

**STATE GAME COMMISSION MEETING AND RULE MAKING NOTICE**

The New Mexico State Game Commission (“Commission”) has scheduled a regular meeting and rule hearing for Thursday, November 21, 2019, beginning at 9:00 a.m. at the New Mexico Game & Fish Southeast Area office in Roswell, 1615 W. College Blvd, Roswell, NM 88201, to hear and consider action as appropriate on the following: Presentation of proposed changes to the Hunting and Fishing Licenses and Application rule.

**Synopsis:**

The proposal is to adopt a new Hunting and Fishing Licenses and Application rule, 19.31.3 NMAC, which will become effective January 1, 2020.

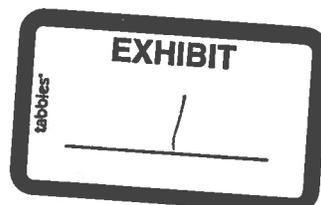
The proposed rule changes the requirements for submission of military documents in support of draw applications for military-only hunts on McGregor Range and returning Iraq/Afghanistan veteran oryx hunts on White Sands Missile Range. Documents will be required prior to application, instead of by the application deadline date. Application requirements for Sandhill crane and pheasant draw hunts are added, and several provisions are removed to avoid conflict and/or duplication with existing rules and statutes. A comprehensive list of license, permit and stamp requirements is also added. A more detailed summary, and the full text of changes, is available on the Department’s website at: [www.wildlife.state.nm.us](http://www.wildlife.state.nm.us).

Interested persons may submit comments on the proposed changes to the Hunting and Fishing Licenses and Application rule at [specialhunts@state.nm.us](mailto:specialhunts@state.nm.us); or individuals may submit written comments to the physical address below. Comments are due by 5:00 p.m. on November 18, 2019. The final proposed rule will be voted on by the Commission during a public meeting on November 21, 2019. Interested persons may also provide data, views or arguments, orally or in writing, at the public rule hearing to be held on November 21, 2019.

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/](http://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](http://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.



## Clean Copy - Initial Proposed Rule

**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, 1/1/2020]

**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, 1/1/2020]

**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, 1/1/2020]

**19.31.3.4      DURATION:** Permanent.  
[19.31.3.4 NMAC - Rp, 19.31.3.4 NMAC, 1/1/2020]

**19.31.3.5      EFFECTIVE DATE:** January 1, 2020, unless a later date is cited at the end of a section.  
[19.31.3.5 NMAC - Rp, 19.31.3.5 NMAC, 1/1/2020]

**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, 1/1/2020]

**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 and/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 choice 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 Paragraph 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, 1/1/2020]

#### **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, 1-1-2019]

#### **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, 1/1/2020]

#### **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 mobility restriction which limits their activity to a walker, wheelchair, or two crutches, or severely restricts the movement in both arms or who has a combination of permanent disabilities which cause comparable substantial functional

limitation and then obtain department approval for MI hunt eligibility. Every person qualified as MI shall have their card/eligibility expire 48 months from the department's approval date or issuance date, whichever is later, 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. Returning Iraq/Afghanistan veteran oryx hunts:** Applicants for returning Iraq/Afghanistan veteran oryx hunts must provide proof of appropriate service prior to applying for any returning Iraq/Afghanistan 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.

[19.31.3.11 NMAC - Rp, 19.31.3.11 NMAC, 1/1/2020]

**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, 1/1/2020]

#### **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 5/31/67;

Regulation No. 487, Establishing 1967 Seasons On Javelina And Barbary Sheep, filed 12/15/67;

Regulation No. 489, Establishing Turkey Seasons For The Spring of 1968, filed 3/1/68;

Regulation No. 491, Establishing Big Game Seasons For 1968 For Jicarilla Reservation, filed 3/1/68;

