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FISCAL IMPACT REPORT

SPONSOR Ortez/Johnson/Schmedes LAST UPDATED _____
ORIGINAL DATE 2/6/23
SHORT TITLE Expand Unlawful Taking of Big Game BILL NUMBER House Bill 261
ANALYST Gaussoin

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT* (dollars in thousands)

	FY23	FY24	FY25	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
	No fiscal impact	No fiscal impact	No fiscal impact			

Parentheses () indicate expenditure decreases.

*Amounts reflect most recent analysis of this legislation.

Relates to Senate Bill 254

Sources of Information

LFC Files

Responses Received From

Department of Game and Fish (DGF)

New Mexico Attorney General (NMAG)

SUMMARY

Synopsis of House Bill 261

House Bill 261 (HB261) adds javelina, bear, and cougar to those animals that cannot be killed and left to waste. The bill states waste for a bear or cougar would be taking only the pelt or the head and waste for a javelina would be taking only the head or horns.

This bill does not contain an effective date and, as a result, would go into effect June 16, 2023, (90 days after the Legislature adjourns) if signed into law.

FISCAL IMPLICATIONS

The Department of Game and Fish reports the bill will have no fiscal impact on the agency.

SIGNIFICANT ISSUES

The so-called “wanton waste” provision of hunting law prohibits abandoning edible parts of animals in the field. The provision currently covers bighorn sheep, ibex, oryx, Barbary sheep,

elk, deer, and pronghorn antelopes. It is currently legal to leave edible parts of cougar, bear, and javelina behind.

The hunting and fishing advocacy group, the New Mexico Wildlife Federation, say adding the three animals to the waste provision promotes responsible hunting. They note 94 percent of New Mexicans do not hunt but 80 percent of the nonhunters support hunting for food. However, only 37 percent support “trophy hunting,” or the killing of animals purely for a trophy like a pelt or head:

When a New Mexico hunter kills a black bear, javelina or cougar and legally leaves the carcass in the field, it threatens to tarnish the public image of all hunters. It sends the message to any non-hunters who happen to come across a discarded carcass that hunting is just a blood sport, and that banning the activity entirely would be justified. ... This legislation illustrates the importance of procuring sustainably harvested, wild protein to feed our families. It also will be a win for wildlife, ensuring that harvested animals are fully utilized.

ADMINISTRATIVE IMPLICATIONS

The Game and Fish Department reports the bill would require the Game Commission to pass a rule change and represents a minor administrative responsibility to the department and the commission.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

HB261 relates to Senate Bill 254, which would increase hunting and fishing fees.

HG/rl/ne