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**HOUSE MEMORIAL 21**

**45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001**

**INTRODUCED BY**

**Joe M Stell**

**A MEMORIAL**

**REQUESTING THE NEW MEXICO CONGRESSIONAL DELEGATION, THE  
PRESIDENT OF THE UNITED STATES AND THE SECRETARY OF THE UNITED  
STATES DEPARTMENT OF THE INTERIOR TO CONSIDER AMENDING THE  
FEDERAL ENDANGERED SPECIES ACT OF 1973 TO REQUIRE THAT  
CREDIBLE AND SUFFICIENT SUPPORTING SCIENTIFIC DATA BE  
AVAILABLE BEFORE A FEDERAL AGENCY ISSUES DECISIONS PURSUANT TO  
THAT ACT.**

**WHEREAS, the listing of endangered species within the  
state by federal agencies can have an adverse impact on the  
state's ability to manage its natural resources, including  
water, which may harm local economies and the well-being of  
residents; and**

**WHEREAS, there is often little or no credible scientific  
data on which to accurately base listings of endangered**

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1 species, declare critical habitat or manage the habitat of the  
2 listed species; and

3 WHEREAS, the lack of sufficient scientific data can and  
4 does result in policy decisions being made that cause needless  
5 harm to the state's economy and the well-being of its  
6 residents and a grave waste of the state's natural resources  
7 and may harm the recovery of endangered species; and

8 WHEREAS, the federal Endangered Species Act of 1973 is  
9 currently under consideration for reauthorization by the  
10 United States congress;

11 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF  
12 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the president,  
13 the secretary of the department of the interior and the  
14 members of the United States congress be urged to amend the  
15 federal Endangered Species Act of 1973 to ensure that when an  
16 agency lists an endangered species, declares habitat for a  
17 listed species or issues a management plan for a listed  
18 species, that decision is based on credible and sufficient  
19 scientific data and studies; and

20 BE IT FURTHER RESOLVED that if such decisions are not  
21 based on credible and sufficient scientific data and studies,  
22 the act be amended to provide that the federal government will  
23 compensate the private individuals and governmental entities  
24 that have suffered any economic damages due to a faulty  
25 decision; and

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BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the New Mexico congressional delegation, the president of the United States and the secretary of the United States department of the interior.

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