

HOUSE JUDICIARY COMMITTEE SUBSTITUTE FOR
HOUSE BILL 178

56TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2024

AN ACT

RELATING TO THE STATE GAME COMMISSION; REFORMING THE STATE GAME
COMMISSION APPOINTMENT PROCESS; SETTING TERM LIMITS FOR
COMMISSIONERS; ADDING REQUIREMENTS FOR APPOINTMENT AND REMOVAL
OF COMMISSIONERS; CREATING THE STATE WILDLIFE COMMISSION
NOMINATING COMMITTEE; RENAMING THE DEPARTMENT OF GAME AND FISH
AS THE WILDLIFE DEPARTMENT; RENAMING THE STATE GAME COMMISSION
AS THE STATE WILDLIFE COMMISSION; AMENDING STATUTORY POLICY;
EXPANDING THE MANAGEMENT OF WILDLIFE; ADDING DEFINITIONS;
PROVIDING REPORTING REQUIREMENTS; AMENDING LICENSING FEES;
PROVIDING FOR FEE ADJUSTMENTS TO ACCOUNT FOR INFLATION;
PROVIDING DISCOUNTS FOR RESIDENTS AND FAMILY MEMBERS OF
RESIDENTS WHO RECEIVE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM
BENEFITS; PROVIDING TRANSFERS; REPEALING SECTION 17-2-2 NMSA
1978 (BEING LAWS 1937, CHAPTER 23, SECTION 1).

.227851.1

underscoring material = new
[bracketed material] = delete

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

2 SECTION 1. Section 17-1-1 NMSA 1978 (being Laws 1921,
3 Chapter 35, Section 1, as amended) is amended to read:

4 "17-1-1. DECLARATION OF POLICY.--It is the purpose of
5 [~~this act~~] Chapter 17 NMSA 1978 and the policy of the state [~~of~~
6 ~~New Mexico to provide an adequate and flexible system for the~~
7 ~~protection of the game and fish of New Mexico and for their use~~
8 ~~and development for public recreation and food supply and to~~
9 ~~provide for their propagation, planting, protection, regulation~~
10 ~~and conservation to the extent necessary to provide and~~
11 ~~maintain an adequate supply of game and fish within the state~~
12 ~~of New Mexico]~~ to provide for the conservation and management
13 of the state's wildlife as a public trust resource with
14 intrinsic and ecological value, as well as for the benefit,
15 use, food supply and nonconsumptive enjoyment of all."

16 SECTION 2. Section 17-2A-1 NMSA 1978 (being Laws 1996,
17 Chapter 89, Section 3) is recompiled as Section 17-1-1.1 NMSA
18 1978 and is amended to read:

19 "17-1-1.1. DEFINITIONS.--For the purposes of Chapter 17
20 NMSA 1978:

21 A. "commission" or "state game commission" means
22 the state wildlife commission;

23 B. "department" or "department of game and fish"
24 means the wildlife department;

25 C. "director", "warden", "state warden", "state

.227851.1

1 game warden" or "state game and fish warden" means the director
 2 of the wildlife department;

3 [A.] D. "hunt code" means a description used to
 4 identify and define the species, weapon type and time frame
 5 authorized for a specific hunt;

6 [B.] E. "outfitter" or "guide" means a person who
 7 advertises or holds [~~himself~~] the person's self out to the
 8 public for hire or is employed or accepts compensation for
 9 providing, within the unit where a hunt occurs, facilities,
 10 equipment or services for hunting activities; provided,
 11 however, that "outfitter" or "guide" does not include a person
 12 who only cooks, cuts wood or performs other comparable or
 13 incidental duties not directly related to hunting activities;
 14 and

15 [C.] F. "unit" means a geographically bound area in
 16 the state that is used to manage game species."

