

**TITLE 7
GAME AND WILDLIFE**

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Pueblo of Acoma Laws 2003

**TITLE 7
GAME AND WILDLIFE**

Origins: These laws were adopted by the Pueblo of Acoma Tribal council as part of the 1985 Law and Order Code, unless otherwise noted. Pueblo of Acoma Laws 2003 supplied headings for each section in brackets.

Chapter 1. GENERAL MATTERS

7-1-1 [Applicability]. The provisions of this Title apply to all persons on Acoma lands.

7-1-2 [Acoma Lands]. Acoma lands shall mean all lands within the exterior boundaries of the Pueblo de Acoma; to include all lands possessed by the Pueblo through grant, treaty, purchase and/or fee simple.

Annotations: 1985 Pueblo of Acoma Laws (2000) inadvertently omitted the phrase “and/or fee simple” from the language in this section. Pueblo of Acoma Laws 2003 corrects the errors in conformance to 1985 Law and Order Code.

The 1985 Law and Order Code separates Title 7 into chapters but does not designate a heading for each chapter. The 1995 Restatement of laws designated an appropriate heading for each chapter.

Cross-reference to Section 1-2-2 Pueblo of Acoma Laws 2003 for similar definition.

7-1-3 [Scope]. Those quadrupeds, fowl, fish and other animals designated herein shall be protected and hunting, taking, capturing, injuring, killing, possession or any attempt of same shall be regulated and controlled by the provisions of this Title.

7-1-4 [Violations]. Violations of any section of this title shall constitute a violation of Acoma Law and shall subject the violator to imprisonment of not more than one hundred eighty (180) days or a fine of not more than five hundred dollars (\$500) for each violation plus court costs. The court may order restitution upon a showing of good cause.

7-1-5 [Big Game Animals]. The following species and subspecies of animals are designated as Big Game Animals:

A. Deer;

- B. Turkey;
- C. Bear;
- D. Elk;
- E. Antelope;
- F. Barbary sheep.

7-1-6 [Game Fish]. The following species and subspecies of animals are designated as Game Fish:

- A. Trout;
- B. Catfish;
- C. Perch;
- D. Bass;
- E. Pike.

7-1-7 [Migratory Game Birds]. The following species and subspecies of animals are designated as Migratory Game Birds:

- A. Ducks;
- B. Cranes;
- C. Geese;
- D. Coots;
- E. Teal;
- F. Redhead duck;
- G. Mallard hens;
- H. Wood ducks;
- I. Pintails;
- J. Gadwalls;
- K. Shovelers;

- L. Widgeon;
- M. Red breasted merganser.

Annotation: 1985 Law and Order Code originally listed 17 Migratory Game Birds, but did not identify 4 of these birds. The 1995 Restatement deleted the blanks left for the 4 unidentified birds. The 1985 and 1995 Law and Order Code identified the last bird as "Red Breasted ???". The Pueblo of Acoma Laws 2003 suggested that the bird is a Red breasted merganser as defined in Section 7-1-14(F).

7-1-8 [Upland Game Birds]. The following species and sub-species of animals are designated as Upland Game Birds:

- A. Doves;
- B. Quail;
- C. Pheasants;
- D. Prairie chickens;
- E. Grouse;
- F. Teal;
- G. Pigeons;
- H. Rails;
- I. Snipe;
- J. Sandhill cranes.

7-1-9 [Exotic Game Animals]. The following species and subspecies of animals are designated as Exotic Game Animals:

- A. Oryx;
- B. Ibex;
- C. Javelina.

7-1-10 [Small Game Animals]. The following species and subspecies of animals are designated as Small Game Animals:

- A. Squirrel;

B. Rabbit.

7-1-11 [Furbearing Animals]. The following species and subspecies of animals are designated as Furbearing Animals:

- A. Foxes;
- B. Bobcats;
- C. Badgers;
- D. Weasels;
- E. Ring tail cats;
- F. Muskrats;
- G. Minks;
- H. Nutria;
- I. Martens.

7-1-12 [Predatory Animals]. The following species and subspecies of animals are designated as Predatory Animals:

- A. Coyotes;
- B. Foxes;
- C. Bobcats.

7-1-13 [Protected Animals]. The following species and subspecies of animals are designated as Protected Animals:

- A. Eagles;
- B. Buffalo;
- C. Beavers;
- D. Cougars;
- E. Raccoons;
- F. Woodpeckers;

- G. Vireo
- H. Sparrows;
- I. Songbirds;
- J. Longspurs;
- K. Gila monsters;
- L. Otters;
- M. Ferrets;
- N. Wolves;
- O. Chipmunks;
- P. Bats;
- Q. Martens;
- R. Minks;
- S. Hawks;
- T. Owls;
- U. Falcons;
- V. Hummingbirds;
- W. Non-poisonous snakes;

Annotations: 1985 Law and Order Code included "Vireo" as one of the protected Animals. The 1995 Law and Order Code leaves this animal out of the list without explanation. The Pueblo of Acoma Laws 2003 re-includes this animal into the list at subsection G.

7-1-14

Definitions.

- A. "Antlered deer" means a deer possessing at least one antler in excess of six (6) inches in length.
- B. "Barbary sheep" means either sex provided it has horns at least fifteen (15) inches in length.

- C. “Bear” means either sex over a year old, except that female bears accompanied by a cub or cubs less than one year of age are not eligible for taking.
- D. “Conibear-type trap” means any trap designed to kill animals instantly.
- E. “Dark goose”: means a Canadian goose or white-fronted goose.
- F. “Duck” includes common merganser, hooded merganser, and red breasted merganser.
- G. “Eyass” means a young raptor not yet capable of flight.
- H. “Fork horned” means a buck antelope with at least one pronged horn longer than the animal ears.
- I. “Land set” means any trap or snare set on land.
- J. “Light goose” means a snow, blue, or ross’s goose.
- K. “Mature bull” means a male elk with at least one (1) brow tine extending six (6) or more inches from the amil leam.
- L. “Passage bird” means a raptor capable of flight.
- M. “Pheasant” means the male of the species only.
- N. “Water set” means any type of trap or snare set fully or partially under water.
- O. “Raptor” means any bird of prey or of the accipitridae family other than an eagle.

Annotation: The 1985 Law and Order Code did not define what “prairie chicken” is. The 1995 Restatement deleted “prairie chicken” from the list for lack of definition.

Chapter 2. FISHING/HUNTING LICENSES

- 7-2-1 [Permit or License - Defined]. An entry permit or license is a written authorization issued by the Pueblo de Acoma which allows a person to enter or remain upon Acoma lands for the purpose of hunting authorized game animals.
- 7-2-2 [Authorized Use of License]. A license authorizes the permittee to hunt or fish for specified species of game animals on Acoma lands during an approved season.

