

STATE GAME COMMISSION MEETING AND RULE MAKING NOTICE

The New Mexico State Game Commission (“Commission”) will be hosting a hybrid virtual meeting and rule hearing on Friday, August 19, 2022 beginning at 9:00 a.m. at the University of New Mexico – Gallup Campus, Room STC 200, 705 Gurley Ave., Gallup, New Mexico 87301. For instructions on how to attend this meeting either in person or virtually, visit the Department’s website at <http://www.wildlife.state.nm.us/commission/webcast/>. The purpose of this meeting is to hear and consider action as appropriate on the following: Repeal of the Landowner Certification of Non-Navigable Water Rule 19.31.22. NMAC.

Synopsis for Landowner Certification of Non-Navigable Water Rule 19.31.22 NMAC:

The proposal is to permanently repeal the Landowner Certification of Non-Navigable Water Rule 19.31.22 NMAC. On March 1, 2022, the New Mexico State Supreme Court issued a ruling from the bench that the Landowner Certification of Non-navigable Water Rule 19.31.22 NMAC is unconstitutional. Later that same day, the State Game Commission repealed the rule on an emergency basis in accordance with emergency rule provisions in 14-4-5.6 NMSA (1978). The Supreme Court also issued a Writ of Mandamus on March 2, 2022 wherein the State Game Commission was ordered to cease further implementation of 19.31.22 NMAC and withdraw the regulations as void and unconstitutional. The 180-day limit on an emergency rule will expire on August 28, 2022. Therefore, there is a need to permanently repeal the rule in accordance with the Writ of Mandamus.

A full text of changes is available on the Department’s website at: www.wildlife.state.nm.us.

Interested persons may submit comments on the proposed changes to the Fisheries Rule at: DGF-Non-NavigableRule@state.nm.us; or individuals may submit written comments to the physical address below. Comments are due by 5:00 p.m. on August 2, 2022. The final proposed rule will be voted on by the Commission during a hybrid virtual public meeting on August 19, 2022. Interested persons may also provide data, views or arguments, orally or in writing, at the hybrid virtual public rule hearing to be held August 19, 2022.

Full copies of the text of the proposed new rule, technical information related to proposed rule changes, and the agenda can be obtained from the Office of the Director, New Mexico Department of Game and Fish, 1 Wildlife Way, Santa Fe, New Mexico, 87507, or from the Department’s website at <https://www.wildlife.state.nm.us/commission/proposals-under-consideration/>. This agenda is subject to change up to 72 hours prior to the meeting. Please contact the Director’s Office at (505) 476-8000, or the Department’s website at www.wildlife.state.nm.us for updated information.

If you are an individual with a disability who needs a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the Department at (505) 476-8000 at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the Department at (505) 476-8000 if a summary or other type of accessible format is needed.

Legal authority for this rulemaking can be found in the General Powers and Duties of the State Game Commission 17-1-14, et seq. NMSA 1978; Commission’s Power to establish rules and regulations 17-1-26, et seq. NMSA 1978.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 31 HUNTING AND FISHING
PART 22 LANDOWNER CERTIFICATION OF NON-NAVIGABLE WATER

~~[19.31.22 NMAC, filed 1/2/2018 was repealed. Effective -----]~~

~~19.31.22.1 **ISSUING AGENCY:** New Mexico State Game Commission.
[19.31.22.1 NMAC N, 01-22-2018]~~

~~19.31.22.2 **SCOPE:** Department, staff, and landowners whose private property contains within its boundary,
a segment of non-navigable public water.
[19.31.22.2 NMAC N, 01-22-2018]~~

~~19.31.22.3 **STATUTORY AUTHORITY:** Section 17-1-14 NMSA 1978, Section 17-1-26 NMSA 1978, and
Section 17-4-6 NMSA 1978, provide that the New Mexico state game commission has 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.
[19.31.22.3 NMAC N, 01-22-2018]~~

~~19.31.22.4 **DURATION:** Permanent.
[19.31.22.4 NMAC N, 01-22-2018]~~

~~19.31.22.5 **EFFECTIVE DATE:** January 22, 2018, unless a later date is cited in the history note at the end
of a section.
[19.31.22.5 NMAC N, 01-22-2018]~~

