

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

underscored material = new  
[bracketed material] = delete

**SENATE MEMORIAL 29**

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

**INTRODUCED BY**

**Don Kidd**

**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**

underscored material = new  
[bracketed material] = del etc

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 residents  
6 and a grave waste of the state's natural resources and may harm  
7 the recovery of endangered species; and

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

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

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

25 BE IT FURTHER RESOLVED that copies of this memorial be

. 137691. 1

underscored material = new  
[bracketed material] = delete

1 transmitted to the New Mexico congressional delegation, the  
2 president of the United States and the secretary of the United  
3 States department of the interior.

4 - 3 -  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25