

SENATE FINANCE COMMITTEE SUBSTITUTE FOR
SENATE BILLS 16, 77 & 336

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

AN ACT

RELATING TO GAME AND FISH; INCREASING LICENSE FEES; CHANGING
CERTAIN CLASSES OF LICENSES; MAKING AN APPROPRIATION.

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

Section 1. Section 17-3-2 NMSA 1978 (being Laws 1964 (1st
S.S.), Chapter 17, Section 2, as amended) is amended to read:

"17-3-2. CLASSES OF LICENSES. --

A. As used with reference to licenses in Chapter 17
NMSA 1978:

(1) "fishing" entitles the licensee to fish
for game fish during the open seasons for each species;

(2) "small game" entitles the licensee to hunt
game birds, other than wild turkey, and squirrel during the
open seasons for each;

(3) "deer" entitles the licensee to hunt deer

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1 during the open season;

2 (4) "general hunting" entitles the licensee to
3 hunt deer, squirrel and game birds during the open seasons for
4 each;

5 (5) "general hunting and fishing" entitles the
6 licensee to hunt deer, squirrel and game birds and to fish for
7 game fish during the open seasons for each;

8 (6) "antelope" entitles the licensee to hunt
9 antelope during the open season;

10 (7) "elk" entitles the licensee to hunt elk
11 during the open season;

12 (8) "bighorn sheep" entitles the licensee to
13 hunt bighorn sheep during the open season;

14 (9) "Barbary sheep" entitles the licensee to
15 hunt Barbary sheep during the open season;

16 (10) "javelina" entitles the licensee to hunt
17 javelina during the open season;

18 (11) "bear" entitles the licensee to hunt bear
19 during the open season;

20 (12) "nongame" entitles the licensee to hunt
21 or take any animal or bird not protected by law;

22 (13) "temporary fishing" entitles the licensee
23 to fish for game fish during a specific period of time
24 indicated on the license;

25 [~~(14) "bison" entitles the licensee to hunt~~

1 ~~bison during the open season;~~

2 ~~(15)~~ (14) "oryx" entitles the licensee to
3 hunt oryx during the open season;

4 ~~(16)~~ (15) "ibex" entitles the licensee to
5 hunt ibex during the open season;

6 ~~(17)~~ (16) "cougar" entitles the licensee to
7 hunt cougar during the open season;

8 ~~(18)~~ (17) "turkey" entitles the licensee to
9 hunt turkey during the open season;

10 ~~(19)~~ (18) "special season turkey" entitles
11 the licensee to hunt turkey during special seasons designated
12 by the state game commission;

13 ~~(20)~~ (19) "quality elk" entitles the
14 licensee to hunt elk during a special quality elk season, to be
15 established by the state game commission, when the timing of
16 the season and hunter density is specially regulated and the
17 elk population is managed with an intent to provide the
18 licensee an increased opportunity to take a mature elk;

19 ~~(21)~~ (20) "quality deer" entitles the
20 licensee to hunt deer during a special quality deer season, to
21 be established by the state game commission, when the timing of
22 the season and hunter density is specially regulated and the
23 deer population is managed with an intent to provide the
24 licensee an increased opportunity to take a mature deer;

25 ~~(22)~~ "gazelle" entitles the licensee to hunt

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1 ~~gazelle during the open season;~~

2 ~~(23)]~~ (21) "temporary small game" entitles the
3 licensee to hunt game birds, except wild turkey, and squirrel
4 during a specific period of time indicated on the license; and

5 ~~[(24)]~~ (22) "second rod" entitles the licensee
6 to fish using two fishing rods to fish for game fish during the
7 open seasons for each species.

8 B. A hunting license does not entitle the licensee
9 to hunt, kill or take game animals or birds within or upon a
10 park or enclosure licensed or posted as provided by law or
11 within or upon a privately owned enclosure without consent of
12 the owner or within or upon a game refuge or game management
13 area.

14 C. A fishing license does not entitle the licensee
15 to fish for or take fish within or upon a park or enclosure
16 licensed or posted as provided by law or within or upon a
17 privately owned enclosure without consent of the owner or in or
18 on closed waters.

19 D. A ~~[junior-senior]~~ junior fishing license may be
20 purchased by a resident who has reached his twelfth birthday
21 but has not reached his ~~[fifteenth]~~ eighteenth birthday ~~[or by~~
22 ~~a resident who has reached his sixty-fifth birthday]~~. A
23 ~~[junior-senior]~~ junior fishing license entitles the licensee to
24 fish for game fish during the open season for each species.

