **B.** It is unlawful to keep any unvaccinated dog or cat or any animal with any symptom of rabies.
- C. It is unlawful to fail or to refuse to destroy vicious animals or unvaccinated dogs or cats with symptoms of rabies as prescribed by regulation of the health and environment department [department of health] for the protection of public health and safety.

History: Laws 1901, ch. 105, § 3; Code 1915, § 220; C.S. 1929, § 4-2003; 1941 Comp., § 49-104; 1953 Comp., § 47-1-3; Laws 1959, ch. 176, § 7; 1973, ch. 170, § 7; 1977, ch. 253, § 56; 1979, ch. 194, § 3.

77-1-11. Repealed.

77-1-12. Local control by ordinance; dogs and cats running at large.

Each municipality and each county shall make provision by ordinance for the seizure and disposition of dogs and cats running at large and not kept or claimed by any person on their premises.

History: Laws 1901, ch. 105, § 5; Code 1915, § 222; C.S. 1929, § 4-2005; 1941 Comp., § 49-106; 1953 Comp., § 47-1-5; Laws 1973, ch. 170, § 9; 1979, ch. 194, § 4.

77-1-13. Penalty.

Violation of Sections 77-1-3 and 77-1-10 NMSA 1978 and Section 6 [77-18-1 NMSA 1978] of this act or regulations or orders issued pursuant thereto shall be a misdemeanor.

History: 1978 Comp., § 77-1-13, enacted by Laws 1979, ch. 194, § 5.

77-1-14, 77-1-15. Repealed.

77-1-15.1. Regulation and licensure of dogs; impoundment of animals; qualified service animals exempt.

- **A.** Every municipality and each county may provide by ordinance for the mandatory licensure of dogs over the age of three months. License fees shall be fixed by the responsible municipality or county. Proof of vaccination against rabies shall be provided by the owner or keeper before a license is issued. A combined rabies vaccination certificate and license may be provided by ordinance.
- **B.** Every municipality and each county shall provide for the impoundment of rabies-suspect animals and shall designate a part-time or full-time animal control officer who shall be deputized to enforce animal control laws, orders, ordinances and regulations.
- C. No fee shall be charged for the licensure of qualified service animals who are trained to lead partially or totally blind persons, aid hearing impaired persons or assist mobility impaired persons.

History: Laws 1979, ch. 194, § 7; 1989, ch. 242, § 4.

77-1-16. Repealed.

77-1-17. Abandoned dogs and cats; notice to owner; disposal without liability.

- **A.** As used in this act [section], "custodian" means the owner or operator of a veterinary clinic or hospital, a doctor of veterinary medicine, a kennel, grooming parlor or other animal care facility.
- **B.** Any dog or cat placed in the custody of a veterinarian, kennel, animal clinic or hospital, grooming parlor or other animal care facility shall be deemed to be abandoned if, after the term of any agreement for board or other care has expired, the dog or cat has not been reclaimed within ten days after written notice has been given the owner or his agent by registered or certified mail.
- C. Any dog or cat deemed abandoned under the provisions of Subsection B of this section, may be disposed of by the custodian if not reclaimed. Notice of the intent to dispose of a dog or cat shall be given to the owner or his agent by registered or certified mail. Such notice, when sent to the address given to the custodian by the owner, shall relieve the custodian from all liability to the owner or his agent for the disposal of the dog or cat.
- **D.** The custodian may turn over an abandoned dog or cat to the municipal or county animal control center, pound or shelter for disposal by them. Nothing in this act [section] shall affect the holding time or notice procedures regarding any municipal or county control facility which is owned or operated by, or is under contract or franchise to, a municipality or county.
- **E.** Nothing in this act [section] shall relieve the owner of a dog or cat for the payment of all reasonable charges for medical or care services rendered to the dog or cat while in the custody of a veterinarian, kennel, animal clinic or hospital, grooming parlor or other animal care facility.

History: 1953 Comp., § 47-1-9, enacted by Laws 1973, ch. 94, § 1.

77-1-18. Short title.

This act [77-1-18 to 77-1-20 NMSA 1978] may be cited as the "Pet Sterilization Act".

History: Laws 1993, ch. 43, § 1.

77-1-19. Definitions.

As used in the Pet Sterilization Act [77-1-18 to 77-1-20 NMSA 1978]:

- **A.** "animal" means a cat or dog;
- **B.** "animal shelter" means any animal facility operated privately or by or for a municipality or county, in which stray, lost or unwanted animals are kept and released for adoption;
- **C.** "sterilization" means rendering an animal unable to reproduce, either by the spaying of a female animal or by the neutering of a male animal; and
- **D.** "sterilization deposit" means that portion of the adoption fee charged by the animal shelter when a person adopts an unsterilized animal; the "sterilization deposit" is refunded when the animal is sterilized.

History: Laws 1993, ch. 43, § 2.

77-1-20. Sterilization agreement and sterilization deposit required.

- **A.** No animal shall be released from an animal shelter to an adopting person unless a sterilization agreement has been signed and a sterilization deposit has been paid, as provided in Subsections C and D of this section.
- **B.** In addition to any adoption fee charged, a sterilization deposit of at least twenty-five dollars (\$25.00) shall be imposed on the adoption of each animal from an animal shelter.
- C. Animals less than six months of age shall be released only upon payment of the adoption fee and a sterilization deposit and after the adopting person has signed an agreement stating he will have the adopted animal sterilized when it is no older than six months of age.
- **D.** Adult animals over the age of six months shall be released only upon payment of the adoption fee and a sterilization deposit and after the adopting person has signed an agreement stating he will have the animal sterilized within thirty days of the date of adoption.
- **E.** The sterilization deposit shall be reimbursed only upon presentation of a receipt from a veterinarian that the adopted animal has been sterilized.
- F. An unsterilized animal reclaimed by its owner shall be released without being sterilized upon payment of the twenty-five dollars (\$25.00) for the sterilization deposit and impoundment fees imposed by the shelter, and the owner shall sign an agreement stating he will sterilize the animal within thirty days after release or will obtain a breeder permit or its equivalent. The sterilization deposit shall be reimbursed upon presentation by the owner of a receipt from a veterinarian that the animal has been sterilized.