17 **SECTION 3.** Section 17-1-2 NMSA 1978 (being Laws 1921,
 18 Chapter 35, Section 2, as amended) is amended to read:

19 "17-1-2. STATE [~~GAME~~] WILDLIFE COMMISSION--APPOINTMENT--
 20 TERM.--

21 A. To carry out the purpose of Chapter 17 NMSA 1978
 22 and all other acts for like purpose, there is created a "state
 23 [~~game~~] wildlife commission" of seven members, [~~not more than~~
 24 ~~four of whom shall be of the same political party at the time~~
 25 ~~of their appointment. The members of the commission shall be~~

.227851.1

1 appointed by the governor with the advice and consent of the
2 senate. The term of office for each member of the commission
3 shall be four years. At the time of making the first
4 appointments, the governor shall designate the commissioners'
5 terms as being one, two, three or four years so that the term
6 of no more than two commissioners shall expire each year.

7 In making appointments to the state game commission, one
8 member shall be appointed from each of the following districts:

9 A. district one: Curry, De Baca, Roosevelt,
10 Chaves, Lincoln, Otero, Eddy and Lea counties;

11 B. district two: Catron, Socorro, Grant, Hidalgo,
12 Luna, Sierra and Dona Ana counties;

13 C. district three: San Juan, McKinley, Cibola,
14 Valencia, Sandoval, Los Alamos and Rio Arriba counties;

15 D. district four: Santa Fe, Taos, Colfax, Union,
16 Mora, Harding, Quay, San Miguel, Guadalupe and Torrance
17 counties; and

18 E. district five: Bernalillo county. The
19 remaining two members shall be appointed at-large. At least
20 one member of the commission shall manage and operate a farm or
21 ranch that contains at least two species of wildlife on that
22 part which is deeded land requiring licensing prior to legal
23 pursuit under the provisions of Section 17-3-2 NMSA 1978. At
24 least one member shall have a demonstrated history of
25 involvement in wildlife and habitat protection issues and whose

1 ~~activities or occupation are not in conflict with wildlife and~~
2 ~~habitat advocacy. The state game commission as provided in~~
3 ~~Chapter 17 NMSA 1978 shall have the same authority, powers and~~
4 ~~duties as now vested in the state game commission by law and~~
5 ~~each member of the state game commission shall serve until his~~
6 ~~successor has been appointed and qualified] all of whom shall~~
7 ~~be New Mexico residents. The governor shall appoint the~~
8 ~~initial members of the commission for terms beginning January~~
9 ~~1, 2027 and make subsequent appointments from a list of~~
10 ~~qualified nominees submitted to the governor by the state~~
11 ~~wildlife commission nominating committee.~~

12 B. Three at-large members of the commission shall
13 possess knowledge of wildlife issues in the state and hold
14 positions one, two and three, with no more than one member
15 residing in any one county and with no more than two members
16 affiliated with the same political party.

17 C. Four members of the commission shall hold
18 positions four, five, six and seven, with no more than one
19 member residing in any one county and with no more than two
20 members affiliated with the same political party, as follows:

21 (1) position four, a rancher or farmer who
22 owns or manages a New Mexico ranch or farm, on which at least
23 two species of animals for which game hunting is licensed under
24 the provisions of Section 17-3-2 NMSA 1978 are frequently
25 present;

.227851.1

1 (2) position five, a conservationist who for
2 the previous four years has been an employee, a member of the
3 board or a member of an established advisory committee of a
4 nonprofit habitat or wildlife conservation organization, the
5 primary focus of which is not game species;

6 (3) position six, a hunter or angler who has
7 held a New Mexico hunting or fishing license each of the
8 previous four years; and

9 (4) position seven, a scientist who holds at
10 least a master's degree from an accredited college or
11 university in wildlife biology, conservation biology, fisheries
12 science or management, wildlife science or management or a
13 comparable wildlife field.

14 D. Except for the initial appointments as provided
15 in Section 14 of this 2024 act, the term of office for each
16 member of the commission shall be six years.

17 E. Commissioners shall serve for no more than two
18 terms after January 1, 2027. A partial term shall be counted
19 as one full term, unless the partial term is less than one full
20 year.

21 F. When a commissioner dies, resigns or no longer
22 meets the qualifications required for the commissioner's
23 original appointment, or misses three consecutive meetings,
24 that position on the commission becomes vacant. The governor
25 shall appoint a successor for the remainder of the term from a

.227851.1

1 list of qualified nominees submitted to the governor by the
 2 state wildlife commission nominating committee.

