



# State of New Mexico

REC'D - SEC. OF STATE  
2025 MAR 20 AM 02

Michelle Lujan Grisham  
*Governor*

March 20, 2025

## SENATE EXECUTIVE MESSAGE NO. 11

The Honorable Mimi Stewart, President Pro Tempore  
and Members of the New Mexico State Senate  
State Capitol Building  
Santa Fe, New Mexico 87501

President Pro Tempore Stewart and Members of the Senate:

I appreciate the Legislature's efforts on SENATE BILL 5, as amended ("SB 5"), which enacts substantial reforms to the Department of Game and Fish, the State Game Commission, and our wildlife laws. Unfortunately, however, in the Legislature's zeal to further weaken the chief official of a coordinate branch of the government, SB 5 has spawned a serious problem that threatens to cripple the State Game Commission.

Currently, members of the Commission may be promptly removed by the Governor. *See* N.M. Const. art. V, § 5; NMSA 1978, § 17-1-2 (1991). As drafted, it appears SB 5 requires that commissioners may only be removed after the State Ethics Commission files an action in district court, with the possibility of an appeal to the Supreme Court.<sup>1</sup> The same goes for determining whether a vacancy on the Commission exists. This change unnecessarily complicates and lengthens the removal process. Given the many pressing matters addressed by district courts and the Supreme Court, it would take years to remove even the most blatantly incompetent or corrupt individuals—allowing those individuals to continue to hinder or corrupt the Commission in the interim.

Good governance demands accountability and responsiveness. Requiring lengthy judicial proceedings for removal (or determining the existence of a vacancy) could paralyze the Commission's work in situations where prompt action is needed to address gross misconduct or ensure proper functioning. The proposed process is cumbersome and undermines the Executive's ability to uphold the integrity of the Commission in a timely manner.

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<sup>1</sup> Both the Attorney General and the State Ethics Commission have pointed out that this provision is poorly drafted and creates quite a bit of ambiguity—which will inevitably lead to costly litigation when a member of the Commission is removed. *See Fiscal Impact Report*, Legislative Fin. Comm. (Mar. 8, 2025), <https://www.nmlegis.gov/Sessions/25%20Regular/firs/SB0005.PDF>. This is another issue with SB 5.

As our Supreme Court observed long ago:

[T]he Constitution makers thought that a person who could be trusted to fill the office of Governor could be trusted to deal fairly with office holders whom he [or she] was empowered to appoint, and that cases might arise where prompt action was necessary for the public good, and that it was not wise to tie the hands of the Governor when such action might well work to the detriment of the state.

*State ex rel. Ulrick v. Sanchez*, 1926-NMSC-060, ¶ 41, 32 N.M. 265, 255 P. 1077. I agree. Rather than tie our hands with a lengthy and complex legal process, we should continue to allow the person that New Mexican voters entrusted to “take care that the laws be faithfully executed,” N.M. Const. art. V, § 4, to promptly hold members of the State Game Commission accountable.

To be clear, this concern has nothing to do with me, as I am nearing the end of my second consecutive term in Office, and I doubt this issue will arise before I depart. My concern is for the public good. And the public is best served without the confusing, lengthy, and costly removal process contained in SB 5.

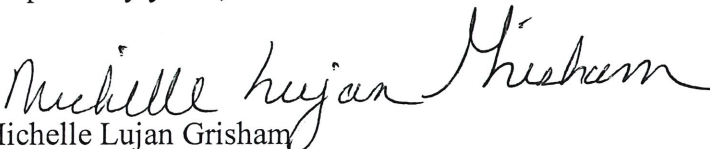
Thankfully, it is unnecessary to veto SB 5 in toto. As SB 5 appropriates money, it is subject to line-item veto pursuant to Article IV, Section 22 of the New Mexico Constitution. *See* Letter from Elizabeth A. Glenn, Deputy Attorney General, to Raul E. Burciaga, Director of the Legislative Council Service (Mar. 16, 2011), 2011 WL 1587745.

Accordingly, I this day SIGN and RETURN:

SENATE BILL 5, as amended, enacted by the Fifty-Seventh Legislature, First Session, 2025, except the following item or items, part or parts, which I hereby veto pursuant to the authority granted me in Article IV, Section 22 of the New Mexico Constitution:

On page 5, I have vetoed the semi-colon and the language following the semi-colon on line 4, all of lines 5-17, and the word “appealed” through the word “court” on line 18. This is necessary to remove the offending provision discussed above. With this language stricken, I am pleased to sign SB 5 into law. My signature on SB 5 is contingent upon the effectiveness of this line-item veto. If this line-item veto is determined to be invalid or void by a court of law, then my signature shall be null and void and this veto shall be interpreted to apply to SB 5 as a whole.

Respectfully yours,

  
Michelle Lujan Grisham  
Governor

RECEIVED FROM THE OFFICE OF THE GOVERNOR

Time: 8:02 a.m. p.m.  
Date: March 20, 2025

By [Signature]  
Secretary of State

Time: \_\_\_\_\_ a.m. p.m.  
Date: \_\_\_\_\_ 2025

By \_\_\_\_\_  
Chief Clerk of the Senate





The Legislature  
of the  
State of New Mexico

57th Legislature, 1st Session

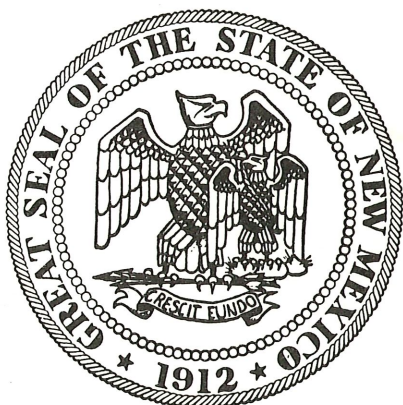
LAWS 2025

CHAPTER 9

SENATE BILL 5, as amended

Introduced by

SENATOR PETER CAMPOS AND SENATOR PETER WIRTH AND  
SENATOR CRYSTAL BRANTLEY AND  
REPRESENTATIVE MATTHEW MCQUEEN AND  
REPRESENTATIVE NATHAN P. SMALL