History: Laws 1993, ch. 43, § 3.

ARTICLE 2

Livestock Board

Sec.		Sec.	
77-2-1. 77-2-1.1.	Short title; purpose. (Repealed effective July 1, 2060.) Definitions. (Repealed effective July 1, 2006.)	77-2-8.	Research and promotion of meat and meat products. (Repealed effective July 1, 2006.)
77-2-2.	New Mexico livestock board created; transfer of powers; transfer of property. (Repealed effective until July 1,	77-2-9.	Reports of inspectors; prosecution of violations of livestock laws. (Repealed effective July 1, 2006.)
77-2-3.	2006.) New Mexico livestock board; scope; composition; qualifications; terms; meetings. (Repealed effective July	77-2-10.	Receipts and disbursements; issuance of warrants, purchase orders and contracts; deposit of funds. (Repealed effective July 1, 2006.)
	1, 2006.)	77-2-11.	Repealed.
77-2-4.	Compensation of members. (Repealed effective July 1, 2006.)		Executive director; duties, oath and bond. (Repealed effective July 1, 2006.)
77-2-5. 77-2-6.	Report of board. (Repealed effective July 1, 2006.) Livestock board attached to New Mexico department of	77-2-13.	Records; certified copy evidence. (Repealed effective July 1, 2006.)
	agriculture. (Repealed effective July 1, 2006.)	77-2-14.	Attorney; duties. (Repealed effective July 1, 2006.)
77-2-7.	Additional powers of the board. (Repealed effective July 1, 2006.)	77-2-15.	Special taxes; levy; collection. (Repealed effective July 1, 2006.)
77-2-7.1.	Brands; subject to change in ownership; fees for transfer. (Repealed effective July 1, 2006.)	77-2-16.	Financial report and tax estimate; state levy; maximum rate. (Repealed effective July 1, 2006.)
77-2-7.2.	Registration of brands and marks; board. (Repealed effective July 1, 2006.)	77-2-17.	Payment of tax collections to state treasurer; disbursement. (Repealed effective July 1, 2006.)
77-2-7.3.	Brand books. (Repealed effective July 1, 2006.)	77-2-18.	Compensation of employees. (Repealed effective July 1,
77-2-7.4.	Recording before use; recording fee; conflicting brands.		2006.)
77-2-7.5.	(Repealed effective July 1, 2006.) Fees; disposition. (Repealed effective July 1, 2006.)	77-2-19.	Limitation on expenditures. (Repealed effective July 1, 2006.)
	Brand book. (Repealed effective July 1, 2006.)	77-2-20.	Repealed.
77-2-7.7.	More than one brand unlawful; exceptions; penalty.	77-2-21.	Fees. (Repealed effective July 1, 2006.)
77-2-7 8	(Repealed effective July 1, 2006.) Brands of minors. (Repealed effective July 1, 2006.)	77-2-22.	Penalty for violating rule. (Repealed effective July 1, 2006.)
	Filing of facsimile; designation of brands; holding brand	77-2-23	77-2-24. Repealed.
77 2 7.5.	renewal and fee; branding increase; offenses; penalty. (Repealed effective July 1, 2006.)		Interim receipts and disbursements fund created. (Repealed effective July 1, 2006.)
77-2-7.10	Brands; board may reject. (Repealed effective July 1, 2006.)	77-2-26.	Board not to be assessed for general administrative overhead. (Repealed effective July 1, 2006.)
77-2-7.11	. Brand; priority of right to. (Repealed effective July 1,	77-2-27.	Repealed.
	2006.)	77-2-28.	Termination of board life; delayed repeal. (Repealed
77-2-7.12	Re-recording of brands; notice; publication; fees.	77.2.20	effective July 1, 2006.)
	(Repealed effective July 1, 2006.)	11-2-29.	Fees. (Repealed effective July 1, 2006.)

77-2-1. Short title; purpose. (Repealed effective July 1, 2060.)

Chapter 77, Articles 2 through 18 NMSA 1978 may be cited as "The Livestock Code". The Livestock Code shall be liberally construed to carry out its purposes, which are to promote greater economy, service and efficiency in the administration of the laws relating to the livestock industry of New Mexico, to control disease, to prevent the theft or illegal movement of livestock and to oversee the New Mexico meat inspection program.

History: 1953 Comp., § 47-23-1, enacted by Laws 1967, ch. 213, § 1; 1993, ch. 248, § 1; 1999, ch. 282, § 1.

77-2-1.1. Definitions. (Repealed effective July 1, 2006.)

As used in The Livestock Code [Chapter 77, Articles 2 through 18 NMSA 1978]:

- A. "animals" or "livestock" means all domestic or domesticated animals that are used or raised on a farm or ranch, including the carcasses thereof, and exotic animals in captivity and includes horses, asses, mules, cattle, sheep, goats, swine, bison, poultry, ostriches, emus, rheas, camelids and farmed cervidae upon any land in New Mexico; provided that for the purposes of Chapter 77, Article 9 NMSA 1978, "animals" or "livestock" have the meaning defined in that article. "Animals" or "livestock" does not include canine or feline animals. For the purpose of the rules governing meat inspection, wild animals, poultry and birds used for human consumption shall also be included within the meaning of "livestock" or "animal";
- **B.** "bill of sale" means an instrument in substantially the form specified in The Livestock Code by which the owner or his authorized agent transfers to the buyer the title to animals described therein;
 - C. "bison" or "buffalo" means a bovine animal of the species bison;