3 G. A commissioner shall not be removed except for
 4 incompetence, neglect of duty or malfeasance in office;
 5 provided that no removal shall be made without notice of
 6 hearing and an opportunity to be heard having first been given
 7 to the commissioner. The supreme court is given exclusive
 8 original jurisdiction over proceedings to remove commissioners
 9 under such rules as it may promulgate, and its decision in
 10 connection with such matters shall be final.

11 H. A person shall not be eligible to be appointed
 12 as a commissioner if the person changed party affiliation
 13 during the previous four years; provided that a person who
 14 changed party affiliation for the purpose of voting in a
 15 primary election pursuant to Section 1-4-5.7 NMSA 1978 and then
 16 changed party affiliation back to the status of that person's
 17 party affiliation immediately prior to the change within ninety
 18 days shall not be considered to have changed party affiliation
 19 for the purposes of this subsection.

20 I. The director of the New Mexico outdoor
 21 recreation division of the economic development department or
 22 the director's designee shall be an advisor to the commission."

23 SECTION 4. A new Section 17-1-2.1 NMSA 1978 is enacted to
 24 read:

25 "17-1-2.1. [NEW MATERIAL] STATE WILDLIFE COMMISSION

.227851.1

1 NOMINATING COMMITTEE.--

2 A. The "state wildlife commission nominating
3 committee" is created and consists of seven members as follows:

4 (1) four members appointed as follows: one by
5 the speaker of the house of representatives, one by the
6 minority floor leader of the house of representatives, one by
7 the president pro tempore of the senate and one by the minority
8 floor leader of the senate;

9 (2) two members as follows: the chair of the
10 university of New Mexico's department of biology or the chair's
11 designee and the chair of New Mexico state university's
12 department of fish, wildlife and conservation ecology or the
13 chair's designee; and

14 (3) one member appointed by the governor who
15 shall represent an Indian nation, tribe or pueblo.

16 B. A committee member shall serve without
17 compensation but shall be reimbursed for expenses incurred in
18 pursuit of the member's duties on the committee pursuant to the
19 Per Diem and Mileage Act.

20 C. The committee and individual members shall be
21 subject to the Governmental Conduct Act, the Inspection of
22 Public Records Act, the Financial Disclosure Act and the Open
23 Meetings Act.

24 D. Administrative support shall be provided to the
25 committee by the staff of the department.

.227851.1

1 E. Appointments shall be made no later than thirty
2 days before the end of a term.

3 F. The committee shall select one member to be
4 chair and one member to be secretary. Following the first
5 meeting, the committee shall meet as often as necessary in
6 order to submit a list to the governor of between seven and ten
7 qualified nominees for positions one, two and three of the
8 commission and between two and five qualified nominees for each
9 of positions four, five, six and seven of the commission. The
10 list shall be developed to provide geographical and political
11 party diversity, and nominees on the list shall be from at
12 least seven different counties of the state.

13 G. The committee shall meet at least ninety days
14 prior to the date on which the term of a state wildlife
15 commissioner ends and as often as necessary thereafter in order
16 to submit a list to the governor, at least thirty days prior to
17 the beginning of the new term, of no fewer than four qualified
18 nominees from diverse geographical areas of the state with no
19 more than two nominees affiliated with the same political party
20 for appointment to the commission for each commissioner
21 position term that is ending.

22 H. Upon the occurrence of a vacancy in a state
23 wildlife commissioner position, the committee shall meet within
24 thirty days of the date of the beginning of the vacancy and as
25 often as necessary thereafter in order to submit a list to the

.227851.1

1 governor, within sixty days of the first meeting after the
2 vacancy occurs, of no fewer than four qualified nominees from
3 diverse geographical areas of the state with no more than two
4 nominees affiliated with the same political party for
5 appointment to the commission to fill the remainder of the term
6 of each commissioner position that is vacant.

7 I. If a position on the committee becomes vacant
8 during a term, a successor shall be selected in the same manner
9 as the original appointment for that position and shall serve
10 for the remainder of the term of the position vacated.

11 J. The committee shall actively solicit, accept and
12 evaluate applications from qualified individuals for a position
13 on the commission and may require an applicant to submit any
14 information it deems relevant to the consideration of the
15 individual's application.