25 E. A senior fishing license may be purchased by a

1 resident who has reached his sixty-fifth birthday. A senior
2 fishing license entitles the licensee to fish for game fish
3 during the open season for each species.

4 [E-] F. A nonresident junior fishing license may be
5 purchased by a nonresident who has reached his twelfth birthday
6 but has not reached his ~~fifteenth~~ eighteenth birthday. A
7 nonresident junior fishing license entitles the licensee to
8 fish for game fish during the open season for each species.

9 [F-] G. A senior general hunting license may be
10 purchased by a resident who has reached his sixty-fifth
11 birthday. A senior general hunting license entitles the
12 licensee to hunt for deer, squirrel and game birds during the
13 open seasons for each species.

14 H. A junior general hunting license may be
15 purchased by a resident who has not reached his eighteenth
16 birthday. A junior general hunting license entitles the
17 licensee to hunt for deer, squirrel and game birds during the
18 open seasons for each species.

19 [G-] I. A handicapped fishing license may be
20 purchased by a resident who has a severe physical impairment
21 that substantially limits one or more major life activities and
22 who can furnish adequate proof of this disability to the state
23 game commission. A handicapped fishing license may be
24 purchased by a resident who has a developmental disability as
25 defined in Subsection H of Section 43-1-3 NMSA 1978 and who can

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1 furnish adequate proof of this disability to the state game
2 commission. A handicapped fishing license entitles the
3 licensee to fish for game fish during the open season for each
4 species.

5 ~~[H.]~~ J. A handicapped general hunting license may
6 be purchased by a resident who has a severe physical impairment
7 that substantially limits one or more major life activities and
8 who can furnish adequate proof of this disability to the state
9 game commission. A handicapped general hunting license
10 entitles the licensee to hunt for deer, squirrel and game birds
11 during the open season for each species.

12 ~~[I.]~~ K. A fishing license may be obtained at no
13 cost by a resident who has reached his seventieth birthday.

14 ~~[J.]~~ L. A second rod validation may be purchased by
15 either a resident or nonresident. A second rod validation
16 entitles the licensee to fish using two rods for game fish
17 during the open season for each species.

18 M A junior-senior elk license may be purchased by
19 a resident who has not reached his eighteenth birthday or by a
20 resident who has reached his sixty-fifth birthday. A junior-
21 senior elk license entitles the licensee to hunt for elk during
22 the open season for that species."

23 Section 2. Section 17-3-13 NMSA 1978 (being Laws 1964
24 (1st S.S.), Chapter 17, Section 5, as amended) is amended to
25 read:

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"17-3-13. LICENSE FEES. --

A. The director of the department of game and fish shall keep a record of all money received and licenses and permits issued by him, numbering each class separately. Upon satisfactory proof that a license or permit has been lost before its expiration, he may issue a duplicate and collect a just and reasonable fee for it as determined by regulation of the state game commission.

B. The director of the department of game and fish shall collect the following fees for each license of the class indicated:

Resident, fishing	[\$17.50]	<u>\$25.00</u>
Resident, small game	[12.00]	<u>20.00</u>
Resident, deer	[23.00]	<u>36.00</u>
Resident, general hunting	[25.00]	<u>40.00</u>
Resident, general hunting and fishing . . .	[37.50]	<u>59.00</u>
Resident, [junior-senior] <u>senior</u> , handi capped, general hunting and fishing	[20.00]	<u>28.00</u>
<u>Resident, junior, general hunting and fishing</u>		<u>20.00</u>
Resident, antelope	[30.00]	<u>50.00</u>
Resident, elk cow	[37.00]	<u>50.00</u>
Resident, elk bull or either sex	[60.00]	<u>80.00</u>
<u>Resident, junior-senior, elk</u>		<u>48.00</u>
Resident, bighorn sheep, <u>ram</u>	[90.00]	<u>150.00</u>

