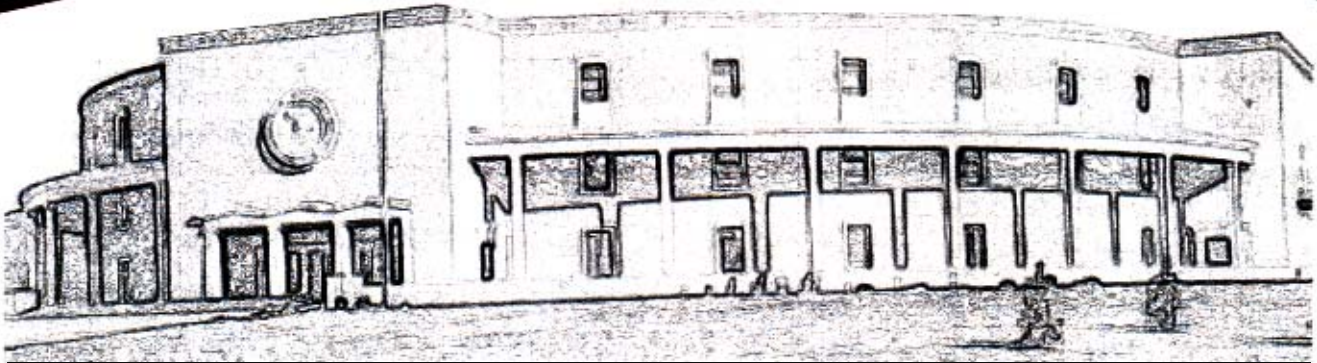


# LEGISLEADER



47th Legislative Session - January 2005 - Volume I

The *Legisleader* is the official legislative newsletter of the New Mexico Farm and Livestock Bureau...the state's largest and oldest agricultural organization. Farm Bureau....since 1917 a leader in New Mexico!

## Chief Executive To Address Farm Bureau Members

In response to a letter from N.M. Farm Bureau President, Michael White, Governor Bill Richardson has accepted an invitation to address Farm Bureau members at their annual legislative breakfast February 18, 2005.

This annual "eggs and issues" session is set for 7 a.m. at the Sweeney Convention Center 201

West Marcy Street at Grant Avenue in downtown Santa Fe. In addition to Governor Richardson, Farm Bureau members will also hear from a key member of the N.M. House and Senate respectively. Members will be briefed by Farm Bureau's Governmental Affairs Director, Cecilia Abeyta, on legislation pending in the session

that is vital to agriculture.

Upon adjournment of the breakfast Farm Bureau delegates will proceed to "the Merry Round House we call the Capitol" in the words of the late statehouse reporter, Ernie Mills.

## Farm Bureau Board To Convene In City Different

The board of directors of the N.M. Farm and Livestock Bureau will meet at 8 a.m., Feb. 17, at the Hotel St. Francis for its regular,

quarterly board meeting. This meeting is open to Farm Bureau members only.

## Festive Farmers and Ranchers

Ag Fest de Santa Fe will highlight the abundance and diversity of New Mexico agriculture the evening of February 17, at the Sweeney Center. This annual

showcase for the state's farmers and ranchers has become one of the most popular events during the session, drawing many lawmakers, agency personnel and staff.

### 47th Legislative Session - Jan. 18 - March 19, 2005

All Legislators - State Capitol Switch board - (505) 986-4300.

State Land Office - (505) 827-5760.

Legislative Council Service - (505) 986-4600.

Office of the Governor (505) 476-2200.

N.M. Legislature homepage -  
[www.legis.state.nm.us/](http://www.legis.state.nm.us/)

N.M. Farm Bureau Website -  
[www.nmfb.org](http://www.nmfb.org)

## *House Agriculture Committee Chairman Talks about Current Legislative Session*

By Chris Coon  
Managing Editor, N.M.  
Farm and Ranch Magazine

As the 47th Session of the New Mexico Legislature convened, House Agriculture Committee Chairman, Representative Joe Stell, D-Eddy and Otero, outlined his role in the New Mexico Legislature as a defender of agriculture and the U.S. Constitution.

