

**FIFTY-SEVENTH LEGISLATURE
FIRST REGULAR SESSION, 2025**

March 6, 2025

Mr. Speaker:

Your **ENERGY, ENVIRONMENT AND NATURAL RESOURCES COMMITTEE**, to whom has been referred

SENATE BILL 5, as amended

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. Strike all senate rules committee amendments.
2. Strike all senate conservation committee amendments.
3. Strike all senate finance committee amendments.
4. Strike all items of Senate Floor Amendment number 5.
5. On page 1, strike lines 11 through 24 and insert in lieu thereof:

"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; CREATING THE STATE WILDLIFE COMMISSION NOMINATING COMMITTEE; RENAMING THE DEPARTMENT OF GAME AND FISH AS THE DEPARTMENT OF WILDLIFE; RENAMING THE STATE GAME COMMISSION AS THE STATE WILDLIFE COMMISSION; AMENDING STATUTORY POLICY; EXPANDING THE MANAGEMENT OF WILDLIFE; ADDING DEFINITIONS; PROVIDING REPORTING REQUIREMENTS; AMENDING LICENSING FEES; PROVIDING FOR FEE ADJUSTMENTS TO ACCOUNT FOR INFLATION; ADDING LICENSE FEES AND TYPES; PROVIDING DISCOUNTS FOR RESIDENTS WHO RECEIVE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM BENEFITS; PROVIDING TRANSFERS; REPEALING SECTIONS 17-1-1 AND 17-2-2 NMSA 1978 (BEING LAWS 1921, CHAPTER 35, SECTION 1 AND LAWS 1937, CHAPTER 23, SECTION 1, AS AMENDED)."

6. On page 2, strike lines 2 through 15.
7. On page 2, strike lines 16 through 25 and on page 3, strike lines 1 through 15 and insert in lieu thereof:

"SECTION 1. Section 17-2A-1 NMSA 1978 (being Laws 1996, Chapter 89, Section 3) is recompiled as Section 17-1-1.1 NMSA 1978 and is amended to read:

**FIFTY-SEVENTH LEGISLATURE
FIRST REGULAR SESSION, 2025**

HENRC/SB 5

Page 2

"17-1-1.1. DEFINITIONS.--For the purposes of Chapter 17 NMSA 1978:

A. "commission" or "state game commission" means the state wildlife commission;

B. "department" or "department of game and fish" means the department of wildlife;

C. "director", "warden", "state warden", "state game warden" or "state game and fish warden" means the director of the department of wildlife;

~~[A.]~~ D. "hunt code" means a description used to identify and define the species, weapon type and time frame authorized for a specific hunt;

~~[B.]~~ E. "outfitter" or "guide" means a person who advertises or holds ~~[himself]~~ themselves out to the public for hire or is employed or accepts compensation for providing, within the unit where a hunt occurs, facilities, equipment or services for hunting activities; provided, however, that "outfitter" or "guide" does not include a person who only cooks, cuts wood or performs other comparable or incidental duties not directly related to hunting activities; and

~~[C.]~~ F. "unit" means a geographically bound area in the state that is used to manage game species."".

8. On page 3, strike lines 16 through 25, strike pages 4 through 7 and on page 8, strike lines 1 through 16 and insert in lieu thereof:

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

"17-1-2. STATE ~~[GAME]~~ WILDLIFE COMMISSION--APPOINTMENT--TERM.--~~[To carry out the purpose of Chapter 17 NMSA 1978 and all other acts for like purpose]~~

A. There is created a "state ~~[game]~~ wildlife commission" of seven voting members, ~~[not more than four of whom shall be of the~~

**FIFTY-SEVENTH LEGISLATURE
FIRST REGULAR SESSION, 2025**

HENRC/SB 5

Page 3

~~same political party at the time of their appointment. The members of the commission shall be appointed by the governor with the advice and consent of the senate. The term of office for each member of the commission shall be four years. At the time of making the first appointments, the governor shall designate the commissioners' terms as being one, two, three or four years so that the term of no more than two commissioners shall expire each year.~~

~~In making appointments to the state game commission, one member shall be appointed from each of the following districts:~~

~~A. district one: Curry, De Baca, Roosevelt, Chaves, Lincoln, Otero, Eddy and Lea counties;~~

~~B. district two: Catron, Socorro, Grant, Hidalgo, Luna, Sierra and Dona Ana counties;~~

~~C. district three: San Juan, McKinley, Cibola, Valencia, Sandoval, Los Alamos and Rio Arriba counties;~~

~~D. district four: Santa Fe, Taos, Colfax, Union, Mora, Harding, Quay, San Miguel, Guadalupe and Torrance counties; and~~

~~E. district five: Bernalillo county. The remaining two members shall be appointed at-large. At least one member of the commission shall manage and operate a farm or ranch that contains at least two species of wildlife on that part which is deeded land requiring licensing prior to legal pursuit under the provisions of Section 17-3-2 NMSA 1978. At least one member shall have a demonstrated history of involvement in wildlife and habitat protection issues and whose activities or occupation are not in conflict with wildlife and habitat advocacy. The state game commission as provided in Chapter 17 NMSA 1978 shall have the same authority, powers and duties as now vested in the state game commission by law and each member of the state game commission shall serve until his successor has been appointed and qualified] all of whom shall possess knowledge of wildlife, hunting and fishing and be New Mexico residents. The governor shall appoint the members of the commission with the advice and consent of the senate from a list of qualified nominees submitted to the governor by the state wildlife commission nominating committee. The commission shall select one commissioner to be chair and one commissioner to be vice chair. The~~

**FIFTY-SEVENTH LEGISLATURE
FIRST REGULAR SESSION, 2025**

HENRC/SB 5

Page 4

department shall provide administrative support to the commission.

