

A MEMORIAL
REQUESTING HEARINGS ON THE LOSS OR BENEFITS OF PRODUCTION
DUE TO REGULATORY ENFORCEMENT.

WHEREAS, federal and state laws and regulations enacted for the purpose of public health, safety and welfare have caused a loss or benefits in production capacity for numerous New Mexico businesses and are adversely affecting the revenue of the state and local governments and the general economy; and

WHEREAS, the United States and New Mexico constitutions require compensation for property taken for public purposes; and

WHEREAS, the United States supreme court has declared investment-backed expectations as property that is due compensation under the United States constitution's fifth and fourteenth amendments; and

WHEREAS, productive capacity is classified as an investment-backed expectation and therefore considered private property;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NEW MEXICO that the appropriate legislative interim committee be requested to conduct hearings concerning the loss or benefits of production due to required compliance with regulations enacted for public purposes and to report

its findings and recommendations to the first session of the forty-sixth legislature; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the New Mexico congressional delegation and the New Mexico legislative council. _____

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