

EXHIBIT 1

STATE GAME COMMISSION MEETING AND RULE MAKING NOTICE

The New Mexico State Game Commission (“Commission”) will be hosting a meeting and rule hearing on Friday March 8, 2024, beginning at 9:00 a.m. at the New Mexico Game and Fish Department, Northwest Area Office, 7816 Alamo Rd. NW, Albuquerque, NM 87120. The purpose of this meeting is to hear and consider action as appropriate on the presentation of proposed changes to the Hunting and Fishing Licenses and Application Rule 19.31.3.

Synopsis

The proposal is to amend the Hunting and Fishing Licenses Application Rule 19.31.3 NMAC which will become effective April 1, 2024.

PROPOSED CHANGES TO THE HUNTING AND FISHING LICENCES APPLICATION RULE

The New Mexico Legislature passed an amendment to 32A-3A-12 during the 2023 Legislative Session. The new law creates a free fishing license for foster parents and children in the custody of foster parents, young adults enrolled in the fostering connections program and children who are in the custody of the children, youth and families department or in tribal custody. The new law further establishes that eligibility shall be contingent on demonstration of proof of identity, residency and status as a foster parent, child in the custody of a foster parent, young adult enrolled in the fostering connections program or child in the custody of the children, youth and families department or in tribal custody in accordance with rules of the state game commission. The Commission is therefore required by the law to amend 19.31.3 NMAC in order to establish the documentation required to demonstrate eligibility for the new free license.

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

Interested persons may submit comments on the proposed changes for the Hunting and Fishing Licenses and Application Rule to: special.hunts@dgf.nm.gov.

Individuals may also submit written comments to the physical address below. Comments are due by 1:00 p.m. on March 7, 2024. The final proposed rules will be voted on by the Commission during a public meeting on March 8, 2024. Interested persons may also provide data, views or arguments, orally or in writing, at the public rule hearings to be held on March 8, 2024.

Full copies of text of the proposed new rules, 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.

EXHIBIT 2

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 31 HUNTING AND FISHING REGULATIONS
PART 3 HUNTING AND FISHING LICENSES AND APPLICATION

19.31.3.1 ISSUING AGENCY: New Mexico department of game and fish.
[19.31.3.1 NMAC - Rp, 19.31.3.1 NMAC, 4/1/2024]

19.31.3.2 SCOPE: Sportspersons interested in fishing, hunting and trapping and management of big game and furbearers in New Mexico. Additional requirements may be found in Chapter 17 NMSA 1978 and other Parts of Title 19, Chapter 31 NMAC.
[19.31.3.2 NMAC - Rp, 19.31.3.2 NMAC, 4/1/2024]

19.31.3.3 STATUTORY AUTHORITY: Sections 17-1-14, 17-1-26, 17-3-2, 17-3-5, 17-3-7, 17-3-13, 17-3-14, and 17-3-14.1 NMSA 1978, which pertain to the types of licenses and permits available and grant the state game commission authority to create regulations setting the license fees and application procedure.
[19.31.3.3 NMAC - Rp, 19.31.3.3 NMAC, 4/1/2024]

19.31.3.4 DURATION: Permanent.
[19.31.3.4 NMAC - Rp, 19.31.3.4 NMAC, 4/1/2024]

19.31.3.5 EFFECTIVE DATE: April 1, 2024, unless a later date is cited at the end of a section.
[19.31.3.5 NMAC - Rp, 19.31.3.5 NMAC, 4/1/2024]

19.31.3.6 OBJECTIVE: Basic regulation, rules and procedures governing the issuance of licenses, permits and stamps, as well as special draw permits and licenses issued by the department pertaining to deer, elk, pronghorn, bighorn sheep, Barbary sheep, bear, turkey, oryx, ibex, javelina, furbearers, small game and other species determined by the state game commission.
[19.31.3.6 NMAC - Rp, 19.31.3.6 NMAC, 4/1/2024]

19.31.3.7 DEFINITIONS: [RESERVED]

19.31.3.8 PUBLIC DRAW LICENSES AND PERMITS - APPLICATION FOR:

A. Application form: Application for all public licenses and permits shall be submitted via the department website.

B. Application deadline(s): Applications for all public licenses and permits, including population management hunts, Sandhill crane, pheasant, turkey, pronghorn, elk, Barbary sheep, bighorn sheep, bear, deer, oryx, javelina, and ibex hunts must be received by 5:00 p.m. on dates set by the state game commission. If any licenses or permits are available after the drawing is completed, those licenses or permits may be sold online via secondary sale.