B. Three at-large members of the commission shall hold positions one, two and three, with no more than one member residing in any one county and with no more than two members affiliated with the same political party; provided that at least one member shall be a member of a federally recognized Indian nation, tribe or pueblo in New Mexico.

C. Four members of the commission shall hold positions four, five, six and seven, with no more than one member residing in any one county and with no more than two members affiliated with the same political party, as follows:

(1) position four, a rancher or farmer who actively works at growing and selling livestock or crops from a ranch or farm where at least two big game species, as defined by and for which hunting is licensed by the department, are frequently present;

(2) position five, 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;

(3) position six, 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; and

(4) position seven, 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.

D. Except for the initial appointments as provided in Section 12 of this 2025 act, the term of office for each member of the commission shall be six years.

E. A commissioner shall serve for no more than two terms after January 1, 2027. A partial term shall be counted as one full term, unless the partial term is less than one full year.

**FIFTY-SEVENTH LEGISLATURE
FIRST REGULAR SESSION, 2025**

HENRC/SB 5

Page 5

F. When a commissioner dies, resigns or no longer meets the qualifications required for the commissioner's original appointment, or misses three consecutive meetings, that position on the commission becomes vacant. The governor shall appoint a successor for the remainder of the term from a list of qualified nominees submitted to the governor by the state wildlife commission nominating committee.

G. Except when the position of commissioner becomes vacant pursuant to Subsection F of this section, a commissioner shall not be removed except for incompetence, neglect of duty or malfeasance in office; provided that no removal shall be made without notice of hearing and an opportunity to be heard having first been given to the commissioner. The state ethics commission may bring an action in district court for the removal of a commissioner upon the state ethics commission's information or upon the complaint of a person with knowledge of a commissioner's alleged incompetence, neglect of duty or malfeasance in office. The state ethics commission may also bring an action in district court to enforce the provisions of Subsection F of this section or determine whether a position of the commission has become vacant pursuant to Subsection F of this section. A final decision by a district court in an action brought pursuant to Subsections G or F of this section may be appealed directly to the supreme court.

H. A person shall not be eligible to be appointed as a commissioner if the person changed party affiliation during the previous four years; provided that a person who changed party affiliation for the purpose of voting in a primary election pursuant to Section 1-4-5.7 NMSA 1978 and then changed party affiliation back to the status of that person's party affiliation immediately prior to the change within ninety days shall not be considered to have changed party affiliation for the purposes of this subsection.

I. The following persons shall serve as advisory, nonvoting members of the commission:

(1) the director of the New Mexico outdoor recreation division of the economic development department or the director's designee;

(2) the director of the New Mexico department of

**FIFTY-SEVENTH LEGISLATURE
FIRST REGULAR SESSION, 2025**

HENRC/SB 5

Page 6

agriculture or the director's designee;

(3) the commissioner of public lands or the commissioner's designee; and

(4) the secretary of Indian affairs or the secretary's designee."

9. On page 8, strike lines 17 through 25, strike pages 9 and 10 and on page 11, strike lines 1 through 16 and insert in lieu thereof:

"SECTION 3. A new Section 17-1-2.1 NMSA 1978 is enacted to read:

"17-1-2.1. [NEW MATERIAL] STATE WILDLIFE COMMISSION NOMINATING COMMITTEE.--

A. The "state wildlife commission nominating committee" is created and consists of nine members, all of whom shall be New Mexico residents, as follows:

(1) four members appointed as follows: one by the speaker of the house of representatives, one by the minority floor leader of the house of representatives, one by the president pro tempore of the senate and one by the minority floor leader of the senate;

(2) two members as follows: the chair of the university of New Mexico's department of biology or the chair's designee and the chair of New Mexico state university's department of fish, wildlife and conservation ecology or the chair's designee;

(3) two members appointed by the governor who shall not be registered as members of the same political party; and

(4) one member appointed by the governor who shall represent an Indian nation, tribe or pueblo.

B. A committee member shall serve without compensation but shall be reimbursed for expenses incurred in pursuit of the member's duties on the committee pursuant to the Per Diem and Mileage Act.

**FIFTY-SEVENTH LEGISLATURE
FIRST REGULAR SESSION, 2025**

HENRC/SB 5

Page 7

C. The committee and individual members shall be subject to the Governmental Conduct Act, the Gift Act, the Inspection of Public Records Act, the Financial Disclosure Act and the Open Meetings Act.

D. The committee shall select one member to be chair and one member to be secretary. Administrative support shall be provided to the committee by the staff of the department.

E. An appointed committee member may be removed by the person who holds the office that appointed that committee member. A committee member shall serve until the committee member's resignation or removal by the appointing authority.