Regulation No. 492, Establishing Seasons On Deer, Bear, Turkey, Elk, Antelope, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, And Barbary Sheep, filed 6/6/68;  
Regulation No. 495, Establishing A Season On Bighorn Sheep, filed 10/2/68;  
Regulation No. 496, Establishing An Elk Season In The Tres Piedras Area, Elk Area P-6, filed 12/11/68;  
Regulation No. 502, Establishing Turkey Seasons For The Spring Of 1969, filed 3/5/69;  
Regulation No. 503, Establishing 1969 Deer Seasons For Bowhunting Only And Big Game Seasons For The Jicarilla Indian Reservation, filed 3/5/69;  
Regulation 504, Establishing Seasons on Deer, Bear, Turkey, Dusky Grouse, Chickaree And Tassel-Eared Squirrel, And Barbary Sheep, filed 6/4/69;  
Regulation No. 507, Establishing A Season On Bighorn Sheep, filed 8/26/69;  
Regulation No. 512, Establishing Turkey Season For The Spring Of 1970, filed 2/20/70;  
Regulation No. 513, Establishing Deer Season For Bowhunting Only In Sandia State Game Refuge, filed 2/20/70;  
Regulation No. 514, Establishing Seasons On Deer, Bear, Turkey, Elk, Antelope, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, Barbary Sheep And Bighorn Sheep, filed 6/9/70;  
Regulation No 520, Establishing Turkey Seasons For The Spring Of 1971, filed 3/9/71;  
Regulation No. 522, Establishing 1971 Seasons On Deer, Bear, Turkey, And Elk On The Jicarilla Apache Indian Reservation, filed 3/9/71;  
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 6/9/71;  
Regulation No. 531, Establishing A Season On Javelina, filed 12/17/71;  
Regulation No. 532, Establishing Turkey Seasons For The Spring Of 1972, filed 3/20/72;  
Regulation No. 534, Establishing 1972 Seasons On Deer, Bear, Turkey, And Elk On The Jicarilla Apache Indian Reservation, filed 3/20/72;  
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 6/26/72;  
Regulation No. 542, Establishing A Season On Javelina, filed 12/1/72;  
Regulation No. 545, Establishing Turkey Seasons For The Spring Of 1973, filed 2/26/73;  
Regulation No. 546, Establishing 1973 Seasons On Deer, Bear, Turkey, And Elk On The Jicarilla Apache Indian Reservation, filed 2/26/73;  
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 5/31/73;  
Regulation No. 554, Establishing Special Turkey Seasons For The Spring of 1974, filed 3/4/74;  
Regulation No. 556, Establishing 1974 Seasons On Deer, Bear, Turkey, And Elk On The Jicarilla Apache Indian Reservation, filed 3/14/74;  
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 5/29/74;  
Regulation No. 565, Establishing Special Turkey Seasons For The Spring Of 1975, filed 3/24/75;  
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 3/24/75;  
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 6/25/75;  
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 2/23/76;  
Regulation No. 583, Establishing Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex, filed 2/11/77;  
Regulation No. 590, Establishing Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex, filed 2/15/78;  
Regulation No. 596, Establishing Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex, filed 2/23/79;  
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 2/22/80;  
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 2/17/81;  
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 3/10/82;

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 3/9/83;  
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 4/2/84;  
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 4/18/85;  
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 3/25/86;  
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 2/12/87;  
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 12/18/87;  
Regulation No. 658, Establishing A System For Allocating Elk Licenses On Private And Public Lands Within Game Management Units, filed 6/1/88;  
Regulation No. 663, Establishing Opening Spring Turkey For The Period April 1, 1989 through March 31, 1990, filed 3/28/89;  
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 3/20/89;  
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 11/21/89;  
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 2/8/91;  
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 3/4/92;  
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 3/11/93.

**History of Repealed Material:**

19.31.3 NMAC, Hunting and Fishing License Applications, filed 1/17/01 - Repealed effective 12/30/04.  
19.31.3 NMAC, Hunting and Fishing License Applications, filed 12/30/04 - Repealed effective 4/1/16.  
19.31.3 NMAC, Hunting and Fishing Licenses and Application, filed 4/1/16 - Repealed effective 10/31/17.  
19.31.3 NMAC, Hunting and Fishing Licenses and Application, filed 10/5/2017 - Repealed effective 1/1/19.  
19.31.3 NMAC, Hunting and Fishing Licenses and Application, filed 12/7/2018 - Repealed effective 1/1/2020.

## Initial Proposed Rule

### 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, ~~1-1-2019~~1/1/2020]

**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, ~~1-1-2019~~1/1/2020]

**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, ~~1-1-2019~~1/1/2020]

**19.31.3.4 DURATION:** Permanent.  
[19.31.3.4 NMAC - Rp, 19.31.3.4 NMAC, ~~1-1-2019~~1/1/2020]

**19.31.3.5 EFFECTIVE DATE:** January 1, ~~2019~~2020, unless a later date is cited at the end of a section.  
[19.31.3.5 NMAC - Rp, 19.31.3.5 NMAC, ~~1-1-2019~~1/1/2020]

**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 antelope, 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, ~~1-1-2019~~1/1/2020]

**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 antelope, 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 antelope, 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 and/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 choice 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 Paragraph 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, ~~1-1-2019~~1/1/2020]

#### 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, ~~1-1-2019~~1/1/2020]

#### 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, 4-1-2019/1/2020]

### 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. Validity of license or permit:** All permits or licenses shall be valid only for the dates, eligibility requirements or restrictions, legal sporting arms, bag limit and area specified by rule for the species, or by the hunt code printed on the permit, license or carcass tag. Hunting licenses are valid on areas designated as public or private land per a current unitization agreement between the Department and U.S. bureau of land management, New Mexico state land office or other public land holding entity or landowner. The unitization agreement may apply to all small game, turkey and big game species. A permit or license will be valid on the contiguous deeded land of private property that extends into an adjacent GMU that is open to hunting for that species, when the license holder is in possession of current, valid written permission from the appropriate landowner. This exception shall only apply when the adjacent unit has the same restrictions as to weapon type, bag limit, season dates and license availability.

**[C.]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 furbearing** animal, **turkey or game fish** ~~bird 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.

**[D.]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.

**[E.]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.

**[F.]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.

**[G.]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.

**[H.]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 be able to show proof of attest to having a severe physical or developmental disability that substantially limits one or more major life activities. Reasonable accommodation will may be made, relating to these licenses, upon request.

**[I.]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 mobility restriction which limits their activity to a walker, wheelchair, or two crutches, or severely restricts the movement in both arms or who has a combination of permanent disabilities which cause comparable substantial functional limitation and then obtain department approval for MI hunt eligibility. Every person qualified as MI shall have their card/eligibility expire 48 months from the department's approval date or issuance date, whichever is later, and must resubmit their application and obtain department approval as required above prior to being eligible to apply for any MI hunt.

