



Conservation Voters New Mexico ***Legislative Priorities: February 9, 2010 (2nd edition)***

Support Pro-Conservation Legislation

We urge all of our Representatives and Senators to **SUPPORT** these measures:

HOUSE BILLS:

****HB27: Recovery of Damages to Natural Resources (Egolf)**

HB27 is crafted around the “polluter pays” principle, which holds that no one should be able to damage or destroy public resources without making compensation. This measure would allow the state Natural Resources Trustee to pursue, within limits, an entity that damages resources belonging to all New Mexicans. **SUPPORT**

PRIORITY BILL ** votes on this bill may be weighted.

HB39: Uniform Reporting for Certain Entities (Lundstrom)

By requiring the New Mexico Renewable Energy Transmission Authority to submit annual reports to the New Mexico Finance Authority, HB 39 will improve transparency and oversight of a very powerful entity. **SUPPORT**

HB59: Plastic Bag Recycling Act (Giannini)

HB59 will reduce plastic bag waste by requiring stores to provide a place for customers to deposit bags for recycling. This will reduce litter and debris, wildlife habitat disruption, and petroleum consumption – all of which result from traditional plastic bag disposal. **SUPPORT**

****HB73: Taking of Certain Animal Species (Stewart)**

As a result of a statutory change in 1997, New Mexico is the only state in the West that allows landowners to kill wildlife if they believe they might damage their property (including crops). The result has been instances of wholesale slaughter of wild animals - including incidents of 19 elk and 41 pronghorn antelope killed at a single time. HB73 would repeal the 1997 amendment, while still allowing landowners to kill predators that threaten human life, livestock or family pets. **SUPPORT**

PRIORITY BILL ** votes on this bill may be weighted.

****HB78: Environmental Board Climate Change Policies (Madalena)**

HB78 is designed to give New Mexico's businesses and industries a head start in benefiting from any regional or national climate change legislation. Under the bill, a completely voluntary emissions offset program would be created, giving credit to NM businesses that reduce their emissions before they're required to do so by law. **SUPPORT PRIORITY BILL** **** votes on this bill may be weighted.**

HB80: Mining Emergency Notice Appeals (Heaton)

HB80 simply provides an initial appeal to the Mine Safety Board of penalties for failure to notify within 24 hours of major mine accidents. If the Mine Safety Board reduces or eliminates the penalty, the state Mine Inspector can choose to appeal that decision in district court. **SUPPORT**

HB81/SB61: Petroleum Storage Tank Definition Changes (Heaton/Leavell)

These bills both amend state statute on the regulation of petroleum storage tanks to comply with federal law. New Mexico has been out of compliance since 2007, and it is costing the state millions of dollars in federal funding. We could also face more punitive measures in the future if the law isn't fixed. **SUPPORT**

HB82/SB23: Develop Tax Expenditure Budget (El Chavez/Keller)

These measures require the state Taxation & Revenue Department to prepare an annual 'tax expenditure budget', detailing the real costs of all tax expenditures – including credits, exemptions, deductions, and more. With this information, the Legislature will have the appropriate tool to make sound decisions about which tax expenditures are achieving their objectives, and which should be repealed. **SUPPORT**

HB84: Uranium Mining Liability (Rodefer)

This bill closes a loophole in New Mexico law that allows some uranium mining companies to avoid cleaning up the toxic and radioactive wastes they left behind. HB84 helps affected New Mexicans by reducing chronic exposure to radiation, heavy metals and contaminated dusts, while relieving the burden on taxpayers to fund cleanup operations. **SUPPORT**

HB101: Nuclear Workers Assistance Fund (Salazar)

HB101 creates a fund to help the state provide greater assistance to nuclear workers seeking compensation under the federal compensation program. The principal source of income for the fund is a small percentage of the claims successfully recovered. Given the debilitating health problems suffered by workers in the nuclear industry, it is incumbent upon the state to help them secure compensation; the proposed fund would expand the ability of the state to provide assistance, while largely self-funding the program. **SUPPORT**

HB113: Aquatic Invasive Species Control (Tripp)