16 K. The committee shall select nominees for
17 submission to the governor who, in the committee's judgment,
18 are best qualified to serve as a member of the commission. A
19 person shall not be eligible for nomination to the commission
20 while serving on the committee.

21 L. A majority vote of all members of the committee
22 in favor of a person is required for that person to be included
23 on the list of qualified nominees submitted to the governor."

24 SECTION 5. Section 17-1-26 NMSA 1978 (being Laws 1931,
25 Chapter 117, Section 2, as amended) is amended to read:

.227851.1

1 "17-1-26. RULEMAKING POWER.--

2 A. The [~~state game~~] commission is [~~hereby~~]
 3 authorized and directed to make [~~such~~] rules [~~and regulations~~]
 4 and establish [~~such~~] service as it may deem necessary to carry
 5 out all the provisions and purposes of [~~this Act~~] Chapter 17
 6 NMSA 1978 and all other acts relating to [~~game and fish, and in~~
 7 ~~making such rules and regulations and in providing when~~]
 8 wildlife.

9 B. The rules may include, as applicable, when,
 10 where, by what means and to what extent, if at all, [~~and by~~
 11 what means game animals, birds and fish] wildlife may be
 12 hunted, taken, captured, killed, possessed, released, bartered,
 13 sold, purchased, [~~and~~] shipped and imported into or exported
 14 from the state. [~~game and fish~~]

15 C. In making rules, the commission shall evaluate
 16 and give due [regard to the zones of temperatures and to the
 17 distribution, abundance, economic value and breeding habits of
 18 such game animals, birds and fish.

19 ~~The state game commission is hereby authorized to~~
 20 ~~spend such reasonable amounts as in its judgment is desirable~~
 21 ~~and necessary annually, from their funds not otherwise needed,~~
 22 ~~for the eradication of predatory animals]~~ consideration to a
 23 species' population size and trends, migration patterns,
 24 availability of suitable habitat response to changes in climate
 25 conditions, conservation actions necessary to sustain healthy

.227851.1

1 populations and ecosystems and any other factors, natural or
2 human-driven, that are judged to affect the health of a species
3 or a species' ecosystem."

4 SECTION 6. Section 17-1-28 NMSA 1978 (being Laws 1939,
5 Chapter 19, Section 1) is amended to read:

6 "17-1-28. ASSENT TO ACT OF CONGRESS.--The state of New
7 Mexico hereby assents to the provisions of the act of congress
8 of the United States of America entitled "An act to provide
9 that the United States shall aid the states in wildlife
10 restoration projects, and for other purposes", approved
11 September [7] 2, 1937 (Public Law Number 415, 75th Congress),
12 also known as the federal Pittman-Robertson Wildlife
13 Restoration Act, and the [~~state game~~] commission is hereby
14 authorized and directed to perform all [~~such~~] acts as may be
15 necessary to the conduct and establishment of cooperative
16 wildlife restoration projects as defined by [~~said~~] that act of
17 congress and in compliance with [~~said~~] that act and rules and
18 regulations promulgated by the [~~secretary of agriculture~~]
19 United States secretary of the interior thereunder."

20 SECTION 7. Section 17-1-29 NMSA 1978 (being Laws 1939,
21 Chapter 19, Section 2) is amended to read:

22 "17-1-29. DISTRIBUTION OF FEDERAL FUNDS.--The [~~state~~
23 ~~game~~] commission is authorized to receive any [~~moneys~~] money to
24 which the state [~~of New Mexico~~] may become entitled under the
25 [~~aforsaid act of congress~~] federal Pittman-Robertson Wildlife

1 Restoration Act. Such [~~moneys~~] money, when received, [~~to~~]
 2 shall be deposited with the state treasurer [~~of the state of~~
 3 ~~New Mexico~~] to the credit of the [~~state~~] game protection fund,
 4 expended for the purpose designated and withdrawn [~~and~~] as
 5 other [~~moneys are~~] money is withdrawn from the [~~state~~] game
 6 protection fund."

7 **SECTION 8.** A new section of the Wildlife Conservation Act
 8 is enacted to read:

9 "[NEW MATERIAL] WILDLIFE TO BE PROTECTED--MANAGEMENT.--

10 A. In addition to other species defined in statute,
 11 the commission is authorized to extend management and
 12 protection by rule or policy to any species of wildlife not
 13 protected by statute pursuant to Chapter 17 NMSA 1978.