**[J.]I. Youth only hunts:** Only applicants who have not reached their 18<sup>th</sup> birthday by 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 provide have a valid hunter education certificate number, or mentor youth number for appropriate species on application.

**[K.]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.

**[L.]K. Military only hunts:** Applicants must be full time active military and proof of military status must accompany application or, if applying online, must be forwarded to received by the department by the prior to application deadline date applying for any military only hunt.

**[M.]L. Penalty assessments:** When a person is issued a penalty assessment citation for fishing without a license or hunting small game without a license, the citation will serve as a special permit 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. **Returning Iraq/Afghanistan veteran oryx hunts:** Applicants for returning Iraq/Afghanistan veteran oryx hunts must provide proof of appropriate service prior to applying for any returning Iraq/Afghanistan veteran oryx hunt.

**[N.]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.

**[O.]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.

**[P.]O. Game hunting license fee refund:** Applicants for special hunt drawings for public draw licenses may elect to receive a refund of the game hunting license and appropriate fees if they are unsuccessful in the drawing for all of the species applied for, as long as an authorization number (pursuant to Section 17-3-5 NMSA 1978) has not been issued to the applicant by the department. This provision may be rescinded by the director if such action is approved by the chairperson of the state game commission. This rescission may only take effect if the director moves to rescind between January 1, 2019 and June 30, 2019. If no such action is taken then the provision will remain unchanged. **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, 19.31.5.8 and 19.31.4.13 NMAC.

[19.31.3.11 NMAC - Rp, 19.31.3.11 NMAC, 1-1-2019]

**[Q-P. Penalty assessments:** When a person is issued a penalty assessment citation for fishing without a license, or 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 special permit 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.

[19.31.3.11 NMAC - Rp, 19.31.3.11 NMAC, 1/1/2020]

### 19.31.3.12 DENIAL OR REVOCATION:

**A.** 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.

**B.** Any applicant automatically rejected shall be afforded a revocation hearing in accordance with 19.31.2 NMAC, unless a hearing has already been offered.

**C.** Any applicant automatically rejected must re-apply for any license; permit, certificate or registration if they are found to be eligible, providing applicant shall comply with all the conditions set forth by Chapter 17 and its implementing regulations.

[19.31.3.12 NMAC - Rp, 19.31.3.12 NMAC, 1-1-2019/1/2020]

### 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 5/31/67;

Regulation No. 487, Establishing 1967 Seasons On Javelina And Barbary Sheep, filed 12/15/67;

Regulation No. 489, Establishing Turkey Seasons For The Spring of 1968, filed 3/1/68;

Regulation No. 491, Establishing Big Game Seasons For 1968 For Jicarilla Reservation, filed 3/1/68;

Regulation No. 492, Establishing Seasons On Deer, Bear, Turkey, Elk, Antelope, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, And Barbary Sheep, filed 6/6/68;

Regulation No. 495, Establishing A Season On Bighorn Sheep, filed 10/2/68;

Regulation No. 496, Establishing An Elk Season In The Tres Piedras Area, Elk Area P-6, filed 12/11/68;

Regulation No. 502, Establishing Turkey Seasons For The Spring Of 1969, filed 3/5/69;

Regulation No. 503, Establishing 1969 Deer Seasons For Bowhunting Only And Big Game Seasons For The Jicarilla Indian Reservation, filed 3/5/69;

Regulation 504, Establishing Seasons on Deer, Bear, Turkey, Dusky Grouse, Chickaree And Tassel-Eared Squirrel, And Barbary Sheep, filed 6/4/69;

Regulation No. 507, Establishing A Season On Bighorn Sheep, filed 8/26/69;

Regulation No. 512, Establishing Turkey Season For The Spring Of 1970, filed 2/20/70;

Regulation No. 513, Establishing Deer Season For Bowhunting Only In Sandia State Game Refuge, filed 2/20/70;

Regulation No. 514, Establishing Seasons On Deer, Bear, Turkey, Elk, Antelope, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, Barbary Sheep And Bighorn Sheep, filed 6/9/70;

Regulation No 520, Establishing Turkey Seasons For The Spring Of 1971, filed 3/9/71;

Regulation No. 522, Establishing 1971 Seasons On Deer, Bear, Turkey, And Elk On The Jicarilla Apache Indian Reservation, filed 3/9/71;

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 6/9/71;

Regulation No. 531, Establishing A Season On Javelina, filed 12/17/71;

Regulation No. 532, Establishing Turkey Seasons For The Spring Of 1972, filed 3/20/72;

Regulation No. 534, Establishing 1972 Seasons On Deer, Bear, Turkey, And Elk On The Jicarilla Apache Indian Reservation, filed 3/20/72;

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 6/26/72;

Regulation No. 542, Establishing A Season On Javelina, filed 12/1/72;