Recognizing the environmental and economic threats posed by aquatic invasive species, HB113 amends existing statute to clarify and strengthen the state's ability to combat the spread of aquatic invasive species, like quagga and zebra mussels. **SUPPORT**

HB123/SB161: Same Day Registration at Early Voting Sites (Trujillo/Sapien)

In an effort to increase voter participation, HB123 and SB161 allow eligible but unregistered voters to register to vote at early in-person voting locations, and immediately cast a ballot. **SUPPORT**

HB133: Disposable Carry-Out Bag Tax Act (Giannini)

By imposing a negligible tax on bag manufacturing and distribution, HB133 generates significant revenue for the state, while helping to reduce the environmental degradation caused by unchecked bag distribution and disposal. **SUPPORT**

HB134: Voltage Regulation Equipment Tax Credits (Giannini)

HB134 creates a tax credit that would encourage homeowners, businesses and the agricultural industry to upgrade and/or install more efficient voltage regulation equipment. By making voltage delivery more consistent, energy consumption is also more stable, reducing the variability that results in wasted energy. **SUPPORT**

HB141: Land Commissioner Financial Info Website (Cote)

This bill requires the development of a web site that provides public access to the State Land Office (SLO) budget, expenditures and other financial information – including on pending leases and land swaps. HB141 will shine a great deal of sunlight onto the inner workings of the SLO. Much of these data are only currently available through a cumbersome public records request, if at all. **SUPPORT**

HB161/SB110: Land Office Contractor Contributions (Steinborn/Fischmann)

These measures will reduce the appearance of conflicts of interest by restricting contributions to candidates for Commissioner of Public Lands by State Land Office contractors or affiliated individuals. **SUPPORT**

HB165/SB96: Whistleblower Protection Act (Cervantes/Beffort)

These are not duplicate bills, but both seek to protect public employees from retaliation by employers for exposing unlawful or improper acts. Whistleblower protection is an essential tool for maintaining and improving the ethical integrity of our government. **SUPPORT**

HB197: Severance Fund Investment in Renewable Energy (Stapleton)

HB197 will significantly bolster development of New Mexico's renewable energy industry by requiring a minimum investment of 3% (maximum investment of 10%) of the state's Severance Tax Permanent Fund into local renewable energy businesses. **SUPPORT**

HTRC/HB208: Oil & Gas Tax to Reclamation Fund (Heaton)

The House Taxation & Revenue Committee substitute for HB208 raises the conservation tax on oil by a very modest amount when the average price of crude exceeds \$70 per barrel. This will allow more money to be distributed to the Oil & Gas Reclamation Fund, which is currently exhausted, and unable to provide adequate funding for necessary reclamation projects. **SUPPORT**

****HB259: Private Action to Enforce Enviro Statutes (B Lujan)**

HB259 affords landowners or other affected parties a private right of action to pursue enforcement of environmental laws against violators or agencies who are failing to enforce existing law. An example might be the case of a rural landowner whose groundwater is at risk of contamination by a polluting company; if the state refuses to require the company to stop polluting groundwater, the landowner would have recourse in court. **SUPPORT**

PRIORITY BILL **** votes on this bill may be weighted.**

HB272: Expand Legislative Webcasting (Gardner)

Like several memorials and resolutions addressing the need to expand legislative webcasting, except HB272 actually appropriates \$75,000 to accomplish the task. **SUPPORT**

****HB276: Air Quality Control Permit Denial (Egolf)**

Under every other major New Mexico environmental statute, the state has the authority to deny a permit to egregious violators of environmental laws – except the Air Quality Control Act. The effect is that companies can contaminate our water, pollute our air and make our children sick, but we still can't stop them from operating in our state. HB276 would rectify this inequity in statute by authorizing the state to deny or revoke permits in instances where the applicant or permittee is guilty of specific bad acts. **SUPPORT**

PRIORITY BILL **** votes on this bill may be weighted.**

SENATE BILLS:

SB23/HB82: Tax & Rev. Dept. Tax Expenditure Budget (Keller/El Chavez)