F. The committee shall meet at least ninety days prior to the date on which the term of a state wildlife commissioner ends and as often as necessary thereafter in order to submit a list to the governor, at least thirty days prior to the beginning of the new term, of a minimum of three qualified nominees for each position of the commission. The list shall be developed to provide geographical and political party diversity as appropriate to conform the makeup of the commission to the geographical and political party requirements of Section 17-1-2 NMSA 1978.

G. Upon the occurrence of a vacancy in a state wildlife commissioner position, the committee shall meet within thirty days of the date of the beginning of the vacancy and as often as necessary thereafter in order to submit a list to the governor, within sixty days of the first meeting after the vacancy occurs, of no fewer than three qualified nominees for appointment to the commission to fill the remainder of the term of each commissioner position that is vacant. The list shall be developed to provide geographical and political party diversity as appropriate to conform the makeup of the commission to the geographical and political party requirements pursuant to Section 17-1-2 NMSA 1978.

H. The committee shall actively solicit, accept and evaluate applications from qualified individuals for a position on the commission and may require an applicant to submit any information that the committee deems relevant to the consideration of the individual's application.

**FIFTY-SEVENTH LEGISLATURE
FIRST REGULAR SESSION, 2025**

HENRC/SB 5

Page 8

I. The committee shall select nominees for submission to the governor who, in the committee's judgment, are best qualified to serve as a member of the commission. A person shall not be eligible for nomination to the commission while serving on the committee.

J. A majority vote of committee members at a meeting at which a quorum is present in favor of a person is required for that person to be included on the list of qualified nominees submitted to the governor.

K. The committee shall allow for public comment at a committee meeting during which the committee is considering a list of qualified nominees for appointment to the commission before the committee votes on the nominees."".

10. On page 11, strike lines 17 through 25 and on page 12, strike lines 1 through 20 and insert in lieu thereof:

"SECTION 4. Section 17-1-26 NMSA 1978 (being Laws 1931, Chapter 117, Section 2, as amended) is amended to read:

"17-1-26. RULEMAKING POWER.--

A. The [~~state game~~] commission is [~~hereby~~] authorized and directed to make [~~such~~] rules [~~and regulations and establish such service~~] as it may deem necessary to carry out [~~all~~] the provisions and purposes of [~~this act, and all other acts relating to game and fish, and in making such rules and regulations and in providing when~~] Chapter 17 NMSA 1978.

B. The rules may include, as applicable, when, where, by what means and to what extent, if at all, [and by what means game animals, birds and fish] wildlife may be hunted, taken, captured, killed, possessed, released, bartered, sold, purchased, [and] shipped and imported into or exported from the state. [game and fish]

C. In making rules, the commission [shall give due regard to the zones of temperatures and to the distribution, abundance, economic value and breeding habits of such game animals, birds and fish.

**FIFTY-SEVENTH LEGISLATURE
FIRST REGULAR SESSION, 2025**

HENRC/SB 5

Page 9

~~The state game commission is hereby authorized to spend such reasonable amounts as in its judgment is desirable and necessary annually, from their funds not otherwise needed, for the eradication of predatory animals]~~ may consider a 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, sustainable food supply and any other factors, natural or human-driven, that are judged to affect the health of a species or a species' ecosystem."

11. On page 12, strike lines 21 through 25 and on page 13, strike lines 1 through 22 and insert in lieu thereof:

"SECTION 5. A new section of the Wildlife Conservation Act is enacted to read:

"[NEW MATERIAL] WILDLIFE TO BE PROTECTED--MANAGEMENT.--

A. In addition to species defined as protected in Chapter 17 NMSA 1978, the commission is authorized to extend management and protection by rule to any species of wildlife.

B. When determining whether and how to protect a species of wildlife, the commission shall 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.

C. The department is not required to respond to wildlife nuisance incidents as prescribed by Section 17-2-7.2 NMSA 1978 unless:

(1) the department was required to do so for species listed as protected in statute prior to July 1, 2026; or

(2) in its own discretion, the commission adopts a

**FIFTY-SEVENTH LEGISLATURE
FIRST REGULAR SESSION, 2025**

HENRC/SB 5

Page 10

rule directing the department to do so.

D. As used in this section, "wildlife" means a nondomestic mammal, bird, reptile, amphibian, fish or invertebrate species, including a living animal, or any part, egg, spawn, offspring or the dead body or parts thereof."".

12. On page 13, strike lines 23 through 25 and on page 14, strike lines 1 through 10 and insert in lieu thereof:

"SECTION 6. A new section of the Wildlife Conservation Act is enacted to read:

"[NEW MATERIAL] SPECIES OF GREATEST CONSERVATION NEED--
DEFINITION--DATA COLLECTION.--

A. For the purposes of Chapter 17 NMSA 1978, "species of greatest conservation need" means species as identified and updated by the department in an assessment of the state's wildlife and habitat.

B. The department shall annually publish on the department's website data collected on species of greatest conservation need and the use of state and federal funds for the support and recovery of species of greatest conservation need."".

