

COMMISSION MEETING AGENDA BRIEFING

Meeting Date: April 28, 2023

Agenda Number: 12

Presenter: Kirk Patten

Corroborator: N/A

Agenda Title: Initial Discussion of the Fisheries Rule 19.31.4.16 (Establishing Free Fishing Days) NMAC

1. Summary of Agenda Item

The passage of HB 197 during the 2023 Legislative Session expanded the number of days which the Director may designate, with Game Commission approval, free fishing in New Mexico. This agenda item will initiate the amendment process to comply with this newly enacted law.

2. Background Information

Subsection B of 17-3-17 NMSA (1978) currently empowers the Director to designate, with Game Commission approval, two non-consecutive free fishing days for resident and non-resident anglers. Game Commission rule (19.31.4.16 NMAC) identifies the first Saturday in June and the last Saturday in September as free fishing days. HB 197 was passed during the 2023 legislative session and expanded the number of free fishing days to from two non-consecutive free fishing days to two nonconsecutive two-day weekends. There is a need to amend 19.31.4.16 NMAC to designate free fishing weekends in accordance with HB 197.

3. Strategic Plan References and Possible Impacts of Agenda Item

Activities conducted by the Fisheries Management Division advance the Conservation Services Program Objectives 4 of the Department's Strategic Plan: FY 2019 – FY 2023. Expansion of free fishing opportunities could enhance recruitment and retention of anglers in New Mexico.

4. Considerations Regarding Duplications and/or Conflicts with Existing Rules or Statutes

None

5. Description and Summary of Public Involvement Process and Results

This agenda item will initiate discussions for amending 19.31.4.16 NMAC to comply with legislative direction. The Department anticipates posting the proposed changes on the Department website and will accept public comment. We anticipate a rule-making hearing in July or August 2023.

6. Suggested Motion

This presentation is for information purposes and to initiate discussions on proposed amendments to the rule.