

HOUSE ENERGY AND NATURAL RESOURCES COMMITTEE SUBSTITUTE FOR
HOUSE BILL 61

51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013

AN ACT

RELATING TO GAME AND FISH; AMENDING A SECTION OF CHAPTER 17
NMSA 1978 TO PROVIDE FOR SPECIAL EVENT PERMITS.

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

SECTION 1. Section 17-3-17 NMSA 1978 (being Laws 1964
(1st S.S.), Chapter 17, Section 8, as amended) is amended to
read:

"17-3-17. FISHING WITHOUT LICENSE--EXCEPTIONS.--

A. It is a misdemeanor for any person, except
children who have not reached their twelfth birthday, to take
or attempt to take any game fish from any public stream or
water in this state without ~~[having on his person]~~ carrying a
proper fishing license as provided by law. The presence of any
person, except children who have not reached their twelfth
birthday, along any public stream or water in this state with

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1 fishing rod, hook or line, without ~~[having on his person]~~
2 carrying a proper fishing license, is prima facie evidence of
3 the violation of this section. The director of the department
4 of game and fish or any conservation officer may require any
5 person along any public stream or water in this state with
6 fishing rod, hook or line to exhibit ~~[his]~~ the person's
7 license.

8 B. The director, with the approval of the state
9 game commission, may designate no more than two nonconsecutive
10 Saturdays in each year as free fishing days. During the free
11 fishing days, residents and nonresidents may exercise the
12 privileges of holders of proper fishing licenses without having
13 proper fishing licenses and without payment of any license
14 fees, subject to all limitations, restrictions, conditions,
15 laws, rules and regulations applicable to holders of proper
16 fishing licenses.

17 C. The director may designate, by special permit,
18 fishing events during which the requirement for a fishing
19 license or permit pursuant to Chapter 17 NMSA 1978 is waived
20 exclusively for designated event participants. During the
21 special permitted events, residents and nonresidents may
22 exercise only the privileges as allowed by the director. The
23 director's special permit shall substitute for the requirement
24 of any license or permit pursuant to Chapter 17 NMSA 1978, and
25 no payment of any license fee is required. The director's

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1 special permit shall be for a period of no longer than three
2 days, and all other laws and rules shall apply."

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