C. One applicant per application: No more than one person may apply under each application number for bighorn sheep, bear, and GMU 5A private land deer.

D. Two applicants per application: No more than two persons may apply under the same application number for youth-only Sandhill crane, youth-only pheasant, turkey, ibex and oryx.

E. Four applicants per application: No more than four persons may apply under the same application number for Sandhill crane, pheasant, deer, elk, pronghorn, Barbary sheep and javelina.

F. Resident and non-resident application combination: Any mixture or combination of residents and non-residents may make application for special drawing providing the number of applicants does not exceed the restriction of this section (Subsection D or E).

G. Applications rejected: Applications for licenses may be rejected by the department if an applicant did not:

- (1) apply on the proper online form as designated by the director;
- (2) submit the correct or required information;
- (3) submit the correct license or application fee, and any other required fee;
- (4) meet the deadline date; or
- (5) comply with a current statute or rule.

H. More applications than permits: If more applications for public licenses or permits are received than there are licenses or permits available, the available licenses or permits shall be allotted by means of a public drawing.

I. Increase in licenses or permits: The number of licenses or permits available may be increased to accommodate corrections or errors by the department which results in the addition of names to the successful list.

J. Additional choices: Applicants for public permits or licenses may designate additional choices for hunt periods.

K. Application categories: Applications for special drawing hunts will be placed into the appropriate categories, as specified in Section 17-3-16 NMSA 1978 by department personnel or their designee. Special drawings shall continue to draw applicants from the appropriate drawing pool progressively for each respective hunt code, starting with first choice applicants, then proceeding to second and subsequent applicants, until the quota has been met or the pool of applicants has been exhausted.

L. Resident and non-resident applications:

(1) To be placed in the separate pool designated for guided hunts, an applicant must have a valid registration number issued to a New Mexico outfitter as prescribed in Subsection H of Section 17-3-6 NMSA 1978, on their application.

(2) For an application to be successfully drawn, there must be a sufficient number of licenses or permits available for that hunt code to accommodate all applicants from their respective drawing pools.

(3) Any licenses left over from the appropriate drawing pool will be allocated as prescribed in Subsection C of Section 17-3-16 NMSA 1978.

M. New Mexico department of game and fish customer identification number: All persons purchasing licenses, making application to the department for hunt drawings for public licenses and permits, and converting private landowner authorizations to licenses must have a "New Mexico department of game and fish (NMDGF) customer identification number."

(1) "NMDGF customer identification number" shall be obtained only from the department and must be obtained prior to the submission of any application or private landowner authorization.

(2) Each person making application for public drawing license, permit or private landowner authorization must use their own valid NMDGF customer identification number on his or her application.

(3) Any application received without a valid NMDGF customer identification number or false NMDGF customer number will be rejected.

N. Trapper license restriction: No nonresident who resides in a state that does not permit New Mexico residents to procure nonresident trapper licenses may purchase a New Mexico nonresident trapper license.

O. Director's authority to adjust licenses and permits: The director may adjust licenses or permit numbers for special drawings, by no more than one per hunt code, to comply with Chapter 17 NMSA 1978 and its corresponding rules.

[19.31.3.8 NMAC - Rp, 19.31.3.8 NMAC, 4/1/2024]

19.31.3.9 PRIVATE LAND - ELK LICENSES:

A. Private land licenses for elk will not be issued through the public draw.

B. The amount due for a private land elk license in the primary and special management zones as defined in 19.31.14 NMAC shall be composed of the "landowner authorization certificate" fee and the appropriate "certificate of application" fee as defined in 19.30.9 NMAC, and the appropriate license fees as defined in Sections 17-3-13 and 17-3-7 NMSA 1978.

C. Licenses for primary and special management zones will be issued only up to the number of authorizations allotted for each ranch and only to persons who provide a valid authorization and ranch number and pay the appropriate fees.

D. Ranch codes allowing purchase of private-land elk licenses in the secondary management zone, as defined in 19.31.14 NMAC, will be issued to landowners in accordance with 19.30.5 NMAC.