PARTIAL  
VETO



# CHAPTER 9

## AN ACT

RELATING TO THE STATE GAME COMMISSION; REFORMING THE STATE GAME COMMISSION APPOINTMENT PROCESS; SETTING TERM LIMITS FOR COMMISSIONERS; ADDING REQUIREMENTS FOR APPOINTMENT AND REMOVAL OF COMMISSIONERS; CREATING THE STATE WILDLIFE COMMISSION NOMINATING COMMITTEE; RENAMING THE DEPARTMENT OF GAME AND FISH AS THE DEPARTMENT OF WILDLIFE; RENAMING THE STATE GAME COMMISSION AS THE STATE WILDLIFE COMMISSION; AMENDING STATUTORY POLICY; EXPANDING THE MANAGEMENT OF WILDLIFE; ADDING DEFINITIONS; PROVIDING REPORTING REQUIREMENTS; AMENDING LICENSING FEES; PROVIDING FOR FEE ADJUSTMENTS TO ACCOUNT FOR INFLATION; ADDING LICENSE FEES AND TYPES; PROVIDING DISCOUNTS FOR RESIDENTS WHO RECEIVE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM BENEFITS; PROVIDING TRANSFERS; REPEALING SECTIONS 17-1-1 AND 17-2-2 NMSA 1978 (BEING LAWS 1921, CHAPTER 35, SECTION 1 AND LAWS 1937, CHAPTER 23, SECTION 1, AS AMENDED).

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

SECTION 1. Section 17-2A-1 NMSA 1978 (being Laws 1996, Chapter 89, Section 3) is recompiled as Section 17-1-1.1 NMSA 1978 and is amended to read:

"17-1-1.1. DEFINITIONS.--For the purposes of Chapter 17 NMSA 1978:

A. "commission" or "state game commission" means

1 the state wildlife commission;

2 B. "department" or "department of game and fish"  
3 means the department of wildlife;

4 C. "director", "warden", "state warden", "state  
5 game warden" or "state game and fish warden" means the  
6 director of the department of wildlife;

7 D. "hunt code" means a description used to  
8 identify and define the species, weapon type and time frame  
9 authorized for a specific hunt;

10 E. "outfitter" or "guide" means a person who  
11 advertises or holds themselves out to the public for hire or is  
12 employed or accepts compensation for providing, within the  
13 unit where a hunt occurs, facilities, equipment or services  
14 for hunting activities; provided, however, that "outfitter"  
15 or "guide" does not include a person who only cooks, cuts  
16 wood or performs other comparable or incidental duties not  
17 directly related to hunting activities; and

18 F. "unit" means a geographically bound area in the  
19 state that is used to manage game species."

20 SECTION 2. Section 17-1-2 NMSA 1978 (being Laws 1921,  
21 Chapter 35, Section 2, as amended) is amended to read:

22 "17-1-2. STATE WILDLIFE COMMISSION--APPOINTMENT--  
23 TERM.--

24 A. There is created a "state wildlife commission"  
25 of seven voting members, all of whom shall possess knowledge

1 of wildlife, hunting and fishing and be New Mexico residents.  
2 The governor shall appoint the members of the commission with  
3 the advice and consent of the senate from a list of qualified  
4 nominees submitted to the governor by the state wildlife  
5 commission nominating committee. The commission shall select  
6 one commissioner to be chair and one commissioner to be vice  
7 chair. The department shall provide administrative support  
8 to the commission.

9 B. Three at-large members of the commission shall  
10 hold positions one, two and three, with no more than one  
11 member residing in any one county and with no more than two  
12 members affiliated with the same political party; provided  
13 that at least one member shall be a member of a federally  
14 recognized Indian nation, tribe or pueblo in New Mexico.

15 C. Four members of the commission shall hold  
16 positions four, five, six and seven, with no more than one  
17 member residing in any one county and with no more than two  
18 members affiliated with the same political party, as follows:

19 (1) position four, a rancher or farmer who  
20 actively works at growing and selling livestock or crops from  
21 a ranch or farm where at least two big game species, as  
22 defined by and for which hunting is licensed by the  
23 department, are frequently present;

24 (2) position five, a conservationist who for  
25 the previous four years has been an employee, a member of the



1 board or a member of an established advisory committee of a  
2 nonprofit wildlife or habitat conservation organization, the  
3 primary focus of which is not game species;

4 (3) position six, an individual who is both  
5 a hunter and an angler having held both a New Mexico hunting  
6 license and fishing license each of the previous four years;  
7 and

8 (4) position seven, a scientist who holds at  
9 least a master's degree in wildlife biology, conservation  
10 biology, fisheries science or management, wildlife science or  
11 management or a comparable wildlife field.

12 D. Except for the initial appointments as provided  
13 in Section 12 of this 2025 act, the term of office for each  
14 member of the commission shall be six years.

15 E. A commissioner shall serve for no more than two  
16 terms after January 1, 2027. A partial term shall be counted  
17 as one full term, unless the partial term is less than one  
18 full year.

