

LFC Requester:	Helen Gaussoin
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**AGENCY BILL ANALYSIS
2024 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO:

Analysis.nmlegis.gov

{Analysis must be uploaded as a PDF}

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply:

Original **Amendment**
Correction **Substitute**

Date 1/23/2024
Bill No: HB 178

Sponsor: Representative McQueen **Agency Name and Code** EMNRD - 521
Short Title: State Game Commission Changes **Number:** _____
Person Writing AnnaLinden Weller, Policy Director
Phone: 505-470-5322 **Email** annalinden.weller@emnrd.nm.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY24	FY25	FY26	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: N/A

Duplicates/Relates to Appropriation in the General Appropriation Act – N/A

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

HB 178 changes the methodology for appointing and removing members of the State Game Commission and, in addition, adds term limits to their service. In the methodology proposed by HB 178, three members of the Commission would be appointed by the Governor and four members would be appointed by the New Mexico Legislative Council, in contrast to the current methodology in which all seven members are appointed by the Governor. Other provisions of the new requirements are:

- No more than two members of the group appointed by the Governor or the group appointed by the Legislative Council may be of the same political party.
- No more than one member of either the group appointed by the Governor or the group appointed by the Legislative Council may reside in the same county.
- Of the group appointed by the Legislative Council, one member must be a rancher or farmer; one must be a conservationist; one must be a hunter or angler; and one must be a wildlife scientist.
- All commissioners shall be appointed with advice and consent of the Senate.
- A person is ineligible to be a commissioner if they have changed party affiliation within the previous four years, with the exception of having done so for the purpose of voting in a primary.

The term of office for a commissioner is set at six years, and a commissioner shall serve for no more than two terms.

A commissioner can lose their seat if they die, resign, no longer meet the qualifications for their appointment, or if they miss three consecutive meetings. The original appointing authority appoints their replacement.

A commissioner cannot be removed except for “incompetence, neglect of duty, or malfeasance in office”, and even then the removal must be accomplished by a hearing, and the Supreme Court has exclusive original jurisdiction over proceedings to remove commissioners.

FISCAL IMPLICATIONS

None for EMNRD.

SIGNIFICANT ISSUES

HB 178 would provide the legislature with authority to appoint members of the game commission alongside the Governor. This measure would not change the underlying rationale that decisions regarding game and fish in New Mexico are meant to be non-political, in the best interests of sportsmen, and based in the best available wildlife science.

PERFORMANCE IMPLICATIONS

None for EMNRD.

ADMINISTRATIVE IMPLICATIONS

None for EMNRD.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

N/A

TECHNICAL ISSUES

N/A

OTHER SUBSTANTIVE ISSUES

N/A

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Appointments to the State Game Commission will continue to follow their current process.

AMENDMENTS

N/A