These measures require the state Taxation & Revenue Department to prepare an annual 'tax expenditure budget', detailing the real costs of all tax expenditures – including credits, exemptions, deductions, and more. With this information, the Legislature will have the appropriate tool to make sound decisions about which tax expenditures are achieving their objectives, and which should be repealed. **SUPPORT**

SB36: Triple Bottom Line Accountability Study (Keller)

Triple-Bottom Line Accounting is growing in popularity as a more comprehensive way of measuring success – using a broader set of parameters than the traditional financial bottom line. SB36 authorizes EMNRD to accept contributions to fund a study of the implications of triple-bottom line accounting. **SUPPORT**

SB38: Renewable Energy Tax Credit Generators (Cisneros)

SB 38 increases the cap on the renewable energy production tax credit for solar facilities from 500,000 MWh to 1 million MWh, and amends the definitions of qualified energy projects to help ensure long-term stability and sustainability. **SUPPORT**

SB42: Transparency in Government Act (Rue & Espinoza)

One of the most significant barriers to civic engagement is the inaccessibility of government information and operations. SB42 requires the state to develop, operate and maintain a publicly-accessible internet database that contains extensive information on state government budgets, expenditures and other financial information.

SUPPORT

SB50: Create Tax Expenditure Study Commission (E Griego)

SB50 establishes a commission of legislators and tax policy experts to study, report detailed findings, and make recommendations on the costs and benefits of each state tax expenditure. Such comprehensive information is vital if New Mexico is going to be successful at reforming our tax policy to serve the greater good and prevent abuse.

SUPPORT

SB61/HB81: Petroleum Storage Tank Definition Changes (Leavell/Heaton)

These bills both amend state statute on the regulation of petroleum storage tanks to comply with federal law. New Mexico has been out of compliance since 2007, and it is costing the state millions of dollars in federal funding. We could also face more punitive measures in the future if the law isn't fixed. **SUPPORT**

SB83: Require New State Vehicles to Use Natural Gas (Sharer)

SB83 increases the total number of alternative-fueled state vehicles from 75% to 80% of new vehicle purchases. Of the total, 30% must be equipped to run on compressed natural gas (CNG), a safer, cleaner-burning alternative to petroleum products. The measure would be much stronger if it required that the vehicles actually run on CNG (as opposed to simply being equipped to use it). However, the language in the original statute treated alternative-fueled vehicles exactly the same – so they could meet the criteria, while still being fueled by conventional petroleum products. So the net result of SB83 is a 5% increase in the number of vehicles that are equipped to be cleaner. **SUPPORT**

SB84: New School Sustainability Features (McSorley)

SB84 establishes a requirement that new schools receiving public school capital outlay grants shall include up to \$200,000 specifically allocated for sustainability features, such as solar panels, solar hot water heaters, passive solar heating, rain catchment barrels, or recycling receptacles. **SUPPORT**

SB96/HB165: Whistleblower Protection Act (Beffort/Cervantes)

These are not duplicate bills, but both seek to protect public employees from retaliation by employers for exposing unlawful or improper acts. Whistleblower protection is an essential tool for maintaining and improving the ethical integrity of our government.

SUPPORT

SB110/HB161: Contributions by Land Office Contractors (Fischmann/Steinborn)

These measures will reduce the appearance of conflicts of interest by restricting contributions to candidates for Commissioner of Public Lands by State Land Office contractors or affiliated individuals. **SUPPORT**

****SB115: Air Quality Control Permit Denial (Nava)**

Under every other major New Mexico environmental statute, the state has the authority to deny a permit to egregious violators of environmental laws – except the Air Quality Control Act. The effect is that companies can contaminate our water, pollute our air and make our children sick, but we still can't stop them from operating in our state. SB 115 would rectify this inequity in statute by authorizing the state to deny or revoke permits in instances where the applicant or permittee is guilty of specific bad acts. **SUPPORT**

PRIORITY BILL **** votes on this bill may be weighted.**

SB125: Review Tax Exemptions & Credits Every 5 Years (Fischmann)

