



# Animal Protection Voters

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April 22, 2009

Dear Animal Protection Voters Member:

New Mexico's 2009 legislative session involved the introduction of an unprecedented number of animal protection bills. Despite the challenge of a lack of funding for programs and projects, several animal protection bills and a special appropriation for animal shelters to transition to humane euthanasia were signed into law by Governor Bill Richardson. Two Animal Protection Voters (APV) legislative initiatives, SB 127 and SB 185, were signed into law in their year of introduction. These measures will make a critical and lasting difference for animals in New Mexico.

If you wrote a letter or email, or personally lobbied your legislators this session, thank you for making your voice heard on behalf of the animals. You made a difference.

Here are the results for APV's 2009 priority legislation:

**PASSED!** SB 127, Custody and Care of Mistreated Animals, sponsored by Senator Peter Wirth (D-Santa Fe) and sponsored on the House floor by Representative Al Park (D-Albuquerque). Allows for much needed financial relief for local governments, animal shelters, the New Mexico Livestock Board and non-profit horse shelters. Agencies responsible for the care of animals seized in animal cruelty cases may now petition the court for reimbursement of the cost of their care, which would be paid for by those charged with animal cruelty.

**PASSED!** SB 185, Pet License Plate Fees to Animal Care Fund, sponsored by Senator Mary Jane García (D-Doña Ana) and sponsored on the House floor by Representative Bill O'Neill (D-Albuquerque). Improves the funding mechanism associated with the existing spay/neuter license plate law. When this law goes into effect, \$25 of the \$35 license plate fee will go directly to the Animal Care and Facilities Fund managed by the Animal Sheltering Services Board. Funds will then be distributed to local spay-neuter programs, thereby maximizing the impact of the plate revenues to help animals.

**NOT PASSED:** HB 159, Expand Cruelty to Animals Definition, sponsored by Representative Al Park (D-Albuquerque). Would have amended the current animal cruelty statute by expanding the definition of an "animal" to include "captive reptiles," and more clearly defining "sustenance" as *food, water or shelter*. It added a definition of "criminal negligence" that would have assisted with the prosecution of cruelty cases: *Anyone who knows or should have known of the dangers involved in certain acts and continued to act with reckless disregard, thereby endangering an animal's health and/or safety*. This bill also provided that anyone who negligently mistreats an animal, abandons an animal, intentionally fails to provide sustenance for an animal, and it results in great bodily harm or death, would be charged with a fourth degree felony. We are deeply grateful to Representative Al Park for his sponsorship of the bill and his extraordinary hard work.

NOT PASSED: HB 781, the Equine Protection Fund, sponsored by Representative Andy Nuñez (D-Hatch). Since there are urgent needs for horses throughout New Mexico, those in support of this important legislation (that would have provided assistance to our state's horses) have not abandoned the initiative. Animal Protection of New Mexico (APNM) is already leading the process to establish a private fund to address the most immediate needs of New Mexico's horses. We will provide updates on our efforts in the coming months.

NOT PASSED HB 434, Family Violence Protection Act Revisions, sponsored by Representative Rhonda King (D-Stanley). Would have amended the Family Violence Act to allow animals to be included in a Temporary Domestic Protection Order. This would have helped keep animals from being used as leverage against the primary victims of domestic violence. Representative King and Attorney General Gary King were tremendous champions for this bill.

While several bills failed to make it through the legislative process this year, several important new protections for animals were widely supported by legislators. Animal Protection Voters is deeply grateful for the support and attention that animal issues received in 2009 from Governor Bill Richardson, New Mexico Attorney General Gary King and New Mexico's compassionate legislative body.

Animal Protection Voters' work has already begun for the 2010 legislative session. Please make a financial contribution in support of our work today ([www.apvnm.org](http://www.apvnm.org)) so that we can continue to lobby for stronger laws that will make a difference for animals in New Mexico.

Sincerely yours,

A handwritten signature in black ink that reads "Heather Ferguson". The signature is written in a cursive style with a large, looping initial "H".

Heather Ferguson  
Legislative Director  
Animal Protection Voters