14 B. When determining whether and how to protect a
 15 species of wildlife, the commission shall evaluate and give due
 16 consideration to:

17 (1) whether a species qualifies as a species
 18 of greatest conservation need;

19 (2) the science-based reasons for protection
 20 of a species; and

21 (3) the rules and management programs that
 22 would potentially accompany protected status.

23 C. The department is not required to respond to
 24 wildlife nuisance incidents unless:

25 (1) the commission, in its own discretion,

.227851.1

1 adopts a policy or rule to do so; or

2 (2) as otherwise provided by law.

3 D. As used in this section, "wildlife" means a
4 nondomestic mammal, bird, reptile, amphibian, fish or
5 invertebrate species, including a living animal, or any part,
6 egg, spawn, offspring or the dead body or parts thereof."

7 SECTION 9. Section 17-2-38 NMSA 1978 (being Laws 1974,
8 Chapter 83, Section 2, as amended) is amended to read:

9 "17-2-38. DEFINITIONS.--As used in the Wildlife
10 Conservation Act:

11 A. "commission" means the state [~~game~~] wildlife
12 commission;

13 B. "director" means the director of the wildlife
14 department [~~of game and fish~~];

15 C. "ecosystem" means a system of living organisms
16 and their environment;

17 D. "endangered species" means any species of fish
18 or wildlife whose prospects of survival or recruitment within
19 the state are in jeopardy due to any of the following factors:

20 (1) the present or threatened destruction,
21 modification or curtailment of its habitat;

22 (2) overutilization for scientific, commercial
23 or sporting purposes;

24 (3) the effect of disease or predation;

25 (4) other natural or man-made factors

1 affecting its prospects of survival or recruitment within the
2 state; or

3 (5) any combination of the foregoing factors.

4 The term may also include any species of fish or wildlife
5 appearing on the United States list of endangered native and
6 foreign fish and wildlife as set forth in Section 4 of the
7 federal Endangered Species Act of 1973 as endangered species;
8 provided that the commission adopts those lists in whole or in
9 part. The term [~~shall~~] does not include any species covered by
10 the provisions of 16 U.S.C. 1331 through 1340 (1971) [~~and shall~~
11 ~~not include~~] or any species of the class insecta determined by
12 the director to constitute a pest whose protection under the
13 Wildlife Conservation Act would present an overwhelming and
14 overriding risk to man;

15 E. "investigation" means a process pursuant to
16 Subsections B through L of Section 17-2-40 NMSA 1978 undertaken
17 whenever the director suspects that a species may be threatened
18 or endangered and [~~which~~] that consists of a formal review of
19 existing data and studies and may include additional field
20 research to determine whether a species is threatened or
21 endangered;

22 F. "land or aquatic habitat interests" means
23 interests in real property or water rights consisting of fee
24 simple title, easements in perpetuity, time certain easements,
25 long-term leases and short-term leases;

.227851.1

1 G. "management" means the collection and
2 application of biological information for the purposes of
3 establishing and maintaining a congruous relationship between
4 individuals within species and populations of wildlife and the
5 carrying capacity of their habitat. The term includes the
6 entire range of activities that constitutes a full scientific
7 resource program [~~of~~], including [~~but not limited to~~] research,
8 census, law enforcement, propagation, acquisition or
9 maintenance of land or aquatic habitat interests appropriate
10 for recovery of the species; improvement and maintenance,
11 education and related activities; [~~or~~] and protection and
12 regulated taking;

13 H. "recovery plan" means a designated program or
14 methodology reasonably expected to lead to restoration and
15 maintenance of a species and its habitat;

16 I. "peer review panel" means an advisory panel of
17 scientists, each of whom possesses expertise relevant to the
18 proposed investigation and at least one of whom is a wildlife
19 biologist, convened to review the scientific methodology for
20 collection and analysis of data by a researcher based on
21 commonly accepted scientific peer review;

22 J. "species" means any species or subspecies;

23 K. "substantial public interest" means a
24 nonfrivolous claim indicated by a broad-based expression of
25 public concern;

