

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 34 WILDLIFE HABITAT AND LANDS
PART 6 PUBLIC LAND USER STAMP (SIKES ACT)

19.34.6.1 ISSUING AGENCY: New Mexico department of game and fish
[19.34.6.1 NMAC - Rp 19.34.6.1 NMAC, 4/1/2021]

19.34.6.2 SCOPE: The department of game and fish and all persons who hunt, fish or trap on land administered by the U.S. forest service or the U.S. bureau of land management in the state.
[19.34.6.2 NMAC - Rp 19.34.6.2 NMAC, 4/1/2021]

19.34.6.3 STATUTORY AUTHORITY: 17-1-14 and 17-1-26 NMSA 1978 provide the state game commission the authority to establish rules and regulations that it may deem necessary to carry out the purpose of Chapter 17 NMSA 1978 and all other acts pertaining to protected species. Public Law 93-452 (Sikes Act) permits the state, secretary of agriculture and secretary of interior to enter into agreements for the issuance of public land management stamps.
[19.34.6.3 NMAC - Rp 19.34.6.3 NMAC, 4/1/2021]

19.34.6.4 DURATION: March 31, 2031.
[19.34.6.4 NMAC - Rp 19.34.6.4 NMAC, 4/1/2021]

19.34.6.5 EFFECTIVE DATE: April 1, 2021.
[19.34.6.5 NMAC - Rp 19.34.6.5 NMAC, 4/1/2021]

19.34.6.6 OBJECTIVE: To provide for a public land management stamp for hunting, fishing or trapping on certain public lands in New Mexico, requires purchase of stamp, creates a citizen advisory committee, and provides for expenditure of funds from stamp revenues.
[19.34.6.6 NMAC - Rp 19.34.6.6 NMAC, 4/1/2021]

19.34.6.7 DEFINITIONS:

A. "Public land" means those lands which surface areas are under the management authority of the United States forest service or the United States bureau of land management, except those lands under the management authority of the United States bureau of land management in game management unit 28.

B. "Public land management stamp" or "habitat stamp" means a stamp or validation that is affixed to or printed on a hunting, trapping, or fishing license to demonstrate compliance with this regulation.
[19.34.6.7 NMAC - Rp 19.34.6.7 NMAC, 4/1/2021]

19.34.6.8 PURCHASE:

- A.** Each person hunting on any public land, must purchase a public land management stamp.
- B.** Resident trappers twelve years of age and older trapping for protected furbearers, and non-resident trappers trapping on any public land, must purchase a public land management stamp.
- C.** Anglers twelve years of age and older, except resident anglers 70 years of age and older, fishing on any public land, must purchase a public land management stamp.
- D.** Only one public land management stamp is required for each individual to hunt, trap, or fish on public land during any license year.
- E.** Purchase price for each public land management stamp shall be ten dollars (\$10.00). Starting in 2022 the purchase price will be adjusted annually based on the consumer price index from the United States department of labor, bureau of labor statistics, and may be rounded. The state game commission may defer annual adjustments; deferral of annual adjustments may not exceed five consecutive years.
[19.34.6.8 NMAC - Rp 19.34.6.8 NMAC, 4/1/2021]

19.34.6.9 EXPENDITURE OF FUNDS COLLECTED:

A. The expenditure of funds collected under this regulation shall be consistent with the most current management plans developed by the United States forest service, the United States bureau of land management and the New Mexico department of game and fish.

B. A minimum of fifty percent of the funds over a 5-year period will be spent on projects that benefit fish, excluding administrative fees.
[19.34.6.9 NMAC - Rp 19.34.6.11 NMAC, 4/1/2021]

19.34.6.10 CITIZEN ADVISORY COMMITTEE: A citizen advisory committee shall be created. The committee will be comprised of 9 members, 7 of which shall follow the district and representation requirements as defined in 17-1-2 NMSA 1978. All members shall be selected and appointed by the state game commission from a list of applicants provided by the department. The committee will provide citizen advice to the agencies and will prioritize eligible projects.
[19.34.6.10 NMAC - Rp 19.34.6.12 NMAC, 4/1/2021]

HISTORY OF 19.34.6 NMAC:

Pre-NMAC History:

Regulation No. 648, Regulation Establishing a User Stamp Requirement on Public Lands Contained Within the Game Management Units 29, 30, 34, 36 and 37, 1/5/1987.

Order No. 8-86, 4/10/1987.

Order No. 4-88, 6/28/1988.

Order No. 3-90, 9/4/1991.

Regulation No. 676, Regulation Establishing a User Stamp Requirement on Public Lands Within the State of New Mexico, 1/12/1990.

NMAC History:

19 NMAC 34.1, Public Land User Stamp (Sikes Act), 1/18/1996.

19 NMAC 34.1, Public Land User Stamp (Sikes Act), filed – 12/17/2001 duration expired 3/31/2021