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HOUSE BILL 189

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

Jose A. Campos

AN ACT

RELATING TO WILDLIFE; PROVIDING FOR RULES ON THE TAKING,
CAPTURING OR KILLING OF NONGAME FISH; PROVIDING A PENALTY.

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

Section 1. Section 17-3-28 NMSA 1978 (being Laws 1939,
Chapter 27, Section 3) is amended to read:

"17-3-28. EXCEPTIONS--PROHIBITIONS.--

A. The state game commission shall adopt rules on
the manner, method and devices used for the taking, capturing
or killing of nongame fish. A person violating a rule of the
state game commission pertaining to nongame fish is guilty of a
misdemeanor and may be sentenced pursuant to Section 17-2-10
NMSA 1978.

B. Nothing in [~~this act~~] Sections 17-3-26 through
17-3-28 NMSA 1978 shall be construed to prevent licensed

underscored material = new
[bracketed material] = delete

1 fishermen from taking minnows and other nongame fish for [~~his~~
2 their own use for bait or to prevent any minor under [~~fifteen~~
3 ~~(15)~~] twelve years of age from taking minnows not for resale;
4 provided, however, that it shall be unlawful for licensed
5 fishermen or any other person using nongame fish for bait to
6 place any of [~~such~~] the nongame fish [~~which~~] that are not used
7 for bait in any waters stocked or reserved for game fish by the
8 state game commission [~~of the state of New Mexico~~]."

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