[19.31.3.9 NMAC - Rp, 19.31.3.9 NMAC, 4/1/2024]

19.31.3.10 NEW MEXICO RESIDENT MILITARY AND VETERAN DISCOUNT:

A. A New Mexico resident, as defined in Section 17-3-4 NMSA 1978, who is active duty military or a veteran of the United States military as defined by the New Mexico department of veterans' services is eligible for a fifty percent discount on all licenses, permits and stamps as defined in 19.30.9 NMAC and in Section 17-3-13 NMSA 1978. Exceptions: No discount shall apply to the resident, disabled veteran game hunting and fishing

combination license, or to any administrative fee, including the “landowner authorization certificate” fee, the “certificate of application” fee, and the license vendor fee.

B. Nonresident military personnel stationed on Fort Bliss who qualify for resident prices on big-game hunts that occur on Fort Bliss are not eligible for the resident military and veteran discount.

C. The department shall conduct audits to determine eligibility for benefits as defined under 19.31.3.10 NMAC. Failure to provide requested documentation within the timeframe specified by the department shall result in the removal of the discount and suspension of any future discounts until such time as the requested documents are received and verified.

D. Any license, permit or stamp obtained by falsely claiming this discount is unlawful.
[19.31.3.10 NMAC - Rp, 19.31.3.10 NMAC, 4/1/2024]

19.31.3.11 RESTRICTIONS/REQUIREMENTS:

A. One license per big game species per year: It shall be unlawful for anyone to hold more than one permit or license for any one big game species during the current license year unless otherwise allowed by rule.

B. Improper license and permit: Any person who attempts to capture or shoot, hunts, kills, injures or takes, in any manner any big-game, small game or fur-bearing animal, turkey or game fish other than in accordance with the specified hunt code or dates, legal sporting arm, bag limit allowance or area designated on a license or permit issued by the department to that person is deemed to be hunting, fishing or trapping without a proper license as required by Section 17-3-1 NMSA 1978 unless otherwise exempted by a valid commission rule.

C. Transfer of permits or licenses: The director may grant the transfer of a hunting license or permit once it has been determined that prior to the hunt start date, a licensee or their official representative provides written, verifiable information indicating the licensee has died, sustained an injury or life-threatening illness, or has been subject to deployment by the United States military that prohibits the licensee from hunting. Transfer requests must be submitted in writing prior to the hunt start date. When a transfer of a license results in a higher license fee due to differences between the original licensee and the new licensee (age, residency, etc.), the difference shall be paid prior to issuance of a license or permit.

D. Refunds: The director may grant the refund of a hunting license once it has been determined that a licensee or their official representative provides written, verifiable information indicating the licensee has died, sustained an injury or life-threatening illness, or has been subject to deployment by the United States military that prohibits the licensee from hunting. Refund requests must be submitted in writing prior to the hunt start date.

E. Donation of permits or licenses: Upon written request from a licensee or their official representative, the director may grant the donation of a hunting license for transfer to a youth 17 years of age or younger, a New Mexico resident veteran of the United States military as approved by the New Mexico department of veterans’ services, or a “first responder” who is a resident of the state of New Mexico as defined by Subsection B of Section 12-10D-2 NMSA 1978 who has been qualified through an approved nonprofit organization that promotes hunting, fishing and trapping activities. The donor of the license shall not be eligible for a refund of license or application fees. When a transfer of a license results in a higher license fee due to differences between the original licensee and the new licensee (age, residency, etc.), the difference shall be paid prior to issuance of a license or permit. The state game commission must approve any nonprofit organizations prior to their participation in receiving, identifying or submitting recipients for donated licenses or permits. In order to be an approved nonprofit organization, the organization must demonstrate to the state game commission their history and ability to promote hunting, fishing, and trapping activities. A once-in-a-lifetime licensee may be reinstated as eligible to participate in future drawings for the same species and hunt type if the licensee donated his or her license to an individual qualified by an approved nonprofit organization. Donation of a once-in-a-lifetime license will not prohibit the donor from applying for and receiving another license for the same species and restrictions in the future.

F. More than one application: It shall be unlawful to submit more than one application per species for any license or permit issued through a special drawing, unless otherwise permitted by regulation.

