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AN ACT

RELATING TO THE STATE GAME COMMISSION; REFORMING THE STATE  
GAME COMMISSION APPOINTMENT PROCESS; SETTING TERM LIMITS FOR  
COMMISSIONERS; ADDING REQUIREMENTS FOR APPOINTMENT AND  
REMOVAL OF COMMISSIONERS.

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

SECTION 1. Section 17-1-2 NMSA 1978 (being Laws 1921,  
Chapter 35, Section 2, as amended) is amended to read:

"17-1-2. STATE GAME COMMISSION--APPOINTMENT--TERM.--

A. To carry out the purpose of Chapter 17 NMSA  
1978 and all other acts for like purpose, there is created a  
"state game commission" of seven members.

B. Three members of the commission shall be  
appointed by the governor, positions one, two and three, with  
no more than one residing in any one county and with no more  
than two affiliated with the same political party.

C. Four members of the commission shall be New  
Mexico residents and shall be appointed by the New Mexico  
legislative council, with no more than one residing in any  
one county, as follows:

(1) position four, a rancher or farmer who  
owns or manages a New Mexico ranch or farm, on which at least  
two species of animals for which game hunting is licensed  
under the provisions of Section 17-3-2 NMSA 1978 are

1 frequently present;

2 (2) position five, a conservationist who for  
3 the previous four years has been an employee, member of the  
4 board or member of an established advisory committee of a  
5 nonprofit habitat or wildlife conservation organization the  
6 primary focus of which is not game species;

7 (3) position six, a hunter or angler who has  
8 held a New Mexico hunting or fishing license each of the  
9 previous four years; and

10 (4) position seven, a scientist who holds at  
11 least a master's degree from an accredited college or  
12 university in wildlife biology, conservation biology,  
13 fisheries science or management, wildlife science or  
14 management or a comparable wildlife field.

15 D. No more than two of the commissioners appointed  
16 by the New Mexico legislative council shall be affiliated  
17 with the same political party.

18 E. All commissioners shall be appointed with the  
19 advice and consent of the senate. Except as provided in  
20 Section 2 of this 2023 act, the term of office for each  
21 member of the commission shall be six years.

22 F. Commissioners shall serve for no more than two  
23 terms after the effective date of this 2023 act. A partial  
24 term shall be counted as one full term, unless the partial  
25 term is less than one full year.

1           G. When a commissioner dies, resigns or no longer  
2 meets the qualifications required for the commissioner's  
3 original selection, or misses three consecutive meetings,  
4 that position on the commission becomes vacant. The original  
5 appointing authority for the vacant position shall appoint a  
6 successor for the remainder of the term in the same manner as  
7 the original selection for that position was made.

8           H. A commissioner shall not be removed except for  
9 incompetence, neglect of duty or malfeasance in office;  
10 provided, however, that no removal shall be made without  
11 notice of hearing and an opportunity to be heard having first  
12 been given to the commissioner. The supreme court is given  
13 exclusive original jurisdiction over proceedings to remove  
14 commissioners under such rules as it may promulgate, and its  
15 decision in connection with such matters shall be final.

16           I. The state game commission as provided in  
17 Chapter 17 NMSA 1978 shall have the same authority, powers  
18 and duties as now vested in the state game commission by law.

19           J. A person shall not be eligible to be appointed  
20 as a commissioner if the person changed party affiliation  
21 during the previous four years; provided that a person who  
22 changed party affiliation for the purpose of voting in a  
23 primary election pursuant to Section 1-4-5.7 NMSA 1978 and  
24 then changed party affiliation back to the status of that  
25 person's party affiliation immediately prior to the change

1 within ninety days shall not be considered to have changed  
2 party affiliation for the purposes of this section.

3 K. The director of the New Mexico outdoor  
4 recreation division of the economic development department or  
5 the director's designee shall be an advisor to the  
6 commission."

7 SECTION 2. TEMPORARY PROVISION--INITIAL APPOINTMENTS.--

8 The initial appointments made to the state game commission by  
9 the governor and the New Mexico legislative council pursuant  
10 to the provisions of Section 1 of this act shall replace the  
11 members of the state game commission serving on the effective  
12 date of this act, whose terms shall end on the effective date  
13 of this act. Terms for the initial appointments to the  
14 commission appointed on the effective date of this act shall  
15 be as follows:

- 16 A. for position one, a one-year term;
- 17 B. for position two, a three-year term;
- 18 C. for position three, a five-year term;
- 19 D. for position four, a one-year term;
- 20 E. for position five, a three-year term;
- 21 F. for position six, a five-year term; and
- 22 G. for position seven, a five-year term.

23 SECTION 3. EFFECTIVE DATE.--The effective date of the  
24 provisions of this act is January 1, 2024. \_\_\_\_\_