SB125 represents another crucial measure designed to critically evaluate the cost-effectiveness of various tax credits, exclusions, deductions and exemptions. **SUPPORT**

SB161/HB123: Same Day Registration at Early Voting Sites (Sapien/Trujillo)

In an effort to increase voter participation, HB123 and SB161 allow eligible but unregistered voters to register to vote at early in-person voting locations, and immediately cast a ballot. **SUPPORT**

****SB186: Natural Heritage Conservation Act (Cisneros)**

Each year, New Mexico misses out on approximately \$20 million in federal funding for conservation projects, because we don't have a fund set up for that purpose. SB186 establishes a fund – with no money attached – that could be used for protection of water and watersheds, working farms and ranches, recreational opportunities and more. **SUPPORT**

PRIORITY BILL **** votes on this bill may be weighted.**

SB195: Sunshine Portal Transparency Act (Rue)

One of the most significant barriers to civic engagement is the inaccessibility of government information and operations. Similar to SB42, SB195 requires the state to develop, operate and maintain a publicly-accessible internet database that contains extensive information on state government budgets, expenditures and other financial information. **SUPPORT**

****SB200: Public Building Energy Efficiency Standards (Cisneros)**

There is an enormous opportunity to save energy and money in a badly stressed economy by ensuring that public buildings are highly efficient. SB200 requires energy-efficient design and operation of public buildings through the EPA's Energy Star Certification program. A 1-2% initial investment premium in new and retrofitted public buildings is recovered in two years of energy savings, and generates a 10-fold return on investment in 20 years. **SUPPORT**

PRIORITY BILL **** votes on this bill may be weighted.**

SB202: Solar & Wind Energy Equipment Gross Receipts (Cisneros)

SB202 expands the availability of the gross receipts tax deduction to include wind- and solar-generation equipment sales, such as solar panels and wind generation nacelles. This measure builds on existing renewable energy tax incentives to help improve the feasibility and affordability of renewable energy technology.

SUPPORT

RESOLUTIONS & MEMORIALS:

HJM15/HJM27: Webcast & Archive Interim Committee Meetings (Steinborn/Arnold-Jones)

Both of these measures will improve the accessibility and transparency of the Legislature by ensuring that interim committee hearings are webcast for live audiences and archived for reference purposes. **SUPPORT**

HJM29: Adopt Clean Energy Legislation (Stewart)

With abundant renewable energy resources, our state is poised for a boom in the clean energy industry. By urging Congress to take federal action on climate change and clean energy, HJM29 takes steps to put New Mexico on the path to reducing greenhouse gas emissions, creating clean energy jobs, and reducing our dependence on foreign oil. **SUPPORT**

HM4/SM9: Use Pollinator-Friendly Plants in Landscaping (Stewart/Feldman)

The threats to our food security, biodiversity and human health as a result of the decline in populations of pollinator species can't be overstated. In addition to building awareness, these memorials promote sustainability of pollinator species through the use of native pollinator-friendly plants in public landscaping projects. **SUPPORT**

HM21: Santa Fe Drinking Water Safety (Egolf)

HM21 recognizes concerns about the safety and quality of water available to Santa Fe from the Buckman Diversion project, and requests that the Department of Energy and Los Alamos National Laboratories work with the Buckman Diversion Board to ensure strict safety standards and high quality for Santa Fe's drinking water. **SUPPORT**

HM34/SM30: Abandoned Uranium Mine Reclamation Funding (Jeff/Ulibarri)

HM34 and SM30 urge congress to act quickly to authorize states to use funds available through the Surface Mining Control and Reclamation Act of 1977 for reclamation of non-coal mines (e.g. abandoned uranium mines). **SUPPORT**

HM45: Oppose White Peak Land Swap (T Garcia)

The proposed swap by the State Land Office of prime wildlife habitat for fewer acres of lesser value has drawn fire from hunters, community members, conservationists and good government advocates. HM45 expresses opposition to the swap and urges the Attorney-General to continue to delay the transaction until further analysis can be done. **SUPPORT**

HR1: House Webcasting of Video & Committees (Gardner)

HR2: Webcasting of Committee Hearings (Steinborn)

