

LFC Requester:

Helen Gaussoin

AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

SECTION I: GENERAL INFORMATION

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

Date Prepared: 02/01/2025

Check all that apply:

Bill Number: SB5

Original Correction
Amendment Substitute

Sponsor: Sen. Pete Campos
Sen. Peter Wirth
Rep. Matthew McQueen
Sen. Crystal Brantley
Rep. Nathan P. Small

Agency Name and Code Number: 305 – New Mexico
Department of Justice

Person Writing Analysis: Blaine N. Moffatt

Short Title: GAME COMMISSION
REFORM

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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
 Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

This analysis is neither a formal Opinion nor an Advisory Letter issued by the New Mexico Department of Justice. This is a staff analysis in response to a committee or legislator’s request. The analysis does not represent any official policy or legal position of the NM Department of Justice.

BILL SUMMARY

Synopsis:

Senate Bill 5 (“SB5”) proposes a substantial reform to Chapter 17 NMSA 1978, which establishes the legal framework for regulating New Mexico’s wildlife resources.

Section 1 amendments propose to strike Section 1 its entirety and subsequently rename each Section appropriately.

Section 2 amendments correct grammatical phrasing within the proposed language.

Subsection G of Section 3 establishes a removal process that is enforced by the state ethics commission. In the event the ethics commission removes a commissioner, that commissioner would have the right to a hearing. The state ethics commission would be authorized to bring actions under the Act. Amendments to this section would allow the Ethics Commission to bring action within the district court. The proposed amendments strike the jurisdiction of the New Mexico Supreme Court.

Section 6 is amended to Section 5. Section 5 proposes new material entitled, WILDLIFE TO BE PROTECTED – MANAGEMENT. This new section proposes to extend management and protection of any species under the commission’s authority by rule or policy. Amendments to the Section change the wording from what the commission “shall” consider to the areas the commission “may” consider.

Section 12 is amended to Section 11. Section 11 amendments propose to repeal Sections “17-1-17” and “17-2-2 NMSA 1978”, which relates to the current rulemaking authority of the game commission.

FISCAL IMPLICATIONS

N/A

SIGNIFICANT ISSUES

N/A

PERFORMANCE IMPLICATIONS

N/A

ADMINISTRATIVE IMPLICATIONS

N/A

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Relationship:

Senate Bill 114: Altering land acquisition procedures, requiring the approval of acequia associations, land grants, board of county commissioners, and the legislature prior to acquiring land or water rights, and instituting reporting requirements.

TECHNICAL ISSUES

In Section 11 the language is amended to repeal Sections “17-1-17” and “17-2-2 NMSA 1978”. Section “17-1-17” should likely be “17-1-1”, as this is the first Section that was amended in SB5.

OTHER SUBSTANTIVE ISSUES

N/A

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status Quo

AMENDMENTS

N/A