13. On page 14, strike lines 11 through 25, strike pages 15 and 16 and on page 17, strike lines 1 through 19 and insert in lieu thereof:

"SECTION 7. Section 17-2-38 NMSA 1978 (being Laws 1974, Chapter 83, Section 2, as amended) is amended to read:

"17-2-38. DEFINITIONS.--As used in the Wildlife Conservation Act:

A. "commission" means the state [~~game~~] wildlife commission;

B. "director" means the director of the department of [~~game and fish~~] wildlife;

**FIFTY-SEVENTH LEGISLATURE
FIRST REGULAR SESSION, 2025**

HENRC/SB 5

Page 11

C. "ecosystem" means a system of living organisms and their environment;

D. "endangered species" means any species of fish or wildlife whose prospects of survival or recruitment within the state are in jeopardy due to any of the following factors:

- (1) the present or threatened destruction, modification or curtailment of its habitat;
- (2) overutilization for scientific, commercial or sporting purposes;
- (3) the effect of disease or predation;
- (4) other natural or man-made factors affecting its prospects of survival or recruitment within the state; or
- (5) any combination of the foregoing factors.

The term may also include any species of fish or wildlife appearing on the United States list of endangered native and foreign fish and wildlife as set forth in Section 4 of the federal Endangered Species Act of 1973 as endangered species; provided that the commission adopts those lists in whole or in part. The term ~~[shall]~~ does not include any species covered by the provisions of 16 U.S.C. 1331 through 1340 (1971) ~~[and shall not include]~~ or any species of the class insecta determined by the director to constitute a pest whose protection under the Wildlife Conservation Act would present an overwhelming and overriding risk to ~~[man]~~ humans;

E. "investigation" means a process pursuant to Subsections B through L of Section 17-2-40 NMSA 1978 undertaken whenever the director ~~[suspects]~~ believes that a species may be threatened or endangered and ~~[which]~~ that consists of a formal review of existing data and studies and may include additional field research to determine whether a species is threatened or endangered;

F. "land or aquatic habitat interests" means interests in real property or water rights consisting of fee simple title, easements in perpetuity, time certain easements, long-term leases

**FIFTY-SEVENTH LEGISLATURE
FIRST REGULAR SESSION, 2025**

HENRC/SB 5

Page 12

and short-term leases;

G. "management" means the collection and application of biological information for the purposes of establishing and maintaining a congruous relationship between individuals within species and populations of wildlife and the carrying capacity of their habitat. The term includes the entire range of activities that constitutes a full scientific resource program ~~[of]~~, including ~~[but not limited to]~~ research, census, law enforcement, propagation, acquisition or maintenance of land or aquatic habitat interests appropriate for recovery of the species; improvement and maintenance, education and related activities; ~~[or]~~ and protection and regulated taking;

H. "recovery plan" means a designated program or methodology reasonably expected to lead to restoration and maintenance of a species and its habitat;

I. "peer review panel" means an advisory panel of scientists, each of whom possesses expertise relevant to the proposed investigation and at least one of whom is a wildlife biologist, convened to review the scientific methodology for collection and analysis of data by a researcher based on commonly accepted scientific peer review;

J. "species" means any species or subspecies;

K. "substantial public interest" means a nonfrivolous claim indicated by a broad-based expression of public concern;

L. "take" or "taking" means to harass, hunt, capture or kill any wildlife or attempt to do so;

M. "threatened species" means any species that is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range in New Mexico; the term may also include any species of fish or wildlife appearing on the United States list of endangered native and foreign fish and wildlife as set forth in Section 4 of the federal Endangered Species Act of 1973 as threatened species; provided that the commission adopts the list in whole or in part; and

**FIFTY-SEVENTH LEGISLATURE
FIRST REGULAR SESSION, 2025**

HENRC/SB 5

Page 13

N. "wildlife" means [~~any~~] a nondomestic mammal, bird, reptile, amphibian, fish [mollusk or crustacean] or invertebrate species, including a living animal, or any part, egg, spawn, [~~or~~] offspring or the dead body or parts thereof."".

14. On page 17, between lines 19 and 20, insert:

"SECTION 8. Section 17-3-2 NMSA 1978 (being Laws 1964 (1st S.S.), Chapter 17, Section 2, as amended) is amended to read:

"17-3-2. CLASSES OF LICENSES.--

A. As used with reference to licenses in Chapter 17 NMSA 1978:

(1) "fishing" entitles the licensee to fish for game fish during the open seasons for each species;

(2) "game hunting" entitles the licensee to hunt game birds, other than wild turkey, and squirrel during the open seasons for each and to apply for or purchase a license to hunt for deer, antelope, elk, bighorn sheep, Barbary sheep, javelina, bear, oryx, ibex, cougar and wild turkey;

(3) "deer" entitles the licensee to hunt deer during the open season;

(4) "antelope" entitles the licensee to hunt antelope during the open season;

(5) "elk" entitles the licensee to hunt elk during the open season;

(6) "bighorn sheep" entitles the licensee to hunt bighorn sheep during the open season;

(7) "Barbary sheep" entitles the licensee to hunt Barbary sheep during the open season;

(8) "javelina" entitles the licensee to hunt javelina during the open season;