- **D.** "board" means the New Mexico livestock board;
- **E.** "bond" means cash or an insurance agreement from a New Mexico licensed surety or insurance corporation pledging surety for financial loss caused to another, including certificate of deposit, letter of credit or other surety as may be approved by the United States department of agriculture, packers and stockyards administration or the board;
- **F.** "brand" means a symbol or device in a form approved by and recorded with the board as may be sufficient to readily distinguish livestock should they become intermixed with other animals or livestock;
 - **G.** "brand inspector" means an inspector who is not certified as a peace officer;
 - **H.** "carcasses" means dead or dressed bodies of livestock or parts thereof;
- I. "cattle" means animals of the genus Bos, including dairy cattle, and does not include any other kind of livestock;
- **J.** "dairy cattle" means animals of the genus Bos raised not for consumption but for dairy products and distinguished from meat breed cattle;
 - **K.** "director" means the executive director of the board;
 - L. "disease" means a communicable, infectious or contagious disease;
 - M. "district" means a livestock inspection district;
- **N.** "estray" means livestock found running at large upon public or private lands, either fenced or unfenced, whose owner is unknown, or that is branded with a brand that is not on record in the office of the board or is a freshly branded or marked offspring not with its branded or marked mother, unless other proof of ownership is produced;
 - **O.** "inspector" means a livestock or brand inspector;
- **P.** "livestock inspector" means a certified inspector who is granted full law enforcement powers for enforcement of The Livestock Code;
 - **Q.** "mark" means an ear tag or ownership mark that is not a brand;
- **R.** "meat" means the edible flesh of poultry, birds or animals sold for human consumption and includes livestock, poultry and livestock and poultry products;
 - S. "mule" means a hybrid resulting from the cross of a horse and an ass; and
 - **T.** "person" means an individual, firm, partnership, association, corporation or similar legal entity.

History: 1978 Comp., § 77-2-1.1, enacted by Laws 1993, ch. 248, § 2; 1995, ch. 111, § 1; 1999, ch. 282, § 2.

77-2-2. New Mexico livestock board created; transfer of powers; transfer of property. (Repealed effective until July 1, 2006.)

- **A.** In order to achieve the purposes set forth in Section 1 [77-2-1 NMSA 1978], there is hereby created a board to be known as the "New Mexico livestock board." The New Mexico livestock board shall have all powers which have heretofore been held by the cattle sanitary board or the sheep sanitary board and those powers are hereby transferred to the New Mexico livestock board.
- **B.** Wherever in the NMSA 1978 the term "board" or "sanitary board" is used in relation to the sheep sanitary board or the cattle sanitary board, it shall mean the New Mexico livestock board. Wherever in the NMSA 1978 the terms [term] "sheep sanitary board" or "cattle sanitary board" are [is] used it shall mean the New Mexico livestock board.
- C. Wherever in the NMSA 1978 the term "secretary," "secretary of the board," "secretary of the sheep sanitary board," "secretary of the cattle sanitary board" or any similar term is used in relation to the secretary of the sheep sanitary board or the secretary of the cattle sanitary board, it shall mean the executive director of the New Mexico livestock board.
- **D.** All books, records, property and equipment of the sheep sanitary board and the cattle sanitary board are transferred to the New Mexico livestock board.

History: 1953 Comp., § 47-23-2, enacted by Laws 1967, ch. 213, § 2.

77-2-3. New Mexico livestock board; scope; composition; qualifications; terms; meetings. (Repealed effective July 1, 2006.)

- **A.** The New Mexico livestock board is established to govern the livestock industry of the state in the manner required by law.
- **B.** The New Mexico livestock board shall be composed of nine members appointed by the governor and adequately representing the state livestock industry. Seven of the nine members must raise and own cattle or

raise and own sheep in this state and be residents of this state. Two members of the board shall not raise or own cattle or sheep but shall be appointed to represent the general public. The two public members also shall be residents of New Mexico. The majority of the members of the board at any given time shall, however, be primarily engaged in the business of raising and owning cattle in this state. The board shall be bipartisan, but no more than five members of the board shall belong to the same political party.

- C. The term of office of each member of the New Mexico livestock board shall be six years; provided, that of the members of the board to be appointed after the passage and approval of this act, two shall be appointed for a term of two years, two for a term of four years and three for a term of six years and, upon the expiration of the terms of such appointments, the successors shall be appointed for the full term of six years.
- **D.** The New Mexico livestock board shall elect from their number a chairman, vice-chairman and secretary. The board shall hold two regular meetings in each year, one in June and the other in December. Special meetings may be called by the chairman or by the vice-chairman in the event that the chairman is absent from the state or because the chairman is physically incapacitated or by a majority of the members of the board.

History: 1953 Comp., § 47-23-3, enacted by Laws 1967, ch. 213, § 3; 1983, ch. 229, § 1; 1993, ch. 248, § 3.

77-2-4. Compensation of members. (Repealed effective July 1, 2006.)

The members of the New Mexico livestock board shall receive per diem and mileage as provided in the Per Diem and Mileage Act [10-8-1 to 10-8-7 NMSA 1978] and shall receive no other compensation, perquisite or allowance.

History: 1953 Comp., § 47-23-4, enacted by Laws 1967, ch. 213, § 4.

77-2-5. Report of board. (Repealed effective July 1, 2006.)

It shall be the duty of the board during the first week in December of each year to transmit to the governor a report of its activities for the previous calendar year. This report shall contain a detailed account of all of the receipts and expenditures of money by the board, together with other facts relating to the livestock industry in New Mexico which may be of public interest. The report of the board shall be transmitted by the governor to the legislature.

History: 1953 Comp., § 47-23-5, enacted by Laws 1967, ch. 213, § 5.

77-2-6. Livestock board attached to New Mexico department of agriculture. (Repealed effective July 1, 2006.)

The board is attached for coordinative purposes to the New Mexico department of agriculture. The board shall execute a memorandum of understanding with the director of the New Mexico department of agriculture, identifying areas for cooperation and coordination of the activities of the board with those of the department of agriculture. Administrative and other services may be provided the board by the department pursuant to the terms of the memorandum of understanding. The board shall submit an annual report on its activities to the director. This section shall not be construed to affect the exercise of any board power or duty.

History: 1953 Comp., § 47-23-5.1, enacted by Laws 1977, ch. 256, § 3.

