

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HOUSE BILL 23

56TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2024

INTRODUCED BY

Matthew McQueen

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.

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

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

"17-1-2. STATE GAME COMMISSION--APPOINTMENT--TERM.--

A. To carry out the purpose of Chapter 17 NMSA 1978 and all other acts for like purpose, there is created a "state game commission" of seven members. ~~[not more than four of whom shall be of the same political party at the time of their appointment. The members of the commission shall be appointed by the governor with the advice and consent of the senate. The~~

underscoring material = new
[bracketed material] = delete

1 ~~term of office for each member of the commission shall be four~~
2 ~~years. At the time of making the first appointments, the~~
3 ~~governor shall designate the commissioners' terms as being one,~~
4 ~~two, three or four years so that the term of no more than two~~
5 ~~commissioners shall expire each year.~~

6 ~~In making appointments to the state game commission, one~~
7 ~~member shall be appointed from each of the following districts:~~

8 ~~A. district one: Curry, De Baca, Roosevelt,~~
9 ~~Chaves, Lincoln, Otero, Eddy and Lea counties;~~

10 ~~B. district two: Catron, Socorro, Grant, Hidalgo,~~
11 ~~Luna, Sierra and Dona Ana counties;~~

12 ~~C. district three: San Juan, McKinley, Cibola,~~
13 ~~Valencia, Sandoval, Los Alamos and Rio Arriba counties;~~

14 ~~D. district four: Santa Fe, Taos, Colfax, Union,~~
15 ~~Mora, Harding, Quay, San Miguel, Guadalupe and Torrance~~
16 ~~counties; and~~

17 ~~E. district five: Bernalillo county. The~~
18 ~~remaining two members shall be appointed at-large. At least~~
19 ~~one member of the commission shall manage and operate a farm or~~
20 ~~ranch that contains at least two species of wildlife on that~~
21 ~~part which is deeded land requiring licensing prior to legal~~
22 ~~pursuit under the provisions of Section 17-3-2 NMSA 1978. At~~
23 ~~least one member shall have a demonstrated history of~~
24 ~~involvement in wildlife and habitat protection issues and whose~~
25 ~~activities or occupation are not in conflict with wildlife and~~

.227058.1

underscored material = new
[bracketed material] = delete

1 ~~habitat advocacy.]~~

2 B. Three members of the commission shall be
3 appointed by the governor, positions one, two and three, with
4 no more than one member residing in any one county and with no
5 more than two members affiliated with the same political party.

6 C. Four members of the commission shall be New
7 Mexico residents and shall be appointed by the New Mexico
8 legislative council, with no more than one member residing in
9 any one county, as follows:

10 (1) position four, a rancher or farmer who
11 owns or manages a New Mexico ranch or farm, on which at least
12 two species of animals for which game hunting is licensed under
13 the provisions of Section 17-3-2 NMSA 1978 are frequently
14 present;

15 (2) position five, a conservationist who for
16 the previous four years has been an employee, a member of the
17 board or a member of an established advisory committee of a
18 nonprofit habitat or wildlife conservation organization, the
19 primary focus of which is not game species;

20 (3) position six, a hunter or angler who has
21 held a New Mexico hunting or fishing license each of the
22 previous four years; and

23 (4) position seven, a scientist who holds at
24 least a master's degree from an accredited college or
25 university in wildlife biology, conservation biology, fisheries

.227058.1

underscoring material = new
[bracketed material] = delete

1 science or management, wildlife science or management or a
2 comparable wildlife field.

3 D. No more than two of the commissioners appointed
4 by the New Mexico legislative council shall be affiliated with
5 the same political party.

6 E. All commissioners shall be appointed with the
7 advice and consent of the senate. Except as provided in
8 Section 2 of this 2024 act, the term of office for each member
9 of the commission shall be six years.

10 F. Commissioners shall serve for no more than two
11 terms after the effective date of this 2024 act. A partial
12 term shall be counted as one full term, unless the partial term
13 is less than one full year.

14 G. When a commissioner dies, resigns or no longer
15 meets the qualifications required for the commissioner's
16 original selection, or misses three consecutive meetings, that
17 position on the commission becomes vacant. The original
18 appointing authority for the vacant position shall appoint a
19 successor for the remainder of the term in the same manner as
20 the original selection for that position was made.

21 H. A commissioner shall not be removed except for
22 incompetence, neglect of duty or malfeasance in office;
23 provided that no removal shall be made without notice of
24 hearing and an opportunity to be heard having first been given
25 to the commissioner. The supreme court is given exclusive

.227058.1

underscored material = new
[bracketed material] = delete

1 original jurisdiction over proceedings to remove commissioners
2 under such rules as it may promulgate, and its decision in
3 connection with such matters shall be final.

4 I. The state game commission as provided in Chapter
5 17 NMSA 1978 shall have the same authority, powers and duties
6 as now vested in the state game commission by law [~~and each~~
7 ~~member of the state game commission shall serve until his~~
8 ~~successor has been appointed and qualified~~].

9 J. A person shall not be eligible to be appointed
10 as a commissioner if the person changed party affiliation
11 during the previous four years; provided that a person who
12 changed party affiliation for the purpose of voting in a
13 primary election pursuant to Section 1-4-5.7 NMSA 1978 and then
14 changed party affiliation back to the status of that person's
15 party affiliation immediately prior to the change within ninety
16 days shall not be considered to have changed party affiliation
17 for the purposes of this subsection.

18 K. The director of the New Mexico outdoor
19 recreation division of the economic development department or
20 the director's designee shall be an advisor to the commission."

21 SECTION 2. TEMPORARY PROVISION--INITIAL APPOINTMENTS.--
22 The initial appointments made to the state game commission by
23 the governor and the New Mexico legislative council pursuant to
24 the provisions of Section 1 of this act shall replace the
25 members of the state game commission serving on the effective

.227058.1

underscoring material = new
~~[bracketed material]~~ = delete

1 date of this act, whose terms shall end on the effective date
2 of this act. Terms for the initial appointments to the
3 commission appointed on the effective date of this act shall be
4 as follows:

- 5 A. for position one, a one-year term;
- 6 B. for position two, a three-year term;
- 7 C. for position three, a five-year term;
- 8 D. for position four, a one-year term;
- 9 E. for position five, a three-year term;
- 10 F. for position six, a five-year term; and
- 11 G. for position seven, a five-year term.

12 SECTION 3. EFFECTIVE DATE.--The effective date of the
13 provisions of this act is January 1, 2025.