"I am a very avid proponent of private property rights," said Stell. "I always battle bills that try taking property rights without paying fair market value for them. Private property rights are the cornerstone of the U.S. Constitution."

Stell is a retired educator and is still involved in ranching. He grew up working on farms before going to college to play football and earn a degree in Education. He owns a ranch west of Carlsbad that he purchased in 1955.

"My family has been involved with agriculture for several generations and we moved to New Mexico during the great depression," said Stell. "Working on farms made me smarter," he said with a grin. "It made me realize that I did not want to buck hay the rest of my life, but it helped my physique and my football career in college."

After winning the state championship in football during his senior year at Carlsbad High School,

Stell went to Southern Methodist University for two years on a football scholarship. He then attended the University of New Mexico where he played football and earned his degree. He taught and coached high school football and other sports for 16 years and then served for 21 years in school administration.

Stell described what made him decide to run for political office. "I decided to run with a broader platform and wanted to represent water and agriculture interests, tourism, the oil and gas industry and potash," said Stell. "We have so few people interested in representing the (agriculture) industry that those of us who do, have to blow our horn pretty loudly."

Stell has been House Agriculture Committee Chairman for 26 years and succeeded GX McSherry who was the chairman for 16 years.

"The top priorities of the House Agriculture Committee are to protect the interests of agriculture and receive input, guidance and instruction from the industry," said Stell. "I will continue to do my best to protect industry issues and create a good environment for the continuation of agriculture."

Stell noted his priorities for this session will deal with water price increases, urban sprawl and water acquisition by municipalities. He emphasized that farmers should retain the right to sell water.

"We have a sufficient supply of water if we used it right," said Stell. "We just do not have the right concentrations of water where the populations are." Stell is introducing a number of bills this session including a couple relating to water. One of the bills proposes the availability of a corporate income tax credit for the gathering, transporting or treatment of produced water for disposition in the generation of electricity. According to Stell, this would help agriculture by freeing up fresh water for operations and would help improve economic development.

Stell explained how the separation process involved with the production of gas could be a way to conserve water.

"In this separation process, you may have 15 percent oil, and the rest is water," said Stell. "This tax credit would apply to energy companies who make improvements to utilize this water for operations instead of having to use fresh water out of the ground."

Stell is also introducing legislation that would give the interstate stream commission a percentage of the severance tax fund to buy water rights. It would give the commission the ability to sell water to municipalities and farmers. Stell noted that the main point of this legislation is to protect New Mexico on compact delivery obligations.

## Wishing Wells and Watersheds

By Erik Ness  
 Director of Communications and  
 Media Relations, New Mexico  
 Farm and Livestock Bureau

Officials with the soil and water districts say you can expect legislation seeking an appropriation of \$10 million for further efforts to eradicate those pesky phreatophytes (salt cedar trees) on New Mexico watersheds. The water sucking trees have been targeted previously on the Pecos, Rio Grande and Canadian Rivers. Plans are to add the San Juan River Basin and the Gila River is southwest New Mexico. In an interview for Farm Bureau’s weekly radio report, Newline, State Representative Andy Nunez (D-Dona Ana) points out that

while the salt cedars will never be completely eradicated they can be effectively controlled. Nunez says “we can’t stop now” especially in light of the fact that the Soil and Water Conservation Districts have done “a super good job” of illuminating the issues involved and carrying out the eradication program.

Another appropriations request is expected to surface that will seek \$500,000 to fund conservation programs and planning in conjunction with the current USDA Farm Bill. Currently there are 27 federal/state technical employees working on such programs across the state.

Agricultural officials are always interested in pointing out the positive conservation efforts

underway on farm and ranch, public and private lands all over New Mexico.