Regulation No. 545, Establishing Turkey Seasons For The Spring Of 1973, filed 2/26/73;  
Regulation No. 546, Establishing 1973 Seasons On Deer, Bear, Turkey, And Elk On The Jicarilla Apache Indian Reservation, filed 2/26/73;  
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 5/31/73;  
Regulation No. 554, Establishing Special Turkey Seasons For The Spring of 1974, filed 3/4/74;  
Regulation No. 556, Establishing 1974 Seasons On Deer, Bear, Turkey, And Elk On The Jicarilla Apache Indian Reservation, filed 3/14/74;  
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 5/29/74;  
Regulation No. 565, Establishing Special Turkey Seasons For The Spring Of 1975, filed 3/24/75;  
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 3/24/75;  
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 6/25/75;  
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 2/23/76;  
Regulation No. 583, Establishing Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex, filed 2/11/77;  
Regulation No. 590, Establishing Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex, filed 2/15/78;  
Regulation No. 596, Establishing Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex, filed 2/23/79;  
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 2/22/80;  
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 2/17/81;  
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 3/10/82;  
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 3/9/83;  
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 4/2/84;  
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 4/18/85;  
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 3/25/86;  
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 2/12/87;  
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 12/18/87;  
Regulation No. 658, Establishing A System For Allocating Elk Licenses On Private And Public Lands Within Game Management Units, filed 6/1/88;  
Regulation No. 663, Establishing Opening Spring Turkey For The Period April 1, 1989 through March 31, 1990, filed 3/28/89;  
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 3/20/89;  
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 11/21/89;  
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 2/8/91;  
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 3/4/92;  
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 3/11/93.

**History of Repealed Material:**

19.31.3 NMAC, Hunting and Fishing License Applications, filed 1/17/01 - Repealed effective 12/30/04.

19.31.3 NMAC, Hunting and Fishing License Applications, filed 12/30/04 - Repealed effective 4/1/16.

19.31.3 NMAC, Hunting and Fishing Licenses and Application, filed 4/1/16 - Repealed effective 10/31/17.

19.31.3 NMAC, Hunting and Fishing Licenses and Application, filed 4/1/16 - Repealed effective 1/1/19.

**Final Adopted Rule**

2019 DEC -3 PM 4: 48

**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, 1/1/2020]

**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, 1/1/2020]

**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, 1/1/2020]

**19.31.3.4      DURATION:** Permanent.  
[19.31.3.4 NMAC - Rp, 19.31.3.4 NMAC, 1/1/2020]

**19.31.3.5      EFFECTIVE DATE:** January 1, 2020, unless a later date is cited at the end of a section.  
[19.31.3.5 NMAC - Rp, 19.31.3.5 NMAC, 1/1/2020]

**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, 1/1/2020]

**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 and/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 choice 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 Paragraph 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, 1/1/2020]

#### **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, 1/1/2020]

#### **9.31.3.10 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, 1/1/2020]

#### 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 mobility restriction which limits their activity to a walker, wheelchair, or two crutches, or severely restricts the movement in both arms or who has a combination of permanent disabilities which cause comparable substantial functional

limitation and then obtain department approval for MI hunt eligibility. Every person qualified as MI shall have their card/eligibility expire 48 months from the department's approval date or issuance date, whichever is later, 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. **Returning Iraq/Afghanistan veteran oryx hunts:** Applicants for returning Iraq/Afghanistan veteran oryx hunts must provide proof of appropriate service prior to applying for any returning Iraq/Afghanistan 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.

[19.31.3.11 NMAC - Rp, 19.31.3.11 NMAC, 1/1/2020]

**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, 1/1/2020]

#### **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 5/31/67;

Regulation No. 487, Establishing 1967 Seasons On Javelina And Barbary Sheep, filed 12/15/67;

Regulation No. 489, Establishing Turkey Seasons For The Spring of 1968, filed 3/1/68;

Regulation No. 491, Establishing Big Game Seasons For 1968 For Jicarilla Reservation, filed 3/1/68;

Regulation No. 492, Establishing Seasons On Deer, Bear, Turkey, Elk, Antelope, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, And Barbary Sheep, filed 6/6/68;

Regulation No. 495, Establishing A Season On Bighorn Sheep, filed 10/2/68;

Regulation No. 496, Establishing An Elk Season In The Tres Piedras Area, Elk Area P-6, filed 12/11/68;

Regulation No. 502, Establishing Turkey Seasons For The Spring Of 1969, filed 3/5/69;

Regulation No. 503, Establishing 1969 Deer Seasons For Bowhunting Only And Big Game Seasons For The Jicarilla Indian Reservation, filed 3/5/69;

Regulation 504, Establishing Seasons on Deer, Bear, Turkey, Dusky Grouse, Chickaree And Tassel-Eared Squirrel, And Barbary Sheep, filed 6/4/69;

Regulation No. 507, Establishing A Season On Bighorn Sheep, filed 8/26/69;

Regulation No. 512, Establishing Turkey Season For The Spring Of 1970, filed 2/20/70;

Regulation No. 513, Establishing Deer Season For Bowhunting Only In Sandia State Game Refuge, filed 2/20/70;

Regulation No. 514, Establishing Seasons On Deer, Bear, Turkey, Elk, Antelope, Dusky Grouse, Tassel-Eared And Chickaree Squirrel, Barbary Sheep And Bighorn Sheep, filed 6/9/70;

Regulation No 520, Establishing Turkey Seasons For The Spring Of 1971, filed 3/9/71;

