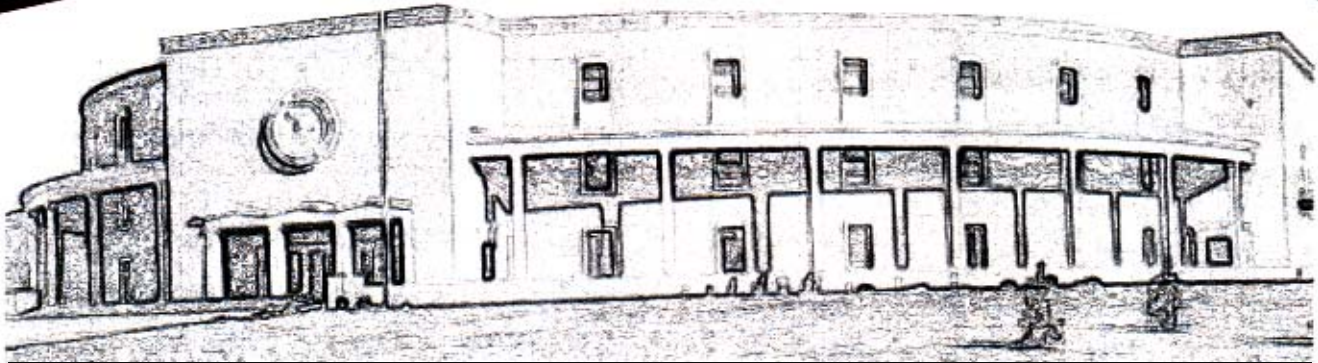


LEGISLEADER



48th Legislative Session - January 27, 2006 - 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!

AgFest Slated For Feb. 2

AgFest de Santa Fe, the annual celebration of New Mexico's diverse agriculture industry, sponsored by the New Mexico Farm and Livestock Bureau, is set for Feb. 2 at the La Fonda Hotel in Downtown Santa Fe. The event will run from 6 p.m. to 9 p.m. and features a showcase of food and other agriculture products from the Land of Enchantment. The event coincides with the New Mexico Legislative Session and offers an opportunity for people in agriculture to mingle with their elected state representatives and other state officials in a relaxed atmosphere.

On the morning of Feb. 3, New Mexico Farm and Livestock Bureau's annual legislative breakfast will take place at the La Fonda, at 7 a.m. Rep. Richard Cheney of San Juan County and

Sen. Mary K. Papen of Dona Ana County will be keynote speakers.

Cheney is a member of the Agriculture and Natural Resources Committee and the Energy and Natural Resources Committee.

Papen serves as vice-chair on the Education Committee and the Finance Authority Oversight Interim Committee. She also serves as an advisory on a number of interim committees throughout the year.

After the representatives speak, 4-H and FFA leadership will give a presentation on their group's accomplishments in 2005 and goals for 2006.

You must have a ticket to gain entry to the AgFest event. Due to smaller space for this year's event, tickets are limited. They are available while supplies last and are free of charge. Contact the

New Mexico Farm and Livestock Bureau main office at (505) 532-4702. The office is located at 2220 N. Telshor Blvd in Las Cruces.

The La Fonda Hotel is located at 100 E. San Francisco St., Downtown Santa Fe.

48th Legislative Session -

All Legislators - State Capitol Switchboard - (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/

N.M. Farm Bureau Website - www.nmfb.org.

Progress made on Limiting Eminent Domain

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

The New Mexico Farm and Livestock Bureau is supporting House Joint Resolution 2 in the State Legislature that would keep eminent domain powers from expanding.

In June of 2005, the Supreme Court decided through the *Kelo vs. City of New London case*, that local governments should be allowed to seize private property for economic development. This decision expanded the powers of eminent domain beyond traditional interpretations of the law, which included public purposes such as building highways.

Farm Bureau, at the national and state levels, strongly opposes expanding the powers of eminent domain and has been working hard to get legislation enacted that limits this expansion. According to John Wortman, N.M. Farm and Livestock Bureau executive vice president, the joint resolution has a good chance of passing the New Mexico Legislature. If it passes, the issue would go before the people as a constitutional amendment during the general election in November. The resolution would amend article 2, section 20 of the Constitution of New Mexico to limit the public uses for which private property may be taken.

“It would be better to have

eminent domain law clarified in the state constitution,” said Wortman. “The advantage of this compared to getting a regular bill passed by the legislature, is that the state constitution would change if the voters approved it. Only the people -- not the legislature -- can change the constitution.”

The resolution was approved by the House Voters and Elections Committee on Jan. 26 and was forwarded to the House Judiciary Commission.

Additionally, Farm Bureau is working hard to ensure language in the bill includes water rights within the definition of private property for the purposes intended in this change.

Ag Not Included in Proposed Minimum Wage Increase

Several bills are circulating that call for the minimum wage rate New Mexico to be raised from \$5.15 per hour to \$7.50 per hour. Under one version, the change would be implemented on Jan. 1, 2007.

A similar bill has been introduced and would phase in the increase over three years.

Farm Bureau is strongly opposed to these bills and has been working to make sure agriculture is not included in such legislation. The bills have the potential to severely impact agriculture operations of all types and sizes in New Mexico and would put an added strain

on an industry that is already competing with other countries who pay labor employees a fraction of what they earn in the U.S.

“Agriculture is a price taker, not a price maker,” said Erik Ness, New Mexico Farm and Livestock Bureau’s director of communications. “We do not believe that government should be in the business of telling people in business how to run their business.”

As an example, Ness pointed out that chile processors in New Mexico are already operating on very thin margins and the proposed wage increase would force

even more producers in an already depleting industry out of production, or to move operations to Mexico.

The bill has passed the House Labor and Human Resources Committee, in which all five Democrats voted for the bill and two Republicans voted against it. In addition to raising the state minimum wage, proposed legislation would establish future increases in the minimum wage tied to the Consumer Price Index for All Urban Consumers (CPIU) as published by the US Department of Labor.

Public Comment Period on Domestic Wells Approaching

State Engineer Issues Draft Regulations; Abandons Additional Attempt to Revise Process Through Legislation.

In an Op-Ed that appeared in the Albuquerque Journal on January 26, State Engineer, John D'Antonio, stated he is exercising his authority to issue draft regulations establishing new limits on the amount of water that may be diverted under new domestic well permits. He stated he is choosing this route because the statutory provisions governing domestic wells have been a contentious issue in the past several legislative sessions.

His goal is to introduce a regulatory means for balancing the needs of new domestic ground

water users with the protection of existing water rights, not to prevent New Mexicans from having access to the water necessary for their household.

A public comment period on the draft regulations for the use of public underground waters for household or other domestic use begins Feb. 6. The Office of the State Engineer will host meetings all over the state to discuss the proposals, answer questions and gather input from stakeholders.

Written comments may be mailed to the following address: Office of the State Engineer, Attn: Paul Wells, P.O. Box 25102, Santa Fe, NM 87504. Please submit your written comments to the Office of the State Engineer no later than April 7th, 2006.

After April 7th, comments may be submitted at the public hearing in

Santa Fe.

A public hearing on the proposed regulations will be held on April 21, 2006 in Santa Fe. Any person who is affected by these proposed regulations may provide comment. The hearing will be held at Larazolo Auditorium in the Runnels Building, 1190 South Saint Francis Drive, Santa Fe, New Mexico.

For a copy of the domestic wells rules and regulations, go to <http://www.ose.state.nm.us>. In the right hand column under "Hot Topics," is a link for "New Domestic Wells Rules and Regulations."

A list of locations of public comment meetings is located in the same column under "Domestic Well Public Meeting Locations."