1	HOUSE BILL 143			
2	49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009			
3	INTRODUCED BY			
4	Elias Barela			
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10	AN ACT			
11	RELATING TO WILDLIFE; PROVIDING FOR PENALTIES FOR INFRACTIONS			
12	OF DEPARTMENT OF GAME AND FISH RULES TO BE PAID AS PENALTY			
13	ASSESSMENTS.			
14				
15	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:			
16	Section 1. Section 17-2-10.1 NMSA 1978 (being Laws 1995,			
17	Chapter 177, Section 1) is amended to read:			
18	"17-2-10.1. GAME AND FISH PENALTY ASSESSMENT			
19	MISDEMEANORSDEFINITIONSCHEDULE OF ASSESSMENTS			
20	A. As used in Chapter 17 NMSA 1978, "penalty			
21	assessment misdemeanor" means a violation of any of the			
22	following listed sections of the NMSA 1978 for which the listed			
23	penalty assessment is established:			
24	COMMON NAME OF OFFENSE SECTION VIOLATED PENALTY ASSESSMENT			
25	Fishing without a license 17-3-17 \$ 75.00			
	.175112.1SA			

<u>underscored material = new</u> [bracketed material] = delete

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Hunting small game without

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2	a license	17-3-1	\$100.00
3	Fishing rule infractions	17-2-7	<u>\$ 75.00</u>
4	Upland game rule infractions	17-2-7	<u>\$100.00</u>
5	<u>Waterfowl rule infractions</u>	<u>17-2-7</u>	<u>\$100.00</u>
6	Manner and method infractions	<u>17-2-7</u>	<u>\$100.00</u> .

B. When an alleged violator of a penalty assessment misdemeanor elects to accept a notice to appear in lieu of a notice of penalty assessment, no fine imposed upon later conviction shall exceed the penalty assessment established for the particular penalty assessment misdemeanor.

C. With the <u>penalty</u> assessment collected for [each <u>penalty assessment misdemeanor pursuant to this section</u>] <u>a</u> <u>violation of Section 17-3-1 or 17-3-17 NMSA 1978</u>, there shall be assessed and collected the cost of the appropriate license that the violator failed to produce. Upon presentation of proof of payment of the penalty assessment, the director of the department of game and fish shall issue the appropriate license."

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