- 7-2-3 [License or Permit Fee]. The fee for all licenses or permits issued by the Pueblo de Acoma relative to Acoma Wildlife shall be established by the Acoma Tribal Council.
- 7-2-4 [Hunting without License or Permit]. It shall be unlawful for any person to hunt, take, trap, injure, kill, possess, transport, export or offer for sale any species or subspecies of animals or any portion thereof, enumerated as game protected or furbearing animals, under the provisions of this Title, on Acoma lands unless such person possesses a duly executed permit or license authorizing such action.
- 7-2-5 [Hunting without a Special License]. It shall be unlawful for any person to hunt, take, trap, injure, kill, possess, transport, export or offer for sale any protected animal on Acoma lands, except as permitted by a duly authorized special license issued pursuant to the provisions of this Title in instances where unusual and/or exigent circumstances exist which warrant such action.
- 7-2-6 [Contents of License]. All licenses issued under the provisions of this Title will contain the following information as a minimum:
- A. Permittee identification information.
 - B. Date of license issuance.
 - C. Effective dates of the license.
 - D. Species and types of wildlife the permittee is authorized to hunt.
 - E. Location or area in which the permittee is authorized to hunt.
 - F. Type of weapons the permittee is authorized to use.
 - G. Any special restriction imposed upon the actions of the permittee.
- 7-2-7 [Unlawful Use of License or Permit]. It shall be unlawful for any person to:
- A. File, certify or sign any false or fraudulent statement, application, or permit relative to the acquisition of any license authorized or provided under the provisions of this Title.
 - B. Use a license or permit issued under the provisions of this Title to another or in the name of any other person, or in the name of any fictitious person.
 - C. To alter any license, certificate, invoice or permit issued pursuant to the provisions of this Title.

- 7-2-8 [Eligibility for Acoma Members to Obtain License or Permit]. Only registered members in good standing of the Acoma Tribe whose privileges to hunt, take or possess wildlife on Acoma lands have not been revoked or suspended shall be eligible to obtain a license under the provisions of this Title unless otherwise authorized by the Acoma Tribal Council.
- 7-2-9 [Eligibility for Non-Acomas to Obtain License or Permit]. Non-Acomas may obtain a license issued pursuant to this Title in those instances where such has been authorized by the Acoma Tribal Council.
- 7-2-10 [Term of License or Permit]. All licenses and permits issued under the provisions of this Title shall be valid for the calendar year in which they are issued, while the actual hunting of animals continues to be controlled by established hunting seasons.
- 7-2-11 [Eligibility for Minors to Obtain a License or Permit]. No person under the age of eighteen (18) years shall be licensed to hunt on Acoma lands with a firearm unless such person has successfully completed an approved hunter safety course.
- 7-2-12 [Public Draw]. If more applications for wildlife licenses are received than there are licenses available, as established by the Acoma Tribal Council, the available licenses shall be allotted by means of a public drawing.
- 7-2-13 [Limitation on Number of License or Permit]. During any current license year it shall be unlawful for any person to apply for, obtain, or possess more than one of each of the following types of licenses:
- A. Fishing;
 - B. Big game;
 - C. Upland game;
 - D. Migratory fowl;
 - E. Exotic game;
 - F. Small game;
 - G. Furbearing animals;
 - H. Falconry;
 - I. Fur dealer;
 - J. Special hunt;

- K. Predator;
- L. Retention.

7-2-14 [Validity of License]. All licenses issued under this Title shall be:

- A. Valid only in the areas for which they were issued.
- B. Valid only for the days listed thereon.
- C. Non-transferable.
- D. Non-refundable.

7-2-15 [Possession of License or Permit]. Hunters in the field on Acoma lands shall have in their possession a valid entry permit/wildlife hunting license issued by the Pueblo de Acoma pursuant to the provisions of this Title authorizing his or her participation in such season or activity.

7-2-16 [Duty to Produce License or Permit]. It shall be the duty of every person hunting in the field, and/or in possession or control of any game or protected animal to produce for inspection the proper permit, valid license or invoice when such is required by the provisions of this Title, upon demand of any law enforcement officer.

Annotation: The Tribal Council authorized the Acoma Ranger Program to enforce Title 7 pursuant to Tribal Council Resolution No. TC-OCT-11-01-3. The Resolution did not remove enforcement powers from the Acoma Police Department. Both Acoma Police Department and Acoma Ranger Program may enforce this Title. Therefore, Pueblo of Acoma Laws 2003 uses the neutral phrase "law enforcement officer" to include both Acoma Police Department and Acoma Ranger Program.

7-2-17 [Confirming Hunter's Identity]. Hunters in the field shall carry on their person or have otherwise readily available a current pictured identification sufficiently detailed to establish their identity beyond a reasonable doubt when compared to the information contained on the individual's hunting permit.

7-2-18 [Changes, Erasures, Alterations or Modifications of License or Permit]. Any changes, erasures, alterations or modifications to a permit or license automatically voids or invalidates the permit and the permittee is subject to criminal and civil sanctions as provided under this Title as though no permit existed, unless such change bears the signature of the Chief of Acoma's law enforcement service or his designate.

Annotation: The Tribal Council authorized the Acoma Ranger Program to enforce Title 7 pursuant to Tribal

Council Resolution No. TC-OCT-11-01-3. The Resolution did not remove enforcement powers from the Acoma Police Department. Both Acoma Police Department and Acoma Ranger Program may enforce this Title. Therefore, Pueblo of Acoma Laws 2003 uses the neutral phrase "law enforcement officer" to include both Acoma Police Department and Acoma Ranger Program.

7-2-19 [Classes and Types of Wildlife License]. Classes and types of wildlife licenses:

- A. Fishing: Entitles the licensee to take approved limits of game fish during open season.
- B. Small Game: Entitles the licensee to take approved limits of game animals enumerated in the category during open seasons.
- C. Big Game: Entitles the licensee to take the appropriate limits of game animals listed in this category during regular seasons, not to include special hunts or seasons.
- D. Special: Entitles the licensee to hunt a specified species of game or protected animal during a designated period of time, and take approved limits of such game from prescribed areas.
- E. Exotic: Entitles the licensee to hunt a particular type of game animal under specified conditions.
- F. Non-Game: Entitles the licensee to hunt non-game or non-protected animals.
- G. Retention: Entitles the licensee to retain the live abandoned young of game or protected animals.
- H. Non-Resident: Entitles the licensee to hunt a designated species of game during an approved season; the fee for which is to be established by the Acoma Tribal Council at the time they authorize non-Acoma participation in such hunting.
- I. Trapper: Entitles the licensee to trap specified species of predatory or fur-bearing animals during approved seasons.
- J. Falconry: Entitles the licensee to collect and/or possess a specified number of raptors.
- K. Handicapped: When accompanied by a valid license of another type it entitles the licensee special privileges relative to the acquisition of wildlife under the authority of another license.

- L. Predator: Entitles the licensee to hunt or trap specified species of furbearing predatory animals during approved seasons.

7-2-20 [Fee for License or Permit]. The fee for all classes of permits and licenses shall be established by the Acoma Tribal Council at a regular meeting in December annually and shall remain in effect for a period of twelve months.

7-2-21 [Revocation of License and/or Hunting Privileges]. Upon conviction of a violation of this Title by the Acoma Tribal Court or any other court of competent jurisdiction the Acoma Police may petition the Tribal Courts to revoke the violator's permit or license and/or future hunting and fishing privileges for a period up to three (3) years.

7-2-22 [Limitation of Liability]. The Pueblo de Acoma by virtue of granting permission to any person or group of persons to utilize its lands for the purpose of hunting, fishing, trapping, camping, hiking, sightseeing or any other recreational use does not thereby:

- A. Extend any assurance that the premises are safe for such purposes.
- B. Assume any duty or care to keep such lands safe for entry or use.
- C. Assume responsibility or liability for any injury or damage to or caused by such persons.
- D. Assume any greater responsibility, duty of care, or liability to such person or group than if such permission had not been granted and such person or group were trespassers.