19 F. When a commissioner dies, resigns or no longer  
20 meets the qualifications required for the commissioner's  
21 original appointment, or misses three consecutive meetings,  
22 that position on the commission becomes vacant. The governor  
23 shall appoint a successor for the remainder of the term from  
24 a list of qualified nominees submitted to the governor by the  
25 state wildlife commission nominating committee.

1           G. Except when the position of commissioner  
2 becomes vacant pursuant to Subsection F of this section, a  
3 commissioner shall not be removed except for incompetence,  
4 neglect of duty or malfeasance in office; <sup>MLG</sup> ~~provided that no~~  
5 ~~removal shall be made without notice of hearing and an~~  
6 ~~opportunity to be heard having first been given to the~~  
7 ~~commissioner. The state ethics commission may bring an~~  
8 ~~action in district court for the removal of a commissioner~~  
9 ~~upon the state ethics commission's information or upon the~~  
10 ~~complaint of a person with knowledge of a commissioner's~~  
11 ~~alleged incompetence, neglect of duty or malfeasance in~~  
12 ~~office. The state ethics commission may also bring an action~~  
13 ~~in district court to enforce the provisions of Subsection F~~  
14 ~~of this section or determine whether a position of the~~  
15 ~~commission has become vacant pursuant to Subsection F of this~~  
16 ~~section. A final decision by a district court in an action~~  
17 ~~brought pursuant to Subsections G or F of this section may be~~  
18 ~~appealed directly to the supreme court.~~ <sup>MLG</sup>

19           H. A person shall not be eligible to be appointed  
20 as a commissioner if the person changed party affiliation  
21 during the previous four years; provided that a person who  
22 changed party affiliation for the purpose of voting in a  
23 primary election pursuant to Section 1-4-5.7 NMSA 1978 and  
24 then changed party affiliation back to the status of that  
25 person's party affiliation immediately prior to the change

1 within ninety days shall not be considered to have changed  
2 party affiliation for the purposes of this subsection.

3 I. The following persons shall serve as advisory,  
4 nonvoting members of the commission:

5 (1) the director of the New Mexico outdoor  
6 recreation division of the economic development department or  
7 the director's designee;

8 (2) the director of the New Mexico  
9 department of agriculture or the director's designee;

10 (3) the commissioner of public lands or the  
11 commissioner's designee; and

12 (4) the secretary of Indian affairs or the  
13 secretary's designee."

14 SECTION 3. A new Section 17-1-2.1 NMSA 1978 is enacted  
15 to read:

16 "17-1-2.1. STATE WILDLIFE COMMISSION NOMINATING  
17 COMMITTEE.--

18 A. The "state wildlife commission nominating  
19 committee" is created and consists of nine members, all of  
20 whom shall be New Mexico residents, as follows:

21 (1) four members appointed as follows: one  
22 by the speaker of the house of representatives, one by the  
23 minority floor leader of the house of representatives, one by  
24 the president pro tempore of the senate and one by the  
25 minority floor leader of the senate;



1                   (2) two members as follows: the chair of  
2 the university of New Mexico's department of biology or the  
3 chair's designee and the chair of New Mexico state  
4 university's department of fish, wildlife and conservation  
5 ecology or the chair's designee;

6                   (3) two members appointed by the governor who  
7 shall not be registered as members of the same political  
8 party; and

9                   (4) one member appointed by the governor who  
10 shall represent an Indian nation, tribe or pueblo.

11                  B. A committee member shall serve without  
12 compensation but shall be reimbursed for expenses incurred in  
13 pursuit of the member's duties on the committee pursuant to  
14 the Per Diem and Mileage Act.

15                  C. The committee and individual members shall be  
16 subject to the Governmental Conduct Act, the Gift Act, the  
17 Inspection of Public Records Act, the Financial Disclosure  
18 Act and the Open Meetings Act.

19                  D. The committee shall select one member to be  
20 chair and one member to be secretary. Administrative support  
21 shall be provided to the committee by the staff of the  
22 department.

23                  E. An appointed committee member may be removed by  
24 the person who holds the office that appointed that committee  
25 member. A committee member shall serve until the committee

1 member's resignation or removal by the appointing authority.

2 F. The committee shall meet at least ninety days  
3 prior to the date on which the term of a state wildlife  
4 commissioner ends and as often as necessary thereafter in  
5 order to submit a list to the governor, at least thirty days  
6 prior to the beginning of the new term, of a minimum of three  
7 qualified nominees for each position of the commission. The  
8 list shall be developed to provide geographical and political  
9 party diversity as appropriate to conform the makeup of the  
10 commission to the geographical and political party  
11 requirements of Section 17-1-2 NMSA 1978.

12 G. Upon the occurrence of a vacancy in a state  
13 wildlife commissioner position, the committee shall meet  
14 within thirty days of the date of the beginning of the  
15 vacancy and as often as necessary thereafter in order to  
16 submit a list to the governor, within sixty days of the first  
17 meeting after the vacancy occurs, of no fewer than three  
18 qualified nominees for appointment to the commission to fill  
19 the remainder of the term of each commissioner position that  
20 is vacant. The list shall be developed to provide  
21 geographical and political party diversity as appropriate to  
22 conform the makeup of the commission to the geographical and  
23 political party requirements pursuant to Section 17-1-2  
24 NMSA 1978.

25 H. The committee shall actively solicit, accept

1 and evaluate applications from qualified individuals for a  
2 position on the commission and may require an applicant to  
3 submit any information that the committee deems relevant to  
4 the consideration of the individual's application.

5 I. The committee shall select nominees for  
6 submission to the governor who, in the committee's judgment,  
7 are best qualified to serve as a member of the commission. A  
8 person shall not be eligible for nomination to the commission  
9 while serving on the committee.

