

STATE GAME COMMISSION MEETING AND RULE MAKING NOTICE

The New Mexico State Game Commission (“Commission”) will be hosting a virtual meeting and rule hearing on Friday, October 16, 2020 beginning at 9:00 a.m. For instructions on how to virtually attend this meeting, visit the Department’s website at <http://www.wildlife.state.nm.us/commission/webcast/>. The purpose of this meeting is to hear and consider action as appropriate on the following: presentation of proposed changes to the Hunter Education rule.

Synopsis:

The proposal is to amend the Hunter Education rule, 19.36.3 NMAC, which will become effective January 1, 2021.

The proposed new rule will include changes to reduce the minimum age to participate in the Mentored-Youth Hunting Program from 10 to 8 years of age, add pronghorn antelope to allowable species Mentored-Youth may hunt and make minor spelling corrections.

A full text of changes will be available on the Department’s website at: www.wildlife.state.nm.us.

Interested persons may submit comments on the proposed changes to the Hunter Education rule at lance.cherry@state.nm.us; or individuals may submit written comments to the physical address below. Comments are due by 8:00 a.m. on October 15, 2020. The final proposed rule will be voted on by the Commission during a virtual public meeting on October 16, 2020. Interested persons may also provide data, views or arguments, orally or in writing, at the virtual public rule hearing to be held on October 16, 2020.

Full copies of text of the proposed new rule, technical information related to proposed rule changes, and the agenda can be obtained from the Office of the Director, New Mexico Department of Game and Fish, 1 Wildlife Way, Santa Fe, New Mexico 87507, or from the Department’s website at www.wildlife.state.nm.us/commission/proposals-under-consideration/. This agenda is subject to change up to 72 hours prior to the meeting. Please contact the Director’s Office at (505) 476-8000, or the Department’s website at www.wildlife.state.nm.us for updated information.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the Department at (505) 476-8000 at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the Department at 505-476-8000 if a summary or other type of accessible format is needed.

Legal authority for this rulemaking can be found in the General Powers and Duties of the State Game Commission 17-1-14, et seq. NMSA 1978; Commission’s Power to establish rules and regulations 17-1-26, et seq. NMSA 1978.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 36 WILDLIFE EDUCATION AND TRAINING
PART 3 HUNTER EDUCATION

19.36.3.1 ISSUING AGENCY: New Mexico department of game and fish.
[12/30/95; 19.36.3.1 NMAC - Rn, 19 NMAC 36.1.1, 1/1/2021]

19.36.3.2 SCOPE: Hunters under the age of eighteen years.
[12/30/95; 19.36.3.2 NMAC - Rn & A, 19 NMAC 36.1.2, 1/1/2021]

19.36.3.3 STATUTORY AUTHORITY: Sections 17-2-33 through 17-2-35 NMSA 1978 create the Hunter Training Act and give the department of game and fish the authority to promulgate rules to implement the provisions of the act.
[12/30/1995; 19.36.3.3 NMAC - Rn & A, 19 NMAC 36.1.3, 1/1/2013]

19.36.3.4 DURATION: April 1, 2021 through March 31, 2025.
[12/30/1995; 19.36.3.4 NMAC - Rn, 19 NMAC 36.1.4, 1/1/2021]

19.36.3.5 EFFECTIVE DATE: December 30, 1995, unless a later date is cited at the end of a section.
[12/30/1995; 19.36.3.5 NMAC - Rn & A, 19 NMAC 36.1.5, 1/1/2013]

19.36.3.6 OBJECTIVE: Regulation designed to carry the provisions of the Hunter Training Act.
[12/30/1995; 19.36.3.6 NMAC - Rn, 19 NMAC 36.1.6, 1/1/2013]

19.36.3.7 DEFINITIONS: [RESERVED]

19.36.3.8 HUNTER TRAINING COURSE REQUIRED: It shall be unlawful for any person under the age of eighteen years to purchase or apply for any type of firearm hunting license unless that person has first successfully completed the New Mexico hunter training course or a hunter training course of another state which is approved by the New Mexico department of game and fish.
[6/25/1990; 19.36.3.8 NMAC - Rn & A, 19 NMAC 36.1.7, 1/1/2021]

19.36.3.9 TYPES OF COURSES:

A. A person under the age of eighteen years who satisfies the requirements of either of the following training courses shall be issued a certificate following successful completion of a hunter training course:

(1) Completion of a hunter training course comprised of class work and firearms proficiency training and testing; or

(2) completion of a hunter training course comprised of a written lesson and testing and current registration in the department's mentored-youth program.

B. Registration in the department's mentored-youth program is limited to first-time youth hunters, 8 to 17 years of age, for a period of two consecutive license years and a person shall register in the program only once.

C. Mentored-youth program hunters may hunt with a firearm only after successful completion of the written lesson and testing portion of the course and while supervised by a licensed and mentor certified or hunter education certified parent, guardian or another licensed adult with consent of the parent or guardian who is within unaided voice and sight distance.

(1) Mentors shall possess a mentor certification number obtained after completion of a hunter training course comprised of a written lesson and testing and current registration in the department's mentored-youth program; or

(2) shall possess a hunter education certification number obtained through a New Mexico hunter training course or a hunter training course of another state which is approved by the New Mexico department of game and fish.

D. Mentored-youth program hunters shall be limited by age to hunt as follows:

(1) Mentored-youth under the age of ten years shall be limited to hunting small-game; or

(2) mentored-youth ten to seventeen years of age shall be limited to hunting small-game, turkey, deer, pronghorn antelope and javelina.

[19.36.3.9 NMAC - N, 1/1/2013; A, 1/1/2021]

19.36.3.10 PENALTY: Any person violating the provisions of 19.36.3.8 NMAC is guilty of a petty misdemeanor and will be subject to penalties provided in Section 31-19-1, New Mexico Statutes Annotated, 1978 Compilation.

[6/25/1990; 19.36.3.10 NMAC - Rn & A, 19 NMAC 36.1.8, 1/1/2013]

19.36.3.11 REVOCATION OF HUNTER TRAINING CARD:

A. Hunter training certification will be revoked in accordance with 19.31.2 NMAC.

B. Hunter training certification may also be revoked for negligent use of a firearm.

[6/25/1990, 12/30/1995; 19.36.3.11 NMAC - Rn, 19 NMAC 36.1.9, 1/1/2013]

19.36.3.12 LIVE-FIRING COURSES:

A. Live-firing courses may be taught in conjunction with hunter education classes, in accordance with policies and procedures developed by the agency and distributed to certified instructors.

B. Live-firing courses may be taught only by hunter education instructors certified in live-firing instruction.

[10/3/1991; 19.36.3.12 NMAC - Rn, 19 NMAC 36.1.10, 1/1/2013]

HISTORY OF 19.36.3 NMAC:

History of repealed materials:

19.36.3 NMAC, Hunter Education, 12/2/2014 – Repealed effective 1/1/2021.

Exhibit #2 Strikethrough - Proposed Rule

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 36 WILDLIFE EDUCATION AND TRAINING
PART 3 HUNTER EDUCATION

19.36.3.1 ISSUING AGENCY: New Mexico ~~D~~department of ~~G~~game and ~~F~~fish.
[12/30/95; 19.36.3.1 NMAC - Rn, 19 NMAC 36.1.1, 1/1/2021]

19.36.3.2 SCOPE: Hunters under the age of eighteen ~~(18)~~ years.
[12/30/95; 19.36.3.2 NMAC - Rn & A, 19 NMAC 36.1.2, 1/1/2021]

19.36.3.3 STATUTORY AUTHORITY: Sections 17-2-33 through 17-2-35 NMSA 1978 create the Hunter Training Act and give the department of game and fish the authority to promulgate rules to implement the provisions of the act.
[12/30/1995; 19.36.3.3 NMAC - Rn & A, 19 NMAC 36.1.3, 1/1/2013]

19.36.3.4 DURATION: ~~Permanent~~ April 1, 2021 through March 31, 2025.
[12/30/1995; 19.36.3.4 NMAC - Rn, 19 NMAC 36.1.4, 1/1/2021]

19.36.3.5 EFFECTIVE DATE: December 30, 1995, unless a later date is cited at the end of a section.
[12/30/1995; 19.36.3.5 NMAC - Rn & A, 19 NMAC 36.1.5, 1/1/2013]

19.36.3.6 OBJECTIVE: Regulation designed to carry the provisions of the Hunter Training Act.
[12/30/1995; 19.36.3.6 NMAC - Rn, 19 NMAC 36.1.6, 1/1/2013]

19.36.3.7 DEFINITIONS: [RESERVED]

19.36.3.8 HUNTER TRAINING COURSE REQUIRED: It shall be unlawful for any person under the age of eighteen ~~(18)~~ years to purchase or apply for any type of firearm hunting license unless that person has first successfully completed the New Mexico hunter training course or a hunter training course of another state which is approved by the New Mexico department of game and fish.
[6/25/1990; 19.36.3.8 NMAC - Rn & A, 19 NMAC 36.1.7, 1/1/2021]

19.36.3.9 TYPES OF COURSES:

A. A person under the age of eighteen ~~(18)~~ years who satisfies the requirements of either of the following training courses shall be issued a certificate following successful completion of a hunter training course:

(1) ~~e~~Completion of a hunter training course comprised of class work and firearms proficiency training and testing; or

(2) completion of an ~~an abbreviated~~ hunter training course comprised of ~~a~~ written lessons ~~and~~ testing and current registration in the department's mentored-youth program.

B. Registration in the department's mentored-youth program is limited to first-time youth hunters, ~~10~~ ~~8~~ to 17 years of age, for a period of two consecutive license years and a person shall ~~only~~ register in the program ~~only~~ once. ~~Any mentored-youth hunter that is currently registered with the Department as of November 13, 2014 shall remain eligible to hunt the species listed in Subsection D. of 19.36.3.9 NMAC for the remaining two consecutive license year cycle.~~

C. Mentored-youth program hunters ~~shall~~ ~~may~~ hunt with a firearm only after successful completion of the written lesson and testing portion of the course and while supervised by a licensed and ~~mentor certified or~~ ~~hunter education certified~~ parent, guardian or another licensed adult with consent of the parent or guardian who is within unaided voice and sight distance.

(1) ~~Mentors shall possess a mentor certification number obtained after completion of a hunter training course comprised of a written lesson and testing and current registration in the department's mentored-youth program; or~~

(2) ~~shall possess a hunter education certification number obtained through a New Mexico hunter training course or a hunter training course of another state which is approved by the New Mexico department of game and fish.~~

D. Mentored-youth program hunters shall be limited ~~by age to~~ ~~hunting~~ ~~hunt~~ as follows: ~~small game,~~ ~~turkey,~~ ~~deer~~ and ~~javelina~~ for the license year beginning ~~April 2015~~ and continuing thereafter.

(1) Mentored-youth under the age of ten years shall be limited to hunting small-game; or

(2) mentored-youth ten to seventeen years of age shall be limited to hunting small-game,

turkey, deer, pronghorn antelope and javelina.

[19.36.3.9 NMAC - N, 1/1/2013; A, 1/1/2021]

19.36.3.10 PENALTY: Any person violating the provisions of 19.36.3.8 NMAC is guilty of a petty misdemeanor and will be subject to penalties provided in Section 31-19-1, New Mexico Statutes Annotated, 1978 Compilation.

[6/25/1990; 19.36.3.10 NMAC - Rn & A, 19 NMAC 36.1.8, 1/1/2013]

19.36.3.11 REVOCATION OF HUNTER TRAINING CARD:

A. Hunter training cards certification will be revoked in accordance with 19.31.2 NMAC.

B. Hunter training cards certification may also be revoked for negligent use of a firearm.

[6/25/1990, 12/30/1995; 19.36.3.11 NMAC - Rn, 19 NMAC 36.1.9, 1/1/2013]

19.36.3.12 LIVE-FIRING COURSES:

A. Live-firing courses may be taught in conjunction with hunter education classes, in accordance with policies and procedures developed by the agency and distributed to certified instructors.

B. Live-firing courses may be taught only by hunter education instructors certified in live-firing instruction.

[10/3/1991; 19.36.3.12 NMAC - Rn, 19 NMAC 36.1.10, 1/1/2013]

HISTORY OF 19.36.3 NMAC:

History of repealed materials:

19.36.3 NMAC, Hunter Education, 12/2/2014 – Repealed effective 1/1/2021.

2020 DEC 15 PM 3: 51

This is an amendment to 19.36.3 NMAC, Sections 1, 2, 4, 8, 9 and 11, effective 1/1/2021.

19.36.3.1 ISSUING AGENCY: New Mexico [~~Department of Game and Fish~~] department of game and fish.

[12/30/95; 19.36.3.1 NMAC - Rn, 19 NMAC 36.1.1, 1/1/2013; A, 1/1/2021]

19.36.3.2 SCOPE: Hunters under the age of eighteen [~~(18)~~] years.

[12/30/95; 19.36.3.2 NMAC - Rn & A, 19 NMAC 36.1.2, 1/1/2013; A, 1/1/2021]

19.36.3.4 DURATION: [~~Permanent~~] January 1, 2021 through December 31, 2024.

[12/30/1995; 19.36.3.4 NMAC - Rn, 19 NMAC 36.1.4, 1/1/2013; A, 1/1/2021]

19.36.3.8 HUNTER TRAINING COURSE REQUIRED: It shall be unlawful for any person under the age of eighteen [~~(18)~~] years to purchase or apply for any type of firearm hunting license unless that person has first successfully completed the New Mexico hunter training course or a hunter training course of another state which is approved by the New Mexico department of game and fish.

[6/25/1990; 19.36.3.8 NMAC - Rn & A, 19 NMAC 36.1.7, 1/1/2013; A, 1/1/2021]

19.36.3.9 TYPES OF COURSES:

A. A person under the age of eighteen [~~(18)~~] years who satisfies the requirements of either of the following training courses shall be issued a certificate following successful completion of a hunter training course:

(1) [~~completion~~] Completion of a hunter training course comprised of class work and firearms proficiency training and testing; or

(2) completion of [~~an abbreviated~~] a hunter training course comprised of a written [~~lessons~~] lesson and testing and current registration in the department's mentored-youth program.

B. Registration in the department's mentored-youth program is limited to first-time youth hunters, [~~10~~] eight to 17 years of age, for a period of two consecutive license years and a person shall [~~only~~] register in the program only once. [~~Any mentored-youth hunter that is currently registered with the Department as of November 13, 2014 shall remain eligible to hunt the species listed in Subsection D. of 19.36.3.9 NMAC for the remaining two consecutive license year cycle.~~]

C. Mentored-youth program hunters [~~shall~~] may hunt with a firearm only after successful completion of the written lesson and testing portion of the course and while supervised by a licensed and mentor certified or hunter education certified parent, guardian or another licensed adult with consent of the parent or guardian who is within unaided voice and sight distance.

(1) Mentors shall possess a mentor certification number obtained after completion of a hunter training course comprised of a written lesson and testing and current registration in the department's mentored-youth program; or

(2) shall possess a hunter education certification number obtained through a New Mexico hunter training course or a hunter training course of another state which is approved by the New Mexico department of game and fish.

D. Mentored-youth program hunters shall be limited by age to [~~hunting~~] hunt as follows: [~~small-game, turkey, deer and javelina for the license year beginning April 2015 and continuing thereafter.~~]

(1) Mentored-youth under the age of ten years shall be limited to hunting small-game; or

(2) mentored-youth ten to seventeen years of age shall be limited to hunting small-game, turkey, deer, pronghorn antelope and javelina.

[19.36.3.9 NMAC - N, 1/1/2013; A, 12/30/2014; A, 1/1/2021]

19.36.3.11 REVOCATION OF HUNTER TRAINING CARD:

A. Hunter training [~~cards~~] certification will be revoked in accordance with 19.31.2 NMAC.

B. Hunter training [~~cards~~] certification may also be revoked for negligent use of a firearm.

[6/25/1990, 12/30/1995; 19.36.3.11 NMAC - Rn, 19 NMAC 36.1.9, 1/1/2013; A, 1/1/2021]

NMAC Transmittal Form

Volume: Issue: Publication date: Number of pages: (ALD Use Only) Sequence No.

Issuing agency name and address: Agency DFA code:

Contact person's name: Phone number: E-mail address:

Type of rule action: (ALD Use Only)
New Amendment Repeal Emergency Renumber
Most recent filing date:

Title number: Title name:

Chapter number: Chapter name:

Part number: Part name:

Amendment description (If filing an amendment):

Amendment's NMAC citation (If filing an amendment):

Are there any materials incorporated by reference? Yes No Please list attachments or Internet sites if applicable.

If materials are attached, has copyright permission been received? Yes No Public domain

Specific statutory or other authority authorizing rulemaking:

Notice date(s): Hearing date(s): Rule adoption date: Rule effective date:

2020 DEC 15 PM 3: 51

Concise Explanatory Statement For Rulemaking Adoption:

Findings required for rulemaking adoption:

Findings MUST include:

- Reasons for adopting rule, including any findings otherwise required by law of the agency, and a summary of any independent analysis done by the agency;
- Reasons for any change between the published proposed rule and the final rule; and
- Reasons for not accepting substantive arguments made through public comment.

The rulemaking was undertaken to amend the Hunter Education rule, 19.36.3 NMAC. The new rule reduced the minimum age to participate in the Mentored-Youth Hunting Program from 10 to 8 years of age, added pronghorn antelope to allowable species certain Mentored-Youth may hunt, added mentor training requirements and created a tier system for species. Mentored-Youth hunters 8-10 years of age may hunt small game and Mentored-Youth hunters 11-17 years of age may apply for or purchase hunting licenses for the following species: deer, pronghorn antelope, turkey, javelina and small game. Mentors can be either a parent, guardian or an adult with parental consent, must be 18 years of age or older, must possess a valid game hunting license and must possess a mentor certification number or hunter education certification number obtained through a New Mexico hunter training course or a hunter training course of another state which is approved by the New Mexico department of game and fish. The mentor-youth hunter and mentor must be in unaided sight and audible distance from one another at all times while hunting. The effective date is Jan. 1, 2021. There were no substantive arguments made through public comment that were not accepted. The resulting rule was based on expanding opportunities for youth to participate in wildlife conservation through hunting while under the watchful eye of a mentor.

Issuing authority (If delegated, authority letter must be on file with ALD):

Name:

Michael B. Sloane

Check if authority has been delegated

Title:

Director

Signature: (BLACK ink only)

Date signed:

Michael B. Sloane

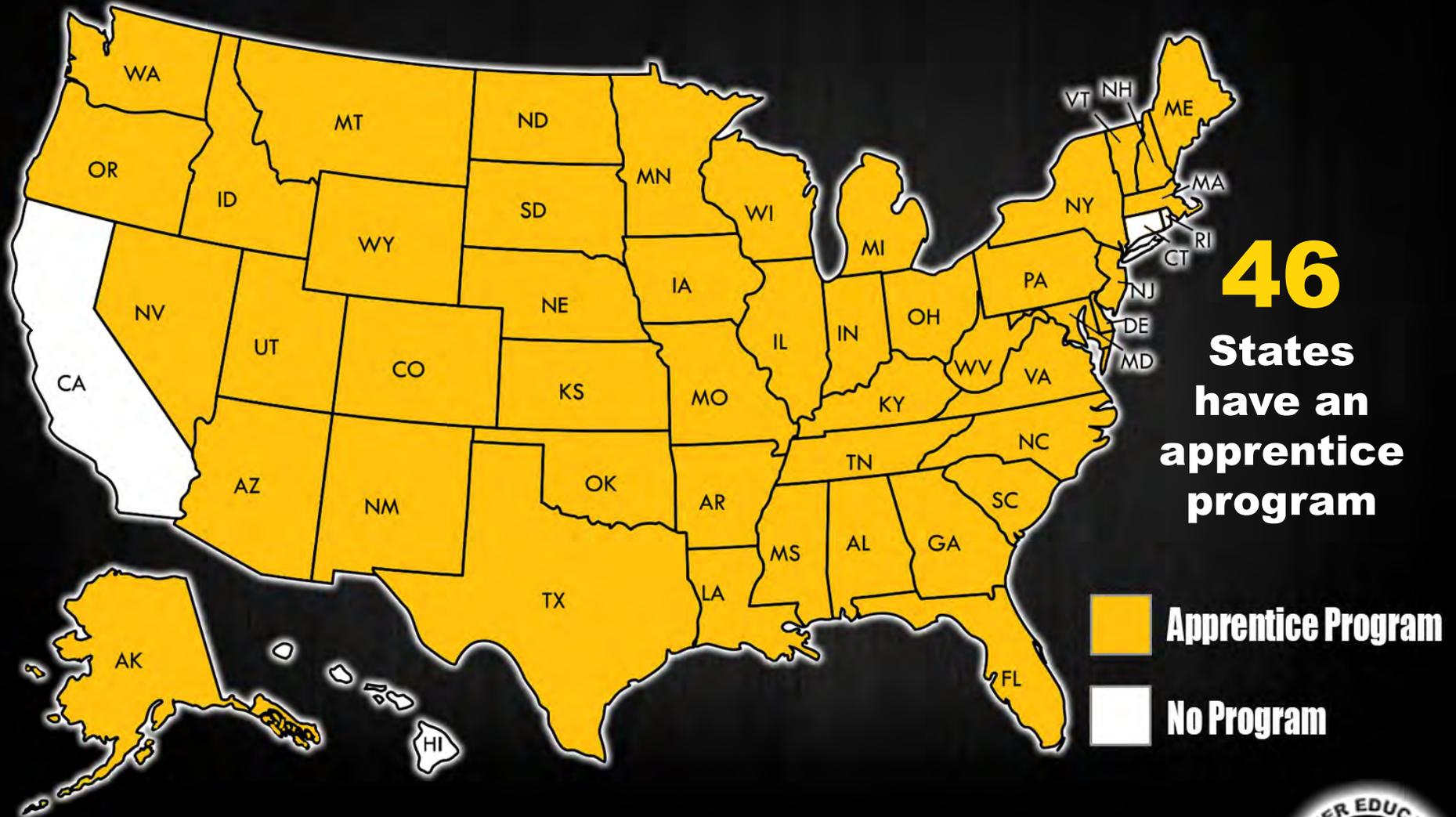
Digitally signed by Michael B. Sloane
Date: 2020.12.11 12:07:06 -07'00'

12/11/20



**HUNTER EDUCATION RULE
19.36.3 NMAC**

Apprentice Programs in America



Information & Education Division



How The Program Works

STEP-BY-STEP

1

Obtain your CIN, free from the Department at <https://onlinesales.wildlife.state.nm.us>.

2

Obtain the free study guide at <https://www.hunter-ed.com/newmexico/studyGuide/20103303>.

3

Take the New Mexico Mentored-Youth Hunter Quiz at <https://www.hunter-ed.com/mentored-youth-program>.

Mentored-Youth Hunter

- **Study Guide:** firearms, ammunition, hunter safety, shooting fundamentals, survival, wildlife identification, game care, laws and regulations
- Must pass test with a **minimum score of 80%**
- Temporary number is only valid for **two-consecutive license years**
- **Allowable species:** deer, turkey, javelina and small-game

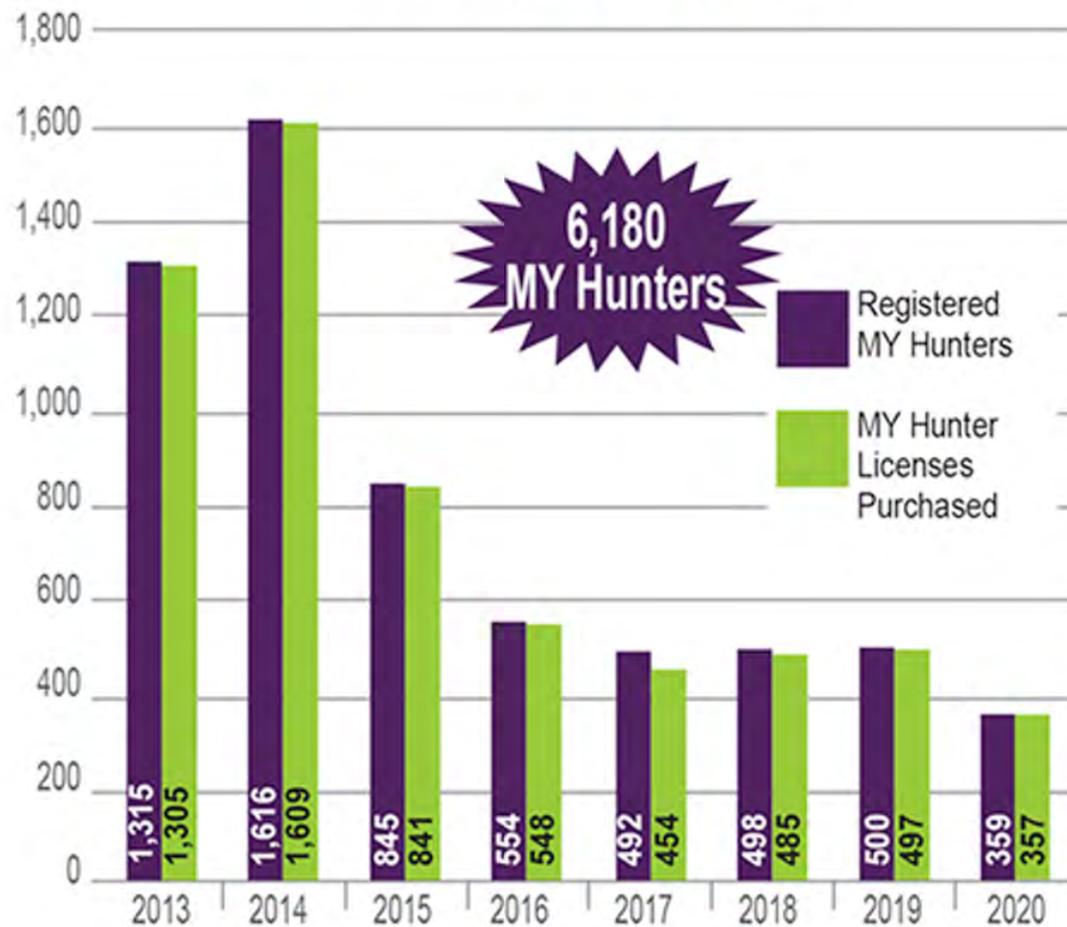
Mentors

- Must be **18 years of age or older** and possess a **valid hunting license**
- Must be in **unaided sight and audible distance** from one another