~~19.31.22.6 **OBJECTIVE:** To establish rules, requirements, definitions and regulations implementing the
process for a landowner to be issued a certificate and signage by the director and the commission that recognizes
that within the landowner's private property is a segment of a non-navigable public water, whose riverbed or
streambed or lakebed is closed to access without written permission from the landowner.
[19.31.22.6 NMAC N, 01-22-2018]~~

~~19.31.22.7 **DEFINITIONS:**~~

~~**A.** "Certified non-navigable public water" shall mean a segment of watercourse or river submitted
to the department by a landowner which has met all requirements described in 19.31.22.8 NMAC and has been
issued a certificate by the director, and approved by the commission.~~

~~**B.** "Commission" shall mean the New Mexico state game commission.~~

~~**C.** "Department" shall mean the New Mexico department of game and fish.~~

~~**D.** "Director" shall mean the director of the department of game and fish or designee.~~

~~**E.** "Landowner" shall mean any person or entity that has legal, record title to private property
within the state of New Mexico.~~

~~**F.** "Navigable in fact" shall mean that a watercourse or river is navigable in fact when it was used
at the time of statehood, in its ordinary and natural condition, as a highway for commerce over which trade and
travel was or may have been conducted in the customary modes of trade or travel on water. A navigable in fact
determination shall be made on a segment by segment basis.~~

~~**G.** "Non-navigable public water" shall mean a watercourse or river which, at the time of statehood,
was not navigable in fact. A watercourse or river is not navigable in fact when it was not used at the time of
statehood, in its ordinary and natural condition, as a highway for commerce over which trade and travel was or may
have been conducted in the customary modes of trade or travel on water. The certification on non-navigable public
water shall be made by the director and approved by the commission on a segment by segment basis.~~

~~**H.** "Segment" shall mean the watercourse or river located within the boundaries of a landowner's
private property.~~

~~[19.31.22.7 NMAC N, 01-22-2018]~~

~~19.31.22.8 **LANDOWNER NON-NAVIGABLE PUBLIC WATER SEGMENT CERTIFICATION
REQUIREMENTS:**~~

~~_____ A. **Application:** An application by a landowner for certification of non-navigable public water on a segment by segment basis shall be made on a form or in a manner provided by the department as prescribed by the director. The form or manner shall be available to the public on or before February 2, 2018, via the department's website.~~

~~_____ B. **Contents:** A landowner requesting certification of a non-navigable public water segment shall provide the following information:~~

~~_____ (1) name of owner, address, telephone number, name of property or ranch, name of contact person authorized to grant written permission to access property;~~

~~_____ (2) current recorded property deed(s) or other written, recorded instruments of title and a complete legal description of property(s); county; name(s) of non-navigable public water, stream or river on property; a map of sufficient size and detail to allow the identification of potential access points to water and access roads to be located by someone unfamiliar with the area shall be included;~~

~~_____ (3) proof of publication of notice of application for certification for three consecutive weeks in a newspaper of general circulation in the county where the property is located.~~

~~_____ (4) substantial evidence which is probative of the waters, watercourse or river's being non-navigable at the time of statehood, on a segment by segment basis. This may include any reports to the US department of interior from the territorial governor(s) of New Mexico, any pre-statehood cases discussing the navigability or non-navigability of New Mexico's watercourses or rivers, any title opinion or other expert opinion, and any other evidence that may be probative.~~

~~_____ C. **Application acceptance:** An application shall be accepted for further consideration if it includes the required contents without regard to the merits of the application. An application shall not be refused for technical reasons. Refused applications may be amended, supplemented, and resubmitted and then reconsidered by the department and director in accord with the deadlines set forth herein for an original application. Refused applications can be appealed.~~

~~_____ D. **Application deadline:** A landowner may engage in the certification process at any time by completing and submitting the proper application form. A refused application is without prejudice. [19.31.22.8 NMAC—N, 01-22-2018]~~

19.31.22.9 WRITTEN DETERMINATION AND RECOMMENDATION BY DIRECTOR AND DESIGNATION OF NON-NAVIGABLE PUBLIC WATER STATUS:

~~_____ A. An accepted application shall be forwarded by the department to the director so that a determination can be made by the director whether the application meets the requirements set forth in 19.31.22.8 NMAC.~~

~~_____ B. The director shall have 60 days to make a written determination and recommendation or a written rejection to the commission.~~

