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SENATE BILL 490

**50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011**

INTRODUCED BY

William E. Sharer

AN ACT

RELATING TO GAME AND FISH; AMENDING SECTIONS OF CHAPTER 17,  
ARTICLE 3 NMSA 1978 TO PROVIDE FOR ENHANCED RESIDENT HUNTING  
OPPORTUNITIES.

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

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

"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 the department, numbering each class  
separately. Upon satisfactory proof that a license or permit  
has been lost before its expiration, the director may issue a  
duplicate and collect a just and reasonable fee for it as

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1 determined by regulation of the state game commission.

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

5	Resident, fishing . . . . .	\$25.00
6	Resident, small game . . . . .	20.00
7	Resident, deer . . . . .	36.00
8	Resident, junior-senior, deer . . . . .	24.00
9	Resident, general hunting . . . . .	40.00
10	Resident, general hunting and fishing . . . . .	59.00
11	Resident, senior, handicapped, military, 12 general hunting and fishing . . . . .	28.00
13	Resident, junior, general 14 hunting and fishing . . . . .	20.00
15	Resident, fishing and small game combination . . . . .	33.00
16	Resident, junior-senior, fishing and small game 17 combination . . . . .	16.00
18	Resident, disabled veteran, fishing and small game 19 combination . . . . .	10.00
20	Resident, antelope . . . . .	50.00
21	Resident, elk cow . . . . .	50.00
22	Resident, elk bull or either sex . . . . .	80.00
23	Resident, junior-senior, elk . . . . .	48.00
24	Resident, bighorn sheep, ram . . . . .	150.00
25	Resident, bighorn sheep, ewe . . . . .	75.00

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1	Resident, Barbary sheep . . . . .	100.00
2	Resident, bear . . . . .	44.00
3	Resident, turkey . . . . .	25.00
4	Resident, cougar . . . . .	40.00
5	Resident, oryx . . . . .	150.00
6	Resident, ibex . . . . .	100.00
7	Resident, javelina . . . . .	55.00
8	Resident, fur dealer . . . . .	15.00
9	Resident, trapper . . . . .	20.00
10	Resident, junior trapper . . . . .	9.00
11	Nonresident, fishing . . . . .	56.00
12	Nonresident, junior fishing . . . . .	28.00
13	Nonresident, small game . . . . .	90.00
14	Nonresident, deer . . . . .	260.00
15	Nonresident, quality deer . . . . .	345.00
16	Nonresident, bear . . . . .	250.00
17	Nonresident, cougar . . . . .	280.00
18	Nonresident, turkey . . . . .	100.00
19	Nonresident, antelope . . . . .	260.00
20	<del>[Nonresident, elk cow . . . . . 315.00]</del>	
21	Nonresident, elk bull [or either sex] . . . . .	525.00
22	Nonresident, quality elk . . . . .	750.00
23	Nonresident, bighorn sheep . . . . .	3,150.00
24	Nonresident, Barbary sheep . . . . .	350.00
25	Nonresident, oryx . . . . .	1,600.00

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1	Nonresident, ibex . . . . .	1,600.00
2	Nonresident, javelina . . . . .	155.00
3	Nonresident, fur dealer . . . . .	125.00
4	Nonresident, trapper . . . . .	345.00
5	Nonresident, nongame . . . . .	65.00
6	Resident, senior, handicapped,	
7	fishing . . . . .	8.00
8	Resident, junior fishing . . . . .	5.00
9	Temporary fishing, one day . . . . .	12.00
10	Temporary fishing, five days . . . . .	24.00
11	Resident, senior, handicapped,	
12	general hunting . . . . .	24.00
13	Resident, junior general hunting . . . . .	15.00
14	Temporary small game, four days . . . . .	33.00
15	Second rod validation . . . . .	4.00.

16           C. Notwithstanding the fees for licenses as  
17 provided in Subsection B of this section, the state game  
18 commission may provide for a resident elk cow license fee of  
19 less than fifty dollars (\$50.00) pursuant to a herd management  
20 rule."

21           SECTION 2. Section 17-3-16 NMSA 1978 (being Laws 1964  
22 (1st. S.S.), Chapter 17, Section 7, as amended) is amended to  
23 read:

24           "17-3-16. FUNDS--SPECIAL DRAWINGS FOR LICENSES.--

25           A. The director of the department of game and fish

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1 may provide special envelopes and application blanks when a  
2 special drawing is to be held to determine the persons to  
3 receive licenses. Money required to be submitted with these  
4 applications, if enclosed in the special envelopes, need not be  
5 deposited with the state treasurer but may be held by the  
6 director until the successful applicants are determined. At  
7 that time, the fees of the successful applicants shall be  
8 deposited with the state treasurer and the fees submitted by  
9 the unsuccessful applicants shall be returned to them.

10 B. Beginning with the licenses issued from a  
11 special drawing for a hunt code on public lands that commences  
12 on or after April 1, 1997:

13 (1) twenty-two percent of the licenses shall  
14 be issued to nonresidents divided as follows:

15 (a) twelve percent of the licenses to be  
16 drawn by nonresidents who will be guided by a New Mexico  
17 outfitter or guide; and

18 (b) ten percent of the licenses to be  
19 drawn by nonresidents who are not required to be guided by a  
20 New Mexico outfitter or guide; and

21 (2) seventy-eight percent of the licenses  
22 shall be issued to residents of New Mexico.

23 C. If the number of nonresidents or residents who  
24 apply for licenses pursuant to the provisions of [Paragraphs]  
25 Paragraph (1) [~~and (2)~~] of Subsection B of this section does

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1 not constitute the allocated percentages for either category  
2 [~~of nonresidents or residents~~], then the additional licenses  
3 available shall be granted to the [~~other category of~~  
4 ~~nonresidents or~~] residents.

5 D. If the determination of the percentages in  
6 Subsection B of this section yields a fraction of:

7 (1) five-tenths or greater, the number of  
8 licenses to be issued shall be rounded up to the next whole  
9 number; and

10 (2) less than five-tenths, the number of  
11 licenses shall be rounded down to the next whole number.

12 E. The fee for a nonresident license for a special  
13 drawing in a high-demand hunt covered in Subsection B of this  
14 section shall be assessed at the same rate as a license for  
15 nonresident quality elk or quality deer. As used in this  
16 subsection, "high-demand hunt" means:

17 (1) a hunt where the total number of  
18 nonresident applicants for a hunt code in each unit exceeds  
19 twenty-two percent of the total applicants and where the total  
20 applicants for a hunt exceeds the number of licenses available  
21 based on application data indicating that this criteria  
22 occurred in each of the two immediately preceding years; or

23 (2) an additional hunt code designated by the  
24 department of game and fish as a quality hunt.

25 F. All elk cow licenses shall be issued to resident

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