77-2-7. Additional powers of the board. (Repealed effective July 1, 2006.)

In addition to the powers transferred from the cattle and sheep sanitary boards, the board may:

- **A.** exercise general regulatory supervision over the livestock industry of this state in order to protect the industry from theft and diseases and in order to protect the public from diseased or unwholesome meat or meat products;
- **B.** appoint and fix the salary of an executive director who shall file an oath and be bonded in an amount fixed by the board. The director shall manage the affairs of the board under the direction of the board. He shall be chosen solely on qualifications and fitness for the office. He shall devote his entire time to the duties of the office;
 - **C.** employ clerical help, provide office space and purchase equipment, including vehicles;
- **D.** employ livestock inspectors and brand inspectors and other personnel necessary to carry out the purposes of The Livestock Code [Chapter 77, Articles 2 through 18 NMSA 1978]. All livestock inspectors appointed by the board shall have the same powers as any other peace officer in the enforcement of that code;
- **E.** appoint a state veterinarian and subordinate veterinarians as are necessary to carry out the duties of the board;

- **F.** adopt and promulgate rules to control the importation and exportation of animals;
- **G.** establish livestock inspection districts;
- **H.** establish quarantine, provide its boundaries and give notice of the quarantine and do all other things necessary to effect the object of the quarantine and to protect the livestock industry of this state from disease and prevent the spread of disease;
- I. adopt and promulgate rules for meat inspection, including the slaughter and disposition of the carcasses of livestock affected with diseases when the action appears necessary to prevent the spread of any contagion or infection among livestock;
- **J.** adopt and promulgate rules governing the importation, manufacture, sale, distribution or use within the state of serums, vaccine and other biologicals intended for diagnostic or therapeutic uses with livestock and regulate the importation, manufacture or use of virulent blood or living virus of any diseases affecting livestock;
- **K.** set fees or charges, not to exceed one hundred dollars (\$100) per call, for any services rendered by the board or its employees that are deemed necessary by the board and for which no fee has been set by statute;
 - L. consider the views of the livestock industry in the administration of The Livestock Code;
 - M. adopt and promulgate rules to otherwise carry out the purposes of The Livestock Code;
- **N.** hold hearings and subpoena witnesses for the purpose of investigating or enforcing The Livestock Code or rules established pursuant to that code; and
- **O.** enter into joint powers agreements with Indian nations, tribes or pueblos to promote cooperation in carrying out the provisions of The Livestock Code.

History: 1953 Comp., § 47-23-6, enacted by Laws 1967, ch. 213, § 6; 1973, ch. 234, § 5; 1983, ch. 229, § 2; 1993, ch. 248, § 4; 1995, ch. 111, § 2; 1999, ch. 282, § 3.

77-2-7.1. Brands; subject to change in ownership; fees for transfer. (Repealed effective July 1, 2006.)

Brands recorded in accordance with the provisions of Section 77-9-10 NMSA 1978 [77-2-7.4 NMSA 1978] are personal property of the person in whose name they are recorded. Ownership may be transferred in the same manner as other personal property. The fee for recording a transfer of ownership with the director of the New Mexico livestock board shall be a sum fixed by the board not to exceed the amount prescribed by law.

History: Laws 1895, ch. 6, § 3; C.L. 1897, § 108; Code 1915, § 119; C.S. 1929, § 4-1405; 1941 Comp., § 49-905; 1953 Comp., § 47-9-5; Laws 1959, ch. 249, § 1; 1971, ch. 50, § 1; 1975, ch. 91, § 1; 1981, ch. 357, § 5; 1978 Comp., § 77-9-7, recompiled as 1978 Comp., § 77-2-7.1 by Laws 1999, ch. 282, § 103.

77-2-7.2. Registration of brands and marks; board. (Repealed effective July 1, 2006.)

Except as otherwise authorized by the board, the board is the sole authority for the registration of brands, marks or electronic identification on livestock in this state.

History: Laws 1895, ch. 6, § 4; C.L. 1897, § 109; Code 1915, § 120; C.S. 1929, § 4-1406; 1941 Comp., § 49-906; 1953 Comp., § 47-9-6; Laws 1971, ch. 50, § 2; 1978 Comp., § 77-9-8, amended and recompiled as 1978 Comp., § 77-2-7.2 by Laws 1999, ch. 282, § 11.

77-2-7.3. Brand books. (Repealed effective July 1, 2006.)

The board shall keep a suitable record of all registered brands, marks and electronic identification used for the identification of livestock in this state.

History: Laws 1895, ch. 6, \S 5; C.L. 1897, \S 110; Code 1915, \S 121; C.S. 1929, \S 4-1407; 1941 Comp., \S 49-907; 1953 Comp., \S 47-9-7; Laws 1983, ch. 229, \S 7; 1993, ch. 248, \S 45; 1978 Comp., \S 77-9-9, amended and recompiled as 1978 Comp., \S 77-2-7.3 by Laws 1999, ch. 282, \S 12.

77-2-7.4. Recording before use; recording fee; conflicting brands. (Repealed effective July 1, 2006.)

- **A.** A brand shall not be used until recorded. A facsimile of the brand and a recording fee fixed by the board shall be forwarded to the director. One certified copy of the recorded brand shall be furnished to the owner of the brand by the director when the brand is recorded.
- **B.** The director shall immediately record the brand unless it has been recorded previously or conflicts with a prior recorded brand. In that event, the director shall return the facsimile unrecorded and charge a fee for the research.

C. Additional certified copies of brands recorded may be obtained from the director by the payment of a fee to be fixed by the board in a sum not to exceed the amount prescribed by law.

History: Laws 1895, ch. 6, § 9; C.L. 1897, § 113; Code 1915, § 123; C.S. 1929, § 4-1409; 1941 Comp., § 49-908; Laws 1949, ch. 49, § 1; 1953 Comp., § 47-9-8; Laws 1959, ch. 249, § 2; 1971, ch. 50, § 3; 1975, ch. 91, § 2; 1981, ch. 357, § 6; 1978 Comp., § 77-9-10, amended and recompiled as 1978 Comp., § 77-2-7.4 by Laws 1999, ch. 282, § 13.