7-2-23 [Consent to Pueblo of Acoma Laws]. Any person applying for obtaining and accepting a license or permit under the provisions of this Title shall be deemed to have knowingly and voluntarily agreed to abide by the laws of the Pueblo de Acoma while on Acoma lands and to have wilfully and irreversibly consented to the jurisdiction of the Acoma criminal justice and judicial systems for any violation of the provisions of this Title.

Chapter 3. HUNTING SEASONS; THE TAKING OF GAME ANIMALS

7-3-1 [Hunting Season - Defined]. Hunting seasons are those calendar dates established and authorized by the Tribal Council for the hunting or fishing for wildlife on Acoma lands.

7-3-2 [Hunting Season Established]. The Acoma Tribal Council shall at its regularly scheduled meeting in December of each year establish the hunting and fishing season and bag limits that will be allowed for all species of game on Acoma land for the following year.

- 7-3-3 [Hunting During Authorized Season]. No one shall hunt, kill, or possess any game or protected wildlife on Acoma lands except during an authorized season for such animal and only then when such person is properly licensed to do so by the Pueblo de Acoma.
- 7-3-4 [Hunting During Open Season]. A properly issued license or permit authorizes a duly licensed person to hunt game or protected wildlife on Acoma lands during an open season, provided all pertinent restrictions are obeyed.
- 7-3-5 [Hunting Hours]. Hunting hours shall be from one-half hour before sunrise to one-half hour after sunset unless specifically designated to the contrary by this Title or altered by the Tribal Council.
- 7-3-6 [Duty to Capture and Take Wounded Animal]. It shall be unlawful for any person who injures any game or protected animal to fail to go to the place where the animal sustained or may have sustained the wound and thereafter make a reasonable effort to trap the animal and take it into their possession.
- 7-3-7 [Duty to Take Edible Meat]. It shall be unlawful for a person who takes a game animal to fail to transport the edible portions of the meat obtained to his home for human consumption or arrange to donate such meat for human consumption pursuant to the provisions of this Title.
- 7-3-8 [Duty to Take Within Bag Limits]. No person shall take or possess more than the legally authorized quota of any game or protected animal during any single license year.
- 7-3-9 [Hunting Out of Season]. It shall be unlawful for any person to possess any game or protected animal in the field out of season.
- 7-3-10 [Hunting Without a License or Permit]. It shall be unlawful for any person to possess any game or protected animal in the field unless such person is legally licensed to do so.
- 7-3-11 [Possession of Detached License Tag]. No one in the field during an open season for game or protected animals, except a legally licensed hunter who is removing a carcass from the field to camp or a vehicle, shall possess a detached license tag applicable to that season for which hunting is authorized.
- 7-3-12 [Duty to Tag Animal]. Immediately after killing any game or protected animal, which is required to be tagged by the provisions of this Title, the hunter shall fill out completely the appropriate tag, detach it from his license and attach it to the carcass of the animal in the field.

Once tagged the carcass of any game or protected animal shall remain tagged until it reaches its final destination for storage or the abode of the licensee; except that the tag may be detached from a portion of the animal which is being transported from the field to camp or a vehicle, provided that the part of the carcass that remains in the field possesses the tag.

- 7-3-13 [Possession of Untagged Animal]. It shall be unlawful for any person to possess on Acoma lands a game or protected animal required to be tagged in the field without such tag being properly completed and securely attached to the animal.
- 7-3-14 [Sale, Purchase or Barter of Game or Protected Animal]. It shall be unlawful to sell, offer for sale, purchase, offer to purchase, or barter for any game or protected animal or any portion thereof on Acoma lands.
- 7-3-15 [Prima Facie Evidence of Unlawful Take or Possession]. The possession of game or protected animals at any time when unaccompanied by a valid permit or license, or invoice as provided by this Title shall be prima facie evidence that such animal was unlawfully taken and/or is unlawfully possessed.
- 7-3-16 [Possession of Donated Animal]. No person shall have in his possession or under his control any game or protected animal or any part thereof that have been taken by another without a written statement or invoice from the donor stating the kind and number of animals donated, the date and location the animals were taken, the donor's name, permanent address, hunting license number, as well as the date and place of the donation.
- 7-3-17 [Transport of Animal Taken or Possessed Illegally]. It shall be unlawful for any person to transport any illegally taken or possessed game or protected animal on Acoma lands.
- 7-3-18 [Feathered Wing or Head to Remain Attached]. One fully feathered wing or head of any taken game or protected fowl shall remain attached to the animal until the bird has reached its final destination or the residence of the permittee.
- 7-3-19 [Antlers or Horns to Remain Attached]. The antlers or horns as well as the attached segment of the skull of any big game or protected animal taken shall accompany the carcass to the place where it will be consumed or placed in cold storage.
- 7-3-20 [Holding Game in Captivity]. It is unlawful to hold in captivity any game or protected animal unless specifically authorized to do so by written permit from the Acoma Tribal Council.
- 7-3-21 [Release of Animals on Acoma Lands]. It is unlawful for any person or

persons, firms, corporation, or government agency to release or cause to be released on Acoma lands any mammals, birds, fish, reptiles or other animals, except domestic animals, without first obtaining a permit from the Acoma Tribal Council.

7-3-22 [Special Permit Required for Songbirds]. It shall be unlawful for any person to shoot, ensnare, trap, or attempt same for any purpose, any songbirds or other bird whose principal food consists of insects unless such person possesses a special permit issued for such purpose.

7-3-23 [Duty to Report Taking of Protected or Endangered Species]. Whenever any person captures, removes, injures, or kills any animal herein listed as a protected or endangered species, he shall report such action to the Acoma law enforcement officer without unnecessary delay. Such report shall contain the species of animal involved, the date, location, and circumstances relative to such incident.

7-3-24 [Protected Species List]. Any animal whose prospects of survival on Acoma lands are or are likely to be in jeopardy may be placed on the protected species list noted herein and as such would be considered an endangered species.

Chapter 4. WEAPONS AND HUNTING AIDS

7-4-1 [Authorized Weapon or Device]. It shall be unlawful for anyone to hunt or fish wildlife on Acoma lands with any weapon or device other than that for which his or her license is validated.

7-4-2 [Eligibility to Carry a Firearm]. During any hunting season only properly licensed hunters may carry a firearm in the field.

7-4-3 [Fully Automatic Firearms Prohibited]. Fully automatic firearms may not be used in the hunting of wildlife on Acoma lands.

7-4-4 [Permitted Muzzle Loading Guns]. Muzzle loading weapons of forty caliber or larger may be used to hunt game or protected animals.

7-4-5 [Permitted Shotguns]. Shotguns larger than 28-gauge firing a single slug may be used in the hunting of big game animals.

7-4-6 [Caliber of Shotgun and Selection of Shot]. Any caliber shotgun and selection of shot may be used in the hunting of game or protected birds, unless otherwise restricted in this Title.

7-4-7 [Permitted Centerfire Cartridges]. Only centerfire cartridges with a cartridge length of 1.198 inches or greater shall be used in the hunting of wildlife on Acoma lands with the exception of non-game animals.