G. Handicapped fishing or handicapped game hunting license qualifications: To hold a handicapped fishing or handicapped game hunting license, the individual must be a resident of New Mexico and must attest to having a severe physical or developmental disability that substantially limits one or more major life activities. Reasonable accommodation may be made, relating to these licenses, upon request.

H. Mobility-impaired (MI) deer, elk, oryx, or pronghorn license qualifications: To hold a mobility impaired deer, elk, oryx, or pronghorn license, a person must submit verifiable documentation on the proper department form that is attested to by a certified medical physician that the individual has a permanent mobility restriction which limits their activity to a walker, wheelchair, or crutches; or one or more permanent disabilities or conditions which substantially limit the individual’s ability to walk; and then obtain department

approval for MI hunt eligibility. Every person qualified as MI shall have their card/eligibility expire 48 months from the issuance date, and must resubmit their application and obtain department approval as required above prior to being eligible to apply for any MI hunt.

I. Youth-only hunts: Only applicants who are 17 years of age or younger on the opening day of the hunt are eligible to apply for or participate in any youth-only hunt, including federal youth waterfowl hunt days. Applicants must have a valid hunter education certificate number, or mentor youth number for appropriate species.

J. Required information: An individual making license application shall supply the department on the appropriate form with all required personal information including, but not limited to name, address, date-of-birth, last four digits of his/her social security number prior to an application form being processed or a license being awarded.

K. Military-only hunts: Applicants must be full time active military and proof of military status must be received by the department prior to applying for any military only hunt.

L. Veteran oryx hunts: Only New Mexico resident veterans who served a minimum of 90 days active duty service in the U.S. Military, or six continuous years in the National Guard or Military Reserve Component, or who were commissioned officers of the U.S. Public Health or National Oceanic and Atmospheric Administration are eligible to apply for Veteran oryx licenses. Applicants must have been honorably discharged from the U.S. military, and must provide a valid DD-214 prior to applying for any Veteran oryx hunt.

M. NMDGF customer identification number: It shall be unlawful for an applicant to use another person's NMDGF customer identification number or to provide false information to obtain a NMDGF customer identification number.

N. Application fee: Prior to the drawing, all applicants for special hunt drawings for public draw licenses shall pay the applicable species license fees including depredation damage stamp, the required game hunting license fee and the non-refundable draw application fee as defined by 19.30.9.9 NMAC. Disabled American veterans certified as holders of lifetime general hunting and fishing licenses are exempt from paying the application fee when applying for deer hunt drawings.

O. License, permit and stamp requirements: A game hunting or game hunting and fishing license is required to hunt any small game species, and an annual game hunting or game hunting and fishing license is required to apply for or purchase any big-game or turkey license (exception: disabled veteran card holders). A habitat management and access validation is required in conjunction with any hunting, fishing, or trapping license (exceptions: persons under age 18, free fishing license holders over age 70, and disabled veteran card holders). A habitat stamp is required in conjunction with any hunting, fishing, or trapping license on forest service or bureau of land management (BLM) properties (exceptions: anglers and trappers under age 12, free fishing license holders over age 70, and disabled veteran card holders). Migratory bird hunters must possess a Harvest Information Program (HIP) number. Waterfowl hunters must also possess a federal duck stamp. Nonresidents must have a nongame hunting license or any valid hunting license to hunt unprotected or nongame species. Draw permits must be accompanied by the appropriate hunting license(s) and stamp(s). Additional permits may be required for specific hunting and fishing activities pursuant to 19.31.6.9 NMAC, 19.31.5.8 NMAC and 19.31.4.13 NMAC.

P. Penalty assessments: When a person is issued a penalty assessment citation for fishing without a license, hunting small game without a license, or failing to possess an applicable habitat management and access validation, habitat stamp or second rod validation; the citation will serve as a license for that specific activity for 15 calendar days. The person must remit the prescribed penalty amount indicated on the face of the citation within 30 days of the date of citation issuance.

Q. Foster family fishing license: To qualify for a free fishing license pursuant to 32A-3A-12 NMSA, proof of eligibility must be provided to the Department in person. Proof of eligibility includes documentation of New Mexico residency and status as a foster parent; a child in the custody of a foster parent, the children, youth and family department (CYFD) or tribal custody; or a young adult enrolled in the fostering connections program.

