



# Rule-Development Information for Hunting, Fishing, and Other Wildlife-Related Rules

New Mexico Department of Game and Fish

Revised March 29, 2024

## A. Where are current rules located, and how can someone determine when changes may be considered?

1. The *New Mexico Register* is the official publication for all notices of rulemaking and filings of adopted, proposed and emergency rules in New Mexico. In accordance with the State Rules Act, New Mexico state agencies must publish in the *New Mexico Register* all Notices of Rulemaking and all Adopted Rules, including emergency rules, filed with the Commission of Public Records - State Records Center and Archives. Agencies may publish proposed rules and other materials related to administrative law at their discretion.

<https://www.srca.nm.gov/nmac-home/new-mexico-register/>.

2. The official site for the New Mexico Administrative Code maintains current rules for all state agencies:

<https://www.srca.nm.gov/nmac-home/nmac-titles/>.

3. Rules specific to hunting, fishing, and other wildlife-related rules are found under Title 19, Natural Resources and Wildlife:

<https://www.srca.nm.gov/nmac-home/nmac-titles/title-19-natural-resources-and-wildlife/>.

4. New Mexico Department of Game and Fish (Department) maintains information related to meeting schedules, agendas, and minutes of the New Mexico State Game Commission on the public home page (click on the Commission tab):

<http://www.wildlife.state.nm.us/>

## **B. How are Rules changed?**

1. Change to Current Rule: A need for change or amendment is typically identified through discussions with stakeholders, recommendations by staff or by the regular rule development process (which can occur annually, biennial or longer interval, See Section C). The Department regularly discusses issues that may require rule change and thus, considerations are on-going. If the Department determines there is sufficient cause, it will propose to open the rule in question during a regularly scheduled State Game Commission (Commission) meeting.
2. New Rule: If the Department determines that current rules do not cover an identified need, a new rule may be proposed to the Commission at a regularly scheduled meeting.
3. Public Notice: Pursuant to the “Open Meetings Act” 10-15-1, NMSA 1978, the Commission has established 19.30.3 NMAC, providing for reasonable notice of upcoming public meetings.
4. Commission Policy: It is the policy of the Commission that the public, federal, state, tribal and local governments (interested parties) have adequate opportunity to review and offer comments regarding a rule considered for adoption by the Commission. The Department maintains a copy of this policy at:  
  
<https://www.wildlife.state.nm.us/commission/meeting-agendas/>.  
(See “Public Notice Policy” Section).
5. Duration of Rules: Although rules can be amended or developed at any time within the above framework, typical development of amendments are influenced by the duration of the rule.
  - a) Permanent rules are generally consistent from year to year and are not opened until the Commission determines there is sufficient cause, with some exceptions (e.g. 19.33.6 NMAC, List of Threatened and Endangered Species). Most administrative and some game rules are in this category, see table in Section F below.
  - b) Hunting and fishing rules are on a 1, 2, or 4-year cycle. Although these rules may be opened and amended between cycles, most changes are made during their regular rule development cycles, see table in Section C below.