Regulation No. 522, Establishing 1971 Seasons On Deer, Bear, Turkey, And Elk On The Jicarilla Apache Indian Reservation, filed 3/9/71;

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 6/9/71;

Regulation No. 531, Establishing A Season On Javelina, filed 12/17/71;

Regulation No. 532, Establishing Turkey Seasons For The Spring Of 1972, filed 3/20/72;

Regulation No. 534, Establishing 1972 Seasons On Deer, Bear, Turkey, And Elk On The Jicarilla Apache Indian Reservation, filed 3/20/72;

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 6/26/72;

Regulation No. 542, Establishing A Season On Javelina, filed 12/1/72;

Regulation No. 545, Establishing Turkey Seasons For The Spring Of 1973, filed 2/26/73;

Regulation No. 546, Establishing 1973 Seasons On Deer, Bear, Turkey, And Elk On The Jicarilla Apache Indian Reservation, filed 2/26/73;

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 5/31/73;

Regulation No. 554, Establishing Special Turkey Seasons For The Spring of 1974, filed 3/4/74;

Regulation No. 556, Establishing 1974 Seasons On Deer, Bear, Turkey, And Elk On The Jicarilla Apache Indian Reservation, filed 3/14/74;

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 5/29/74;

Regulation No. 565, Establishing Special Turkey Seasons For The Spring Of 1975, filed 3/24/75;

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 3/24/75;

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 6/25/75;

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 2/23/76;

Regulation No. 583, Establishing Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex, filed 2/11/77;

Regulation No. 590, Establishing Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex, filed 2/15/78;

Regulation No. 596, Establishing Seasons On Deer, Turkey, Bear, Cougar, Elk, Antelope, Barbary Sheep, Bighorn Sheep, Javelina, Oryx And Ibex, filed 2/23/79;

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 2/22/80;

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 2/17/81;

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 3/10/82;

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 3/9/83;  
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 4/2/84;  
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 4/18/85;  
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 3/25/86;  
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 2/12/87;  
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 12/18/87;  
Regulation No. 658, Establishing A System For Allocating Elk Licenses On Private And Public Lands Within Game Management Units, filed 6/1/88;  
Regulation No. 663, Establishing Opening Spring Turkey For The Period April 1, 1989 through March 31, 1990, filed 3/28/89;  
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 3/20/89;  
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 11/21/89;  
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 2/8/91;  
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 3/4/92;  
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 3/11/93.

**History of Repealed Material:**

19.31.3 NMAC, Hunting and Fishing License Applications, filed 1/17/01 - Repealed effective 12/30/04.  
19.31.3 NMAC, Hunting and Fishing License Applications, filed 12/30/04 - Repealed effective 4/1/16.  
19.31.3 NMAC, Hunting and Fishing Licenses and Application, filed 4/1/16 - Repealed effective 10/31/17.  
19.31.3 NMAC, Hunting and Fishing Licenses and Application, filed 10/5/2017 - Repealed effective 1/1/19.  
19.31.3 NMAC, Hunting and Fishing Licenses and Application, filed 12/7/2018 - Repealed effective 1/1/2020.

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2019 DEC -3 PM 4: 47

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 Only) 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

## Concise Explanatory Statement For Rulemaking Adoption:

### Specific statutory or other authority authorizing rulemaking:

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

### 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.

Continued on next page

**Findings required for rulemaking adoption:**

continued

2017 DEC -3 PM 4: 48

The rulemaking was undertaken to repeal and replace the Licenses and Application rule, 19.31.3 NMAC. The new rule specifies that proof of military service must be submitted to New Mexico Game and Fish prior to application for any military-only or returning Iraq/Afghanistan resident veteran oryx hunt. Draw application requirements are added for Sandhill crane, pheasant and Barbary sheep to avoid conflict and/or duplication with other rules. A comprehensive list of hunting license requirements is also added. No public comments were received.

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

**Name:**

James Comins

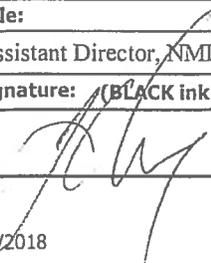
Check if authority has been delegated



**Title:**

Assistant Director, NMDGF

**Signature: (BLACK ink only)**



**Date signed:**

12/2/19

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2019 DEC -3 PM 4:49

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 Only) 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):

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- Reasons for any change between the published proposed rule and the final rule; and
- Reasons for not accepting substantive arguments made through public comment.

Continued on next page

7/1/2018

**Findings required for rulemaking adoption:**

continued



2019 DEC -3 PM 4: 49

The rulemaking was undertaken to repeal and replace the Licenses and Application rule, 19.31.3 NMAC. The new rule specifies that proof of military service must be submitted to New Mexico Game and Fish prior to application for any military-only or returning Iraq/Afghanistan resident veteran oryx hunt. Draw application requirements are added for Sandhill crane, pheasant and Barbary sheep to avoid conflict and/or duplication with other rules. A comprehensive list of hunting license requirements is also added. No public comments were received.

