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HOUSE MEMORIAL 94

53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017

INTRODUCED BY

Nathan P. Small

A MEMORIAL

REQUESTING THE STATE GAME COMMISSION TO ADDRESS THE ISSUE OF
ELK HUNTING LICENSE DISTRIBUTION IN NEW MEXICO AND TO CONSIDER
INCREASING THE NUMBER AND PERCENTAGE OF LICENSES ISSUED TO
RESIDENTS.

WHEREAS, United States wildlife law holds that non-
migratory wildlife within a state's boundaries is to be held in
public trust and managed by the state on behalf of its
residents, whether such wildlife is found on public or private
property, as set out in the public trust doctrine of wildlife
management; and

WHEREAS, the New Mexico legislature affirmed this
principle by creating the state game commission and charging it
with the protection of game and fish in New Mexico and for the
use and development of game and fish for public recreation and

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1 food supply; and

2 WHEREAS, the state game commission is also statutorily
3 required to develop a statewide system for hunting activities
4 to increase the participation by New Mexico residents; and

5 WHEREAS, in 2011, the legislature passed legislation to
6 ensure that residents receive at least eighty-four percent of
7 big game licenses issued through a public draw, with the
8 expectation of significantly increasing resident hunting
9 participation; and

10 WHEREAS, for the 2016-2017 license year, forty-two
11 thousand six hundred seventeen elk licenses were authorized;
12 and

13 WHEREAS, for the 2016-2017 license year, twenty-one
14 thousand one hundred fifty-eight authorized elk licenses, eight
15 thousand two hundred forty-four inside the core elk range and
16 twelve thousand nine hundred fourteen outside the core elk
17 range, were reserved for private landowners for their use and
18 sale through the department of game and fish's private land elk
19 hunting authorization system, also known as E-PLUS, and
20 associated landowner license programs; and

21 WHEREAS, the thousands of dollars most landowners charge
22 for hunting elk on private land is so costly that many
23 residents cannot afford the opportunity to participate through
24 the landowner program; and

25 WHEREAS, nonresidents purchased eighty-six percent of the

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1 highly prized bull elk licenses issued through the landowner
2 program; and

3 WHEREAS, forty-two percent of the elk hunting licenses
4 reserved for the landowner system were never purchased, thus
5 defeating the game management goals for elk population size and
6 makeup, increasing potential for elk damage to private property
7 and depriving thousands of hunters of the opportunity to hunt a
8 public trust resource; and

9 WHEREAS, New Mexico's percentage of licenses reserved for
10 landowners is in stark contrast to other western states, where
11 percentages range from zero in Arizona to thirty percent in
12 Colorado and to other states that set a ten percent limit on
13 nonresidents; and

14 WHEREAS, New Mexico residents want the state game
15 commission to initiate a public input process to assess and
16 address license distribution;

17 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
18 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the state game
19 commission be requested to address the issue of elk hunting
20 license distribution in New Mexico and to consider increasing
21 the number and percentage of licenses issued to New Mexico
22 residents through the E-PLUS system; and

23 BE IT FURTHER RESOLVED that copies of this memorial be
24 transmitted to the governor, the chair of the state game
25 commission and the director of the department of game and fish.

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