10 J. A majority vote of committee members at a  
11 meeting at which a quorum is present in favor of a person is  
12 required for that person to be included on the list of  
13 qualified nominees submitted to the governor.

14 K. The committee shall allow for public comment at  
15 a committee meeting during which the committee is considering  
16 a list of qualified nominees for appointment to the  
17 commission before the committee votes on the nominees."

18 SECTION 4. Section 17-1-26 NMSA 1978 (being Laws 1931,  
19 Chapter 117, Section 2, as amended) is amended to read:

20 "17-1-26. RULEMAKING POWER.--

21 A. The commission is authorized and directed to  
22 make rules as it may deem necessary to carry out the  
23 provisions and purposes of Chapter 17 NMSA 1978.

24 B. The rules may include, as applicable, when,  
25 where, by what means and to what extent, if at all, wildlife



1 may be hunted, taken, captured, killed, possessed, released,  
2 bartered, sold, purchased, shipped and imported into or  
3 exported from the state.

4 C. In making rules, the commission may consider a  
5 species' population size and trends, migration patterns,  
6 availability of suitable habitat, response to changes in  
7 climate conditions, conservation actions necessary to sustain  
8 healthy populations and ecosystems, sustainable food supply  
9 and any other factors, natural or human-driven, that are  
10 judged to affect the health of a species or a species'  
11 ecosystem."

12 SECTION 5. A new section of the Wildlife Conservation  
13 Act is enacted to read:

14 "WILDLIFE TO BE PROTECTED--MANAGEMENT.--

15 A. In addition to species defined as protected in  
16 Chapter 17 NMSA 1978, the commission is authorized to extend  
17 management and protection by rule to any species of wildlife.

18 B. When determining whether and how to protect a  
19 species of wildlife, the commission shall consider:

20 (1) whether the species qualifies as a  
21 species of greatest conservation need;

22 (2) the science-based reasons for protection  
23 of a species; and

24 (3) the rules and management programs that  
25 would potentially accompany protected status.

1 C. The department is not required to respond to  
2 wildlife nuisance incidents as prescribed by Section 17-2-7.2  
3 NMSA 1978 unless:

4 (1) the department was required to do so for  
5 species listed as protected in statute prior to July 1, 2026;  
6 or

7 (2) in its own discretion, the commission  
8 adopts a rule directing the department to do so.

9 D. As used in this section, "wildlife" means a  
10 nondomestic mammal, bird, reptile, amphibian, fish or  
11 invertebrate species, including a living animal, or any part,  
12 egg, spawn, offspring or the dead body or parts thereof."

13 SECTION 6. A new section of the Wildlife Conservation  
14 Act is enacted to read:

15 "SPECIES OF GREATEST CONSERVATION NEED--DEFINITION--DATA  
16 COLLECTION.--

17 A. For the purposes of Chapter 17 NMSA 1978,  
18 "species of greatest conservation need" means species as  
19 identified and updated by the department in an assessment of  
20 the state's wildlife and habitat.

21 B. The department shall annually publish on the  
22 department's website data collected on species of greatest  
23 conservation need and the use of state and federal funds for  
24 the support and recovery of species of greatest conservation  
25 need."

SECTION 7. Section 17-2-38 NMSA 1978 (being Laws 1974, Chapter 83, Section 2, as amended) is amended to read:

"17-2-38. DEFINITIONS.--As used in the Wildlife Conservation Act:

A. "commission" means the state wildlife commission;

B. "director" means the director of the department of wildlife;

C. "ecosystem" means a system of living organisms and their environment;

D. "endangered species" means any species of fish or wildlife whose prospects of survival or recruitment within the state are in jeopardy due to any of the following factors:

(1) the present or threatened destruction, modification or curtailment of its habitat;

(2) overutilization for scientific, commercial or sporting purposes;

(3) the effect of disease or predation;

(4) other natural or man-made factors affecting its prospects of survival or recruitment within the state; or

(5) any combination of the foregoing factors.

The term may also include any species of fish or



1 wildlife appearing on the United States list of endangered  
2 native and foreign fish and wildlife as set forth in  
3 Section 4 of the federal Endangered Species Act of 1973 as  
4 endangered species; provided that the commission adopts those  
5 lists in whole or in part. The term does not include any  
6 species covered by the provisions of 16 U.S.C. 1331 through  
7 1340 (1971) or any species of the class insecta determined by  
8 the director to constitute a pest whose protection under the  
9 Wildlife Conservation Act would present an overwhelming and  
10 overriding risk to humans;

11 E. "investigation" means a process pursuant to  
12 Subsections B through L of Section 17-2-40 NMSA 1978  
13 undertaken whenever the director believes that a species may  
14 be threatened or endangered and that consists of a formal  
15 review of existing data and studies and may include  
16 additional field research to determine whether a species is  
17 threatened or endangered;

18 F. "land or aquatic habitat interests" means  
19 interests in real property or water rights consisting of fee  
20 simple title, easements in perpetuity, time certain  
21 easements, long-term leases and short-term leases;

22 G. "management" means the collection and  
23 application of biological information for the purposes of  
24 establishing and maintaining a congruous relationship between  
25 individuals within species and populations of wildlife and

1 the carrying capacity of their habitat. The term includes  
2 the entire range of activities that constitutes a full  
3 scientific resource program, including research, census, law  
4 enforcement, propagation, acquisition or maintenance of land  
5 or aquatic habitat interests appropriate for recovery of the  
6 species; improvement and maintenance, education and related  
7 activities; and protection and regulated taking;

