

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the NM Legislature. The LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

Current and previously issued FIRs are available on the NM Legislative Website ([www.nmlegis.gov](http://www.nmlegis.gov)) and may also be obtained from the LFC in Suite 101 of the State Capitol Building North.

## FISCAL IMPACT REPORT

**ORIGINAL DATE** 2/15/17  
**SPONSOR** Steinborn **LAST UPDATED** \_\_\_\_\_ **HB** \_\_\_\_\_

**SHORT TITLE** Protection of Fur-Bearing Animals & Coyotes **SB** 267

**ANALYST** Armstrong \_\_\_\_\_

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY17	FY18	FY19	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>	\$400.0	\$1,460.0	\$1,460.0	\$3,320.0	Recurring	Game Protection Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Department of Game & Fish (DGF)

NM Department of Agriculture (NMDA)

### SUMMARY

#### Synopsis of Bill

Senate Bill 267 (SB267) adds coyote and all species of skunk to the list of fur-bearing nongame animals as defined under Section 17-5-2 NMSA, requiring DGF to manage the species. The bill also amends language from the declaration of policy stating the fur of fur-bearing animals “shall not be wasted or depleted” to instead state fur-bearers shall be protected. The bill requires the State Game Commission (SGC) to consider the “best available science” when setting harvest regulations for all fur-bearers.

### FISCAL IMPLICATIONS

DGF analysis notes SB267 requires the agency to assume management responsibility for coyote and skunk, and estimates a minimum increased annual operating cost of \$1.4 million to do so. The National Agriculture Statistics Service NASS (2010) estimated that predators killed 5,500 adult sheep, 3,700 lambs, 3,300 adult cattle, and 6,600 calves in New Mexico in 2009, with coyotes found to be a major predator. DGF estimates over 500 nuisance complaints related to skunk species are received annually by third party animal control services in Albuquerque, Santa Fe, and Silver City alone. To respond to all livestock depredations from coyotes and nuisance complaints from skunks, the department estimates additional needs of 12 FTEs (\$960 thousand annual salary) and annual program implementation costs of \$500 thousand.

## SIGNIFICANT ISSUES

Adding coyotes and skunks to the list of protected furbearers will require additional financial resources for DGF to meet its statutory requirements regarding animal depredation and landowner takings under 17-2-7.2 NMSA.

In requiring SGC to consider the “best available science,” SB267 provides that this includes range and status of habitats, potential threats or constraints, migration and hibernation, reproductive rates, susceptibility to disease, response to changing climate conditions, habitat loss, wildfire, overexploitation for anthropogenic purposes, and potential conservation actions to keep species secure. Currently, SGC is required to consider zones of temperatures, the distribution, abundance, economic value and breeding habits. DGF analysis notes that, under rule, the agency and commission can consider all factors that impact population status of furbearing species and determine if harvest limits are necessary to ensure the future sustainability of those populations. Further:

The factors as listed in SB267 may or may not have an overall impact on population sustainability over the short or long term, and may not be important for future population persistence. Population status and trend are in actuality the determining factors in deciding for the taking, hunting, capture of furbearing species and future population persistence.

DGF analysis also raises concern that adding coyotes to the list of furbearers would prohibit preventative control of coyotes for livestock depredation by ranchers and the U.S. Department of Agriculture’s (USDA) Wildlife Services. However, the bill provides that nothing in the furbearing animal statutes shall interfere with the state’s authority to work with USDA “in destroying predatory wild animals” to protect crops, livestock, and range conditions pursuant to Sections 77-15-1 through 77-15-5 NMSA 1978. Additionally, the bill states it shall not prevent livestock producers from killing coyotes that are damaging livestock without a permit.

JA/al