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HOUSE JOINT MEMORIAL 63

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, this memorial has been written by students from
the following New Mexico schools: Alameda elementary school,
Canoncito middle school, Jefferson middle school, Laguna-Acoma
middle/senior school, Los Lunas high school, Moriarty middle
school, Polk middle school and Thoreau middle school; and

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

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1 their contribution to a very serious problem, and poaching
2 endangers people and property; and

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

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

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

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

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

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

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

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

3 WHEREAS, penalties for poaching seem not to be a sufficient
4 deterrent to poachers; and

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

7 WHEREAS, magistrate judges should receive education about
8 the seriousness of the poaching problem, its effects, and the
9 laws concerning it through the state judicial education center,
10 and magistrate judges need to enforce the fines, penalties and
11 sentences for convicted poachers; and

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

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

18 WHEREAS, there are not enough conservation officers to
19 cover the huge tracts of land where poaching occurs; and

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

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

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1 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
2 STATE OF NEW MEXICO that the courts, corrections and criminal
3 justice committee be requested to examine existing penalties for
4 poaching and to consider increasing penalties for poaching and
5 illegal hunting on, or shooting onto, property without the
6 owner's permission; and

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

11 BE IT FURTHER RESOLVED that public education about the
12 problems of poaching be increased, citizens be encouraged to use
13 the operation game thief hotline and that hunter education about
14 poaching be offered to all hunters; and

15 BE IT FURTHER RESOLVED that the judicial education center
16 be encouraged to train magistrate judges about the enforcement
17 of poaching laws; and

18 BE IT FURTHER RESOLVED that copies of this memorial be
19 transmitted to members of the courts, corrections and criminal
20 justice committee, the department of game and fish, the judicial
21 education center and the New Mexico legislative council.

**State of New Mexico
House of Representatives**

FORTY- SECOND LEGISLATURE

SECOND SESSION, 1996

February 8, 1996

Mr. Speaker:

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

HOUSE JOINT MEMORIAL 63

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 _____

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4 The roll call vote was 9 For 0 Against

5 Yes: 9

6 Excused: Knowles, Lujan, Nicely, Ryan, J. G. Taylor, Wallach

7 Absent: None

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