[19.31.3.11 NMAC – Rp, 19.31.3.11 NMAC, 1/1/2023; A, 4/1/2024]

19.31.3.12 DENIAL OR REVOCATION: Any applicant for any license, permit, certificate or registration will be automatically rejected if their name and other identifying factors appears on the department's revocation list or a list of provided by the wildlife violator compact.

[19.31.3.12 NMAC - Rp, 19.31.3.12 NMAC, 4/1/2024]

History of 19.31.3 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with the State Records Center and Archives under:

Regulation No. 482, Establishing Seasons On Deer, Bear, Turkey, Elk, Antelope, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, And Barbary Sheep, filed 5/31/1967;

Regulation No. 487, Establishing 1967 Seasons On Javelina And Barbary Sheep, filed 12/15/1967;

Regulation No. 489, Establishing Turkey Seasons For The Spring of 1968, filed 3/1/1968;

Regulation No. 491, Establishing Big Game Seasons For 1968 For Jicarilla Reservation, filed 3/1/1968;

Regulation No. 492, Establishing Seasons On Deer, Bear, Turkey, Elk, Antelope, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, And Barbary Sheep, filed 6/6/1968;

Regulation No. 495, Establishing A Season On Bighorn Sheep, filed 10/2/1968;

Regulation No. 496, Establishing An Elk Season In The Tres Piedras Area, Elk Area P-6, filed 12/11/1968;

Regulation No. 502, Establishing Turkey Seasons For The Spring Of 1969, filed 3/5/1969;

Regulation No. 503, Establishing 1969 Deer Seasons For Bowhunting Only And Big Game Seasons For The Jicarilla Indian Reservation, filed 3/5/1969;

Regulation 504, Establishing Seasons on Deer, Bear, Turkey, Dusky Grouse, Chickaree And Tassel-Eared Squirrel, And Barbary Sheep, filed 6/4/1969;

Regulation No. 507, Establishing A Season On Bighorn Sheep, filed 8/26/1969;

Regulation No. 512, Establishing Turkey Season For The Spring Of 1970, filed 2/20/1970;

Regulation No. 513, Establishing Deer Season For Bowhunting Only In Sandia State Game Refuge, filed 2/20/1970;

Regulation No. 514, Establishing Seasons On Deer, Bear, Turkey, Elk, Antelope, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, Barbary Sheep And Bighorn Sheep, filed 6/9/1970;

Regulation No 520, Establishing Turkey Seasons For The Spring Of 1971, filed 3/9/1971;

Regulation No. 522, Establishing 1971 Seasons On Deer, Bear, Turkey, And Elk On The Jicarilla Apache Indian Reservation, filed 3/9/1971;

Regulation No. 523, Establishing Seasons On Deer, Turkey, Bear, Cougar, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, Elk, Antelope, Barbary Sheep And Bighorn Sheep, filed 6/9/1971;

Regulation No. 531, Establishing A Season On Javelina, filed 12/17/1971;

Regulation No. 532, Establishing Turkey Seasons For The Spring Of 1972, filed 3/20/1972;

Regulation No. 534, Establishing 1972 Seasons On Deer, Bear, Turkey, And Elk On The Jicarilla Apache Indian Reservation, filed 3/20/1972;

Regulation No. 536, Establishing Seasons On Deer, Turkey, Bear, Cougar, Dusky Grouse, Chickaree And Tassel-Eared Squirrel, Elk, Antelope, Barbary Sheep And Bighorn Sheep, filed 6/26/1972;

Regulation No. 542, Establishing A Season On Javelina, filed 12/1/1972;

Regulation No. 545, Establishing Turkey Seasons For The Spring Of 1973, filed 2/26/1973;

Regulation No. 546, Establishing 1973 Seasons On Deer, Bear, Turkey, And Elk On The Jicarilla Apache Indian Reservation, filed 2/26/1973;

Regulation No. 547, Establishing Seasons On Deer, Turkey, Bear, Cougar, Dusky Grouse, Chickaree And Tassel-Eared Squirrel, Elk, Antelope, Barbary Sheep And Bighorn Sheep, And Javelina, filed 5/31/1973;

Regulation No. 554, Establishing Special Turkey Seasons For The Spring of 1974, filed 3/4/1974;

Regulation No. 556, Establishing 1974 Seasons On Deer, Bear, Turkey, And Elk On The Jicarilla Apache Indian Reservation, filed 3/14/1974;