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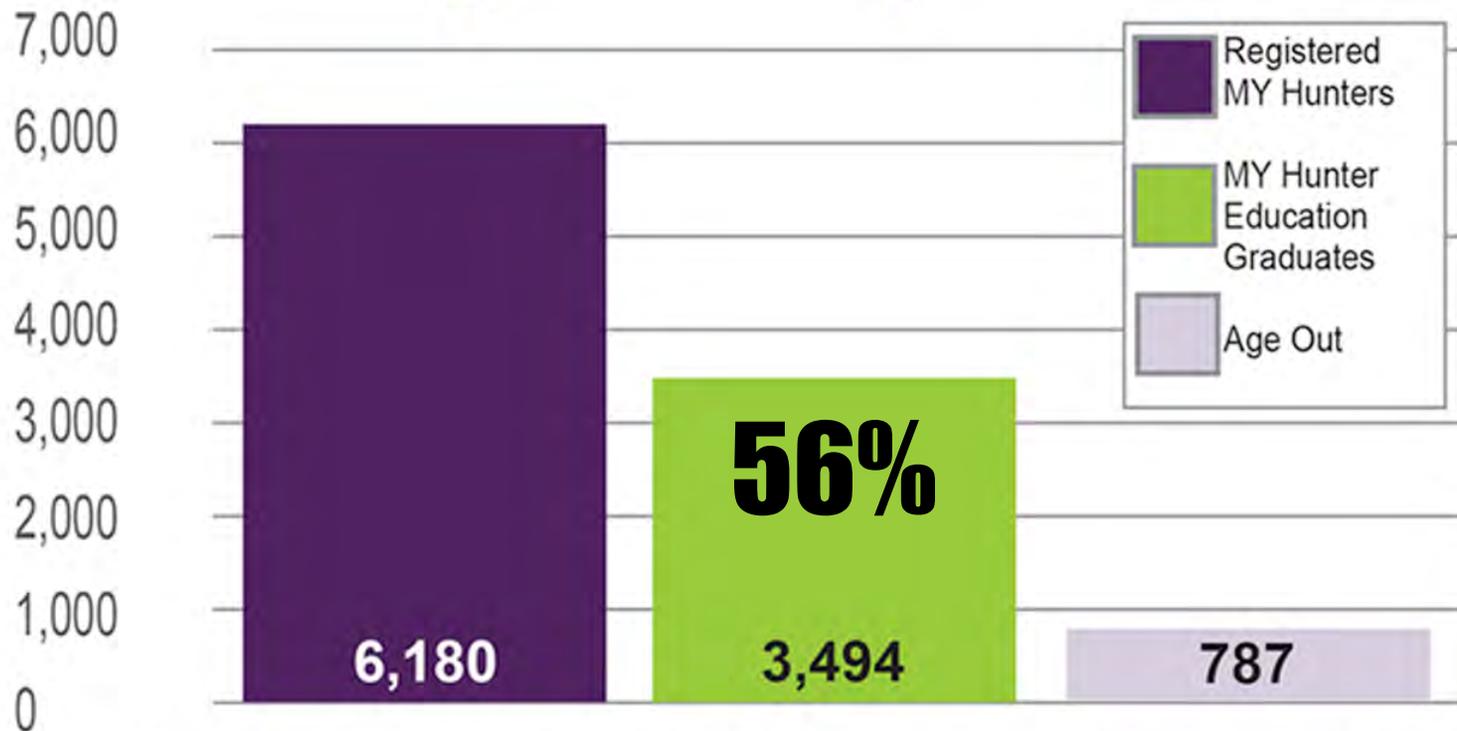
Participation By Year



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Program Completion

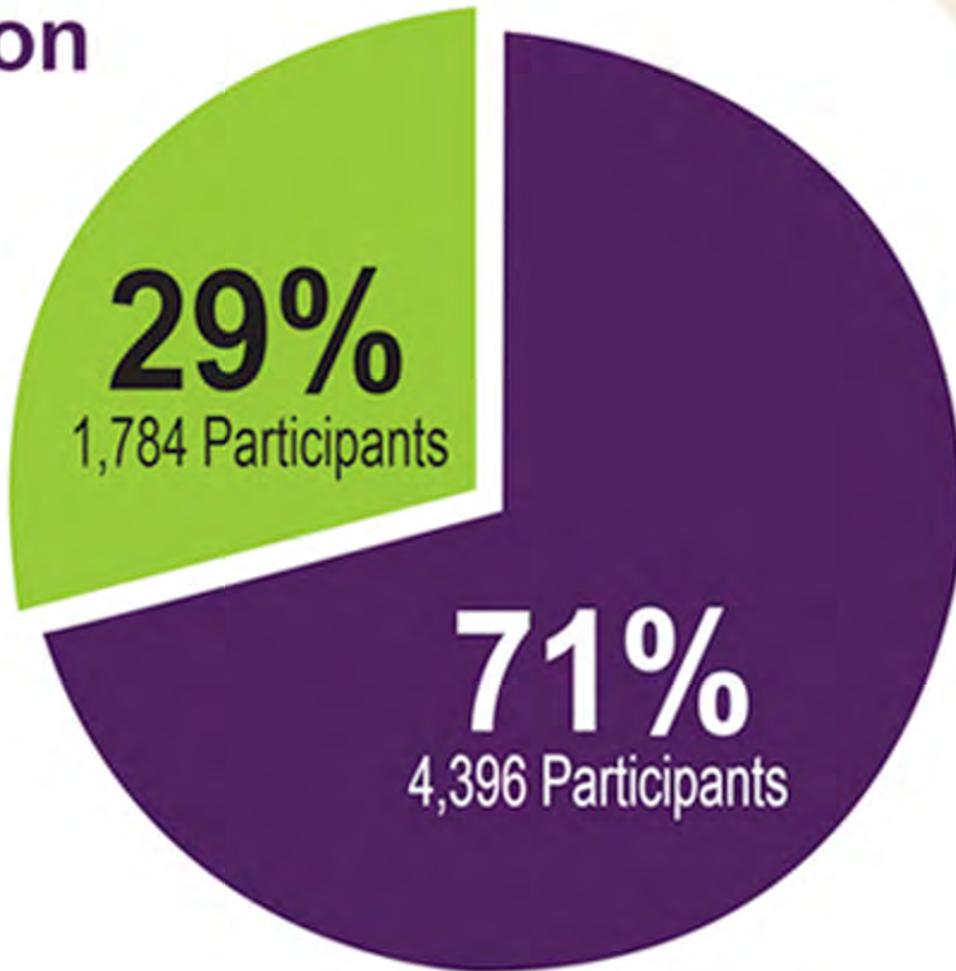


13% or 787 youth ages 16 or older participated in the Mentored-Youth Hunting Program and aged out of the Hunter Education requirement.

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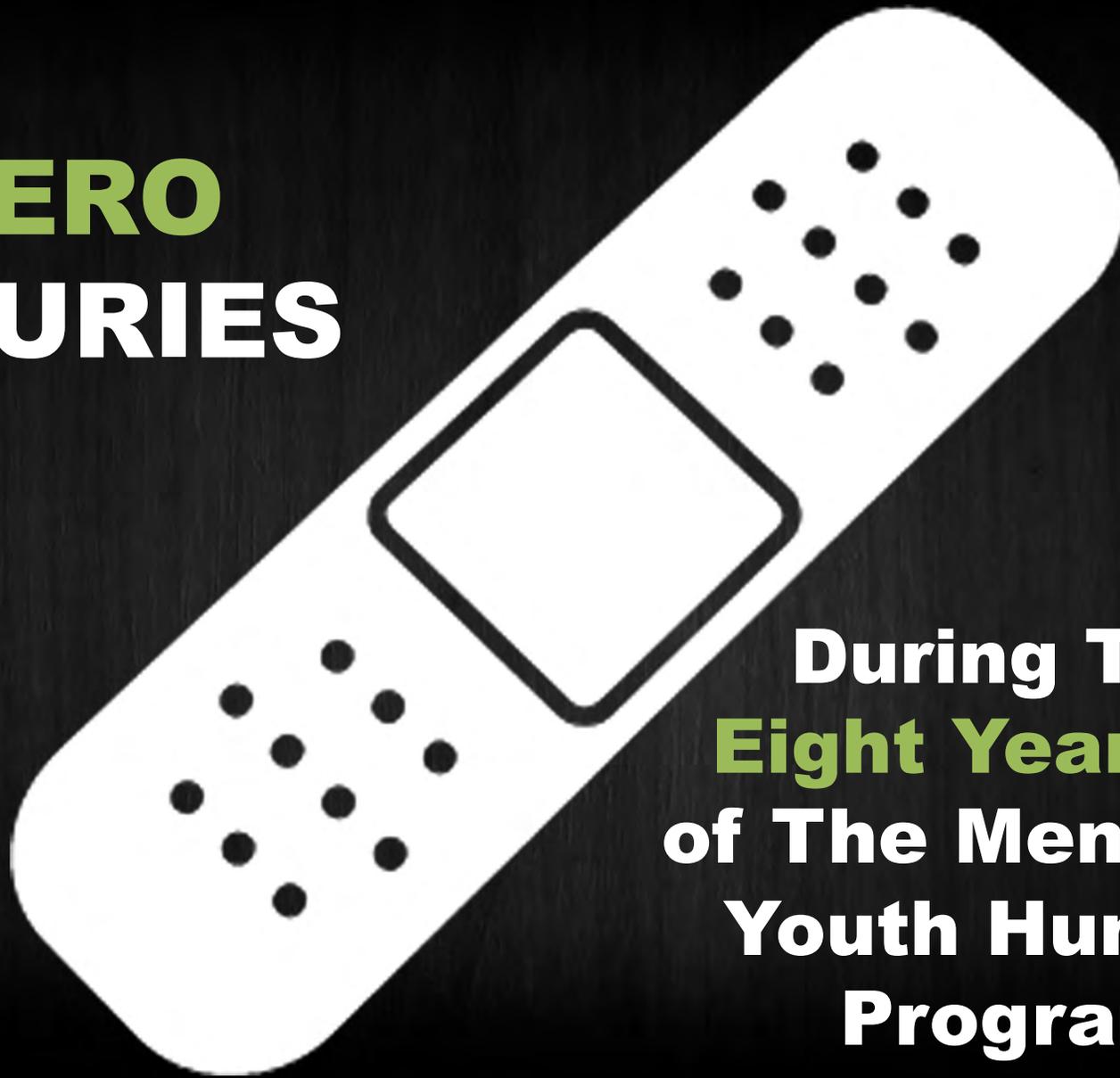
Participation By Gender



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ZERO
INJURIES



During The
Eight Year Run
of The Mentored-
Youth Hunting
Program

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TOP 10 SAFEST ACTIVITIES

	Activity	% Serious Injuries Per 100 Participants
1.	Billiards/Pool	0.02%
2.	Hunting with Firearms	0.03%
3.	Bowling	0.05%
4.	Archery (Target)	0.05%
5.	Water Skiing	0.10%
6.	Exercise with Equipment	0.12%
7.	Tennis	0.16%
8.	Mountain Biking (Off-Road)	0.16%
9.	Fishing	0.18%
10.	Golf	0.22%

TOP 10 LEAST SAFE ACTIVITIES

	Activity	% Serious Injuries Per 100 Participants
1.	Football (Tackle)	4.01%
2.	Basketball	1.75%
3.	Skateboarding	1.51%
4.	Soccer	1.44%
5.	Wrestling	1.13%
6.	Bicycle Riding	1.12%
7.	Cheerleading	0.83%
8.	In-Line Rollerskating	0.83%
9.	Baseball	0.82%
10.	Softball	0.72%

**HUNTING
WITH A
FIREARM
SECOND
IN SAFETY
FOR ALL
AGES**

Source: National Sporting Goods Association, Consumer Products Safety Commission, National Electronic Injury Surveillance System and the International Hunter Education Association

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Proposed Changes to 19.36.3 NMAC

1. Allow first-time youth hunters, **8 to 17 years of age**, to participate in the program
2. Add **pronghorn antelope** to list of allowable species
3. Establishes a tier system, allowing youth 8-10 to hunt small game and 10-17 to hunt small-game, turkey, deer, pronghorn antelope and javelina.
4. Add **training requirement** for Mentor (Hunter Education or Mentored-Youth Certification)
5. Change rule from permanent to **four-year cycle**.
6. Make minor **spelling and style** corrections



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Proposed Changes to 19.36.3 NMAC

19.36.3.9 TYPES OF COURSES:

A. A person under the age of eighteen (18) years who satisfies the requirements of either of the following training courses shall be issued a certificate following successful completion of a hunter training course:

- (1) eCompletion of a hunter training course comprised of class work and firearms proficiency training and testing; or
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- (2) mentored-youth ten to seventeen years of age shall be limited to hunting small-game, turkey, deer, pronghorn antelope and javelina.

[19.36.3.9 NMAC - N, 1/1/2013; A, 1/1/2021]

www.wildlife.state.nm.us/commission/proposals-under-consideration

Information & Education Division



Public Sentiment

■ Opposed
 ■ Indifferent
 ■ Supports



Information & Education Division





HUNTER EDUCATION RULE PROPOSED CHANGES, 2020

- Reduce minimum age to participate in the Mentored-Youth Hunting Program from 10 to 8 years of age.
- Add pronghorn antelope to allowable species Mentored-Youth may hunt.
- Add requirement for Mentor to complete of an abbreviated hunter training course comprised of written lessons and testing and current registration in the department's mentored-youth program or proof of New Mexico hunter training course or a hunter training course of another state which is approved by the New Mexico department of game and fish.
- Change rule from permanent to four-year cycle, April 1, 2021 through March 31, 2025.
- Make minor spelling corrections

If you would like to comment on the proposal, please send an email to:
lance.cherry@state.nm.us



Mentored-Youth Hunting Program

New Mexico Department of Game and Fish 2013-2020 Program Overview

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**New Mexico Department
of Game & Fish**

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Director

Michael B. Sloane

New Mexico State Game Commission

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Our Mission
To provide and maintain an adequate supply of wildlife and fish within the State of New Mexico by utilizing a flexible management system that provides for their protection, propagation, regulation, conservation, and for their use as public recreation and food supply.

EXECUTIVE SUMMARY

2011 was an eye-opening year for fish and game agencies across the country as headlines began to explode with the news that hunting and fishing participation was on the decline.

Agencies like ours turned to what we know best - science and through extensive research we began to understand the causes of the shift in behavior.

Among the many things we learned were the primary reasons for the decline. On the hunting side the lack of exposure, lack of hunting success, lack of mentors, hunter education requirements and a lack of skills-based training stood out to us. We knew we could tear down those barriers and quickly improve the way we deliver our services.

At the time, one of the many initiatives we chose to push forward was the Mentored-Youth (MY) Hunting Program. This program provided an opportunity for first-time hunters to gain valuable knowledge from their field experiences prior to stepping foot into a hunter education certification class. The program focused on engaging responsible adults to invest in providing a hands-on, skills-based education for their young hunter. The Department sought to improve student success rates, while ensuring hunter safety records remain unblemished.

In 2012, NM became the 34th state to adopt the Families Afield-style approach to mentored-youth. Today 46 states have passed some type of apprentice license and more than 2 million such licenses have been sold nationwide.

Under the current rule mentored-youth must pass an abbreviated hunter education test with a score of 80% or better and may only hunt with a licensed parent, guardian or another licensed adult with consent of the parent or guardian who is within unaided voice and sight distance. Mentored-youth are limited to hunting small-game, turkey, deer and javelina. Registration is only available for youth 10-17 years of age and is valid for a period of two consecutive license years. After the second license year, a person under 18 would need to complete a full course in hunter education to purchase or apply for a firearm-hunting license.

The Department always places the safety of our hunters and anglers first and when it comes to our youth those considerations are amplified. We have actively engaged in monitoring the program and have tracked participation closely. We are confident that now is the time to once again modernize the rule to allow first-time youth hunters, 8 years of age and older, the ability to hunt small-game, turkey, deer and javelina and also pronghorn antelope for two license years in the Department's Mentored-Youth Hunting (MY) Program. The proposed age rollback would more effectively align with the minimum age requirement of 10 for online hunter education certification, providing that critical field experience that aids in the effectiveness of our total hunter education program.

I trust you will find this report beneficial in helping increase your knowledge of the Department's Mentored Youth Program and the tremendous potential it offers to build a strong foundation for our future hunters in New Mexico.



Lance Cherry
Chief, Information & Education Division
New Mexico Department of Game and Fish

QUICK FACTS

MENTORED-YOUTH HUNTING PROGRAM

ZERO INJURIES

REPORTED DURING THE 8 YEAR
RUN OF PROGRAM



6,180 YOUTH

IN MENTORED-YOUTH HUNTING PROGRAM



99% PURCHASE

HUNTING LICENSE IN THE FIRST YEAR
REGARDLESS OF BIG-GAME DRAW SUCCESS



56% YOUTH

COMPLETE HUNTER EDUCATION CERTIFICATION



13% AGE OUT

AFTER STARTING PROGRAM AT AGE 16 OR OLDER



29% FEMALE

PARTICIPATION IN THE PROGRAM
CRITICAL EMERGING MARKET



36,648 LICENSES

PURCHASED BY MENTORED-YOUTH



24,655 LICENSES

PURCHASED BY PROGRAM GRADUATES



AVERAGE OF 7

ADDITIONAL LICENSES SOLD PER GRADUATE



60% PARTICIPANTS

ARE 12 YEARS OF AGE AND UNDER



80% SCORE

ALL PARTICIPANTS MUST PASS WRITTEN TEST



Conserving New Mexico's Wildlife for Future Generations



Conservation, Stewardship, Recreation and Education

The New Mexico Department of Game and Fish brings nearly \$1 billion a year to the state's economy, often to rural areas where funds are needed most.

Receiving no money from the state's General Fund, we are funded by our customers — the hunters and anglers who enable us to conserve wildlife and provide recreational opportunities that benefit everyone.

License sales annually provide approximately \$20 million, our primary funding source. This is supplemented by the federal Sport Fish and Wildlife Restoration Program, which provides an additional \$12 million by matching on a three-to-one basis the dollars we invest in conservation. With these funds from hunting and fishing we provide services that extend far beyond license sales or simply patrolling for poachers.

- Our highly qualified biologists use the best available science to manage the state's wildlife for more than 100,000 hunters and 800,000 outdoor enthusiasts to enjoy annually.
- Millions of trout, catfish, walleye and other fish are stocked each year for the enjoyment of more than 250,000 anglers who visit our state's lakes and streams.
- Partnerships with private landowners, land management agencies and conservation groups to improve habitat and allow healthy populations of game and other species to thrive.

Key Achievements:

- Becoming the first state to successfully capture and relocate antelope.
- Restoring Rocky Mountain bighorn sheep to the state.
- Decades work to restore populations of Gila trout and Rio Grande cutthroat trout.
- Protecting black bears and cougar as game animals.
- Restoring otters to the Rio Grande.
- Successful recovery and delisting of desert bighorn sheep.
- More than 100 skilled and professionally trained conservation officers patrol the state to protect wildlife from poaching and other illegal activities, respond to human-wildlife encounters, and keep people, property and wildlife out of jeopardy.
- By managing the state's Off-Highway Vehicle Program, we help riders safely and responsibly enjoy the outdoors through safety training, permit requirements and enforcement.
- Each year, thousands of New Mexico's youth learn about their wildlife heritage and wildlife conservation through our hunter safety courses, fishing clinics, public school outreach and the National Archery in the Schools Program.
- The combined support of hunters and anglers in the field makes possible the programs and services that steward some of New Mexico's most precious natural resources.

Economic Impacts of Outdoor Recreation in New Mexico

Economic Contributions of hunting & fishing in NM

In 2013, the New Mexico's Department of Game and Fish commissioned Southwick Associates to conduct a study of hunting and fishing to estimate county-level and statewide activity and to determine the contribution that hunting and fishing activity make to the state's economy.

Drawing from license sales records and survey-based data sources, the report identifies economic contributions based on retail spending in New Mexico attributable to recreational hunting and fishing in the state.

The study also quantifies the total economic contributions for each county and presents results for selected species to estimate their individual share of the total economic contribution of hunting.

New Mexico serves more than 160,000 anglers who spend more than 2.4 million days fishing annually. These anglers spend \$268 million on fishing related activities. There are also 87,600 hunters who spend 818,000 days hunting each year. Hunters spend more than \$345.5 million on hunting related activities.

The effects of direct expenditures made by sportsmen who hunt and fish along with the associated multiplier effects in New Mexico support more than 7,900 full- and part-time jobs providing more than \$267 million in labor income. These effects collectively contribute \$453 million to the state's gross domestic product and add \$106.5 million in tax revenue.

ECONOMIC CONTRIBUTIONS AT-A-GLANCE

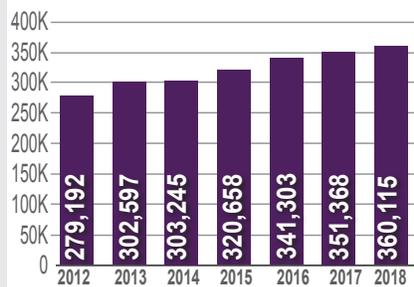
Fishing
160,000+ Anglers
2.4 million Days Annually
Spend \$268 Million

Hunting
87,600 Hunters
746,000 Days Annually
Spend \$345.5 Million

Jobs
7,900 New Mexico Jobs
\$267 Million in Wages
\$453 Million GDP
\$106.5 Million in Tax Revenue

PARTICIPATION TRENDS (2012-2018)

Hunting & Fishing License Holders



Certified Fishing & Hunting License Holders Combined

License sales and hunting, angling participation has increased steadily over the past seven years. A 2012 to 2018 License Record Comparison shows the following trend:

Hunting & Fishing License Sales:
29% increase from 2012 to 2018



IN NEW MEXICO:
THE OUTDOOR RECREATION
ECONOMY GENERATES:

\$9.9 BILLION

IN CONSUMER SPENDING ANNUALLY



99 THOUSAND

NEW MEXICO JOBS



\$2.8 BILLION

IN WAGES AND SALARIES



\$623 MILLION

IN STATE AND LOCAL TAX REVENUE



IN UNITED STATES,
THE OUTDOOR RECREATION
ECONOMY GENERATES:

\$887 BILLION

IN CONSUMER SPENDING ANNUALLY



7.6 MILLION

AMERICAN JOBS



\$65.3 BILLION

IN FEDERAL TAX REVENUE



\$59.2 BILLION

IN STATE AND LOCAL TAX REVENUE



Source: Outdoor Recreation Association

R3

New Mexico's Recruitment, Retention and Reactivation Success

It's been nearly a decade since the dreaded headlines began to surface about the decline in hunting and fishing participation and a little more than eight years since we recognized New Mexico was facing the same decline the rest of the nation was facing.

In the beginning many of us sat around a table discussing what we were going to do to fix the problem and all of us wondered if we could make the necessary changes fast enough to even matter. Committees grappled with the first drafts of what would eventually become the blueprint of understanding our future customers' journey; the Outdoor Recreation Adoption Model (ORAM).

Holding a well-researched list of contributing factors, we knew we were to blame for many of them and had the authority to change them.

In New Mexico, we went after the low-hanging fruit, making incremental changes to the way we do business. In 2012 we implemented a mandatory Customer Identification Number (CIN) for all customers and forced registration online so we could capture our customer's valid email addresses. The CIN allows us to identify and track customers for life and their purchasing behaviors.

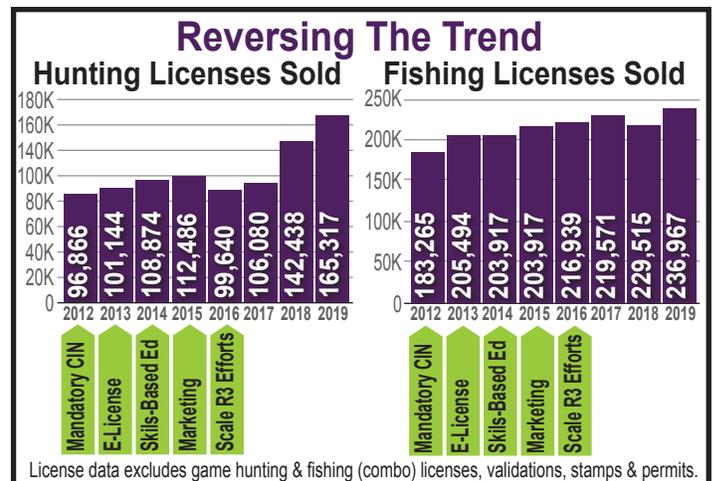
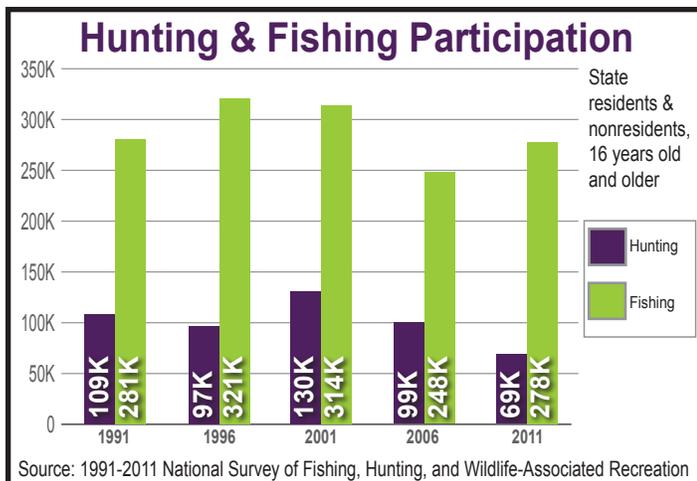
An exercise in five-year customer license trends revealed key peaks and valleys in our customer journey. From ages 8-12,



first-time hunters and anglers interest peaks and as they are introduced to conservation. From ages 18-22 they begin to trail off, focused more on college, first jobs and a lack of funding resources to continue. From ages 32-37, many return and for the next decade provide the majority of the Department's funding through the purchase of hunting and fishing licenses. From ages 52-62 they resurge, once again peaking, but shortly after begin to age out resulting in diminished revenue.

Understanding of this customer lifecycle is critical in building a sustainable customer base to carry the agency into the future.

Focused on the customer experience, we moved to paperless hunt applications, streamlining the process and allowing for an expedited return on application success. The Department



R3

New Mexico's Recruitment, Retention and Reactivation Success

created their own in-house Online Licensing System (OLS), allowing customers to purchase a license 24/7 year-round.

In 2014, the Department shifted their entire education program from traditional classroom instruction to skills-based education taught outdoors. Today our programs look very different and now cater to students of all ages with a focus on inclusion.

At the Department, we recognize that R3 is not an Information and Education Division issue, instead it's an "everyone" issue. Our agency builds buy-in and ownership for everyone, bringing federal, state, industry and conservation organizations to the table.

In 2015, we added consistency in our marketing and communication approaches. With new programs that met the needs of our new customers we had something great to sell. Expanding our efforts to get the word out, the Department increased its social media presence on Facebook, Twitter, YouTube, Instagram and recently TikTok.

The Department harnessed the power of their customer email list, sending relevant news and opportunities to their more than 400,000 customer base.

