

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 34 WILDLIFE HABITAT AND LANDS
PART 6 PUBLIC LAND USER STAMP (SIKES ACT)

19.34.6.1 ISSUING AGENCY: New Mexico Department of Game and Fish
[19.34.6.1 NMAC - Rp, 19 NMAC 34.1.1, 12-28-01]

19.34.6.2 SCOPE: The department of game and fish and all persons who may hunt, fish and/or trap on land administered by the U.S. forest service or the U.S. bureau of land management in the state.
[19.34.6.2 NMAC - Rp, 19 NMAC 34.1.2, 12-28-01]

19.34.6.3 STATUTORY AUTHORITY: 17-1-14 and 17-1-26 NMSA 1978 provide the New Mexico 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. Public Law 93-452 (Sikes Act) permits the state and the secretary of agriculture and secretary of interior to enter into agreements for the issuance of public land management stamps.
[19.34.6.3 NMAC - Rp, 19 NMAC 34.1.3, 12-28-01]

19.34.6.4 DURATION: March 31, 2021.
[19.34.6.4 NMAC - Rp, 19 NMAC 34.1.4, 12-28-01; A, 07-30-10]

19.34.6.5 EFFECTIVE DATE: December 28, 2001
[19.34.6.5 NMAC - Rp, 19 NMAC 34.1.5, 12-28-01]

19.34.6.6 OBJECTIVE: To provide for a public land management stamp for hunting, fishing and/or trapping on certain lands in New Mexico, requires possession of stamp, creates citizen review committees, and provides for expenditure of funds from stamp revenues.
[19.34.6.6 NMAC - Rp, 19 NMAC 34.1.6, 12-28-01]

19.34.6.7 DEFINITIONS:
A. "Public land", as used herein, means those lands, which surface areas are under the management authority of the United States forest service or the United States bureau of land management.
B. "Sikes Act", as used herein, means Public Law 93-452, which authorizes the issuance of public land management stamps, and regulates the use of funds collected there from.
C. "Public land management stamp", herein shall be referred to as "habitat stamp", and shall mean a stamp or validation that is affixed to or denoted on a valid hunting, trapping, or fishing license to demonstrate compliance with this regulation.
[19.34.6.7 NMAC - Rp, 19 NMAC 34.1.7, 12-28-01; A, 01-31-02]

19.34.6.8 PURCHASE AND POSSESSION:
A Each person hunting on any public land that is under the management authority of the United States forest service or the United States bureau of land management, except those lands under the management authority of the United States bureau of land management that are contained within game management unit 28, in the state of New Mexico, must purchase and possess a public land management stamp.
B. Each resident trapper twelve years of age and over, trapping for protected furbearers, and each non-resident trapper, trapping on any public land that is under the management authority of the United States forest service or the United States bureau of land management, except those lands under the management authority of the United States bureau of land management that are contained within game management unit 28, in the state of New Mexico, must purchase and possess a public land management stamp.
C. Each angler twelve years of age and over, except those resident anglers 70 years of age and older, fishing on any public land that is under the management authority of the United States forest service or the United States bureau of land management, except those lands under the management authority of the United States bureau of land management contained within game management unit 28, in the state of New Mexico, must purchase and possess a public land management stamp.
D. Provided, however, that only one public land management stamp is required for any one individual to hunt, trap, and/or fish on public land within the state of New Mexico during any license year.

E. Purchase price for each public land management stamp shall be five (\$5.00) dollars.
[19.34.6.8 NMAC - Rp, 19 NMAC 34.1.8, 12-28-01; A, 01-31-02]

19.34.6.9 VALIDATION:

A. A public land management stamp must be purchased when buying a license and the vendor must check the appropriate box; or if purchased separately, affix the stamp to a valid license and sign his or her name in ink across the face of the stamp (exception: no more than one stamp must be purchased per license year). Stamps not so validated shall not be valid for hunting, fishing, or trapping on public land within the state of New Mexico.

B. Public land management stamps are not transferable.

C. No one may use a public land management stamp validated by another person.

D. No hunting, fishing or trapping license used on forest service and/or bureau of land management lands shall be valid unless a public land management stamp is purchased, possessed or affixed as prescribed by 19.34.6.8 and 19. 34.6.9 NMAC.

[19.34.6.9 NMAC - Rp, 19 NMAC 34.1.9, 12-28-01; A, 01-31-02]

19.34.6.10 AVAILABILITY AND EXPIRATION:

A. Public land management stamps will be sold in all offices of the New Mexico department of game and fish and by hunting/fishing license vendors.

B. Public land management stamp shall be valid when signed pursuant to section 9.A above and expire on the following March 31 after the date of issuance.

[19.34.6.10 NMAC - Rp, 19 NMAC 34.1.10, 12-28-01]

19.34.6.11 EXPENDITURE OF FUNDS COLLECTED:

A. The expenditure of funds collected under this regulation shall be consistent with the land management plans that have been developed by the United States forest service the United States bureau of land management, and the plans of the New Mexico department of game and fish.

B. The department of game and fish shall, in cooperation with the United States forest service and the United States bureau of land management, develop a series of regional five-year project plans for the use of the funds collected under the authority of Sikes Act and this regulation.

[19.34.6.11 NMAC - Rp, 19 NMAC 34.1.11, 12-28-01]

19.34.6.12 CITIZEN REVIEW COMMITTEES: There is hereby created five citizen review committees, whose members shall be appointed by the state game commission, to provide citizen advice to the agencies and to place priorities on projects submitted by the citizens of New Mexico and agencies involved with the execution of this regulation.

[19.34.6.12 NMAC - Rp, 19 NMAC 34.1.12, 12-28-01]

HISTORY OF 19.34.6 NMAC:

Pre-NMAC History:

Regulation No. 648, Regulation Establishing a User Stamp Requirement on Public Lands Contained Within the Game Management Units 29, 30, 34, 36 and 37, 1-5-87.

Order No. 8-86, 4-10-87.

Order No. 4-88, 6-28-88.

Order No. 3-90, 9-4-91.

Regulation No. 676, Regulation Establishing a User Stamp Requirement on Public Lands Within the State of New Mexico, 1-12-90.

NMAC History:

19 NMAC 34.1, Public Land User Stamp (Sikes Act), 1-18-96.