Regulation No. 558, Establishing Seasons On Deer, Turkey, Bear, Cougar, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx, And Ibex, filed 5/29/1974;

Regulation No. 565, Establishing Special Turkey Seasons For The Spring Of 1975, filed 3/24/1975;

Regulation No. 567, Establishing 1975 Seasons On Deer, Bear, And Turkey On The Jicarilla Apache And Navajo Indian Reservations And On Elk On The Jicarilla Apache Indian Reservation, filed 3/24/1975;

Regulation No. 568, Establishing Seasons On Deer, Turkey, Bear, Cougar, Dusky Grouse, Chickaree And Tassel-Eared Squirrel, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex, filed 6/25/1975;

Regulation No. 573, Establishing Seasons On Deer, Turkey, Bear, Cougar, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex, filed 2/23/1976;

Regulation No. 583, Establishing Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex, filed 2/11/1977;

Regulation No. 590, Establishing Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex, filed 2/15/1978;

Regulation No. 596, Establishing Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex, filed 2/23/1979;

Regulation No. 603, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1980 through March 31, 1981, filed 2/22/1980; Regulation No. 609, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1981 through March 31, 1982, filed 2/17/1981; Regulation No. 614, Establishing Open Seasons On Deer, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1982 through March 31, 1983, filed 3/10/1982; Regulation No. 622, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1983 through March 31, 1984, filed 3/9/1983; Regulation No. 628, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1984 through March 31, 1985, filed 4/2/1984; Regulation No. 634, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1985 Through March 31, 1986, filed 4/18/1985; Regulation No. 640, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1986 through March 31, 1987, filed 3/25/1986; Regulation No. 645, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1987 through March 31, 1988, filed 2/12/1987; Regulation No. 653, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1988 through March 31, 1989, filed 12/18/1987; Regulation No. 658, Establishing A System For Allocating Elk Licenses On Private And Public Lands Within Game Management Units, filed 6/1/1988; Regulation No. 663, Establishing Opening Spring Turkey For The Period April 1, 1989 through March 31, 1990, filed 3/28/1989; Regulation No. 664, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1989 through March 31, 1990, filed 3/20/1989; Regulation No. 674, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex For The Period April 1, 1990 through March 31, 1991, filed 11/21/1989; Regulation No. 683, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx, And Ibex For The Period April 1, 1991 through March 31, 1992, filed 2/8/1991; Regulation No. 689, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx, And Ibex For The Period April 1, 1992 through March 31, 1993, filed 3/4/1992; Regulation No. 700, Establishing Open Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx, And Ibex For The Period April 1, 1993 through March 31, 1995, filed 3/11/1993.

History of Repealed Material:

19.31.3 NMAC, Hunting and Fishing License Applications, filed 1/17/2001 - Repealed effective 12/30/2004.
19.31.3 NMAC, Hunting and Fishing License Applications, filed 12/30/2004 - Repealed effective 4/1/2016.
19.31.3 NMAC, Hunting and Fishing Licenses and Application, filed 4/1/2016 - Repealed effective 10/31/2017.
19.31.3 NMAC, Hunting and Fishing Licenses and Application, filed 10/5/2017 - Repealed effective 1/1/2019.
19.31.3 NMAC, Hunting and Fishing Licenses and Application, filed 12/7/2018 - Repealed effective 1/1/2020.
19.31.3 NMAC, Hunting and Fishing Licenses and Application, filed 12/15/2020 - Repealed effective 1/1/2023.

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: New Amendment Repeal Emergency Renumber (ALD Use) 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:

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 New Mexico Legislature passed an amendment to 32A-3A-12 during the 2023 Legislative Session. The new law creates a free fishing license for foster parents and children in the custody of foster parents, young adults enrolled in the fostering connections program and children who are in the custody of the children, youth and families department or in tribal custody. The new law further establishes that eligibility shall be contingent on demonstration of proof of identity, residency and status as a foster parent, child in the custody of a foster parent, young adult enrolled in the fostering connections program or child in the custody of the children, youth and families department or in tribal custody in accordance with rules of the state game commission. The Commission is therefore required by the law to amend 19.31.3 NMAC in order to establish the documentation required to demonstrate eligibility for the new free license.