- 7-4-8 [Permitted Soft-Nose or Hollowpoint Bullets]. Only soft-nosed or hollowpoint bullets may be used for hunting or taking animals on Acoma lands.
- 7-4-9 [Prohibited Tracer Ammunition]. It is unlawful to utilize tracer ammunition in the taking or attempted taking of any animal on Acoma lands.
- 7-4-10 [Permitted Bows]. Where such is authorized, any bow, except cross bows, with which the user can cast an arrow one hundred sixty (160) yards or more on level ground may be used to hunt game animals on Acoma land.
- 7-4-11 [Permitted Arrows]. Arrows utilized in the hunting of game animals shall have broad heads with sharpened steel cutting edges.
- 7-4-12 [Prohibited Drug-Laced Arrows]. It shall be unlawful to use any form of drug on a hunting arrow.
- 7-4-13 [Shoulder Type Weapons Prohibited During Handgun Only Hunts]. During any hunting season restricted to handgun weapons, hunters in the field, whether licensed or not, shall not carry any shoulder type weapons.
- 7-4-14 [Modern Firearms Prohibited During Muzzle-Loader Only Hunts]. During any hunting season restricted to muzzle-loader style weapons, hunters in the field, whether licensed or not, shall not carry any modern firearm.
- 7-4-15 [Firearms Prohibited During Bow and Arrow Only Hunts]. During any hunting season restricted to bow and arrows, hunters in the field, whether licensed or not, shall not carry any type of firearm.
- 7-4-16 [Permitted Caliber for Big Game Hunts]. Only weapons of .243 caliber or greater are legal for the hunting of big game animals on Acoma lands unless other provisions are provided herein.
- 7-4-17 [Use of Poison Prohibited]. It shall be unlawful for any person to use or set out any poison or other material containing poisons in an effort to kill any game, protected, exotic, or furbearing, animal unless such person holds a special permit issued by the Acoma Tribal Council for such poisoning.
- 7-4-18 [Use of Aircraft Prohibited]. It is unlawful for any person airborne in an aircraft to shoot or attempt to shoot any animal; to fly or attempt to fly the aircraft in any manner intentionally menacing to any game or protected animal, or domestic animal not his own which causes such animal to move from its chosen place of rest or to change its direction of travel; or knowingly participate for any purpose referred to herein; except that such restriction shall not apply to any authorized agent or a governmental agency in the performance of his or her official duties or when such has been authorized by special permit issued by the Tribal Administration.

- 7-4-19 [Use of Other Live Animals Prohibited]. It shall be unlawful to use live animals as a blind, decoy, or bait in the taking or attempted taking of any animals on Acoma land.
- 7-4-20 [Use of Over Ground Bait Prohibited]. It shall be unlawful to take or attempt to take any game or protected animal over ground baited with any material distributed there to entice such animals.
- 7-4-21 [Use of Recorded Calling Device Prohibited]. It is unlawful to utilize any electrically or mechanically recorded calling device in the taking or attempted taking of any game or protected animal on Acoma lands.
- 7-4-22 [Use of Dogs Prohibited]. It is unlawful for any person who owns, controls, or has in his possession any dog to induce, permit, or use the dog(s) to run, track, or kill any game or protected animal unless such is specifically authorized on his tribal license or permit.

Chapter 5. ENFORCEMENT

Annotation: The Tribal Council authorized the Acoma Ranger Program to enforce Title 7 pursuant to Tribal Council Resolution No. TC-OCT-11-01-3. The Resolution did not remove enforcement powers from the Acoma Police Department. Both Acoma Police Department and Acoma Ranger Program may enforce this Title. Therefore, Pueblo of Acoma Laws 2003 uses the neutral phrase "law enforcement officer" to include the Acoma Police Department and Acoma Ranger Program.

- 7-5-1 [Alcohol and Substance Abuse During Hunt]. In order to protect the rights of the general public, to promote public safety, and reduce the probability of hunting, fishing and boating accidents it shall be unlawful for any person while intoxicated under the influence of alcoholic beverages, narcotics or drugs to carry any loaded firearm or bow and arrow to hunt, kill or attempt to kill in any manner any animal or to go upon the waters of any lake or stream in a boat or other type of flotation device.
- 7-5-2 [Sobriety Tests]. Any person charged with hunting, fishing or boating while under the influence of alcohol, narcotics or drugs shall be required to submit to standard physical and/or chemical tests routinely administered to determine the sobriety of the driver of a motor vehicle.
- 7-5-3 [Check Point and Roadblock Stations]. Acoma law enforcement officer may from time to time, as is needed for the proper administration of this Title, establish checking stations or roadblocks at points along established roads for the purpose of detecting and apprehending persons in violation of this Title.

- 7-5-4 [Authority of Law Enforcement Officers]. Acoma law enforcement officer may, based on a reasonable belief that a violation of this Title may exist:
- A. Enter and examine any camp, vehicle, package and container in an effort to retrieve any illegally taken or possessed game or protected animal or evidence relating to a violation of this Title.
 - B. Seize any game or protected animal believed to be acquired or held illegally.
- 7-5-5 [Authority to Seize Carcass Improperly Tagged or Possessed]. Any officer of the Acoma Pueblo with enforcement powers shall seize the carcass of any game or protected animal improperly tagged or possessed.
- 7-5-6 [Authority to Dispose Seized Carcass]. The Acoma law enforcement officer shall without unnecessary delay sell or donate to a charitable organization or needy person not connected with the unlawful taking, killing or possession thereof, all game seized under the provisions of this Title.
- 7-5-7 [Securing Evidence Prior to Disposal]. In an effort to avoid waste of confiscated game, if fit for human consumption, it shall be disposed of in accordance with the provisions of this Title and such disposal shall not adversely affect the evidentiary value of such evidence, provided that adequate efforts are taken to document the species of game, type, size, sex, weight, quantity and other pertinent information.
- 7-5-8 [Invoice Required to Obtain Confiscated or Seized Game]. Each purchaser or donee of confiscated game shall be issued an invoice stating the time, place, date and nature of disposition, including any monies received, the kind and weight of the animal and the name and address of the purchaser or donee. Such invoice shall authorize possession, transfer and use of the same on Acoma lands.
- 7-5-9 [Disposal of Monies From Sale of Confiscated Game]. All monies received as a result of the sale of confiscated game shall be processed through the official cash receipt records of the Acoma law enforcement officer.
- 7-5-10 [Seizure and Forfeiture of Weapons]. All firearms, bows, arrows, knives, and other instrumentalities used in the commission of an offense enumerated in this Title may be subject to seizure and forfeiture; except when such violation was committed without the knowledge or consent of the owner.
- 7-5-11 [Eligibility for Minors to Obtain a License or Permit]. It shall be unlawful for any person under the age of eighteen (18) years to hunt with, carry or shoot a firearm in the field upon Acoma land unless he or she has completed an approved hunter safety course or is accompanied close at hand by a parent or legal guardian.

Annotations: Cross-reference to Section 7-2-11 Pueblo of Acoma Laws 2003 for similar statute.