Expect to see a request for an additional \$30 million from the state engineer’s office to fund the purchase of water rights and land in the Pecos River Valley. To date, millions of dollars have already been spent to secure such water rights—under court order—in an effort to pay the state’s water debt to Texas under the tenants of the Pecos River Compact. There are indicators that this issue is starting to wear on some legislators, and ag leaders always worry about the continuous loss of farm land on the Pecos. The reality is—once it’s gone and the tractors are sold—it’s not likely to come back.

### Other Wishes In The Proverbial Well

John D’Antonio, New Mexico’s State Engineer, is expected to seek the ability to deny permits for certain new domestic water wells. This is an

issue that stirs up the troops in rural New Mexico for obvious reasons. Last time such legislation came up rural legislators were able to have language added that

exempted agriculture but the whole package died in the House Taxation and Revenue Committee at the end of the last session.

### A Tax Is A Tax

Once again it’s expected that certain lawmakers, in conjunction with environmental groups, are looking for a new tax on

water—they call it a “fee” to fund “water projects.” The implications of such legislation to agriculture are ominous and Farm Bureau

will be watching and working on this every waking hour.

### Words From The Whip

State Representative Terry Marquardt (R-Otero/Dona Ana) was elected by his peers to serve as House Minority Whip. Rep.

Marquardt is an important voice on water and rural issues as noted by the following statement issued to The Legisleader: “We’re looking forward to

tackling the tough issues facing all New Mexicans, including those from rural communities around the state, in this legislative session.”  
*continued, next page.*

<p><i>continued from previous page</i>                  tive session. As Republicans, we will continue to support policies that celebrate a rural way of life through less government intrusion, lower taxes and stronger</p>	<p>families. Among other things, I will be focusing this year on water issues. I will continue to support initiatives that identify and utilize future sources of water like the desalinization project in Otero</p>	<p>County. And I will support a common sense approach to water usage that does not violate the New Mexico Constitution.”</p>
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## Other Water Legislation Which May Surface...Or Sink

<p>Watch for a little ditty to be called “The Water Efficient Technology Act” which also has many implications for agriculture. The discussion draft of the legislation says money in the “water efficient</p>	<p>technology fund” will be used to make grants or loans for water projects such as restoration of watersheds, “state acquisition and lease of water rights from willing sellers” for public use and benefit</p>	<p>including, but not limited to, “river ecosystem rehabilitation.” Red flags are popping up everywhere on this one!</p>
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### Fishing For Funding

<p>It’s expected the N.M. Department of Game and Fish will seek funding to provide raises for its employees.                  Another G&amp;F issue on the horizon for the session improving the current trespass law as it relates to hunting and agricultural lands.</p>	<p>As long as were talking “the great outdoors” look for legislation mandating new regulations for the operation of ATV’s including requiring helmets, goggles, training and the imposition of fees. At least three pieces of legislation on this issue are headed for the hopper.</p>	<p>There very well may be another effort by certain groups to ban trapping on public lands.                  A wild horse advocacy group may seek to remove wild horses from under the control of the state livestock board and bring it under their own commission.</p>
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### The Farm Bureau Image

<p>A comprehensive advertising campaign for the N.M. Farm Bureau on the state’s radio stations is in full swing. The ad campaign has several objectives including: Telling folks who we are, what we do and why</p>	<p>agriculture is important in the Land of Enchantment. The spots will be in heavy rotation on key stations during the 60-day legislative session. In Santa Fe you can hear the campaign on the 5,000 watt voice of northern New</p>	<p>Mexico, Radio 81, KSWV or “Que Suave.” The theme of the campaign is “Farm Bureau....Since 1917.....A Leader In New Mexico.</p>
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### Signs of the Silly Season

Taking a cue from national news stories of the same vein, wall-leaners are watching for “The Right To Eat Your Enchiladas” bill that in effect would put the kibosh on potential obesity litigation aimed at restaurants in the state.

### Quote of the week

“The legislature is a lot like the Rio Grande. Clear and murky, cold and hot, shallow and deep, fast and slow and with just enough quicksand to keep you honest.”

For details on legislation, please log onto the legislative website.  
[www.legis.state.nm.us/](http://www.legis.state.nm.us/)