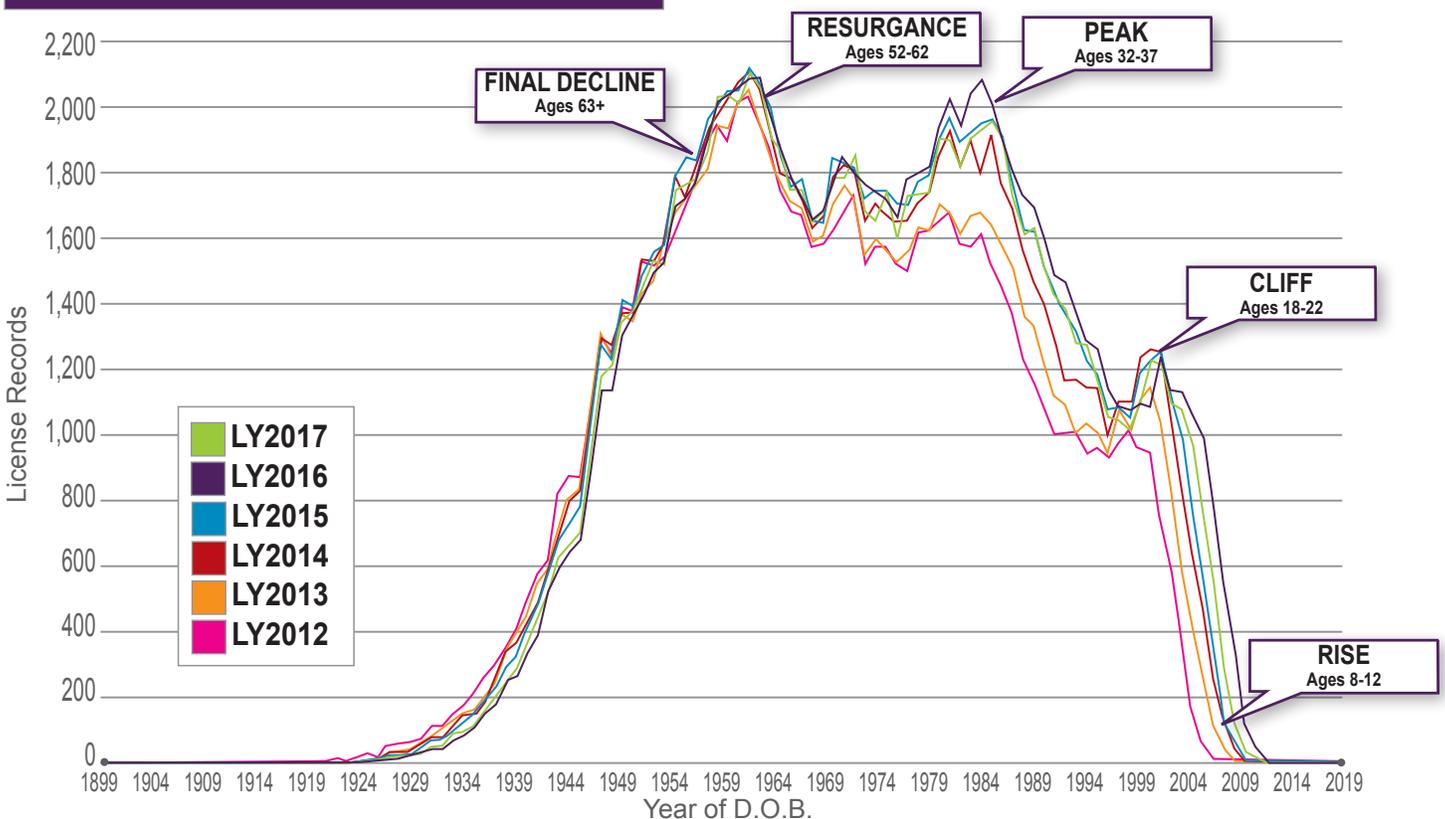
In the years following and moving forward the Department continues to work on scaling their R3 programs and opportunities to reach more people, increase diversity and always focusing on inclusion as the approach.

The Department's approach has yielded great results, setting us up as a national R3 leader. We were among the first two states to reverse our decline in participation and since 2011, have seen hunting licenses sales increase more than 75% and fishing license sales increase more than 170%.

Theodore Roosevelt once said, "In any moment of decision, the best thing you can do is the right thing, the next best is the wrong thing and the worst thing you can do is nothing."

In New Mexico we did the right thing.

2012-2017 Customer License Trends



New Mexico's Skills-Based Approach to Outdoor Education

For more than 50 years the New Mexico Department of Game and Fish engaged our youth through a very traditional approach to education.



While recognizing the majority of their success through their safety record, the Department continued to struggle with declining participation and interest in hunting and fishing.

Current Census Data indicates that there are 473,611 youth between the ages 18 and under in New Mexico. Based on the number of youth the Department was reaching annually through our programs, they were connecting collectively with less than 5 percent of the youth population across all their programs.



The traditional approach of the past not only failed to ignite our children's interest; it failed to be competitive with the many other opportunities available to them. To simplify the issue – New Mexico's outdoor programs, delivered indoors were not getting the job done.

In 2012, we collectively decided enough was enough and began embracing online education, increasing communication through social media, turning our entire focus to skills-based camps, clinics and workshops conducted in the field.



Additionally, we began work on repurposing our 700 strong, volunteers into the role of a true mentor through advanced skills-based education.

Even though we acknowledge we still have a long road ahead of us, we have recognized many successes, kicked down barriers and have once again, made learning fun.



The Department's Mentored-Youth Hunting Program is just one part of a much larger approach to skills-based education in New Mexico

Hunter Education

The Hunter Education Program (HE) provides an opportunity for students to learn firearms safety and to participate in hunting or shooting sports. Hunter Education curricula produces safe, responsible, ethical and law abiding students who will be tomorrow's hunters and shooters.

HE students must attend all classes, pass a written exam and demonstrate their ability to handle firearms safely.

HE currently offers the following course types:

- **Traditional Course** is an instructor-led hunter education course that incorporates lecture, video, hands-on and review methods to educate students of any age.
- **Field Day** is an accelerated instructor-led hunter education course for students 10 years of age and older that incorporates less lecture and review and adds more hands-on components.
- **Live Fire** is an instructor-led hunter education course designed to provide students the opportunity to practice their marksmanship and shooting fundamentals under the direct instruction of certified instructors and Department staff on a range.
- **Online** is an opportunity for New Mexico resident students, 10 years of age and older, to complete the hunter education course and earn their certification entirely online.
- **Mentored-Youth** is an opportunity for first-time hunters, at least 10 years of age and younger than 18 years of age, to hunt deer, turkey, javelina and small-game under the close supervision of an adult mentor. Participants in the program must first obtain their Customer Identification Number (CIN) and pass an special online hunter education test prior to receiving their two-year Mentored-Youth Hunter number.



In New Mexico, no one under 18 years of age may hunt with a firearm without first possessing a certificate proving that he/she has passed this, or another state's hunter education course or is currently enrolled in the New Mexico Mentored-Youth (MY) Hunting Program. Uncertified juveniles may shoot firearms if under adult supervision or in a supervised program.

HE AFTERSCHOOL PROGRAM

New Mexico Statute allows Hunter Education as an accepted activity in public schools. Statute 30-7-2.1 (3) and (4) states that firearms may be allowed on school premises if a student, instructor or other school-authorized personnel is engaged in a state authorized hunter safety training instruction.

The Department recognizes the concerns many of New Mexico's administrators, teachers and families have with firearms in our schools. To address the concerns and still provide the benefits of the safety training HE provides, the Department worked with school administrators to build successful programs statewide.

In 2016, the online afterschool program was implemented. Four school districts participated in this grassroots initiative. The districts included Artesia Public Schools, Deming Public Schools, Hatch Valley Public Schools and Las Cruces Public Schools. Individual schools hosted the after-school program, utilizing their school computer labs within their respective districts. Artesia and Hatch Valley schools offered the opportunity to grades 5-12, Las Cruces and Deming schools offered the program to grades 6-8. Since the initial effort, many other schools have signed on, now offering the program to their students.

The Department's HE provides training, certification and stipends for teachers or school-approved volunteers to teach the online HE program after school for students 11 years of age and older.



National Archery in the Schools

The National Archery in Schools Program (NASP) introduces students to competitive archery in elementary, middle and high school physical education classes. The program teaches safety, shooting techniques, trustworthiness, respect, responsibility, fairness, caring and citizenship to students. Nearly 30,000 students participate in New Mexico NASP annually with no accidents reported since the program began in 2008.

NASP has been developed to meet National Education Standards and has created curricula for grades 4-12.

NASP follows these basic principles:

- Taught during school for 2-8 weeks
- Teaches target archery
- Lessons are presented by NASP-trained teachers
- Equipment is identical from student to student

Each year more than 800 students from more than 100 schools statewide, compete at the NASP State Tournament. The top 10 boy and girl scorers in each individual division qualify to participate in the NASP Nationals.



Youth Shooting Sports

The Youth Shooting Sports Program (YSS) provides an opportunity to cultivate the fundamentals of responsible and safe shooting skills; expose students to competitive shooting; teach outdoor skills such as orienteering, wildlife identification and environmental ethics. The program instills leadership and team spirit through group involvement and cooperation.

YSS is offered as a team sport and developed for middle and high school students.

YSS follows these basic principles:

- Taught year-round as an afterschool program.
- Teaches competitive shooting sports.
- Lessons are taught by certified coaches or volunteer instructors.

Each year YSS sponsors scholastic and youth clay target tournaments statewide and hosts the New Mexico Youth Hunter Education Challenge (NMYHEC). At NMYHEC, teams compete in: Muzzleloading, 22 Rifle, Shotgun, Archery, Hunter's Safety Trail, Orienteering, Wildlife ID and Hunter Responsibility Exam, an opportunity to compete in the International YHEC championship matches.





Wildlife Conservation Education

The Wildlife Conservation Education Program (WCE) provides a comprehensive, interdisciplinary fish and wildlife conservation education program to assist students of any age in developing the awareness, knowledge, skills and commitment to stewardship of New Mexico's wildlife and wildlife habitats.



WCE offers the Discover New Mexico Wildlife Education curriculum focused on New Mexico wildlife management and their connections to many academic content areas.

While the majority of curriculum targets upper elementary and middle school grade levels, there are several lessons (Gone Fishing, Desert Bighorn, Rocky Mountain Bighorn) that are adaptable for grades 6-12. All lessons are correlated to the Common Core State Standards and current New Mexico Public Education Department Science Standards.

WCE education materials include:

- Discover New Mexico Wildlife Education Curriculum covering aquatic and terrestrial wildlife available at www.wildlife.state.nm.us/education/conservation-education.
- Wildlife Notes including; birds, mammals, fish and aquatic species, amphibians and reptiles, insects and spiders.
- Wildlife Trunks including; Aquatic Bird Adaptations, Bear, Bosque Mammals, Desert Wildlife, Elk, Forest Carnivores, Grasslands, Predator-Prey, Rocky Mountain Wildlife, Wildlife Skulls, Track Molds and Kids-to-Hatcheries Educator's Guide.
- Biota Information System of New Mexico (BISON-M) provides information on the legal status and biology of thousands of species found in New Mexico available at bison-m.org.
- State Wildlife Action Plan that serves as the blueprint for planning and implementation of the Department's wildlife and habitat conservation initiatives available at www.wildlife.state.nm.us/conservation/state-wildlife-action-plan.
- New Mexico Crucial Habitat Assessment Tool (NM CHAT) is a web-based map tool with spatial information on the conservation of animals, plants, and their habitats across New Mexico available at nmchat.org.

The Department also offers numerous educational opportunities, including wildlife related professional development, detailed species information, wildlife presentations for teachers and a variety of wildlife posters.



Off-Highway Vehicle

The Department offers free hands-on Off-Highway Vehicle (OHV) training that provides the OHV safety permit required for public land or paved road operation.

New Mexico law requires anyone younger than 18 operating any OHV on public lands, and anyone operating an ATV or ROV (side-by-side or UTV) on authorized paved roads, to possess an OHV safety permit during use.

Students must provide a properly registered OHV and all necessary safety equipment. Program ATVs and off-highway motorcycles are available for ATV and off-highway motorcycle class students lacking access to appropriately sized machines. Program OHVs are reserved on a first-come, first-served basis during course pre-registration.

Online training is also available that provides the required safety permit after completion. Click on the Online Training tab to select online training options. Online training vendors charge a fee to issue a safety-training permit.

New Mexico Approved Safety Training courses include:

- New Mexico operating and safety requirements
- Age-appropriate size-fit use of OHVs
- Responsible use of OHVs with respect to the environment, private property, agricultural and rural lifestyle and cultural considerations
- Trail etiquette
- Prohibitions for driving under the influence of alcohol or drugs



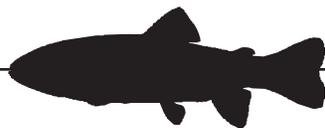
Aquatic Resource Education

The Aquatic Resources Education Program (ARE) provides fun and educational ways to introduce students to the sport of fishing. The program teaches basic angling skills, ethics, fisheries management and watershed monitoring techniques.

ARE is offered to students of all ages and is often included in current class curricula statewide. Students study watershed management practices, aquatic insects and invertebrates, water quality and the connections to sport fish habitat.

ARE courses include:

- Basic Fishing Skills
- Advanced Fishing Skills teaches students
- Watershed Watch
- Trout in the Classroom



TROUT IN THE CLASSROOM

Department staff, contractors and volunteers support teachers and students at more than 60 New Mexico schools in raising rainbow trout in the classroom. These students host an aquarium and keep watch as rainbow trout eggs hatch into fry. Students feed the alevin and fry, track water temperature and pH. At the end of the year, students with Department staff and volunteers release the fry into public waters.

NATIVE TROUT RELEASES

Department staff and volunteers support an Albuquerque based program for students raising and releasing native Rio Grande cutthroat trout and warm-water fish. The release events are held on the Rio Grande River.

WATER QUALITY MONITORING

The Department's Sportfishing and Conservation Education Section staff and contractors teach students, adults and teachers a variety of fisheries and stream monitoring techniques. Students also learn how to fish as well as use similar field equipment and tests fisheries staff utilizes in their work.

Youth Hunting in America: Minimum Ages and Regulations

34 states do not have a minimum age for youth to begin hunting. Many states approach hunter education different than our approach in New Mexico. Many focus on hunter education certification for youth just prior to adulthood.

The overarching reason for this is the student's maturity level later in life, allows them to better retain the information into adulthood. Much of the responsibility for educating the young hunter during their developmental years is placed on the mentor.

Across the board the majority of states' apprentice or mentored-youth programs are valid for two license years and mentors are expected to maintain control and close supervision while mentoring the young hunter.

Here's a synopsis of each state's restrictions, requirements and apprentice programs obtained from current rules and regulations:

Alabama

- No minimum age to hunt
- All license buyers born after August 1, 1977 and 16 years of age and older, must successfully complete an approved hunter education course

Alaska

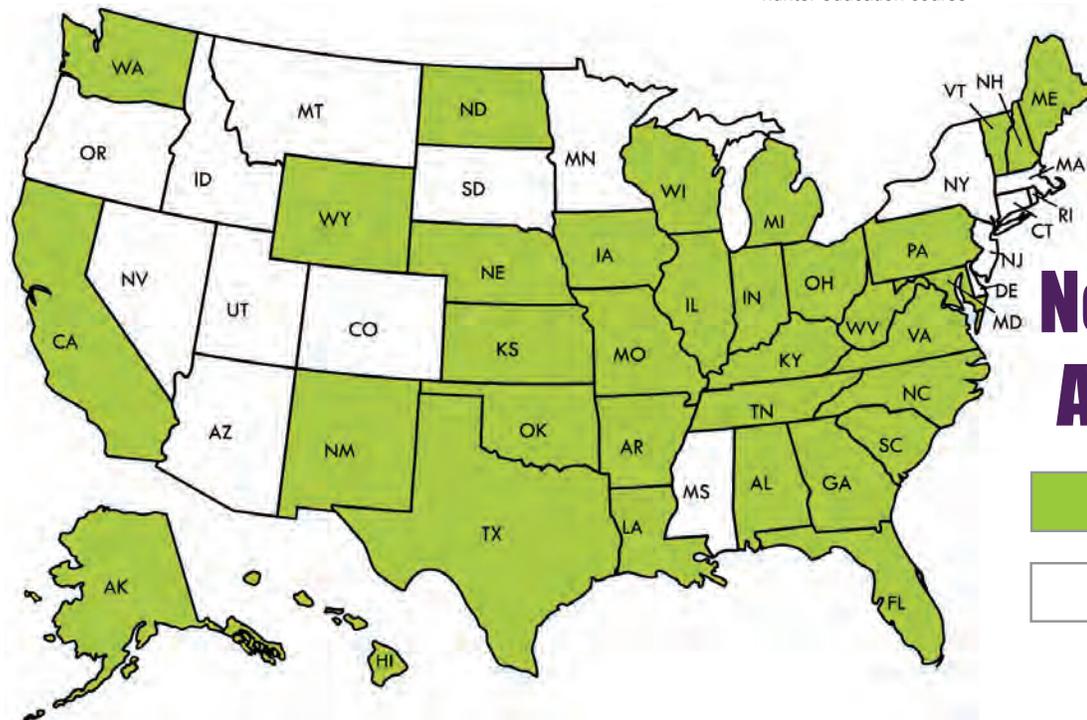
- No minimum age to hunt
- Youth 9 years of age and under, must hunt supervised
- Youth 10-15 years of age can hunt supervised or complete hunter education course to hunt alone
- All license buyers born after January 1, 1986 and 16 years of age and older, must successfully complete an approved hunter education course

Arizona

- No minimum age to hunt small-game when accompanied by a licensed adult 18 years of age and older
- Must be 10 years of age or older to hunt big-game
- A hunter education certificate is only required for youth ages 10 to 13 to hunt big-game

Arkansas

- No minimum age to hunt
- Youth under 16 can hunt supervised by a licensed adult 18 years of age and older without a hunter education certificate
- All license buyers born after 1968 must successfully complete an approved hunter education course



States with No Minimum Age to Hunt

States with no minimum age to hunt

States with minimum age to hunt



In 2018, Outdoor Empire recognized New Mexico in the Top 5 Most Youth Friendly Hunting States

California

- No minimum age to hunt
- All license buyers must successfully complete an approved hunter education course

Colorado

- No minimum age to hunt small-game
- Must be 12 years of age or older to hunt big-game
- All hunters 16 years of age and under must be supervised by a licensed adult 18 years of age and older
- All license buyers must successfully complete an approved hunter education course

Connecticut

- Minimum age to hunt is 12
- All hunters 12-15 years of age and under must be supervised by a licensed adult 18 years of age and older
- All license buyers must successfully complete an approved hunter education course

Delaware

- Minimum age is 10
- All hunters 10-15 years of age must be supervised by a licensed adult 18 years of age and older
- All license buyers born after January 1, 1967 must successfully complete an approved hunter education course

Florida

- No minimum age to hunt
- All hunters 15 years of age and under must be supervised by a licensed adult 21 years of age and older
- Hunters born on or after June 1, 1975 and 12 years of age and older, must successfully complete an approved hunter education course

Georgia

- No minimum age to hunt
- All hunters 12 years of age and under must be supervised by a licensed adult 18 years of age and older
- Hunters 12-15 years if age are not required to complete hunter education if supervised by a licensed adult 18 years of age and older
- Hunters born on or after June 1, 1961 and 16 years of age and older, must successfully complete an approved hunter education course

Hawaii

- No minimum age to hunt
- All hunters 15 years of age and under must be supervised by an adult 18 years of age and older
- All license buyers must successfully complete an approved hunter education course

Idaho

- Minimum age to hunt is 8
- All hunters 8-11 years of age must be supervised by an adult 18 years of age and older
- Hunters born on or after January 1, 1975 must successfully complete an approved hunter education course, unless in the Hunting Passport program

Illinois

- No minimum age to hunt
- Youth 18 years of age or under can hunt without completing hunters safety course when under direct supervision of licensed adult 21 years of age or older
- Hunters born on or after Jan. 1, 1980 must successfully complete an approved hunter education course

Indiana

- No minimum age to hunt
- Youth 17 years of age or under can hunt without completing hunters safety course when under direct supervision of licensed adult 18 years of age or older
- Hunters can hunt with an apprentice-hunting license without completing hunters safety course when under direct supervision of licensed adult over 18 years of age
- Hunters born on or after December 31, 1986 must successfully complete an approved hunter education course

Iowa

- No minimum age to hunt
- Youth 11 years of age or under can hunt without completing hunters safety course when under direct supervision of licensed adult 18 years of age or older
- Hunters born on or after January 1, 1972 must successfully complete an approved hunter education course

Kansas

- No minimum age to hunt
- Youth 15 years of age or under can hunt without completing hunters safety course when under direct supervision of licensed adult 18 years of age or older
- Hunters born on or after July 1, 1957 must successfully complete an approved hunter education course, unless hunting with an apprentice-hunting license
- The apprentice-hunting license is available to hunters 16 years of age or older

Kentucky

- No minimum age to hunt
- Youth 15 years of age or under can hunt without completing hunters safety course when under direct supervision of licensed adult 18 years of age or older
- License is not required for those who are under 12 years of age, except for elk

Louisiana

- No minimum age to hunt
- Hunters born on or after September 1, 1969 must successfully complete an approved hunter education course, unless under direct supervision of an unrestricted licensed adult 18 years of age or older

Maine

- No minimum age to hunt
- Generally, hunters must successfully complete an approved hunter education course
- An apprentice hunter license is available to a resident or nonresident 16 years or older who has never held a valid adult hunting license. A person may not obtain an apprentice hunter license more than five times. A person holding this license may not hunt other than in the presence of an apprentice supervisor at least 18 years of age who has held a valid hunting license for the prior three consecutive years. The supervisor is responsible for ensuring that the holder of an apprentice hunter license follows safe hunting protocol as well as all hunting laws.

Maryland

- No minimum age to hunt
- Hunters of any age can hunt one season with an Apprentice Hunting License without completing hunters safety course when under direct supervision of licensed adult 18 years of age or older
- All hunters must successfully complete an approved hunter education course, unless they were held a license prior to July 1, 1977

Massachusetts

- Minimum age is 12
- Youth 12-14 years of age do not need a hunting license or an approved hunter education certificate and must be under direct supervision of a properly licensed adult 18 years of age or older
- Youth 15-17 years of age without an approved Hunter Education Certificate and must be under direct supervision of a properly licensed adult 18 years of age or older
- All other hunters must successfully complete an approved hunter education course, unless they held a license prior to July 1, 2007

Michigan

- No minimum age to hunt
- Hunters born on or after January 1, 1960 must successfully complete an approved hunter education course
- Youth 9 years of age or under can hunt in the Mentored Youth Hunting Program without an approved hunter education certificate under direct supervision of a licensed adult 21 years of age or older
- Anyone 10 years of age or over can hunt in the Apprentice Hunting Program without an approved hunter education certificate under direct supervision of a licensed adult 21 years of age or older

Minnesota

- No minimum age to hunt small-game
- Youth 12 years of age or under can hunt in the Mentored Youth Hunting Program without an approved hunter education certificate under direct supervision of a licensed adult 18 years of age or older
- Hunters born on or after December 31, 1979 must successfully complete an approved hunter education course

Mississippi

- Minimum age to hunt is 12
- Youth 12-16 years of age must successfully complete an approved hunter education course, unless hunting under direct supervision of a licensed adult 21 years of age or older
- Hunters born on or after January 1, 1972 must successfully complete an approved hunter education course

Missouri

- No minimum age to hunt
- Youth 15 years of age or under do not need a hunting license or an approved hunter education certificate and must be under direct supervision of a properly licensed adult 18 years of age or older
- Hunters born on or after January 1, 1967 must successfully complete an approved hunter education course

Montana

- Minimum age to hunt is 10
- Youth 10-14 years of age may hunt with an apprentice hunting license and without an approved hunter education certificate and must be under direct supervision of a properly licensed adult 21 years of age or older
- Youth 15 years of age must successfully complete an approved hunter education course and be under direct supervision of a properly licensed adult 18 years of age or older
- Hunters 12 years of age or older must successfully complete an approved hunter education course

Nebraska

- No minimum age to hunt
- Hunters 12-29 years of age must successfully complete an approved hunter education course
- Youths 11 years of age and under be under direct supervision of a properly licensed adult 19 years of age or older
- Deer, elk, antelope, sheep hunters 15 years of age and under must be under direct supervision of a properly licensed adult 19 years of age or older
- Hunters 12 years of age or older must successfully complete an approved hunter education course

Nevada

- No minimum age to hunt small-game
- Minimum age to hunt big-game is 12 and successfully complete an approved hunter education course
- Youth 14 years of age and older, who have a valid license and have received parental permission can hunt alone
- Hunters born after January 1, 1960 must successfully complete an approved hunter education course

New Hampshire

- No minimum age to hunt
- Youths 16 years of age and under must be under direct supervision of a properly licensed adult 18 years of age or older
- A hunter education course not required for youth 15 years of age or under
- Hunters 15 years of age or older must successfully complete an approved hunter education course

New Jersey

- Minimum age to hunt is 10
- Youth 10-13 years of age can hunt with a free youth license and must be under direct supervision of a properly licensed adult 18 years of age or older
- All hunters must successfully complete an approved hunter education course

New Mexico

- No minimum age to hunt
- Youth 10-18 years of age may hunt with a mentored-youth hunting license and without an approved hunter education certificate and must be under direct supervision of a properly licensed adult 18 years of age or older
- Hunters 18 years of age and under must successfully complete an approved hunter education course

New York

- Minimum age to hunt is 12
- Youth 12-13 years of age can hunt small-game under direct supervision of an adult 18 years of age or older
- Youth 14-15 years of age can hunt big-game under direct supervision of an adult 18 years of age or older
- Youth 16-17 years of age who hunt the big-game first-time must be accompanied by adult 18 years of age for the first season
- All hunters must successfully complete an approved hunter education course or have a previous hunting license

North Carolina

- No minimum age to hunt
- Youth 16 years of age and under may hunt without a license and an approved hunter education certificate and must be under direct supervision of a properly licensed adult 18 years of age or older
- Anyone 16 and older may hunt without hunter education certification when in possession of a Hunting Heritage Apprentice Permit, proper hunting license and any other required permits, so long as accompanied by a licensed adult within sight and hearing distance.
- Hunters 18 years of age and under must successfully complete an approved hunter education course to hunt alone

North Dakota

- No minimum age to hunt
- Youth 12 years of age and under may hunt without an approved hunter education certificate and must be under direct supervision of a parent, guardian or adult authorized by their parent or guardian
- Youth who turn age 11 before the end of the calendar year may receive a whitetail doe license valid only for the youth hunting season without having taken the hunter education course.
- Youth 15 years of age and under must pass an approved hunter education course and must be under direct supervision of a parent, guardian or adult authorized by their parent or guardian to hunt
- Hunters born after 1961 must successfully complete an approved hunter education course

Ohio

- No minimum age to hunt
- Youth 15 years of age and under must be under direct supervision of an adult
- All hunters must successfully complete an approved hunter education course or have a previous hunting license, unless hunting with an apprentice license

Oklahoma

- No minimum age to hunt
- Youth 9 years of age and under may hunt with an apprentice-designated license and must be under direct supervision of a licensed adult 18 years of age or older
- Students 10 years of age and older may complete an approved hunter education course
- Hunters 30 years of age and under must successfully complete an approved hunter education course

Oregon

- No minimum age to hunt small-game and no license required
- Minimum age to hunt big-game is 12
- Youth 9-15 years of age are eligible to participate in the Mentored Youth Hunter Program and may hunt without approved hunter education and must be under direct supervision of a licensed adult 17 years of age or older
- Hunters 17 years of age and under must successfully complete an approved hunter education course

Pennsylvania

- No minimum age to hunt
- Hunters are eligible to participate in the Mentored Youth Hunter Program and may hunt without approved hunter education and must be under direct supervision of a licensed hunter 17 years of age or older
- Hunters 16 years of age and under must successfully complete an approved hunter education course

Rhode Island

- Minimum age to hunt is 12
- Youth 12-14 years of age can hunt under direct supervision of an licensed adult 21 years of age or older
- All hunters must successfully complete an approved hunter education course or have a previous hunting license

South Carolina

- No minimum age to hunt
- Youth hunting days for those under 15 years of age and under must be accompanied by adult 21 years of age or older
- All hunters born after June 30, 1979 must complete an approved hunter education course