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

Name:

James Comins

Check if authority has been delegated



Title:

Assistant Director, NMDGF

Signature: (BLACK ink only)

Date signed:

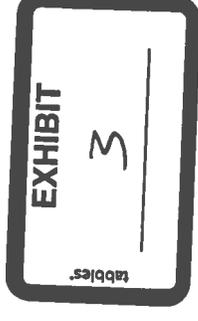
12/2/19

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2019 DEC -3 PM 4: 49

At its meeting on November 21, 2019, the State Game Commission repealed its rule entitled Hunting and Fishing Licenses and Application, 19.31.3 NMAC, filed April 1, 2016, and replaced it with a new rule entitled Hunting and Fishing Licenses and Application, 19.31.3 NMAC, effective January 1, 2020.

# **Amendments to the Hunting and Fishing Licenses and Application Rule (19.31.3 NMAC)**



# Summary of Final Changes

The rule lists application requirements and restrictions for licenses and applications. The proposed amendments would:

- Require proof of service for military only hunts and returning Iraq/Afghanistan veteran oryx hunts be submitted prior to application instead of by the application deadline date.
- Add and remove provisions to avoid conflict and duplication with existing rules.
- List all license, permit and stamp requirements in one place as a convenience to customers.



### **HUNTING AND FISHING LICENSES AND APPLICATION RULE PROPOSED CHANGES**

- Changes the requirements for submission of military documents in support of draw applications for military-only hunts on McGregor Range and returning Iraq/Afghanistan veteran oryx hunts on White Sands Missile Range. Documents will be required prior to application, instead of by the application deadline date.
- Adds application requirements for Sandhill crane and pheasant draw hunts.
- Removes several provisions to avoid conflict and/or duplication with existing rules and statutes.
- Adds a comprehensive list of license, permit and stamp requirements.





# MEETING SIGN-IN SHEET

New Mexico State Game Commission

# HEARING 1A-LICENSE APPLICATION RULE

(Sign-in to be in the official record as having attended this meeting. Mark the box if you wish to be added to the meeting notifications mailing list.)

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<del>Bill</del>		@	( ) -	<input type="checkbox"/>
John Creshaw	Santa Fe NM	JONRAE118@AOL.com	( ) -	<input type="checkbox"/>
		@	( ) -	<input type="checkbox"/>
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EXHIBIT  
5

NEW MEXICO STATE GAME COMMISSION

Thursday, November 21, 2019

Roswell Game & Fish Office

1615 West College Blvd

Roswell, NM 88201

19.31.3 NMAC

APPEARANCES:

Commissioner Jimmy Bates

Commissioner Gail Cramer

Madame Chair Joanna Prukop

Vice-Chair Roberta Salazar-Henry

Commissioner David Soules

Commissioner Tirzio Lopez

Commissioner Jeremy Vesbach

1           MADAME CHAIR: We'll call the meeting to order  
2           now, please. If everyone would take a seat. The  
3           first item on the agenda is roll call of the  
4           Commissioners.

5           COMMISSIONER BATES: Here.

6           DIRECTOR SLOAN: Commissioner Cramer?

7           Commissioner Lopez?

8           MADAME CHAIR: Tirzio, can you hear us?

9           COMMISSIONER LOPEZ: Yes, I can.

10          DIRECTOR SLOAN: Yes, he's here.

11          Commissioner Soules?

12          COMMISSIONER SOULES: Here.

13          DIRECTOR SLOAN: Commissioner Vesbach?

14          COMMISSIONER VESBACH: Here.

15          DIRECTOR SLOAN: Vice Chair Salazar-Henry?

16          COMMISSIONER SALAZAR-HENRY: Here.

17          DIRECTOR SLOAN: Commissioner Prukop?

18          MADAME CHAIR: Here.

19          DIRECTOR SLOAN: We have a quorum.

20          (19.31.3 NMAC)

21          MR. NELSON: Madame Chair, members of the

22          Commission. I am here to have a subsequent

23          discussion on proposed amendments to the Game &

24          Fish licenses and permits rule. As I described at

25          the last time I presented this in September, this

1 rule is perhaps not well named. It actually  
2 regards licensed vendors, primarily. So the rule  
3 specifies licensed vendor requirements and  
4 financial obligations to the department.

5 The changes we're proposing are to  
6 substantially reorganize the rule to consolidate  
7 the vendor's financial obligations to the  
8 department in one subsection and their eligibility  
9 application and procedural requirements in another  
10 subsection. We are also going to clarify the  
11 licensed vendor's responsibilities and reduce the  
12 penalties for lost carcass tags. Again, a little  
13 bit of background, there are two categories of  
14 carcass tags that the vendor has financial  
15 liability for.

16 One is an unusable tag, which if they make a  
17 mistake when they are writing it and can't issue it  
18 or if it's damaged in some way, they are  
19 responsible to return that to us by the tenth day  
20 of the following month. And then any unused blank  
21 tags at the end of the year on the tenth day of the  
22 month following the licensed year, so May 10th.

23 So we propose to reduce the penalties for all  
24 tags to \$100 per tag. And this is because  
25 the -- under current rule we have it is \$125 for

1 the first occurrence, \$250 for the second  
2 occurrence, and on the third occurrence we are  
3 supposed to suspend their privileges. This is very  
4 difficult to enforce because it does not address  
5 what happens if we get three in one month or more  
6 than three at the end of the year.

7 We are also going to clarify the director's  
8 authority. The director has the authority  
9 currently to restrict or place conditions or  
10 suspend the vendor's privileges and we are going to  
11 add requiring a surety bond to that in cases where  
12 the vendor has failed to comply with the vendor  
13 agreement or meet any of its financial obligations  
14 to the department.