**FIFTY-SEVENTH LEGISLATURE
FIRST REGULAR SESSION, 2025**

HENRC/SB 5

Page 14

(9) "bear" entitles the licensee to hunt bear during the open season;

(10) "nongame" entitles the licensee to hunt or take any animal or bird not protected by law;

(11) "temporary fishing" entitles the licensee to fish for game fish during a specific period of time indicated on the license;

(12) "oryx" entitles the licensee to hunt oryx during the open season;

(13) "ibex" entitles the licensee to hunt ibex during the open season;

(14) "cougar" entitles the licensee to hunt cougar during the open season;

(15) "turkey" entitles the licensee to hunt turkey during the open season;

(16) "special season turkey" entitles the licensee to hunt turkey during special seasons designated by the state [~~game~~ wildlife commission];

(17) "quality elk" entitles the licensee to hunt elk during a special quality elk season, to be established by the state [~~game~~ wildlife commission], when the timing of the season and hunter density is specially regulated and the elk population is managed with an intent to provide the licensee an increased opportunity to take a mature elk;

(18) "quality deer" entitles the licensee to hunt deer during a special quality deer season, to be established by the state [~~game~~ wildlife commission], when the timing of the season and hunter density is specially regulated and the deer population is managed with an intent to provide the licensee an increased opportunity to take a mature deer;

(19) "temporary game hunting" entitles the licensee to hunt game birds, except wild turkey, and squirrel during

**FIFTY-SEVENTH LEGISLATURE
FIRST REGULAR SESSION, 2025**

HENRC/SB 5

Page 15

a specific period of time indicated on the license;

(20) "second rod" entitles the licensee to fish using two fishing rods to fish for game fish during the open seasons for each species; [~~and~~]

(21) "fishing and game hunting combination" entitles the licensee to hunt squirrel and game birds, other than wild turkey, and to fish for game fish during the open season for each; and

(22) "shed hunter license" entitles the licensee to shed hunting; provided that a shed hunter license shall not be required for shed hunting by a resident.

B. A hunting license does not entitle the licensee to hunt, kill or take game animals or birds within or upon a park or enclosure licensed or posted as provided by law or within or upon a privately owned enclosure without consent of the owner or within or upon a game refuge or game management area.

C. A fishing license does not entitle the licensee to fish for or take fish within or upon a park or enclosure licensed or posted as provided by law or within or upon a privately owned enclosure without consent of the owner or in or on closed waters.

D. A junior fishing license may be purchased by a resident who has reached the age of twelve years but has not reached the age of eighteen years. A junior fishing license entitles the licensee to fish for game fish during the open season for each species.

E. A senior fishing license may be purchased by a resident who has reached the age of sixty-five years. A senior fishing license entitles the licensee to fish for game fish during the open season for each species.

F. A nonresident junior fishing license may be purchased by a nonresident who has reached the age of twelve years but has not reached the age of eighteen years. A nonresident junior fishing license entitles the licensee to fish for game fish during the open season for each species.

**FIFTY-SEVENTH LEGISLATURE
FIRST REGULAR SESSION, 2025**

HENRC/SB 5

Page 16

G. A senior game hunting license may be purchased by a resident who has reached the age of sixty-five years. A senior game hunting license entitles the licensee to hunt for squirrel and game birds, other than wild turkey, during the open seasons for each species and to apply for or purchase a license to hunt for deer, antelope, elk, bighorn sheep, Barbary sheep, javelina, bear, oryx, ibex, cougar and wild turkey.

H. A junior, resident or nonresident, game hunting license may be purchased by a person who has not reached the age of eighteen years. A junior game hunting license entitles the licensee to hunt for squirrel and game birds, other than wild turkey, during the open seasons for each species and to apply for or purchase a license to hunt for deer, antelope, elk, bighorn sheep, Barbary sheep, javelina, bear, oryx, ibex, cougar and wild turkey.

I. A [~~handicapped~~] disabled fishing license may be purchased by a resident who has a severe physical impairment that substantially limits one or more major life activities and who can furnish adequate proof of this disability to the state [~~game~~] wildlife commission. A [~~handicapped~~] disabled fishing license may be purchased by a resident who has a developmental disability as defined in Subsection H of Section 43-1-3 NMSA 1978 and who can furnish adequate proof of this disability to the [~~state-game~~] commission. A [~~handicapped~~] disabled fishing license entitles the licensee to fish for game fish during the open season for each species.

J. A [~~handicapped~~] disabled game hunting license may be purchased by a resident who has a severe physical impairment that substantially limits one or more major life activities and who can furnish adequate proof of this disability to the state [~~game~~] wildlife commission. A [~~handicapped~~] disabled game hunting license entitles the licensee to hunt for squirrel and game birds, other than wild turkey, during the open season for each species and to apply for or purchase a license to hunt for deer, antelope, elk, bighorn sheep, Barbary sheep, javelina, bear, oryx, ibex, cougar and wild turkey.

K. A fishing license may be obtained at no cost by a resident who has reached the age of seventy years.

**FIFTY-SEVENTH LEGISLATURE
FIRST REGULAR SESSION, 2025**

HENRC/SB 5

Page 17

L. A second rod validation may be purchased by either a resident or nonresident. A second rod validation entitles the licensee to fish using two rods for game fish during the open season for each species.