77-2-7.5. Fees; disposition. (Repealed effective July 1, 2006.)

The fees for recording or researching brands and for furnishing certified copies of the recording or research shall be placed to the credit of the New Mexico livestock board interim receipts and disbursements fund.

History: Laws 1905, ch. 30, § 1; Code 1915, § 124; C.S. 1929, § 4-1410; 1941 Comp., § 49-909; 1953 Comp., § 47-9-9; Laws 1993, ch. 248, § 46; 1978 Comp., § 77-9-11, amended and recompiled as 1978 Comp., § 77-2-7.5 by Laws 1999, ch. 282, § 14.

77-2-7.6. Brand book. (Repealed effective July 1, 2006.)

The director shall publish a brand book in which shall be given a facsimile or copy of all brands recorded in the office of the board, together with the owner's name and address. The board may publish if it deems best to do so a limited number of brand books in addition to the number required by the provisions of this section and to sell them for such price as the board considers reasonable and proper. The price shall not be less than the actual cost.

History: Laws 1895, ch. 6, § 12; C.L. 1897, § 116; Code 1915, § 127; C.S. 1929, § 4-1413; 1941 Comp., § 49-912; 1953 Comp., § 47-9-11; Laws 1983, ch. 229, § 8; 1993, ch. 248, § 48; 1978 Comp., § 77-9-13, amended and recompiled as 1978 Comp., § 77-2-7.6 by Laws 1999, ch. 282, § 15.

77-2-7.7. More than one brand unlawful; exceptions; penalty. (Repealed effective July 1, 2006.)

- A. It is unlawful for an owner of livestock in originally marking or branding livestock to make use of or keep up more than one mark or brand; provided that an owner may own and possess livestock in different marks or brands if they were acquired by him by purchase or other lawful manner and evidenced by a bill of sale from the previous owner of the livestock having such brands or from the heirs, executors, administrators or legal representatives of the owner. Livestock so acquired shall be branded or marked as provided in The Livestock Code [Chapter 77, Articles 2 through 18 NMSA 1978] by and with the recorded brand or mark of the person acquiring the livestock. It is lawful for the purpose of identification during the pendency of a mortgage or lien to brand the increase of the branded livestock in the recorded brand designated in the mortgage or lien.
 - **B.** A brand shall not be altered by placing another brand on it or in the same location.
- C. A person who unlawfully brands livestock contrary to the provisions of The Livestock Code is guilty of a misdemeanor and upon conviction shall be punished in accordance with the provisions of Section 31-19-1 NMSA 1978 for each offense.

History: Laws 1895, ch. 6, § 13; C.L. 1897, § 117; Code 1915, § 128; Laws 1919, ch. 54, § 1; C.S. 1929, § 4-1414; 1941 Comp., § 49-913; 1953 Comp., § 47-9-12; Laws 1975, ch. 139, § 4; 1993, ch. 248, § 49; 1978 Comp., § 77-9-14, amended and recompiled as 1978 Comp., § 77-2-7.7 by Laws 1999, ch. 282, § 16.

77-2-7.8. Brands of minors. (Repealed effective July 1, 2006.)

Minors owning livestock separate from that of the parent or guardian may have a mark or brand, which shall be recorded in accordance with the requirement of The Livestock Code [Chapter 77, Articles 2 to 18 NMSA 1978], but the parent or guardian shall be responsible for the proper use of the mark or brand by any minor.

History: Laws 1895, ch. 6, § 14; C.L. 1897, § 118; Code 1915, § 129; C.S. 1929, § 4-1415; 1941 Comp., § 49-914; 1953 Comp., § 47-9-13; 1993, ch. 248, § 50; 1978 Comp., § 77-9-15, amended and recompiled as § 77-2-7.8 by Laws 1999, ch. 282, § 17.

77-2-7.9. Filing of facsimile; designation of brands; holding brand renewal and fee; branding increase; offenses; penalty. (Repealed effective July 1, 2006.)

An owner of livestock desiring to use in branding a brand not already recorded in the office of the board shall file with the director a facsimile of the desired brand. The owner may record the desired brands as holding brands upon livestock so owned upon furnishing to the director a full description as to the number, class and locality of all livestock branded with the holding brand. A recorded holding brand may be used also on a show animal. A fee shall be charged for the recording of a holding brand, which recording shall be valid for a period of one year or until the described livestock depart the state, whichever comes first. The recording may be renewed for additional years by the payment of a fee at each yearly renewal; provided that it is unlawful for the owner to brand the increase of such livestock in any other brand than the recorded brand of the owner except in the case of mortgaged livestock as provided in Section 77-9-14 NMSA 1978, as recompiled [77-2-7.7 NMSA 1978]. A person who violates the provisions of this section is guilty of a misdemeanor and upon conviction shall be sentenced in accordance with the provisions of Section 31-19-1 NMSA 1978 for each offense.

History: Laws 1912, ch. 55, § 2; Code 1915, § 138; Laws 1919, ch. 55, § 1; C.S. 1929, § 4-1424; 1941 Comp., § 49-915; 1953 Comp., § 47-9-14; Laws 1977, ch. 148, § 1; 1981, ch. 357, § 7; 1993, ch. 248, § 51; 1978 Comp., § 77-9-16, amended and recompiled as 1978 Comp., § 77-2-7.9 by Laws 1999, ch. 282, § 18.

77-2-7.10. Brands; board may reject. (Repealed effective July 1, 2006.)

The board shall have the power to reject any brand offered for record under the provisions of Section 77-9-16 NMSA 1978 [77-2-7.9 NMSA 1978] when upon satisfactory evidence it is shown to the board that the same is offered for or is of such character that may be used for malicious or deceptive purposes or is not in conformity with the provisions of Section 77-9-16 NMSA 1978 [77-2-7.9 NMSA 1978].

