



New Mexico State Senate

State Capitol
Santa Fe

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To Attorney General Gary King and Al Lama:

I understand you have been in conversations with Ms Patience O'Dowd regarding the laws regarding the status of wild life and wild horses in and around the greater Albuquerque/ Placitas/ Bernalillo area.

Where possible, please clarify our state and local laws to the NM State Director of the Bureau of Land Management (BLM). Where possible and applicable, please include the following points.

1. The free roaming horses of Placitas are legally wild per SB655, the Albuquerque Open Space Ordinance (contiguous to Placitas BLM) and the State Historic Preservation Officer as per the San Felipe Pueblo (contiguous to Placitas BLM).
2. The wild horses of Placitas are regulated NM wild animals as per SB655 (roaming on and off "public lands" as defined in SB655 on Albuquerque Open Space.
3. In the area of wild animals, state laws take precedence.
4. The State of NM wants these horses protected and preserved where they exist as per SM02, SJM08.
5. The State wants these horses utilized for Eco-Tourism as per the The Preserve America Executive Order of 2003, SM02, SJM08, and now SJM16 and SM02.
6. The BLM does not have proprietary rights over states wild animals. (See LACOSTE v. DEPARTMENT OF CONSERVATION OF STATE OF LOUISIANA, 263 U.S. 545 (1924) and Attorney General Opinion No. 94-06.)
7. Neither the NM Livestock Board nor the Fish and Game Department have statutory jurisdiction over the states wild horses/non-game wild animals.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Komadina".

State Senator District 9
Steve Komadina