8 H. "recovery plan" means a designated program or  
9 methodology reasonably expected to lead to restoration and  
10 maintenance of a species and its habitat;

11 I. "peer review panel" means an advisory panel of  
12 scientists, each of whom possesses expertise relevant to the  
13 proposed investigation and at least one of whom is a wildlife  
14 biologist, convened to review the scientific methodology for  
15 collection and analysis of data by a researcher based on  
16 commonly accepted scientific peer review;

17 J. "species" means any species or subspecies;

18 K. "substantial public interest" means a  
19 nonfrivolous claim indicated by a broad-based expression of  
20 public concern;

21 L. "take" or "taking" means to harass, hunt,  
22 capture or kill any wildlife or attempt to do so;

23 M. "threatened species" means any species that is  
24 likely to become an endangered species within the foreseeable  
25 future throughout all or a significant portion of its range

1 in New Mexico; the term may also include any species of fish  
2 or wildlife appearing on the United States list of endangered  
3 native and foreign fish and wildlife as set forth in  
4 Section 4 of the federal Endangered Species Act of 1973 as  
5 threatened species; provided that the commission adopts the  
6 list in whole or in part; and

7 N. "wildlife" means a nondomestic mammal, bird,  
8 reptile, amphibian, fish or invertebrate species, including a  
9 living animal, or any part, egg, spawn, offspring or the dead  
10 body or parts thereof."

11 SECTION 8. Section 17-3-2 NMSA 1978 (being Laws 1964  
12 (1st S.S.), Chapter 17, Section 2, as amended) is amended to  
13 read:

14 "17-3-2. CLASSES OF LICENSES.--

15 A. As used with reference to licenses in  
16 Chapter 17 NMSA 1978:

17 (1) "fishing" entitles the licensee to fish  
18 for game fish during the open seasons for each species;

19 (2) "game hunting" entitles the licensee to  
20 hunt game birds, other than wild turkey, and squirrel during  
21 the open seasons for each and to apply for or purchase a  
22 license to hunt for deer, antelope, elk, bighorn sheep,  
23 Barbary sheep, javelina, bear, oryx, ibex, cougar and wild  
24 turkey;

25 (3) "deer" entitles the licensee to hunt

1 deer during the open season;

2 (4) "antelope" entitles the licensee to hunt  
3 antelope during the open season;

4 (5) "elk" entitles the licensee to hunt elk  
5 during the open season;

6 (6) "bighorn sheep" entitles the licensee to  
7 hunt bighorn sheep during the open season;

8 (7) "Barbary sheep" entitles the licensee to  
9 hunt Barbary sheep during the open season;

10 (8) "javelina" entitles the licensee to hunt  
11 javelina during the open season;

12 (9) "bear" entitles the licensee to hunt  
13 bear during the open season;

14 (10) "nongame" entitles the licensee to hunt  
15 or take any animal or bird not protected by law;

16 (11) "temporary fishing" entitles the  
17 licensee to fish for game fish during a specific period of  
18 time indicated on the license;

19 (12) "oryx" entitles the licensee to hunt  
20 oryx during the open season;

21 (13) "ibex" entitles the licensee to hunt  
22 ibex during the open season;

23 (14) "cougar" entitles the licensee to hunt  
24 cougar during the open season;

25 (15) "turkey" entitles the licensee to hunt



1 turkey during the open season;

2 (16) "special season turkey" entitles the  
3 licensee to hunt turkey during special seasons designated by  
4 the state wildlife commission;

5 (17) "quality elk" entitles the licensee to  
6 hunt elk during a special quality elk season, to be  
7 established by the state wildlife commission, when the timing  
8 of the season and hunter density is specially regulated and  
9 the elk population is managed with an intent to provide the  
10 licensee an increased opportunity to take a mature elk;

11 (18) "quality deer" entitles the licensee to  
12 hunt deer during a special quality deer season, to be  
13 established by the state wildlife commission, when the timing  
14 of the season and hunter density is specially regulated and  
15 the deer population is managed with an intent to provide the  
16 licensee an increased opportunity to take a mature deer;

17 (19) "temporary game hunting" entitles the  
18 licensee to hunt game birds, except wild turkey, and squirrel  
19 during a specific period of time indicated on the license;

20 (20) "second rod" entitles the licensee to  
21 fish using two fishing rods to fish for game fish during the  
22 open seasons for each species;

23 (21) "fishing and game hunting combination"  
24 entitles the licensee to hunt squirrel and game birds, other  
25 than wild turkey, and to fish for game fish during the open

1 season for each; and

2 (22) "shed hunter license" entitles the  
3 licensee to shed hunting; provided that a shed hunter license  
4 shall not be required for shed hunting by a resident.

5 B. A hunting license does not entitle the licensee  
6 to hunt, kill or take game animals or birds within or upon a  
7 park or enclosure licensed or posted as provided by law or  
8 within or upon a privately owned enclosure without consent of  
9 the owner or within or upon a game refuge or game management  
10 area.

11 C. A fishing license does not entitle the licensee  
12 to fish for or take fish within or upon a park or enclosure  
13 licensed or posted as provided by law or within or upon a  
14 privately owned enclosure without consent of the owner or in  
15 or on closed waters.

16 D. A junior fishing license may be purchased by a  
17 resident who has reached the age of twelve years but has not  
18 reached the age of eighteen years. A junior fishing license  
19 entitles the licensee to fish for game fish during the open  
20 season for each species.

21 E. A senior fishing license may be purchased by a  
22 resident who has reached the age of sixty-five years. A  
23 senior fishing license entitles the licensee to fish for game  
24 fish during the open season for each species.

