

1 HOUSE BILL 254

2 **53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017**

3 INTRODUCED BY

4 Matthew McQueen

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9  
10 AN ACT

11 RELATING TO THE STATE GAME COMMISSION; PROVIDING FOR THE NEW  
12 MEXICO LEGISLATIVE COUNCIL TO APPOINT FOUR COMMISSIONERS;  
13 SETTING TERM LIMITS FOR COMMISSIONERS; ADDING REQUIREMENTS FOR  
14 APPOINTMENT AND REMOVAL OF COMMISSIONERS.

15  
16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

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

19 "17-1-2. STATE GAME COMMISSION--APPOINTMENT--TERM.--

20 A. To carry out the purpose of Chapter 17 NMSA 1978  
21 and all other acts for like purpose, there is created a "state  
22 game commission" of seven members. [~~not more than four of whom~~  
23 ~~shall be of the same political party at the time of their~~  
24 ~~appointment.~~ The]

25 B. Three members of the commission shall be

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1 appointed by the governor, no two residing in the same  
2 congressional district, and no more than two affiliated with  
3 the same political party.

4 C. Four members of the commission shall be  
5 appointed by the New Mexico legislative council, no more than  
6 two affiliated with the same political party. Those four  
7 appointees shall consist of:

8 (1) one representative from the non-  
9 consumptive outdoor recreation conservation community;

10 (2) one representative from the sportsmen  
11 community, as evidenced by holding a current valid fishing or  
12 hunting license and having held a valid fishing or hunting  
13 license each of the previous four years;

14 (3) one representative from the agricultural  
15 community, as evidenced by owning or managing a farm or ranch;  
16 and

17 (4) one scientist specializing in biology,  
18 ecology or wildlife management from a state educational  
19 institution.

20 D. A person shall not be eligible to be appointed  
21 as a commissioner if the person changed party affiliation, was  
22 affiliated with a new party or became unaffiliated during the  
23 previous four years.

24 E. All commissioners shall be appointed with the  
25 advice and consent of the senate. The term of office for each

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1 member of the commission shall be [~~four~~] six years, except as  
2 provided in this subsection. At the time of making the  
3 governor's first three appointments, the governor shall  
4 designate [~~the commissioners' terms as being one, two, three or~~  
5 ~~four years so that the term of no more than two commissioners~~  
6 ~~shall expire each year.~~

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

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

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

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

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

18 ~~E. district five: Bernalillo county. The~~  
19 ~~remaining two members shall be appointed at-large. At least~~  
20 ~~one member of the commission shall manage and operate a farm or~~  
21 ~~ranch that contains at least two species of wildlife on that~~  
22 ~~part which is deeded land requiring licensing prior to legal~~  
23 ~~pursuit under the provisions of Section 17-3-2 NMSA 1978. At~~  
24 ~~least one member shall have a demonstrated history of~~  
25 ~~involvement in wildlife and habitat protection issues and whose~~

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1 ~~activities or occupation are not in conflict with wildlife and~~  
2 ~~habitat advocacy.]~~ one commissioner to serve a two-year term,  
3 one commissioner to serve a four-year term and one commissioner  
4 to serve a six-year term. At the time of making the New Mexico  
5 legislative council's first four appointments, the council  
6 shall designate:

7 (1) the representative of the conservation  
8 community to serve a six-year term;

9 (2) the representative of the sportsmen  
10 community to serve a four-year term;

11 (3) the representative of the agricultural  
12 community to serve a six-year term; and

13 (4) the scientist to serve a six-year term.

14 F. Commissioners shall serve for no more than two  
15 terms. If a commissioner is appointed to fill a vacancy, that  
16 commissioner shall serve the balance of the term for the  
17 commissioner being replaced. A partial term shall be  
18 counted as one full term.

19 G. When a commissioner dies, resigns or no longer  
20 meets the qualifications required for the commissioner's  
21 original selection, that position on the commission  
22 becomes vacant. The original appointing authority for the  
23 vacant position shall appoint a successor in the same manner as  
24 the original selection for that position was made.

25 H. A commissioner may be removed from the

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1 commission by the appointing person or entity for failure to  
2 attend three consecutive meetings or other cause, in the manner  
3 provided for removal of members of boards of regents under  
4 Article 12, Section 13 of the constitution of New Mexico. A  
5 vacancy in the commission occurring other than by expiration of  
6 term shall be filled in the same manner as the original  
7 appointment but for the unexpired term only.

8 I. A commissioner shall not have a financial  
9 conflict of interest or have a contract with the department of  
10 game and fish.

11 J. The state game commission as provided in Chapter  
12 17 NMSA 1978 shall have the same authority, powers and duties  
13 as now vested in the state game commission by law [~~and each~~  
14 ~~member of the state game commission shall serve until his~~  
15 ~~successor has been appointed and qualified]."~~

16 **SECTION 2. EFFECTIVE DATE.**--The effective date of the  
17 provisions of this act is January 1, 2019.