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 OR Digital Signature)

Michael B. Sloane Digitally signed by Michael B. Sloane
Date: 2024.03.13 08:32:39 -06'00'

Date signed:

EXHIBIT 3

**Hunting and
Fishing
Licenses and
Application
Rule
19.31.3 NMAC**



32A-3A-12 NMSA

- New Mexico state law (32A-3A-12 NMSA) was amended by the legislature to establish a free fishing license for foster parents and children in foster care, or in tribal or CYFD custody, as well as participants in the CYFD fostering connections program.
- The new law requires a Commission rule to establish eligibility criteria for the free fishing license.
- New Mexico Child First Network



Summary of Proposed Changes

- Add eligibility documentation requirements and procedures for the free foster family fishing license to 19.31.3.11 NMAC as required by 32A-3A-12 NMSA.
- Q. **Foster family fishing license**: To qualify for a free fishing license pursuant to Subsection A of 32A-3A-12 NMSA 1978, proof of eligibility must be provided to the Department in person. Proof of eligibility includes documentation of New Mexico residency and status as a foster parent; a child in the custody of a foster parent, the children, youth and family department (CYFD) or tribal custody; or young adult enrolled in the fostering connections program.





EXHIBIT 4

Proposed Changes Summary to the Hunting and Fishing Licenses Application Rule 19.31.3 NMAC

The proposal is to amend the Hunting and Fishing Licenses Application Rule 19.31.3 NMAC which will become effective April 1, 2024. The New Mexico Legislature passed an amendment to 32A-3A-12 during the 2023 Legislative Session. The new law creates a free fishing license for foster parents and children in the custody of foster parents, young adults enrolled in the fostering connections program and children who are in the custody of the children, youth and family department or in tribal custody. The new law further establishes that eligibility shall be contingent on demonstration of proof of identity, residency and status as a foster parent, child in the custody of a foster parent, young adult enrolled in the fostering connections program or child in the custody of the children, youth and family department or in tribal custody in accordance with rules of the state game commission. The Commission is therefore required by law to amend 19.31.3 NMAC in order to establish the documentation required to demonstrate eligibility for the new free license.

Please send comments on the proposal to special.hunts@dgf.nm.gov.

EXHIBIT 5

1 AN ACT

2 RELATING TO FAMILIES; PROVIDING TO FOSTER FAMILIES, ENROLLEES
3 OF THE FOSTERING CONNECTIONS PROGRAM AND CHILDREN IN THE
4 CUSTODY OF THE CHILDREN, YOUTH AND FAMILIES DEPARTMENT FREE
5 CAMPING PASSES AND FISHING LICENSES; PROVIDING TO ENROLLEES
6 OF THE FOSTERING CONNECTIONS PROGRAM AND CHILDREN IN THE
7 CUSTODY OF THE CHILDREN, YOUTH AND FAMILIES DEPARTMENT FREE
8 ADMISSION TO STATE-OWNED MUSEUMS AND STATE PARKS.

9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

11 SECTION 1. Section 32A-3A-12 NMSA 1978 (being Laws
12 2019, Chapter 132, Section 1) is amended to read:

13 "32A-3A-12. FOSTER FAMILIES--FREE ADMISSION TO MUSEUMS
14 AND STATE PARKS--CAMPING PASSES--FISHING LICENSES.--

15 A. As provided in Subsection B of this section,
16 foster parents and children in the custody of foster parents,
17 young adults enrolled in the fostering connections program
18 and children who are in the custody of the children, youth
19 and families department or in tribal custody, who are
20 residents of the state, shall be provided for free:

21 (1) admission to state-owned museums and
22 state parks;

23 (2) a camping pass for up to three
24 consecutive nights of overnight access to a state park; and

25 (3) a fishing license.

1 B. Eligibility for free admission shall be
2 contingent on demonstration of proof of identity, residency
3 and status as a foster parent, child in the custody of a
4 foster parent, young adult enrolled in the fostering
5 connections program or child in the custody of the children,
6 youth and families department or in tribal custody in
7 accordance with rules of the:

8 (1) cultural affairs department, for free
9 day-use admission to state-owned museums;

10 (2) energy, minerals and natural resources
11 department, for free day-use admission and camping passes to
12 state parks; or

13 (3) state game commission, for fishing
14 licenses."

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EXHIBIT 6