South Dakota

- Minimum age to hunt is 12
- First-time hunters 6-16 years of age are eligible to participate in the mentored hunting program without a license and may hunt without approved hunter education and must be under direct supervision of an unarmed adult
- Youth 12-15 years of age must successfully complete their HuntSAFE certification to hunt

Tennessee

- No minimum age to hunt
- Youth 10 years of age or under may hunt without approved hunter education and must be accompanied by an unarmed adult 21 years of age or older
- All hunters born after January 1, 1969 must successfully complete an approved hunter education course

Texas

- No minimum age to hunt
- Youth 9 years of age or under must be accompanied by a licensed adult 17 years of age or older
- Hunters 17 years of age or older who has not completed hunter education may defer completion for up to one year
- All hunters born after September 2, 1971 must successfully complete an approved hunter education course

Utah

- Minimum age to hunt is 12
- Youth 12 years of age or under may hunt without approved hunter education in the Trial Hunting Program and must be accompanied by an licensed adult 21 years of age or older
- Youth 16 years of age or under must be accompanied by an licensed adult 21 years of age or older
- All hunters born after December 31, 1965 must successfully complete an approved hunter education course

Vermont

- No minimum age to hunt
- Hunters are eligible to hunt with a mentored hunting license and may hunt without approved hunter education and must be under direct supervision of a licensed hunter 21 years of age or older
- Hunters 15 years of age and under must have his or her parent or guardian sign in the presence of an issuing agent to obtain a hunting license.
- All first-time hunters must successfully complete an approved hunter education course

Virginia

- No minimum age to hunt
- Resident hunters 12 years of age and under are not required to have a hunting license or hunter education certification. Nonresident hunters 12 years of age and under need a hunting license but do not need a hunter education certification.
- All hunters 12 years of age and under must be under direct supervision of a licensed adult
- Hunters 12-15 years of age and first-time hunters must successfully complete an approved hunter education course

Washington

- No minimum age to hunt
- Youth 10 years of age or older are eligible for the hunter education deferral program and may hunt without a hunter education certification and must be under direct supervision of a licensed adult 18 years of age or older
- All hunters born after January 1, 1972 must successfully complete an approved hunter education course

West Virginia

- No minimum age to hunt
- Hunters with an apprentice hunting license may hunt without an approved hunter education certificate and must be under direct supervision of a properly licensed adult 18 years of age or older
- Youth 15 years of age or under must be under direct supervision of a licensed adult 18 years of age or older
- All hunters born after January 1, 1975 must successfully complete an approved hunter education course

Wisconsin

- No minimum age to hunt
- Hunters with an in the Hunting Mentorship Program may hunt without an approved hunter education certificate and must be under direct supervision of a properly licensed hunter education graduate (unless born before January 1, 1973) 18 years of age or older
- All hunters born after January 1, 1973 must successfully complete an approved hunter education course

Wyoming

- No minimum age to hunt
- Hunters with an in the Hunting Mentorship Program may hunt without an approved hunter education certificate and must be under direct supervision an adult 18 years of age or older
- Hunters born after January 1, 1966 must successfully complete an approved hunter education course

! Hunting with a Firearm Ranks Second in Safety for all ages

Hunting: One of The Safest Activities in America

TOP 10 SAFEST ACTIVITIES

Activity	% Serious Injuries Per 100 Participants
1. Billiards/Pool	0.02%
2. Hunting with Firearms	0.03%
3. Bowling	0.05%
4. Archery (Target)	0.05%
5. Water Skiing	0.10%
6. Exercise with Equipment	0.12%
7. Tennis	0.16%
8. Mountain Biking (Off-Road)	0.16%
9. Fishing	0.18%
10. Golf	0.22%

TOP 10 LEAST SAFE ACTIVITIES

Activity	% Serious Injuries Per 100 Participants
1. Football (Tackle)	4.01%
2. Basketball	1.75%
3. Skateboarding	1.51%
4. Soccer	1.44%
5. Wrestling	1.13%
6. Bicycle Riding	1.12%
7. Cheerleading	0.83%
8. In-Line Rollerskating	0.83%
9. Baseball	0.82%
10. Softball	0.72%

A 2018 report produced by the National Shooting Sports Foundation found that hunting with firearms is safe; in fact, hunting with firearms is one of the safest recreational activities in America.

Using data for all hunters in all ages classes, from the National Sporting Goods Association (NSGA), Consumer Products Safety Commission (CPSC), National Electronic Injury Surveillance System (NEISS) and the International Hunter Education Association (IHEA), NSSF found **hunting with a firearm ranks second in safety** when compared to 28 other of the most popular recreational pursuits, ranging from billiards to baseball.

The number of hunters who went afield in 2017 is estimated at 16.3 million. Of that total, approximately 8,122 sustained injuries, or 50 per 100,000 participants. **The vast majority of those hunting accidents – more than 6,600 – were tree stand-related.**

Hunting with firearms has an injury rate of 0.03 percent, which equates to about 1 injury per 2,000 participants, a safety level bettered only by billiards of 0.02 percent. In contrast, A person is 27 times more likely to be injured playing softball or 149 times more likely to be injured playing tackle football than hunting with a firearm.

The other activities included in the study and finishing in the middle, were swimming, weight lifting, martial arts, lacrosse, snowboarding, volleyball, gymnastics and ice hockey.

Source: National Sporting Goods Association, Consumer Products Safety Commission, National Electronic Injury Surveillance System and the International Hunter Education Association



New Mexico's Youth Hunter Impact on the Big-Game Draw

The annual draw impact from youth hunters, 17 years of age and under, to big-game hunters applying for the draw is approximately 11%.

While big-game draw applications continue to set staggering records annually, youth hunt applications has remained level. This stagnant growth in this age class is cause for concern when considering the rate at which adult hunters age out.

This future generation continues to be deterred by urbanization, competing interests, lack of opportunity, lack of mentors, strict hunter education requirements, complex regulations and negative attitudes towards firearms.

Still trends are headed in the right direction, offering hope we can do more to recruit the generations for which we are conserving wildlife.

QUICK FACTS

TOTAL YOUTH BIG-GAME DRAW IMPACTS

10.7% IMPACT

FROM YOUTH AGES 10 TO 17



.5% IMPACT

FROM YOUTH 9 AND UNDER



11.2% IMPACT

DRAW IMPACT FROM ALL YOUTH



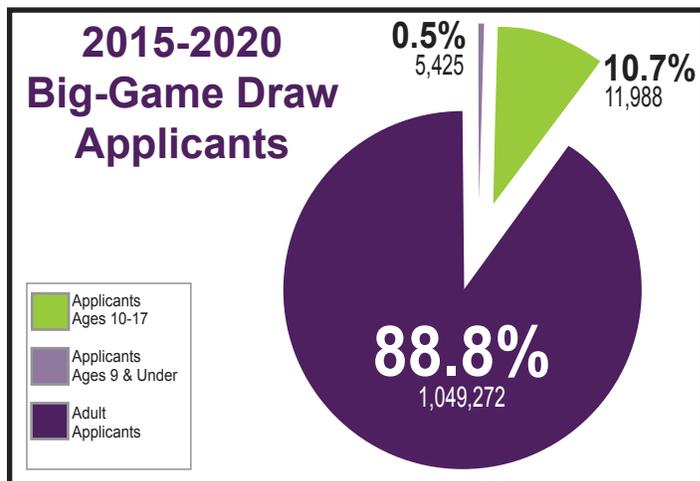
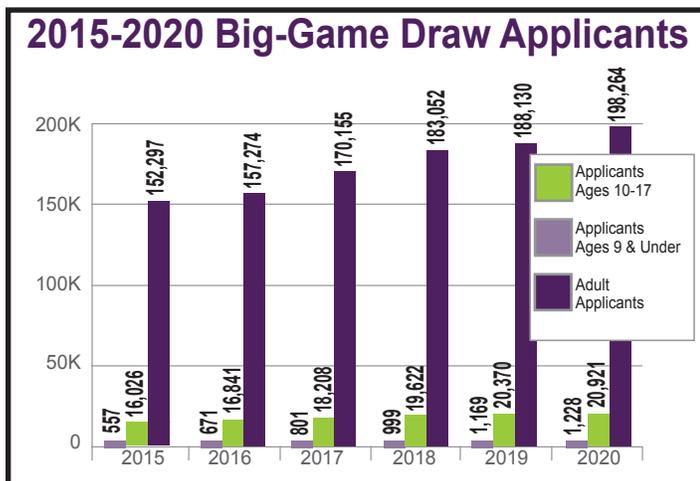
MORE THAN 15K

HUNTING LICENSES SOLD TO YOUTH 17 AND UNDER ANNUALLY



LESS THAN 700

HUNTING LICENSES SOLD TO YOUTH 9 AND UNDER ANNUALLY



! Youth 9 and under have less than .5% impact on the total number of Big-Game Draw applications annually

New Mexico's Youth Hunters Ages 17 and Under

Youth hunters 17 years of age and under purchased more than 93,000 hunting licenses since 2015, hunters 9 years of age and under purchased nearly 4,000 of those licenses.

That's an average of 15,500 hunting licenses annually. Youth hunters 9 years of age and under purchase an average of 660 licenses annually.

Considering that youth hunters 8-17 years of age are the most ripe opportunity to introduce future customers to hunting, providing the critical license revenue needed to sustain wildlife conservation in the future, skills-based education, including programs like the Department's Mentored-Youth Hunting Program are essential in establishing the foundation for long-term support.



! Youth hunters comprise 14% of hunting license buyers annually

Jr. Game Hunting & Jr. Game Hunting & Fishing Licenses

Year	17 and under	9 and under
2015	9,960	387
2016	9,834	343
2017	10,026	402
2018	10,142	436
2019	11,297	512
2020	10,378	457
Totals	61,637	2,537

Harvest Information Program (HIP)

Year	17 and under	9 and under
2015	2,866	98
2016	2,675	90
2017	3,075	106
2018	3,380	125
2019	3,791	150
2020	3,245	135
Totals	19,032	704

Fire Sale Purchases

Year	17 and under	9 and under
2015	1,980	88
2016	1,887	77
2017	1,796	87
2018	1,805	104
2019	1,294	86
2020	138	12
Totals	8,900	454

Over-The-Counter (OTC)

Year	17 and under	9 and under
2015	776	35
2016	872	45
2017	798	40
2018	754	43
2019	566	32
2020	-	-
Totals	3,773	195

! In 2012 New Mexico became the 34th state to adopt the Families Afield approach with the implementation of the Mentored-Youth Hunting Program. Today 46 states have passed some type of apprentice license

New Mexico's Mentored-Youth Hunting Program History

The Hunter Training Act, 17-2-33 NMSA 1978, requires anyone less than 18 years of age to carry a hunter training course certificate, approved by the New Mexico Department of Game and Fish, to legally hunt in New Mexico.

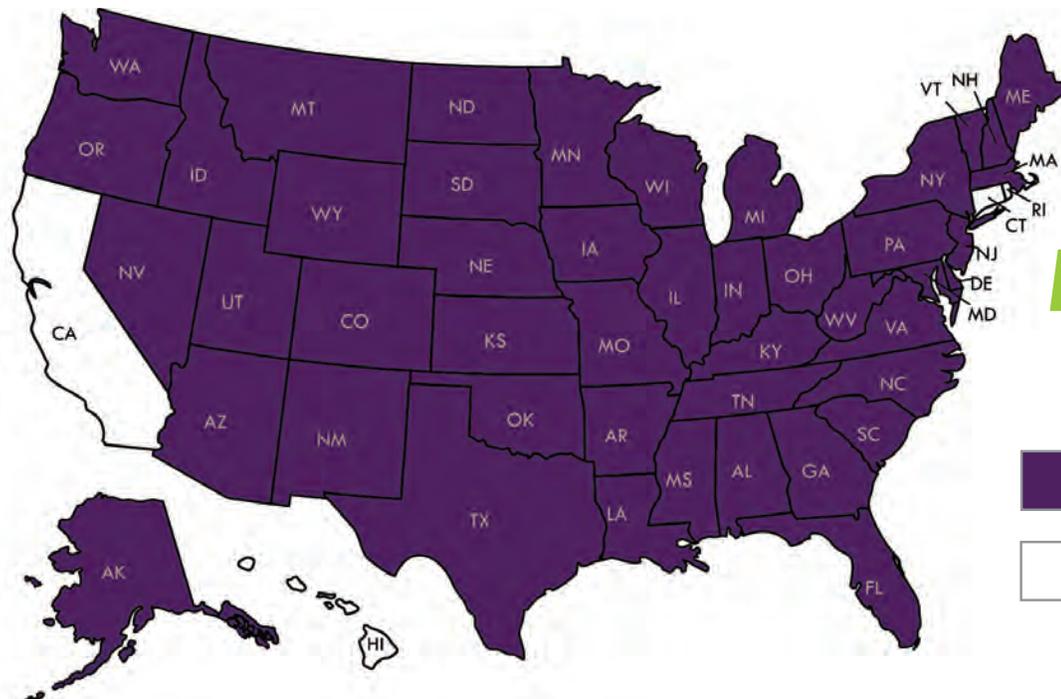
19.36.3 NMAC, is the regulation that defines the types of courses the Department recognizes including the Mentored-Youth Hunting Program.

In August 2012 the State Game Commission amended the Hunter Education Rule to allow youth and first-time hunters to participate in this Families Afield-style program by passing an abbreviated written test and adhering to hunting with a licensed parent, guardian or another licensed adult with consent of the parent or guardian

who is within unaided voice and sight distance. The rule was subsequently amended to include a minimum age and reduction in allowable species a mentored-youth may hunt. Mentored-youth are currently limited to hunting small-game, turkey, deer and javelina.

Participation in the program is temporary and limited to youth 10 years of age and under age 18. The mentored-youth certificate is valid for a period of two consecutive license years. After the second license year, a person under 18 would need to complete a Department approved course in hunter education to purchase or apply for a firearm-hunting license.

The opportunity was established to remove barriers to recruitment of new hunters and to provide an opportunity for first-time hunters to gain valuable knowledge from their field experiences and increase rates of success in the Department's hunter education certification classes.



States with Apprentice Program

- States with apprentice program
- States with no program or measure



The Mentored-Youth Hunting Program is structured to carry out and exceed the provisions of the Hunter Training Act, requiring participants complete a Department approved written test prior to being issued a temporary certification.

The Hunter Training Act and the Hunter Education Rule

CHAPTER 17 ● NMSA

PART 2 HUNTER TRAINING ACT

17-2-33. Use of firearms by minors.

- A. It is unlawful after April 1, 1972, for any person born after January 1, 1958, to hunt with or shoot a firearm, unless:
 - (1) he is supervised by a parent, legal guardian or a responsible adult designated by the parent or guardian; or
 - (2) he carries a certificate indicating that he has successfully completed the New Mexico hunter training course or the hunter training course of another state which is approved by the New Mexico department of game and fish; or
 - (3) he is eighteen years of age or older.
- B. It is unlawful after April 1, 1976, for any person under the age of eighteen years to hunt with or shoot a firearm unless he is carrying a certificate indicating that he has successfully completed the New Mexico hunter training course or a hunter training course of another state which is approved by the New Mexico department of game and fish.
- C. Any person violating the provisions [provisions] of this section is guilty of a petty misdemeanor.

History: 1953 Comp., § 53-2-46, enacted by Laws 1971, ch. 61, § 2.

CHAPTER 36 ● NMAC

19.36.3.8 HUNTER TRAINING COURSE REQUIRED:

It shall be unlawful for any person under the age of eighteen (18) years to purchase or apply for any type of firearm hunting license unless that person has first successfully completed the New Mexico hunter training course or a hunter training course of another state which is approved by the New Mexico department of game and fish.

[6/25/90; 19.36.3.8 NMAC - Rn & A, 19 NMAC 36.1.7, 01/01/2013]

19.36.3.9 TYPES OF COURSES:

- A. A person under the age of eighteen (18) years who satisfies the requirements of either of the following training courses shall be issued a certificate following successful completion of a hunter training course:
 - (1) completion of a hunter training course comprised of class work and firearms proficiency training and testing; or
 - (2) completion of an abbreviated hunter training course comprised of written lessons and testing and current registration in the department's mentored-youth program.
- B. Registration in the department's mentored-youth program is limited to first-time youth hunters, 10 to 17 years of age, for a period of two consecutive license years and a person shall only register in the program once. Any mentored-youth hunter that is currently registered with the Department as of November 13, 2014 shall remain eligible to hunt the species listed in Subsection D. of 19.36.3.9 NMAC for the remaining two consecutive license year cycle.
- C. Mentored-youth program hunters shall hunt with a firearm only after successful completion of the written lesson and testing portion of the course and while supervised by a licensed parent, guardian or another licensed adult with consent of the parent or guardian who is within unaided voice and sight distance.
- D. Mentored-youth program hunters shall be limited to hunting small-game, turkey, deer and javelina for the license year beginning April 1, 2015 and continuing thereafter.

[19.36.3.9 NMAC - N, 1/1/2013; A, 12/30/2014]

19.36.3.10 PENALTY:

Any person violating the provisions of 19.36.3.8 NMAC is guilty of a petty misdemeanor and will be subject to penalties provided in Section 31-19-1, New Mexico Statutes Annotated, 1978 Compilation.

[6/25/90; 19.36.3.10 NMAC - Rn & A, 19 NMAC 36.1.8, 01/01/2013]

WY

How New Mexico's Mentored-Youth Hunting Program Works

To participate in the Department's Mentored-Youth Hunting Program, first-time hunters must be at least 10 years of age and younger than 18 years of age.

Participants must first obtain a Customer Identification Number (CIN) and pass a special online hunter education test prior to receiving their two-year Mentored-Youth Hunter number. Participants are then eligible to purchase a Game-hunting License or Game-hunting & Fishing License, and apply for or purchase hunting licenses for the following species: deer, turkey, javelina and small-game to hunt under the close supervision of an adult mentor.

Mentors can be either a parent, guardian or an adult with parental consent, must be 18 years of age or older and must possess a valid hunting license. At all times while hunting, the Mentored-Youth Hunter and mentor must be in unaided sight and audible distance from one another.



Mentored-Youth Hunters are provided an electronic study guide and must pass the Department's online quiz with a minimum score of 80% prior to receiving their two-year Mentored-Youth certification number and card.

STEP-BY-STEP

- 1.** Obtain your CIN, free from the Department at <https://onlinesales.wildlife.state.nm.us>.
- 2.** Obtain the free study guide at <https://www.hunter-ed.com/newmexico/studyGuide/20103303>.
- 3.** Take the New Mexico Mentored-Youth Hunter Quiz at <https://www.hunter-ed.com/mentored-youth-program>.

Mentored-Youth Hunter Quiz

The quiz is 25 multiple-choice questions about firearms, ammunition, hunter safety, shooting fundamentals, survival, wildlife identification, game care, laws and regulations. A passing grade of 80% is required, and if necessary the quiz can be retaken until passed. A free study guide is available online: at <https://www.hunter-ed.com/newmexico/studyGuide/20103303>.

Registration Valid for Two License Years

Once registered, Mentored-Youth Hunters may hunt with a mentor for two consecutive license years. Before the registration expires, Mentored-Youth Hunters are required to complete the Hunter Education Course, after which they can hunt any legal species independently with no age restriction. Each youth may register for the Mentored-Youth Program once only.

WY

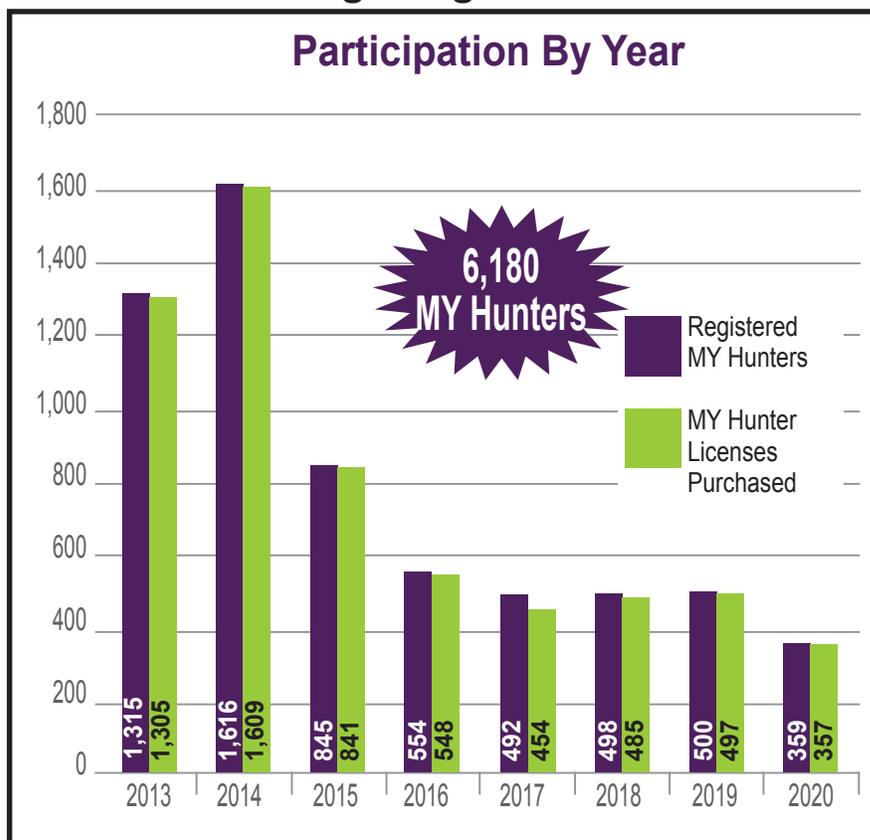
New Mexico's Mentored-Youth Hunting Program Overview

The Department's Mentored-Youth Hunt Program has had 6,180 youth participate since 2013. In the first year of entering the program 98.6% or 6,096 of those participants purchase a license.

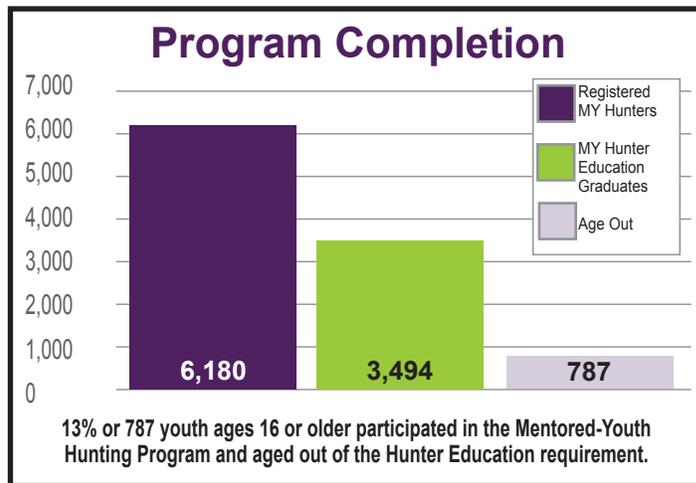
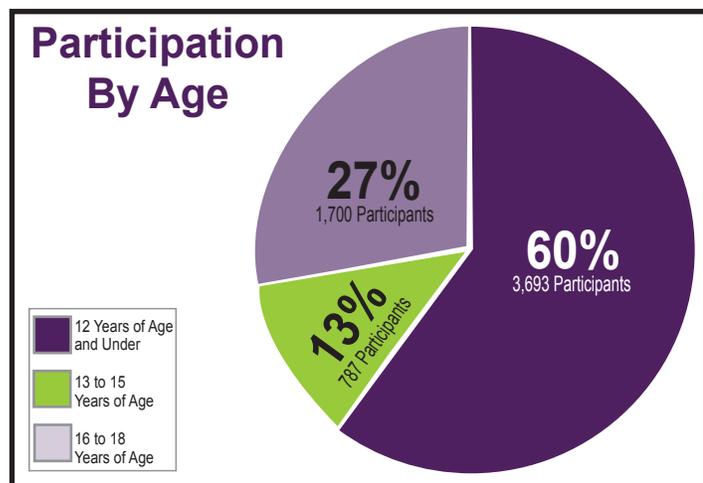
The program has been steadily in decline ever since revisions were made to the rule to add a minimum age and reduce the allowable species. Today's participation is a mere 22% of the 2014 participation peak.

Still the program has met a handful of key benchmarks, indicating it has the potential to be highly successful as a recruitment and retention tool. Currently 56% of program participants go on to successfully complete their New Mexico Hunter Education Certification.

And while the main goal of the program is to help young hunters successfully complete their Hunter Education, some youth may never even try hunting before adulthood without a program like this. To date, 787 youth ages 16 and older, joined the program and aged out of the legal requirement to take Hunters Education. Unlike many of the adults that pick up hunting later in life, we know these individuals have at least been exposed to our curriculum.

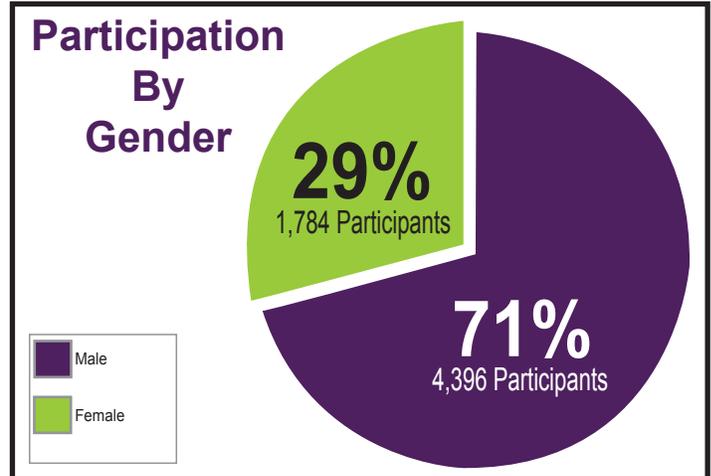
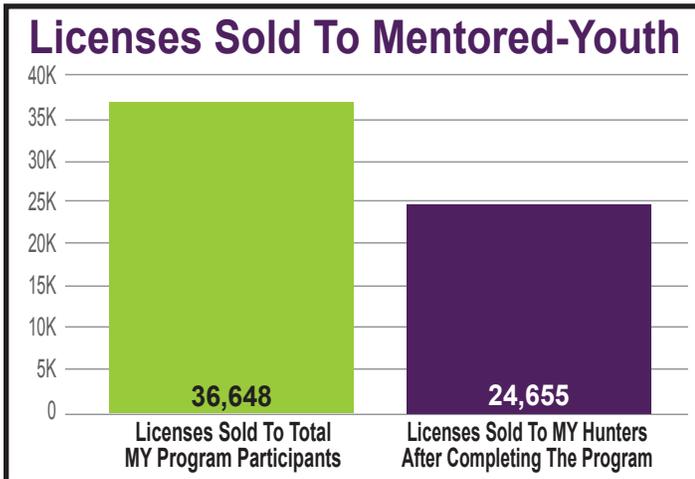


56% of registered Mentored-Youth Hunting Program participants go on to successfully complete, pass and obtain their Hunter Education certification.