History: Laws 1912, ch. 55, § 5; Code 1915, § 141; C.S. 1929, § 4-1427; 1941 Comp., § 49-917; 1953 Comp., § 47-9-16; 1993, ch. 248, § 52; 1978 Comp., § 77-9-18, recompiled as 1978 Comp., § 77-2-7.10 by Laws 1999, ch. 282, § 103.

77-2-7.11. Brand; priority of right to. (Repealed effective July 1, 2006.)

The time of record of any brand by the owner in the county wherein the brand was originally recorded before the creation of the board shall determine the priority of right and property in the brand and not the time of filing with the board, provided the brand has been continuously used from the date of original record.

History: Laws 1912, ch. 55, § 6; Code 1915, § 142; C.S. 1929, § 4-1428; 1941 Comp., § 49-918; 1953 Comp., § 47-9-17; Laws 1993, ch. 248, § 53; 1978 Comp., § 77-9-19, recompiled as 1978 Comp., § 77-2-7.11 by Laws 1999, ch. 282, § 103.

77-2-7.12. Re-recording of brands; notice; publication; fees. (Repealed effective July 1, 2006.)

- A. The board shall cause all brands now on record to be re-recorded whenever the board deems necessary to clear records of unused brands. For this purpose, the board shall mail a notice, addressed to each owner of a brand now of record with the board at the current address shown on the brand record, requiring the owners of brands to file with the director any brand being on record to the owners. In addition to this notice, the board shall publish in either English or Spanish or both in at least one newspaper in each county in this state where there is a newspaper a copy of the notice to re-record. The publication shall continue for at least four consecutive weeks.
- **B.** Within three months from the date of the first publication of the notice to re-record, owners of brands of record in the office of the board shall file with the director the brands in actual use and recorded by them and pay the re-recording fee. The fees shall be deposited in the proper fund of the board. Re-recording shall not be required more often than once in a three-year period.

History: Laws 1923, ch. 146, § 1; C.S. 1929, § 4-1445; 1941 Comp., § 49-919; Laws 1949, ch. 47, § 1; 1953 Comp., § 47-9-18; Laws 1971, ch. 50, § 4; 1975, ch. 91, § 3; 1981, ch. 357, § 8; 1993, ch. 248, § 54; 1978 Comp., § 77-9-20, amended and recompiled as 1978 Comp., § 77-2-7.12 by Laws 1999, ch. 282, § 19.

77-2-8. Research and promotion of meat and meat products. (Repealed effective July 1, 2006.)

The board may enter into contracts for research into and promotion of meat and meat products. The contracts shall carry provisions for financing, and the board may accept and expend voluntary contributions from any source to finance the contracts. The provisions of this section shall not apply to or include cattle coming out of feed lots.

History: 1953 Comp., § 47-23-6.1, enacted by Laws 1969, ch. 177, § 1; 1999, ch. 282, § 4.

77-2-9. Reports of inspectors; prosecution of violations of livestock laws. (Repealed effective July 1, 2006.)

- **A.** The New Mexico livestock board shall keep reports of its veterinarians and inspectors in accordance with Public Records Act [Chapter 14, Article 3 NMSA 1978].
- **B.** The New Mexico livestock board shall assist in the prosecution of persons charged with the violation of the livestock laws and may call upon any inspector or other peace officer to execute its orders, and when it does, the officer or inspector shall obey the order of the board.

History: 1953 Comp., § 47-23-7, enacted by Laws 1967, ch. 213, § 8; 1983, ch. 229, § 3.

77-2-10. Receipts and disbursements; issuance of warrants, purchase orders and contracts; deposit of funds. (Repealed effective July 1, 2006.)

- A. All fees and other money collected by the board shall be received and disbursed directly by the board, but receipts and disbursements are subject to audit by the state auditor. The board is not required to submit proposed vouchers, purchase orders or contracts to the department of finance and administration as otherwise required by Section 6-5-3 NMSA 1978.
- **B.** The executive director of the board shall issue warrants in the name of the board against funds of the board in payment of its lawful obligations, issue purchase orders and contract for goods or services in the name of the board. The board shall provide its own warrant, purchase order and contract forms as well as other supplies and equipment.
 - **C.** The board shall designate banks where its money is to be deposited.
- **D.** Notwithstanding the provisions of Section 6-10-3 NMSA 1978, the board may establish rules governing the receipt and deposit of fees collected by its inspectors requiring remittance to the board in not more than ten days.

History: 1953 Comp., § 47-23-8, enacted by Laws 1973, ch. 84, § 1; 1993, ch. 248, § 5.

77-2-11. Repealed.

77-2-12. Executive director; duties, oath and bond. (Repealed effective July 1, 2006.)

The executive director of the board shall keep records of inspections of brands and earmarks as deemed necessary by the board and shall perform such other duties as are prescribed by the board. He shall take and subscribe an oath faithfully to perform all of his duties as executive director of the board and shall enter into bond in an amount to be fixed by the board, with good and sufficient sureties, to be approved by the board, conditioned for the faithful performance of his duties.

History: Laws 1891, ch. 34, § 11; C.L. 1897, § 217; Code 1915, § 72; C.S. 1929, § 4-807; Laws 1933, ch. 53, § 3; 1941 Comp., § 49-206; 1953 Comp., § 47-2-6; Laws 1983, ch. 229, § 4; 1993, ch. 248, § 6.

77-2-13. Records; certified copy evidence. (Repealed effective July 1, 2006.)

The records required to be kept by the director, including inspector reports, shall be maintained by the board in a readily available manner, and a certified copy of any such records under the hand and seal of the director or the verified oath of an inspector shall be prima facie evidence in all courts of this state of the truth of any fact required to be recorded therein.

History: Laws 1891, ch. 34, § 9; C.L. 1897, § 215; Code 1915, § 73; C.S. 1929, § 4-808; 1941 Comp., § 49-207; 1953 Comp., § 47-2-7; Laws 1983, ch. 229, § 5; 1999, ch. 282, § 5.

77-2-14. Attorney; duties. (Repealed effective July 1, 2006.)

