

TITLE 21 AGRICULTURE AND RANCHING
CHAPTER 30 ANIMALS AND ANIMAL INDUSTRY GENERAL PROVISIONS
PART 2 NEW MEXICO LIVESTOCK BOARD GENERAL PROVISIONS

21.30.2.1 ISSUING AGENCY: New Mexico Livestock Board.
[21.30.2.1 NMAC - Rp, 21.30.2.1 NMAC 7/16/2024]

21.30.2.2 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. Additional requirements for livestock owners governing livestock business activities can be found in 21.32, 21.33 and 21.35 NMAC.
[21.30.2.2 NMAC - Rp, 21.30.2.2 NMAC 7/16/2024]

21.30.2.3 STATUTORY AUTHORITY: Section 77-2-7 NMSA 1978.
[21.30.2.3 NMAC - Rp, 21.30.2.3 NMAC 7/16/2024]

21.30.2.4 DURATION: Permanent.
[21.30.2.4 NMAC - Rp, 21.30.2.4 NMAC 7/16/2024]

21.30.2.5 EFFECTIVE DATE: July 16, 2024 unless a later date is cited at the end of a section.
[21.30.2.5 NMAC - Rp, 21.30.2.5 NMAC 7/16/2024]

21.30.2.6 OBJECTIVE: To establish rules governing the general operation of the New Mexico livestock board.
[21.30.2.6 NMAC - Rp, 21.30.2.6 NMAC 7/16/2024]

21.30.2.7 DEFINITIONS:

- A. "Board"** means the New Mexico livestock board.
 - B. "Director"** means the executive director of the New Mexico livestock board.
 - 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. "New Mexico livestock"** means any livestock raised or pastured or fed within the state of New Mexico.
 - F. "Person"** means an individual, partnership, association or operation.
- [21.30.2.7 NMAC - Rp, 21.30.2.7 NMAC 7/16/2024]

21.30.2.8 REMOVING ANIMALS FROM THE CUSTODY OF THE BOARD:

- A. No one shall be allowed to remove any animal, animals or carcasses thereof, from the custody of any livestock inspector, or any person designated by the board, who has taken up, seized or impounded the said animal, animals, or carcasses, for the purpose of determining ownership, preventing theft, trespass or the spread of disease or for any reason covered by the existing laws of the state of New Mexico or rules and regulations of the board.**
 - B. The provisions of Subsection A of 21.30.2.8 NMAC above shall also apply to any livestock being held by the board, under federal regulations, to prevent the spread of dangerous disease.**
 - C. The penalty for removing an animal, animals or carcasses from the custody of the board shall be that which is set by statute for violating a rule of the board.**
- [21.30.2.8 NMAC - Rp, 21.30.2.8 NMAC 7/16/2024]

21.30.2.9 OFFICE OF THE NEW MEXICO LIVESTOCK BOARD:

- A. The main office of the board shall be open for business eight and one-half hours each day that state offices are open, unless otherwise determined by the executive director, the appointed board or the governor.**
- B. The office will be open from 8:00 am until 4:30 pm and will remain open through the noon hour, unless the hours are otherwise announced by the executive director for some special situation.**

[21.30.2.9 NMAC - Rp, 21.30.2.9 NMAC 7/16/2024]

21.30.2.10 MEETING BY TELEPHONE: Pursuant to Subsection C of Section 10-15-1 NMSA 1978, any number of board members may participate in a meeting of the board by means of a conference telephone or other communications equipment under the following conditions:

- A.** meeting by telephone will not be considered the normal accepted form of board business, and is intended only as an alternative to the normal board meeting when conditions warrant;
- B.** meetings by telephone can only be authorized at the discretion of the chairman of the board;
- C.** this part shall only apply when it is otherwise impossible, difficult or impractical for the member or members to attend the meeting in person;
- D.** such meetings will be advertised and facilitated in the same manner as a normal board meeting under the public notice requirements;
- E.** each member participating by conference telephone must be identified when speaking;
- F.** all participants must be able to hear each other at the same time; members of the public attending the meeting must be able to hear any board member who speaks during the meeting.

[21.30.2.10 NMAC - Rp, 21.30.2.10 NMAC 7/16/2024]

HISTORY OF 21.30.2 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 5/6/71976;

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 11/4/1981;

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

History of Repealed Material: 21 NMAC 30.3 - New Mexico Livestock Board - General Provisions (filed 1/28/1999) repealed effective 2/15/2010.

21.30.2 NMAC - New Mexico Livestock Board - General Provisions (filed 2/15/2010) repealed effective 7/16/2024.

Other History:

Only that applicable portion of NMLB Rule No. 3, New Mexico Livestock Board Rules and Regulations (filed 1/30/1985) was renumbered, reformatted, amended and replaced by 21 NMAC 30.2, New Mexico Livestock Board - General Provisions, effective 3/1/1999.

21 NMAC 30.2, New Mexico Livestock Board - General Provisions (filed 1/28/1999) was renumbered, reformatted, amended and replaced by 21.30.2 NMAC, New Mexico Livestock Board - General Provisions, effective 2/26/2010.

21.30.2 NMAC - New Mexico Livestock Board - General Provisions (filed 2/15/2010) Replaced by 21.30.2 NMAC - New Mexico Livestock Board - General Provisions effective 7/16/2024.