HR4: House Floor & Committee Meeting Webcasting (Arnold-Jones)

All of these measures improve the transparency and accessibility of the Legislature to New Mexicans around the state, by requiring expanded webcasting of legislative proceedings. **SUPPORT**

HR3: House Roll Call Votes Online (Cook)

The state Senate already posts roll call votes from their floor sessions on the official legislative web site – usually within 24 hours. HR3 would simply require the state House of Representatives to do the same. **SUPPORT**

SJM2: State Energy Policy Inventory (Keller)

By requiring the Energy, Minerals & Natural Resources Department to conduct an inventory of existing state energy policies, SJM2 will provide a comprehensive understanding of state policy – an important first step in developing a sound energy plan for New Mexico. **SUPPORT**

SJM5: Electronic Handouts for Interim Committees (Sapient & Gardner)

Currently, it is very difficult for members of the public to obtain interim committee documents – they are generally not available electronically, and hard copies are only available to those who attend the meetings in person. SJM5 ensures that interim committee documents are available electronically to committee members and the public. **SUPPORT**

SJM17: Review Albuquerque-Bernalillo Water Authority (McSorley)

SJM17 requests the Local Government Division of the Dept. of Finance & Administration to convene a group of agency and citizen stakeholders to review the Albuquerque-Bernalillo County Water Utility Authority and make recommendations to the appropriate interim committee by August 1, 2010. **SUPPORT**

SJM54: Interim Committee PRC Study (Lovejoy)

SJM 54 requests the New Mexico Legislative Council to direct an interim legislative committee to study the structure and function of the Public Regulation Commission and hold a hearing by November 1, 2010. The memorial cites recent ethics and criminal charges against various Public Regulation Commission Members and a PRC ethics survey in which staff noted ethics violations as reasons for a study. **SUPPORT**

SM6: Federal Land & Water Conservation Fund (E Griego)

The Federal Land & Water Conservation Fund plays a critical role in protecting wildlife habitat, recreational opportunities and scenic areas, and New Mexico has benefited greatly from the LWCF program. Unfortunately, the program is almost never funded at its statutorily-authorized level, although Sen. Bingaman is attempting to correct that. SM6 expresses support for Sen. Bingaman's efforts to secure full funding for the LWCF. **SUPPORT**

SM9/HM4: Use Pollinator-Friendly Plants in Landscaping (Feldman/Stewart)

The threats to our food security, biodiversity and human health as a result of the decline in populations of pollinator species can't be overstated. In addition to building awareness, these memorials promote sustainability of pollinator species through the use of native pollinator-friendly plants in public landscaping projects. **SUPPORT**

SM12: LANL Electric Power Energy Flow Model (Fischmann)

By requesting that Congress and the Department of Energy invest funds in the Electric Power Flow Model developed by LANL, SM12 will improve our understanding of the

implications of proposed energy policies by making the model available to assist lawmakers in analyses of alternative energy projects. **SUPPORT**

SM21: Mid Rio Grande Conservancy District Elections (Feldman)

Unfortunately, the Middle Rio Grande Conservancy District elections have raised questions and concerns about transparency, access, consistency, fairness – and even constitutionality. SM21 establishes a committee to thoroughly review the MRGCD's election protocols and procedures, and make recommendations for improvement.

SUPPORT

SM30/HM34: Abandoned Uranium Mine Reclamation Funding (Ulibarri/Jeff)

HM34 and SM30 urge congress to act quickly to authorize states to use funds available through the Surface Mining Control and Reclamation Act of 1977 for reclamation of non-coal mines (e.g. abandoned uranium mines). **SUPPORT**

SM39: Encourage Bicycle Riding & “Complete Streets” (Ryan)

SM39 recognizes the importance of planning street infrastructure with multiple uses (cycling, walking, public transportation, etc.) in mind, and urges New Mexicans to cycle more for transportation and recreation. **SUPPORT**

SR1: Expand Webcasting Cameras (M Sanchez)