25 F. A nonresident junior fishing license may be

1 purchased by a nonresident who has reached the age of twelve  
2 years but has not reached the age of eighteen years. A  
3 nonresident junior fishing license entitles the licensee to  
4 fish for game fish during the open season for each species.

5 G. A senior game hunting license may be purchased  
6 by a resident who has reached the age of sixty-five years. A  
7 senior game hunting license entitles the licensee to hunt for  
8 squirrel and game birds, other than wild turkey, during the  
9 open seasons for each species and to apply for or purchase a  
10 license to hunt for deer, antelope, elk, bighorn sheep,  
11 Barbary sheep, javelina, bear, oryx, ibex, cougar and wild  
12 turkey.

13 H. A junior, resident or nonresident, game hunting  
14 license may be purchased by a person who has not reached the  
15 age of eighteen years. A junior game hunting license  
16 entitles the licensee to hunt for squirrel and game birds,  
17 other than wild turkey, during the open seasons for each  
18 species and to apply for or purchase a license to hunt for  
19 deer, antelope, elk, bighorn sheep, Barbary sheep, javelina,  
20 bear, oryx, ibex, cougar and wild turkey.

21 I. A disabled fishing license may be purchased by  
22 a resident who has a severe physical impairment that  
23 substantially limits one or more major life activities and  
24 who can furnish adequate proof of this disability to the  
25 state wildlife commission. A disabled fishing license may be

1 purchased by a resident who has a developmental disability as  
2 defined in Subsection H of Section 43-1-3 NMSA 1978 and who  
3 can furnish adequate proof of this disability to the  
4 commission. A disabled fishing license entitles the licensee  
5 to fish for game fish during the open season for each  
6 species.

7 J. A disabled game hunting license may be  
8 purchased by a resident who has a severe physical impairment  
9 that substantially limits one or more major life activities  
10 and who can furnish adequate proof of this disability to the  
11 state wildlife commission. A disabled game hunting license  
12 entitles the licensee to hunt for squirrel and game birds,  
13 other than wild turkey, during the open season for each  
14 species and to apply for or purchase a license to hunt for  
15 deer, antelope, elk, bighorn sheep, Barbary sheep, javelina,  
16 bear, oryx, ibex, cougar and wild turkey.

17 K. A fishing license may be obtained at no cost by  
18 a resident who has reached the age of seventy years.

19 L. A second rod validation may be purchased by  
20 either a resident or nonresident. A second rod validation  
21 entitles the licensee to fish using two rods for game fish  
22 during the open season for each species.

23 M. A junior-senior elk license may be purchased by  
24 a resident who has not reached the age of eighteen years or  
25 by a resident who has reached the age of sixty-five years. A



1 junior-senior elk license entitles the licensee to hunt for  
2 elk during the open season for that species.

3 N. A junior-senior deer license may be purchased  
4 by a resident who is younger than eighteen years or older  
5 than sixty-five years. A junior-senior deer license entitles  
6 the licensee to hunt for deer during the open season for that  
7 species.

8 O. A junior or senior fishing and game hunting  
9 combination license may be purchased by a resident who is  
10 younger than eighteen years or older than sixty-five years.  
11 A junior or senior fishing and game hunting combination  
12 license entitles the licensee to fish for game fish or hunt  
13 for squirrel and game birds, other than wild turkey, during  
14 the open seasons for each species and to apply for or  
15 purchase a license to hunt for deer, antelope, elk, bighorn  
16 sheep, Barbary sheep, javelina, bear, oryx, ibex, cougar and  
17 wild turkey.

18 P. Except for a resident, disabled veteran,  
19 fishing and game hunting combination license issued pursuant  
20 to Section 17-3-13 NMSA 1978, a New Mexico resident who is a  
21 veteran of the United States military or who is active duty  
22 military is eligible for a fifty percent discount on any  
23 license, permit or stamp purchase upon valid proof of service  
24 as determined by the state wildlife commission."

25 SECTION 9. Section 17-3-7 NMSA 1978 (being Laws 1912,

Chapter 85, Section 48, as amended) is amended to read:

"17-3-7. BLANK FORMS--LICENSE ISSUED ONLY ON  
APPLICATION--FALSE STATEMENT VOIDS LICENSE--RECORDS--  
REPORTS--ACCOUNTING FOR FEES COLLECTED--REFUND OF FEES--  
TRANSFER OF HUNTING LICENSE.--

A. The director of the department of wildlife shall prescribe and procure the printing of all forms and blanks that may be required to carry out the intent of Chapter 17 NMSA 1978. All necessary blanks shall be furnished by the director to the license collectors. No license shall be issued except as provided in Section 17-3-5 NMSA 1978. Any false statement in any application shall render the license issued void.

B. A license collector shall keep a correct and complete record of licenses issued, which record shall remain in the license collector's office and be open to inspection by the public at all times.

C. A license collector may collect and retain a vendor fee for each license or permit issued; provided that the fee shall be just and reasonable, as determined by regulation of the state wildlife commission, and shall not exceed vendor costs for each license or permit issued; and provided further that no such fee shall be collected by the department of wildlife from the purchaser of a special license. "Special license" includes those licenses for the

1 following species: antelope, elk, Barbary sheep, bighorn  
2 sheep, bison, oryx, ibex and javelina.

3 D. A license collector shall remit to the director  
4 of the department of wildlife the statutory fee of all  
5 licenses and permits sold on or before the tenth day of the  
6 month following and shall by the same time report the number  
7 and kind of licenses issued.

8 E. Except as provided in Section 17-1-14  
9 NMSA 1978, the director of the department of wildlife shall  
10 turn over all money so received to the state treasurer to be  
11 credited to the game protection fund.