~~_____ (1) If the director determines that the application meets the requirements set forth in 19.31.22.8 NMAC, the director's shall issue a written determination and recommendation to the commission that the segment in the application shall be designated a "non-navigable public water," stating the reasons for written determination and recommendation, and the matter shall be heard at a future regular meeting or special meeting, subject to availability of time and time constraints on the agenda, but in no event more than 180 days after the director issues a written determination and recommendation to the commission, for final vote of approval by the commission.~~

~~_____ (2) If the director determines that the application does not meet the requirements set forth in 19.31.22.8 NMAC, the director shall issue a written rejection of the application stating the reasons for rejection, and the matter shall be heard at a future regular meeting or special meeting, subject to availability of time and time constraints on the agenda, but in no event more than 180 days after the director issues a written rejection, for final vote of approval by the commission.~~

~~_____ C. The department shall post on its website, the director's recommendation to the commission at least 21 days before regular or special meeting at which the application will be presented to the commission. [19.31.22.9 NMAC—N, 01-22-2018]~~

19.31.22.10 NOTICE OF WRITTEN DETERMINATION AND RECOMMENDATION OF NON-NAVIGABLE PUBLIC WATER STATUS: The posting of the written determination and recommendation by the director of proposed certification of non-navigable public water on the commission's agenda or written rejection for final vote and approval shall serve as notice of the commission's intent to take final action on the application and written determination and recommendation or written rejection of the director.

[19.31.22.10 NMAC—N, 01-22-2018]

19.31.22.11 — MEETING PROCEDURES:

~~_____A._____ The commission shall make and preserve a record of the meeting.~~

~~_____B._____ Comments and proposed documentary evidence of the landowner, persons with standing, and the general public shall only be taken in writing and in a written format; this format will allow for comments and proposed documentary evidence to be submitted electronically as stated in the notice of meeting or the agenda. There shall be no oral or verbal comment from the landowner, persons with standing, and the general public at the meeting. There shall be no exception to this rule except upon good cause shown and at the sole discretion of the chairman.~~

~~_____C._____ The comment period closes 14 days before the meeting at which the application will be considered for final action by the commission.~~

~~_____D._____ Final action may be postponed or continued at the discretion of the commission but in no event shall a final determination as required in Subsection B of 19.31.22.9 NMAC exceed the 180-day deadline.~~

~~_____E._____ The director shall provide copies of the application and supporting documentation and all comments and proposed documentary evidence to the commission members at least seven days before the meeting at which the application will be considered for final action by the commission. The same information shall be posted on the department website at least seven days before the meeting at which the application will be considered for final action by the commission.~~

~~_____F._____ In a meeting held under this section, the chairman may admit any evidence, in his or her sole discretion, which is probative of the issues. The chairman may exclude, in his or her sole discretion, incompetent, irrelevant, immaterial and unduly repetitious evidence. Proposed documentary evidence may be received in the form of copies or excerpts. The commission may take notice of well-known, cognizable facts.~~

~~_____G._____ The commission may take final action on the application by approving or rejecting the written determination and recommendation or written rejection of the director but is not limited to those options. The commission may take such other final action as necessary to resolve the application, including but not limited to determining and finding that a segment be designated a non-navigable public water.~~

~~_____H._____ Within 60 days of the meeting, the commission shall issue its written final agency action and decision with the factual and legal basis for that decision. A copy of that decision will be given to all persons who were a party in the proceeding and every person who has filed a written request for notice of the final decision of that specific application.~~

[19.31.22.11 NMAC—N, 01-22-2018]

19.31.22.12 — JUDICIAL REVIEW: A landowner having made application under this rule or a person with standing may appeal to the district court for relief in accordance with Section 39-3-1.1 NMSA 1978. Any appeal may not be filed more than 30 days after issuance of the written final agency action and decision. Any appeal filed outside that 30-day period is untimely. Upon appeal, the district court shall set aside the action and decision only if it is found to be:

~~_____A._____ fraudulent, arbitrary, or capricious;~~

~~_____B._____ not supported by substantial evidence in the record; or~~

~~_____C._____ otherwise not in accordance with the law.~~

[19.31.22.12 NMAC—N, 01-22-2018]

19.31.22.13 — FINAL VOTE AND APPROVAL BY COMMISSION AND EFFECT THEREOF:

