

LFC Requester:	None
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AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

AgencyAnalysis.nmlegis.gov and email to billanalysis@dfa.nm.gov

(Analysis must be uploaded as a PDF)

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Date Prepared: Jan. 30, 2025 *Check all that apply:*
Bill Number: SB 5 Original Correction
 Amendment Substitute

Sponsor: Sens. Campos, Wirth, & Branley, Rep. Matthew McQueen **Agency Name and Code** State Land Office - 539
Short Title: GAME COMMISSION REFORM **Number:** _____ **Person Writing** Sunalei Stewart
Title: _____ **Phone:** 505-827-5755 **Email** sstewart@nmslo.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
None	None		

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
None	None	None		

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	No Fiscal Impact	No Fiscal Impact	No Fiscal Impact			

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

This bill would change the name of the State Game Commission to the State Wildlife Commission, change the name of the Department of Game and Fish to the Department of Wildlife, and change the Chapter 17 policy declaration to say that the statutory policy is “to provide for the conservation and management of the state's wildlife as a public trust resource with ecological, economic and intrinsic value, as well as for the benefit, use, food supply and non-consumptive enjoyment of all.”

The bill would change the way member of the Wildlife Commission are appointed by authorizing the governor to appoint members with the advice and consent of the senate from a list of nominees submitted by a newly created nominating commission. Voting members of the wildlife commission would be:

- Three at-large members, with no more than one residing in any one county and no more than two affiliated with the same political party;
- four members representing particular interests, with no more than one residing in any one county and with no more than two members affiliated with the same political party:
 - a rancher or farmer who owns or manages and earns income from a New Mexico ranch or farm, on which at least two big game species are frequently present;
 - a conservationist who for the previous four years has been an employee, a member of the board or a member of an established advisory committee of a nonprofit wildlife or habitat conservation organization, the primary focus of which is not game species;
 - an individual who is both a hunter and an angler having held both a New Mexico hunting license and fishing license each of the previous four years;
 - a scientist who holds at least a master’s degree in wildlife biology, conservation biology, fisheries science or management, wildlife science or management or a comparable wildlife field.

Members would be protected against removal except for removal initiated by the State Ethics Commission for incompetence, neglect of duty or malfeasance in office, with the right to notice and a hearing before the supreme court.

Advisory members of the Wildlife Commission would be:

- director of the Outdoor Recreation Division of the Economic Development Department or the director’s designee;
- director of the Department of Agriculture or the director’s designee;
- Commissioner of Public Lands or the commissioner's designee; and
- secretary of Indian Affairs or the secretary’s designee.

Changes would be made in the Wildlife Commission's rulemaking authority, including a requirement that the commission consider species' population size and trends, migration patterns, availability of suitable habitat, response to changes in climate conditions, conservation actions necessary to sustain healthy populations and ecosystems and any other factors, natural or human-driven, that are judged to affect the health of a species or a species' ecosystem.

The Commission's regulatory authority would be expanded from the species defined as protected in Chapter 17 to include any species of wildlife (as defined in the bill). When determining whether and how to protect a species of wildlife, the commission would consider: (1) whether the species qualifies as a species of greatest conservation need; (2) the science-based reasons for protection of a species; and (3) the rules and management programs that would potentially accompany protected status.

The bill would increase the statutory fees for permits and licenses and provide for future increases pegged to the consumer price index.

The effective date of this bill would vary from section to section as specified in the bill.

FISCAL IMPLICATIONS

The bill would have no fiscal impact on the State Land Office.

SIGNIFICANT ISSUES

The State Land Office manages about nine million acres of land throughout New Mexico, with diverse wildlife and ecosystems. The agency has also issued to the Game Commission a statewide easement allowing licensees access to state trust lands in the district and during the season where the licensee's license applies, and there are significant amounts of hunting and fishing that occur on state trust lands. Therefore, the State Land Office has a significant interest in the functioning of the commission and the department, which will be served, at least in part, by designating the Commissioner of Public Lands as an advisory member of the Wildlife Commission.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

The Commissioner's (or designee's) service as an advisory member of the Wildlife Commission would involve a small increase in State Land Office administrative tasks in an amount that is not material.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BIL

AMENDMENTS