M. A junior-senior elk license may be purchased by a resident who has not reached the age of eighteen years or by a resident who has reached the age of sixty-five years. A junior-senior elk license entitles the licensee to hunt for elk during the open season for that species.

N. A junior-senior deer license may be purchased by a resident who is younger than eighteen years or older than sixty-five years. A junior-senior deer license entitles the licensee to hunt for deer during the open season for that species.

O. A junior or senior fishing and game hunting combination license may be purchased by a resident who is younger than eighteen years or older than sixty-five years. A junior or senior fishing and game hunting combination license entitles the licensee to fish for game fish or hunt for squirrel and game birds, other than wild turkey, during the open seasons for each species and to apply for or purchase a license to hunt for deer, antelope, elk, bighorn sheep, Barbary sheep, javelina, bear, oryx, ibex, cougar and wild turkey.

P. Except for a resident, disabled veteran, fishing and game hunting combination license issued pursuant to Section 17-3-13 NMSA 1978, a New Mexico resident who is a veteran of the United States military or who is active duty military is eligible for a fifty percent discount on any license, permit or stamp purchase upon valid proof of service as determined by the state [~~game~~] wildlife commission."

SECTION 9. Section 17-3-7 NMSA 1978 (being Laws 1912, Chapter 85, Section 48, as amended) is amended to read:

"17-3-7. BLANK FORMS--LICENSE ISSUED ONLY ON APPLICATION--FALSE STATEMENT VOIDS LICENSE--RECORDS--REPORTS--ACCOUNTING FOR FEES COLLECTED--REFUND OF FEES--TRANSFER OF HUNTING LICENSE.--

A. The director of the department of [~~game and fish~~]

**FIFTY-SEVENTH LEGISLATURE
FIRST REGULAR SESSION, 2025**

HENRC/SB 5

Page 18

wildlife shall prescribe and procure the printing of all forms and blanks that may be required to carry out the intent of Chapter 17 NMSA 1978. All necessary blanks shall be furnished by the director to the license collectors. No license shall be issued except as provided in Section 17-3-5 NMSA 1978. Any false statement in any application shall render the license issued void.

B. A license collector shall keep a correct and complete record of licenses issued, which record shall remain in the license collector's office and be open to inspection by the public at all times.

C. A license collector may collect and retain a vendor fee for each license or permit issued; provided that the fee shall be just and reasonable, as determined by regulation of the state [~~game~~] wildlife commission, and shall not exceed [~~one dollar~~ (~~-\$1.00~~)] vendor costs for each license or permit issued; and provided further that no such fee shall be collected by the department of [~~game and fish~~] wildlife from the purchaser of a special license. "Special license" includes those licenses for the following species: antelope, elk, Barbary sheep, bighorn sheep, bison, oryx, ibex [~~gazelle~~] and javelina.

D. A license collector shall remit to the director of the department of [~~game and fish~~] wildlife the statutory fee of all licenses and permits sold on or before the tenth day of the month following and shall by the same time report the number and kind of licenses issued.

E. Except as provided in Section 17-1-14 NMSA 1978, the director of the department of [~~game and fish~~] wildlife shall turn over all money so received to the state treasurer to be credited to the game protection fund.

F. The director of the department of [~~game and fish~~] wildlife, in the director's sole discretion, may authorize a refund of the amount of a hunting license fee from the game and fish suspense fund if:

(1) upon written application by the licensee, prior to the time of the hunt for which the license has been issued, the director finds that:

**FIFTY-SEVENTH LEGISLATURE
FIRST REGULAR SESSION, 2025**

HENRC/SB 5

Page 19

(a) the licensee has a disability, due to a verified injury or life-threatening illness, that prohibits the licensee from hunting during the period that the license is valid; or

(b) the licensee has been deployed by the military and the deployment prevents the licensee from traveling to the hunt during the period that the license is valid;

(2) upon written application by a personal representative of a licensee's estate, the director finds that the licensee died prior to the time of the hunt for which the license was issued; or

(3) the director cancels a hunt due to forest fire or other natural disaster.

G. The director of the department of [~~game and fish~~] wildlife, in the director's sole discretion, may authorize a transfer of a hunting license:

(1) to the licensee's designee if, upon written application by the licensee, prior to the time of the hunt for which the license has been issued, the director finds that:

(a) the licensee has a disability, due to a verified injury or life-threatening illness, that prohibits the licensee from hunting during the period that the license is valid; or

(b) the licensee has been deployed by the military and the deployment prevents the licensee from traveling to the hunt during the period that the license is valid;

(2) to the designee of the licensee's estate if, upon written application by the personal representative of the licensee's estate, the director finds that the licensee died prior to the time of the hunt for which the license was issued; or

(3) upon written application by a licensee, to a nonprofit organization approved by the state [~~game~~] wildlife commission.

**FIFTY-SEVENTH LEGISLATURE
FIRST REGULAR SESSION, 2025**

HENRC/SB 5

Page 20

H. The state [~~game~~] wildlife commission may prescribe, by rule, the documentation necessary for a finding pursuant to Subsection F or G of this section."".