WY

New Mexico's Mentored-Youth Hunting Program Overview

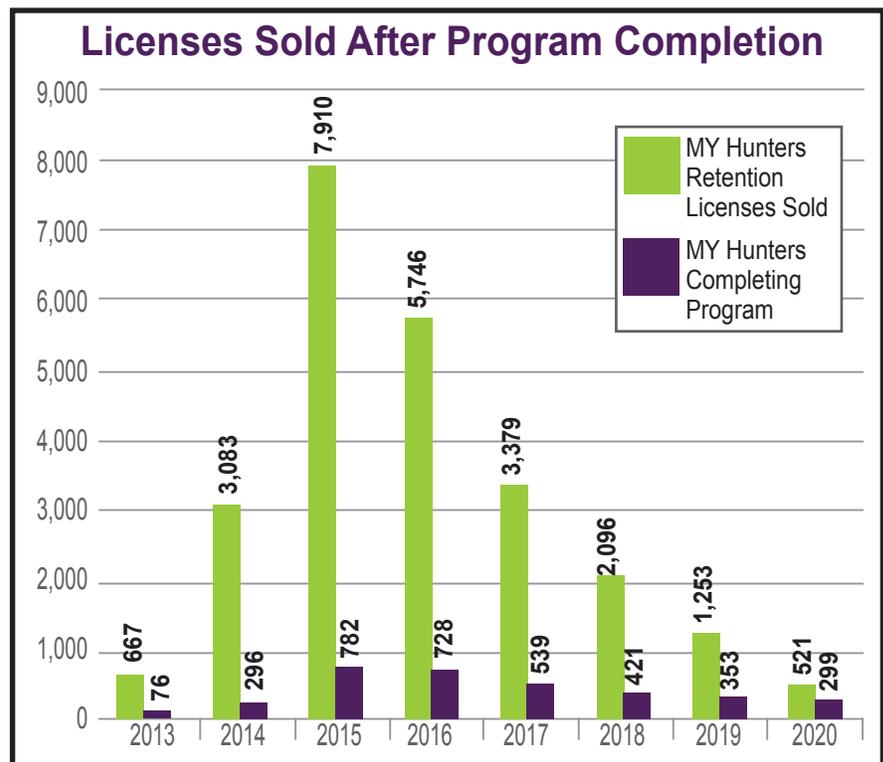


! Mentored-Youth Hunting Program participants who complete the program, graduating Hunter Education, went on to purchase an average of 7 additional licenses.

The 6,180 Mentored-Youth Hunting Program participants purchased a total of 36,648 licenses during the eight year run of the program. Of those participants, the 3,494 that completed the entire program, graduating with their New Mexico Hunter Education Certification, purchased 24,655 licenses.

That's an average of 7 licenses per individual, hitting a substantial retention benchmark and placing the program among the top in the retention category.

The program has also had successes in reaching an impressive 1,784 females, benchmarking at a 29% participation rate.



19.36.3.11 REVOCATION OF HUNTER TRAINING CARD:
 A. Hunter training cards will be revoked in accordance with 19.31.2 NMAC.
 B. Hunter training cards may also be revoked for negligent use of a firearm.
 [6/25/90; 12/30/95; 19.36.3.11 NMAC - Rn; 19 NMAC 36.1.9, 01/01/2013]

19.36.3.12 LIVE-FIRING COURSES:
 A. Live-firing courses may be taught in conjunction with hunter education classes, in accordance with policies and procedures developed by the agency and distributed to certified instructors.
 B. Live-firing courses may be taught only by hunter education instructors certified in live-firing instruction.
 [10/1/19.36.3.12 NMAC - Rn; 19 NMAC 36.1.10, 01/01/2013]

HISTORY OF 19.36.3 NMAC: [RESERVED]

**TITLE 19 NATURAL RESOURCES AND WILDLIFE
 CHAPTER 36 WILDLIFE EDUCATION AND TRAINING
 PART 3 HUNTER EDUCATION**

19.36.3.1 ISSUING AGENCY: New Mexico Department of Game and Fish.
 [12/30/95; 19.36.3.1 NMAC - Rn; 19 NMAC 36.1.1, 01/01/2013]

19.36.3.2 SCOPE: Hunters under the age of eighteen (18).
 [12/30/95; 19.36.3.2 NMAC - Rn & A; 19 NMAC 36.1.2, 01/01/2013]

19.36.3.3 STATUTORY AUTHORITY: Sections 17-2, 33 through 17-2, 35 NMSA, 1978 (renumbered Hunter Training Act) and give the department of game and fish the authority to promulgate rules to implement the provisions of the act.
 [12/30/95; 19.36.3.3 NMAC - Rn & A; 19 NMAC 36.1.3, 01/01/2013]

19.36.3.4 DURATION: Permanent.
 [12/30/95; 19.36.3.4 NMAC - Rn; 19 NMAC 36.1.4, 01/01/2013]

19.36.3.5 EFFECTIVE DATE: December 30, 1995, unless a later date is stated at the end of a sentence.
 [12/30/95; 19.36.3.5 NMAC - Rn & A; 19 NMAC 36.1.5, 01/01/2013]

19.36.3.6 OBJECTIVE: Regulation designed to carry the provisions of the Hunter Training Act.
 [12/30/95; 19.36.3.6 NMAC - Rn; 19 NMAC 36.1.6, 01/01/2013]

19.36.3.7 DEFINITIONS: [RESERVED]

19.36.3.8 HUNTER TRAINING COURSE REQUIRED: It shall be unlawful for any person under the age of eighteen (18) years to purchase or apply for any type of firearm license unless that person has first successfully completed the New Mexico hunter training course or a hunter training course of another state which is approved by the New Mexico department of game and fish.
 [6/25/90; 19.36.3.8 NMAC - Rn & A; 19 NMAC 36.1.7, 01/01/2013]

19.36.3.9 TYPES OF COURSES:
 A. A person under the age of eighteen (18) years who satisfies the requirements of either of the following training courses shall be issued a certificate following successful completion of a hunter training course:
 (1) completion of a hunter training course comprised of class work and firearms proficiency training and testing; or
 (2) completion of an abbreviated hunter training course comprised of written lesson and testing and current registration in the department's mentored-youth program.
 B. Registration in the department's mentored-youth program is limited to first-time youth hunters, 10 to 17 years of age, for a period of two consecutive license years and a person shall only register in the program once. Any mentored-youth hunter that is currently registered with the Department as of November 13, 2014 shall remain **eligible** to hunt the species listed in Subsection D, of 19.36.3.9 NMAC for the remaining two consecutive license year cycle.
 C. Mentored-youth program hunters shall hunt with a firearm only after successful completion of the written lesson and testing portion of the course and while supervised by a licensed parent, guardian or another licensed adult with consent of the parent or guardian who is within unaided voice and sight distance.
 D. Mentored-youth program hunters shall be limited to **hunting** small-game, turkey, deer, **pronghorn antelope** and javelina for the license year beginning April 1, 2015 and continuing thereafter.
 [19.36.3.9 NMAC - N; 1/1/2013; A; 12/30/2014]

19.36.3.10 PENALTY: Any person violating the provisions of 19.36.3.8 NMAC is guilty of a petty misdemeanor and will be subject to penalties provided in Section 31-19-1, New Mexico Statutes Annotated, 1978 Compilation.
 [6/25/90; 19.36.3.10 NMAC - Rn & A; 19 NMAC 36.1.8, 01/01/2013]



Proposed Changes to the Mentored-Youth Hunting Program

The Department's proposed changes to modernize the Mentored-Youth Hunting Program, Hunter Education Rule 19.36.3 NMAC, would allow first-time youth hunters, **8 years of age and older**, the ability to hunt small-game, turkey, javelina, deer and pronghorn antelope for two license years.

The proposed age rollback would more effectively align with the minimum age requirement of 10 for online hunter education certification and help increase interest in participation in the program.

It would also allow hunting opportunities for **pronghorn antelope**.

19.36.3.9 TYPES OF COURSES:
 A. A person under the age of eighteen (18) years who satisfies the requirements of either of the following training courses shall be issued a certificate following successful completion of a hunter training course:
 (1) completion of a hunter training course comprised of class work and firearms proficiency training and testing; or
 (2) completion of an abbreviated hunter training course comprised of written lessons and testing and current registration in the department's mentored-youth program.
 B. Registration in the department's mentored-youth program is limited to first-time youth hunters, **10 to 17** years of age, for a period of two consecutive license years and a person shall only register in the program once. Any mentored-youth hunter that is currently registered with the Department as of November 13, 2014 shall remain **eligible** to hunt the species listed in Subsection D, of 19.36.3.9 NMAC for the remaining two consecutive license year cycle.
 C. Mentored-youth program hunters shall hunt with a firearm only after successful completion of the written lesson and testing portion of the course and while supervised by a licensed parent, guardian or another licensed adult with consent of the parent or guardian who is within unaided voice and sight distance.
 D. Mentored-youth program hunters shall be limited to **hunting** small-game, turkey, deer, **pronghorn antelope** and javelina for the license year beginning April 1, 2015 and continuing thereafter.
 [19.36.3.9 NMAC - N; 1/1/2013; A; 12/30/2014]

19.36.3.10 PENALTY: Any person violating the provisions of 19.36.3.8 NMAC is guilty of a petty misdemeanor and will be subject to penalties provided in Section 31-19-1, New Mexico Statutes Annotated, 1978 Compilation.
 [6/25/90; 19.36.3.10 NMAC - Rn & A; 19 NMAC 36.1.8, 01/01/2013]

FAQ

Frequently Asked Questions

1. What is the Mentored-Youth Hunting Program?

New Mexico's Mentored-Youth Hunt Program provides an opportunity for first-time hunters, 10-17 years of age, to hunt deer, turkey, javelina and small-game under the close supervision of a licensed adult 18 years of age or older. Mentored-Youth hunters must first pass an abbreviated written hunter education test with a score of 80% or better. The Mentored-Youth hunter must have a valid hunting license, be in unaided sight and audible distance from their mentor while hunting. The Mentored-Youth Program is valid for two consecutive license years and hunters must complete an approved hunter education course to continue hunting.

2. Who can be a Mentored-Youth hunter's mentor?

A mentor must be a licensed parent, guardian or another licensed adult ages 18 or older, with consent of the parent or guardian who is within unaided voice and sight distance.

3. At what age can a person participate in the Mentored-Youth Hunting Program?

First-time hunters, 10-17 years of age, may participate in the program.

4. How long is the Mentored-Youth Certification Number valid?

The Mentored-Youth number is valid for two consecutive license years.

5. How many times can a person purchase a license with the Mentored-Youth Certification Number?

Mentored-Youth may purchase licenses for two consecutive license years beginning the date of the first license purchased.

6. What game animals can an apprentice hunt?

Mentored-Youth may hunt deer, turkey, javelina and small-game with a valid hunting license and any additional permits/stamps needed to hunt the various species including a HIP Certification Number and for youth 16 years of age and older - a Federal Waterfowl Stamp when hunting waterfowl.

7. Can the mentor hunt?

Yes. Both the Mentored-Youth and their mentor may hunt simultaneously.

8. Where can I obtain a Mentored-Youth Certification Number?

Mentored-Youth Hunting Program is available on the Department's website at <http://www.wildlife.state.nm.us/education/hunter-education/mentored-youth-hunter>.

9. What is the minimum age for youth to hunt in states across the U.S.?

34 states do not have a minimum age for youth to begin hunting. Those states include; Alabama, Alaska, Arkansas, Florida, Georgia, Hawaii, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Michigan, Missouri, Nebraska, New Hampshire, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Vermont, Virginia, Washington, West Virginia, Wisconsin and Wyoming. Five states allow small-game hunting only with no minimum age restriction. Those states include; Arizona, Colorado, Minnesota, Nevada and Oregon. One state has a minimum age of 12, three states have a minimum age of 10 and seven states have a minimum age of 12.

FAQ

Frequently Asked Questions

10. How many youth participate in the Department's Mentored-Youth Hunting Program?

To date 6,180 youth have participated in the Mentored-Youth Hunting Program.

11. How many Mentored-Youth Hunting Program participants complete Hunter Education?

To date 3,494 youth have completed the entire program, earning their approved Hunter Education number. 787 youth aged out of the program, participating at 16 years of age or older and turning 18 years of age prior to completion. Hunters 18 years of age or older are not required to have an approved Hunter Education Certification to hunt in New Mexico.

12. How many Mentored-Youth Hunting Program participants go on to buy licenses after participating in the program?

Mentored-Youth who complete the program purchase an average of seven additional licenses in consecutive years following graduation from an approved Hunter Education course.

13. How does the current Mentored-Youth Hunting Program meet the requirements of the Hunter Training Act and Hunter Education regulation?

The Hunter Training Act, 17-2-33 NMSA 1978, requires anyone less than 18 years of age to carry a hunter training course certificate, approved by the New Mexico Department of Game and Fish, to legally hunt in New Mexico. 19.36.3 NMAC, is the regulation that defines the types of courses the Department recognizes including the Mentored-Youth Hunting Program. New Mexico's Mentored-Youth Hunting Program meets the criteria by requiring participating hunters, 10-17 years of age, complete an abbreviated hunter education test based on a study guide provided by the Department. Topics covered in the study guide include; firearms, ammunition, hunter safety, shooting fundamentals, survival, wildlife identification, game care, laws and regulations. Students must pass with a score of 80% or better and are issued a temporary Mentored-Youth Certification Number, valid for two consecutive license years. Hunters 18 years of age and under must complete an approved hunter education course to continue hunting after the number expires.

14. Is the Mentored-Youth Hunting Program safe?

Since the launch of the Mentored-Youth Hunting Program in 2013, New Mexico has not had a single reported injury in the program. Hunting related injuries nationwide are extremely low, placing hunting with a firearm as the second safest activity for all ages, behind billiards and ahead of pool. Of the injuries reported, the vast majority was tree stand related – a hunting technique rarely used in New Mexico.



Information about the New Mexico Department of Game and Fish Mentored-Youth Hunting Program can be found online at www.wildlife.state.nm.us/education/hunter-education/mentored-youth-hunter



Conserving New Mexico's Wildlife for Future Generations

**New Mexico Department of Game and Fish
One Wildlife Way, Santa Fe, NM 87507
888-248-6866 • www.wildlife.state.nm.us**

Subject: [EXT] Fwd: Feedback on Mentored Youth Changes.

Date: Friday, June 26, 2020 at 7:54:03 PM Mountain Daylight Time

From: Jeff & Patti Young

To: Cherry, Lance P., DGF

Hello Lance

Jeff Young from Sandia Park. I had made a general comment during the commission meeting but wanted to withhold detail until I had a chance to run my thoughts by Jennifer and get some feedback. I got that response, and based on that my thoughts have not changed.

I have hunted in NM for about 50 years and involved in youth hunting and shooting sports for 18 years and a hunter ed instructor (firearms and bow) for 8 years. So believe my thoughts have value. Jennifer and Ross are long-time friends of mine as I have both coached and volunteered at YHEC for over a dozen years. I have tremendous respect for Jennifer and the hunter education program and thus the reason I have been teaching and a big advocate for hunter education.

However, I am **STRONGLY** opposed to lowering the age limit to 8 for mentor youth. I did not support mentor youth the first time around.

Here are some reasons why.

First, when we open up the antelope to mentored youth and down to 8 years old, we are reducing hunter opportunity among adults. A friend of mine commented on this saying that we want to make sure the youth get some antelope hunting experience because they will never hunt antelope again as an adult! I am not that cynical, however, have many friends who are of this mindset. They care about tags and frankly don't draw many. I have only drawn one antelope tag myself and it was a depredation archery hunt. My kids drew a number of antelope tags as youth but have not drawn since. It was a great experience for them, and I appreciate the opportunity, however, this creates a problem in by increasing the applicant pool and is especially disturbing when the 8 year old's have not passed hunter education. Like me, many of these hunters do not buy private land tags or hunt out of state, so NM is the only game. I believe your customer base should include the masses of hunters who buy licenses every year as opposed to only the youth and their parents.

More importantly, however, is my concern over putting 8 year old's in the field without hunter ed. I believe we should go the opposite way and require hunter ed for anyone buying a license just like they do in Colorado and Wyoming (anyone born after 66). My life experience has told me that mentors who have not been vested in hunter ed programs or even taken a class, **DO NOT** exhibit the safety, ethical and responsibilities that are required in the field. I have interacted with thousands of parents and fellow sportsmen who know little of hunting ethics, safety or responsibility. And know little about hunting regulations or even the difference between state, forest service, private or BLM land. It is astonishing how little knowledge there is of wildlife conservation, survival and how Game and Fish operates and is funded. Even sportsmen who have hunted for decades. But we are expecting these same people to "mentor" 8 year old's who have not been through the class. We do have good parents who can serve as mentors but that is the exception and not the rule (just being honest). I have seen bad behavior among adults perhaps even more so than the kids who have passed the class, including some people I have been on hunts with. Driving off-road, road hunting, no

orange vests, muzzles point right at someones head, taking unethical shots, not understanding or following the regulations, not spending time on the range prior to hunting etc. , are all things I have seen or heard done by mostly respected people. This says nothing to parents who are likely harvesting animals for their kids. Who knows what the rest of the hunters are doing? So I have a concern about who the mentor is when we allow the youth to go into the field without taking hunter ed. Once they leave the class, it's out of our hands but at least they have been exposed, and one reason I believe parents should be in the class as well.

The other issue the age limit of 8. May work and may not. It depends on the kid. My oldest was 7 when he took hunter ed but we waited until 9 for my youngest. They were both likely short in the britches and I totally invested in them and their hunts. Each kid is different and allowing 8 year old's to go into the field without training does put them at risk and whomever they are with. The ten year old at least has a much better chance of being able to adequately handle the firearm. You never know with an 8 year old. And can these kids understand their responsibilities from a safety and ethical standpoint? My guess is no since it is obvious in the adults who have not invested the time in learning hunter education or all the facets that go along with hunting outside of just pulling a trigger. This is the reason I would like to see hunter ed required for all license holders like they do in Colorado and Wyoming.

Anyway, these are my honest and transparent thoughts for your consideration. I asked these same questions of Jennifer. I would like to hear out Game and Fish and specifically why we are going this route and what the data is showing? Is it pure numbers? Or are we concerned about hunter recruitment and what does that data show? Or is it primarily due to concerns from parents?

Greatly appreciate your hard work and innovation making hunter education a success. What a joy it has been to teach classes, learn, be involved with YHEC and work with Jennifer, Ross, Rick Andes and all of the folks at Game and Fish. My son and I have spent some time working with Dale Hall and Chuck on various habitat programs as well and I regularly correspond with our cutthroat biologists on various stream questions. You all do a great job. However, this one is not right and I will continue to be vocal on it. I have run this by a number of friends, instructors and even my 20 something boys. They all agree this is a bad idea and plan to provide feedback.

As an instructor, Game and Fish has delegated a huge responsibility to us. To teach and train and ensure proper certifications for new hunters and youth. And to ensure they understand the ethics, safety and responsibilities that come with that certification. Now under the mentor program, we are saying none of that matters...that we can allow kids that have not passed hunter education (as young as 8 under this proposal) to go out with a mentor, who based on my experience understands little above pulling the trigger. That is a swift kick in the gut for those of us who have dedicated so much time and effort to training the next generation of hunters.

Note: Even the minimum age for hunters in Texas is 9!

Thanks for listening. BTW: I have shared my thoughts with all commissioners after hearing Jennifer out.

Jeff Young
Sandia Park

Subject: Re: [EXT] Fwd: Feedback on Mentored Youth Changes.

Date: Wednesday, July 22, 2020 at 3:48:44 PM Mountain Daylight Time

From: jandpyoung

To: Cherry, Lance P., DGF

One more reason for requiring hunter education in New Mexico

Over the weekend enjoyed conversation w some friendly cowboys from Texas. Nice folks but....poaching elk and deer is fine for them...as is shooting out of your truck and bait fishing in special trout water designated for artificial flies only....start there

Sent via the Samsung Galaxy S®6 active, an AT&T 4G LTE smartphone

Subject: [EXT] Fwd: State by State HE Requirements
Date: Monday, August 10, 2020 at 9:07:06 AM Mountain Daylight Time
From: Jeff & Patti Young
To: Cherry, Lance P., DGF

From: "Jeff and Patti Young" <jandpyoung@q.com>
To: "jennifer" <jennifer.morgan@state.nm.us>
Sent: Monday, August 10, 2020 8:35:36 AM
Subject: State by State HE Requirements

Hi jennifer

Wanted to share this data with you on HE requirements for 45 states. I did not investigate MY for most of it given the complexity of the regulations. However, min age and HE requirements were easy to locate.

I know you understand my thoughts on this....My concern continue to be the lack of ethics and knowledge in the field by all hunters regardless of age. HE sheds a lot of light on those issues....Until I took the full 2 day field course 16 years ago, I had no idea what I did not know. And it is much more than firearms safety. All of the other topics covered in the class contribute to safe, responsible and ethical hunting in the field. Not to mention an understanding of the wildlife conservation and history of hunting. These things go along way to ensuring the future of hunting and how it is portrayed to non-hunters.

I think you have heard this from me before...But, I do plan on sharing my thoughts at the commission meeting. First and foremost though, will be my 100% support of Game and Fish and HE.

thanks

Jeff

Subject: [EXT] Fwd: Archery

Date: Thursday, August 13, 2020 at 7:51:43 PM Mountain Daylight Time

From: jandpyoung

To: Cherry, Lance P., DGF

Hi Lance

FYI

Sent via the Samsung Galaxy S®6 active, an AT&T 4G LTE smartphone

----- Original message -----

From: jandpyoung <jandpyoung@q.com>

Date: 8/13/20 7:47 PM (GMT-07:00)

To: "Morgan, Jennifer S., DGF" <jennifer.morgan@state.nm.us>

Subject: Archery

Jennifer

Hate to keep kicking a dead horse and likely preaching to the choir...

But Canyon has been chatting w Kyle Lipke the last couple weeks. He is working at the archery shop over the summer.. he says they have been overwhelmed w first time bowhunters whi drew a tag (in some cases the valle vidal and gila tags). And they are just now going in to BUY a bow and no nothing about what they are getting in to!

Sent via the Samsung Galaxy S®6 active, an AT&T 4G LTE smartphone

Subject: [EXT] Hunter Education-Mentored Youth Program comments

Date: Friday, August 14, 2020 at 2:13:30 PM Mountain Daylight Time

From: Colleen Payne

To: Hickey, Sharon, DGF, Salazar-Henry, Roberta, DGF, Bates, Jimmy, DGF, Cramer, Gail, DGF, Lopez, Tirzio, DGF, Soules, David, DGF, Vesbach, Jeremy, DGF

Hello Commissioners,

My name is Colleen Payne and I am the New Mexico Regional Director for the Mule Deer Foundation, Program Lead for the Discover the Outdoors and Encourage Sportsmanship (D.O.E.S.) women's outdoor education program, and a volunteer Hunter Education Instructor for the Department of Game and Fish. I sat in during the Game Commission meeting yesterday and had high interest in the discussion around the Mentored Youth Program. I did not have time to register as a speaker but wanted to share with you my thoughts and takeaways after hearing the discussion on this agenda item.

I would like to start by saying I am in full support of the proposed changes. Pronghorn are a fantastic hunting experience for new hunters as well as the changes to the A-plus program allows land owners to provide an opportunity to allow education, hunting, health and land stewardship to take place with a hunting situation. Allowing youth to participate in the program at the age of eight allows them to be mentored by a licensed hunter in the field with hands on experience before they take a Hunters Education course. Since the age of the online classes and in person field day classes was dropped down to 10, this helps to encourage youth and adults to get their kids involved earlier and come into the class with first hand experience. Dropping the age limit for Mentored Youth Program does not take away their ability to take Hunter Education at age eight, in fact it provides our youth with even more opportunities to get involved in the outdoors. A valid point was made during the discussion regarding if eight year old's have the mental capacity to handle the responsibility of being a hunter and harvesting an animal. In a mentored youth situation, it allows the youth to learn about the process and determine for themselves if this is something they would like to continue to participate in the future as well as allowing parents or mentors the opportunity to evaluate the child's abilities and interest. Similar to kids trying out a sport or hobby for the first time, this moment can be used as a try out or trail run to open experiences to youth who may not have had the ability before.

From my experience with Hunter Education Students under the age of 10 in our classes, they have been very attentive to the process, material and their parents have shown commitment to help teach them to be successful and safe. I do feel strongly there should be a level of mentor training or certification in order for the youth to be adequately mentored and follow safe, ethical and legal guidance in the field. Instructors, hunters, youth, guides, and outfitters all have to take a test to provide their services and knowledge to participate in hunting and mentors should be no different. As I listened yesterday I imagined what an immense opportunity we could be missing to engage current and future adult mentors. What a fantastic way to showcase the abilities of our mentors, what they can do for mentees, recruit and reactive new hunters and positively encourage youth who participate to be mentors in the future. As an instructor I also consider myself a mentor to all the students, young or old. I would love to not only see youth get involved in hunting or fishing with my help teaching them, but to also see them become mentors to a new hunter or angler. Remember the whole teach a man to fish saying?

Our youth in New Mexico need all the support, resources, education and guidance we can give them and this program does just that. Let's not hold them back from being the future of conservation. I encourage you to approve the proposed changes to the Mentored Youth Program. If you have any questions or would like to have further discussion, please do not hesitate to reach out to me.

Thank you and have a great weekend,

Colleen Payne
New Mexico Regional Director
(505) 363-5241



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Subject: [EXT] Comments on Hunter Education changes

Date: Wednesday, September 2, 2020 at 9:09:50 PM Mountain Daylight Time

From: John Waters

To: Cherry, Lance P., DGF

Hi Mr. Cherry,

Thank you for the opportunity to comment.

Department of Game and Fish should remain capitalized. If there is no actual reason to change it, don't need to do it. Other changes seem OK. BTW... I am opposed to any name change for the department and if this is a first step towards that, I am not in favor of this without legislative action authorizing it.

John Waters

1308 W. Riverside Dr.

Carlsbad, NM 88220

John.Waters@DevelopCarlsbad.org

Subject: [EXT] proposed revisions to the Hunter Education Rule 19.36.3 NMAC

Date: Thursday, September 3, 2020 at 9:33:43 AM Mountain Daylight Time

From: CURTIS MARTIN

To: Cherry, Lance P., DGF

Hello,, The, proposed revisions to the Hunter Education Rule 19.36.3 NMAC,, look good, I am in favor of the changes. Thanks, Curtis Martin, PO Box 1342, Farmington,NM 87499

Subject: [EXT] Proposed Changes 19.36.3 NMAC Hunter Education Rule

Date: Thursday, September 3, 2020 at 9:40:05 AM Mountain Daylight Time

From: David Dotson

To: Cherry, Lance P., DGF

CC: Dotson, David

Dear Mr. Cherry,

Below is my comments on the proposed changes to the hunter education rule.

1. By appearance on it's face, the proposed rule changes seem to be setting up youth hunters and their parents for game violations, simply by requiring the parents to have a hunter safety course certification in their possession despite being printed on their license. This is problematic for several reasons, first, folks like me took the course back in the 1970's, records are unavailable. Second, even if a person was to have taken it post 2000, what are the chances they have the card, regardless as to whether they can get a duplicate card. Third, possessing a card has nothing to do with ensuring a youth hunter follows the rules.

2. By appearance on it's face, the proposed rule change is lowering the age limit from 10 to 8, would seem to encourage more young hunters. Probably ok.

3. The proposed changes on species seems disingenuous because it excludes elk and oryx. IMO the easiest hunts are antelope and oryx with rifle, and elk with a bow. With Oryx and Elk the use of higher powered cartridges may be the reason behind the rule change, I am not sure, but the point is to get kids into hunting, not exclude hunting options. I am not aware of any other state that limits species in this way. There may be a concern for wounding animals, not sure, but isn't that what hunting ethics is all about? For that reason I am opposed.

