

NEW MEXICO SENATE DEMOCRATS

For immediate release
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Passed Bill Means Tougher Penalties for Game Poachers

The Senate passed a bill Monday that would let Game and Fish officials increase the penalties levied against those who are found guilty of poaching, including banning a poacher from hunting in New Mexico for life. Senate Bill 73, sponsored by Senator George K. Munoz, (Cibola, McKinley, San Juan, District 4), passed on a floor vote of 28-10.

Poachers often hunt game merely for their trophy antlers and sometimes just leave the carcass behind to rot. The passed bill will give Game and Fish officials more discretion to levy harsher penalties against habitual offenders or against poachers who commit especially heinous activities. Currently, the maximum time period a poacher can have his hunting privileges revoked is three years with the possibility of having the vehicle involved in the poaching incident confiscated.

During floor debate, Senator Munoz offered monetary examples of how a special permit to hunt a bighorn sheep can cost well more than \$100,000 and some privileged permits to hunt elk can be sold as high as \$70,000. When these animals are poached, the potential revenue to hunt them is also lost as well as the game department's efforts to conserve the animals.

In addition, New Mexico is a participant in the multi-state Wildlife Violator Compact, so when a poacher is found guilty of the offense here, the right to hunt, fish and trap is also revoked in the other participating states as well.

Railroads Would Have to Repair Livestock Fences in Timely Manner

A bill ready to be reviewed before the Senate Corporations Committee would make commercial railroads repair or replace damaged livestock fencing adjacent to its tracks a more timely matter. Senate Bill 326 would also impact the state Department of Transportation, which owns 132 miles of railroad track in Valencia, Bernalillo, Sandoval and Santa Fe counties that serves the New Mexico RailRunner Express, Burlington Northern & Santa Fe, Amtrak, and Santa Fe Southern Railways.

Sponsored by Senate President Pro Tempore Mary Kay Papen (Dona Ana, District 38), SB 326 would give the pertinent railroad company 10 days, after a landowner gives them notice of a damaged livestock fence, to begin construction or show intent to begin repair. If landowners begin repairs themselves after the 10-day notice, they can seek reimbursement for the repairs at the current going rate. If the landowners is not reimbursed for their work after 30 days SB326 stipulates that landowners could lawfully collect three times as much as the repair costs plus any cost of litigation, including attorney fees. Narrow-gauge and recreational railroads would be exempt. The bill is also scheduled to go before the Senate Judicial Committee.

Bonds Money Would Help Communities Statewide With Water

More than \$33 million in emergency loans and grants would be made available this year by the New Mexico Finance Authority to communities in 25 counties for water conservation projects and acequia projects and rehabilitation. Senate Bill 228, sponsored by Senate President Pro Tempore Mary Kay Papen (Dona Ana, District 38) designates 62 statewide projects that qualify mostly for water storage, conveyance and delivery works as well as grants to seven *acequia* projects in Santa Fe, Mora, Rio Arriba and Grant counties. This is the second year *acequia* projects were submitted to the WTB for review and consideration of grants and the first time submitted to the Legislature for authorization.

The projects given the green light for grants and loans for community projects and conservation improvements are within the county boundaries of Santa Fe, Torrance, Lincoln, Bernalillo, Rio Arriba, Valencia, Harding, Quay, Cibola, Colfax, Guadalupe, Taos, Lincoln, San Juan, Otero, Sierra, McKinley, Dona Ana, San Miguel, Luna, Grant, Lea, Curry, Roosevelt. About \$31 million would be available in Fiscal Year 14 and \$30.6 million the next fiscal year.

| Eligible water projects pursuant to the Water Finance Act are defined as those involving: the storage, conveyance or delivery of water to end-users; the implementation of federal Endangered Species Act collaborative programs; the restoration of watersheds; flood prevention; conservation; or for recycling, treatment or reuse of water.

The SB 228 received a do-pass from the Senate Finance Committee on Monday and its next stop is the Senate floor for a vote.

Resolution to Limit Class Sizes Passes Second Committee

Senate Joint Resolution 2, sponsored by Senate Majority Whip Tim Keller (D, Bernalillo, District 17) passed the Senate Education Committee on a party line vote (5-4). The resolution will allow voters in the 2014 general election to decide whether or not to put a cap on classroom sizes. Class-size waivers available through PED, which are set to expire at the end of this school year, would be extended until 2020 if voters pass the ballot measure.

SJR 2 sets out the following guidelines for classroom sizes: kindergarten through third grade, no more than 18 students per classroom; fourth through eighth grades, no more than 22 students; and freshman through senior years, no more than 25 students.

Voting against the initiative were Republican senators Craig Brandt, (R, Sandoval, District 40), Lee S. Cotter, (R, Dona Ana, District 36), Pat Woods, (R, Curry, Quay, Union, District 7), and Gay G. Kernan, (R, Chaves, Eddy, Lea, District 42). SJR 2 will next be scheduled to be heard in its third committee, Senate Finance.

In other Senate action:

* Senate Bill 416 is tentatively on Tuesday's (Feb. 19, 2013) Senate Public Affairs calendar. The bill, sponsored by Senator Richard Martinez (Los Alamos, Rio Arriba, Sandoval, Santa Fe, District 5), would raise the statewide minimum wage to \$8.50 an hour.

"Raising the minimum wage to \$8.50 an hour would provide a person with approximately \$2,000 extra dollars annually," Senator Martinez said. "This is money that goes immediately back into our economy as families buy groceries, pay bills and shop in our local businesses." Senate Public Affairs meets 30 minutes after the floor session in room 321.

* New Mexico would officially ask Congress and various federal government agencies to support the preservation of the Navajo Code Talkers "remarkable legacy." Senate Joint Memorial 41, sponsored by Senator John Pinto (McKinley, San Juan, District 3), passed the Senate Rules Committee on Monday and heads to the Senate Indian Affairs Committee. The memorial details the World War II accomplishments of the Navajo soldiers who, while fighting in the Pacific Theatre from 1942-1945, developed a code in their native tongue that the Japanese were never able to break. Today the Code Talkers, mostly in their 80s and fewer than 50 in number out of the original 400, are seeking to establish a museum and educational program to "tell the greatest story never told." Besides Congress, the memorial would be sent to the departments of Veterans Affairs, Health and Human Services, Department of Defense, Department of Agriculture, and the State and Energy departments. The leaders of all the departments and both bodies of Congress would also receive the document.

* An effort to nudge New Mexico's Congressional delegation to spearhead a federal appropriation to widen U.S. 491 between Gallup and the Four Corners area is the intention of Senate Joint Memorial 42, sponsored by Senator John Pinto (McKinley, San Juan, District 3). Once known as the "Devil's Highway" when it was designated with the numbers U.S. 666, the two-lane highway is considered one of the most dangerous in the state. Senator Pinto's memorial seeks to instigate federal improvements to widen the stretch to four lanes. In the past, the task has proved monumental because of right-of-way issues involving private

landowners, states, tribes, and the federal government. The memorial moves on for review before the Senate Corporations Committee.