~~_____A._____ If the commission votes to approve the director's determination that a segment be designated a non-navigable public water or otherwise votes to determine and find that a segment be designated a non-navigable public water and issues a written final agency action and decision indicating the segment identified in the application or any portion thereof is now a "certified non-navigable public water", a certificate shall be issued by the director immediately following the issuance of the written final agency action and decision indicating the segment identified in the application, or any portion thereof identified by the commission, is now a "certified non-navigable public water". The certificate shall include sufficient information for recording purposes with the various county clerks of the state of New Mexico and shall be in a format sufficient for recording purposes with the various county clerks of the state of New Mexico. The certificate and certification shall run with the segment, the land, and the real property.~~

~~_____B._____ The certificate formally recognizes that the segment and certain waters found on the private property are non-navigable public waters and therefore trespass on private property through non-navigable public~~

~~water or via accessing public water via private property is not lawful unless prior written permission is received from the landowner in accordance with Section 17-4-6 NMSA 1978.~~

~~C. Landowners that receive an actual certificate are eligible to receive a sufficient number of signs for a reasonable fee. The fee is to fully compensate the department for the cost of sign production. The posting of signs and the addition of contact information written or adhered to the sign will be the responsibility of the applicant.~~

~~D. Sign requirements:~~

~~(1) Signs shall be at least 144 square inches (12 inches by 12 inches)~~

~~(2) Signs shall be printed in English and Spanish.~~

~~(3) Signs shall state the following prohibitions in accord with Subsection C of Section 17-4-6~~

~~NMSA 1978. Hunting and fishing on private property; posting; penalty: No person engaged in hunting, fishing, trapping, camping, hiking, sightseeing, the operation of watercraft or any other recreational use shall walk or wade onto private property through non-navigable public water or access public water via private property unless the private property owner or lessee or person in control of private lands has expressly consented in writing.~~

~~(4) Signs shall have the name and address of a person authorized to grant permission.~~

~~E. Sign posting requirements:~~

~~(1) Signs shall be posted in at least six conspicuous places on the property.~~

~~(2) Signs shall be posted along all the exterior boundaries of the property.~~

~~(3) Signs shall be posted at each roadway or other way of access in conspicuous places.~~

~~(4) Signs shall be posted where water line crosses all property boundaries.~~

~~(5) Signs shall be posted every 500 feet along the exterior boundaries if property is not fenced.~~

~~(6) Signs shall not be posted on any public land or any easements that the department or commission has acquired.~~

~~F. Effect of signage: A sign issued in accordance with this rule and meeting the requirements of this rule is prima facie evidence that the property subject to the sign is private property, subject to the laws, rules, and regulations of trespass and related laws, rules, and regulations.~~

~~[19.31.22.13 NMAC – N, 01-22-2018]~~

HISTORY OF 19.31.22 NMAC: ~~[RESERVED]~~

History of Repealed Material:

19.31.22 NMAC – Landowner Certification of Non-Navigable Water, Repealed due to New Mexico Supreme Court Decision in Adobe Whitewater Club v. N.M. State Game Commission, S-1-SC-38195), effective -----.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 31 HUNTING AND FISHING
PART 22 LANDOWNER CERTIFICATION OF NON-NAVIGABLE WATER

[19.31.22 NMAC, filed 1/2/2018 was repealed. Effective -----]

HISTORY OF 19.31.22 NMAC:

History of Repealed Material:

19.31.22 NMAC – Landowner Certification of Non-Navigable Water, Repealed due to New Mexico Supreme Court Decision in Adobe Whitewater Club v. N.M. State Game Commission, S-1-SC-38195), effective -----.

AGENDA ITEM NO. 11

Kirk Patten
Gallup, NM
August 19, 2022

Landowner Certification of
Non-navigable Waters
19.31.22 NMAC



Non-navigable Water Rule

- Adobe Whitewater Club v. N.M. State Game Commission (2022) – Writ of Mandamus
- Emergency Repeal of 19.31.22 NMAC
 - Expires August 28, 2022
- No public comment
- Formal Repeal per State Rules Act



Proposed Repeal of the Landowner Certification of Non-Navigable Water Rule 19.31.22 NMAC

The Department proposes to permanently repeal the Landowner Certification of Non-Navigable Water Rule 19.31.22 NMAC. On March 1, 2022, the New Mexico State Supreme Court issued a ruling from the bench that the Landowner Certification of Non-navigable Water Rule 19.31.22 NMAC is unconstitutional. Later that same day, the State Game Commission repealed the rule on an emergency basis in accordance with emergency rule provisions in 14-4-5.6 NMSA (1978). The Supreme Court also issued a Writ of Mandamus on March 2, 2022 wherein the State Game Commission was ordered to cease further implementation of 19.31.22 NMAC and withdraw the regulations as void and unconstitutional. The 180-day limit on an emergency rule will expire on August 28, 2022. Therefore, there is a need to permanently repeal the rule in accordance with the Writ of Mandamus.