.227851.1

1 L. "take" or "taking" means to harass, hunt,
2 capture or kill any wildlife or attempt to do so;

3 M. "threatened species" means any species that is
4 likely to become an endangered species within the foreseeable
5 future throughout all or a significant portion of its range in
6 New Mexico; the term may also include any species of fish or
7 wildlife appearing on the United States list of endangered
8 native and foreign fish and wildlife as set forth in Section 4
9 of the federal Endangered Species Act of 1973 as threatened
10 species; provided that the commission adopts the list in whole
11 or in part; and

12 N. "wildlife" means [~~any~~] a nondomestic mammal,
13 bird, reptile, amphibian, fish [~~mollusk or crustacean~~] or
14 invertebrate species, including a living animal, or any part,
15 egg, spawn, [~~or~~] offspring or the dead body or parts thereof."

16 SECTION 10. A new section of the Wildlife Conservation
17 Act is enacted to read:

18 "[NEW MATERIAL] SPECIES OF GREATEST CONSERVATION NEED--
19 DEFINITION--REPORTING.--

20 A. For the purposes of Chapter 17 NMSA 1978,
21 "species of greatest conservation need" means species existing
22 within New Mexico that are subject to one or more of the
23 following factors:

24 (1) species that have experienced substantial
25 long-term declines in habitat or population, known as declining

.227851.1

1 species;

2 (2) species in which some aspect of their life
3 histories and ecology makes them disproportionately susceptible
4 to decline, including concentration to small areas during
5 migration or hibernation, low reproductive rates,
6 susceptibility to disease, inability to respond to changing
7 climate conditions, habitat loss, wildfire and overexploitation
8 for anthropogenic purposes, known as vulnerable species;

9 (3) species that are limited to New Mexico,
10 known as endemic species;

11 (4) species that have populations
12 geographically isolated from other populations of the same
13 species and are thereby susceptible to local decline or
14 extirpation, known as disjunct species; or

15 (5) species that are crucial to the integrity
16 and the functioning of their ecosystems and that may represent
17 more value to conservation of biological diversity than the
18 size of their population or their distribution would suggest,
19 known as keystone species.

20 B. The wildlife department shall report annually by
21 November 1 to the appropriate interim legislative committee and
22 publish on the department's website data collected on species
23 of greatest conservation need and the use of state and federal
24 funds for the support and recovery of species of greatest
25 conservation need."

.227851.1

1 SECTION 11. Section 17-3-13 NMSA 1978 (being Laws 1964
 2 (1st S.S.), Chapter 17, Section 5, as amended) is amended to
 3 read:

4 "17-3-13. LICENSE FEES--FEE ADJUSTMENTS.--

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

12 B. Beginning January 1, 2026 and on January 1 of
 13 each successive year, the state game commission may adjust the
 14 fees provided by this section for inflation as provided in
 15 Subsection C of this section. The director of the department
 16 of game and fish shall collect the following fees for each
 17 license of the class indicated:

18	Resident, fishing	[\$25.00]	<u>\$35.00</u>
19	Resident, game hunting	[15.00]	<u>25.00</u>
20	Resident, deer	[31.00]	<u>50.00</u>
21	Resident, junior-senior, deer	[19.00]	<u>25.00</u>
22	Resident, senior, handicapped,		
23	game hunting and fishing		20.00
24	Resident, fishing and game hunting		
25	combination	[30.00]	<u>42.00</u>

