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SENATE BILL 77

43RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1998

INTRODUCED BY

PATRICK H. LYONS

AN ACT

RELATING TO GAME AND FISH; CREATING A TEMPORARY SMALL GAME
LICENSE; IMPOSING A FEE; AMENDING SECTIONS OF THE NMSA 1978.

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

Section 1. 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) "small game" entitles the licensee to
hunt game birds, other than wild turkey, and squirrel during
the open seasons for each;

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

3 (4) "general hunting" entitles the licensee
4 to hunt deer, squirrel and game birds during the open seasons
5 for each;

6 (5) "general hunting and fishing" entitles
7 the licensee to hunt deer, squirrel and game birds and to fish
8 for game fish during the open seasons for each;

9 (6) "antelope" entitles the licensee to hunt
10 antelope during the open season;

11 (7) "elk" entitles the licensee to hunt elk
12 during the open season;

13 (8) "bighorn sheep" entitles the licensee to
14 hunt bighorn sheep during the open season;

15 (9) "Barbary sheep" entitles the licensee to
16 hunt Barbary sheep during the open season;

17 (10) "javelina" entitles the licensee to hunt
18 javelina during the open season;

19 (11) "bear" entitles the licensee to hunt
20 bear during the open season;

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

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

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1 (14) "bison" entitles the licensee to hunt
2 bison during the open season;

3 (15) "oryx" entitles the licensee to hunt
4 oryx during the open season;

5 (16) "ibex" entitles the licensee to hunt
6 ibex during the open season;

7 (17) "cougar" entitles the licensee to hunt
8 cougar during the open season;

9 (18) "turkey" entitles the licensee to hunt
10 turkey during the open season;

11 (19) "special season turkey" entitles the
12 licensee to hunt turkey during special seasons designated by
13 the state game commission;

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

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

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1 (22) "gazelle" entitles the licensee to hunt
2 gazelle during the open season; and

3 (23) "temporary small game" entitles the
4 licensee to hunt game birds, except wild turkey, and squirrel
5 during a specific period of time indicated on the license.

6 B. No hunting license entitles the licensee to
7 hunt, kill or take game animals or birds within or upon any
8 park or enclosure licensed or posted as provided by law or
9 within or upon any privately owned enclosure without consent
10 of the owner or within or upon any game refuge or game
11 management area.

12 C. No fishing license entitles the licensee to
13 fish for or take fish within or upon any park or enclosure
14 licensed or posted as provided by law or within or upon any
15 privately owned enclosure without consent of the owner or in
16 or on any closed waters.

17 D. A junior-senior fishing license may be
18 purchased by any resident who has reached his twelfth birthday
19 but has not reached his fifteenth birthday or by any resident
20 who has reached his sixty-fifth birthday. A junior-senior
21 fishing license entitles the licensee to fish for game fish
22 during the open season for each species.

23 E. A nonresident junior fishing license may be
24 purchased by any nonresident who has reached his twelfth
25 birthday but has not reached his fifteenth birthday. A

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1 nonresident junior fishing license entitles the licensee to
2 fish for game fish during the open season for each species.

3 ~~[F. None of the classes of trout stamps provided~~
4 ~~for in Subsection A of this section is required of any person~~
5 ~~fishing on lands of any Indian pueblo or tribe.~~

6 ~~G.]~~ F. A senior general hunting license may be
7 purchased by any resident who has reached his sixty-fifth
8 birthday. A senior general hunting license entitles the
9 licensee to hunt for deer, squirrel and game birds during the
10 open seasons for each species.

11 ~~[H.]~~ G. A handicapped fishing license may be
12 purchased by any resident who has a severe physical impairment
13 that substantially limits one or more major life activities
14 and who can furnish adequate proof of this disability to the
15 state game commission. A handicapped fishing license may be
16 purchased by any resident who has a developmental disability
17 as defined in Subsection H of Section 43-1-3 NMSA 1978 and who
18 can furnish adequate proof of this disability to the state
19 game commission. A handicapped fishing license entitles the
20 licensee to fish for game fish during the open season for each
21 species [provided, however, the class C trout stamp would
22 apply].

23 ~~[I.]~~ H. A handicapped general hunting license may
24 be purchased by any resident who has a severe physical
25 impairment that substantially limits one or more major life

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1 activities and who can furnish adequate proof of this
2 disability to the state game commission. A handicapped
3 general hunting license entitles the licensee to hunt for
4 deer, squirrel and game birds during the open season for each
5 species.

6 [~~J-~~] I. A fishing license may be obtained at no
7 cost by any resident who has reached his seventieth birthday."

8 Section 2. Section 17-3-13 NMSA 1978 (being Laws 1964
9 (1st S.S.), Chapter 17, Section 5, as amended) is amended to
10 read:

11 "17-3-13. LICENSE FEES. --

12 A. The director of the department of game and fish
13 shall keep a record of all money received and licenses and
14 permits issued by him, numbering each class separately. Upon
15 satisfactory proof that any license or permit has been lost
16 before its expiration, he may issue a duplicate and collect a
17 just and reasonable fee for it as determined by regulation of
18 the state game commission.