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1	<u>Resident, bighorn sheep, ewe</u>	<u>75.00</u>
2	Resident, Barbary sheep	[80.00] <u>100.00</u>
3	Resident, bear	[30.00] <u>44.00</u>
4	Resident, turkey	[15.00] <u>25.00</u>
5	Resident, cougar	[30.00] <u>40.00</u>
6	[Resident, bison	100.00]
7	Resident, oryx	[100.00] <u>150.00</u>
8	Resident, ibex	[60.00] <u>100.00</u>
9	Resident, javelina	[40.00] <u>55.00</u>
10	[Resident, gazelle	25.00]
11	Resident, fur dealer	[10.00] <u>15.00</u>
12	Resident, [furbearer] <u>trapper</u>	[12.00] <u>20.00</u>
13	Resident, junior [furbearer] <u>trapper</u>	[5.00] <u>9.00</u>
14	Nonresident, fishing	[39.00] <u>56.00</u>
15	Nonresident, junior fishing	[18.50] <u>28.00</u>
16	Nonresident, small game	[75.00] <u>90.00</u>
17	Nonresident, deer	[180.00] <u>260.00</u>
18	Nonresident, quality deer	[300.00] <u>345.00</u>
19	Nonresident, bear	[150.00] <u>250.00</u>
20	Nonresident, cougar	[200.00] <u>280.00</u>
21	Nonresident, turkey	[75.00] <u>100.00</u>
22	Nonresident, antelope	[186.00] <u>260.00</u>
23	Nonresident, elk cow	[275.00] <u>315.00</u>
24	Nonresident, elk bull or either sex	[465.00] <u>525.00</u>
25	Nonresident, quality elk	750.00

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1	Nonresident, bighorn sheep	[3,000.00]	<u>3,150.00</u>
2	Nonresident, Barbary sheep	[300.00]	<u>350.00</u>
3	[Nonresident, bison	1,000.00]	
4	Nonresident, oryx	[1,500.00]	<u>1,600.00</u>
5	Nonresident, ibex	[1,500.00]	<u>1,600.00</u>
6	[Nonresident, gazelle	3,000.00]	
7	Nonresident, javelina	[140.00]	<u>155.00</u>
8	Nonresident, fur dealer	[100.00]	<u>125.00</u>
9	Nonresident, [furbearer] <u>trapper</u>	[300.00]	<u>345.00</u>
10	Nonresident, nongame	[50.00]	<u>65.00</u>
11	Resident, [junior-senior] <u>senior</u> , handi capped,		
12	fishing	[5.00]	<u>8.00</u>
13	<u>Resident, junior fishing</u>		<u>5.00</u>
14	Temporary fishing, one day	[8.00]	<u>12.00</u>
15	Temporary fishing, five days	[16.00]	<u>24.00</u>
16	Resident, [junior-senior] <u>senior</u> , handi capped,		
17	general hunting	[15.00]	<u>24.00</u>
18	<u>Resident, junior general hunting</u>		<u>15.00</u>
19	Temporary small game, four days	[35.00]	<u>44.00</u>
20	Second rod validation	[3.00]	<u>4.00.</u> "

21 Section 3. Section 17-3-19 NMSA 1978 (being Laws 1949,
22 Chapter 149, Section 1, as amended) is amended to read:
23 "17-3-19. SPECIAL LICENSE--MINORS FISHING ON SCOUT
24 PROPERTY.--Every citizen of the United States who is a resident
25 or nonresident of the state of New Mexico and of the ages of

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1 fourteen, fifteen, sixteen or seventeen years shall, upon the
2 payment of [~~one dollar fifty cents (\$1.50)~~] two dollars
3 (\$2.00), be issued a special temporary license to fish for ten
4 days during the proper open season in any waters or streams
5 located on the property owned and operated by the boy scouts of
6 America in Colfax county, New Mexico. Such temporary license
7 shall not authorize fishing in any other waters of this state."

8 Section 4. Section 17-3-20 NMSA 1978 (being Laws 1949,
9 Chapter 149, Section 2) is amended to read:

10 "17-3-20. FEE DISPOSITION. -- Of the [~~one dollar and ten~~
11 ~~cents (\$1.10)~~ so] two dollars (\$2.00) collected for [~~said~~] each
12 temporary license issued pursuant to Section 17-3-19 NMSA 1978,
13 [~~one dollar (\$1.00) thereof~~] one dollar fifty cents (\$1.50)
14 shall be paid to the [~~State Game and Fish~~] department of game
15 and fish to be credited to the game protection fund and [~~ten~~
16 ~~cents (10^e%) thereof~~] fifty cents (\$.50) shall be paid to the
17 vendor of [~~said~~] the license."

18 Section 5. EFFECTIVE DATE. -- The effective date of the
19 provisions of this act is April 1, 2006.