

President's Letter
Al Squire
March, 2016

What a wonderful experience it was to witness Governor Susana Martinez sign SB72, finalizing the Ag Coalition's strengthening of New Mexico's Right to Farm Act. During the Governor's visit to Southwest Cheese that day, she also signed a bill that would not allow residents of New Mexico who sought medical treatment in Texas to file malpractice lawsuits back in New Mexico. Without this bill, Texas physicians could have refused to treat patients from New Mexico. Both of these bills are good for all of us in New Mexico whether we are engaged in agriculture or not. The net effect of both bills is that excessive and harmful litigation might be reined in just a little. These bills are very encouraging for the future of business and medicine in New Mexico and our neighboring states.

Over the past four years, every time I heard more about these "temporary nuisance" lawsuits, I thought that this was really heart breaking that our state could allow this to happen to local dairy farm families. I felt terrible for the dairy families who had to go through this torment and wind up paying financially, physically and emotionally. I wish that I could have been more help to them in some way or another.

I truly empathize with the eleven dairymen who were sued. Over twenty years ago, shortly after my family had moved to New Mexico, Linda and I were on the "defendant" side of a threatened lawsuit that forced us into an arbitration to resolve some issues surrounding a failed attempt to create a dairy partnership. The instigator of the lawsuit was a man who I had called "friend" and the arbitrator was the former law partner of my "friend's" attorney. Countless hours were spent on gathering documents, taking depositions and reviewing testimony, all of which took away from our ability to run the dairy and to spend time with our little sons. We were attacked personally and professionally and by the time they were done with us we were almost broken. Somehow we managed to pick up the pieces and keep on working. So, on a very personal level, I can really understand the angst, the sleepless nights, the anger and the sadness endured by our member dairymen as a result of being sued by their neighbors.

We all owe a debt of gratitude to John DeRuyter and his family for recently sharing their personal story with legislators and the Jobs Council in an effort to show them the effect of these types of lawsuits on a dairy farm family. Eddie and Rick Schaap also played key roles in getting SB72 passed, relentlessly educating legislators and the public on the many reasons this legislation was so desperately needed in our state. I am really sorry for how these dairy families were forced to struggle through this ordeal, but there should be tremendous solace in the fact that passage of the Right to Farm Act should help protect all of us from further litigation of this type.

Sincere thanks to Bev, Kaye, Susan, Secretary of Agriculture Jeff Witte, and all the members of the Ag Group. Their hard work and persistence were instrumental in finally getting this important legislation signed into law.