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AN ACT

RELATING TO PUBLIC OFFICIALS; PROVIDING FOR THE REMOVAL OF APPOINTED MEMBERS OF THE STATE WILDLIFE COMMISSION FOR INCOMPETENCE, NEGLIGENCE OF DUTY OR MALFEASANCE IN OFFICE; REQUIRING NOTICE, AN OPPORTUNITY FOR A HEARING AND JUDICIAL APPEAL.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. That version of Section 17-1-2 NMSA 1978 (being Laws 1921, Chapter 35, Section 2, as amended) that is to become effective January 1, 2027 is amended to read:

"17-1-2. STATE WILDLIFE COMMISSION--APPOINTMENT--TERM.--

A. There is created a "state wildlife commission" of seven voting members, all of whom shall possess knowledge of wildlife, hunting and fishing and be New Mexico residents. The governor shall appoint the members of the commission with the advice and consent of the senate from a list of qualified nominees submitted to the governor by the state wildlife commission nominating committee. The commission shall select one commissioner to be chair and one commissioner to be vice chair. The department shall provide administrative support to the commission.

B. Three at-large members of the commission shall hold positions one, two and three, with no more than one

1 member residing in any one county and with no more than two  
2 members affiliated with the same political party; provided  
3 that at least one member shall be a member of a federally  
4 recognized Indian nation, tribe or pueblo in New Mexico.

5 C. Four members of the commission shall hold  
6 positions four, five, six and seven, with no more than one  
7 member residing in any one county and with no more than two  
8 members affiliated with the same political party, as follows:

9 (1) position four, a rancher or farmer who  
10 actively works at growing and selling livestock or crops from  
11 a ranch or farm where at least two big game species, as  
12 defined by and for which hunting is licensed by the  
13 department, are frequently present;

14 (2) position five, a conservationist who for  
15 the previous four years has been an employee, a member of the  
16 board or a member of an established advisory committee of a  
17 nonprofit wildlife or habitat conservation organization, the  
18 primary focus of which is not game species;

19 (3) position six, an individual who is both  
20 a hunter and an angler having held both a New Mexico hunting  
21 license and fishing license each of the previous four years;  
22 and

23 (4) position seven, a scientist who holds at  
24 least a master's degree in wildlife biology, conservation  
25 biology, fisheries science or management, wildlife science or

1 management or a comparable wildlife field.

2 D. Except for the initial appointments as provided  
3 in Laws 2025, Chapter 9, Section 12, the term of office for  
4 each member of the commission shall be six years.

5 E. A commissioner shall serve for no more than two  
6 terms after January 1, 2027. A partial term shall be counted  
7 as one full term, unless the partial term is less than one  
8 full year.

9 F. When a commissioner dies, resigns or no longer  
10 meets the qualifications required for the commissioner's  
11 appointment or misses three consecutive meetings, that  
12 position on the commission becomes vacant. The governor  
13 shall appoint a successor for the remainder of the term from  
14 a list of qualified nominees submitted to the governor by the  
15 state wildlife commission nominating committee.

16 G. Except when the position of commissioner  
17 becomes vacant pursuant to Subsection F of this section, a  
18 commissioner shall not be removed except for incompetence,  
19 neglect of duty or malfeasance in office. A proceeding for  
20 the removal of a commissioner may be commenced by the  
21 governor. A commissioner shall be given notice of the  
22 hearing and an opportunity to be heard before the  
23 commissioner is removed. The supreme court is given  
24 exclusive original jurisdiction over proceedings to remove  
25 commissioners, and its decision in connection with such

1 matters shall be final.

2 H. A person shall not be eligible to be appointed  
3 as a commissioner if the person changed party affiliation  
4 during the previous four years; provided that a person who  
5 changed party affiliation for the purpose of voting in a  
6 primary election pursuant to Section 1-4-5.7 NMSA 1978 and  
7 then changed party affiliation back to the status of that  
8 person's party affiliation immediately prior to the change  
9 within ninety days shall not be considered to have changed  
10 party affiliation for the purposes of this subsection.

11 I. The following persons shall serve as advisory,  
12 nonvoting members of the commission:

13 (1) the director of the New Mexico outdoor  
14 recreation division of the economic development department or  
15 the director's designee;

16 (2) the director of the New Mexico  
17 department of agriculture or the director's designee;

18 (3) the commissioner of public lands or the  
19 commissioner's designee; and

20 (4) the secretary of Indian affairs or the  
21 secretary's designee."

22 SECTION 2. EFFECTIVE DATE.--The effective date of the  
23 provisions of this act is January 1, 2027. \_\_\_\_\_