.227851.1

underscored material = new
 [bracketed material] = delete

1	Resident, junior, fishing and game	
2	hunting combination	15.00
3	Resident, disabled veteran, fishing and game hunting	
4	combination	10.00
5	Resident, antelope	[50.00] <u>60.00</u>
6	Resident, elk cow	[50.00] <u>60.00</u>
7	Resident, elk bull or either sex	[80.00] <u>90.00</u>
8	Resident, junior-senior, elk	[48.00] <u>60.00</u>
9	Resident, bighorn sheep, ram	150.00
10	Resident, bighorn sheep, ewe	75.00
11	Resident, Barbary sheep	[100.00] <u>120.00</u>
12	Resident, bear	[44.00] <u>55.00</u>
13	Resident, turkey	[25.00] <u>35.00</u>
14	Resident, cougar	[40.00] <u>55.00</u>
15	Resident, oryx	[150.00] <u>175.00</u>
16	Resident, ibex	[100.00] <u>110.00</u>
17	Resident, javelina	55.00
18	Resident, fur dealer	[15.00] <u>100.00</u>
19	Resident, trapper	[20.00] <u>100.00</u>
20	Resident, junior trapper	[9.00] <u>50.00</u>
21	Nonresident, fishing	[56.00] <u>90.00</u>
22	Nonresident, junior fishing	[15.00] <u>20.00</u>
23	Nonresident, junior, game hunting	[15.00] <u>20.00</u>
24	Nonresident, game hunting	[65.00] <u>85.00</u>
25	Nonresident, deer	[260.00] <u>375.00</u>

underscored material = new
[bracketed material] = delete

1	Nonresident, quality deer	[345.00]	<u>600.00</u>
2	Nonresident, bear	[250.00]	<u>350.00</u>
3	Nonresident, cougar	[280.00]	<u>350.00</u>
4	Nonresident, turkey	[100.00]	<u>125.00</u>
5	Nonresident, antelope	[260.00]	<u>400.00</u>
6	Nonresident, elk cow	[315.00]	<u>550.00</u>
7	Nonresident, elk bull or either sex . . .	[525.00]	<u>750.00</u>
8	Nonresident, quality elk	[750.00]	<u>975.00</u>
9	Nonresident, bighorn sheep		3,150.00
10	Nonresident, Barbary sheep		350.00
11	Nonresident, oryx		1,600.00
12	Nonresident, ibex		1,600.00
13	Nonresident, javelina		155.00
14	Nonresident, fur dealer	[125.00]	<u>200.00</u>
15	Nonresident, trapper	[345.00]	<u>500.00</u>
16	Nonresident, nongame		65.00
17	Resident, senior, handicapped,		
18	fishing		8.00
19	Resident, junior fishing		5.00
20	Temporary fishing, one day		12.00
21	Temporary fishing, five days	[24.00]	<u>30.00</u>
22	Resident, senior, handicapped,		
23	game hunting		15.00
24	Resident, junior, game hunting		10.00
25	Temporary game hunting, four days	[33.00]	<u>40.00</u>

underscored material = new
[bracketed material] = delete

1 Second rod validation [~~4.00~~] 10.00.

2 C. On January 1, 2026 and on January 1 of each
3 successive year, the state game commission may adjust the fees
4 provided by Subsection B of this section by multiplying the fee
5 as of January 1, 2025 by a fraction, the numerator of which is
6 the consumer price index ending in September of the previous
7 year and the denominator of which is the consumer price index
8 ending in September 2024; provided that the fees shall not be
9 adjusted below the minimum amounts provided in Subsection B of
10 this section as a result of a decrease in the consumer price
11 index, and the fees shall be adjusted on January 1, 2031 and
12 every five years thereafter. The amount of the adjustment
13 shall be rounded to the nearest dollar. By November 1, 2025
14 and by November 1 of each successive year, the department of
15 game and fish shall post on its website the fees in Subsection
16 B of this section for the next year.

17 D. Residents and family members of residents who
18 participate in the supplemental nutrition assistance program
19 are eligible to receive a twenty-five percent discount on all
20 license fees after qualifying with the department of game and
21 fish.

22 E. As used in this section, "consumer price index"
23 means the consumer price index, not seasonally adjusted, for
24 all urban consumers, United States city average for all items,
25 or its successor index, as published by the United States

.227851.1

underscored material = new
[bracketed material] = delete

1 department of labor for a twelve-month period ending September
 2 30."