**IN THE SUPREME COURT OF THE STATE OF NEW MEXICO****March 02, 2022****NO. S-1-SC-38195**

**ADOBE WHITEWATER CLUB
OF NEW MEXICO, a non-profit
corporation, NEW MEXICO WILDLIFE
FEDERATION, a non-profit corporation,
and NEW MEXICO CHAPTER OF
BACKCOUNTRY HUNTERS & ANGLERS,
a non-profit organization,**

Petitioners,

v.

STATE GAME COMMISSION,

Respondent,

and

**CHAMA TROUTSTALKERS, LLC;
RIO DULCE RANCH;
Z&T CATTLE COMPANY, LLC;
RANCHO DEL OSO PARDO, INC.;
RIVER BEND RANCH;
CHAMA III, LLC; FENN FARM;
THREE RIVERS CATTLE LTD., CO.;
FLYING H. RANCH INC.;
SPUR LAKE CATTLE CO.;
BALLARD RANCH;
DWAYNE AND CRESSIE BROWN;
COTHAM RANCH;
WAPITI RIVER RANCH;
MULCOCK RANCH;
WILBANKS CATTLE CO.;
130 RANCH; WCT RANCH;**

1 **THE NEW MEXICO FARM AND**
2 **LIVESTOCK BUREAU; CHAMA**
3 **PEAK LAND ALLIANCE;**
4 **NEW MEXICO CATTLE GROWERS'**
5 **ASSOCIATION; NEW MEXICO COUNCIL**
6 **OF OUTFITTERS AND GUIDES;**
7 **AND UPPER PECOS WATERSHED**
8 **ASSOCIATION,**

9
10 Intervenor-Respondents.

11 **WRIT OF MANDAMUS**
12

TO: New Mexico State Game Commission
P.O. Box 25112
Santa Fe, NM 87504

13
14 **GREETINGS:**


15 WHEREAS, a petition for writ of mandamus having been granted by this
16 Court on March 2, 2022, and the Court being sufficiently informed and good cause
17 appearing for the issuance of a writ of mandamus;

18 NOW, THEREFORE IT IS ORDERED that the New Mexico State Game
19 Commission shall cease from further implementation of the regulations set forth in
20 19.31.22 NMAC, and shall withdraw the regulations as void and unconstitutional.

21 IT IS SO ORDERED.



WITNESS, the Honorable Michael E. Vigil, Chief Justice of the Supreme Court of the State of New Mexico, and the seal of said Court this 2nd day of March, 2022.


Jennifer L. Scott, Chief Clerk of the Supreme Court
of the State of New Mexico

I CERTIFY AND ATTEST:
A true copy was served on all parties
or their counsel of record on date filed.
Jennifer L. Scott
Chief Clerk of the Supreme Court
of the State of New Mexico

Attendee Report

Report Generated: #####

Topic	Webinar ID	Actual Star	Actual Dur	# Registered	# Cancelled	Unique Views	Total Users	Max Concurrent	Enable Reg
New Mexico	876 4408	#####	525	18	0	12	36	0	Yes

Host Details

Attended	User Name	Email	Join Time	Leave Time	Time in Session	Is Guest	Country/Region Name
Yes	15: Elk Ruler	tristanna.b	#####	#####	521	No	United States

Panelist Details

Attended	User Name	Email	Join Time	Leave Time	Time in Session	Is Guest	Country/Region Name
Yes	State Game	ryan.darr@	#####	#####	525	No	United States
Yes	Valerie Joe	vjoe@nma	#####	#####	15	Yes	United States
Yes	Valerie Joe	vjoe@nma	#####	#####	400	Yes	United States
Yes	Roberta Sa R.	Salazar-1	#####	#####	19	Yes	United States
Yes	Roberta Sa R.	Salazar-1	#####	#####	121	Yes	United States
Yes	Roberta Sa R.	Salazar-1	#####	#####	278	Yes	United States

