

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 31 HUNTING AND FISHING
PART 19 GOVERNOR'S SPECIAL EVENTS AUTHORIZATIONS

19.31.19.1 ISSUING AGENCY: New Mexico Department of Game and Fish.
[19.31.19.1 NMAC - N, 9-28-2007]

19.31.19.2 SCOPE: Big game hunters, game bird hunters, and fishermen. Additional requirements may be found in Chapter 17, NMSA 1978, and Chapters 30, 31, 32 and 33 of Title 19.
[19.31.19.2 NMAC - N, 9-28-2007]

19.31.19.3 STATUTORY AUTHORITY: 17-1-14 and 17-1-26 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 mammals, birds, and fish.
[19.31.19.3 NMAC - N, 9-28-2007]

19.31.19.4 DURATION: Permanent.
[19.31.19.4 NMAC - N, 9-28-2007]

19.31.19.5 EFFECTIVE DATE: September 28, 2007, unless later date is cited at the end of individual sections.
[19.31.19.5 NMAC - N, 9-28-2007]

19.31.19.6 OBJECTIVE: To establish procedures and restrictions for the provision, sale, issuance, and use of no more than 12 big game special authorizations and 12 game bird or trophy fish special authorizations available to the governor each license year in conjunction with special events to raise money for fish and wildlife conservation in New Mexico.
[19.31.19.6 NMAC - N, 9-28-2007]

19.31.19.7 DEFINITIONS:

- A. "Department"** shall mean the New Mexico department of game and fish.
 - B. "Director,"** shall mean the director of the New Mexico department of game and fish.
 - C. "Special authorization certificate"** shall mean a document issued by the department that authorizes the holder to purchase a license or permit, or participate in the activity as specified on the certificate.
 - D. "Big game"** shall mean deer, bear, cougar, elk, antelope (American pronghorn), Barbary sheep, bighorn sheep, javelina, oryx, and Persian ibex.
 - E. "Small game"** shall mean blue grouse, dove, pheasant, quail, band-tailed pigeon, sandhill crane, teal, ducks, geese, coots, moorhen, sora, rails, snipe, and squirrel.
 - F. "Trophy fish"** shall mean an enhanced angling opportunity as defined on a special authorization certificate issued by the department.
- [19.31.19.7 NMAC - N, 9-28-2007]

19.31.19.8 GOVERNOR'S HUNTING AND FISHING AUTHORIZATION PROGRAM: The director of the department shall collect all proceeds generated through the auction of not more than 12 big game special authorizations and 12 game bird or trophy fish special authorizations annually. All authorizations shall be auctioned in conjunction with special events called by the governor and all money collected shall be deposited into the game protection fund to be used exclusively for fish and wildlife conservation activities or projects in New Mexico.
[19.31.19.8 NMAC - N, 9-28-2007]

19.31.19.9 REQUIREMENTS AND RESTRICTIONS:

- A. Requirements for the provision of governor's hunting and fishing authorizations:**
 - (1) The director shall, upon notification from the governor, ensure that the requested hunting or fishing opportunity complies with rules adopted by the state game commission. Upon confirmation the director shall initiate the development of a special authorization certificate that designates the allowable season dates, bag limits, weapon types, hunting or fishing areas and any other manner or method restrictions as may be appropriate to the species noted on the authorization. Each special authorization certificate auctioned will allow the holder to purchase a license for the species and allowances listed on the authorization certificate, and will allow the holder to participate

in the activity as listed or allowed on the authorization certificate.

(2) Upon ensuring that the requested hunting or fishing opportunity is in compliance with rules adopted by the state game commission and establishing the specific allowances and restrictions for each special authorization certificate, the director may issue the special authorization certificate(s) to the special event coordinator as designated by the governor or may hold the authorization certificate(s) for delivery to the successful high bidder(s).

(3) No more than 3 special authorization certificates shall be issued for any one big game species each license year.

B. Requirements for sale of governor's hunting and fishing authorizations:

(1) The sale of all special authorization certificates issued pursuant to this rule shall be through auction to the highest bidder and only in association with special events called by the governor to raise money for fish and wildlife conservation.

(2) Each special authorization certificate shall have an associated minimum bid, determined by the director with concurrence of the chairman of the state game commission. In no case shall the special authorization certificate be sold for less than this established minimum.

(3) In no case shall any auction-associated administration or other costs become the responsibility of the department of game and fish.

(4) All proceeds collected pursuant to the sale at auction of special authorization certificates shall be forwarded to the department within 30 days of sale as well as the auction purchaser's name and contact information.

C. Restrictions for the use of governor's hunting and fishing authorizations:

(1) Each special authorization certificate auctioned may be transferred through sale, barter, donation, or gift by the successful auction purchaser of the special authorization certificate to other individuals qualified to purchase a license and hunt or fish. If a special authorization certificate is transferred via sale, the sale price may not exceed the original purchase price paid at auction.

(2) Big game hunting licenses that result from the conversion of any big game special authorization certificate pursuant to this rule shall not be considered "once-in-a-lifetime".

(3) Unless his/her hunting privileges have been revoked pursuant to law, any resident of New Mexico, nonresident, or alien is eligible to submit bids for special authorization certificates pursuant to this rule.

(4) All big game special authorizations provided for auction shall allow for hunt specifics exactly as listed, by hunt code, in the associated species rule for the applicable license year. (NoValles Caldera national preserve or private land only hunts will be available to auction unless arrangements with the Valles Caldera national preserve or specific private landowners are made prior to issuance of authorization.)

(5) Requests for extended hunt dates, alternative hunt dates, or expanded hunt areas may be allowed pursuant to evaluation by the director and concurrence by the chairman of the state game commission.

(6) The provision of extended hunt dates, alternative hunt dates, or expanded hunt areas should minimize the allowance of hunting during the rut or critical breeding period of the species involved except as is consistent with public hunt periods specified in rule for that license year or as approved by the director with concurrence of the chairman. The provision of extended hunt dates, alternative hunt dates, or expanded hunt areas for migratory birds shall not exceed or violate federal frameworks established by the United States fish and wildlife service annually.

(7) The provision of extended hunt dates, alternative hunt dates, or expanded hunt areas should not result in conflict with the quality of opportunities intended for the holder of any "big game enhancement authorization package", "lieutenant governor's deer enhancement permits", "elk enhancement permits", "Gould's turkey enhancement permits", or "bighorn sheep enhancement permits", as allowed for in statute.

(8) Any individual who hunts or fishes pursuant to this rule must adhere to all manner and method and licensing restrictions and requirements established by commission rule, including any specifications or limitations printed on the special authorization certificate or associated license.

(9) No special authorization certificates for bighorn sheep or ibex shall be made available for auction until such time as the department determines that populations can sustain additional harvest that will not conflict with current level of available hunting opportunities.

(10) The director, with concurrence of the chairman of the state game commission, may consider any governor's requests for specific game bird or trophy fishing opportunities, and provide authorization listing specifics that are consistent with sound and appropriate fish and wildlife management.

[19.31.19.9 NMAC - N, 9-28-2007]

HISTORY OF 19.31.19 NMAC: [RESERVED]