15. On page 17, strike lines 20 through 25, strike pages 18 through 20 and on page 21, strike lines 1 through 19 and insert in lieu thereof:

"SECTION 10. Section 17-3-13 NMSA 1978 (being Laws 1964 (1st S.S.), Chapter 17, Section 5, as amended) is amended to read:

"17-3-13. LICENSE FEES--FEE ADJUSTMENTS.--

A. The director of the department of [~~game and fish~~] wildlife shall keep a record of all money received and licenses and permits issued by the department, numbering each class separately. Upon satisfactory proof that a license or permit has been lost before its expiration, the director may issue a duplicate and collect a just and reasonable fee [~~for it~~] as determined by [~~regulation of the~~] state [~~game~~] wildlife commission rule.

B. Beginning April 1, 2027 and on April 1 of each successive year, the state wildlife commission may adjust the fees provided by this section for inflation as provided in Subsection C of this section. The director of the department of [~~game and fish~~] wildlife shall collect the following fees for each license of the class indicated:

| | | |
|--|------------------------|----------------|
| Resident, fishing | [\$25.00] | <u>\$35.00</u> |
| Resident, game hunting | [15.00] | <u>25.00</u> |
| Resident, deer | [31.00] | <u>50.00</u> |
| Resident, junior-senior, deer | [19.00] | <u>25.00</u> |
| Resident, senior, [handicapped] <u>disabled</u> , game hunting and fishing | | 20.00 |
| Resident, fishing and game hunting combination | [30.00] | <u>42.00</u> |

**FIFTY-SEVENTH LEGISLATURE
FIRST REGULAR SESSION, 2025**

HENRC/SB 5

Page 21

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|---|-----------------------------------|
| Resident, junior, fishing and game hunting combination | 15.00 |
| Resident, disabled veteran, fishing and game hunting combination | 10.00 |
| Resident, antelope | [50.00] <u>60.00</u> |
| Resident, elk cow | [50.00] <u>60.00</u> |
| Resident, elk bull or either sex | [80.00] <u>90.00</u> |
| Resident, junior-senior, elk | [48.00] <u>60.00</u> |
| Resident, bighorn sheep, ram | 150.00 |
| Resident, bighorn sheep, ewe | 75.00 |
| Resident, Barbary sheep | [100.00] <u>120.00</u> |
| Resident, bear | [44.00] <u>55.00</u> |
| Resident, turkey | [25.00] <u>35.00</u> |
| Resident, cougar | [40.00] <u>55.00</u> |
| Resident, oryx | [150.00] <u>175.00</u> |
| Resident, ibex | [100.00] <u>110.00</u> |
| Resident, javelina | 55.00 |
| Resident, fur dealer | [15.00] <u>50.00</u> |
| Resident, trapper | [20.00] <u>50.00</u> |
| Resident, junior trapper | [9.00] <u>20.00</u> |
| Nonresident, fishing | [56.00] <u>90.00</u> |
| Nonresident, junior fishing | [15.00] <u>20.00</u> |

**FIFTY-SEVENTH LEGISLATURE
FIRST REGULAR SESSION, 2025**

HENRC/SB 5

Page 22

| | | |
|---|-------------------------|-----------------|
| Nonresident, junior, game hunting | [15.00] | <u>20.00</u> |
| Nonresident, game hunting | [65.00] | <u>90.00</u> |
| Nonresident, deer | [260.00] | <u>375.00</u> |
| Nonresident, quality deer | [345.00] | <u>600.00</u> |
| Nonresident, bear | [250.00] | <u>350.00</u> |
| Nonresident, cougar | [280.00] | <u>350.00</u> |
| Nonresident, turkey | [100.00] | <u>125.00</u> |
| Nonresident, antelope | [260.00] | <u>400.00</u> |
| Nonresident, elk cow | [315.00] | <u>550.00</u> |
| Nonresident, elk bull or either sex | [525.00] | <u>750.00</u> |
| Nonresident, quality elk | [750.00] | <u>975.00</u> |
| Nonresident, bighorn sheep | [3,150.00] | <u>3,500.00</u> |
| Nonresident, Barbary sheep | | 350.00 |
| Nonresident, oryx | | 1,600.00 |
| Nonresident, ibex | | 1,600.00 |
| Nonresident, javelina | | 155.00 |
| Nonresident, fur dealer | [125.00] | <u>200.00</u> |
| Nonresident, trapper | [345.00] | <u>500.00</u> |
| Nonresident, nongame | | 65.00 |
| <u>Nonresident, shed hunter license</u> | | <u>200.00</u> |
| Resident, senior, [handicapped] <u>disabled</u> , fishing | | 8.00 |

**FIFTY-SEVENTH LEGISLATURE
FIRST REGULAR SESSION, 2025**

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|--|---------------------------------|
| Resident, junior fishing | 5.00 |
| Temporary fishing, one day | 12.00 |
| Temporary fishing, five days | [24.00] <u>30.00</u> |
| Resident, senior, [handicapped] <u>disabled</u> , game hunting | 15.00 |
| Resident, junior, game hunting | 10.00 |
| Temporary game hunting, four days | [33.00] <u>40.00</u> |
| Second rod validation | [4.00] <u>10.00.</u> |

C. On April 1, 2027 and on April 1 of each successive year, the state wildlife commission may adjust the fees provided by Subsection B of this section by an amount up to the total amount reflected by the annual percentage change in the consumer price index; provided that the fees shall not be adjusted below the minimum amounts of the previous year as a result of a decrease in the consumer price index, and the fees shall be adjusted on April 1, 2032 and every five years thereafter. The amount of the adjustment shall be rounded to the nearest dollar. By November 1, 2026 and by November 1 of each successive year, the department of wildlife shall post on its website the fees provided in Subsection B of this section for the next year.