- 7-5-12 [Hunting While Attending Approved Hunter Safety Course]. Nothing in this Title shall prohibit any person from carrying, possessing or shooting a firearm or bow and arrow while participating in an approved hunter safety course.
- 7-5-13 [Activities of Law Enforcement Officer]. Nothing in this Title shall restrict any Acoma law enforcement officer in the performance of his or her duty nor shall his or her actions performed in the line of duty be construed as being illegal.
- 7-5-14 [Authority to Restrict Hunting or Trapping]. A Acoma law enforcement officer may temporarily restrict, pending official Tribal Council action, any hunting or trapping of any animal on Acoma lands when notified by a public health agency that infectious diseases have been noted in a particular area or type of animal.
- 7-5-15 [Negligent Use of Deadly Weapon Prohibited]. It shall be unlawful for any person to negligently use a deadly weapon in any of the following situations:
- A. Discharge any firearm into any building or vehicle or so as to knowingly endanger a person or his property.
 - B. Carry a loaded firearm in the field while under the influence of alcohol, narcotics or drugs.
 - C. Endanger the safety of another by handling or using a firearm or other deadly weapon in a negligent manner.
 - D. Discharge of a firearm within one hundred and fifty (150) yards of an inhabited dwelling or building without the owner(s) permission or across a public roadway.

Except that the provisions of subsections A, C, and D shall not apply to law enforcement officers in the performance of their official duties.

- 7-5-16 [Witness Testimony]. Any participant in a violation of this Title when so requested by a law enforcement officer may testify as a witness against any other person charged with violating the same statute and any evidence he provides shall not be used against him in any prosecution for such violation.

Chapter 6. LIMITS ON USE OF PROPERTY

- 7-6-1 [Duty to Comply With Posted Signs]. It shall be unlawful for any person to intentionally violate any legitimate restrictions published on posted property.
- 7-6-2 [Posted Signs of the Pueblo]. When the Pueblo desires to restrict access to

property within its jurisdiction it shall post notices of such restrictions at conspicuous places on the property affected, to include all pueblo roads entering or crossing such property and a second sign within three hundred (300) yards from where the public road enters the property; and shall place public legal notices in English, Spanish, and Keresan in at least one newspaper of general circulation in the county where the premises is situated warning all persons of the restrictions imposed.

Annotation: 1985 Law and Order Code misspelled “Keresa” as “Coresian”. 1995 Restatement made the proper correction.

- 7-6-3 [Posted Signs of Private Individuals]. When the private owner, assignee, allottee or lessee of any property within the exterior boundaries of the Acoma Pueblo desires to restrict access within the fenced enclosure of his property, he shall publish notice warning all persons not to hunt, fish or otherwise violate specified restrictions within his enclosed property. Such notices shall be posted around the exterior boundaries of his property at intervals not to exceed six hundred (600) feet and at all gates leading onto the property.
- 7-6-4 [Damage, Removal, or Destruction of Posted Signs]. It shall be unlawful for any person to damage, remove or destroy any public notice or regulatory sign posted on Acoma lands.
- 7-6-5 [Parking Within Water Hole, Well, or Water Tank]. It shall be unlawful for a person to camp or park a trailer, recreational vehicle or motor vehicle within three hundred (300) yards of a man-made water hole, well, or watering tank used by wildlife or domestic livestock.
- 7-6-6 [Driving Off-Roads or on Closed Roads Prohibited]. It shall be unlawful for any person to drive a motor vehicle across country where roads do not exist or upon any roads on Acoma lands that have been closed to vehicular traffic by act of the Acoma Tribal Council in an effort to protect wildlife and their natural habitat.
- 7-6-7 [Hunting on, From, or Across Roads or Right of Ways]. No one shall shoot at, wound, take or kill any game or protected animal on, from, or across any graded, paved, or maintained roadway on Acoma lands, including, but not limited to, areas lying within the road, right-of-way or forty (40) feet from the edge of any roadway in the absence of right-of-way fences.
- 7-6-8 [Prohibited Use of Motor-Driven Vehicle]. No one shall at any time shoot at, pursue, harass, harrass, drive, or rally any game or protected animal or domestic livestock not his own by use of any motor-driven vehicle.
- 7-6-9 [Prohibited Use of Motor Vehicle Bearing Weaponry]. It shall be unlawful to drive or ride in a motor vehicle bearing any weaponry capable of killing a game or protected animal at a distance greater than sixty (60) feet on Acoma

lands in an effort to run down, chase, or head off a game or protected animal, if such vehicle is driven off established roads; provided however, that a vehicle may be used to retrieve legally taken and tagged animals.

7-6-10 [Prohibited Use of Artificial Light]. It shall be unlawful for any person or group of persons to project the rays of an artificial light during the hour of darkness onto any field, pasture, woodland, forest, or prairie wherein game animals, protected animals or domestic livestock may be, or may reasonably be expected to be, while having in his or their possession or control a firearm, bow and arrow, or other implement whereby any game, protected, or domestic animal could be killed.

7-6-11 [Prohibited Activity Protected by Posted Signs]. Where protected by posted signs by the Pueblo or other legal authority, it shall be unlawful:

- A. To camp or park a house trailer, camp trailer, or recreational vehicle overnight.
- B. To camp or park a house trailer, camp trailer, recreational vehicle or other vehicle beyond an allowable time period.
- C. To hunt, swim, use boats, or other flotation devices.
- D. To permit quadruped pets to run loose, or otherwise be uncontrolled.
- E. To bring horses, mules, donkeys, burros, or hunting dogs.
- F. To fail to close gates.
- G. To build or maintain an unauthorized fire.

Annotation: 1985 Law and Order Code include "H. To enter or trespass upon lands. I. To drive motor vehicles off established roads" from this list. 1995 Restatement deleted H. and I. to remove duplication.

7-6-12 [Exception to Prohibited Use of Motor-Driven Vehicle]. Those persons who are permanently disabled in their lower limbs to the extent that they cannot walk may request and be granted relief from the exclusion of (vehicle) traffic in authorized hunting areas.

7-6-13 [Use of Stationary Motor Vehicle by Handicapped Persons]. The holder of a handicapped license is authorized to shoot at and kill game animals during an authorized hunting season from a stationary motor vehicle that is not on a public road or highway, provided he or she is legally licensed to do so.

7-6-14 [Passenger of Handicapped Drivers]. No one who is licensed to hunt game animals during any open hunting season may accompany a handicapped

permittee in or on any vehicle driven off established roads, unless that person is also the holder of a handicapped license.

Chapter 7. GENERAL FISHING REGULATIONS

- 7-7-1 [Authorized Lakes and Streams]. All lakes and streams on Acoma land shall be closed to fishing except during authorized fishing seasons.
- 7-7-2 [Authorized Fishing Season]. The authorized fishing season for lakes and streams on Acoma lands shall be from March 1 to October 31 each year, during daylight hours, unless otherwise allowed by the Acoma Tribal Council.
- 7-7-3 [Fishing Permit or License Required]. A permit or license shall be required for all persons over the age of ten (10) years fishing upon Acoma lands.
- 7-7-4 [Fee for Fishing Permit or License]. Any person who pays the required fee may be issued a fishing license by the Pueblo de Acoma provided they meet all other applicable requirements.
- 7-7-5 [Angling - Defined]. Angling shall mean taking or attempting to take any fish by hook and line that is attached to a pole, held in the hand or closely supervised.
- 7-7-6 [Authorized Use of Angling]. Game fish may be taken by angling with any of the following baits; provided that no person uses more than one pole, has more than one line attached to a pole, or utilizes more than three hooks on any line or pole.
- A. Artificial flies.
 - B. Artificial lures.
 - C. Live bait.
 - D. Prepared bait.
- 7-7-7 [Commercial Fishing Prohibited]. Commercial fishing is not permitted on/from Acoma waters.
- 7-7-8 [Catch and Possession Limits for Unlicensed Fishermen]. The daily catch and possession limits for unlicensed fishermen under the age of ten (10) years shall be one-half the corresponding limits for licensed fishermen.
- 7-7-9 [Determination of Catch Limit]. The daily catch limit for game fish is reached when the point value of the last fish taken when added to the sum of the point value of other fish already taken during that day reaches or exceeds 100 points.

