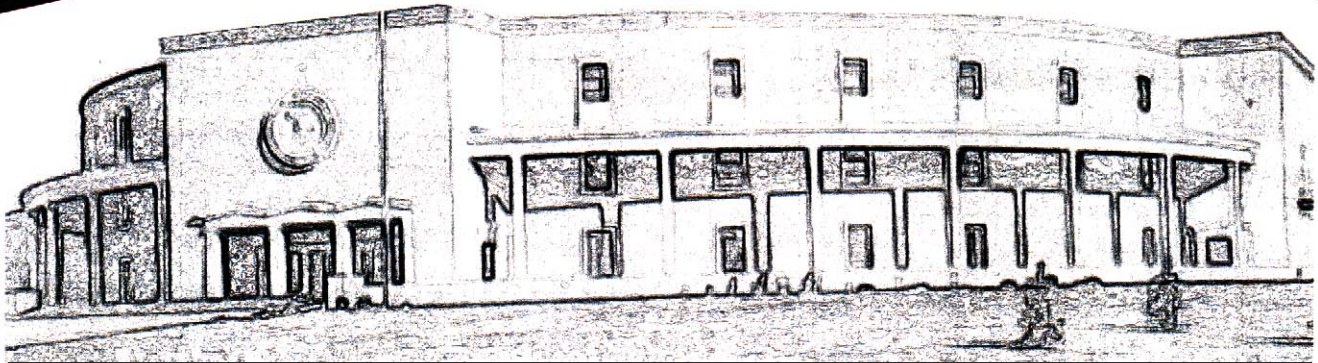


LEGISLEADER



48th Legislative Session - January 12, 2007 - 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!

48th Legislature Set to Convene

By Cecilia Abeyta
Director of Governmental Affairs,
New Mexico Farm and Livestock
Bureau

The 48th Legislature, First Session of 2007 will convene on Tuesday, January 16, at 12 noon. Governor Richardson will begin the session by giving the State of the State Address. In the Address, the Governor will outline his priorities for the session. Given that the upcoming session is being tabbed the "Year of the Water," we can expect to see additional legislation addressing water concerns coming up throughout the session.

This session will see twelve new state representatives and one new state senator (see list on next page). Farm Bureau officials are excited about the opportunity to

visit with and educate them about the importance of preserving production agriculture.

Some of our top priorities for this session are ensuring that senior water rights are protected and not impacted through domestic wells legislation, showing the importance of conserving water in our industry while not being penalized for such measures, and protecting private property from eminent domain powers.

Domestic Wells

The issuance of domestic well permits continues to be a concern. The current suit on the Mimbres River pertaining to the issuance of

such permits in appropriated basins is currently in the State Supreme Court. Farm Bureau would like to see legislation introduced that says these permits may not be allowed in fully

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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.

appropriated areas. We feel this is essential in order to protect senior water right owners.

Water Conservation

Farm Bureau favors legislation that will level the playing field in the area of water conservation. Farm Bureau wants the same rights for production agriculture that municipalities currently have in terms of water conservation.

Currently, when a producer is able to conserve water, that water is taken away from the producer. In the State Engineer's proposed Active Water Resource Management regulations for example, if a producer is using less water than allotted for 100 acres of production agriculture and leases or sells the remaining allotted water, the producer is required to retire a proportionate amount of the production land until the lease expires. If the excess water is sold, the producer must retire a proportionate amount of production land permanently.

Farm Bureau believes that legislation stating that conserved water may be leased, sold or put to further the economic base of crop production, **without requiring the producer to reduce production acreage**, would do a better job of encouraging water conservation. Farm Bureau believes the same conditions pertaining to water conservation that exist for municipalities should exist for production agriculture. Currently, if a municipi-

ality implements conservation measures and has "excess" water, economic development can continue without the municipality being penalized. Neither economic development or water is taken away.

Eminent Domain

A third issue at hand is eminent domain. A task force developed by the Governor to address this issue developed recommendations for legislation this coming session. According to a report developed by the Governor's Task Force, a unanimous recommendation is "Repeal of the Urban Renewal Law and Community Development Law." This repeal ensures that there are consistent and same rules for re-development projects. A majority recommendation is "Removal of Eminent Domain Authority from the Metropolitan Re-development Act. According to the report, the majority felt that eminent domain is not needed to promote revitalization and economic re-development. However in order to protect the public from hazardous and unsafe conditions, government may utilize existing condemnation powers within the Metropolitan Redevelopment Act. The Task Force moved to add procedural protections to the Act. A detailed proposal may be viewed on the Governor's Task Force on Eminent Domain. [Click here to view the proposal.](#)

As for the condemnation

powers that government has pertaining to water, the Task Force did not address that concern. Farm Bureau is concerned that such powers are still able to be exercised for the purpose of economic development. We will need to wait and see if this will be addressed during the session.

The New Mexico Farm and Livestock Bureau has policy that addresses the protection of senior water right owners and exercising eminent domain for private development.

AgFest Heading for the City Different

The annual celebration of the state's diverse agricultural industry is set for Feb. 15, at the La Fonda Hotel in downtown Santa Fe. The event will begin at 6 p.m. and features an opportunity for Farm Bureau members to visit with their elected state representatives in a relaxed, festive atmosphere. A showcase of food from the Land of Enchantment and other agricultural products is the centerpiece of this tradition.

The annual legislative breakfast will convene on the morning of Feb. 15 and will feature a yet to be determined legislative speaker. Other Farm Bureau events associated with AgFest this year include a Council of County Farm Bureau presidents meeting on Feb. 14 at 1:30 p.m. and a New Mexico Farm and Livestock Bureau board of directors meeting on Feb. 15-16. The La Fonda Hotel is located at 100 E. San Francisco St., downtown Santa Fe. For more information on AgFest, call (505) 532-4702.

Welcome to the Incoming Members of the 48th Legislature, First Session, 2007

House of Representatives

District 2 - San Juan James R.J. Strickler (R) 2204 N. Santiago Ave Farmington 87401 (505) 327-4190	Box 188 Albuquerque 87103 (505) 242-2279	District 59 - Chaves, Lincoln & Otero Nora Espinoza (R) 608 Golon- drina Roswell 88201 (505) 623-5324
District 3 - San Juan Paul C. Bandy (R) 388 County Road 2900 Aztec 87410 (505) 334-0865	District 20 - Bernalillo Richard J. Berry (R) Box 50565 Albuquerque 87181 (505) 293-1130	District 61 - Lea Shirley A. Tyler (R) 1004 West Avenue F Lovington 88260 (505) 396-2638
District 7 - Valencia Andrew J. Barreras (D) Box 267 Tome 87060 (505) 720-8580	District 37 - Doña Ana Jeff Steinborn (D) Box 562 Las Cruces 88004 (505) 532-1145	District 68 - Colfax, Guadal- upe, Mora, San Miguel & Taos Thomas A. Garcia (D) Box 56 Ocate, NM 87734 (505) 429-4282
District 8 - Valencia Elias Barela (D) 1191 John Road Belen 87002 (505) 866-1252	District 53 - Doña Ana & Otero Nathan P. Cote (D) 15475 Space Murals Lane Las Cruces 88011 (505) 479-6892 (505) 373-0902	Senate
District 16 - Bernalillo Antonio "Moe" Maestas (D)	District 54 - Eddy & Otero William J. Gray (R) 1503 W. Dallas Artesia 88210 (505) 746-2849	District 30 - Cibola, Socorro & Valencia David Ulibarri (D) 1629 Chaco Grants, NM 87020