19 B. The director of the department of game and fish
20 shall collect the following fees for each license of the class
21 indicated:

| | | |
|----|-------------------------------------|---------|
| 22 | Resident, fishing | \$17.50 |
| 23 | Resident, small game | 12.00 |
| 24 | Resident, deer | 23.00 |
| 25 | Resident, general hunting | 25.00 |

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| 1 | Resident, general hunting and fishing | 37.50 |
| 2 | Resident, junior-senior handicapped, | |
| 3 | general hunting and fishing | 20.00 |
| 4 | Resident, antelope | 30.00 |
| 5 | Resident, elk cow | 37.00 |
| 6 | Resident, elk bull or either sex | 60.00 |
| 7 | Resident, bighorn sheep | 90.00 |
| 8 | Resident, Barbary sheep | 80.00 |
| 9 | Resident, bear | 30.00 |
| 10 | Resident, turkey | 15.00 |
| 11 | Resident, cougar | 30.00 |
| 12 | Resident, bison | 100.00 |
| 13 | Resident, oryx | 100.00 |
| 14 | Resident, ibex | 60.00 |
| 15 | Resident, gazelle | 25.00 |
| 16 | Resident, javelina | 40.00 |
| 17 | Resident, fur dealer | 10.00 |
| 18 | Resident, furbearer | 12.00 |
| 19 | Resident, junior furbearer | 5.00 |
| 20 | Nonresident, fishing | 39.00 |
| 21 | Nonresident, junior fishing | 18.50 |
| 22 | Nonresident, small game | 75.00 |
| 23 | Nonresident, deer | 180.00 |
| 24 | Nonresident, quality deer | 300.00 |
| 25 | Nonresident, bear | 150.00 |

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| 1 | Nonresident, cougar | 200.00 |
| 2 | Nonresident, turkey | 75.00 |
| 3 | Nonresident, antelope | 186.00 |
| 4 | Nonresident, elk cow | 275.00 |
| 5 | Nonresident, elk bull or either sex | 465.00 |
| 6 | Nonresident, quality elk | 750.00 |
| 7 | Nonresident, bighorn sheep | 3,000.00 |
| 8 | Nonresident, Barbary sheep | 300.00 |
| 9 | Nonresident, bison | 1,000.00 |
| 10 | Nonresident, oryx | 1,500.00 |
| 11 | Nonresident, ibex | 1,500.00 |
| 12 | Nonresident, gazelle | 3,000.00 |
| 13 | Nonresident, javelina | 140.00 |
| 14 | Nonresident, fur dealer | 100.00 |
| 15 | Nonresident, furbearer | 300.00 |
| 16 | Nonresident, nongame | 50.00 |
| 17 | Resident, junior-senior handicapped, | |
| 18 | fishing | 5.00 |
| 19 | Temporary fishing, one day | 8.00 |
| 20 | Temporary fishing, five days | 16.00 |
| 21 | Resident, junior-senior handicapped, | |
| 22 | general hunting | 15.00 |
| 23 | <u>Temporary small game, four days</u> | <u>35.00."</u> |

24 Section 3. EFFECTIVE DATE. --The effective date of the
25 provisions of this act is July 1, 1998.

1 FORTY-THIRD LEGISLATURE
2 SECOND SESSION, 1998
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6 January 26, 1998
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8 Mr. President:
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10 Your COMMITTEES' COMMITTEE, to whom has been referred
11

12 SENATE BILL 77
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14 has had it under consideration and finds same to be GERMANE, in
15 accordance with constitutional provisions, and thence referred to the
16 CONSERVATION COMMITTEE.
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18
19 Respectfully submitted,
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25 _____
Manny M. Aragon, Chairman

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(Chief Clerk)

(Chief Clerk)

Date _____

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1 FORTY-THIRD LEGISLATURE

2 SECOND SESSION, 1998

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6 January 29, 1998

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8 Mr. President:

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10 Your CONSERVATION COMMITTEE, to whom has been referred

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12 SENATE BILL 77

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14 has had it under consideration and reports same with recommendation
15 that it DO PASS.

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18 Respectfully submitted,

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23 Michael S. Sanchez, Chairman
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Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

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Date _____

The roll call vote was 6 For 0 Against

Yes: 6

No: None

Excused: Davis, Eisenstadt, Feldman, Kysar

Absent: None

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1 FORTY-THIRD LEGISLATURE
2 SECOND SESSION, 1998
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6 February 14, 1998
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8 Mr. Speaker:
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10 Your AGRICULTURE AND WATER RESOURCES COMMITTEE, to
11 whom has been referred
12

13 SENATE BILL 77
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15 has had it under consideration and reports same with
16 recommendation that it DO PASS, and thence referred to the
17 APPROPRIATIONS AND FINANCE COMMITTEE.

18 Respectfully submitted,
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22 G. X. McSherry, Chairman
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1 FORTY-THIRD LEGISLATURE
2 SECOND SESSION, 1998

3 HAGC\SB 77

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4 Adopted

Not Adopted

5 (Chief Clerk)

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7 Date

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9 The roll call vote was 7 For 0 Against

10 Yes: 7

11 Excused: Porter, Wright

12 Absent: None

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1 FORTY-THIRD LEGISLATURE
2 SECOND SESSION, 1998

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4 February 15, 1998

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7 Mr. Speaker:

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9 Your APPROPRIATIONS AND COMMITTEE, to whom has been
10 referred

11 SENATE BILL 77

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13 has had it under consideration and reports same with
14 recommendation that it DO PASS.

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16 Respectfully submitted,

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20 Max Coll, Chairman
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1 FORTY-THIRD LEGISLATURE
2 SECOND SESSION, 1998

3 Page 16

4 Adopted

Not Adopted

5 (Chief Clerk)

(Chief Clerk)

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7 Date

8
9 The roll call vote was 11 For 0 Against

10 Yes: 11

11 Excused: Marquardt, Picraux, Saavedra, Salazar, Varela, Vigil, Watchman

12 Absent: None

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