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SENATE MEMORIAL 36

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Steve Komadina

A MEMORIAL

**REQUESTING THE NEW MEXICO CONGRESSIONAL DELEGATION, THE
PRESIDENT OF THE UNITED STATES AND THE SECRETARY OF THE
INTERIOR TO SUPPORT AMENDING THE FEDERAL ENDANGERED SPECIES ACT
OF 1973 TO REQUIRE THAT CREDIBLE AND SUFFICIENT SCIENTIFIC DATA
BE AVAILABLE AND REVIEWED 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
species, declare critical habitats or manage the habitats of**

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1 the listed species; and

2 WHEREAS, the lack of sufficient scientific data can and
3 does result in policy decisions being made that cause needless
4 harm to the state's economy and the well-being of its
5 residents; and

6 WHEREAS, these same policy decisions may cause a grave
7 waste of the state's natural resources and may actually hinder
8 the recovery of endangered species;

9 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE
10 OF NEW MEXICO that the New Mexico congressional delegation, the
11 president of the United States, the secretary of the interior
12 and the members of congress be requested to support amending
13 the federal Endangered Species Act of 1973 to ensure that a
14 federal agency must base its decisions on credible and
15 sufficient scientific data and studies when it lists an
16 endangered species, declares a habitat for a listed species or
17 issues a management plan for a listed species; and

18 BE IT FURTHER RESOLVED that the act be amended to provide
19 that the federal government will compensate private individuals
20 and government entities that suffer economic damage due to a
21 faulty decision if the decision is not based on credible and
22 sufficient scientific data and studies; and

23 BE IT FURTHER RESOLVED that copies of this memorial be
24 transmitted to the New Mexico congressional delegation, the
25 president of the United States and the secretary of the

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