12 F. The director of the department of wildlife, in  
13 the director's sole discretion, may authorize a refund of the  
14 amount of a hunting license fee from the game and fish  
15 suspense fund if:

16 (1) upon written application by the  
17 licensee, prior to the time of the hunt for which the license  
18 has been issued, the director finds that:

19 (a) the licensee has a disability, due  
20 to a verified injury or life-threatening illness, that  
21 prohibits the licensee from hunting during the period that  
22 the license is valid; or

23 (b) the licensee has been deployed by  
24 the military and the deployment prevents the licensee from  
25 traveling to the hunt during the period that the license is

1 valid;

2 (2) upon written application by a personal  
3 representative of a licensee's estate, the director finds  
4 that the licensee died prior to the time of the hunt for  
5 which the license was issued; or

6 (3) the director cancels a hunt due to  
7 forest fire or other natural disaster.

8 G. The director of the department of wildlife, in  
9 the director's sole discretion, may authorize a transfer of a  
10 hunting license:

11 (1) to the licensee's designee if, upon  
12 written application by the licensee, prior to the time of the  
13 hunt for which the license has been issued, the director  
14 finds that:

15 (a) the licensee has a disability, due  
16 to a verified injury or life-threatening illness, that  
17 prohibits the licensee from hunting during the period that  
18 the license is valid; or

19 (b) the licensee has been deployed by  
20 the military and the deployment prevents the licensee from  
21 traveling to the hunt during the period that the license is  
22 valid;

23 (2) to the designee of the licensee's estate  
24 if, upon written application by the personal representative  
25 of the licensee's estate, the director finds that the



1 licensee died prior to the time of the hunt for which the  
2 license was issued; or

3 (3) upon written application by a licensee,  
4 to a nonprofit organization approved by the state wildlife  
5 commission.

6 H. The state wildlife commission may prescribe, by  
7 rule, the documentation necessary for a finding pursuant to  
8 Subsection F or G of this section."

9 SECTION 10. Section 17-3-13 NMSA 1978 (being Laws 1964  
10 (1st S.S.), Chapter 17, Section 5, as amended) is amended to  
11 read:

12 "17-3-13. LICENSE FEES--FEE ADJUSTMENTS.--

13 A. The director of the department of wildlife  
14 shall keep a record of all money received and licenses and  
15 permits issued by the department, numbering each class  
16 separately. Upon satisfactory proof that a license or permit  
17 has been lost before its expiration, the director may issue a  
18 duplicate and collect a just and reasonable fee as determined  
19 by state wildlife commission rule.

20 B. Beginning April 1, 2027 and on April 1 of each  
21 successive year, the state wildlife commission may adjust the  
22 fees provided by this section for inflation as provided in  
23 Subsection C of this section. The director of the department  
24 of wildlife shall collect the following fees for each license  
25 of the class indicated:

1	Resident, fishing . . . . .	\$35.00
2	Resident, game hunting . . . . .	25.00
3	Resident, deer . . . . .	50.00
4	Resident, junior-senior, deer . . . . .	25.00
5	Resident, senior, disabled,	
6	game hunting and fishing . . . . .	20.00
7	Resident, fishing and game hunting	
8	combination . . . . .	42.00
9	Resident, junior, fishing and game	
10	hunting combination . . . . .	15.00
11	Resident, disabled veteran, fishing and game hunting	
12	combination . . . . .	10.00
13	Resident, antelope . . . . .	60.00
14	Resident, elk cow . . . . .	60.00
15	Resident, elk bull or either sex . . . . .	90.00
16	Resident, junior-senior, elk . . . . .	60.00
17	Resident, bighorn sheep, ram . . . . .	150.00
18	Resident, bighorn sheep, ewe . . . . .	75.00
19	Resident, Barbary sheep . . . . .	120.00
20	Resident, bear . . . . .	55.00
21	Resident, turkey . . . . .	35.00
22	Resident, cougar . . . . .	55.00
23	Resident, oryx . . . . .	175.00
24	Resident, ibex . . . . .	110.00
25	Resident, javelina . . . . .	55.00

1	Resident, fur dealer . . . . .	50.00
2	Resident, trapper . . . . .	50.00
3	Resident, junior trapper . . . . .	20.00
4	Nonresident, fishing . . . . .	90.00
5	Nonresident, junior fishing . . . . .	20.00
6	Nonresident, junior, game hunting . . . . .	20.00
7	Nonresident, game hunting . . . . .	90.00
8	Nonresident, deer . . . . .	375.00
9	Nonresident, quality deer . . . . .	600.00
10	Nonresident, bear . . . . .	350.00
11	Nonresident, cougar . . . . .	350.00
12	Nonresident, turkey . . . . .	125.00
13	Nonresident, antelope . . . . .	400.00
14	Nonresident, elk cow . . . . .	550.00
15	Nonresident, elk bull or either sex . . . . .	750.00
16	Nonresident, quality elk . . . . .	975.00
17	Nonresident, bighorn sheep . . . . .	3,500.00
18	Nonresident, Barbary sheep . . . . .	350.00
19	Nonresident, oryx . . . . .	1,600.00
20	Nonresident, ibex . . . . .	1,600.00
21	Nonresident, javelina . . . . .	155.00
22	Nonresident, fur dealer . . . . .	200.00
23	Nonresident, trapper . . . . .	500.00
24	Nonresident, nongame . . . . .	65.00
25	Nonresident, shed hunter license . . . . .	200.00

1	Resident, senior, disabled,	
2	fishing . . . . .	8.00
3	Resident, junior fishing . . . . .	5.00
4	Temporary fishing, one day . . . . .	12.00
5	Temporary fishing, five days . . . . .	30.00
6	Resident, senior, disabled,	
7	game hunting . . . . .	15.00
8	Resident, junior, game hunting . . . . .	10.00
9	Temporary game hunting, four days . . . . .	40.00
10	Second rod validation . . . . .	10.00.

