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HOUSE JOINT MEMORIAL 33

**42ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1996**

INTRODUCED BY  
CISCO MCSORLEY

A JOINT MEMORIAL

REQUESTING THE COURTS, CORRECTIONS AND CRIMINAL JUSTICE COMMITTEE TO EXAMINE LAWS AGAINST POACHING TO RECOMMEND IMPROVEMENTS FOR THE EFFECTIVE PREVENTION OF POACHING AND TO REAFFIRM THE IMPORTANCE OF CONTROLLING THE PROBLEM OF WILDLIFE POACHING AND ENSURING PUBLIC SAFETY.

WHEREAS, poaching, the illegal taking of wildlife, is a tremendous problem in our state and in the United States; and

WHEREAS, poaching is done by commercial poachers stealing wildlife for profit as well as people who do not understand their contribution to a very serious problem, and poaching endangers people and property; and

WHEREAS, poachers operate worldwide, illegally trading wildlife parts that are worth more on the black market than cocaine, crack cocaine and heroin. A bear's gallbladder, for example, can bring up to fifty thousand dollars (\$50,000) on the black market in Asia, and such illegal trade is often connected to weapons and drug crimes; and

WHEREAS, poachers often deal in bear gallbladders, paws and meat, eagle feathers, elk antlers, bobcat pelts, snake skins, walrus tusks and trophy heads of many animals; and

1           WHEREAS, poachers prey particularly on western populations of black bear, grizzly  
2 bear, elk, moose, deer, bighorn sheep, mountain lion and snakes; and

3           WHEREAS, horrendous crimes against our wildlife heritage have been committed in  
4 New Mexico; and

5           WHEREAS, the department of game and fish estimates that for the twenty thousand  
6 deer taken legally each year, up to fifty thousand additional deer are taken illegally; and

7           WHEREAS, overhunting and overfishing due to poaching is detrimental to lawful  
8 hunting and fishing and endangers the health of the whole resource; and

9           WHEREAS, poaching is often a violent crime resulting in death or injury to  
10 landowners, innocent witnesses and law enforcement officers and damage to property; and

11           WHEREAS, the anti-poaching laws of the states may be inconsistent, ineffective and  
12 inadequately enforced; and

13           WHEREAS, penalties for poaching seem not to be a sufficient deterrent to poachers;  
14 and

15           WHEREAS, the wild friends youth of New Mexico have made improvement of  
16 poaching laws a priority for action in 1996; and

17           WHEREAS, magistrate judges should receive education about the seriousness of the  
18 poaching problem, its effects, and the laws concerning it through the state judicial education  
19 center, and magistrate judges need to enforce the fines, penalties and sentences for convicted  
20 poachers; and

21           WHEREAS, magistrate judges are not well enough aware of the current poaching laws  
22 and the devastating effect poaching has on the state's wildlife; and

23           WHEREAS, not only their property and livestock, but the very lives of farmers and  
24 ranchers are at risk from poaching criminals; and

25           WHEREAS, there are not enough conservation officers to cover the huge tracts of land

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where poaching occurs; and

WHEREAS, we want people living in rural areas to have a greater measure of safety from the violence and property crimes associated with poaching; and

WHEREAS, an end to poaching will require not merely a vision of ideals and morality, but rather a hard objective plan to be reached through public support and effort;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO that the courts, corrections and criminal justice committee be requested to examine existing penalties for poaching and to consider increasing penalties to more serious degrees of felony, including making it a felony to illegally hunt on, or shoot onto, property without the owner's permission; and

BE IT FURTHER RESOLVED that the appropriate committee be requested to study revenue enhancements for wildlife law enforcement through such means as the fish and wildlife diversity funding initiative; and

BE IT FURTHER RESOLVED that public education be increased, citizens be encouraged to use the operation game thief hotline and that hunters be required to take hunter education classes; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to members of the courts, corrections and criminal justice committee, the department of game and fish and the legislative council.

# State of New Mexico House of Representatives

FORTY-SECOND LEGISLATURE

SECOND SESSION, 1996

February 1, 1996

Mr. Speaker:

Your **RULES AND ORDER OF BUSINESS COMMITTEE**, to  
whom has been referred

## HOUSE JOINT MEMORIAL 33

has had it under consideration and finds same to be **GERMANE** in accordance with  
constitutional provisions.

Respectfully submitted,

\_\_\_\_\_  
Barbara A. Perea Casey, Chairperson

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

(Chief Clerk)

(Chief Clerk)

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Date \_\_\_\_\_

The roll call vote was 10 For 0 Against

Yes: 10

Excused: Lujan, Olguin, Rodella, R. G. Sanchez, S. M. Williams

Absent: None

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# State of New Mexico House of Representatives

FORTY-SECOND LEGISLATURE

SECOND SESSION, 1996

February 10, 1996

Mr. Speaker:

Your **JUDICIARY COMMITTEE**, to whom has been referred

## **HOUSE JOINT MEMORIAL 33**

has had it under consideration and reports same with recommendation that it **DO  
PASS.**

Respectfully submitted,

\_\_\_\_\_  
Cisco McSorley, Chairman

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FORTY-SECOND LEGISLATURE  
SECOND SESSION, 1996

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Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 7 For 2 Against

Yes: 7

No: Christensen, Larranaga

Excused: Alwin, Gubbels, Sanchez, R.G.

Absent: Luna

HJ033JC1

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