I grew up with a hunting father, it was great, we had common sense and caring. I taught my oldest boy (25) to hunt, that was and is still great. I have a 9 month old boy, he will learn to shoot and hunt, it will be great. But I think all the promulgated rules have not helped anything and I don't think any of the proposed changes will enhance anything except the court's docket and discourage young hunters.

Regards,

David Dotson, esq.

Subject: [EXT] Comment on Proposed Change to NMAC Hunter Education Rule

Date: Thursday, September 3, 2020 at 10:47:55 AM Mountain Daylight Time

From: Byron Belew

To: Cherry, Lance P., DGF

Ms. Lance:

I wish to register my opposition to the change in the Hunter Education Rule as proposed. The requirement for certification of mentors adds an unnecessary complication to the program and I believe it will dramatically reduce the participants in the program. If the goal is to have better educated mentors I believe the Department has too low of an opinion about the hunting public.

The program should help introduce young people into the sport of hunting, not deter them from it. Further, the rank of hunters is declining and these proposed changes will not help.

Byron Belew
Silver City, NM

Subject: [EXT] Hunter education proposed rule changes

Date: Thursday, September 3, 2020 at 11:03:58 AM Mountain Daylight Time

From: loren

To: Cherry, Lance P., DGF

Dear sir,

In other words I can not take my grand children or great grand children hunting without taking a hunter safety course with you. I am 79 years old and took firearms handling and safety in 1961 long before you thought up the need to have it in this state. I have lived and hunted and fished in this state since 1965. I brought my children, grand children and am looking forward to taking my great grand children hunting and fishing, but I will not do it any more if this goes through. This sounds like another right out of college idea just like others thought up over the last 55 years. Just because I am older does not mean that I have nothing better to do than take your courses. I still work every day.

You keep saying that you want more youth to get involved in the sport, this makes me wonder if you really do. Something for you to think about.

Loren Omness

Subject: [EXT] My Comments Hunter Education Rule Change

Date: Thursday, September 3, 2020 at 2:56:00 PM Mountain Daylight Time

From: F Martinez

To: Cherry, Lance P., DGF

Hello,

I support:

*Lowering age from 10 to 8 for a mentored youth

*Adding Antelope to list of species

*requirement to take an ABBREVIATED version of Hunter Training Course.

I do not support:

*Changing review cycle to 4 years instead of permanent.

Thanks for the consideration,

Filiberto Martinez

Subject: [EXT] 8 y/o hunters

Date: Thursday, September 3, 2020 at 5:09:01 PM Mountain Daylight Time

From: James R Webster Jr

To: Cherry, Lance P., DGF

CC: Susan Webster

Excuse me, but I find the idea of an eight year old hunting is terrifying. Both for the prey and the eight year old. As a vet, 18 years is very different from eight when it comes to firearms. Even at eighteen in the military we have 2 weeks of training before you are issued a rifle. Please!!!

Jim Webster MD

James Webster, MD, MS, MACP

Michael Gertz Professor of Medicine Emeritus, Feinberg School of Medicine of Northwestern University

Past President, Chicago Board of Health

Past President and CEO, Institute of Medicine of Chicag

312-259-1242 Mobil

11 A Pulitzer Trail, Santa Fe, NM 87506

Subject: [EXT] Proposed Changes to Hunter Education Rule

Date: Thursday, September 3, 2020 at 8:26:15 PM Mountain Daylight Time

From: Gina Ross

To: Cherry, Lance P., DGF

I would like to say that this change may help the decline in youth hunters, but what really would help is increasing the tags that they can get. My daughter completed Hunter Ed and was extremely excited, but after 2 years of failed hunt applications, her interest has faded. We were able to purchase her a left over tag this year, but she just isn't "in to it" like she was previously. The excitement has waned while we waited for a tag. Extremely disappointing and unfortunate.

Respectfully,

Gina Ross

Subject: [EXT] hunter education provision comments

Date: Friday, September 4, 2020 at 4:00:46 PM Mountain Daylight Time

From: D Woots

To: Cherry, Lance P., DGF

Dear Sirs or Madam,

I agree with encouraging young hunters through a mentorship program.

I would recommend the introductory age be reduced to age 7.

I support the addition of antelope to species that are part of the program.

I would recommend the addition of elk and oryx. (The elk hunting experience can excite the minds of youth like no other hunt)

Thanks.

David E. Wooten

Subject: [EXT] 2020 Proposed NM Hunter Education Changes

Date: Monday, September 7, 2020 at 9:45:12 PM Mountain Daylight Time

From: Joseph Sholtis

To: Cherry, Lance P., DGF

- Mr Lance Cherry,

I am almost 72 years old, and have been hunting since I was 12. I am concerned about the proposed age for youth hunter education being reduced from 10 years of age to 8 years of age.

An 8 year old, physically and mentally, is not nearly as mature as a 10 year old. Being both physically and mentally able to handle a firearm and the varying situations that can arise in the field or forest is problematic and worrisome to me.

I pray that caution will be exercised on this topic. The worst thing that could happen is to set up our kids for frustration and, perhaps, failure at the very beginning of their hunting experience.

Thank you for your time and consideration - I'm looking forward to a wise decision from the NM Game Commission on this important topic/issue.

Regards,

- Joseph A. Sholtis, Jr., LtCol, USAF (Ret)
2 Oso Drive
Tijeras, NM 87059
Phone: 505-281-4358
Cellphone: 505-620-2620
E-mail: Sholtis@aol.com

Public Meeting on Proposed Changes to the Hunter Education Rule 19.36.3 NMAC
6 p.m. ● Thursday, September 24

A short presentation on proposed revisions to the Hunter Education Rule 19.36.3 NMAC will be given. The presentation will be followed by a Q & A session where members of the public are encouraged to ask questions and provide input.

Participant Chat:

From John Cano to All panelists: (6:21 PM)

Is there any proposed Mentoring program in place or in future that would allow current instructors to mentor "future" instructors (hunters who are children)

From Jonathan Skiles to All panelists: (6:25 PM)

I am strongly in favor of the changes, especially the age decrease and the addition of pronghorn. I'm very in favor of it!

Subject: [EXT] Mentored-Youth Proposed Rule Changes

Date: Wednesday, September 30, 2020 at 4:04:06 PM Mountain Daylight Time

From: jonathanskiles@juno.com

To: Cherry, Lance P., DGF

Lance,

I appreciate you and the Department providing the forum for us to give our input on the new proposed changes to the Mentored-Youth rules, and I wanted to add my thoughts in writing too if that would help the cause. As I mentioned in the meetings that were held to discuss the issue, I am **very** much in favor of changing the minimum age to 8, rather than 10 and adding pronghorn to the species list (cow elk would be awesome too, just to throw that plug in).

I put my oldest daughter through the regular hunter's safety course when she was 8, and she passed the first time, but it required a major time commitment on both of our parts to get her the study and hands-on practice she needed in order to pass the course on the first try. It would have been great to be able to give her a couple years of practice before she took the regular course.

I think many children are lost to the world of hunting by the time they are 10, and starting them as early as possible is vital for keeping them interested in hunting when we're competing with a litany of other distractions that pull their attention and energy. My oldest daughter has hunted for two years now and has been able to harvest an oryx and a pronghorn in that time (we've struck out on a couple hunts also, which is good for her too). My daughter very much enjoys her time in the field with me and is, hopefully, on course to one day help get my grandchildren into the sport as well. I fear that hunting as a sport is slowly dying, and if we don't have a significant increase in recruitment, it very well might in the next couple of decades. I know several youth, who are not my own children, who were interested in hunting in the 6-9-year-old range, but they didn't feel up to going through the pressure of the regular hunter's safety course. By the time they reached the age where they could take the online version (which was 11 at the time), they had lost their interest in the idea. As such, I strongly believe that the lowering of the age minimum and addition of pronghorn will be greatly helpful for what you are hoping to accomplish, and that's make new hunters.

I have two younger daughters (5 & 8), and they both, at this point, are very interested in hunting with dad, and the earlier I can start them in the process for real (not just following me around), the more I believe they will enjoy and stick with it long term.

I am a first generation hunter. I feel very strongly that this tradition needs to be passed on as these practical life skills are being gradually lost as a society, and passing this rule will help me to pass it on sooner to my own children and the children of others who I mentor. I would love to be able to add my middle daughter to the draw when she turns 9 early next year, so if this could go into effect before the third Wednesday in March, that would be an added bonus. =)

Start them young, retain them until their old.

Thank You!
Jonathan Skiles

Subject: [EXT] NMWF Mentored Hunting Comments

Date: Monday, October 5, 2020 at 3:57:04 PM Mountain Daylight Time

From: Ben Neary

To: Cherry, Lance P., DGF

Mr. Lance Cherry
New Mexico Department of Game and Fish

Dear Lance,

Attached please find comments from Mr. Jesse Deubel, executive director of the New Mexico Wildlife Federation, on the proposed changes to the Hunter Education Rule.

Please contact me with any questions. Thank you.

Best Regards,
Ben Neary
Conservation Director
New Mexico Wildlife Federation

505-999-7592



(505) 299-5404
6100 Seagull St. Suite B-105
Albuquerque, NM 87109
nmwildlife@nmwildlife.org

Sept. 25, 2020

Ms. Sharon Salazar Hickey,
Chair, New Mexico State Game Commission

Dear Chair Salazar Hickey,

The New Mexico Wildlife Federation submits the following comments on the pending proposal to change to amend the Hunter Education rule, 19.36.3 NMAC.

The proposal would reduce the minimum age to participate in the Mentored-Youth Hunting Program from 10 to 8 years of age and add pronghorn antelope to allowable species that mentored youth may hunt.

The New Mexico Wildlife Federation opposes the proposal to reduce the minimum age and suggests tightening requirements for mentors to participate. NMWF supports the proposal to add pronghorn antelope to the list of species that mentored youth may hunt.

The New Mexico Wildlife Federation supports the game commission's and Game and Fish Department's efforts to recruit and encourage new hunters. The federation recognizes the importance of introducing children to hunting to ensure preservation of our sporting traditions and the future of conservation.

However, the NMWF believes that 8-year-olds are simply too young to be turned loose on our hunting fields, particularly under what we believe are overly lax requirements for supervision under the current rule.

Under the current rules, mentors may be either a parent, guardian or another adult with parental consent. Mentors must be 18 years of age or older and must possess a valid hunting license. At all times while hunting, the mentored-youth hunter and mentor must be in unaided sight and audible distance from one another. Mentors may be carrying their own firearms and may themselves be hunting while in the field with the mentored youth hunter.

Although the mentored-youth hunters must pass an online quiz, they are not required to pass a full hunter education class.

The NMWF believes that merely being within sight of an 8-year-old carrying a firearm is not enough to prevent potentially deadly accidents. Accordingly, the NMWF makes the following suggestions for the Mentored-Youth Hunting Program:

_ Keep the minimum age for participation in the Mentored-Youth Hunting Program at 10 years.

_ Require all mentors overseeing mentored-youth hunters to have completed a full hunter education class (rather than an abbreviated course as proposed) of their own, regardless of the mentor's age.

_ Require all mentors overseeing mentored-youth hunters to be in the immediate vicinity of the mentee, but in no case more than 25 feet away while the mentee is carrying or handling a firearm.

_ Require that a mentor may supervise only one mentee at a time.

_ Require all mentors to devote their attention to the mentee's hunting, and not engage in hunting of their own while supervising a mentee in the field.

The NMWF recognizes that many New Mexico youth are anxious to get into the field and begin their hunting careers. The NMWF encourages hunters to

take children into the field, and encourages interested youth to complete certified hunter education classes.

However, the NMWF believes that safety must be the commission's paramount concern and urges the commission not to lower the age requirement to 8 years old. The other suggested changes to the program will help ensure that New Mexico children who have not yet completed hunter education get the direct and undivided attention they need to be safe in the field.

Thank you for your consideration of the federation's comments and please feel free to contact me with any questions.

Sincerely,

Jesse Deubel
NMWF Executive Director

Subject: [EXT] Mentored Youth Hunt Program comments, NM BHA
Date: Thursday, October 15, 2020 at 8:10:36 AM Mountain Daylight Time
From: Joel Gay
To: Cherry, Lance P., DGF

Dear Chairwoman Salazar Hickey, Vice-Chairwoman Salazar Henry and members of the State Game Commission,

While the New Mexico chapter of Backcountry Hunters & Anglers is not adamantly opposed to lowering the Mentored Youth Hunter program age from 10 to 8, nor do we support this change. Children younger than 10 years old who want to hunt already have the option of taking a hunter-education course and we prefer that younger children receive more department-led instruction rather than simply hunting under the supervision of a mentor.

In addition, we feel there is ample and appropriate hunting opportunity provided to youth enrolled in the program without the addition of another big game species such as pronghorn, for which adult hunting opportunity is already severely limited. It appears that current tags available to youth only are underutilized, including more than 50 youth-only pronghorn tags that were not issued during the annual 2020-21 big game draw. Those tags were subsequently available for purchase by youth hunters through the leftover license sale.

Although this last concern is not on the NMDGF proposal, we believe the bar for participating as a mentor in the Mentored Youth Hunter program is too low. We hope you would consider amending the regulation to require all mentors to have taken a state-certified hunter education course. In addition, we encourage the Game Commission to set a limit on the number of youth hunters that can be assigned to any one mentor.

If the high-level goal of this proposed change is to introduce more people to hunting and ensure a steady stream of future license revenue, we believe the department should shift its focus away from youth for whom there are already ample programs and opportunities and increase efforts to recruit new adult hunters. Potential adult hunters require significantly less education, less familial support and less lead-time to become a self-sustaining, fee-paying member of our community. Currently New Mexico offers no programs specifically for adult hunters. Adult-focused R3 programs in neighboring states like Arizona and Texas are a model of success that can surely be replicated here.

Should the department choose to pursue adult-focused R3 programs, NM BHA would willingly contribute volunteer support and resources available through our [Hunting for Sustainability Program](#).

Sincerely,

Joel Gay, Chairman
Kevin Lockhart, Vice-chairman
New Mexico Backcountry Hunters & Anglers



**BACKCOUNTRY
HUNTERS & ANGLERS**
NEW MEXICO

October 15, 2020

Dear Chairwoman Salazar Hickey, Vice-Chairwoman Salazar Henry and members of the State Game Commission,

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Sincerely,

Joel Gay, Chairman
Kevin Lockhart, Vice-chairman
New Mexico Backcountry Hunters & Anglers



WWW.BACKCOUNTRYHUNTERS.ORG/NEW_MEXICO_BHA
NEWMEXICO@BACKCOUNTRYHUNTERS.ORG



DARREN LASORTE

Director, Government Relations - State Affairs

dlasorte@nssf.org | 469-445-0808 | nssf.org

December 1, 2020

Re: NSSF Support of Proposed Changes to Hunter Education Rule

I am writing to express the National Shooting Sports Foundation's strong support for the hunter education rule changes that the Commission will consider during its December 3 virtual hearing. The changes will help ensure New Mexico's proud hunting traditions are continued for generations to come.

NSSF has been part of the Families Afield initiative since its inception. This initiative was developed to implement creative ways to encourage new hunters to enter the field. Mentored-youth hunting license programs have been at the heart of the initiative and have proven an overwhelming success in the nearly three dozen states that have implemented them.

When these programs were first being considered in states in the early 2000s, detractors claimed that hunting accidents and general mayhem would ensue. Years of experience and millions of mentored hunters have proven them wrong to an extent even the most ardent supporters could not have imagined possible. It is not hyperbole to say mentored hunting programs have been one of the great social experiments of our time.

The rule changes that will be considered by the Commission on December 3 move us a little closer to the ideal of having parents, not the state, decide when their children are mature enough to hunt safely and responsibly while under the watchful eye of a dedicated mentor.

Please do not hesitate to contact me if I can answer any questions. Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Darren LaSorte", written in a cursive style.

Darren LaSorte

NATIONAL RIFLE ASSOCIATION OF AMERICA

**INSTITUTE FOR LEGISLATIVE
ACTION**

11250 WAPLES MILL ROAD
FAIRFAX, VIRGINIA 22030



NRA

December 1, 2020

New Mexico Department of Game and Fish
1 Wildlife Way
Santa Fe, New Mexico 87507

Re: Proposed changes to Mentored Youth Hunting Program (New Mexico Register / Volume XXXI, Issue 20 / October 27, 2020)

Dear Commissioners:

On behalf of the National Rifle Association's Institute for Legislative Action, I write to support the proposed changes to the Mentored Youth Hunting Program as published in New Mexico Register Volume XXXI, Issue 20 on October 27, 2020 and urge the Commission to adopt the proposed changes.

The proposed changes will expand the amount of young hunters that may participate in the program and expand the species that may be hunted. Simply put, this will make hunting more easily accessible to those under 18 and will do a great deal to recruit young hunters that may someday become mentors themselves.

Thank you for your leadership and efforts to expand youth hunting in the State of New Mexico.

Sincerely,

/s/

Erica Tergeson
Director, Hunting Policy
National Rifle Association
Institute for Legislative Policy



December 1, 2020

Lance Cherry, Chief, Information and Education Division
New Mexico Department of Game and Fish
1 Wildlife Way
Santa Fe, NM 87507

RE: Hunter Education rule, 19.36.3 NMAC

Chief Cherry,

On behalf of the Congressional Sportsmen's Foundation (CSF), please accept these comments on the New Mexico State Game Commission's request for public comment related to Hunter Education rule, 19.36.3 NMAC. With over three decades in the policy arena, the Congressional Sportsmen's Foundation (CSF) works with different levels of government to advance and protect our outdoor sporting heritage and traditions. Rooted in the Congressional Sportsmen's Caucus, the largest, most active bipartisan caucus on Capitol Hill with nearly 250 Members of Congress, CSF has extended this legislative network from Washington, DC to states across the country, establishing the bipartisan National Assembly of Sportsmen's Caucuses (NASC) and the Governors Sportsmen's Caucus (GSC). Presently, NASC is comprised of 49 state legislative caucuses, including the New Mexico Legislative Sportsmen's Caucus, with over 2,500 legislators, while the GSC includes more than half the governors from throughout the country.

CSF supports the proposed rule changes to the Hunter Education rule to:

- 1) Reduce minimum age to participate in the Mentored-Youth Hunting Program from 10 to 8 years of age.
- 2) Add small game to allowable species Mentored-Youth under 10 years of age may hunt.
- 3) Add pronghorn antelope to allowable species Mentored-Youth, 10 to 17 years of age may hunt.
- 4) Add requirement for Mentor to complete of an abbreviated hunter training course comprised of written lessons and testing and current registration in the department's mentored-youth program or proof of New Mexico hunter training course or a hunter training course of another state which is approved by the New Mexico department of game and fish.
- 5) Change rule from permanent to four-year cycle, April 1, 2021 through March 31, 2025.
- 6) Make minor spelling corrections

Hunting license sales provide essential funding for wildlife conservation and habitat restoration, while hunter expenditures generate billions of dollars annually for the national economy and support hundreds of thousands

The Sportsmen's Voice in Our Nations Capitols

of jobs. The decline in hunter participation poses an ever-increasing threat to wildlife conservation and state wildlife management. CSF commends the New Mexico Department of Game and Fish's effort to improve its hunter recruitment by allowing children at a younger age to hunt safely and responsibly while under the watchful eye of a dedicated mentor and increase the diversity of species they are able to pursue. By doing so, children will have more opportunities for formative hunting experiences that will serve as the necessary stepping stones in the journey to becoming a lifelong conservationist that contributes to natural resource stewardship through the American System of Conservation Funding.

Thank you for the opportunity to comment on this important Hunter Education rule change proposal.

Sincerely,

A handwritten signature in cursive script that reads "Ellary Tucker Williams".

Ellary TuckerWilliams
Inter-Mountain Western States Coordinator

The Sportsmen's Voice in Our Nations Capitols

Exhibit #7

New Mexico State Game Commission Meeting - December 3, 2020
Registration/Sign-In Sheet

First	Last	Email	Address	City	State	Zip	Phone	Organization	Title	Wish to Speak	Agenda Item	Questions & Comments
Bart	Hanson	Brtanson@aol.com	1113 S 4th Street	Artesia	NM	88210	(575) 703-1161	HSP CAC		Yes	5	
Cody	Skinner	cskinner@bulldogs.org	PO Box 111	Artesia	NM	88210	(575) 308-3476	Artesia Public Schools	Principal	Yes		I think reducing the number of districts from 5 to 1 is NOT what is best for my region (southeast).
Pat	McCasland	mccasland_67@msn.com	PO Box 718	Eunice	NM	88231	(575) 631-1667		SE Committee Member	Maybe		
Kyle	Jackson	Ryu5558@yahoo.com								Yes		Habitat Stamp
Tritiana	Blackford	tritiana.blackford@state.nm.us	1 Wildlife Way	Santa Fe	NM	87507	(505) 478-8026	New Mexico Department of Game and Fish	Communications Director	No		
Karen	Roybal	Kroybal76@gmail.com		Albuquerque	NM	87105				No		
Jesse	Deubel	jesse@nmwildlife.org	6100 Seagull Street NE	Albuquerque	NM	87109	(505) 440-2621	New Mexico Wildlife Federation	Executive Director	Yes		
Wally	Hausamen	whausamen@comcast.net	3394 Apple Cross Place	Las Cruces	NM	88005	(505) 810-3669		Retired	No		
Seth	Heath	svheath1@yahoo.com	2 Marietta Court, Suite A 74	Edgewood	NM	87015	(505) 681-0662			Maybe		Just want to watch the meeting. Not sure what's on the agenda.
Jude	Martinez	judemartinez22@gmail.com								Yes		
Kent	SALxsr	KentSal@aol.com								Yes		
Klein	Harris	harris@comcast.net	712 Charles Pl NW	Los Ranchos	NM	87107	(505) 974-0232	Trout Unlimited	State Council Chair	Yes	8	I wish to speak on two agenda items but they are not listed.
Fatemeh	Namdar-Yeganeh	fazeebear@gmail.com	Po Box 20553	Albuquerque	NM	87154	(505) 787-3080			Yes		
Erin	Hunt	erinhunt81@gmail.com	7816 Alamo Rd NW	Albuquerque	NM	87120	(505) 263-8581	New Mexico Department of Game and Fish	Hunter Education Program Manager	No		
Jennifer	Morgan	jennifer.morgan@state.nm.us	7816 Alamo Rd NW	Albuquerque	NM	87120	(505) 222-4713	New Mexico Department of Game and Fish	Assistant Chief, Education	No		
Craig	Sanchez	craig.sanchez@state.nm.us	7816 Alamo Rd NW	Albuquerque	NM	87120	(505) 222-4713	New Mexico Department of Game and Fish	Assistant Chief, Education	No		
Mark	Mattaini	mattaini@gmail.com	PO Box 1045	Paguete	NM	87040	(505) 552-6304			Yes		
Angie	Kelic	sty@mit.edu	4509 Canyon Ct NE	Albuquerque	NM	87111				Yes		Would like to speak on hunting in the Sandia foothills specific to parts of the Glenwood Hills neighborhood that adjoin the wilderness space directly.
Julie	Overbay	juleeoverbay@yahoo.com								Yes		
Ryan	Blickem	rblickem@nmda.nmsu.edu	MSC APR	Las Cruces	NM	88003	(575) 646-2670	NMDA	Policy Analyst	No		
Michael	Dax	mdax@defenders.org	2400 Camino Capitan	Santa Fe	NM	87505		Defenders of Wildlife	NM Representative	No		
Andrew	Gray	andrew.gray@state.nm.us	1912 W Second St	Roswell	NM	88201	(575) 626-6135	New Mexico Department of Game and Fish	Captain	No		
Kerlie	Romero	kerliecourromero@gmail.com	51 Bogan Rd	Stanley	NM	87156	(505) 440-5258	New Mexico Council of Outfitters and Guides	Executive Director	No		
Hsi	Marshall	haimarshall777@yahoo.com	1084 San Hilonso Rd	Los Alamos	NM	87544	(505) 662-2796		Comp. Sci.	X		
Casidi	Cobos	casidi.cobos@re ranches.com	792 Ladder Road	Caballo	NM	87931	(575) 644-7733	TESF		No		
Max	Henkels	mhenkels@nmda.nmsu.edu								No		
Cyndi	Tuell	cyndi@westernwatersheds.org						Western Watersheds Project		Maybe		I'm just reviewing the agenda and I'm not certain whether or not I wish to speak at call to the public.
Jeff	Young	caryoung5@uno.com								No		
Cyndi	Namdar-Yeganeh	fazeebear@gmail.com	Po Box 20553	Albuquerque	NM	87154	(505) 787-3080			Yes		
Joel	Gay	jgay598@gmail.com						Backcountry Hunters and Anglers	Chairman	Yes	9, 14	
Ross	Morgan	ross.morgan@state.nm.us	7816 Alamo Rd NW	Albuquerque	NM	87120	(505) 379-5017	New Mexico Department of Game and Fish	Northwest Region Public Information O	No		
Earl	Conway	way2busy2fish@aol.com	12913 Blackstone Rd NE	Albuquerque	NM	87111	(505) 610-5156	New Mexico Bass Nation	Conservation Director	Yes		Agenda Item 5.B.2.2. Adobe Whitewater Club of NM, NM Wildlife Federation, and NM Chapter of Backcountry Hunters & Anglers v. Hein New Mexico Bass Nation would like to inform the Commission that members have been denied legal access to public waters by New Mexico State Parks law enforcement and management at several New Mexico State Parks including Elephant Butte (Rio Grande River) and Navajo (San Juan River) reservoirs. These confrontational and sometimes dangerous encounters have occurred both inside and outside of NMSP lease boundaries. Specifically NMSP ticketed or turned back "trespassers" for legally boating into New Mexico waters from Colorado on Navajo reservoir where NMSP has no authority other than boating safety enforcement. NMBSN ask that NMSP be required to comply with New Mexico Law (Chapter 17-2-7.1, NMSA 1978) prohibits interference with another person who is lawfully hunting, trapping or fishing in an area where those activities are permitted. Jan 2, 2020. We also believe that NMSP is violating lease agreements with the Bureau of Reclamation and the U.S. Army Corps of Engineers and failing to meet the legal and regulatory conditions of those leases with respect to access, hunting and angling provisions within the lease and imposed by standing NEPA decisions, especially as it applies to Elephant Butte Reservoir.
Darrell	Cole	darrell.cole@state.nm.us	7816 Alamo Rd NW	Albuquerque	NM	87120		New Mexico Department of Game and Fish	Sergeant	Maybe		
Jacob	Davidson	jacob.davidson@state.nm.us								No		
Seth	Heath	svheath1@yahoo.com	30 S Vista Valle Dr	Tirejas	NM	87059	(505) 681-0662			No		
Joshua	Urban	Joshurban0621@gmail.com								No		
Jennifer	Black	jennifer@medicinmassage.org								No		
Kyle	Jackson	kyle.jackson@vernetp.com	PO Drawer E	Raton	NM	87740	(575) 635-6188			Yes		Habitat stamp proposal

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NEW MEXICO GAME AND FISH DEPARTMENT
VIRTUAL MEETING

December 3, 2020

PRESENT:

- Sharon Salazar Hickey, Chairwoman
- Roberta Salazar-Henry, Vice-Chairwoman
- Tirzio Lopez, Commissioner
- Jimmy Bates, Commissioner
- Gail Cramer, Commissioner
- David Soules, Commissioner
- Jeremy Vesbach, Commissioner



1 THE CHAIRPERSON: Let us proceed to Agenda Item 9.

2 Mr. Lance Cherry, can you please discuss with us the
3 rule making hearing on amending the Hunter Education Rule
4 19.36.3?