Although it doesn't address the lack of webcasting from standing and interim committees, SR1 will improve the live video feed of the Senate floor sessions by increasing the number of cameras providing coverage. **SUPPORT**

Oppose Anti-Conservation Legislation:

Although fewer in number, the following bills pose great risks to New Mexico's natural resources – by subsidizing polluters, relaxing regulations, or encouraging activities that threaten our environment. We urge all of our Representatives and Senators to **OPPOSE** these measures:

HB61: Prohibit Wolf Reintroduction (Bandy)

HB61 is intended to undercut an ongoing, federally-led Mexican wolf reintroduction program by prohibiting the state Dept. of Game & Fish or the Game Commission from cooperating with the program. However, the federal program will continue with or without state participation, so it seems advisable for the state to stay involved. **OPPOSE**

HB88: Agency Noncompliance with Unfunded Mandates (Roch)

This bill would have a sweeping impact on most, if not all, state agencies and innumerable projects they administer. The bill requires no expenditure of funds if “the costs ... are paid for by federal revenue.” The phrasing indicates that unless the federal government pays for the entire cost of administering the federal law or mandate, then the agency shall not expend money to comply. Essentially, NM would lose all federal matching funds that affect the entire spectrum of social issues, not just environmental programs. **OPPOSE**

****HB192: Rescind Oil & Gas Pit Rules (Taylor)**

There is a lot of misinformation being spread about the impact of the pit rules on NM's oil and gas industry. The fact is that the state's oil and gas rig count stayed level for six months after the effective date of the pit rules; the rig numbers only started dropping when oil and gas prices fell sharply – and NM's production has tracked other western states pretty closely since. So given the unimaginable costs associated with contaminated aquifers, rescinding the pit rules would achieve nothing in the short-term but could be disastrous in the longer-term. **OPPOSE**

PRIORITY BILL **** votes on this bill may be weighted.**

HB254/SB8: No Severance Tax Projects in Certain Counties (Gardner/Sharer)

In what can best be described as a creative way to ensure that local governments do not regulate activities that affect the health and welfare of their residents, SB8 and HB254 prevent the issuance of severance tax bonds for projects in municipalities or counties that have adopted regulations considered 'onerous' for extractive industries.

OPPOSE

SB54: Taxpayer Protection Act & Expenditure Formula (Cravens), & SJR3: Limit State Expenditure Increases, CA (Cravens)

These measures work in tandem to limit the ability of the legislature to increase state expenditures. This approach severely hinders state agencies, such as critical public health and resource protection agencies, by preventing budget increases regardless of need. The legislative monitoring of proposed budget increases is better handled through robust review, performance evaluation, and scalpel-like scrutiny rather than a machete. **OPPOSE**

****SB131: Water Quality Control Commission Members (Ulibarri)**

SB131, if enacted, strips the WQCC of any semblance of balance. Industry members would outnumber the lone environmental advocate, would not have to adhere to the same conflicts of interest provisions as the other members, and could participate in decisions on whether to uphold their employer's permit appeals. **OPPOSE PRIORITY BILL** **** votes on this bill may be weighted.**

SB248: Limit Certain Tax Credits & Deductions (Jennings)

Among a list of tax credits and deductions that SB248 would limit is the renewable energy production tax credit, which has played an enormous role in driving New Mexico's clean energy economy. Although the state is facing a difficult budget situation, there are many better alternatives (which we outline in our budget policy positions, attached). **OPPOSE**

RESOLUTIONS & MEMORIALS, OPPOSE:

HJM31/SJM55: Study Off-Highway Vehicle Use (Tripp/Beffort)

This memorial encouraging a study of the economics of Off-Highway Vehicles (OHVs) in New Mexico lacks any attempt at balance. The scope is restricted to surveying OHV users and studying the potential economic benefits, with no consideration of the enormous economic costs of OHV use, or inclusion of New Mexicans who have suffered as a result of irresponsible OHV use. **OPPOSE**

HJM32/SJM31/SJM56: Enforce Off-Highway Motor Vehicle Act (Tripp/P Griego/Beffort)