3 SECTION 12. Section 17-5-4 NMSA 1978 (being Laws 1939,
 4 Chapter 178, Section 4, as amended) is amended to read:

5 "17-5-4. [~~STATE GAME COMMISSION TO ADMINISTER ACT RULES~~
 6 ~~AND REGULATIONS]~~ CONFLICT OF AUTHORITY--TAKING OF BOBCATS.--

7 [~~The state game commission is authorized and directed to~~
 8 ~~administer the provisions of Sections 17-5-1 through 17-5-9~~
 9 ~~NMSA 1978 and to make such rules and regulations and establish~~
 10 ~~such service as it may deem necessary to carry out all the~~
 11 ~~provisions and purposes of those sections. In making such~~
 12 ~~rules and regulations and providing when and by what means fur-~~
 13 ~~bearing animals may be hunted, taken, captured, possessed or~~
 14 ~~killed, the state game commission shall give due regard to the~~
 15 ~~zones of temperatures and to the distribution, abundance,~~
 16 ~~economic value and breeding habits of such animals. Provided]~~

17 Nothing in Sections 17-5-1 through 17-5-9 NMSA 1978 shall
 18 interfere with the authority granted to the president of New
 19 Mexico state university under Sections 77-15-1 through 77-15-5
 20 NMSA 1978 or [~~shall~~] prevent livestock producers without a
 21 permit from the taking of bobcats that are doing damage to
 22 livestock."

23 SECTION 13. TEMPORARY PROVISION--NAME CHANGE--TRANSFER OF
 24 FUNCTIONS, PERSONNEL, MONEY, APPROPRIATIONS, PROPERTY,
 25 CONTRACTUAL OBLIGATIONS AND STATUTORY REFERENCES.--

.227851.1

1 A. The department of game and fish is renamed as
2 the "wildlife department".

3 B. The state game commission is renamed as the
4 "state wildlife commission".

5 C. On July 1, 2025, all:

6 (1) functions, personnel, money,
7 appropriations, records, furniture, equipment, supplies and
8 other personal and real property of the department of game and
9 fish are transferred to the wildlife department;

10 (2) agreements and contractual obligations of
11 the department of game and fish are binding on the wildlife
12 department;

13 (3) references in law to the department of
14 game and fish shall be deemed to be references to the wildlife
15 department;

16 (4) functions, personnel, money,
17 appropriations, records, furniture, equipment, supplies and
18 other personal and real property of the state game commission
19 are transferred to the state wildlife commission;

20 (5) agreements and contractual obligations of
21 the state game commission are binding on the state wildlife
22 commission; and

23 (6) references in law to the state game
24 commission shall be deemed to be references to the state
25 wildlife commission.

.227851.1

1 D. On July 1, 2025, statutory references in Chapter
2 17 NMSA 1978 to:

3 (1) the "department of game and fish" or
4 "department" shall be construed to be references to the
5 wildlife department;

6 (2) the "state game commission" or
7 "commission" shall be construed to be references to the state
8 wildlife commission; and

9 (3) the "director", "warden", "state warden",
10 "state game warden" or "state game and fish warden" shall be
11 construed to be references to the director of the wildlife
12 department.

13 E. Rules of the department of game and fish shall
14 be rules of the wildlife department until amended or repealed.

15 F. Rules of the state game commission shall be
16 rules of the state wildlife commission until amended or
17 repealed.

18 **SECTION 14. TEMPORARY PROVISION--INITIAL APPOINTMENTS.--**

19 The initial appointments made to the state wildlife commission
20 by the governor pursuant to the provisions of Sections 3 and 4
21 of this act shall replace the members of the state wildlife
22 commission, whose terms shall end on December 31, 2026. Terms
23 for the initial appointments to the commission beginning
24 January 1, 2027 shall be as follows:

25 A. for position one, a one-year term;

.227851.1

- 1 B. for position two, a three-year term;
- 2 C. for position three, a five-year term;
- 3 D. for position four, a one-year term;
- 4 E. for position five, a three-year term;
- 5 F. for position six, a five-year term; and
- 6 G. for position seven, a five-year term.

7 SECTION 15. REPEAL.--Section 17-2-2 NMSA 1978 (being Laws
8 1937, Chapter 23, Section 1) is repealed.

9 SECTION 16. EFFECTIVE DATE.--

10 A. The effective date of the provisions of Sections
11 1, 2, 5 through 10, 12, 13 and 15 of this act is July 1, 2025.

12 B. The effective date of the provisions of Sections
13 3, 4 and 14 of this act is January 1, 2027.

14 C. The effective date of the provisions of Section
15 11 of this act is April 1, 2025.

underscored material = new
[bracketed material] = delete

17
18
19
20
21
22
23
24
25