### C. List of Title 19, Natural Resources and Wildlife Rules

NMAC number	<a href="#">NEW MEXICO ADMINISTRATIVE CODE TITLE 19 NATURAL RESOURCES AND WILDLIFE</a>	Rule Type
<b>CHAPTER 30: WILDLIFE ADMINISTRATION</b>		
19.30.2	DEPREDATION ASSISTANCE	Permanent
19.30.3	GAME & FISH OPEN MEETINGS	Permanent
19.30.4	BOUNDARY DESCRIPTIONS FOR WILDLIFE MANAGEMENT AREAS	Permanent
19.30.5	PRIVATE LAND ELK LICENSE ALLOCATION	Permanent
19.30.8	GUIDE & OUTFITTER REGISTRATION	Permanent
19.30.9	GAME & FISH LICENSES/PERMITS	Permanent
19.30.10	NEW MEXICO HUNTER-TRAPPER REPORTING SYSTEM	Permanent
19.30.11	CIVIL LIABILITY	Permanent
19.30.13	ARTIFICIAL LIGHT PERMIT SYSTEM	Permanent
19.30.14	AQUATIC INVASIVE SPECIES	Permanent
19.30.15	WILDLIFE CONSERVATION VOLUNTEERS	Permanent
<b>CHAPTER 31: HUNTING AND FISHING</b>		
19.31.2	HUNTING AND FISHING LICENSE REVOCATION	Permanent
19.31.3	HUNTING & FISHING LICENSE APPLICATION	Permanent
19.31.4	FISHERIES	4-YR
19.31.5	UPLAND GAME	4-YR
19.31.6	MIGRATORY GAME BIRD	1-YR
19.31.9	COMMERCIAL USE OF FISH	Permanent
19.31.10	HUNTING AND FISHING - MANNER AND METHOD OF TAKING	Permanent
19.31.11	BEAR AND COUGAR	4-YR
19.31.12	BARBARY SHEEP, ORYX, AND PERSIAN IBEX	4-YR
19.31.13	DEER	4-YR
19.31.14	ELK	4-YR
19.31.15	PRONGHORN ANTELOPE	4-YR
19.31.16	TURKEY	4-YR
19.31.17	BIGHORN SHEEP	4-YR
19.31.18	BIG GAME ENHANCEMENT AUTHORIZATION PACKAGES	Permanent
19.31.19	GOVERNOR'S SPECIAL EVENTS AUTHORIZATIONS	Permanent
19.31.20	GOULD'S TURKEY ENHANCEMENT PERMITS	Permanent
19.31.21	JAVELINA	4-YR
<b>CHAPTER 32: TRAPPING AND FURBEARERS</b>		
19.32.2	FURBEARERS	Permanent
<b>CHAPTER 33: ENDANGERED AND PROTECTED SPECIES</b>		
19.33.2	REMOVAL, CAPTURE OR DESTRUCTION OF ENDANGERED SPECIES	Permanent
19.33.3	PROCEDURES FOR ACTIONS ON THE BIENNIAL REVIEW: CONTINUING LISTING, UPGRADING, DOWNGRADING SPECIES	Permanent
19.33.4	CONFIDENTIAL DATA REGARDING ENDANGERED SPECIES	Permanent
19.33.5	ADDING A SPECIES TO THE STATE LIST OF THREATENED AND ENDANGERED SPECIES BY ADOPTING A SPECIES ON THE FEDERAL LIST	Permanent
19.33.6	LIST OF THREATENED AND ENDANGERED SPECIES	Permanent
<b>CHAPTER 34: WILDLIFE HABITAT AND LANDS</b>		
19.34.2	HABITAT PROTECTION	Permanent
19.34.3	USE OF STATE GAME COMMISSION LANDS	Permanent
19.34.4	PROTECTION OF DEPARTMENT OF GAME AND FISH LANDS	Permanent
19.34.5	WILDLIFE MANAGEMENT AREAS	Permanent
19.34.6	PUBLIC LAND USER STAMP (SIKES ACT)	10-YR
19.34.7	OPEN GATE: HUNTING AND FISHING ACCESS PROGRAM	Permanent
<b>CHAPTER 35: CAPTIVE WILDLIFE USES</b>		
19.35.2	CALL PEN AND RETRIEVER TRIALS	Permanent
19.35.3	SHOOTING PRESERVES	Permanent
19.35.5	WILDLIFE REHABILITATION PERMITS	Permanent
19.35.6	EDUCATIONAL USE OF WILDLIFE	Permanent
19.35.7	IMPORTATION OF LIVE NON-DOMESTIC ANIMALS, BIRDS AND FISH	Permanent

19.35.8	FALCONRY	Permanent
19.35.9	CLASS A PARK AND LAKES	Permanent
19.35.10	PROTECTION OF AMPHIBIANS AND REPTILES	Permanent
<b>CHAPTER 36: WILDLIFE EDUCATION AND TRAINING</b>		
19.36.3	HUNTER EDUCATION	Permanent