5 CHIEF CHERRY: Madam Chair, since this is a rule
6 hearing, I do believe that there is some language that you
7 have to begin with before I proceed.

8 THE CHAIRPERSON: Yes, absolutely, sir. Thank you.

9 Okay. We are now opening the hearing. This hearing
10 will please come to order. My name is Sharon Salazar
11 Hickey, Chair to the Commission of the New Mexico State
12 Game Commission. I will be serving as the hearing officer
13 and will be advised by the Commissions Counsel from the
14 Office of Attorney General.

15 Thank you, Attorney General Valerie Joe.

16 The purpose of this hearing is for consideration and
17 final adoption of the following proposed rule by the
18 commission. The hearing item is for the commission to
19 receive public comment on the new Hunter Education Rule,
20 Title 19, Chapter 36, Part 3 of the New Mexico
21 Administrative Code. The new rule will become effective on
22 January 1st, 2021. These hearings are being conducted in
23 accordance with the provisions of the game and fish act and
24 the State Rules Act. These hearings are being audiotaped
25 and video recorded. Anyone interested in a copy of the



1 audiotape or video recording should contact Tristanna
2 Bickford with the Game and Fish Department.

3 Thank you, Tristanna.

4 Public notice of this hearing was advertised in the
5 New Mexico Register, the New Mexico Sunshine Portal, and
6 the Department's website. Copies of the proposed
7 amendments have been available on the Department's website.

8 Thank you, Department of Game and Fish.

9 Those wishing to comment here today must have
10 registered to submit public comments on the Zoom Webinar
11 platform. So I believe that is a good explanation for
12 everyone on our hearing procedures.

13 Therefore, these rule hearings will be conducted in
14 the following manner. First, staff will be present -- will
15 present, excuse me. Staff will present pre-filed exhibits.
16 Exhibit into evidence are available for review by the
17 public on the Department's website. After all exhibits are
18 entered, we will proceed to the presentation of the
19 proposed rule, after which testimony will be taken from the
20 audience.

21 Participants are asked to raise their hand in the Zoom
22 Webinar platform and will wait until they are called upon
23 to speak by me. In order to ensure that the hearing is
24 accurately recorded, only one person at a time shall be
25 allowed to speak. Any person recognized to speak will be



1 asked to first identify yourself by your name and who you
2 are affiliated with for the record each time you are
3 recognized and second, please speak loudly and clearly to
4 accurately record your comments. After a person has
5 offered comment, they will stand for questions from me, the
6 hearing officer, and the audience may also ask questions of
7 anyone offering comments after being recognized by me.

8 These hearings are not subject to judicial rules of
9 evidence. However, in the interest of efficiency, I will
10 reserve the right to limit any testimony deemed irrelevant,
11 redundant, or unduly repetitious. The commission may
12 discuss the proposed new rules after the public comment
13 portion of this hearing. Final commission action,
14 including adoption of the rules, may occur after the
15 conclusion of the presentation and public comment period of
16 each hearing. So that said, let us begin this hearing.

17 In the preliminary matter of Hearing Item Number 9A,
18 Informational Rule Making Hearing on the New Hunter
19 Education Rule, that is 19.36.3 NMAC. This hearing is now
20 open.

21 Are there any exhibits for proposed new rule 219.36.3
22 for the record, Mr. Cherry?

23 CHIEF CHERRY: Madam Chair, I have six exhibits.

24 Exhibit 1 is the Notice of Proposed Rule Making.

25 Exhibit 2 is copies of -- the clean copy and



1 strikethrough of the Hunter Education Rule.

2 Exhibit 3 is the presentation I will be presenting
3 today.

4 Exhibit 4 is the summary of proposed changes.

5 Exhibit 5 is technical information we depended on and
6 relied on for the rulemaking.

7 And Exhibit 6 is public comments.

8 THE CHAIRPERSON: Thank you, sir. Very good. So
9 Exhibits 1 through 6 as described by Mr. Cherry are
10 admitted into the record.

11 Now let us proceed. Lance, can you please introduce
12 the proposed new rule for 19.36.3?

13 CHIEF CHERRY: Thank you, Madam Chair.

14 Today I will be presenting the proposed rule for the
15 Hunter Education Rule, 19.36.3 of NMAC. To provide a
16 little background, New Mexico first introduced this program
17 in 2012 when it was approved by the State Game Commission.
18 Subsequently, in 2014, it was amended to add a minimum age
19 and reduce the allowable species. New Mexico was the 34th
20 state in the country to add such a Families Afield-style
21 program, and today there are 46 states that currently have
22 an apprentice program in place.

23 Just a little background how our program currently
24 works. Youths between the ages of ten and seventeen can
25 currently enroll in the program by first obtaining their



1 customer identification number from the Department. At
2 that point, they can register for a mentored youth number,
3 which is basically a hunter education deferment
4 opportunity. They will be provided a study guide and --at
5 which time, they will go on to take a hunter education
6 test. That current study guide provides a variety of
7 information including firearms, ammunition, hunter's
8 safety, shooting fundamentals, all the basics that we
9 typically provide within our own hunter education program.
10 We maintain a very strict pass/fail situation where the
11 students must pass with a minimum score of eighty percent.
12 More stringent than our own hunter-ed program, which is at
13 seventy percent.

14 At that point, the student will obtain a mentored
15 youth number, which is valid for two consecutive license
16 years. And in order to hunt, their mentor must be eighteen
17 years of age or older, has to possess a valid hunting
18 license, and maintain a distance of unaided sight and
19 audible distance from one another while they hunt.

20 To date, this program has had 6,180 participants in
21 it. As you could see, in the first couple years, the
22 program was quite popular, ranging around that 1,500 mark
23 and slowly it has dropped down in popularity. What we are
24 really quite proud of in this program is that fifty-six
25 percent of the students who participate in this go on to



1 complete their hunter education certification requirements.
2 Of those participants, about 787, or roughly thirteen
3 percent age out of the program. And by age out, what I
4 mean by that is that they generally start the program at
5 ages sixteen or seventeen and hit the age of eighteen
6 before their mentored youth number expires and are no
7 longer required to have hunter education by statute.

8 Additionally in the program, it has had a strong
9 appeal to young female hunters. About a third of all
10 participants in this program are young females. And so
11 we've been very happy with it being a diverse and inclusive
12 program in the way that we deliver it.

13 Most important to this program is that in the entire
14 eight-year run of this mentored youth hunt program, we have
15 had zero injuries or accidents related to it. Very
16 critical.

17 Doesn't come as much of a surprise to me when the
18 National Shooting Sports Foundation had done an in-depth
19 study and have revealed that hunting with a firearm is the
20 second in safety for all ages. It falls behind pool and
21 ahead of bowling in the safety record. It's even safer
22 than fishing, if you could imagine that.

23 So today the rule that we've brought forth has a few
24 changes to it. The first is to allow first-time hunters,
25 ages eight to seventeen, to participate in that program.



1 That's a two-year rollback. To add pronghorn antelope to
2 the list of allowable species. It also establishes a tier
3 system, which would allow youth between the ages of eight
4 and ten to only hunt small game, and then those between the
5 ages of ten to seventeen to hunt small game, turkey, deer,
6 pronghorn antelope, and javelina.

7 It would also add a training requirement for mentored
8 youth -- for the mentor to complete a certification of
9 hunter ed or mentored youth certification. This rule would
10 also change from a permanent rule to a four-year cycle.
11 And we looked at, of course, some minor spelling and style
12 corrections that will have to occur should the rule pass.

13 This is a little bit of what that rule looks like in
14 the strikethrough mode. Taking out those that are struck
15 are the language that will be removed. Those that are
16 underlined is language that will be added. This is the
17 framework for setting up that tiered system and providing
18 those changes as I just described.

19 Since the last time this was presented, we've only had
20 three additional comments. Again, I put before you the
21 sentiment chart. You can see the majority of folks do
22 support this rule. The new three comments that I did
23 receive came from the Congressional Sportsmen Foundation,
24 the National Rifle Association, and the National Shooting
25 and Sports Foundation. Generally speaking, they are



1 supportive of this program, as they have stated. They,
2 believe it or not, actually all had pretty much a very
3 common message, very supportive of these types of programs,
4 but they all do also state that anything that can be done
5 to move the decision of when a youth is ready to hunt out
6 of the hands of the state and into the parent's is the most
7 positive direction to proceed.

8 And so with that, I will stand for any questions.

9 THE CHAIRPERSON: Thank you, Lance Cherry.

10 Commissioners, do I have any comments or questions for
11 Mr. Cherry?

12 COMMISSIONER VESBACH: Madam Chair?

13 THE CHAIRPERSON: Thank you, Commissioner Vesbach.

14 COMMISSIONER VESBACH: Yeah. Yeah, thanks, Chief
15 Cherry. After going through this one the last time, we
16 made some -- you brought us some pretty simple adjustments
17 to the hunter ed rule. I think -- I guess, I've had a
18 little concern since then that we made it more complicated,
19 very well-meaning changes, but we kind of did the cardinal
20 sin of making hunting rules more complicated at a time when
21 we're trying to get more participation and we know keeping
22 it simple is one of the keys to more participation.

23 So question for you, Chief Cherry, I mean, would
24 you -- our only choices today are to approve or not approve
25 it. I think what you brought us were pretty minor tweaks



1 to start with. I wonder if you would prefer having more
2 time on this given that we made some pretty big changes to
3 it in the last one, I mean, in particular, the stepwise
4 program. I can say that just kind of came up from an idea
5 from the commissioners by looking at Arizona without fully
6 looking through Arizona's program.

7 So my question is, would you rather have more time to
8 bring this back with a more comprehensive look at the
9 mentored youth program rather than moving through with what
10 we've created? I'm worried that we've created some
11 complex -- more complexity than we need here.

12 CHIEF CHERRY: Madam Chair, Commissioner Vesbach, I
13 would be remiss to not speak up a little bit on that front.
14 When I did bring this initially, it was looking at a way to
15 increase the recruitment of it. And what I did bring up at
16 that time was the ten key barriers to rate our three
17 programs and initiatives. And well well-meaning and
18 certainly we all have been well-meaning in this, I
19 absolutely believe that in my heart of hearts. We are in a
20 situation where I do think that we have stepped on two of
21 the major points, which is creating complex regulation and
22 strict hunter education requirements.

23 And so there is a side of me that does believe that
24 perhaps we should look more in depth at this at ways that
25 we can improve this program. And while it has great

1 support, it's not a bad program as it stands. As I've
2 presented to you a variety of good points and stats about
3 how the program has performed up to this point, I think
4 it's been a positive R3 program up to this point, and my
5 fear is, is that we might not take this opportunity to look
6 at maybe the absolute best way that this program could be
7 pulled together to be more effective.

8 COMMISSIONER VESBACH: Well with that -- Madam Chair,
9 and thank you, Chief Cherry. I guess I'd be in favor of
10 taking more time and kind of first, do no harm. I think
11 we've had a really robust discussion about this. This
12 recruitment is one of the most important things we look at,
13 and I would not want to kind of dive in without full
14 thinking on this. And I think taking the time to come
15 back -- these are not mandatory changes. We don't have a
16 rule that's expiring or anything, and I think taking more
17 time is prudent on this.

18 So I would be in favor of tabling today and allowing
19 the Department to come back with better -- with more time
20 on this.

21 THE CHAIRPERSON: Commissioner Vesbach, I want to say
22 thank you and Chief Lance Cherry for your response to that.

23 In order to move forward, I think the Commission and
24 the Department need maybe some clarification from you
25 Commissioner and maybe from Chief Cherry. Can you be more



1 specific as to what is complex? When I have heard in our
2 last several meetings with regard to this discussion on the
3 proposed rule change, I saw some very clear, direct
4 changes. They're very succinct in the three-tiered
5 approach, the minimum age for mentor youth hunting going
6 from 10 to 8, adding small game under 10, pronghorn
7 antelope, requirements for the mentor training, changing
8 the rule from permanent to a four-year cycle, fixing
9 typos -- to me that's not very complicated.

10 So I appreciate your suggestion, but I just want to
11 know what's complex or a little complicated here.

12 COMMISSIONER VESBACH: Thank you for that question,
13 and I'll weigh and then Chief Cherry can weigh in as well
14 on that. I think that's a great question.

15 And I think, one, we're looking at doing a first in
16 the nation mentor certification program. I mean, this is,
17 as Chief Cherry had noted, adopting a youth mentor program
18 to start with -- or a mentored hunting program to start
19 with, we were one of -- a lot of states had already done
20 it, now almost every state has. And now we're looking
21 at -- they've taken -- the Department brought us a
22 proposal, and that proposal kind of very quickly morphed
23 into creating a first in the nation edition to that.

24 And then the tiered system, what species you can hunt
25 at eight versus what you can hunt at ten versus you can



1 hunt those species if you take it in hunter safety. I
2 think that seems pretty straightforward to us, but it
3 doesn't really add a lot of opportunity, but it does
4 complicate things more. And so I think -- I'm not saying
5 they aren't good ideas; I just think they need -- it's
6 worth taking a little more time rather than just moving
7 forward and adopting it because we don't have a necessity
8 to do this right now.

9 Does that answer your question, Madam Chair?

10 THE CHAIRPERSON: Absolutely. Because --

11 COMMISSIONER VESBACH: Okay.

12 THE CHAIRPERSON: -- if we're going to proceed with a
13 different course of action, it's important to have the
14 clarity. So I'm looking to the other commissioners.

15 Thank you, Commissioner Vesbach.

16 THE VICE CHAIRPERSON: Madam Chair?

17 THE CHAIRPERSON: Yes, Vice-Chair?

18 THE VICE CHAIRPERSON: So how much more time do you
19 think we need to understand what we've agreed to last
20 meeting as far as eight to less than ten, you hunt small
21 game, and then you are ready to take hunter ed. We have
22 kids already taking hunter ed -- we have more kids hunter
23 ed so that they can hunt everything than there are in this
24 mentored program.

25 I guess I -- the fact that the Department hasn't



1 followed any of these kids since the program started, and
2 yet we're amending it only after a few years and with no
3 data to figure out why they're not being recruited and
4 staying in the program, but we're going to amend the
5 program. I'm still at a loss on how we are fixing
6 something that we don't have enough data to support that
7 what's working and why it's not working if we have more
8 hunter ed kids than we have mentored youth kids.

9 I guess I'm still at a loss. I thought we had a
10 reasonable compromise that we all could live with, and now
11 we want to wait for another year and investigate the other
12 states to see what they're doing? I guess I'm just really
13 confused about what this does, when I thought we all had an
14 agreement what this final rule was going to look like.

15 COMMISSIONER CRAMER: I have a --

16 THE CHAIRPERSON: Commissioner Cramer.

17 Thank you, Vice --

18 COMMISSIONER CRAMER: Well I've been kind of concerned
19 since our last meeting because we didn't take a vote. I
20 mean, it's been said we agreed on it, but I don't really
21 feel like we did.

22 THE VICE CHAIRPERSON: Indiscernible).

23 COMMISSIONER CRAMER: But that was part of the issue,
24 but the three-tiered -- or the two-tiered program, whatever
25 it is, I am also concerned from a safety point of view.



1 First of all, the last thing that I would put in a young
2 child's hand is a shotgun, mainly for safety reasons,
3 muzzle control, the kick of the shotgun. And I would much
4 rather as a mentor -- well, the other thing is, small game,
5 you don't where they're going to flush, you don't know
6 which way they're going to go, and there's not that
7 controlled atmosphere.

8 If you have a large game, then it's much more
9 controlled. You can sit in a blind; you can set up on a
10 hillside. To me, it's more safe to hunt the large game
11 first. So it was just -- I didn't feel like I agreed to
12 that last meeting, anyway, the changes, and was surprised
13 that it was made. And I mean, it's kind of like what I
14 brought up today on the habitat stamp, yet nothing was
15 done. So I don't know. I think we should just let it
16 stand and vote against the changes as it is. Because I'm
17 not comfortable with them.

18 THE VICE CHAIRPERSON: Well Madam Chair, because right
19 now a ten-year-old can hunt turkey with a shotgun. So
20 Commissioner Cramer, are you saying you're uncomfortable
21 with them being allowed to hunt small game with a shotgun,
22 an eight-year-old, and you'd rather them hunt with a high-
23 powered rifle instead?

24 COMMISSIONER CRAMER: It's a lot more controlled to
25 me. The last thing we put in our son's hands was a shotgun

1 just because of the unpredictability.

2 THE VICE CHAIRPERSON: Well -- and one of the things
3 I've always been uncomfortable with is changing a program
4 where we don't have any data to support why we should and
5 what's going on with it right now. This program was
6 created and it's -- nobody's done anything with it other
7 than to say it's great, it would bring more kids in.

8 And recruitment -- one of the R3s is retention, and we
9 don't have any reasons why we're not retaining these kids
10 past beyond when we get them mentored hunts, then the youth
11 hunts, then they drop out.

12 And so I still have a problem with investing in a
13 program that we still don't track well enough. So I'm with
14 you. I'd rather vote it all down today and leave the
15 program as it is, and see if we can get some data to
16 support what's going on.

17 THE CHAIRPERSON: Thank you, Commissioner and Vice
18 Chair.

19 I'd like to hear from the other commissioners before
20 we wrap up our discussion. And I'm going to keep an eye
21 out to see if we have any members from the public that want
22 to comment.

23 Commissioner Vesbach?

24 COMMISSIONER VESBACH: Yes?

25 THE CHAIRPERSON: Oh, I'm sorry.



1 COMMISSIONER VESBACH: You want to hear from me again?

2 Okay. You love to hear me talk.

3 THE CHAIRPERSON: I know. I already heard from you,
4 sorry.

5 Commissioner Soules and Commissioner Lopez?

6 COMMISSIONER SOULES: You know, I have some ambivalence
7 about where we're headed with this as well. I certainly
8 have no objection to giving more time to the Department if
9 they'd rather come back with something else. My primary
10 concern all along has been a new avenue to let even younger
11 hunters in the field. I appreciate Commissioner Cramer's
12 comments about shotguns versus rifles, I mean, but I'm --
13 my biggest discomfort is the age issue. I know that came
14 up at the last meeting. I think that's how we wound up
15 with sort of a split decision about whether we were going
16 to have the tiered approach.

17 I'm not married to the tiered approach. And I looked
18 very carefully at the statistics that we got from the
19 public input. It looked on every topic like the public was
20 supportive. That's very important. But one where there
21 were the most people in the middle and with the most people
22 in disagreement was about the age. So I just don't have
23 any perfect answers to that.

24 THE CHAIRPERSON: Thank you, Commissioner.

25 Commissioner Lopez and then Commissioner Bates,



1 please.

2 COMMISSIONER LOPEZ: I see the -- thank you, Madam
3 Chair and members of the commission.

4 I see both pros and cons of both sides of the issue.
5 Being a former member of a school board, I've always
6 believed in education, again, and I've said that so many
7 times. Now there's no avenues to get youth more involved
8 in the outdoors, especially now in the state of the union,
9 I can say, or state of the world that we are in. Then yes,
10 but I just want to make sure that these youth and, like Mr.
11 Cherry said, are doing it safely, they're being mentored
12 correctly, and they're at the appropriate age. And I still
13 have strong sentiments about putting a high-powered rifle
14 in the hands of a very young child to be mentored by a
15 child.

16 But we have to look at data. The data has been
17 presented to us. And that's where I'm at right now. So
18 that's all I have. Thank you, Madam Chair.

19 THE CHAIRPERSON: Thank you, Commissioner Lopez.
20 Commissioner Bates?

21 COMMISSIONER BATES: Yes, thank you, Madam Chair.

22 And I don't know what's happened to my camera. I'll
23 try and log off and back on after this session here and see
24 if I can get it to work.

25 But I guess we're still kind of split, what it sounds



1 like. I did think that at the last meeting, there was a
2 pretty much, as Commission Soules stated, a split opinion
3 certainly in regards to the age. And I too thought, like
4 Vice Chair, that the tiered approach had kind of resolved
5 that, and we'd asked Lance to come back with those few
6 changes, as he has. So I'm still comfortable moving
7 forward and approving this rule. I'm not sure that's going
8 to happen based on the discussion we're having.

9 But I thought it was kind of a fair compromise, from
10 personal experience. I'm still in favor of lowering the
11 age to eight. I know my son shot his first deer younger
12 than that, which I know some folks don't align with. But
13 me, personally, I've been in the hospital three times for
14 heart conditions, and there's no guarantees I'd be around
15 when my son turned twelve or fifteen. And so if there are
16 opportunities for folks to get out there and engage with
17 their youth early on, I'm very comfortable.

18 We'll have requirements for the mentor themselves,
19 which I think it a great addition. So I'm still
20 comfortable moving forward with this and finding a way to
21 engage more youth, and getting them out there with trusted
22 mentors, and just -- I'm in favor of moving forward. Thank
23 you.

24 THE CHAIRPERSON: Thank you, Commissioner Bates.

25 I'm going to throw in my two cents. But before we



1 take a vote, I would like to ask Director Sloane for his
2 thoughts on this very issue. Because like Commissioner
3 Bates, I thought we were reaching consensus, if you will.
4 I thought at our last meeting, there were very good voiced
5 concerns about the approach, and I thought we came up with
6 a resolution, the tiered approach. I thought there was
7 very good discussion about the age, and I thought we
8 addressed that at our last meeting. So frankly, I'm a bit
9 surprised and -- but I'd like to hear from the Department
10 before we proceed to a vote.

11 Director, can you give us some of your insight?

12 DIRECTOR SLOANE: Madam Chair, I think I feel
13 approximately the way you do. I thought there was pretty
14 robust discussion at the last commission meeting. We made
15 those changes to the rule to reflect that discussion. But
16 certainly, it really boils down to how comfortable the
17 commission is with setting a policy relative to age and
18 mentor requirements and those sorts of things.

19 And I -- we put this proposal forward after
20 discussion, both with the public and the commission, and
21 it's certainly -- we're at your disposal whichever you'd
22 like to go, I guess. I don't want to necessarily give a
23 direction. We've made the proposal that we thought was
24 meeting the needs.

25 THE CHAIRPERSON: Thank you, sir.



1 Lance Cherry, do we have any comments from the public
2 before we proceed?

3 CHIEF CHERRY: Madam Chair, we have two at this point
4 and a couple adding on as we speak, so --

5 THE CHAIRPERSON: Okay. Let's see if we can have --
6 because we would like to have Commissioner Lopez the next
7 hearing matter. Those coming forward to speak, if you
8 could please keep your comments as brief as possible. I
9 don't want to cut you off, but if you could maybe keep it to
10 about a minute, that would be great. Thank you.

11 Go ahead, first comment.

12 CHIEF CHERRY: First comment is Ray Trejo.

13 THE CHAIRPERSON: Thank you.

14 MR. TREJO: Good afternoon, commissioners, Chair
15 Salazar Hickey. I just wanted to say that I -- I really
16 believe that stepping back is in the best interest of
17 everybody, not only the Department, but the children as
18 well. As a former educator, I can tell you that
19 cognitively and physically, there's a big difference between
20 an eight-year-old and a ten-year-old. And as a hunter ed
21 instructor, currently, I can tell you that I think it's very
22 challenging when we (audio interference) that aren't of age.
23 It's tough. I mean the muscle control as Commissioner
24 Cramer mentioned earlier sometimes can get out of control.

25 So the other thing I wanted to add is mentors. There



1 are mentors, and there are mentors, and I -- I want you to
2 think about that for just a little bit because I'm probably
3 over the top when it comes to mentorship and working with
4 youth, while there are others who are mentors or call
5 themselves mentors, who as we know are probably not the
6 best mentors out there.

7 So I just, you know, I just want to leave you with --
8 you know, somebody told me this a long time ago in
9 education and they said, Ray, sometimes you got to go slow
10 to go fast. So I -- I fully support Commissioner Vesbach
11 and -- and Chief Cherry in what they said and primarily
12 it's because of the safety. And I -- I don't know if there's
13 any liability with the Department with something like this,
14 but I would definitely support taking another look at this.
15 Thank you.

16 THE CHAIRPERSON: Thank you, Ray Trejo. Next?

17 CHIEF CHERRY: Next up, we have Brandon Wynn.

18 THE CHAIRPERSON: Thank you, Brandon.

19 MR. WYNN: Thank you, Chair and commissioners. And I
20 just like to say that, you know, regulatory complexity by
21 necessity is one of the biggest barriers of entry into our
22 sport, and for that reason, I think that this thing is like
23 Commissioner Vesbach has said: It's too complicated. I
24 think that you need to revisit it, you know, and for me,
25 you know, I shot my first deer when I was six years old,



1 and I was properly trained and maybe, you know, my family
2 did a better job, but we were fine with high-powered
3 weapons at that age. Thank you.

4 THE CHAIRPERSON: Thank you, sir. Next comment?

5 CHIEF CHERRY: Next comment is Joel Gay.

6 THE CHAIRPERSON: Thank you, Joel Gay. I appreciate
7 your comment. I apologize to you because I did not see a
8 chat that you tried to speak earlier, so thank you, Joel
9 Gay.

10 MR. GAY: No worries. Thanks for the opportunity.

11 I'm speaking on behalf of New Mexico Chapter of
12 Backcountry Hunters & Anglers. And we found ourselves kind
13 of right in the middle of this -- this whole discussion as
14 well. We had people who supported the eight-year-old for
15 big game and some others who did not. We had people who
16 supported adding pronghorn. We had others who did not.
17 I -- I thought that the process here worked really well in
18 that -- in that through this -- this public discussion, we
19 came up with some interesting ideas including this one of
20 requiring better education for the mentors themselves. I
21 think that's a critical piece of this.

22 So I think my main point is that we -- we would
23 support a delay in this to try to get it right, but I think
24 that -- I think that you're really close on most of these,
25 and I just would encourage you to focus on the -- on the



1 issues that are probably the most important, which I think
2 is ensuring the mentorship -- the mentor quality -- because
3 that seems to be a big concern in the community that I
4 speak with.

5 And also to encourage you to -- to tackle the idea of
6 adult recruit -- recruitment with the same ferocity that
7 Lance has taken on -- this -- the mentor youth program.
8 You know, hats off to the Department of Game and Fish for
9 being such strong advocates for getting more kids involved,
10 but we also need to -- to keep -- keep in mind the whole
11 adult population that is begging to get into this hunting
12 business. That's all I have. Thank you.

13 THE CHAIRPERSON: Thank you, Joel Gay. Any other
14 comments?

15 CHIEF CHERRY: Madam Chair, Jonathan Skiles (phonetic)
16 is next.

17 THE CHAIRPERSON: Thank you, Jonathan Skiles.

18 MR. SKILES: Hi. My name is Jonathan Skiles. I
19 represent my children in this. I have -- I have three
20 daughters, the oldest of which already has hunt -- and she
21 passed hunter safety when she was eight. One of the
22 proudest moments of my life. And my other two daughters,
23 the one will be nine next year, and the other one's five.
24 They all want to participate in this process. I think
25 most -- most of us who do mentor our children -- and I'm



1 only speaking for myself, obviously. I've mentored a number
2 of children, but most of us -- if the child's going to be
3 careless with a gun, it's us that's going to be shot, and
4 none of us are interested in having that happen. So I -- I
5 am very careful with my children. I actually, I mean, I
6 don't make my children lug a gun around or whatever.

