HOUSE JOINT MEMORIAL 42

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Jose R. Abeyta

A JOINT MEMORIAL

REQUESTING THE STATE LAND OFFICE TO STUDY ISSUES ASSOCIATED WITH ACCESS TO STATE TRUST LAND FOR RECREATION, HUNTING AND ANGLING ACTIVITIES.

WHEREAS, state trust land was conveyed to the state of New Mexico by the United States congress through various acts for the purpose of generating revenue for specific state beneficiary institutions; and

WHEREAS, almost nine million acres of state trust land scattered throughout New Mexico supports more than three thousand two hundred agricultural leases with private and public entities; and

WHEREAS, a large percentage of those nine million acres of state trust land offers opportunities for recreation, hunting and angling; and

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WHEREAS, state trust land is made available for use by licensed hunters and anglers through an agreement with the department of game and fish; and

WHEREAS, in some cases state trust land may not be accessible to licensed hunters and anglers via public roads and may be completely surrounded by private land; and

WHEREAS, the commissioner of public lands does not have authority to provide access to state trust land across private land; and

WHEREAS, the agreement with the department of game and fish can only provide for the use of state trust land and cannot guarantee access; and

WHEREAS, access to some state trust land for recreation, hunting and angling may be limited by the willingness of a private land owner to permit the use of private property to access state trust land; and

WHEREAS, many New Mexico citizens and visitors from other states have developed traditional recreation, hunting and angling uses of state trust land that are dependent upon access; and

WHEREAS, that access, when dependent upon crossing private property, may be affected by changing relationships with landowners; and

WHEREAS, at times uses of both state trust and private land can result in competing demands; and

WHEREAS, various uses of state trust and private land can have significant effect on an area's natural resources and developed features such as roads; and

WHEREAS, the enforcement of laws associated with trespass on private land or unauthorized activities on state trust land can further burden limited law enforcement capabilities; and

WHEREAS, it is in the public's best interest to optimize reasonable access to state trust land for legitimate recreation, hunting and angling activities, protect private property rights, minimize civil and criminal conflicts resulting from access limitation problems and ensure the state trust beneficiaries' interests are served;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO that the state land office study the issues and factors limiting access to state trust land for recreation, hunting and angling, evaluate alternatives to address limitations to access and make recommendations for consideration by the legislature by December 1, 1999; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the commissioner of public lands and the department of game and fish.

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FORTY-FOURTH LEGISLATURE FIRST SESSION, 1999

February 17, 1999

Mr. Speaker:

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

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

 ${\bf Respectfully\ submitted,}$

James Roger Madalena, Chairman

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FIRST SESSION, 1999 Page 5 Adopted Not Adopted (Chief Clerk) (Chief Clerk) Date The roll call vote was 5 For 3 Against Yes: 5 No: Kissner, Parsons, Roberts Excused: Picraux, Stewart Absent: None			TH LEGISLATURE		
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March 11, 1999

Mr. President:

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Your CONSERVATION COMMITTEE, to whom has been referred

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

- 1. On page 3, line 12, after the semicolon insert "and".
- 2. On page 3, between lines 12 and 13, insert:

"WHEREAS, other states, including our neighboring state of Texas, have enacted a system that provides access for sportsmen and recreationists on private lands adjacent to the states' trust lands; and

WHEREAS, these programs have resulted in greater economic returns to the educational beneficiaries and larger opportunities for sportsmen and other recreational users; ".

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1	FIRST SESSION, 1999	
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3	SCONC/HJM 42	Page 7
4	3. On page 3, between lines 18 and 19, insert:	
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6	"BE IT FURTHER RESOLVED that the study include a review of	
7	the Texas program as well as programs of other states; and".	
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9	Respectfully submitted,	
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14	Fernando R. Macias, Chairnan	
15	rernando R. Wacias, Chairman	
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22	Adopted Not	
23	Adopted	
24	(Chief Clerk) (Chief Clerk)	
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underscored material = new

FORTY-FOURTH LEGISLATURE

FIRST SESSION, 1999 SCONC/HJM 42 Page 8 Date _____ The roll call vote was <u>7</u> For <u>0</u> Against Yes: No: None Excused: Eisenstadt, Lyons, Sanchez Absent: None HJ042C01 . 128594. 1