The point value for game fish on Acoma lands are as follows:

- A. Rainbow trout 8 pts.
- B. Cutthroat trout 15 pts.
- C. German brown trout 15 pts.
- D. Catfish 5 pts.
- E. Perch 2 pts.
- F. Stripped bass 20 pts.
- G. Large mouth bass 10 pts.
- H. Small mouth bass 10 pts.
- I. Pike 20 pts.

7-7-10 [Possession Limit for Game Fish]. The possession limit for game fish on Acoma lands shall be twice the allowable daily catch limit.

7-7-11 [Use of Mechanical, Chemical, Electrical, or Explosive Device Prohibited]. The use of any mechanical, chemical, electrical, or explosive device capable of catching or killing fish is prohibited in all waters on Acoma land.

7-7-12 [Chum Prohibited]. It is unlawful to chum in any waters on Acoma land with any substance that is injurious to fish, game animals, protected animals, aquatic life, or plant life.

7-7-13 [Special Permit Required for Fishing During Darkness]. Fishing during the hours of darkness shall only be allowed upon the issuance of a special permit or license.

7-7-14 [Use of Artificial Light Permitted]. Game fish may be taken with the aid of artificial lighting provided the person fishing possesses a night fishing authorization permit.

7-7-15 [Methods of Fishing under Special Permit]. The following methods of taking game fish may only be utilized upon issuance of a special permit.

- A. Trout lines.
- B. Spears.

C. Gigs.

D. Arrows.

- 7-7-16 [Non-Game Fish Permitted]. The taking of non-game fish in waters containing game fish is legal by means of seines, traps, spears, gigs, and arrows provided a non-fee permit is obtained prior to any such activity.
- 7-7-17 [Game Fish Taken in Seines, Nets, and/or Traps]. All game fish taken in seines, nets, and/or traps shall be immediately returned to the water.
- 7-7-18 [Allowable Nets and Seines]. Nets and seines used in the taking of minnows and non-game fish for bait or personal use shall not be longer than ten (10) feet and the mesh shall not be larger than one quarter (1/4) inch squares.
- 7-7-19 [Trout Line - Defined]. Trout line is synonymous with set line and throw line and shall mean a fishing line that is not used with a rod or reel and that does not have to be held or closely attended.
- 7-7-20 [Number of Trout Line Allowed]. No person may fish with more than one trout line at a time.
- 7-7-21 [Number of Hooks in Trout Line]. Trout lines shall not have more than twenty-five (25) hooks in them.
- 7-7-22 [Duty to Inspect Trout Line]. A person using a trout line to fish shall personally inspect his line at least once every twenty-four (24) hours.
- 7-7-23 [Use of Other's Trout Line]. No person shall run another person's trout line.
- 7-7-24 [Multiple Trout Lines]. Trout lines of two or more persons shall not be found together.
- 7-7-25 [Identifying a Trout Line]. A person utilizing a trout line shall attach to it an identification tag that is visible and readable above the water line. Such identification tag shall contain the fisherman's name, address, license number if applicable and the date the trout line was set.
- 7-7-26 [Seizure of Trout Line]. Any Acoma law enforcement officer shall seize any trout line not set in accordance with the provisions of this Title.
- 7-7-27 [Use of Unlawful Substance]. It shall be unlawful for any person, firm, corporation, or governmental agency to introduce directly or indirectly into any water of Acoma Pueblo any substance that may stupify, injure, destroy, infect, contaminate or drive away from such waters any fish, amphibians, birds, or animals, or may be detrimental to the growth and/or reproduction of these animals or their natural foods.

7-7-28 [Use of Boat While Intoxicated]. It shall be unlawful for any person to operate a boat on Acoma waters while such person is intoxicated.

Chapter 8. SMALL GAME LIMITS

7-8-1 [Bag Limit]. The daily bag limit on small game animals is reached when the point value of the last animal taken when added to the sum of the point value of other small game animals already taken during that day reaches or exceeds one hundred (100) points.

7-8-2 [Possession Limit]. The possession limit for small game animals is the maximum number of small game animals which legally could have been taken in two (2) days.

7-8-3 [Point Values]. The point values for small game animals are as follows:

A. Rabbits 5 pts.

B. Squirrels 20 pts.

Chapter 9. GAME BIRD LIMITS

7-9-1 [Bag Limit on Upland Game Birds]. The daily bag limit on upland game birds is reached when the point value of the last birds taken when added to the sum of the point value of other birds already taken during that day reaches or exceeds one hundred (100) points.

7-9-2 [Possession Limit on Upland Game Birds]. The possession limit for upland game birds is the maximum number of birds which legally could have been taken in two (2) days.

7-9-3 [Permitted Weapons to Hunt Upland Game Birds]. Upland game birds may be hunted with shotguns fired from the shoulder or with a bow and arrow.

7-9-4 [Point Value for Upland Game Birds]. The point value of each upland game bird is as follows:

A. Pigeon 20 pts.

B. Dove 7 pts.

C. Rail 4 pts.

D. Snipe 10 pts.

E. Grouse 35 pts.

- F. Sandhill crane 50 pts.
- G. Quail 10 pts.
- H. Prairie chicken 50 pts.
- I. Pheasant 35 pts.

7-9-5 [Daily Bag Limit on Migratory Birds]. The daily bag limit on migratory birds is reached when the point value of the last bird taken when added to the sum of the point value of other birds already taken during the day reaches or exceeds one hundred (100) points.

7-9-6 [Possession Limit on Migratory Birds]. The possession limit for migratory birds is the maximum number of birds which legally could have been taken in two (2) days.

7-9-7 [Permitted Weapons to Hunt Migratory Birds]. Migratory birds may only be hunted with shotguns of a 16-gauge or greater fired from the shoulder or with a bow and arrow.

7-9-8 [Use of Blinds or Decoys]. Migratory birds may be taken from a blind and/or with the use of artificial decoys.

7-9-9 [Use of Dogs]. Dogs may be used in the hunting of migratory birds.

7-9-10 [Point Value for Migratory Birds]. The point value of each migratory bird is as follows:

- A. Canvasbacks 100 pts.
- B. Redheads 30 pts.
- C. Mallard hens 70 pts.
- D. Wood ducks 70 pts.
- E. Mexican ducks 70 pts.
- F. Hooded mergansers 70 pts.
- G. Teals 10 pts.
- H. Pintails 10 pts.
- I. Gadwalls 10 pts.