Attendee Details

Attended	User Name	First Name	Last Name	Email	Address	City	Country/Region	Zip/Postal	State/Prov
No	Tristanna	Tristanna		tristannabi	180 Glory I	Glorieta	US	87535	NM
Yes	Nmdgf tes	Nmdgf	test	Nmdgfland	1 wildlife v	Santa fe	US	87507	NM
Yes	Kathy McK	Kathy	McKim	kmckim@	Box 2241	Bloomfield	US	87413	NM
Yes	Kathy McK	Kathy	McKim	kmckim@pheasantsforever.org					
Yes	Kathy McK	Kathy	McKim	kmckim@pheasantsforever.org					
Yes	Kathy McK	Kathy	McKim	kmckim@pheasantsforever.org					
No	Hannah	Hannah	Grover	hannah@n	1621 S. Gl	Aztec	US	87410	NM
Yes	Tipton Wa	Tipton	Wagner	twagner@	322 D St N	Washingto	US	20002	DC
Yes	Tipton Wa	Tipton	Wagner	twagner@scifirstforhunters.org					
Yes	Tipton Wa	Tipton	Wagner	twagner@scifirstforhunters.org					
Yes	Kerrie Rorr	Kerrie	Romero	kerriecoxr	51 Bogan F	Stanley	US	87056	NM
Yes	Kerrie Rorr	Kerrie	Romero	kerriecoxromero@gmail.com					
Yes	Kerrie Rorr	Kerrie	Romero	kerriecoxromero@gmail.com					
Yes	Kerrie Rorr	Kerrie	Romero	kerriecoxromero@gmail.com					
Yes	Kerrie Rorr	Kerrie	Romero	kerriecoxromero@gmail.com					
Yes	Kerrie Rorr	Kerrie	Romero	kerriecoxromero@gmail.com					
Yes	Kerrie Rorr	Kerrie	Romero	kerriecoxromero@gmail.com					
Yes	Lindsay Ba	Lindsay	Barber	lindsay.bar	7300 Pere	Albuquerque	US	87113	NM
No	James	James	Wright	bcscabbert	707 Aztec		US	87410	NM
Yes	LAWRENCE	LAWRENCE	O'TOOL	srrlfo@ms	2306 DIET	ALBUQUE	US	87107-311	NM
Yes	Leif Rasmu	Leif	Rasmusser	leif.rasmus	1 Wildlife	Santa Fe	US	87507	NM
Yes	Leif Rasmu	Leif	Rasmusser	leif.rasmussen@state.nm.us					
Yes	Joseph Riv	Joseph	Rivera	nmunit34n	5 East Jack	Artesia	US	88210	NM
No	David	David	Archibeque	darchi71@	21-1 west	Lake arthu	US	88211	NM
No	Jose	Jose	Vega	joeyvega4	(4612 Tanz	Las Cruces	US	88012	NM
Yes	Taylor San	Taylor	Sanchez	taylor@sie	2201 S Bro	T or C	US	87901	NM
No	Jose	Jose	Vega	joeyvega4	(4612 Tanz	Las Cruces	US	88012	NM
Yes	Robin Quir	Robin	Quintana	robin.quint	One Wildli	Santa Fe	US	87507	NM
Yes	Robin Quir	Robin	Quintana	robin.quintana@state.nm.us					

Yes	Robin Quir Robin	Quintana	robin.quintana@state.nm.us		
Yes	Robin Quir Robin	Quintana	robin.quintana@state.nm.us		
Yes	Robin Quir Robin	Quintana	robin.quintana@state.nm.us		
Yes	Deb Doel-I Deb	Doel-Hamr	Deb@HRV 10 Ocate C Placitas	US	87043 NM
Yes	Leroy Arag Leroy	Aragon	lcmrg6@gr 625 Honey Albuquerque	US	87121 NM