7 My oldest daughter has killed two oryx and an antelope
8 so far, and she's going to be eleven now, but like, it's
9 very controlled. I control -- manage the gun. I mount it
10 on a tripod when she's getting ready to shoot. It's
11 situated -- she has a little recoil thing. She has
12 earplugs. Like, it's very, very controlled. We don't do any
13 kind of risky, crazy shots and make sure she's comfortable
14 with the distances they're at, and I was going to do the
15 same exact thing with my children.

16 I loved the addition -- the original addition of
17 pronghorn to this. I think pronghorn is, like, one of the
18 best species to start somebody with because they're --
19 they're relatively easy to find. It's just kind of a fun
20 species for them to hunt. It's not really exertional. And
21 I really like that that -- and they're -- they're very easy
22 to kill. I've been on six different pronghorn hunts, four
23 of which were with youth, and they're relatively easy to
24 kill. My daughter shot hers this year with a .223, and I
25



1 really like -- liked the addition of that species because
2 it's a really good thing to start with, and I'm hoping that
3 when my children are adults they'll pass this on to their
4 children as well.

5 And I think starting them young is very critical to
6 having retention before, you know, before they, you know,
7 get all into the teenage years and you know, playing video
8 games or whatever. It's hard to pull them back out of that,
9 but if you start them really young, I think your -- your
10 retention can potentially be way higher, and I'm very, very
11 careful when I hunt with my children.

12 And I just -- I -- I don't think it's as unsafe as some
13 of the other comments -- other -- other people's opinions.
14 I think it's -- it's very safe because the parent obviously
15 doesn't want to get shot either. And because of that they're
16 going to control things, and I don't know if that's the case
17 for everyone, but I know it's been the case for myself and
18 with my own children and the other children that I mentor.
19 Thank you.

20 THE CHAIRPERSON: Thank you, Jonathan Skiles. Lance
21 Cherry, do we have anybody else?

22 CHIEF CHERRY: Madam Chair, that's all we have in the
23 queue.

24 THE CHAIRPERSON: Okay, very good. Do we need further
25



1 discussion --

2 VICE CHAIRPERSON: Madam Chair?

3 THE CHAIRPERSON: Yes, Vice Chair?

4 VICE CHAIRPERSON: No. I was just going to ask if you
5 could go ahead and just make the motion to approve or
6 disapprove the rule (audio interference) move forward in
7 some fashion?

8 FEMALE SPEAKER: I would make a motion that we would
9 approve the proposed changes presented by Mr. Lance Cherry.

10 THE CHAIRPERSON: Do I have a second?

11 CHIEF CHERRY: Second.

12 THE CHAIRPERSON: Very good. Director Sloane, shall
13 we have a vote, please?

14 DIRECTOR SLOANE: Madam Chair, Commissioner Vesbach.

15 COMMISSIONER VESBACH: I vote no, and just to explain
16 my vote, I -- this is not a rejection of all these ideas,
17 just -- I don't want to ram something down the Department's
18 throat, and I'd like to -- we have a great team working
19 here; I really want to give them time to get this right. I
20 think the -- we want to first, do no harm, so my focus now
21 on that, but it's not a rejection on all of the ideas. I
22 really want to see youth hunting move forward, but I think
23 we can do it a better way.

24 CHIEF CHERRY: Madam -- Madam Chair, I apologize. I
25 messed up here. I think you need to close the -- formally



1 close the hearing before we have a vote.

2 THE CHAIRPERSON: Oh. Thank you, sir.

3 Okay. So in closing the hearing, those that
4 registered and participated in the hearing, so thank you,
5 all of you that did, will be included on the attendance
6 sheet.

7 At this time, the attendance sheet will be marked and
8 admitted as Exhibits 1 through 5, I believe. The comments
9 submitted and testimony heard during this rule hearing will
10 be reviewed by the commission and discussed during the open
11 session of today's meeting. The commission will vote on the
12 proposed rule at that time.

13 Excuse me. I believe there were six exhibits, not
14 five. So let me make that correction again.

15 At this time, the attendance sheet shall be marked and
16 admitted as Exhibits 1 through 6.

17 The comments submitted and testimony heard during this
18 rule hearing will be reviewed by the commission and
19 discussed during the open session of today's meeting. The
20 commission will vote on the proposed rule at that time, so
21 I would like to thank everyone present for their
22 participation today.

23 Let the record show that this rule making hearing was
24 adjourned at precisely 1:27 p.m.

25 So now --



1 CHIEF CHERRY: Madam -- Madam Chair, there may be one
2 other document that you need to -- to accept as an exhibit.

3 THE CHAIRPERSON: Thank you, sir. Which is that?

4 CHIEF CHERRY: It's a list that -- I'm trying to find
5 out what the name of the list is. I think it might be a
6 list of participants, but I need to double check, and I
7 thought that you --

8 THE CHAIRPERSON: Okay.

9 CHIEF CHERRY: -- just --

10 THE CHAIRPERSON: I thought for the record -- the
11 attendance sheet?

12 CHIEF CHERRY: That's what I thought that you had just
13 entered that, but I'm getting a text saying that there's
14 something else so --

15 THE CHAIRPERSON: Okay. I will wait for that
16 correction. Thank you, sir.

17 CHIEF CHERRY: And there's a silence on my phone of
18 course.

19 THE CHAIRPERSON: Okay. So the persons that I noted
20 and recorded were Ray Trejo, Brandon Wynn, Joel Gay,
21 Jonathon Skiles. Is that sufficient to enter into the
22 record?

23 CHIEF CHERRY: Yeah, I think that's the comment list
24 that was being referred to. I'm sorry to have a confusion
25 there.



1 THE CHAIRPERSON: That's okay.

2 CHIEF CHERRY: So now that that's entered, I think we
3 can close the record.

4 THE CHAIRPERSON: Thank you, sir.

5 So Director, I think we are now concluding. I heard a
6 motion from -- and we also had a vote, so can we proceed?

7 VICE CHAIRPERSON: No. Madam Chair, may I restate the
8 motion correctly?

9 THE CHAIRPERSON: Okay. Thank you, Vice Chair.

10 VICE CHAIRPERSON: Okay. This is the motion: Move to
11 amend 19.36.3 NMAC as presented by the Department and allow
12 the Department to make minor corrections to comply with the
13 filing this rule with State records and archives.

14 THE CHAIRPERSON: Thank you, Vice Chair. Do I have a
15 second?

16 COMMISSIONER LOPEZ: Second.

17 THE CHAIRPERSON: Thank you, Commissioner Lopez.

18 Director Sloane, may we please have a vote?

19 MALE SPEAKER: Director Sloane, you're on mute.

20 THE CHAIRPERSON: It's going to be 6 p.m.

21 DIRECTOR SLOANE: It's going to be a long day.

22 Mr. Vesbach?

23 COMMISSIONER VESBACH: I vote no. And just, again, to
24 reiterate, you know, we'd heard from Chief Cherry that he'd
25 like to have more time, and I'd like to give the Department



1 more time; they worked very hard on this and do a great
2 job, and I think first, do no harm is my -- my opinion on
3 this. Thank you very much.

4 DIRECTOR SLOANE: Commissioner Soules?

5 COMMISSIONER SOULES: I'm going to vote no even though
6 I'm the one that asked for some of the changes that the
7 Department diligently put forward. Knowing that the
8 Department thinks that they could -- could come back with
9 something that may make this better, and that there is no
10 rush because it's not currently on a four-year cycle even
11 though it sounds like we may be belaboring this topic, I
12 think it's worth getting it right, so I'm voting no.

13 DIRECTOR SLOANE: Commissioner Lopez?

14 COMMISSIONER LOPEZ: Yes.

15 DIRECTOR SLOANE: Commissioner Cramer?

16 COMMISSIONER CRAMER: No.

17 DIRECTOR SLOANE: Commissioner Bates?

18 COMMISSIONER BATES: Yes.

19 DIRECTOR SLOANE: Vice Chair Salazar-Henry?

20 VICE CHAIRPERSON: Yes.

21 DIRECTOR SLOANE: Chair Salazar Hickey?

22 THE CHAIRPERSON: Yes.

23 DIRECTOR SLOANE: Madam Chair, the motion passes by a
24 vote of four to three.

25 THE CHAIRPERSON: Okay. Thank you. Let's move on.



1 Moving to agenda item number 10, the rule-making
2 hearing on repealing and replacing the hunting and fishing
3 license and application rule.

4 Commissioner Lopez, will you be able to stay on for a
5 little bit with this rule -- discussion?

6 COMMISSIONER LOPEZ: Yes, Madam chair. Yes.

7 THE CHAIRPERSON: Thank you, sir. I really do
8 appreciate that.

9 So let me say -- give me one moment, please.

10 This hearing will, please, come to order. My name is
11 Sharon Salazar Hickey, chair to the commission. I will be
12 serving as a hearing officer and be advised by the
13 commission's counsel from the office of attorney general.

14 The purpose of this hearing is for consideration of
15 final adoption of the following proposed rule by the
16 commission. The hearing item is for the commission to
17 receive public comment on the new hunting and fishing
18 licenses and application rule Title 19 Chapter 31 of the
19 New Mexico Administrative Code. The new rule will become
20 effective on January 1, 2021.

21 These hearings are being conducted in accordance with
22 the provisions of the game and fish act and the State Rules
23 Act. These hearings are being audio taped and video
24 recorded. Anyone interested in a copy of the audio tape or
25 video recording should contact Tristanna Bickford with the



1 Game and Fish Department.

2 Public notice of this hearing was advertised in the
3 New Mexico Register, the New Mexico Sunshine Portal, and
4 the Department's website. Copies of the proposed
5 amendments has been available on the Department's website.

6 Those wishing to comment here today must have
7 registered to submit public comment on the Zoom Webinar
8 platform.

9 These rule hearings will be conducted in the following
10 manner. Staff will present pre-filed exhibits. Exhibits
11 admitted into evidence and are available for review by the
12 public on the Department's website. After all exhibits are
13 entered, we will proceed to the presentation of the
14 proposed rule, after which testimony will be taken from the
15 audience. Participants are asked to raise their hand in
16 the Zoom Webinar platform and wait until they are called
17 upon to speak.

18 In order to ensure that the hearing is accurately
19 recorded, only one person at a time shall be allowed to
20 speak. Any person recognized to speak is asked to do the
21 two things -- the following things: identify yourself,
22 first by name and who you are affiliated with for the
23 record each time you are recognized, and second, speak
24 loudly and clearly to accurately record your comments.
25 After a person has offered comments, they will stand for



1 questions from the hearing officer and the audience may
2 also ask questions of anyone offering comments after being
3 recognized by me.

4 These hearings are not subject to judicial rule of
5 evidence; however, in the interest of efficiency, I will
6 reserve the right to limit any testimony deemed irrelevant,
7 redundant, or unduly repetitive. The commission may
8 discuss the proposed new rules after the public comment
9 portion of the hearing. Final commission action, including
10 adoptions of the rules, may occur after the conclusion of
11 the presentation and public comment of this hearing.

12 So let us begin.

13 In the preliminary matter of item number 10A, hearing
14 rule making hearing on the new hunting and fishing license
15 and application rule, that is 19.31.3 of the New Mexico
16 Administrative Code, this hearing is now open.

17 Are there any exhibits for the proposed new rule to
18 19.31.3 for the record? And I'm going to turn that over to
19 Chad Nelson, sir.

20 ASSISTANT CHIEF NELSON: Thank you, Madam Chair. I do
21 have five exhibits.

22 THE CHAIRPERSON: Thank you. And what are they?

23 ASSISTANT CHIEF NELSON: Exhibit 1 is the notice of
24 proposed rulemaking.

25 Exhibit 2 is the clean copy and strikethrough versions



1 of the rule.

2 Exhibit 3 is the presentation that I will be giving
3 here today.

4 Exhibit 4 is the summary of proposed changes.

5 And Exhibit 5 is the public comment that we received.

6 THE CHAIRPERSON: Thank you. Exhibits are now
7 admitted into the record. So let us proceed. Chad, can
8 you please introduce that new -- new rule for 19.31.3?
9 Thank you.

10 ASSISTANT CHIEF NELSON: Yes, Madam Chair. So I'm here
11 to present final proposed amendments to the hunting and
12 fishing licenses and application rule, 19.31.3 NMAC.

13 The two changes that we are proposing to make: number
14 one, we need to add the eligibility requirements to apply
15 for returning Iraq and Afghanistan veteran (indiscernible).
16 These were removed due to an oversight during the rule
17 development process in 2018, so we need to add them back so
18 that we, essentially, can enforce this as residents only.
19 The second change is to change the eligibility requirements
20 for the mobility-impaired certification to require
21 disabilities or conditions that specifically limit the
22 individual's ability to walk.

23 A little background on this -- we did discuss this
24 last time. Essentially, the mobility-impaired
25 certification is a four-year certification. It currently



1 includes sort of nonambulatory conditions like permanent
2 disabilities in both -- one or both shoulders, et cetera.
3 It also currently allows the use of a crossbow on a bow
4 hunt as one of the four things it allows. It allows you to
5 shoot from a vehicle. It allows you to have an assistant
6 to help reduce a wounded animal to possession. It allows
7 the use of a crossbow on a -- on a bow hunt, and it allows
8 applicants to apply for mobility-impaired-only hunts that
9 are set aside in rule for deer, elk, antelope, and oryx.

10 So the intent is for the mobility-impaired
11 certification to be a shoot-from-vehicle permit and not
12 really a crossbow permit, but I do want to also clarify
13 that we are not intending to disallow the use of a crossbow
14 on an archery hunt altogether. We have a different
15 certification which is called a reasonable accommodation
16 permit. Folks can apply for that if they have a temporary
17 condition or if they want to use a crossbow on an archery
18 hunt. And I'll get into that a little bit further here in a
19 moment.

20 We did receive one public comment which expressed some
21 concern about bow hunters not being able to use a crossbow
22 anymore. Again, that will still be available under the
23 reasonable accommodation permit which must be requested
24 every year. It just would not be a four-year per -- four-
25 year certification. It would be a permit that you would



1 have to apply for each year. That would also allow people
2 with temporary conditions to obtain accommodations that
3 they would need, like shoot-from-the-vehicle and having an
4 assistant. So I wanted to clarify that -- that we're not
5 disallowing crossbow use on an archery hunt.

6 The Department, per the commission's direction, did
7 seek and receive feedback from several nonprofit
8 organizations that work with disabled hunters. The
9 primary -- there was some discussion that -- about a
10 specific distance -- being able to walk a specific
11 distance. We ultimately did not include that. We sort of,
12 you know, it just sort of seemed like that would maybe add
13 some complication to the requirements.

14 One piece of feedback we did receive that the dep --
15 the commission may want to consider amending the language
16 for is we had a suggestion to add the word "permanent" in
17 the first sentence so that that would clarify that all
18 conditions for which you would be eligible have to be
19 permanent. So it does say permanent in the second
20 sentence, but the Department, I think, would recommend that
21 we add the word "permanent" in the language such that it
22 reads, "the individual has a permanent mobility restriction
23 that limits their activity to a walker or wheelchair or
24 crutches". That, I believe, can be done by an amendment
25 when the commission approves the rule. So unless I am



1 mistaken on that, I believe you can amend the rule to add
2 that word when you approve the rule. And with that, I
3 would stand for any questions.

4 THE CHAIRPERSON: Thank you, Chad Nelson.

5 Chief, do we have any commissioners who would like to
6 ask some questions at this time? Vice Chair?

7 VICE CHAIRPERSON: No.

8 THE CHAIRPERSON: Comment? Very good.

9 VICE CHAIRPERSON: No, I'd just like -- I'd just like
10 to make that amendment to the rule --

11 THE CHAIRPERSON: Absolutely.

12 VICE CHAIRPERSON: That helps -- that separates from
13 being a permanent disability versus that reasonable-
14 accommodation issue.

15 THE CHAIRPERSON: Or temporary disability, right?

16 VICE CHAIRPERSON: Yeah.

17 THE CHAIRPERSON: Commissioner Vesbach?

18 COMMISSIONER VESBACH: I agree.

19 THE CHAIRPERSON: Okay. If no further discussion,
20 Lance Cherry, do we have any members of the public who
21 would like to speak?

22 CHIEF CHERRY: Madam Chair, we have no one.

23 THE CHAIRPERSON: Thank you, sir. Okay. Well then in
24 that case, I think we are ready to close this hearing.
25 Those that are registered and participated in the hearing



1 would be -- would have been included in the attendance
2 sheet, but we didn't have that, so therefore, the comments
3 submitted and the testimony heard during this rule hearing
4 will be reviewed by the commission and discussed during the
5 open session of today's meeting.

6 The commission will vote on the proposed rule at this
7 time, so I would like to thank everyone present for their
8 participation today.

9 Let the record show that this rulemaking hearing was
10 adjourned at exactly 1:43 p.m.

11 So Director Sloane, if we could, before we proceed, I
12 think I heard -- Vice Chair, was that a motion? Would you
13 like to make a motion, please?

14 VICE CHAIRPERSON: Yes, Madam Chair. I'd like to make
15 a motion to move to adopt the proposed changes to 19.31.3
16 NAMC with the amendment to include the word "permanent" in
17 the second line in front of -- after the word -- after
18 this -- in the sentence that says, to a certified medical
19 physician that the individual has a permanent mobility
20 restriction which limits their activity to a walker,
21 wheelchair, or to crutches in that sentence. And --

22 THE CHAIRPERSON: Thank you, Vice Chair. Do I have a
23 second?

24 VICE CHAIRPERSON: Wait. And to allow the Department
25 to make minor changes or corrections to comply with filing



1 this rule with the State records and archives.

2 THE CHAIRPERSON: Perfect.

3 COMMISSIONER BATES: Madam Chair, I'll second.

4 THE CHAIRPERSON: Thank you, Commissioner Bates.

5 Okay. Secretary Director Michael Sloane, may we proceed
6 with a roll call vote?

7 DIRECTOR SLOANE: Commissioner Vesbach?

8 COMMISSIONER VESBACH: Yes.

9 DIRECTOR SLOANE: Commissioner Soules?

10 COMMISSIONER SOULES: Yes.

11 DIRECTOR SLOANE: Commissioner Lopez?

12 COMMISSIONER LOPEZ: Yes.

13 DIRECTOR SLOANE: Commissioner Cramer?

14 COMMISSIONER CRAMER: Yes.

15 DIRECTOR SLOANE: Commissioner Bates?

16 COMMISSIONER BATES: Yes.

17 DIRECTOR SLOANE: Vice Chair Salazar-Henry?

18 VICE CHAIRPERSON: Yes.

19 DIRECTOR SLOANE: Chair Salazar Hickey?

20 THE CHAIRPERSON: Yes.

21 DIRECTOR SLOANE: Madam Chair, the motion passes
22 unanimously.

23 THE CHAIRPERSON: Thank you, sir. That is very good.

24 (End of audio)

25



C E R T I F I C A T I O N

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I, Ashley Knox, certify that the foregoing transcript is a true and accurate record of the proceedings.



Ashley Knox

eScribers
352 Seventh Avenue, Suite #604
New York, NY 10001

Date: December 19, 2020





New Mexico State Game Commission

New Mexico Department of Game and Fish

AGENDA

This agenda is available on the NMDGF Website

<http://www.wildlife.state.nm.us/commission/meeting-agendas/>

Thursday, December 3, 2020

VIRTUAL MEETING LOCATION

<http://www.wildlife.state.nm.us/commission/webcast/>

TIME

9:00 AM to 2:30 PM

The following are approximate times. The meeting will be adjourned upon completion of the agenda. Any items not discussed at this meeting will be considered for the next meeting's agenda. The Agenda is subject to change up to 72 hours prior to the scheduled meeting date and time as deemed necessary by the New Mexico State Game Commission Chair (NMSGC Chair). To inquire about agenda changes, please contact the Office of the New Mexico Department of Game and Fish (DGF) at (505) 476-8000. If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact Tristanna Bickford at (505) 476-8027 at least 3 working days before the meeting date. Public documents, including the Agenda and Minutes can be provided in various accessible forms. Please contact Ms. Bickford if a summary or other type of accessible form is needed.

Public testimony and comment: All those interested in participating and providing comments are encouraged to pre-register to attend the meeting on the Zoom Webinar platform. When you register, you will be asked if you wish to provide public comment. This will assist the NMSGC Chair to manage more effective public communication. Comments may be allowed on each item at the NMSGC Chair's discretion. Those who desire to address the Commission and who claim to represent an organization must provide the following information: the number of members in the organization, frequency of the organization's meeting and either a signed statement from that organization's president that states the organization has discussed the topic and approved the position that the representative is presenting, or proof that they are a registered lobbyist for the organization. No props or costumes will be permitted.

AT THEIR DISCRETION, THE COMMISSION MAY TAKE ACTION ON ANY AGENDA ITEM.

9:00 AM – 10:00 AM (60 minutes)

Agenda Items 1-5

Agenda No. Presented by

Discussion

1. Sharon Salazar Hickey,
NMSGC Chair
2. Michael Sloane,
DGF Director
3. Sharon Salazar Hickey,
NMSGC Chair
4. Sharon Salazar Hickey,
NMSGC Chair
5. Sharon Salazar-Hickey
NMSGC

Meeting Called to Order

Roll Call

Approval of Agenda (Action Item)

General Public Comments – Comments are limited to 3 minutes per speaker.

Executive Session (Closed to the Public) – Commissioners will vote on whether to adjourn into Executive Session.

**A. Pursuant to Section 10-15-1(H)(8) NMSA 1978
Purchase, Acquisition or Disposal (Discussion):**

1. Potential property Acquisition in Cibola County
2. Discussion on Statewide Easement
3. Potential property Acquisition in De Baca/Roosevelt Counties
4. Potential property Acquisition in Rio Arriba County

**B. Pursuant to Section 10-15-1(H)(7) NMSA 1978,
Attorney-Client Privilege, Litigation Update
(Discussion)**

1. *Michael Sloane, Dept. of Game and Fish v. NM State Game Commission* (D-101-CV-2020-00621) First Judicial District Court
2. *Adobe Whitewater Club of NM, NM Wildlife Federation, and NM Chapter of Backcountry Hunters & Anglers v. Hon. Michelle Lujan Grisham, Governor, and State Game Commission* (S-1-SC-38195) Supreme Court
 - 2a) Petitioners' Response to Intervenor-Respondents' Motion to Strike Due to Apparent Fraud on the Court
 - 2b) Senator Tom Udall and Senator Martin Heinrich's Response to Intervenor-Respondents' Motion to Strike
 - 2c) NM Game Commission's Unopposed Motion for Extension of Time to File Response to Intervenor-Respondent's Motion to Strike Due to Apparent Fraud on the Court
 - 2d) NM Game Commission's Response to Plaintiffs' Motion for Consideration of Newly Discovered Evidence Relevant to Pending Motions
3. *Rancho Del Oso Pardo, Inc., River Bend Ranch,*

LLC, and Chama III, LLC, dba Canones Creek Ranch, Fenn Farm and Three Rivers Cattle, Ltd. Co. v. New Mexico Department of Game and Fish; Director Michael Sloane, Director of the New Mexico Department of Game and Fish, in his individual and official capacity; and New Mexico Game Commission, et. al. (D-101-CV-2020-00939)

3a) Game Commission's Response to Plaintiffs' motion for partial summary judgment

3b) Reply in Support of Motion for Partial Summary Judgment Against NM Game Commission; Mandamus

3c) Notice of Completing of Briefing on Motion for Partial Summary Judgment Against NM Game Commission: Mandamus

3d) Entry of Appearance of Sam W. Minner (Cuddy & McCarthy, LLP), attorney for Defendants NM Game Commission and individual Commissioners

3e) Opposed Motion for Consideration of Newly Discovered Evidence Relevant to Pending Motions

3f) Notice of Extension to File Response Brief.

3g) Defendants NM Game and Fish and Director Michael Sloane's Response to Plaintiff's Motion for Consideration of Newly Discovered Evidence

10:00 AM – 11:00 AM (60 minutes)

Agenda Items 6-8

6. Sharon Salazar Hickey,
NMSGC Chair

Consent Agenda (Action Items A and B)

A. Approval of minutes of October 16, 2020, Virtual Regular meeting

B. Approval of License Revocations

7. Michael Sloane,
DGF Director

Director's Report (Discussion) - Overview of Department activities since the last meeting

8. Roberta Salazar-Henry,
NMSGC Vice Chair

Committee Reports

A. Finance and Hunt Structure Committees

B. Customer Feedback Committee

Jeremy Vesbach, NMSGC
Commissioner

Gail Cramer, NMSGC
Commissioner

11:00 AM – 11:15 AM (15 minutes)

Break

11:15 AM – 12:15 PM (60 minutes)

Agenda Items 9-10

9. Lance Cherry, DGF

Rule Making Hearing on Amending the Hunter Education Rule, 19.36.3 NMAC (Action Item, C)

- A. **Rule Hearing Comments** – All individuals wishing to provide comment or submit information at the rule making hearing are required to register to attend the meeting on the Zoom Webinar platform and complete all required registration fields prior to commencement of the hearing item. Individuals must provide their name and any relevant affiliation for the record and to be recognized before presenting before NMSGC Chair (Hearing Officer). The individual providing information or comment at the hearing may be questioned by the Hearing Officer or other Commissioners.
- B. **Discussion** – Amending the Hunter Education Rule 19.36.3 NMAC.
- C. **Action** – Commissioners will vote on amending the Hunter Education Rule 19.36.3 NMAC.

10. Chad Nelson, DGF

Rule Making Hearing on Repealing and Replacing the Hunting and Fishing Licenses and Application Rule, 19.31.3 NMAC (Action Item, C)

- A. **Rule Hearing Comments** – All individuals wishing to provide comment or submit information at the rule making hearing are required to register to attend the meeting on the Zoom Webinar platform and complete all required registration fields prior to commencement of the hearing item. Individuals must provide their name and any relevant affiliation for the record and to be recognized before presenting before NMSGC Chair (Hearing Officer). The individual providing information or comment at the hearing may be questioned by the Hearing Officer or other Commissioners.
- B. **Discussion** – Repealing and Replacing the Hunting and Fishing Licenses and Application Rule 19.31.3 NMAC.
- C. **Action** – Commissioners will vote on repealing and replacing the Hunting and Fishing Licenses and Application Rule 19.31.3 NMAC.

12:15 PM – 1:00 PM (45 minutes)

Lunch Break

1:00 PM – 2:30 PM (90 minutes)

Agenda Items 11-15

11. Stewart Liley, DGF

Update on Mexican Gray Wolf Recovery Efforts (Discussion Item) – Update on Mexican Gray Wolf Recovery efforts.

12. Kirk Patten, DGF

Overview of the Department’s Hatchery Systems Operations (Discussion Item) – Overview of the Department’s Hatchery Systems Operations.

13. Virginia Seamster, DGF

Overview of the Department’s Conservation Information System (Discussion Item) – Overview of the Department’s Conservation Information System.

14. Sharon Salazar Hickey, NMSGC Chair

General Public Comments – Comments are limited to 3 minutes per speaker.

Next meeting – January 15, 2021, Virtual

15. Sharon Salazar Hickey,
NMSGC Chair

Adjourn (Action Item)

DRAFT