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| J. | Shovelers | 10 pts. |
| K. | Widgeons | 10 pts. |
| L. | Common mergansers | 10 pts. |
| M. | Red breasted mergansers | 10 pts. |
| N. | All other ducks | 10 pts. |
| O. | Geese | 100 pts. |
| P. | Cranes | 50 pts. |
| Q. | Coots | 35 pts. |

Chapter 10. BIG GAME LIMITS

- 7-10-1 [Hunting Season - Generally]. The seasons provided for the hunting of big game are further controlled beyond the dates of their hunts by the type of weapon authorized for such hunt as noted below:
- A. B.A. means bow and arrow only.
 - B. H.6. means handguns of a specified caliber or greater only.
 - C. M.6. means muzzle loaders of a specified caliber or greater only.
 - D. M.R. means a modern rifle of a specified caliber or greater only.
 - E. R./S. means rifles and shotguns of a specified caliber or greater only.
 - F. R1/R2 means modern rifles of a specified caliber or greater only.
- 7-10-2 [Daily Bag Limit]. The daily bag limit on big game animals shall be one (1) of the species consistent with any additional restrictions contained herein.
- 7-10-3 [Possession Limit]. The possession limit on big game animals shall be the same as the daily bag limit.
- 7-10-4 [Hunting Restrictions]. The weapons and sex restrictions as noted in the general provisions of this Title shall apply to the taking of big game animals.
- 7-10-5 [Point Value for Big Game]. The point value of each big game animal is as follows:

- A. Antelope 100 pts.
- B. Barbary sheep 02/05 to 02/12 100 pts.
- C. Elk [MR] 100 pts.
- D. Deer [BA] 100 pts.
- E. Deer [H6a] 100 pts.
- F. Deer [ML] 100 pts.
- G. Deer [R1] 100 pts.
- H. Deer [R2] 100 pts.
- I. Bear [MR] 100 pts.
- J. Turkey [OA] 100 pts.
- K. Turkey [ML] 100 pts.
- L. Turkey [R/S] 100 pts.

Chapter 11. FUR BEARING OR PREDATORY ANIMALS

- 7-11-1 [Hunting Season]. Furbearing animals hunting season shall be from November 20 through March 20 annually unless otherwise altered by the Acoma Tribal Council.
- 7-11-2 [Date Restrictions]. There shall be no restrictions by date for the taking of predatory animals on Acoma lands.
- 7-11-3 [Hunting/Trapping Permits]. The issuance of predatory animal hunting/trapping permits shall be open to non-Acomas.
- 7-11-4 [Allowable Weapons]. Furbearing or predatory animals may be taken by means of firearms, bow and arrow, traps, or snares as further restricted herein.
- 7-11-5 [Bag or Possession Limit]. There shall be no limit on any Furbearing or predatory animal.
- 7-11-6 [Keeping Furbearing Animals in Captivity]. It shall be illegal to retain alive in captivity any furbearing animal unless expressly authorized in writing to do so by the Chief of the Acoma Police or written permit from the Acoma Tribal Council.

Chapter 12. SNARES, TRAPS, BAITING

- 7-12-1 [Restrictions on Land Sets]. No land set shall be placed:
- A. Within fifty (50) yards of any man made livestock or wildlife watering area.
 - B. Within twenty-five (25) yards of the shoulder of a public road.
 - C. Within one-fourth (1/4) mile of an established public campground, roadside rest area, picnic area, or boating area.
 - D. Within one-fourth (1/4) mile of any occupied dwelling; without written permission of the occupants unless such is set by a land owner on his own land.
- 7-12-2 [Restrictions on Small Steel Traps]. No steel trap with an outside jaw spread larger than six and one-half (6 1/2) inches and no tooth jawed traps shall be used in making a land set, with the exception of a conibear-type trap set on land for beaver.
- 7-12-3 [Restrictions on Large Steel Traps]. No steel trap with an outside jaw spread larger than twelve (12) inches shall be used in making a water set.
- 7-12-4 [Location Restrictions on Steel Traps]. It shall be illegal to place, set, or maintain any steel trap within twenty-five (25) feet of any bait that is at all visible from any angle which consists of the flesh, hide, fur, viscera, or feathers of any animal; provided, however, that a cubby set shall be legal when set where the bait cannot be seen except from a height of three (3) feet or less above the ground level at a distance of twenty-five (25) feet.
- 7-12-5 [Use of Bones]. Bones that are entirely free of flesh, hide, fur or feathers may be used as visible bait.
- 7-12-6 [Restrictions on Trap Flag]. The restrictions on visible bait shall not apply to a trap flag that is suspended at least three (3) feet above the ground and such is made from materials other than parts of mammals, birds, fish, reptiles or amphibians.
- 7-12-7 [Identifying Trap or Snare]. Every trap or snare used in the taking of wild animals shall be permanently marked with a user-identification tag which is on file with the Acoma law enforcement officer.
- 7-12-8 [Duty to Visit Snare or Trap]. Every person who sets any snare or trap other than a conibear-type trap shall visit the trap or snare at least once every

forty-eight (48) hours and remove from the trap or snare at that time all wildlife held captive.

- 7-12-9 [Use of Other's Trap]. It shall be unlawful for any person to intentionally trap, damage, destroy, remove or take any trap or snare belonging to another without such person's permission.
- 7-12-10 [Fox Taken by Non-Acomas]. Every non-Acoma who takes any fox on Acoma land shall without unnecessary delay surrender the pelt to the Acoma Tribal Administration for use in the course of official Pueblo business.
- 7-12-11 [Taking of Bobcats]. Any person taking a bobcat on Acoma land shall present the pelt and lower jaw of such animal to a representative of the New Mexico Game and Fish Department within thirty (30) days for tagging purposes.
- 7-12-12 [Duty to Release Protected Nonpredatory Furbearing Animals]. Any person licensed to trap predatory animals only, shall release any protected nonpredatory furbearing animals captured unless such animal is so seriously injured that it will not survive. In such instances the animal will be surrendered to the Acoma law enforcement officer without unnecessary delay.
- 7-12-13 [Duty to Report Hunting/Trapping Activities]. Every person trapping or hunting furbearing or predatory animals on Acoma land shall report such activities on a daily basis to the Acoma law enforcement officer, noting the number and type of any animals taken on Acoma lands.
- 7-12-14 [Fur Dealer's License]. Any person dealing in the skins and pelts of animals on Acoma land other than those of their own catches shall obtain a fur dealer's license from the Pueblo de Acoma.
- 7-12-15 [Responsibility of Fur Dealer]. Fur dealers shall file with the Acoma law enforcement officer not later than the tenth (10th) day of every month a sworn statement showing the number and kind of skins and pelts of animals purchased and/or sold the previous month; including the dates of such transactions and the parties involved.
- 7-12-16 [Law Enforcement Inspection]. The establishments, storage areas, and records of fur dealers shall be open for inspection by Pueblo law enforcement officers at any reasonable hour of the day.
- 7-12-17 [Failure to Report Dealer's Activities]. It shall be unlawful for any person dealing in the skins and pelts of animals to fail to report purchases or sales or to misrepresent the actual volume of such purchases or sales, or to possess or dispose of unreported skins and pelts.