15 And finally, we are going to clarify  
16 conditions and requirements if a vendor requests a  
17 hearing to challenge any of the director's  
18 determinations.

19 We have actually received three public  
20 comments on this so far. I don't know if I should  
21 describe those, but they are not really -- we had  
22 one that was completely in support of the changes  
23 we're proposing. Two, that we're proposing to  
24 increase the vendor fee, which is not really in the  
25 rule. And with that I'll stand for any questions.

1           MADAME CHAIR:  Yes?  Any Commissioners with  
2           questions for Chad?  Hearing none, this was  
3           information only.  You do not need any action from  
4           us today; is that correct?

5           MR. NELSON:  Madame Chair, that is correct.

6           MADAME CHAIR:  And when do we take action on  
7           this?

8           MR. NELSON:  Madame Chair, we will plan to  
9           present final rule changes in January.

10          MADAME CHAIR:  Okay, great.  So we can  
11          anticipate that.  Now, is this the meeting at which  
12          if we had any -- any changes or anything to  
13          recommend this would be the meeting where we would  
14          have to do that otherwise it's not allowed; is that  
15          correct?

16          MR. NELSON:  Madame Chair, yes, that's  
17          correct.

18          (The Commission recesses for lunch.)

19          MADAME CHAIR:  So this hearing will please  
20          come to order.  My name is Joanna Prukop, Chair of  
21          the Commission.  I will be serving as the hearing  
22          officer and be advised by the Commission's Counsel  
23          from the Office of Attorney General John -- last  
24          name.

25          DIRECTOR SLOAN:  Criencamp.

1           MADAME CHAIR: Criencomp. Sorry, John. I  
2 will learn that.

3           The purpose of this hearing is for  
4 consideration of a final adoption of the following  
5 proposed rule by the Commission. The hearing item  
6 is for the Commission to receive public comment on  
7 the proposed new hunting and fishing license  
8 application rule, that's title 19, chapter 31, part  
9 3 of the New Mexico Administrative Code. The  
10 hunting and fishing license application rule will  
11 be effective on January 1, 2020.

12           These hearings are being conducted in  
13 accordance with the provisions of the Game & Fish  
14 Act and the State Rules Act. These hearings are  
15 being audiotaped and video recorded. Anyone  
16 interested in a copy of the audiotape or video  
17 recording should contact Tristana Beckford with the  
18 Game & Fish Department.

19           Public notice of this hearing was advertised  
20 in the New Mexico Registrar, the Albuquerque  
21 Journal, the New Mexico Sunshine Portal and on the  
22 Department's website. Copies of the proposed rule,  
23 new rules have been available on the Department's  
24 website. Those wishing to comment here today,  
25 please sign the attendance sheet at the back of the

1 room which will be later entered into the record as  
2 an exhibit.

3 Let me explain how the hearing works and what  
4 the procedures are. These rule hearings will be  
5 conducted in the following manner: staff will  
6 present prefiled exhibits. Exhibits admitted into  
7 evidence are available for review by the public,  
8 but exhibits may not leave this room. After all  
9 exhibits are entered, we will proceed to the  
10 presentation of the proposed rule after which  
11 testimony will be taken from the audience.

12 In order to ensure that the hearing is  
13 accurately recorded, we will only have one person  
14 speak at a time. Any person recognized to speak is  
15 asked to identify yourself by name and who you are  
16 affiliated with for the record each time you are  
17 recognized. Please speak loudly and clearly to  
18 accurately record your comments.

19 After a person has offered comment, they will  
20 stand for questions from the hearing officer. That  
21 would be me. The audience will also ask questions  
22 of anyone offering comment after being recognized  
23 by the Chair.

24 These hearings are not subject to judicial  
25 rules of evidence. However, in the interest of

1 efficiency, I reserve the right to limit any  
2 testimony deemed irrelevant, redundant, or unduly  
3 repetitious. The Commission may discuss the  
4 proposed new rule after the public comment portion  
5 of the hearing. Final Commission action, including  
6 adoption of the rules may occur after the  
7 conclusion of the presentation and public comment  
8 period of each hearing.

9 So we are now beginning the hearing. In the  
10 preliminary matter of hearing item number one, rule  
11 making hearing on the hunting and fishing license  
12 application rule 19.31.3. This hearing is now  
13 open. Are there any exhibits for proposed new rule  
14 19.31.3 for the record?

15 MR. NELSON: Madame Chair, I have four, four  
16 exhibits. The first exhibit is the notice of rule  
17 making that was submitted to the New Mexico  
18 Registrar. The second exhibit is the clean copy of  
19 the new -- the proposed rule as well as the  
20 underlined strike through version. The third  
21 exhibit is the presentation that I am about to give  
22 today, and the fourth exhibit is the summary of the  
23 proposed changes that was published, posted to our  
24 website.

25 MADAME CHAIR: So we have four exhibits.

1           These exhibits are admitted into the record.

2           Chad, can you please introduce the proposed  
3           new rule for 19.31.3?

4           MR. NELSON:  Madame Chair, so the amendments  
5           that we are proposing to 19.31.3, first of all, the  
6           rule lists the application requirements and  
7           restrictions for licenses and applications, and the  
8           proposed amendments would require proof of service  
9           for military only and returning Iraq, Afghanistan,  
10          veteran hunts to be submitted prior to application  
11          instead by the application deadline date.