D. Residents who participate in the supplemental nutrition assistance program are eligible to receive a twenty-five percent discount on all license fees after qualifying with the department of wildlife.

E. As used in this section, "consumer price index" means the consumer price index, not seasonally adjusted, for all urban consumers, United States city average for all items, or its successor index, as published by the United States department of labor for a twelve-month period ending September 30."

16. On page 21, strike lines 20 through 25, strike page 22 and on page 23, strike lines 1 through 21 and insert in lieu thereof:

**FIFTY-SEVENTH LEGISLATURE
FIRST REGULAR SESSION, 2025**

HENRC/SB 5

Page 24

**"SECTION 11. TEMPORARY PROVISION--NAME CHANGE--TRANSFER OF
FUNCTIONS, PERSONNEL, MONEY, APPROPRIATIONS, PROPERTY, CONTRACTUAL
OBLIGATIONS AND STATUTORY REFERENCES--UPDATE NAME AND LOGO.--**

A. The department of game and fish is renamed as the "department of wildlife".

B. The state game commission is renamed as the "state wildlife commission".

C. On July 1, 2026, all:

(1) functions, personnel, money, appropriations, records, furniture, equipment, supplies and other personal and real property of the department of game and fish are transferred to the department of wildlife;

(2) agreements and contractual obligations of the department of game and fish are binding on the department of wildlife;

(3) references in law to the department of game and fish shall be deemed to be references to the department of wildlife;

(4) functions, personnel, money, appropriations, records, furniture, equipment, supplies and other personal and real property of the state game commission are transferred to the state wildlife commission;

(5) agreements and contractual obligations of the state game commission are binding on the state wildlife commission; and

(6) references in law to the state game commission shall be deemed to be references to the state wildlife commission.

D. On July 1, 2026, statutory references in Chapter 17 NMSA 1978 to:

(1) the "department of game and fish" or "department" shall be construed to be references to the department

**FIFTY-SEVENTH LEGISLATURE
FIRST REGULAR SESSION, 2025**

HENRC/SB 5

Page 25

of wildlife;

(2) the "state game commission" or "commission" shall be construed to be references to the state wildlife commission; and

(3) the "director", "warden", "state warden", "state game warden" or "state game and fish warden" shall be construed to be references to the director of the department of wildlife.

E. Rules of the department of game and fish shall be rules of the department of wildlife until amended or repealed.

F. Rules of the state game commission shall be rules of the state wildlife commission until amended or repealed.

G. On July 1, 2026, or as soon thereafter as practicably possible, the department of wildlife shall update the department's name and logo; provided that existing supplies, forms, insignias, signs and logos may continue to be used until exhausted or unserviceable."

17. On page 23, strike lines 22 through 25 and on page 24, strike lines 1 through 10 and insert in lieu thereof:

"SECTION 12. TEMPORARY PROVISION--INITIAL APPOINTMENTS.--The initial appointments made to the state wildlife commission by the governor pursuant to the provisions of Sections 2 and 3 of this act shall replace the members of the state wildlife commission, whose terms shall end on January 1, 2027. Terms for the initial appointments to the commission beginning January 1, 2027 shall be as follows:

- A. for position one, a one-year term;
- B. for position two, a three-year term;
- C. for position three, a five-year term;
- D. for position four, a one-year term;

**FIFTY-SEVENTH LEGISLATURE
FIRST REGULAR SESSION, 2025**

HENRC/SB 5

Page 26

- E. for position five, a three-year term;
- F. for position six, a five-year term; and
- G. for position seven, a five-year term."

18. On page 24, strike lines 11 through 19 and insert in lieu thereof:

"SECTION 13. REPEAL.--Sections 17-1-1 and 17-2-2 NMSA 1978 (being Laws 1921, Chapter 35, Section 1 and Laws 1937, Chapter 23, Section 1, as amended) are repealed.

SECTION 14. EFFECTIVE DATE.--

A. The effective date of the provisions of Sections 1, 4 through 7, 11 and 13 of this act is July 1, 2026.

B. The effective date of the provisions of Sections 2, 3 and 12 of this act is January 1, 2027.

C. The effective date of the provisions of Sections 8 through 10 of this act is April 1, 2026."

Respectfully submitted

Matthew McQueen, Chairman

Adopted _____
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

Date _____

**FIFTY-SEVENTH LEGISLATURE
FIRST REGULAR SESSION, 2025**

HENRC/SB 5

Page 27

The roll call vote was 6 For 4 Against
Yes: Abeyta, Dixon, García, MP, Gurrola, McQueen, Small
No: Henry, Montoya, Murphy, Sena Cortez
Excused: Sariñana
Absent: None

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