As above, this memorial does not reflect the appropriate balance between the need for training youth on OHV safety, and educating parents and children about the dangers of OHVs – the mortality and injury rates among youth riders in particular. Of greater concern is that the memorial seeks to shift resources supporting a whole range of activities, including enforcement, to training programs that are already offered online and by most retailers. HJM32, SJM31 and SJM56 could be amended to address these concerns. **OPPOSE until amended.**

HJM35: Electrical Transmission Costs Group (Arnold-Jones)

HJM 35 requests that the Public Regulation Commission (PRC) and Renewable Energy Transmission Authority (RETA) convene a stakeholder group to conduct cost-benefit analyses of interstate transmission and the impact of transmission costs on ratepayers. The objective is laudable; however, the current composition of the group is unlikely to produce a fair or balanced analysis. The membership of the stakeholder group should be amended to include members of the environmental and clean energy advocacy communities. **OPPOSE until amended.**

HJM41/SJM38: Nuclear Power as Clean Energy Policy (Heaton/Sharer)

Nuclear power is not clean, safe OR renewable; however, these memorials attempt to redefine nuclear energy in exactly that way. Nuclear power generates highly radioactive waste, causes increased cancer rates in nearby communities, and is fueled by uranium, a finite resource. **OPPOSE**

HJM48: Wolf Reintroduction Conflict Resolution (Bandy)

This memorial includes misinformation about the impact of the wolf reintroduction

program on ranchers, and appears to assert that compensation is inadequate. In fact, Defenders of Wildlife has a very generous compensation program for known or suspected depredation that takes only six weeks to complete. **OPPOSE**

HJR1: Sovereignty for NM & Notice to Federal Gov't (Roch)

This legislation is extreme in its philosophy of federal and state jurisdiction. The result of actions suggested by HJR1 would be disastrous – socially, environmentally and financially. **OPPOSE**

****HJR4: Nullification of Executive Rules, CA (Nunez)**

HJR4 poses serious constitutional questions because it creates a conflict among all three branches of government. By law, rules must be adopted in accordance with delegated legislative authority. If the executive steps beyond its authority, that rule should be challenged in court. HJR4 allows the Legislature to usurp the authority of the other two branches of government, which is unconstitutional. Moreover, the Legislature doesn't have time to give appropriate consideration to rules that have involved days or weeks of testimony and thousands of pages of documentation. **OPPOSE**

PRIORITY BILL ** votes on this bill may be weighted.

SJM30: Wind Turbine Regulation Working Group (P Griego)

SJM30 requests that the PRC convene a multidisciplinary working group to evaluate the need for regulation of wind turbines that are 1 MW or greater in size. While it is critical to consider the environmental, health, and economic implications of wind development, the composition of the working group lacks key representation from wildlife, clean energy, and public health advocates. **OPPOSE until amended.**

SJM38/HJM41: Nuclear Power as Clean Energy Policy (Sharer/Heaton)

Nuclear power is not clean, safe OR renewable; however, these memorials attempt to redefine nuclear energy in exactly that way. Nuclear power generates highly radioactive waste, causes increased cancer rates in nearby communities, and is fueled by uranium, a finite resource. **OPPOSE**

SJM55/HJM31: Study Off-Highway Vehicle Use (Beffort/Tripp)

This memorial encouraging a study of the economics of Off-Highway Vehicles (OHVs) in New Mexico lacks any attempt at balance. The scope is restricted to surveying OHV users and studying the potential economic benefits, with no consideration of the enormous economic costs of OHV use, or inclusion of New Mexicans who have suffered as a result of irresponsible OHV use. **OPPOSE**

SJM56/SJM31/HJM32: Enforce Off-Highway Motor Vehicle Act (Beffort/P Griego/Tripp)

This memorial does not reflect the appropriate balance between the need for training youth on OHV safety, and educating parents and children about the dangers of OHVs – the mortality and injury rates among youth riders in particular. Of greater concern is that the memorial seeks to shift resources supporting a whole range of activities, including enforcement, to training programs that are already offered online and by most retailers. HJM32, SJM31 and SJM56 could be amended to address these concerns. **OPPOSE until amended.**