The board may employ a competent attorney to give advice and counsel in regard to any matter connected with the duties of the board, to represent the board in any legal proceedings and to aid in the enforcement of the laws in relation to livestock. The board shall fix the compensation to be paid to such attorney.

History: Laws 1937, ch. 205, § 1; 1941 Comp., § 49-210; 1953 Comp., § 47-2-10; Laws 1986, ch. 32, § 41; 1999, ch. 282, § 6.

77-2-15. Special taxes; levy; collection. (Repealed effective July 1, 2006.)

- A. Each year the board of county commissioners of each county shall at its first meeting after the return of the assessment of the property for taxation by the county assessors of each county, levy a special tax at a rate to be fixed each year by the New Mexico livestock board. Subject to the provisions of Section 7-37-7.1 NMSA 1978, the New Mexico livestock board shall, in each year, order the levy of a tax on livestock at a rate not to exceed ten dollars (\$10.00) on each one thousand dollars (\$1,000) of net taxable value, as that term is defined in the Property Tax Code [Chapter 7, Article 35 to 38 NMSA 1978], of the livestock. The New Mexico livestock board may set different rates for individual classes of livestock.
- **B.** The order imposing the levy of the tax shall be made on or before June 30 in each year and shall be certified to the department of finance and administration by the director. The department of finance and administration shall certify the amount of the levy to the board of county commissioners of each county, and the board of county commissioners shall include the levy in its annual levy of taxes. The special tax shall be collected in each county and paid to the state treasurer in the manner provided by law for the collection and payment of other state taxes. Such funds shall be remitted to the New Mexico livestock board for deposit in the interim receipts and disbursements fund.

History: Laws 1937, ch. 205, § 2; 1939, ch. 15, § 1; 1941, ch. 151, § 1; 1941 Comp., § 49-211; 1953 Comp., § 47-2-11; Laws 1961, ch. 142, § 1; 1986, ch. 32, § 42; 1993, ch. 248, § 7; 1999, ch. 282, § 7.

77-2-16. Financial report and tax estimate; state levy; maximum rate. (Repealed effective July 1, 2006.)

It is the duty of the board on or before June 30 of each year to make and file with the department of finance and administration a report and estimate showing the amount of money in the custody or under the control of the treasurer of the board, the estimated receipts from all sources and the actual and estimated expenditures for the current fiscal year. The department of finance and administration shall annually, at the time and in the manner of certifying rates under the Property Tax Code [Chapter 7, Articles 35 to 38 NMSA 1978], certify a rate and impose a levy upon all cattle, horses, mules, asses, sheep, goats and buffalo in every county in the state, provided that such levy shall not exceed the amount required by operation of the rate limitation provisions of Section 7-37-7.1 NMSA 1978.

History: Laws 1915, ch. 85, § 1; 1929, ch. 157, § 2; C.S. 1929, § 4-815; 1941 Comp., § 49-212; 1953 Comp., § 47-2-12; Laws 1977, ch. 249, § 29; 1986, ch. 32, § 43; 1993, ch. 248, § 8.

77-2-17. Payment of tax collections to state treasurer; disbursement. (Repealed effective July 1, 2006.)

The special tax provided by Section 77-2-16 NMSA 1978 shall be assessed and collected in every county and paid over to the state treasurer as provided by law for the assessment, collection and payment of other state taxes, and all money so collected and paid over on account of such special tax levies shall be transferred each month to the board for deposit in the interim receipts and disbursements fund and shall be used for fees, salaries, wages, costs and expenses as provided for by laws relating to the powers, duties and expenditures of the board.

History: Laws 1915, ch. 85, § 2; C.S. 1929, § 4-816; Laws 1933, ch. 53, § 6; 1941 Comp., § 49-213; 1953 Comp., § 47-2-13; Laws 1993, ch. 248, § 9.

77-2-18. Compensation of employees. (Repealed effective July 1, 2006.)

The compensation of all employees by or under the board and, in the first instance, all other expenses incurred by or under that board shall be paid by the board or, upon its order, out of the funds provided for in The Livestock Code [Chapter 77, Articles 2 to 18 NMSA 1978], such board taking or causing to be taken proper vouchers for all money so expended by them.

History: Laws 1889, ch. 106, § 21; C.L. 1897, § 201; Code 1915, § 80; C.S. 1929, § 4-817; 1941 Comp., § 49-214; 1953 Comp., § 47-2-14; Laws 1993, ch. 248, § 10.

77-2-19. Limitation on expenditures. (Repealed effective July 1, 2006.)

The amount of money to be expended by the board in any one year, is limited to the amount set forth in a budget approved by the department of finance and administration.

History: Laws 1889, ch. 106, § 22; C.L. 1897, § 202; Code 1915, § 81; C.S. 1929, § 4-818; 1941 Comp., § 49-215; 1953 Comp., § 47-2-15; Laws 1981, ch. 357, § 1; 1993, ch. 248, § 11.

77-2-20. Repealed.

77-2-21. Fees. (Repealed effective July 1, 2006.)

All fees and charges collected pursuant to the provisions of The Livestock Code [Chapter 77, Articles 2 to 18 NMSA 1978] shall be paid to the executive director of the board to be deposited in the New Mexico livestock board general fund, hereby created. All fees and charges deposited in the New Mexico livestock board general fund may be expended in accordance with a budget approved by the department of finance and administration.

History: Laws 1893, ch. 67, § 3; C.L. 1897, § 222; Code 1915, § 83; C.S. 1929, § 4-820; Laws 1933, ch. 53, § 7; 1941 Comp., § 49-217; 1953 Comp., § 47-2-17; Laws 1993, ch. 248, § 12.

77-2-22. Penalty for violating rule. (Repealed effective July 1, 2006.)

Any person who violates a rule adopted under the power granted to the board unless the penalty has been fixed by law is guilty of a misdemeanor and upon conviction shall be sentenced in accordance with the provisions of Section 31-19-1 NMSA 1978.