C. On April 1, 2027 and on April 1 of each successive year, the state wildlife commission may adjust the fees provided by Subsection B of this section by an amount up to the total amount reflected by the annual percentage change in the consumer price index; provided that the fees shall not be adjusted below the minimum amounts of the previous year as a result of a decrease in the consumer price index, and the fees shall be adjusted on April 1, 2032 and every five years thereafter. The amount of the adjustment shall be rounded to the nearest dollar. By November 1, 2026 and by November 1 of each successive year, the department of wildlife shall post on its website the fees provided in Subsection B of this section for the next year.

D. Residents who participate in the supplemental nutrition assistance program are eligible to receive a



1 twenty-five percent discount on all license fees after  
2 qualifying with the department of wildlife.

3 E. As used in this section, "consumer price index"  
4 means the consumer price index, not seasonally adjusted, for  
5 all urban consumers, United States city average for all  
6 items, or its successor index, as published by the United  
7 States department of labor for a twelve-month period ending  
8 September 30."

9 SECTION 11. TEMPORARY PROVISION--NAME CHANGE--TRANSFER  
10 OF FUNCTIONS, PERSONNEL, MONEY, APPROPRIATIONS, PROPERTY,  
11 CONTRACTUAL OBLIGATIONS AND STATUTORY REFERENCES--UPDATE NAME  
12 AND LOGO.--

13 A. The department of game and fish is renamed as  
14 the "department of wildlife".

15 B. The state game commission is renamed as the  
16 "state wildlife commission".

17 C. On July 1, 2026, all:

18 (1) functions, personnel, money,  
19 appropriations, records, furniture, equipment, supplies and  
20 other personal and real property of the department of game  
21 and fish are transferred to the department of wildlife;

22 (2) agreements and contractual obligations  
23 of the department of game and fish are binding on the  
24 department of wildlife;

25 (3) references in law to the department of

1 game and fish shall be deemed to be references to the  
2 department of wildlife;

3 (4) functions, personnel, money,  
4 appropriations, records, furniture, equipment, supplies and  
5 other personal and real property of the state game commission  
6 are transferred to the state wildlife commission;

7 (5) agreements and contractual obligations  
8 of the state game commission are binding on the state  
9 wildlife commission; and

10 (6) references in law to the state game  
11 commission shall be deemed to be references to the state  
12 wildlife commission.

13 D. On July 1, 2026, statutory references in  
14 Chapter 17 NMSA 1978 to:

15 (1) the "department of game and fish" or  
16 "department" shall be construed to be references to the  
17 department of wildlife;

18 (2) the "state game commission" or  
19 "commission" shall be construed to be references to the state  
20 wildlife commission; and

21 (3) the "director", "warden", "state  
22 warden", "state game warden" or "state game and fish warden"  
23 shall be construed to be references to the director of the  
24 department of wildlife.

25 E. Rules of the department of game and fish shall

1 be rules of the department of wildlife until amended or  
2 repealed.

3 F. Rules of the state game commission shall be  
4 rules of the state wildlife commission until amended or  
5 repealed.

6 G. On July 1, 2026, or as soon thereafter as  
7 practicably possible, the department of wildlife shall update  
8 the department's name and logo; provided that existing  
9 supplies, forms, insignias, signs and logos may continue to  
10 be used until exhausted or unserviceable.

11 SECTION 12. TEMPORARY PROVISION--INITIAL  
12 APPOINTMENTS.--The initial appointments made to the state  
13 wildlife commission by the governor pursuant to the  
14 provisions of Sections 2 and 3 of this act shall replace the  
15 members of the state wildlife commission, whose terms shall  
16 end on January 1, 2027. Terms for the initial appointments  
17 to the commission beginning January 1, 2027 shall be as  
18 follows:

- 19 A. for position one, a one-year term;  
20 B. for position two, a three-year term;  
21 C. for position three, a five-year term;  
22 D. for position four, a one-year term;  
23 E. for position five, a three-year term;  
24 F. for position six, a five-year term; and  
25 G. for position seven, a five-year term.

SECTION 13. REPEAL.--Sections 17-1-1 and 17-2-2  
NMSA 1978 (being Laws 1921, Chapter 35, Section 1 and  
Laws 1937, Chapter 23, Section 1, as amended) are repealed.

SECTION 14. EFFECTIVE DATE.--

A. The effective date of the provisions of  
Sections 1, 4 through 7, 11 and 13 of this act is July 1,  
2026.

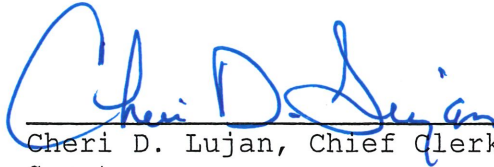
B. The effective date of the provisions of  
Sections 2, 3 and 12 of this act is January 1, 2027.

C. The effective date of the provisions of  
Sections 8 through 10 of this act is April 1, 2026.





Howie C. Morales, President  
Senate



Cheri D. Lujan, Chief Clerk  
Senate



Javier Martínez, Speaker  
House of Representatives



Lisa M. Ortiz McCutcheon, Chief Clerk  
House of Representatives

Approved by me this 20<sup>th</sup> day of March, 2025



Governor Michelle Lujan Grisham  
State of New Mexico