istration

Phone	Organization	Job Title	Registration	Approval Status	Join Time	Leave Time	Time in Session	Is Guest	Do you wish to continue?
5.05E+09	NMDGF	Education	#####	approved	--	--	--	--	no
5.05E+09	Nmdgf	Unknkwn	#####	approved	#####	#####	455	Yes	No
5.05E+09	Pheasants	Coordinati	#####	approved	#####	#####	15	Yes	No
			#####		#####	#####	20	Yes	
			#####		#####	#####	41	Yes	
			#####		#####	#####	1	Yes	
406-274-4	nm politica	reporter	#####	approved	--	--	--	--	no
2.29E+09	Safari Club	Administra	#####	approved	#####	#####	360	Yes	No thanks
			#####		#####	#####	42	Yes	
			#####		#####	#####	23	Yes	
1.51E+10	New Mexic	Executive I	#####	approved	#####	#####	11	Yes	Maybe
			#####		#####	#####	34	Yes	
			#####		#####	#####	21	Yes	
			#####		#####	#####	19	Yes	
			#####		#####	#####	1	Yes	
			#####		#####	#####	70	Yes	
			#####		#####	#####	21	Yes	
			#####		#####	#####	50	Yes	
817-456-9	KOAT	Assignmen	#####	approved	#####	#####	455	Yes	no
505-258-1	Na	Na	#####	approved	--	--	--	--	Ok
7.13E+09	None	None. I'm i	#####	approved	#####	#####	378	Yes	Yes. I woul
1.51E+10	NMDGF	GC	#####	approved	#####	#####	20	No	No.
			#####		#####	#####	425	No	
4.7E+10	Unit 34 M	Founder	#####	approved	#####	#####	411	Yes	Yes
(575) 626-	Self	Guide	#####	approved	--	--	--	--	Ok
575-640-3	Self	Individual	#####	approved	--	--	--	--	General
575-894-2	Sierra Soil	Natural Re	#####	approved	#####	#####	113	Yes	no
575-640-3	Self	Individual	#####	approved	--	--	--	--	General
505 476-8	(Dept of Ga	Public Rela	#####	approved	#####	#####	17	Yes	OK
			#####		#####	#####	29	Yes	

			#####	#####	2	Yes		
			#####	#####	9	Yes		
			#####	#####	5	Yes		
4.25E+09	HMod	N/A	#####	approved	#####	70	Yes	no
505 920 92	None	Retired	#####	approved	#####	15	Yes	No

Country/Region Name

United States

United States

United States

United States

United States

United States

United States

United States

United States

United States

United States

United States

United States

United States

United States
United StatesUnited States
United StatesUnited States
United StatesUnited States
United StatesUnited States
United StatesUnited States
United StatesUnited States
United StatesUnited States
United StatesUnited States
United StatesUnited States
United StatesUnited States
United StatesUnited States
United StatesUnited States
United StatesUnited States
United StatesUnited States
United StatesUnited States
United States

United States

United States
United States
United States
United States
United States

Transmittal Form

Volume: Issue: Publication date: Number of pages: (ALD Use Only) Sequence No.

Issuing agency name and address: Agency DFA code:

Contact person's name: Phone number: E-mail address:

Type of rule action: (ALD Use Only)
New ☐ Amendment ☐ Repeal ☐ Emergency ☐ Renumber ☐ Most recent filing date:

Title number: Title name:

Chapter number: Chapter name:

Part number: Part name:

Amendment description (If filing an amendment): Amendment's NMAC citation (If filing an amendment):

Are there any materials incorporated by reference? Yes ☐ No ☐ Please list attachments or Internet sites if applicable.

If materials are attached, has copyright permission been received? Yes ☐ No ☐ Public domain ☐

Specific statutory or other authority authorizing rulemaking:

Notice date(s): Hearing date(s): Rule adoption date: Rule effective date:

Concise Explanatory Statement For Rulemaking Adoption:

Findings required for rulemaking adoption:

Findings MUST include:

- Reasons for adopting rule, including any findings otherwise required by law of the agency, and a summary of any independent analysis done by the agency;
- Reasons for any change between the published proposed rule and the final rule; and
- Reasons for not accepting substantive arguments made through public comment.

Issuing authority (If delegated, authority letter must be on file with ALD):

Name:

Check if authority has been delegated

Title:

Signature: (BLACK ink only)

Date signed:

New Mexico Register / Volume XXXIII, Issue 16 / August 23, 2022

On March 1, 2022 the New Mexico Supreme Court issued an opinion that 19.31.22 NMAC is unconstitutional. As such, the New Mexico State Game Commission voted to repeal the entire rule on an emergency basis that same day. The State Game Commission voted to permanently repeal 19.31.22 NMAC on August 19, 2022 as directed by the State Supreme Court.