Chapter 13. EXOTIC ANIMALS

- 7-13-1 [Hunting Season for Exotic Animals]. The season for hunting exotic animals on Acoma lands and the approved bag limits of each as well as an appropriate fee shall be determined by the Acoma Tribal Council on a need basis.
- 7-13-2 [Hunting Season for Game Animals]. The season for hunting game animals on Acoma lands in addition to those seasons already specified, otherwise referred to as special seasons, their respective dates, bag limits, and fee shall be determined by the Acoma Tribal Council on a need basis.
- 7-13-3 [Hunting Season for Non-Game or Unprotected Animals]. There is no season or bag limit on non-game or unprotected animals, however a license is required by any non-Acoma who wishes to hunt such animals as noted below on Acoma lands.
- A. Poisonous snakes;
 - B. Prairie dogs;
 - C. Wild dogs;
 - D. Carp.

Chapter 14. FALCONS, RAPTORS

- 7-14-1 [Keeping Falcons or Raptors in Captivity]. It shall be unlawful for any person to maintain any type of falcon or raptor on Acoma lands without a permit or license authorizing such activities.
- 7-14-2 [Falconry Permit Qualifications]. Before a falconry permit may be issued, the permittee must demonstrate to the satisfaction of the Acoma law enforcement officer that he or she has appropriate facilities and knowledge to care for any raptors they possess.
- 7-14-3 [Falconry Permit Test]. Falconry applicants shall correctly answer at least eighty (80) percent of the questions contained on the examination provided for the class of permit applied for; such questions shall relate to appropriate areas of biology, care and handling of raptors as well as respective laws, regulations, equipment, and disease information.
- 7-14-4 [Re-examination of Falconry Permit Test]. Applicants who fail to pass an examination may take another examination for the same class of permit no earlier than three (3) months from the date of the prior examination.
- 7-14-5 [Use of Raptor Facilities and Equipment]. When evaluating a falconry permit

and applicant's capability to care for any raptor, the Acoma law enforcement officer shall utilize those standard raptor facilities and equipment established under current federal and/or state wildlife regulations.

- 7-14-6 [Law Enforcement Inspection]. All falconry facilities and records on Acoma lands shall be open to inspection by Acoma law enforcement personnel at any reasonable hour of the day.
- 7-14-7 [Revocation or Denial of Falconry Permit]. Falconry permits may be revoked or renewal denied for failure to maintain raptor facilities and equipment in an approved condition.
- 7-14-8 [Classes of Falconry Permits]. There shall be three (3) classes of falconry permits which shall authorize the permittee to possess a specified number of raptors:
- A. Class I or apprentice falconry permits shall authorize the permittee to possess not more than one raptor.
 - B. Class II or general falconry permits shall authorize the permittee to possess not more than two (2) raptors.
 - C. Class III or master falconry permits shall authorize the permittee to possess not more than three (3) raptors.
- 7-14-9 [Transferability of Falconry Permits]. All falconry permits are non-transferable and shall only be issued after the following additional requirements are met:
- A. The applicant qualifies as a duly registered member of Acoma Pueblo in good standing.
 - B. Applicants for apprentice permits shall be at least fourteen (14) years of age and must be sponsored for a period of two (2) years by the holder of a general or master falconry permit.
 - C. Applicants for a general permit shall be at least eighteen (18) years of age and shall have had at least two (2) years of approved experience in the practice of falconry at the apprentice level or its equivalent.
 - D. Applicants for a master permit shall have at least five (5) years of experience in the practice of falconry at the general class level or its equivalent.
- 7-14-10 [Release of Raptors]. Falconry permittees shall not intentionally release a raptor without having first had the bird banded through the Acoma law enforcement officer, and obtained a release authorization permit from the

tribal administration.

- 7-14-11 [Hunting Season]. Falconry hunting seasons shall coincide with the dates and times of authorized hunting seasons for the species of animal that is being hunted with a falcon or other bird of prey.
- 7-14-12 [Special Restrictions on Eagles]. No eagle shall be held or utilized as a raptor.
- 7-14-13 [Taking Raptors from Wild]. Raptors may be taken from the wild for falconry purposes only by the holder of a raptor-taking permit issued by the Pueblo de Acoma.
- 7-14-14 [Raptor Taking Permits]. Raptor-taking permits may be issued only to persons who hold a valid falconer permit issued by the Pueblo de Acoma.
- 7-14-15 [Withholding Raptor-Taking Permits]. Raptor-taking permits may be withheld for the taking of any species whose wild population might be significantly and or adversely affected by such action.
- 7-14-16 [Other Restrictions on Taking Raptors]. The following additional restrictions shall apply to the taking of raptors from Acoma lands:
- A. Eyases may only be taken from May 15 to July 15.
 - B. Passage birds may be taken between September 15 and January 10.
 - C. No raptor older than one year of age may be taken.
 - D. No more than two raptors may be taken by the same permittee annually.
 - E. Raptors may only be taken from the area designated on the raptor-taking permit.
 - F. Raptors may not be taken by means of steel jawed traps, chains, jump traps or pole traps.

Chapter 15. CIVIL REMEDIES

- 7-15-1 [Allowable Damages]. Irrespective to any criminal prosecution initiated for violation(s) of this Title, a civil action may also be instituted to recover damages for the loss of game, protected animals, or wildlife habitats.
- 7-15-2 [Tort Actions]. Any civil tort initiated under the provisions of this Title shall be instituted by the filing of the necessary paperwork with the Acoma Tribal Court by a duly elected or appointed official of the Acoma tribal government.

7-15-3 [Determination of Damages]. The following fee schedule shall serve as a minimum determination of damages for loss of the specified species of animals. However, where no minimum exists or in cases of flagrant violations a greater monetary loss value may be assessed by the Acoma Tribal Court.

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| A. | Fish | \$ 2.00 |
| B. | Protected birds | 8.00 |
| C. | Upland game birds | 10.00 |
| D. | Migratory game birds | 20.00 |
| E. | Small game animals | 5.00 |
| F. | Turkey | 50.00 |
| G. | Beaver | 75.00 |
| H. | Javelina | 100.00 |
| I. | Deer | 200.00 |
| J. | Antelope | 300.00 |
| K. | Elk | 500.00 |
| L. | Sheep | 250.00 |
| M. | Bear | 400.00 |
| N. | Bobcat | 150.00 |
| O. | Furbearing animal (not listed above) | 90.00 |
| P. | Exotic game animal | 1,000.00 |

Chapter 16. MISCELLANEOUS: WOOD

7-16-1 [Permit Required]. It shall be unlawful for any person to cut, remove or haul any woody material on Acoma land without a valid written permit, on a form approved by the Acoma Tribal Council and issued by the Acoma Tribal Administration in his or her possession.

7-16-2 [Prohibited Areas]. It shall be unlawful for any person to cut, remove or haul any woody material on Acoma land from a restricted area designated by

posted signs or on a valid permit and approved by the Acoma Tribal Council.

Origins: Enacted by Tribal Council Resolution No. TC-DEC-21-95-4.

Annotation: 1985 Law and Order Code did not contain Section 7-16-2. 1995 Restatement included this provision without reference to origin. Pueblo of Acoma Laws 2003 inserts the Origin above. Tribal Council Resolution No. TC-DEC-21-95-4 directed that this section be included in Title 16. Since the subject matter of Title 16 of the Pueblo of Acoma Laws 2003 is no longer relevant, the 1995 Restatement included this provision in this Title.

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