History: Laws 1933, ch. 53, § 2; 1941 Comp., § 49-219; 1953 Comp., § 47-2-19; Laws 1967, ch. 213, § 7; 1999, ch. 282, § 8.

77-2-23, 77-2-24. Repealed.

77-2-25. Interim receipts and disbursements fund created. (Repealed effective July 1, 2006.)

There is created the "interim receipts and disbursements fund". All money received by the board from tax levies authorized by this article shall be credited to this fund and deposited in a designated bank in the name of the board. Money shall be disbursed from this fund only upon a warrant issued by the executive director in the name of the board. Disbursements may be made to pay necessary expenses and obligations of the board, which include expenses for salaries, supplies, equipment, rent on office space or other goods and services in accordance with a budget approved by the department of finance and administration. The board shall prescribe any additional administrative procedure necessary to administer this fund.

History: 1953 Comp., § 47-2-23, enacted by Laws 1959, ch. 291, § 2; 1993, ch. 248, § 14.

77-2-26. Board not to be assessed for general administrative overhead. (Repealed effective July 1, 2006.)

No appropriation for the board shall include an item for general administrative overhead. No charge for general administrative overhead shall be assessed against or appropriated out of the interim receipts and disbursement fund or from any other fund or money administered by the board. No fees or money collected by the board shall be subject to assessment for any charge for general administrative overhead.

History: 1953 Comp., § 47-2-24, enacted by Laws 1959, ch. 291, § 3; 1993, ch. 248, § 15.

77-2-27. Repealed.

77-2-28. Termination of board life; delayed repeal. (Repealed effective July 1, 2006.)

The New Mexico livestock board is terminated July 1, 2005 unless continued by the legislature pursuant to the Sunset Act [12-9-11 to 12-9-21 NMSA 1978]. The board shall continue to operate according to all of the provisions of Chapter 77, Article 2 NMSA 1978 until July 1, 2006 for the purpose of winding up its affairs. Effective July 1, 2006, Chapter 77, Article 2 NMSA 1978 is repealed.

History: 1978 Comp., § 77-2-28, enacted by Laws 1981, ch. 5, § 1; 1987, ch. 333, § 16; 1993, ch. 248, § 16; 1999, ch. 282, § 9; 2000, ch. 4, § 21.

77-2-29. Fees. (Repealed effective July 1, 2006.)

The following fees shall be fixed by the board for services rendered pursuant to the provisions of The Livestock Code [Chapter 77, Articles 2 through 18 NMSA 1978]:

- A. an inspection or permit fee not to exceed sixteen cents (\$.16) per head to be charged for the importation or exportation of sheep and goats pursuant to Section 77-8-3 NMSA 1978 and a service charge in an amount not to exceed ten dollars (\$10.00) for each inspection request; provided that the board shall not increase the fee more than four cents (\$.04) in any one fiscal year;
- **B.** a fee for recording a transfer of a brand pursuant to Section 77-9-7 NMSA 1978, as recompiled [77-2-7.1 NMSA 1978], in an amount not to exceed fifty dollars (\$50.00);
- C. a fee for recording a brand or researching a brand pursuant to Section 77-9-10 NMSA 1978, as recompiled [77-2-7.4 NMSA 1978], in an amount not to exceed fifty dollars (\$50.00);
- **D.** a fee for additional copies of certified copies of brands pursuant to Section 77-9-10 NMSA 1978, as recompiled [77-2-7.4 NMSA 1978], in an amount not to exceed five dollars (\$5.00) per copy;
- **E.** a fee for the recording of a holding brand pursuant to Section 77-9-16 NMSA 1978, as recompiled [77-2-7.9 NMSA 1978], in an amount not to exceed one hundred dollars (\$100), which recording shall be valid for one year from the date of recording, and an additional fee in an amount not to exceed one hundred dollars (\$100) for each annual renewal:
- **F.** a fee for the rerecording of brands pursuant to Section 77-9-20 NMSA 1978, as recompiled [77-2-7.12 NMSA 1978], in an amount not to exceed fifty dollars (\$50.00);
- **G.** a fee for the inspection of livestock pursuant to Section 77-9-38 or 77-10-4 NMSA 1978 in an amount not to exceed fifty cents (\$.50) per head and a service charge in an amount not to exceed ten dollars (\$10.00) for each inspection request; provided that the board may not increase the inspection fee more than ten cents (\$.10) in any one fiscal year;
- **H.** a fee for the inspection of hides pursuant to Section 77-9-54 NMSA 1978 in an amount not to exceed fifty cents (\$.50) per hide and a service charge in an amount not to exceed ten dollars (\$10.00) for each inspection request; provided that the board may not increase the inspection fee more than ten cents (\$.10) in any one fiscal year;
- **I.** a fee for the handling of the proceeds of the sale of an estray pursuant to Section 77-13-6 NMSA 1978 in an amount not to exceed ten dollars (\$10.00);
- **J.** a fee for the impoundment of trespass livestock pursuant to Section 77-14-36 NMSA 1978 in an amount not to exceed ten dollars (\$10.00) per head per day and a reasonable charge for the moving of trespass livestock pursuant to Section 77-14-36 NMSA 1978 to be set by the board;
- **K.** a fee for the licensing of a livestock auction market pursuant to Section 77-10-2 NMSA 1978 in an amount not to exceed twenty-five dollars (\$25.00);
- **L.** a fee for issuing a transportation permit pursuant to Section 77-9-42 NMSA 1978 in an amount not to exceed fifty dollars (\$50.00);
- **M.** a fee for the licensing of a cattle or sheep rest station pursuant to Section 77-9A-2 NMSA 1978 in an amount not to exceed twenty-five dollars (\$25.00); and
- **N.** a fee for issuing a certificate of brand exemption pursuant to Section 77-8-22 or Section 77-9-3 NMSA 1978 in an amount not to exceed fifty dollars (\$50.00).

History: 1978 Comp., § 77-2-28, enacted by Laws 1981, ch. 357, § 2; 1982, ch. 61, § 1; 1993, ch. 248, § 17; 1999, ch. 282, § 10.