12          We are also going to add and remove provisions  
13          to avoid conflict and duplication with existing  
14          rules, primarily the species rules, so we are  
15          adding sand hill crane, pheasant, and barbary sheep  
16          to the list of species that can be applied for by  
17          draw.  And we are also going to add a list of all  
18          licensed permit and stamp requirements as a  
19          convenience to our customers so that is available  
20          in one place for them.

21          And with that I would stand for any questions.

22          MADAME CHAIR:  Okay.  Would anyone like to  
23          comment?  I guess this first part is for the  
24          public.  Would anyone like to comment on the new  
25          rule titled 19.31, part 3?  Any members of the

1 public who would like to comment?

2 Dave Heft, did you intend to comment on this,  
3 or is that --

4 MR. HEFT: No, I'll pass.

5 MADAME CHAIR: Okay. Okay, thank you.

6 Are there any other exhibits anyone wants to  
7 enter into the record?

8 MR. NELSON: That sign-in sheet is one.

9 MADAME CHAIR: Okay. So here is one, although  
10 David is waiving his interest in speaking, so we  
11 have -- we have this marked up version of the  
12 record. And I'll pass that to the director.

13 DIRECTOR SLOAN: Thank you. I'll mark it as  
14 Exhibit 4.

15 MADAME CHAIR: Exhibit 5, 5.

16 DIRECTOR SLOAN: 5, sorry.

17 MADAME CHAIR: Yes, because Chad had four  
18 exhibits, so that's Exhibit 5.

19 So what I'm not clear on in regard to before  
20 we close the hearing, the Commission gets  
21 a -- okay, the Commission has already seen this  
22 rule a number of times. They've commented and/or  
23 made any changes to it that they might have wanted  
24 to change. So do we go straight into closing the  
25 hearing or is there a portion where the Commission

1 can also make comment?

2 LEGAL REPRESENTATIVE: Yeah, Madame Chair,  
3 you're going to close the hearing and then you're  
4 going to have a discussion amongst the Commission.  
5 And then we'll take a final vote at that time.

6 MADAME CHAIR: Okay. So as we learn this  
7 process, the hearing itself is what we've just  
8 experienced. It's closed and then action actually  
9 occurs outside of the open hearing process. That's  
10 the way this works?

11 LEGAL REPRESENTATIVE: Yes, Madame Chair.

12 DIRECTOR SLOAN: That's correct.

13 MADAME CHAIR: Thank you very much.

14 Okay. So then in closing the hearing, has  
15 everyone present signed the attendance sheet? At  
16 this time the attendance sheet shall be marked as  
17 an exhibit. Now, is that -- that's not Exhibit 5?  
18 That's an additional exhibit?

19 LEGAL REPRESENTATIVE: No, that is -- we got  
20 ahead of ourselves. That is Exhibit Number 5.

21 MADAME CHAIR: Okay. So that is Exhibit  
22 Number 5.

23 If there are no questions, I will admit the  
24 attendance sheet as Exhibit 5. The comments  
25 submitted and testimony heard today during this

1 rule will be reviewed by the Commission and  
2 discussed during the open session of today's  
3 meeting. The Commission will vote on the proposed  
4 rule at that time.

5 I would like to thank you everyone who  
6 presented -- present for their participation today,  
7 and let the record show that this rule making  
8 hearing was adjourned at 2:23.

9 We'll eventually get this down. So now we  
10 turn to the Commission, based on what has just  
11 transpired, because in this case, with this rule  
12 there really wasn't any public participation. The  
13 exhibits are very straightforward.

14 Does anyone on the Commission have a comment  
15 or question about the rule that is before us?  
16 Hearing none, could I hear a motion to approve this  
17 new rule? Is that the top?

18 COMMISSIONER SOULES: Madame Chair?

19 MADAME CHAIR: Yes, Commissioner Soules? It's  
20 right after tab 6. Seconded by Commissioner Bates.

21 Thank goodness we're doing an easy one.

22 COMMISSIONER SOULES: Madame Chair, I move to  
23 adopt the proposed changed to 19.31.3 NMAC as  
24 presented by the Department and allow the  
25 Department to make minor corrections to comply with

1 filing this rule with state records and archives.

2 MADAME CHAIR: Thank you very much,  
3 Commissioner Soules, and motion was seconded  
4 Commissioner Bates. Any further discussion or  
5 deliberation on this motion? If not, all those in  
6 favor of the motion as read signify by saying aye.

7 ALL COMMISSIONERS: Aye.

8 MADAME CHAIR: Opposed nay? Thank you very  
9 much. The motion passed and the rule is now  
10 adopted.

11 Thank you very much, Chad.

12 [The recording concludes.]

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1 In Re:  
2 Roswell Game & Fish Rule 19.31.3

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5 C E R T I F I C A T E

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7

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9 Stenotranscriptionist, DO HEREBY CERTIFY that the  
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24 this matter.

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26 /S/ Lisa Reinicke  
27 Lisa Reinicke,  
28 Certified Stenotranscriptionist

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